

**AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
May 6, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

UPCOMING MEETING ANNOUNCEMENTS

COUNCIL REPORTS

DEPARTMENT REPORTS

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

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

INFORMATIONAL ITEMS

1. Letters of Appreciation - Development and Infrastructure Services Department

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

PRESENTATIONS

1. Certificates of Appreciation to outgoing members of the Youth Advisory Council
2. Proclamation - Building Safety Month 2015

**CONSENT AGENDA
(Consideration and/or possible action)**

- A. Minutes - April 15, 2015 and April 22, 2015
- B. Fiscal Year 2014/15 Financial Update through February 2015

- C. Resolution No. (R)15-33, authorizing and accepting a donation from the Steven M. Gootter Foundation for the purchase of 12 automated external defibrillators (AEDs)
- D. Request for approval of a final plat and license agreement for the Estates at Capella subdivision, located south of Naranja Drive approximately one-quarter mile west of La Cholla Boulevard
- E. Resolution No. (R)15-34, authorizing Verizon Communications, Inc. to sublease the ground lease, entered with the Town of Oro Valley, to American Tower and subsequently lease back from American Tower a portion of the site located at 551 W. Lambert Lane

REGULAR AGENDA

- 1. PUBLIC HEARING: RESOLUTIONS AMENDING THE GENERAL PLAN FUTURE LAND USE MAP TO MASTER PLANNED COMMUNITY, ADOPTING SPECIAL AREA POLICIES RELATED TO THE DEVELOPMENT AND DELETING THE SIGNIFICANT RESOURCE AREA DESIGNATION PERTAINING TO 191 ACRES LOCATED AT THE SOUTHWEST AND NORTHWEST CORNERS OF THE LA CHOLLA BOULEVARD AND NARANJA DRIVE INTERSECTION
 - A. RESOLUTION NO. (R)15-31, AMENDING THE GENERAL PLAN LAND USE MAP, ADOPTING SPECIAL AREA POLICIES AND DELETING THE SIGNIFICANT RESOURCE AREA DESIGNATION FOR 182.7 ACRES LOCATED AT THE SOUTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE
 - B. RESOLUTION NO. (R)15-32, AMENDING THE GENERAL PLAN LAND USE MAP, ADOPTING SPECIAL AREA POLICIES AND DELETING THE SIGNIFICANT RESOURCE AREA DESIGNATION FOR 8.2 ACRES LOCATED AT THE NORTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE
- 2. DISCUSSION AND POSSIBLE DIRECTION REGARDING COMMEMORATIVE PLAQUES FOR TOWN COUNCIL-AUTHORIZED PROJECTS

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: 4/29/15 at 5:00 p.m. by mrs

When possible, a packet of agenda materials as listed above is available for public inspection at least 24 hours prior to the Council meeting in the office of the Town Clerk between the hours of 8:00 a.m. – 5:00p.m.

The Town of Oro Valley complies with the Americans with Disabilities Act (ADA). If any person with a disability needs any type of accommodation, please notify the Town Clerk's Office at least five days prior to the Council meeting at 229-4700.

INSTRUCTIONS TO SPEAKERS

Members of the public have the right to speak during any posted public hearing. However, those items not listed as a public hearing are for consideration and action by the Town Council during the course of their business meeting. Members of the public may be allowed to speak on these topics at the discretion of the Chair.

If you wish to address the Town Council on any item(s) on this agenda, please complete a speaker card located on the Agenda table at the back of the room and give it to the Town Clerk. **Please indicate on the speaker card which item number and topic you wish to speak on, or if you wish to speak during "Call to Audience", please specify what you wish to discuss when completing the blue speaker card.**

Please step forward to the podium when the Mayor announces the item(s) on the agenda which you are interested in addressing.

1. For the record, please state your name and whether or not you are a Town resident.
2. Speak only on the issue currently being discussed by Council. Please organize your speech, you will only be allowed to address the Council once regarding the topic being discussed.
3. Please limit your comments to 3 minutes.
4. During "Call to Audience" you may address the Council on any issue you wish.
5. Any member of the public speaking must speak in a courteous and respectful manner to those present.

Thank you for your cooperation.



Town Council Regular Session

Item # 1.

Meeting Date: 05/06/2015

Submitted By: Julie Bower, Town Clerk's Office

Information

Subject

Letters of Appreciation - Development and Infrastructure Services Department

Attachments

San Dorado

M Tupper

From: Joe Commisto

Sent: Friday, April 10, 2015 9:17 AM

To: King, Chuck

Cc: Moore, Mark; Celey, Ken; Keesler, Paul; Laws, David; Gray, Jennifer; McGuire, Tim

Subject: San Dorado

To All, today is my last day with Mark-Taylor Development, Inc. and prior to leaving I wanted to express my thanks for all of the cooperation we have received from the TOV. The project had it's share of challenges and hopefully these were dealt with by MTD in a professional manner, and although the project is not complete we are a month or so from final completion and acceptance and from our standpoint the TOV personnel all acted in very professional manner. And I would like to add a special thanks to Tim McGuire who in my opinion is a terrific building inspector. I believe we should all be proud of this landmark project and one we can all be proud of. Thanks again!

Regards,

Joe Commisto

Project Manager

Mark  **Taylor**

6623 North Scottsdale Rd. Scottsdale, AZ 85250

Sent: Monday, April 13, 2015 8:46 AM
To: Dull, Gary
Subject: Re: Light, Horizon Heights

Thanks, Gary. It's actually unusual in this day and age for city officials anywhere to have the time to deal with minor things such as this, much less to care enough to follow through on them, understanding that such things are not as minor to the people they affect. We are so fortunate to live in a city like Oro Valley. There are so few of them around.

Mike

ps: As to pool closing time, I could count the number of times I've seen someone in that pool during the two years we've lived here on one hand.



Town Council Regular Session

Item # 1.

Meeting Date: 05/06/2015
Certificates of Appreciation

Information

Subject

Certificates of Appreciation to outgoing members of the Youth Advisory Council

Summary



Town Council Regular Session

Item # 2.

Meeting Date: 05/06/2015
Proclamation - Building Safety Month

Information

Subject
Proclamation - Building Safety Month 2015

Summary

Attachments

Proclamation

Office of the Mayor
Oro Valley, Arizona
Proclamation

BUILDING SAFETY MONTH – MAY, 2015

WHEREAS, our Town's continuing efforts to address the critical issues of safety, energy efficiency, water conservation, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and,

WHEREAS, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and,

WHEREAS, these guardians—dedicated members of the International Code Council—use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play; and,

WHEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes; and,

WHEREAS, Building Safety Month is to remind the public about the critical role of our communities' often unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings; and,

WHEREAS, "Resilient Communities Start with Building Codes" the theme for Building Safety Month 2015, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, water safety and conservation; energy efficiency and new technologies in the construction industry. Building Safety Month 2015 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and,

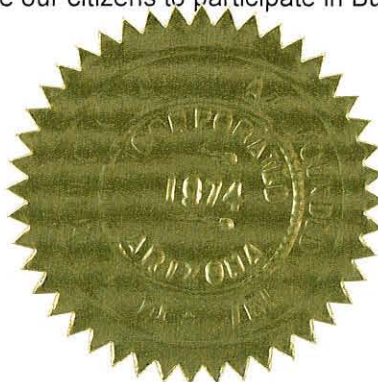
WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property; and,

WHEREAS, Oro Valley will be utilizing Building Safety Month to initiate an offer to provide courtesy pool and spa safety inspections for its citizens; and,

NOW, THEREFORE, I, Dr. Satish I. Hiremath, Mayor of Oro Valley, hereby proclaim the month of May 2015 as Building Safety Month and encourage our citizens to participate in Building Safety Month activities.

Dated this 6th day of May, 2015


Dr. Satish I. Hiremath, Mayor



ATTEST:


Julie K. Bower, Town Clerk



Town Council Regular Session

Item # A.

Meeting Date: 05/06/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - April 15, 2015 and April 22, 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 April 15, 2015 and April 22, 2015 minutes.

Attachments

4/15/15 Draft Minutes

4/22/15 Draft Minutes

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
April 15, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

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

ROLL CALL

PRESENT:

Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember
Bill Garner, Councilmember (Attended via phone)
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

EXECUTIVE SESSION - Pursuant to A.R.S. Sections 38-431.03(A)(3), 38-431.03(A)(4) and 38-431.03(A)(7) in order to receive legal advice and in order to consider its position and instruct the Town Attorney and designated representatives regarding the Town's position relating to the El Conquistador Country Club land purchase, contract negotiations regarding same and pending litigation involving Arrett & Lamonna v. Oro Valley

MOTION: A motion was made by Councilmember Zinkin and seconded by Vice Mayor Waters to go into Executive Session at 5:01 p.m. pursuant to A.R.S. Sections 38-431.03(A)(3), 38-431.03(A)(4) and 38-431.03(A)(7) in order to receive legal advice and in order to consider its position and instruct the Town Attorney and designated representatives regarding the Town's position relating to the El Conquistador Country Club land purchase, contract negotiations regarding same and pending litigation involving Arrett & Lamonna v. Oro Valley.

MOTION carried, 7-0.

Mayor Hiremath said the following staff members would join Council in Executive Session: Town Manager Greg Caton, Town Attorney Kelly Schwab, 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
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

ABSENT: Bill Garner, Councilmember

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

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

COUNCIL REPORTS and Spotlight on Youth

Councilmember Hornat clarified that no matter what Oro Valley businesses charged for sales tax, the state would collect the proper amount of sales tax (currently 2.5%) at the end of the month from each business.

Councilmember Hornat said he reviewed the 2008 Naranja Park Bond proposal and said that he was previously incorrect when he said the plan was "all green" because the original plan included a bmx track and a skate park.

Vice Mayor Waters reported that he attended the Canyon Del Oro High School ceremonial soccer game at Naranja Park on Saturday morning at 8:00 a.m. and the park was very well attended by both kids and parents.

Councilmember Snider recognized Jacob "Bubba" Mustain, 3rd grader at Copper Creek Elementary, for achieving good grades, being kind to others and leading by example.

DEPARTMENT REPORTS

No reports were received.

ORDER OF BUSINESS

Mayor Hiremath said Regular Agenda item #1 would be continued to a future meeting at the request of the applicant and Regular Agenda item #3 would be removed from the agenda at the request of Councilmember Zinkin and Councilmember Burns.

INFORMATIONAL ITEMS

1. Letter of Appreciation - Development and Infrastructure Services Department
2. Letter of Appreciation - Oro Valley Police Department

CALL TO AUDIENCE

Oro Valley resident Don Barnett was concerned with the condition of the bunkers at the Hilton El Conquistador Country Club and urged Council to fix the bunkers.

Oro Valley resident Paul Emmert said the Town's website claimed that tourism contributed to nearly 100% of Bed Tax revenues and about 1/3 of Sales Tax revenues and asked where the data was that supported this forecast.

Oro Valley resident Don Bristow disagreed with Town Staff and Planning and Zoning Commission Members regarding their understanding of the General Plan and Town Zoning Codes and proposed that a future discussion should take place to discuss the balance of citizen concerns vs. business level of signage.

Oro Valley resident Geri Ottoboni spoke about the proposed Pima County Bond election slated for November 3, 2015 and was concerned with the total amount of the proposed bond and what it would cost taxpayers if approved by the voters.

Councilmember Zinkin directed staff to look into the bunker issue at the Hilton El Conquistador Country Club golf course and directed staff to verify that the tax information on the Town's website was correct as it related to how much sales tax was generated from tourism.

PRESENTATIONS

1. Proclamation - PowerTalk 21 Day

Mayor Hiremath proclaimed Monday April 21 as PowerTalk 21 Day in the Town of Oro Valley, Arizona.

2. Charles Huang, Distinguished Finalist - 20th Annual Prudential Spirit of Community Awards

Councilmember Snider introduced Charles Huang, Senior at Basis Oro Valley.

Mayor Hiremath recognized Mr. Huang for recently being named as one of the state's top honorees for the Prudential Spirit of Community Awards program. Mr. Huang exemplified the value of volunteer community service and was a role-model to other youth as well as adults within the community.

3. Recognition of Historic Expository Writing Contest Winners

Parks and Recreation Director Kristy Diaz-Trahan recognized the following contest winners:

- 1st Place – Karsen Garrity
- 2nd Place – Madison Santiago
- 3rd Place – Zoe Kaber

4. Presentation by Brent DeRaad, President/CEO of Visit Tucson

President and CEO of Visit Tucson, Brent DeRadd, gave an overview of Visit Tucson's recent accomplishments.

- Metro Tucson Visitor Industry
- Visit Tucson 2014-15 Revenue
- Metro Tucson Hotel/Resort Performance
- Marketing Campaigns
- Oro Valley Initiatives
- Oro Valley - Return on Investment
- 2015-16 Oro Valley Priorities

CONSENT AGENDA

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

- D. Resolution No. (R)15-28, authorizing and approving a High Intensity Drug Trafficking Area (HIDTA) Grant Agreement with the City of Tucson, allowing for one (1) officer to be assigned to the Pima County HIDTA Investigative Task Force
- E. Resolution No. (R)15-29, authorizing and approving an Employment Agreement for the Town Magistrate, George Dunscomb
- F. Resolution No. (R)15-30, authorizing and approving an Intergovernmental Agreement with the City of Tucson for participation in the Regional Transportation Data Network (RTDN) System

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

MOTION carried, 6-0.

A. Minutes - April 1, 2015

Councilmember Zinkin requested to amend Consent Agenda item (C) of the 4/1/15 draft minutes by adding his comments that there would be ample opportunity for public input regarding the La Cholla Road widening project.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Burns to approve the April 1, 2015 minutes as amended.

MOTION carried, 6-0.

B. Appointment to the Historic Preservation Commission (HPC)

Councilmember Zinkin introduced Mr. Huff and thanked him for volunteering to serve on the Historic Preservation Commission.

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

MOTION carried, 6-0.

C. Resolution No. (R)15-27, authorizing and approving a High Intensity Drug Trafficking Area (HIDTA) Grant Agreement with the City of Tucson, allowing for two (2) officers to be assigned to the Pima County/Tucson Metropolitan Counter Narcotics Alliance (CNA)

Councilmember Zinkin asked if raises to salaries, fringe benefits and/or overtime expenses were included in the reimbursement.

Lieutenant John Teachout said the grant would fully reimburse all expenses.

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

MOTION carried, 6-0.

REGULAR AGENDA

- ~~1. PUBLIC HEARING: RESOLUTIONS AMENDING THE GENERAL PLAN FUTURE LAND USE MAP TO MASTER PLANNED COMMUNITY, ADOPTING SPECIAL AREA POLICIES RELATED TO DEVELOPMENT AND DELETING~~**

~~THE SIGNIFICANT RESOURCE AREA DESIGNATION PERTAINING TO 191 ACRES LOCATED AT THE SOUTHWEST AND NORTHWEST CORNERS OF LA CHOLLA BOULEVARD AND NARANJA DRIVE~~

~~A. RESOLUTION NO. (R)15-31, AMENDING THE GENERAL PLAN FUTURE LAND USE MAP, ADOPTING SPECIAL AREA POLICIES AND DELETING THE SIGNIFICANT RESOURCE AREA FOR 182.7 ACRES LOCATED AT THE SOUTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE~~

~~B. RESOLUTION NO. (R)15-32, AMENDING THE GENERAL PLAN FUTURE LAND USE MAP, ADOPTING SPECIAL AREA POLICIES AND DELETING THE SIGNIFICANT RESOURCE AREA FOR 8.2 ACRES LOCATED AT THE NORTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE~~

Mayor Hiremath said Regular Agenda item #1 would be continued to a future meeting at the request of the applicant.

2. PRESENTATION OF TOWN MANAGER'S RECOMMENDED BUDGET FOR FISCAL YEAR 2015/16

Town Manager Greg Caton gave an overview of the budget timeline.

Finance Director Stacey Lemos and Mr. Caton presented the recommended budget and outlined the following:

- Budget Snapshot
- Strategic Plan Budget Focus Areas
 - Fiscal Responsibility
 - Communication
 - Economic Development
 - Parks, Recreation and Cultural Development
 - Community Infrastructure and Services
- New Initiatives
- Financial Overview
 - Revenue Projections
- Capital Improvement Program (CIP)
- Awards and Accolades

3. DISCUSSION AND POSSIBLE DIRECTION REGARDING THE APPROPRIATE USE OF THE COUNCIL FOREWORD

Mayor Hiremath removed item #3 from the agenda at the request of Councilmember Zinkin and Councilmember Burns.

FUTURE AGENDA ITEMS

Councilmember Zinkin requested a future agenda item for the May 20, 2015 Council meeting to discuss and take possible action regarding Personnel Policy #14 - Overtime, seconded by Councilmember Burns.

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 7:17 p.m.

MOTION carried, 6-0.

Prepared by:

Michael Standish, CMC
Deputy Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 15th day of April, 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

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
April 22, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

STUDY SESSION AT OR AFTER 4:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 4:00 p.m.

ROLL CALL

PRESENT:

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

Mayor Hiremath requested a moment of silence for Kelsey, the daughter of Michael Lauria, Executive Director of the Children's Museum, who passed away Saturday.

1. FY 2015/16 Town Manager's Recommended Budget Department Overviews

Greg Caton, Town Manager announced there would be presentations from the following operational departments - Water Utility, Development and Infrastructure Services (DIS) and Parks and Recreation.

Water Utility

Philip Saletta, Water Utility Director, gave an overview of the proposed Water Utility budget that included the following:

- Oro Valley Water Utility Funds
- Operating Fund Budget
- Operating Fund Budget - Personnel
- Operating Fund Budget - O&M
- Operating Fund Budget - Capital
- Impact Fee Funds
- All Water Utility Budgets

Following the presentation, there were questions and comments from Council regarding the Water Utility budget.

Development and Infrastructure Services

Paul Keesler, DIS Director, gave an overview of the following proposed DIS Department budget structure and highlights:

- Department Overview
- By the Numbers
- Budget Highlights - O&M
- Budget Highlights - Personnel

Following the presentation, there were questions and comments from Council regarding the DIS budget.

Parks and Recreation

Kristy Diaz-Trahan, Parks and Recreation Director, gave an overview of the following proposed Parks and Recreation budget highlights:

- Strategic Plan Implementation
- Parks and Recreation Department
- Administration Division
- Aquatics Division
- Park Maintenance Division
- Park Maintenance Division Projects
- Recreation Division
- Cultural Services Division

Following the presentation, there were questions and comments from Council regarding the Parks and Recreation budget.

FUTURE AGENDA ITEMS

Councilmember Zinkin requested a later start time for the April 29th study session.

The majority of Council agreed to change the start time to 4:30 p.m. for the April 29th study session.

ADJOURNMENT

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adjourn the meeting at 6:16 p.m.

MOTION carried, 7-0.

Prepared by:

Michelle Stine
Senior Office Specialist

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the study session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 22nd day of April 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2015.

Julie K. Bower, MMC
Town Clerk

DRAFT



Town Council Regular Session

Item # **B.**

Meeting Date: 05/06/2015

Requested by: Stacey Lemos

Submitted By: Wendy Gomez, Finance

Department: Finance

Information

SUBJECT:

Fiscal Year 2014/15 Financial Update through February 2015

RECOMMENDATION:

This item is for information only.

EXECUTIVE SUMMARY:

In the General Fund (see attachment A), revenues collected through February totaled \$20.4 million or 63.3% of the budget amount of \$32.3 million. Year-to-date expenditures through February totaled \$20.6 million or 63.4% of the budget amount of \$32.5 million. The FY 2014/15 General Fund budget includes a transfer out of one-time revenues in the amount of \$2.7 million to the General Government CIP Fund for capital projects. Please note that year-to-date expenditures now include approximately two-thirds of this budgeted transfer out to the General Government CIP Fund of about \$1,740,000.

In the Highway Fund (see attachment B), revenues collected through February totaled \$2.0 million or 66.4% of the budget amount of \$3.0 million. Year-to-date expenditures through February totaled \$2.0 million or 47.0% 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 February totaled \$497,114 or 52.4% of the budget amount of \$949,000. Year-to-date expenditures through February totaled \$506,811 or 52.7% of the budget amount of \$961,000.

BACKGROUND OR DETAILED INFORMATION:

GENERAL FUND

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

Revenues	\$31,631,838
<u>Less:</u>	
Expenditures	(\$31,728,692)
Est. Decrease in Fund Balance	(\$ 96,854)

General Fund Revenues

- Local sales tax collections in the General Fund total \$10.0 million or 63.7% 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 \$310,000 or 17.2% 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 \$175,000 or 10.9%. Of this amount, approximately \$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 is included in the Police Department's year-end estimated expenditures.
- Charges for Services revenues are estimated to come in over budget by about \$122,000 or 7.2% due to revenue trends at the Aquatic Center, zoning & subdivision fees, engineer plan review fees and user fee revenues for field and court rentals.
- Fine revenues are estimated to come in under budget by \$40,000 or 22.2% 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 \$728,000 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, which 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 \$1.8 million or 66.3% 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 \$494,782 or 52.4% of the budget amount of \$945,000 and are estimated to come in on budget at this time.

Bed Tax Fund Expenditures

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

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

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

This item is for information only.

Attachments

[Attachment A - General Fund](#)

[Attachment B - Highway Fund](#)

[Attachment C - Bed Tax Fund](#)

[Attachment D - Summary All Funds](#)

[Attachment E - GF Local Sales Tax](#)



General Fund

% Budget Completion through February --- 66.7%

	Actuals thru 2/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
LOCAL SALES TAX	9,983,544	15,676,905	63.7%	15,362,467	-2.0%
LICENSES & PERMITS	1,014,281	1,805,547	56.2%	1,495,226	-17.2%
FEDERAL GRANTS	462,665	597,365	77.5%	662,549	10.9%
STATE GRANTS	784,306	1,607,300	48.8%	1,432,155	-10.9%
STATE/COUNTY SHARED	6,754,363	10,303,762	65.6%	10,303,762	0.0%
OTHER INTERGOVERNMENTAL	10,000	15,000	66.7%	15,000	0.0%
CHARGES FOR SERVICES	1,206,416	1,688,995	71.4%	1,810,679	7.2%
FINES	92,333	180,000	51.3%	140,000	-22.2%
INTEREST INCOME	44,835	81,125	55.3%	90,000	10.9%
MISCELLANEOUS	75,502	135,000	55.9%	135,000	0.0%
TRANSFERS IN	-	185,000	0.0%	185,000	0.0%
TOTAL REVENUES	20,428,245	32,275,999	63.3%	31,631,838	-2.0%

	Actuals thru 2/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
COUNCIL	148,055	207,022	71.5%	207,022	0.0%
CLERK	251,409	497,102	50.6%	391,102	-21.3%
MANAGER	466,753	721,724	64.7%	721,724	0.0%
HUMAN RESOURCES	224,662	371,998	60.4%	371,998	0.0%
FINANCE	470,425	748,060	62.9%	737,182	-1.5%
INFORMATION TECHNOLOGY	890,806	1,432,374	62.2%	1,432,374	0.0%
GENERAL ADMINISTRATION	1,090,954	1,867,600	58.4%	1,805,600	-3.3%
LEGAL	446,150	756,855	58.9%	743,405	-1.8%
COURT	478,802	789,826	60.6%	789,826	0.0%
DEV & INFRASTRUCTURE SVCS	2,770,485	4,564,803	60.7%	4,275,679	-6.3%
PARKS & RECREATION	1,741,368	2,722,617	64.0%	2,722,617	0.0%
POLICE	9,682,711	14,885,819	65.0%	14,759,198	-0.9%
TRANSFERS OUT	1,901,497	2,890,965	65.8%	2,770,965	-4.2%
TOTAL EXPENDITURES	20,564,076	32,456,765	63.4%	31,728,692	-2.2%

SURPLUS / (DEFICIT) (135,830) (180,766) (96,854)

BEGINNING FUND BALANCE 11,534,023
Plus: Surplus / (Deficit) (96,854)
ENDING FUND BALANCE ** 11,437,169

* Year-end estimates are subject to further revision

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



Highway Fund

% Budget Completion through February --- 66.7%

REVENUES:

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

Actuals thru 2/2015	Budget	% Actuals to Budget
38,746	52,000	74.5%
1,825,734	2,754,947	66.3%
86,328	129,493	66.7%
12,523	19,250	65.1%
6,259	10,000	62.6%
1,969,590	2,965,690	66.4%

Year End Estimate *	YE % Variance to Budget
58,333	12.2%
2,882,445	4.6%
129,493	0.0%
25,000	29.9%
10,000	0.0%
3,105,271	4.7%

EXPENDITURES:

ADMINISTRATION
 TRANSPORTATION ENGINEERING
 PAVEMENT MANAGEMENT
 STREET MAINTENANCE
 TRAFFIC ENGINEERING
TOTAL EXPENDITURES

Actuals thru 2/2015	Budget	% Actuals to Budget
331,113	610,478	54.2%
334,791	537,275	62.3%
412,951	1,219,002	33.9%
676,930	1,053,631	64.2%
291,274	934,276	31.2%
2,047,060	4,354,662	47.0%

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)

(77,470)

(1,388,972)

(1,249,057)

BEGINNING FUND BALANCE

4,175,161

Plus: Surplus / (Deficit)

(1,249,057)

ENDING FUND BALANCE **

2,926,104

* Year-end estimates are subject to further revision

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



Bed Tax Fund

% Budget Completion through February --- 66.7%

REVENUES:

BED TAXES
 INTEREST INCOME
TOTAL REVENUES

Actuals thru 2/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
494,782	944,571	52.4%	944,571	0.0%
2,332	4,125	56.5%	6,000	45.5%
497,114	948,696	52.4%	950,571	0.2%

EXPENDITURES:

ECONOMIC DEVELOPMENT
 TRANSFERS OUT
TOTAL EXPENDITURES

Actuals thru 2/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
339,268	608,457	55.8%	608,157	0.0%
167,543	352,543	47.5%	352,543	0.0%
506,811	961,000	52.7%	960,700	0.0%

SURPLUS / (DEFICIT)

(9,697) (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 February, 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 Feb 2015
General Fund - Unassigned	9,925,988	20,428,245	-	20,428,245	1,905,154	13,988,205	4,529,444	141,273	-	-	20,564,076	9,790,156
General Fund - Assigned	1,608,035											1,608,035
Highway Fund - Restricted	4,175,161	1,969,590	-	1,969,590	-	1,158,199	392,448	496,414	-	-	2,047,060	4,097,691
Seizure & Forfeiture - State	526,901	98,554	-	98,554	-	7,411	86,230	109,181	-	-	202,822	422,633
Seizure & Forfeiture - Justice	349,724	15,290	-	15,290	-	80,160	32,381	128,375	-	-	240,917	124,098
Bed Tax Fund - Committed	425,099	497,114	-	497,114	167,543	155,157	184,111	-	-	-	506,811	415,402
Impound Fee Fund	7,346	25,200	-	25,200	-	17,329	-	-	-	-	17,329	15,217
Municipal Debt Service Fund	533,928	113,478	329,627	443,105	-	-	13,301	-	-	847,433	860,733	116,300
Oracle Road Debt Service Fund	281	156,363	2,000	158,363	-	-	2,495	-	-	154,356	156,851	1,793
Alternative Water Resources Dev Impact Fee Fund	3,336,099	565,060	-	565,060	-	-	39,127	82,088	-	-	121,215	3,779,943
Potable Water System Dev Impact Fee Fund	4,505,635	294,942	-	294,942	-	-	-	-	-	48,263	48,263	4,752,314
Townwide Roadway Development Impact Fee Fund	2,791,166	578,748	-	578,748	-	-	-	228,963	-	-	228,963	3,140,951
Parks & Recreation Impact Fee Fund	21,555	67,428	-	67,428	-	-	-	-	-	-	-	88,984
Library Impact Fee Fund	114,798	-	-	-	-	-	-	20,000	-	-	20,000	94,798
Police Impact Fee Fund	205,936	31,508	-	31,508	-	-	-	-	-	-	-	237,444
General Government Impact Fee Fund	3,502	2	-	2	-	-	-	-	-	-	-	3,504
Naranja Park Fund	737,056	-	-	-	-	-	-	533,420	-	-	533,420	203,636
General Government CIP Fund	1,500,000	-	1,740,532	1,740,532	-	-	-	756,158	-	-	756,158	2,484,374
Water Utility	11,823,342	10,420,747	-	10,420,747	3,119	1,825,110	3,468,179	1,880,559	-	741,172	7,918,138	14,325,951
Stormwater Utility	503,474	442,576	-	442,576	-	210,422	314,199	145,371	-	-	669,992	276,058
Fleet Fund	84,949	1,101,180	-	1,101,180	-	51,161	393,248	525,627	-	-	970,036	216,093
Benefit Self Insurance Fund	584,509	1,546,632	-	1,546,632	-	-	1,874,045	5,905	-	-	1,879,950	251,190
Recreation In-Lieu Fee Fund	6,190	-	-	-	-	-	-	-	-	-	-	6,190
Total	43,770,674	38,352,658	2,072,159	40,424,817	2,075,816	17,493,154	11,329,207	5,053,334	-	1,791,223	37,742,735	46,452,756



General Fund Local Sales Tax Collections

FY 2014/2015

CATEGORY	JULY	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Construction Sales Tax	353,257	365,877	343,071	317,595	291,816	293,032	358,773	265,075					2,588,496
Utility Sales Tax	269,772	299,154	292,456	261,333	135,966	197,341	227,742	268,039					1,951,803
Retail Sales Tax	392,417	414,639	383,853	390,567	415,388	507,949	667,732	411,301					3,583,846
All Other Local Sales Tax *	231,603	1,026	969	450,444	285,443	347,679	315,824	227,740					1,860,728
TOTAL	\$ 1,247,049	\$ 1,080,696	\$ 1,020,349	\$ 1,419,939	\$ 1,128,613	\$ 1,346,001	\$ 1,570,071	\$1,172,155					\$ 9,984,873

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



Town Council Regular Session

Item # C.

Meeting Date: 05/06/2015

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

Department: Police Department

Information

SUBJECT:

Resolution No. (R)15-33, authorizing and accepting a donation from the Steven M. Gootter Foundation for the purchase of 12 automated external defibrillators (AEDs)

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Steven M. Gootter Foundation is donating 12 automated external defibrillators (AEDs) to the Oro Valley Police Department.

BACKGROUND OR DETAILED INFORMATION:

AEDs are lifesaving devices administered to sudden cardiac victims within the first 10 minutes of a cardiac event. Police officers are often the first on the scene when a cardiac event is reported. Sudden cardiac events are unpredictable, so placing AEDs in patrol vehicles with officers who have been trained on these devices increases the probability that the victim can be saved.

FISCAL IMPACT:

No immediate fiscal impact. Future costs are projected to include regular maintenance and replacement parts as recommended by the manufacturer.

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)15-33, authorizing and accepting a donation from the Steven M. Gootter Foundation for the purchase of 12 automated external defibrillators (AEDs).

Attachments

(R)15-33 AED's Donation

AED Donation & Acceptance Agreement

RESOLUTION NO. (R)15-33

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND ACCEPTING A DONATION FROM STEVEN M. GOOTTER FOUNDATION FOR THE PURCHASE OF TWELVE (12) AUTOMATED EXTERNAL DEFIBRILLATORS (AED's)

WHEREAS, The Town of Oro Valley desires to acquire twelve (12) AED's to be placed in police vehicles; and

WHEREAS, The Steven Gootter Foundation desires to donate twelve (12) AED's as herein described to the Town as provided for in Exhibit A; and

WHEREAS, it is in the best interest of the Town of Oro Valley to enter into the AED Donation and Acceptance Agreement in order to receive twelve (12) automated external defibrillators to be placed in police vehicles.

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

1. The Chief of Police and other administrative officials, or their designees, are hereby authorized to take such steps as necessary to execute and implement the terms of the AED Donation and Acceptance Agreement.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, this 6th day of May, 2015.

TOWN OF ORO VALLEY, ARIZONA

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date

Date

EXHIBIT “A”

AED DONATION & ACCEPTANCE AGREEMENT

This AGREEMENT (the "Agreement"), is entered into, effective the date stated below, by and among:

Parties:

STEVEN M. GOOTTER FOUNDATION, an Arizona non-profit corporation ("Gootter Foundation");
and

_____, ("You").
[Organization Name]

The Gootter Foundation agrees to donate money for the purchase of twelve (12) automated external defibrillators ("AEDs") (the "Donation"), and You agree to accept the Donation, under the following terms:

1. **Gootter Foundation Tasks.** The Gootter Foundation will send payment for the purchase price of the AEDs to its chosen dealer or manufacturer ("Dealer"), with instruction to the Dealer to deliver the AEDs directly to You.

2. **Your Tasks.** You will register each of the AEDs with the Arizona Department of Health Services Bureau of Emergency Medical Services & Trauma System's "Save Hearts in Arizona Registry & Education" program ("SHARE"), by filling out and submitting the on-line registration form on the SHARE website.

3. **Maintenance Schedule.** You agree to maintain the manufacturer's recommended schedule of care and maintenance for the AEDs.

_____ YOUR INITIALS

4. **Organization.** If You are accepting the Donation on behalf of an organization, You represent and warrant that the execution, delivery, and performance of this Agreement by You is within Your power and authority and has been duly authorized by all necessary action by the organization on whose behalf You execute this Agreement. If You are executing this Agreement on behalf of an organization, then any reference to "You" shall also refer to such organization and its partners, members, shareholders, directors, officers, employees, agents, and contractors.

5. **INDEMNITY & WAIVER.** YOU AGREE TO INDEMNIFY, DEFEND, AND HOLD THE GOOTTER FOUNDATION HARMLESS FOR, FROM, AND AGAINST ANY AND ALL CLAIMS, DEMANDS, LIABILITIES, COSTS, EXPENSES, DAMAGES, LOSSES, CAUSES OF ACTION, AND SUITS OF ANY NATURE WHATSOEVER ARISING FROM OR RELATING TO THE CARE, STORAGE, MAINTENANCE, PERFORMANCE, OR USE OF ANY OF THE AEDs ("CLAIMS"). YOU HEREBY WAIVE ANY AND ALL CLAIMS YOU MAY HAVE AT ANY TIME AGAINST THE GOOTTER FOUNDATION AND ITS DIRECTORS, OFFICERS, COMMITTEE MEMBERS, EMPLOYEES, AGENTS, REPRESENTATIVES, OR CONTRACTORS. NOTWITHSTANDING THE PROVISIONS OF THIS SECTION 5, YOU ACKNOWLEDGE THAT YOU ARE AN ARIZONA PUBLIC INSTITUTION AND THAT ANY INDEMNIFICATION AND HOLD HARMLESS PROVISION IN THIS SECTION 5 MAY BE LIMITED, IF AT ALL, BY THE LAW OF THE STATE OF ARIZONA, INCLUDING, WITHOUT LIMITATION, BY ARTICLE 9, SECTIONS 5 AND 7 OF THE ARIZONA CONSTITUTION, A.R.S. §35-154, AND A.R.S. §41-621.

_____ YOUR INITIALS

6. **YOUR RESPONSIBILITY.** YOU ACKNOWLEDGE AND AGREE THAT IT IS YOUR SOLE RESPONSIBILITY TO PROPERLY CARE FOR, STORE, MAINTAIN IN GOOD WORKING ORDER, USE, AND TEST THE AEDs ACCORDING TO THE GUIDELINES OF THE AEDs' MANUFACTURER, AND THAT THE GOOTTER FOUNDATION HAS NOT, WILL NOT, AND NEED NOT PROVIDE

OVERSIGHT, TRAINING, OR OTHER HELP FOR THIS RESPONSIBILITY. YOU AGREE TO NOTIFY THE GOOTTER FOUNDATION IN WRITING EACH TIME AN AED IS DEPLOYED, AND REPORT ON THE INCIDENT AND OUTCOME.

_____YOUR INITIALS

7. **WARRANTIES.** THE GOOTTER FOUNDATION HEREBY DISCLAIMS ANY AND ALL REPRESENTATIONS, WARRANTIES, AND GUARANTEES OF ANY KIND OR NATURE, EXPRESS OR IMPLIED, AS TO THE CONDITION, VALUE, OR QUALITY OF THE AEDs AND SPECIFICALLY DISCLAIMS ANY REPRESENTATION OR WARRANTY OF MERCHANTABILITY, MARKETABILITY, USAGE, OR FITNESS OF ANY PARTICULAR PURPOSE WITH RESPECT TO THE AEDs. THE PROVISIONS OF THIS PARAGRAPH SHALL SURVIVE THE EXECUTION OF THIS AGREEMENT.

_____YOUR INITIALS

8. **Attorney's Fees.** Any party who commences or defends an action against the other party to enforce any of the terms of this Agreement or because of a breach by either party of any of its terms, and is successful in such prosecution or defense, whether in litigation, arbitration, or otherwise, shall recover from the losing or defaulting party reasonable attorney's fees, costs, and expenses incurred in connection with the prosecution or defense of such action.

9. **Governing Law.** Any and all matters in dispute between the parties to this Agreement, whether arising from or relating to the Agreement itself, or arising from alleged extra-contractual facts prior to, during or subsequent to the Agreement, including, without limitation, fraud, misrepresentation, negligence or any other alleged tort or violation of the contract, shall be governed by, construed, and enforced in accordance with the laws of the State of Arizona, regardless of the legal theory upon which such matter is asserted.

10. **Jurisdiction and Venue.** Any action, arbitration, audit, hearing, investigation, litigation, or suit (whether civil, criminal, administrative, judicial or investigative, whether formal or informal, whether public or private) commenced, brought, conducted, or heard by or before, or otherwise involving, any governmental body or arbitrator arising out of or relating to this Agreement shall be brought in the courts of the State of Arizona, County of Pima.

11. **Binding Effect.** This Agreement is binding upon the heirs, personal representatives, administrators, agents, successors and assigns of the respective parties.

12. **Gender and Number.** Whenever used in this Agreement, the singular shall include the plural and the plural shall include the singular, the male shall include the female gender and a trust, partnership, firm, company or corporation, all as the context and meaning of this Agreement require.

13. **Headings.** The descriptive headings of the several sections of this Agreement are inserted for convenience only and do not constitute a part of this Agreement.

14. **Entire Agreement; Amendment.** This Agreement contains all of the agreements of the parties with respect to the matters contained herein and no prior agreement or understanding pertaining to any such matter shall be effective for any purpose. No provision of this Agreement may be amended or added except by an agreement in writing signed by the parties and/or their respective successors.

15. **Counterparts; Fax/Electronic Signatures.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Facsimile or electronic signatures shall be as effective as original signatures.

16. **Severability.** In the event that any one or more of the provisions or parts of a provision contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect in any

jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision or part of a provision of this Agreement or any other jurisdiction, but this Agreement shall be reformed and construed in any such jurisdiction as if such invalid or illegal or unenforceable provision or part of a provision had never been contained herein and such provision or part shall be reformed so that it would be valid, legal, and enforceable to the maximum extent permitted in such jurisdiction.

Wherefore, the parties execute this Agreement effective this ___ day of _____, 20__.

STEVEN M. GOOTTER FOUNDATION:

YOU:

By:



Andrew Messing,
President

[Organization Name]

By: _____

[Signature]

[Print Name]

[Title]

Your Address: _____

Your Telephone Number: _____

Your Email Address: _____



Town Council Regular Session

Item # **D.**

Meeting Date: 05/06/2015

Submitted By: Michael Spaeth, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

Request for approval of a final plat and license agreement for the Estates at Capella subdivision, located south of Naranja Drive approximately one-quarter mile west of La Cholla Boulevard

RECOMMENDATION:

Staff recommends approval of the final plat, subject to the conditions listed in Attachment 1, and approval of the license agreement.

EXECUTIVE SUMMARY:

The applicant requests approval of a Final Plat for the Estates at Capella subdivision (Attachment 2). The plat features 120 lots, private streets and common areas. The Final Plat has been reviewed for conformance with the approved rezoning and meets all zoning requirements. Several conditions to address minor engineering issues have been included in Attachment 1.

The applicant also requests approval of a license agreement (Attachment 3) between Meritage Homes and the Town to permit landscaping and irrigation within the Naranja Drive right-of-way. The license agreement has been reviewed by staff and meets Town requirements.

BACKGROUND OR DETAILED INFORMATION:

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

Previous Approvals

- April 2014: Town Council approved rezoning from R1-144 to R1-7
- July 2014: Town Council approved applicant's request for modified review process
- September 2014: Town Council approved applicant's request for reduced side setbacks
- April 2015: Final Site Plan approved

Proposed Improvements

- 48 acres subdivided into 120 lots
- Lot sizes ranging from 6,546 sq. ft. to 13,266 sq. ft.
- Average lot size of 7,898 sq. ft.
- Common area preserved as Environmentally Sensitive Open Space
- Two recreation areas

The rezoning approved in April 2014 included the applicant's request for use of the modified review process, which allowed the applicant to proceed directly to the Final Site Plan step. The applicant's Final Plat conforms with the approved Tentative Development Plan. Several conditions have been added to Attachment 1 to address minor engineering issues.

Concurrent with the applicant's request for a final plat is a request to enter into a license agreement between Meritage Homes and the Town for landscaping and irrigation within the Naranja Road right-of-way. The license agreement (Attachment 3) has been reviewed by staff and meets all Town requirements.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE TO APPROVE the Final Plat, as depicted in Attachment 2, and license agreement, as included in Attachment 3, for the Estates at Capella subdivision, subject to the conditions listed in Attachment 1, finding that it meets the Town requirements.

OR

I MOVE TO DENY the Final Plat and license agreement for the Estates at Capella subdivision, finding that _____.

Attachments

ATTACHMENT 1 - CONDITIONS OF APPROVAL

ATTACHMENT 2 - FINAL PLAT

ATTACHMENT 3 - LICENSE AGREEMENT

**Attachment 1
Conditions of Approval
Town Council
May 6, 2015**

Planning Conditions

1. Revise the misspelling on "continued on sheet 2" on the cover sheet.

Sheet 4

2. Revise the "Poppy Trail" label to reference the easement as a "non-motorized public recreation easement".

Engineering Conditions

General Comments

1. Address all redlined comments within the attached Final Plat. Provide a comment response letter and return all redlined originals back to the Town of Oro Valley.
2. The Final Plat is deemed "Conditionally Approved". Please make the following corrections to the final submittal of the Final Plat.
3. Please change the redlined "reference number" G140043 to read G1400113 as redlined in the lower right hand corner of each sheet.
4. Please provide a missing icon "STAR" where redlined on Lot 67 on Sheet 5/8 indicating the proposed locations of driveways on corner lots.
5. Please reference the start and end of a designated line as shown with a red dot within plan set sheets 2/8 and 5/8.
6. Please return updated Final Plat plan set sheets with the redlined Final Plat (2nd Submittal) with the next submittal.

Sheet 1 of 8

7. General Note #3 specifies that C.A. "A" and C.A. "C" both contain "Public Sewer Easements". If this is a miss-type, please make any needed changes.

Sheet 4 of 8

8. Please replace the "100-year Flood Plain Line" where redlined just west of the eastern parcel boundary line. This 100-year Flood Plain Line was shown on the 1st Submittal, but has been removed on this 2nd Submittal. Please make any needed changes.

Sheet 5 of 8

9. The horizontal distance between the 100-year Flood Plain Line and the back lot line of Lot 57 (C151) does not appear to match the distance between these two (2) identities on Sheet 8/8. Please make any needed corrections.

APPROVALS

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

Table with columns for role (CLERK, PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT, TOWN ENGINEER, PLANNING AND ZONING ADMINISTRATOR, WATER UTILITY DIRECTOR) and date.

ASSURANCES

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

BY: _____ DATE _____ MAYOR - TOWN OF ORO VALLEY

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

WATER ADEQUACY

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

BY: _____ DATE _____ WATER UTILITY DIRECTOR

RECORDING DATA

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

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

F. ANN RODRIGUEZ, PIMA COUNTY RECORDER

BY: _____ DATE _____ DEPUTY FOR PIMA COUNTY RECORDER

CERTIFICATION

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

PETER D. COTE, R.L.S., No. 44121 DATE: 4-20-15



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

COREY THOMPSON, P.E., NO. 22217 DATE: 4-22-15



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FINAL PLAT
THE ESTATES AT CAPELLA
OV1214-33

LEGEND

- SUBDIVISION BOUNDARY
- PROPERTY LINE
- CENTER LINE
- 100 YR. FLOOD LINE
- EROSION HAZARD SET-BACK LINE
- EASEMENT LINE
- SECTION LINE
- MATCH 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 BY A REGISTERED LAND SURVEYOR UPON COMPLETION OF IMPROVEMENTS
- NO ACCESS EASEMENT
- PUBLIC UTILITY EASEMENT
- COMMON AREA
- EROSION HAZARD SETBACK
- IRON PIN
- SIGHT VISIBILITY TRIANGLE
- BRASS CAPPED SURVEY MONUMENT
- LOT GENERAL ACCESS LOCATION

SHEET INDEX

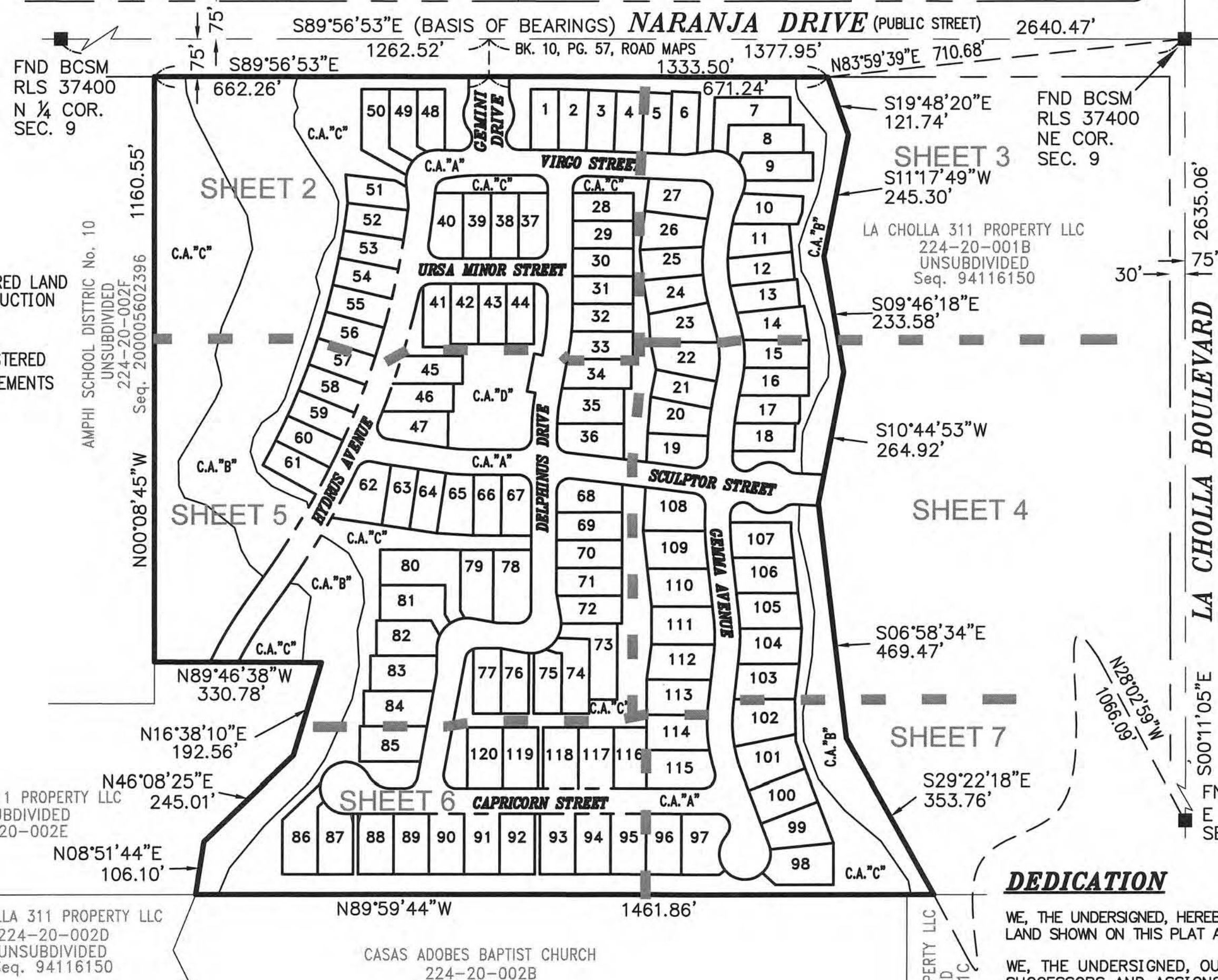
Table with columns for sheet number and description: SHEET 1 COVER SHEET, SHEETS 2-7 PLAN SHEETS, SHEET 8 FLOODPLAIN

GENERAL NOTES

- 1. THE GROSS AREA OF THIS SUBDIVISION IS 48.591 ACRES. THE DENSITY IS 2.47 UNITS PER ACRE. AREA OF LOTS IS 21.720 ACRES. THE AREA OF PRIVATE STREETS (C.A. "A") IS 8.034 ACRES.
- 2. TOTAL NUMBER OF RESIDENTIAL LOTS IS 120.
- 3. COMMON AREA SIZE (ACRES) USE:
C.A. "A" 8.034 PRIVATE STREETS, PUBLIC UTILITIES AND PUBLIC SEWER EASEMENTS.
C.A. "B" 6.829 CRITICAL OPEN SPACE.
C.A. "C" 11.030 OPEN SPACE, DRAINAGE, PUBLIC UTILITIES, AND PUBLIC SEWER EASEMENTS.
C.A. "D" 0.910 RECREATION AREA PER SECTION 27.10(F)(2)(b), DRAINAGE, AND PUBLIC UTILITIES
- 4. ALL STREETS ARE PRIVATE. MILES OF PRIVATE STREETS = 1.26 MILES
- 5. THE MINIMUM LOT SIZE FOR THIS DEVELOPMENT IS 6,546 S.F. (0.150 AC.), PER SECTION 27.10(F)(2)(b)
- 6. THE MAXIMUM LOT SIZE FOR THIS DEVELOPMENT IS 13,266 S.F. (0.305 AC.)
- 7. THE AVERAGE LOT SIZE FOR THIS DEVELOPMENT IS 7,898 S.F. (0.181 AC.)
- 8. MAXIMUM PERMITTED BUILDING HEIGHT IS LIMITED TO 25 FEET.
- 9. BUILDING SETBACK PROVISIONS: FRONT-20 FEET, SIDE-5 FEET, 7.5 FEET FOR PRIVATE STREET SIDE, REAR-20 FEET
- 10. NO ADDITIONAL ON STREET PARKING IS PROVIDED FOR THIS DEVELOPMENT. VEHICULAR PARKING REQUIREMENTS FOR THIS SUBDIVISION IS 4.0 SPACES PER LOT (2 RESIDENT AND 2 GUEST SPACES)
- 11. EXISTING ZONING: R1-7
- 12. NO FURTHER SUBDIVISION OF ANY LOT OR PARCEL SHOWN SHALL BE PERMITTED WITHOUT WRITTEN APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
- 13. THE BASIS OF BEARING FOR THIS PROJECT IS THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 13 EAST, GILA AND SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA. SAID BEARING BEING: N89°56'53"E, AS SHOWN HEREON.
- 14. THE PROFESSIONAL ENGINEER OF RECORD SHALL CERTIFY AS TO THE FORM, LINE AND FUNCTION OF ALL PUBLIC AND PRIVATE ROADWAYS AND DRAINAGE STRUCTURES BEFORE THE RELEASE OF ASSURANCES.
- 15. THE PROPERTY OWNER, HIS SUCCESSORS, ASSIGNS, OR A DEDICATED HOMEOWNER'S ASSOCIATION AGREES TO 1) KEEP ALL COMMON AREAS MAINTAINED IN A WEED-FREE, TRASH-FREE CONDITION, 2) REPLACE ANY DEAD PLANT MATERIALS WITHIN 90 DAYS, AND 3) MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER.
- 16. THIS DEVELOPMENT WILL BE SERVED BY ORO VALLEY WATER UTILITY (OVWU) WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED 100-YEAR WATER SUPPLY BY THE DIRECTOR OF WATER RESOURCES.
- 17. UTILITIES WILL BE LOCATED UNDERGROUND IN CONFORMANCE WITH ARIZONA CORPORATION COMMISSION AMENDED GENERAL ORDER U-48.
- 18. THE LANDSCAPING WITHIN ALL PUBLIC SEWER EASEMENTS SHALL BE IN ACCORDANCE WITH THE LANDSCAPE AND PLANTING GUIDELINES FOR PUBLIC SEWERS OF THE ENGINEERING DESIGN STANDARDS 2012, SUBSECTION 7.7.
- 19. NO PERMITS FOR PERMANENT STRUCTURES (I.E. MASONRY WALLS, FENCES, ETC.) ON OR THROUGH THE PUBLIC SEWER EASEMENT WILL BE ISSUED WITHOUT SEPARATE WRITTEN CONSENT OF PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT.
- 20. NO FINAL INSPECTION FOR ANY LOT WITHIN THE SUBDIVISION SHALL BE APPROVED UNTIL A BUILDING CODE OFFICIAL HAS VERIFIED THAT CONSTRUCTION ON THE LOT IS COMPLETE AND SIDEWALKS HAVE BEEN INSTALLED, PROPERTY LINE TO PROPERTY LINE.
- 21. A PROJECT CONSTRUCTION PERMIT MUST BE SECURED FROM PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT. BEFORE BEGINNING ANY SANITARY SEWER WORK ON THIS PROJECT.
- 22. CONSTRUCTION AUTHORIZATION FROM PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY IS REQUIRED BEFORE BEGINNING ANY SANITARY SEWER WORK ON THIS PROJECT. APPROVAL OF THIS FINAL PLAT DOES NOT CONSTITUTE CONSTRUCTION AUTHORITY.

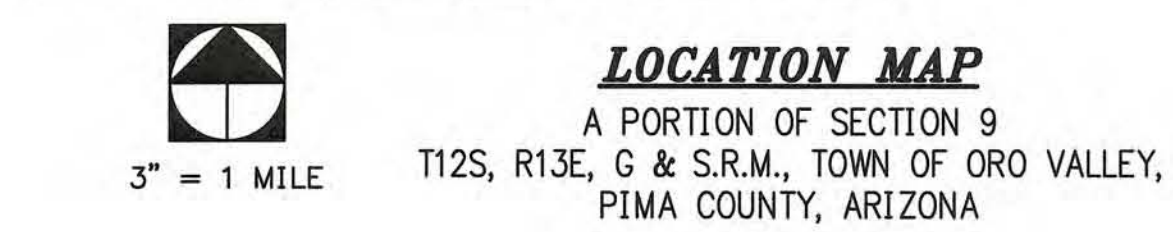
CONTINUED ON SHEET 2

224-11-0580 UNSUBDIVIDED Dkt. 6458, Pg. 261
224-11-0590 UNSUBDIVIDED Seq. 19981120814
224-11-061J UNSUBDIVIDED



SITE PLAN
1"=200'

THIS PROJECT



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.

GRANTOR HEREBY IRREVOCABLY GRANTS AND DEDICATES EASEMENTS TO PIMA COUNTY FOR ACCESS, INSTALLATION, CONSTRUCTION, MAINTENANCE AND REPLACEMENT OF PUBLIC SEWER SYSTEMS IN ALL COMMON AREAS "A" DESIGNATED BY THIS PLAT.

WE HEREBY CONVEY TO THE TOWN OF ORO VALLEY, PIMA COUNTY AND PUBLIC UTILITY COMPANIES EASEMENTS AS SHOWN HEREON FOR THE PURPOSE OF ACCESS, INSTALLATION AND MAINTENANCE, CONSTRUCTION, AND REPLACEMENT OF PUBLIC SEWERS.

PRIVATE DRAINAGEWAYS AND COMMON AREAS, AS SHOWN HEREON, ARE RESERVED FOR THE PRIVATE USE AND CONVENIENCE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION, THEIR GUESTS AND INVITEES, AND (EXCEPT FOR DRAINAGE WAYS), AND ARE GRANTED AS EASEMENTS TO ALL PUBLIC AND PRIVATE UTILITY COMPANIES AND PIMA COUNTY FOR THE PURPOSES OF ACCESS, INSTALLATION AND MAINTENANCE OF UNDERGROUND UTILITIES AND PUBLIC SEWERS.

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

TITLE SECURITY AGENCY OF ARIZONA, INC., AN ARIZONA CORPORATION AS TRUSTEE UNDER TRUST NUMBER 201401-T AS TRUSTEE ONLY AND NOT OTHERWISE.

NOTARY

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

ON THIS, THE _____ DAY OF _____, 2015, 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

BENEFICIARY OF TRUST 201401-T:
MERITAGE HOMES
3275 W. INA RD. SUITE #220
TUCSON, AZ 85741

OV1214-29
G140043
OV114-027
REF: OV913-002
MARCH 2015
1"=40'
SHEET 1 OF 8

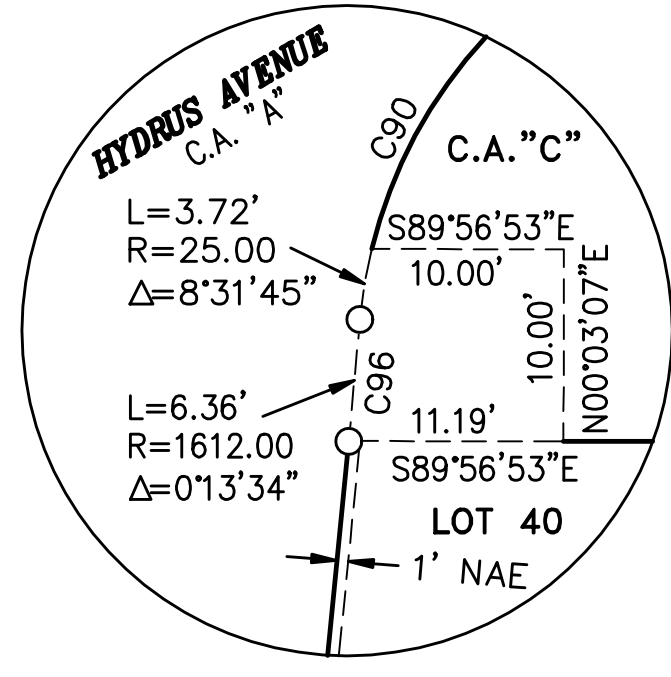
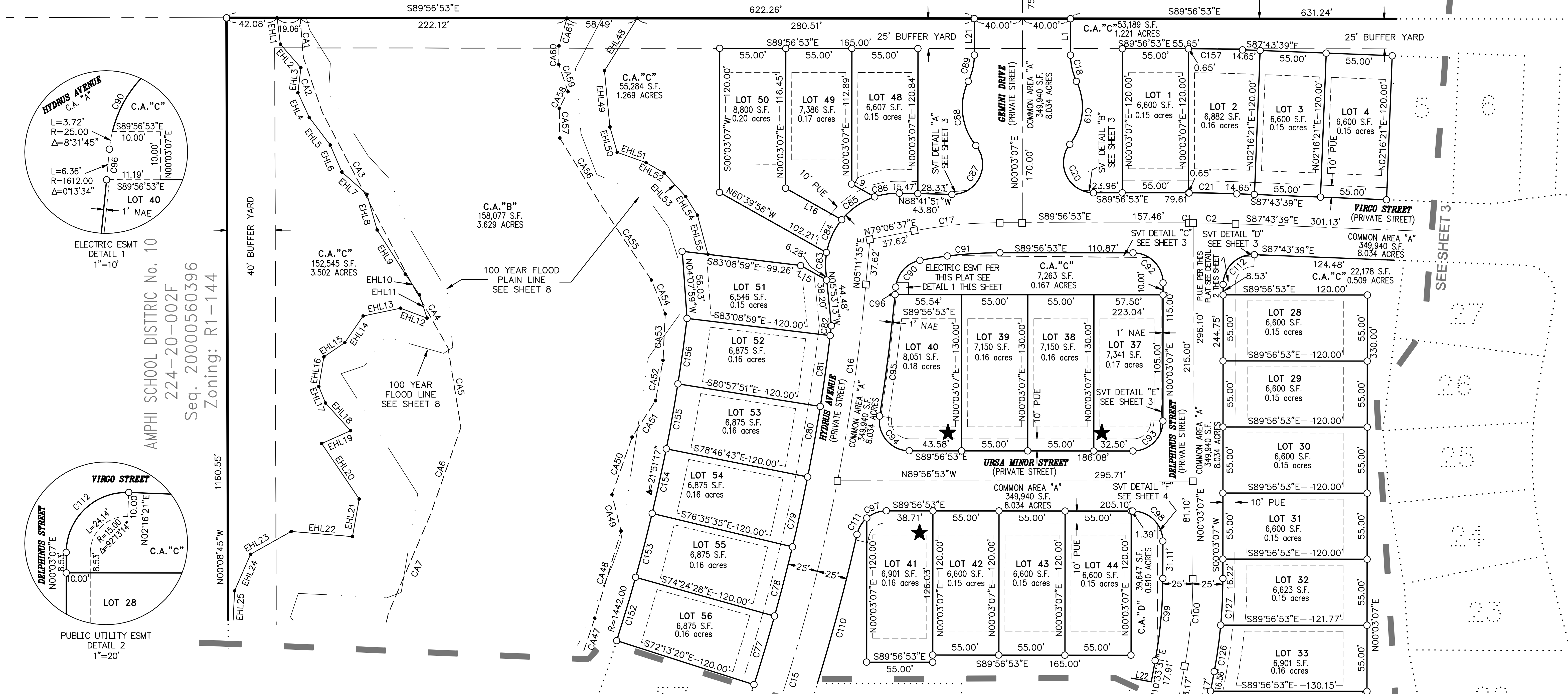
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SEQ. #:

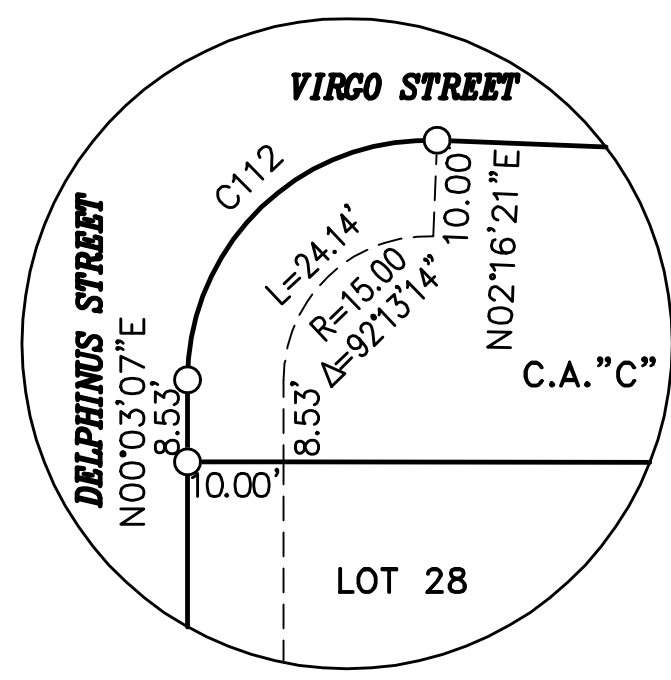
FND BC5M
37400 N 1/4
COR SEC 9,
T12S, R13E

NARANJA DRIVE

(PUBLIC STREET)
BK. 10, PG. 57, ROAD MAPS



ELECTRIC ESMT
DETAIL 1
1"=10'

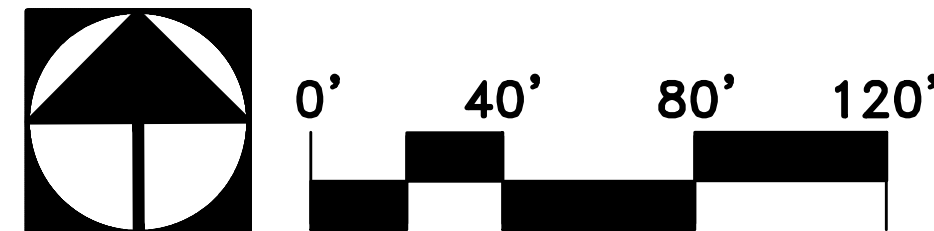


PUBLIC UTILITY ESMT
DETAIL 2
1"=20'

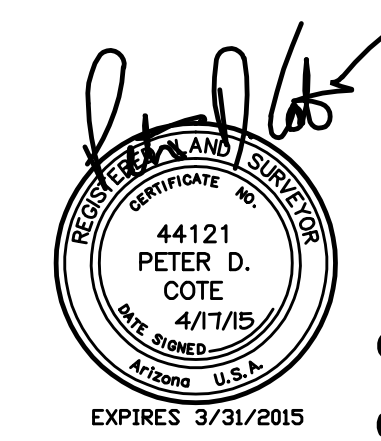
AMPHI SCHOOL DISTRICT No. 10
224-20-002F
Seq. 20000560396
Zoning: R1-144

GENERAL NOTES cont.

23. INTERIOR PROPERTY CORNERS AND CENTERLINE MONUMENTATION SHALL BE SET AS SOON AS COMPLETION OF THE INFRASTRUCTURE AND IMPROVEMENTS MAKE IT PRACTICAL TO DO SO. IF SUCH MONUMENTS SHOULD DIFFER FROM THE TYPE DESCRIBED ON THE FINAL PLAT, A RECORD OF SURVEY PLAT SHALL BE RECORDED SHOWING THESE DIFFERENCES.
24. THIS SUBDIVISION WILL BE SERVICED BY ORO VALLEY WATER UTILITY.
25. THE AREA BETWEEN 100 YEAR FLOOD LIMITS REPRESENTS AN AREA THAT MAY BE SUBJECT TO FLOODING FROM A 100 YEAR FREQUENCY FLOOD AND ALL LAND IN THIS AREA WILL BE RESTRICTED TO USES COMPATIBLE WITH FLOODPLAIN MANAGEMENT AS APPROVED BY THE TOWN ENGINEER.
26. NO IMPROVEMENTS BETWEEN THIRTY (30) AND SEVENTY-TWO (72) INCHES IN HEIGHT RELATIVE TO THE ADJACENT ROADWAY WHICH MIGHT INTERFERE WITH THE PURPOSE AND INTENT OF THE SIGHT VISIBILITY TRIANGLE SHALL BE PERMITTED, PLACED OR MAINTAINED WITHIN THE SIGHT VISIBILITY TRIANGLES SHOWN ON THIS PLAT. PROPERTY OWNERS SHALL MAINTAIN PLANTINGS TO ENSURE UNOBSTRUCTED VISIBILITY TO MOTORISTS. ALL SHRUBS, ACCENTS AND GROUNDCOVERS SHALL NOT EXCEED THIRTY (30) INCHES IN HEIGHT WITHIN THE SIGHT VISIBILITY TRIANGLES. TREES WITHIN THE SIGHT VISIBILITY TRIANGLES WILL BE MAINTAINED TO ENSURE THAT BRANCHES/FOLIAGE IS NOT BELOW A HEIGHT OF SEVENTY-TWO (72) INCHES.
27. GATES AND LOCKS LIMITING THE MAINTENANCE AND ACCESS THROUGH THE PUBLIC SEWER EASEMENT SHALL MEET THE REQUIREMENTS OF THE ENGINEERING DESIGN STANDARDS 2012, SUBSECTION 7.5.
28. EXISTING SEWER EASEMENT, DOCKET 8970, PAGE 638, AS DEPICTED HEREON, IS TO BE ABANDONED WITHIN THE BOUNDARIES OF THIS SUBDIVISION BY SEPARATE DOCUMENT PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR LOTS 7-18 AND 98-107.



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OV1214-29
G140043
OV114-027
REF: OV913-002

**OV1214-33
FINAL PLAT
THE ESTATES AT CAPELLA**

LOTS 1 THROUGH 120 AND COMMON AREAS "A" (PRIVATE STREETS, PUBLIC SEWER AND PUBLIC UTILITIES), "B" (CRITICAL OPEN SPACE), "C" (OPEN SPACE, DRAINAGE, PUBLIC UTILITIES AND PUBLIC SEWER EASEMENTS), AND "D" (RECREATION AREA, DRAINAGE AND PUBLIC UTILITIES) BEING A PORTION OF SECTION 9 TOWNSHIP 12 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SEQ. #:

SEQ. #:

SEE SHEET 3

DETAIL "F"
 LOT 44
 FAR-SIDE S.V.T. 1"=40'

DETAIL "G"
 C.A. "D"
 FAR-SIDE S.V.T. 1"=20'

DETAIL "H"
 SCULPTOR STREET
 C.A. "A"
 NEAR-SIDE S.V.T. 1"=20'

DETAIL "I"
 LOT 36
 NEAR-SIDE S.V.T. 1"=20'

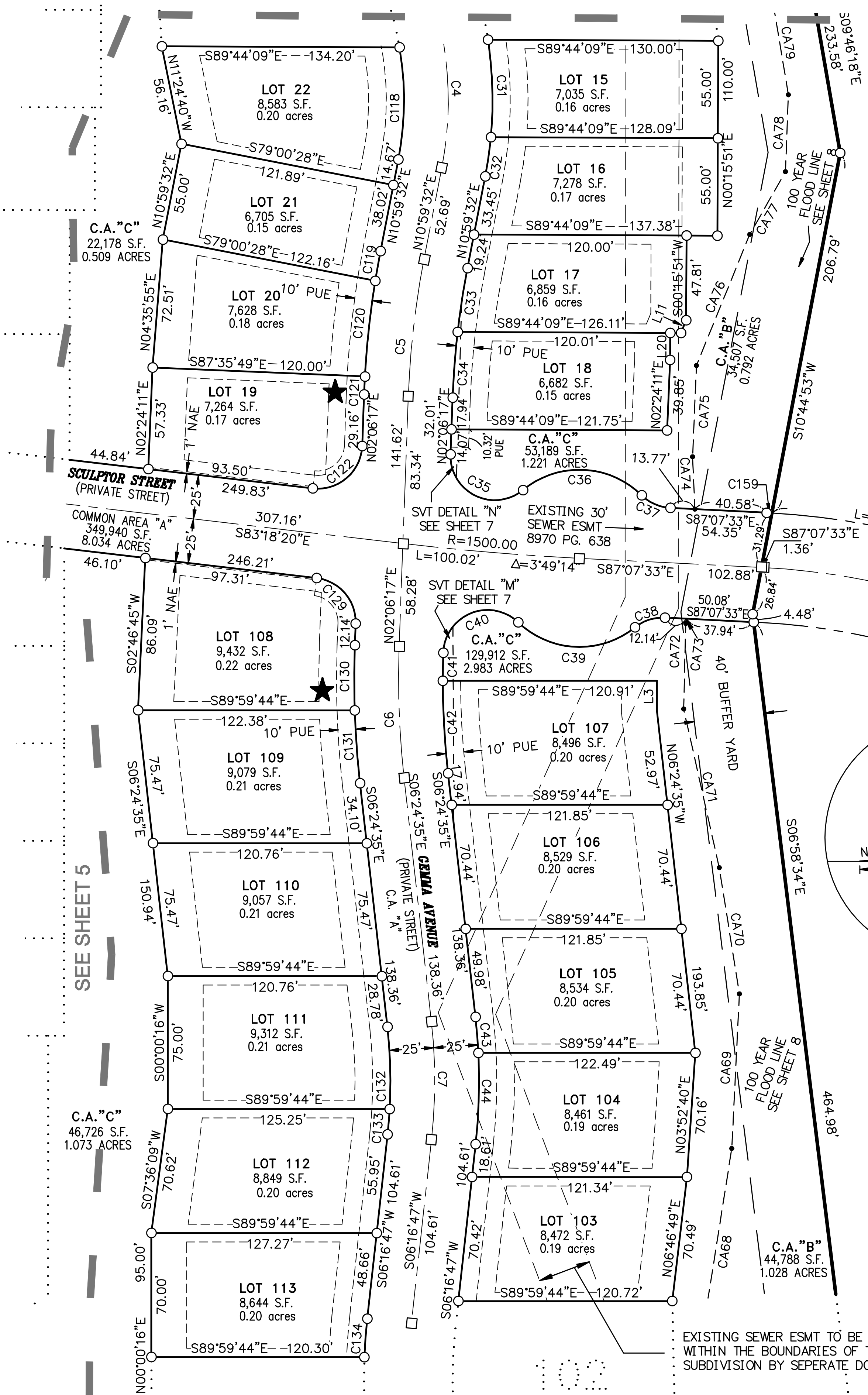
DETAIL "J"
 SCULPTOR STREET
 C.A. "A"
 FAR-SIDE S.V.T. 1"=20'

DETAIL "K"
 C.A. "C"
 FAR-SIDE S.V.T. 1"=20'

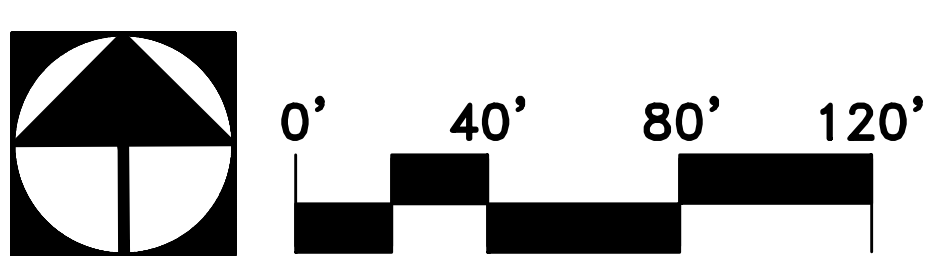
DETAIL "L"
 C.A. "C"
 NEAR-SIDE S.V.T. 1"=20'

UNSUBDIVIDED
 LA CHOLLA 311 PROPERTY LLC
 224-20-001B
 Seq. 94116150
 Zoning: R1-144

NOTE
 THERE ARE 2 MONUMENTS AT THE EAST 1/4 CORNER OF SECTION 9, THE 2" A.C.P. STAMPED "RLS 14145" APPEARS TO HAVE REPLACED THE 1" REBAR USED EXTENSIVELY AS THE QUARTER CORNER IN THE PAST.
 THE BCSM STAMPED "RLS 37400 1/4 CORNER" WAS APPARENTLY SET IN 2009 REPLACES THE 1" OPEN PIPE NOTED ON THE PIMA COUNTY CORNER REFERENCE SHEET.
 THE DESCRIPTIONS FOR BOTH ADJOINING PROPERTIES, THE CASAS ADOBES CHURCH TO THE WEST AND THE CANADA HILLS SUBDIVISIONS TO THE EAST REFER TO THE 1" REBAR AS THE EAST QUARTER CORNER. THE RECORD OF SURVEY, BOOK 20, PAGE 64, REMOVES THE QUARTER CORNER REFERENCE ON THE DESCRIPTIONS BUT RETAINS THE USE OF THE MONUMENT AS THE PROPERTY CORNER.
 IT IS MY OPINION THE BCSM IS THE CORRECT LOCATION OF THE QUARTER CORNER HOWEVER THIS SURVEY WILL HOLD THE ACP AS THE PROPERTY CORNER.



SEE SHEET 7



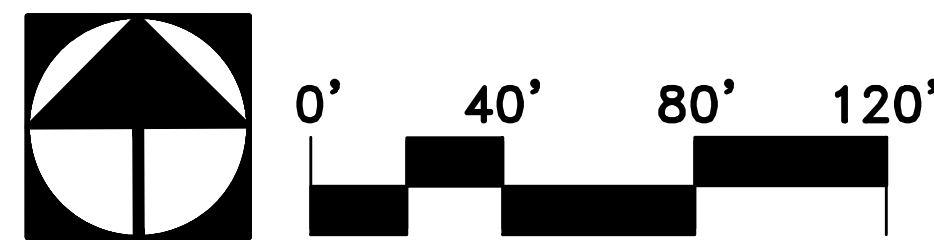
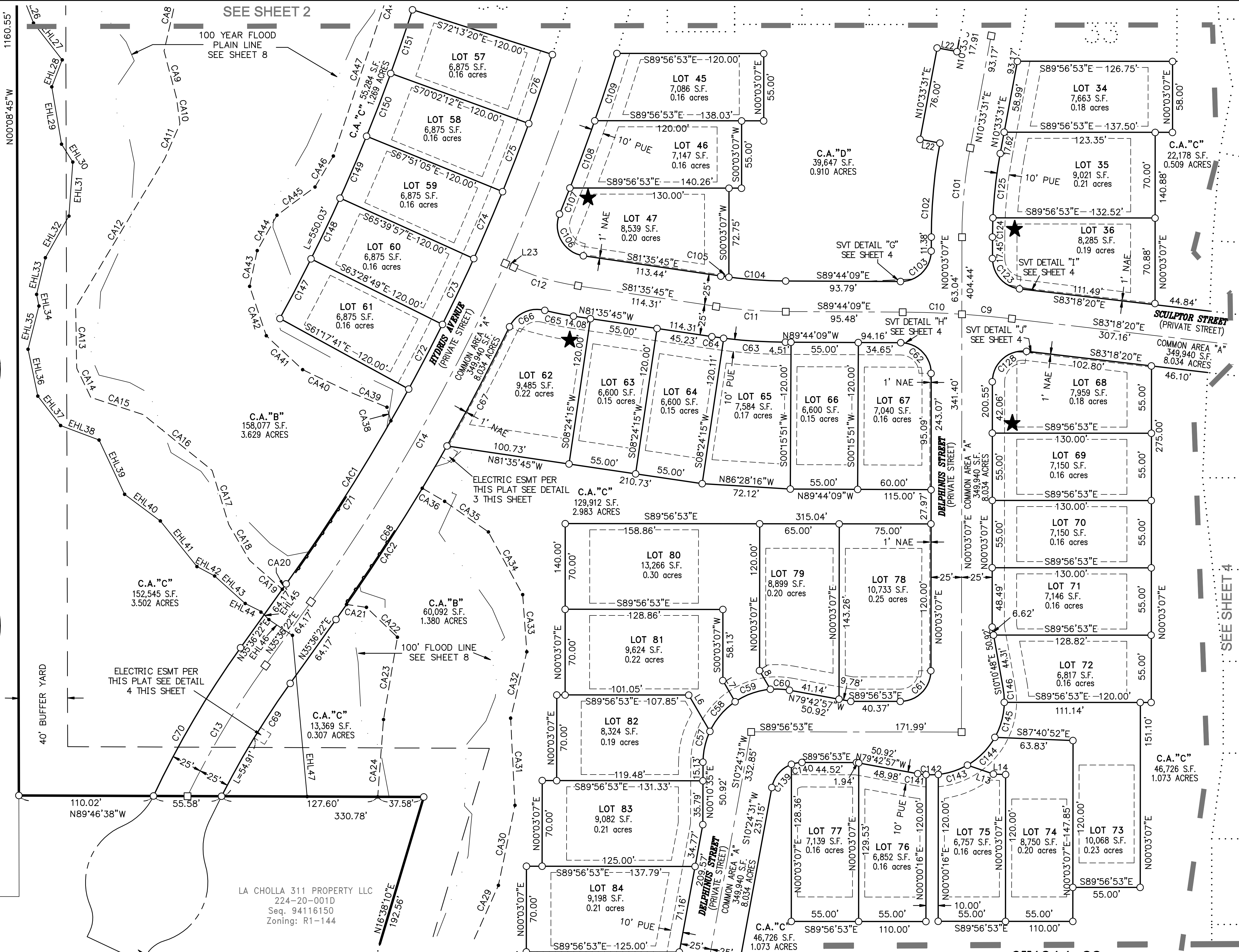
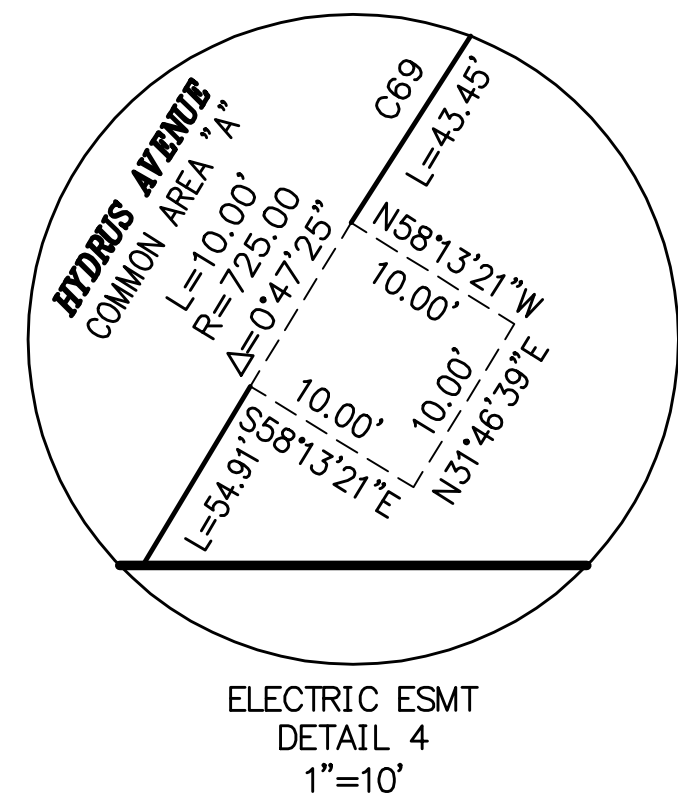
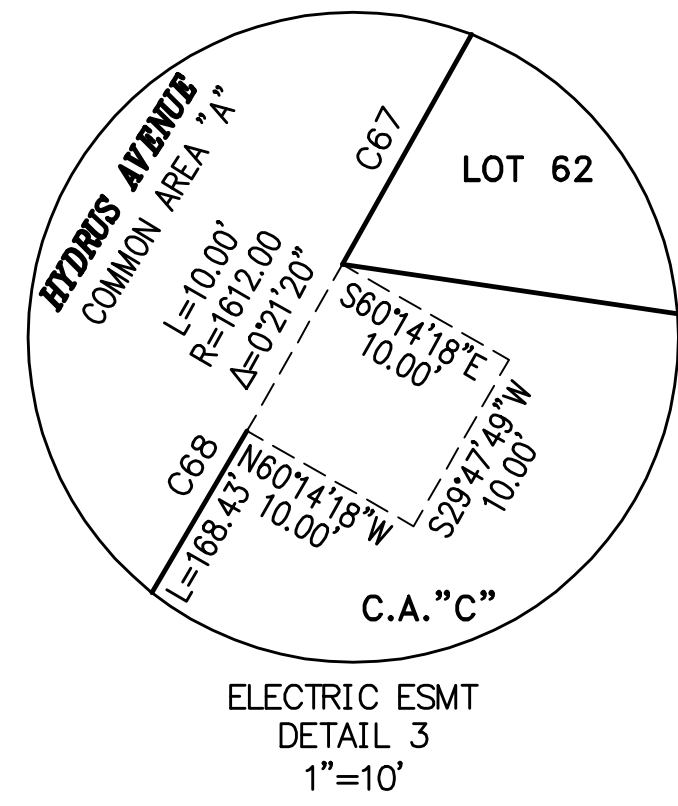
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**OV1214-33
 FINAL PLAT
 THE ESTATES AT CAPELLA**

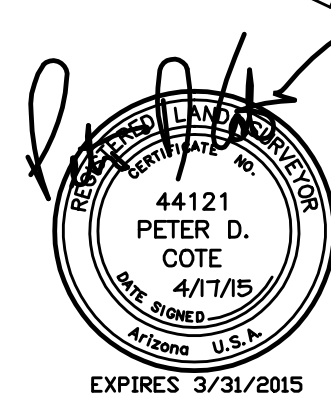
LOTS 1 THROUGH 120 AND COMMON AREAS "A" (PRIVATE STREETS, PUBLIC SEWER AND PUBLIC UTILITIES), "B" (CRITICAL OPEN SPACE), "C" (OPEN SPACE, DRAINAGE, PUBLIC UTILITIES AND PUBLIC SEWER EASEMENTS), AND "D" (RECREATION AREA, DRAINAGE AND PUBLIC UTILITIES) BEING A PORTION OF SECTION 9 TOWNSHIP 12 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

OV1214-29
 G140043
 OV114-027
 REF: OV913-002
 MARCH 2015
 1"=40'
 SHEET 4 OF 8

SCHOOL DISTRICT No. 10
 224-20-002F
 Seq. 20000560396
 Zoning: R1-144



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PRIVATE INGRESS-EGRESS
 & UTILITY EASEMENT TO
 BE GRANTED BY SEPERA
 DOCUMENT

SEE SHEET 6

OV1214-33
 FINAL PLAT
THE ESTATES AT CAPELLA

LOTS 1 THROUGH 120 AND COMMON AREAS "A" (PRIVATE STREETS, PUBLIC SEWER AND PUBLIC UTILITIES), "B" (CRITICAL OPEN SPACE), "C" (OPEN SPACE, DRAINAGE, PUBLIC UTILITIES AND PUBLIC SEWER EASEMENTS), AND "D" (RECREATION AREA, DRAINAGE AND PUBLIC UTILITIES) BEING A PORTION OF SECTION 9 TOWNSHIP 12 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

OV1214-29
 G140043
 OV114-027
 REF: OV913-002

MARCH 2015

1"=40'

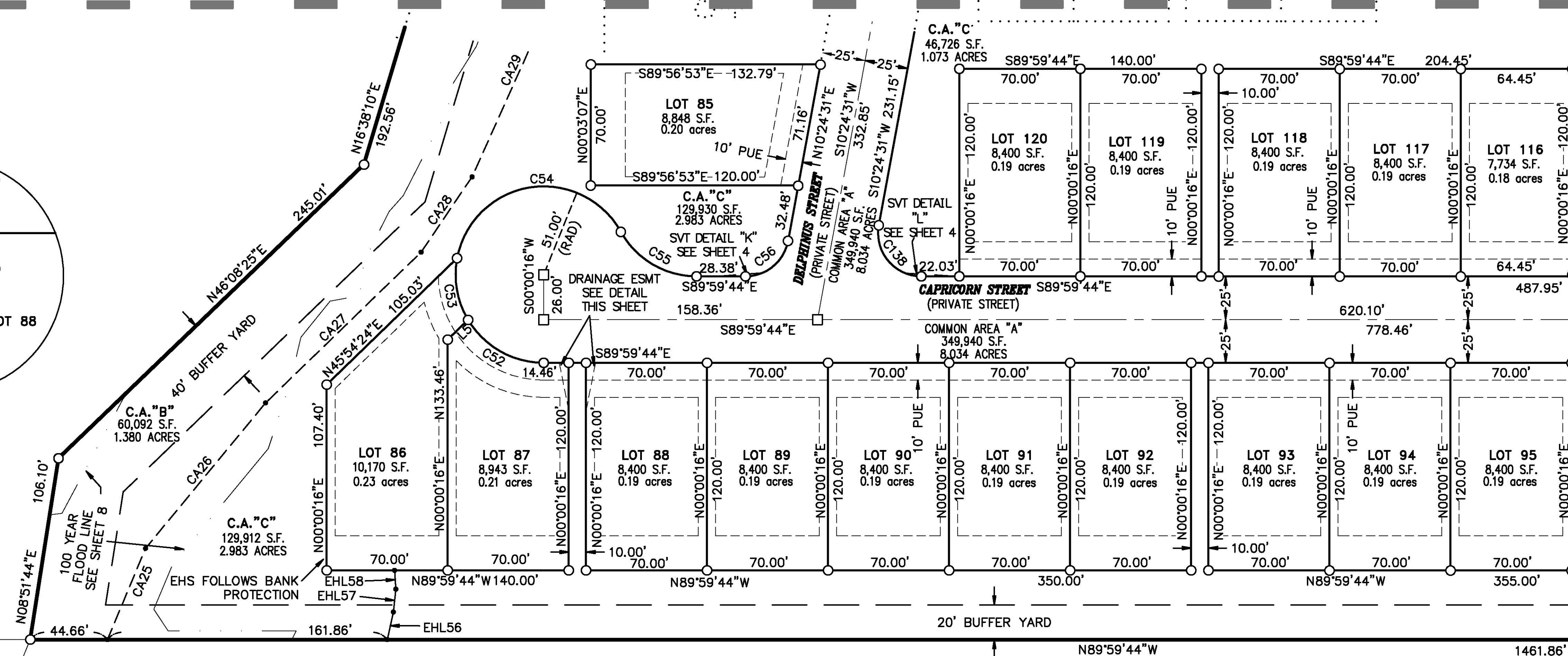
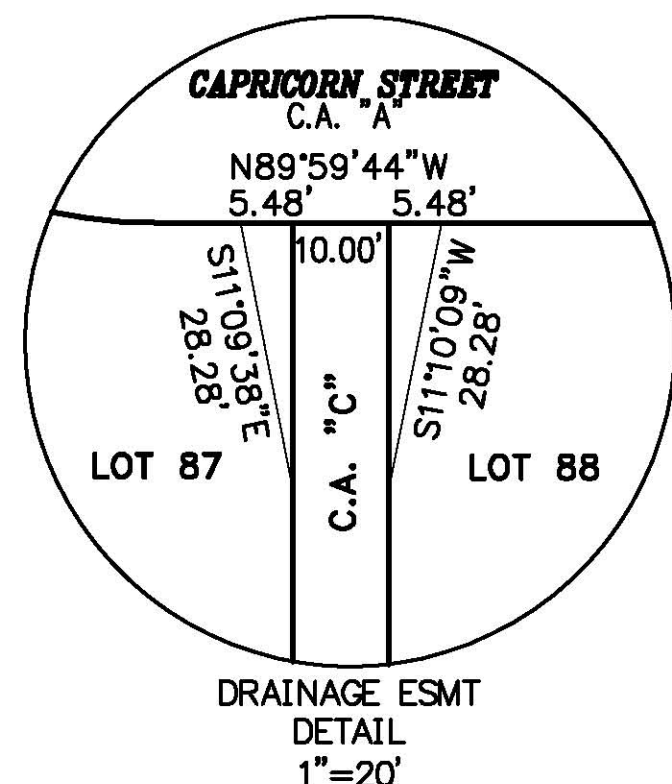
SHEET 5 OF 8

SEQ. #:

SEQ. #:

SEE SHEET 5

SEE SHEET 7



LA CHOLLA 311 PROPERTY LLC
 224-20-001D
 Seq. 94116150
 Zoning: R1-144

CASAS ADOBES BAPTIST CHURCH
 224-20-002B
 Seq. 90153118
 Zoning: R1-144

LINE	LENGTH	BEARING
CA1	32.94'	S04°44'36"E
CA2	48.52'	S19°00'15"E
CA3	159.86'	S27°32'20"E
CA4	62.29'	S29°29'36"E
CA5	67.13'	S09°12'11"E
CA6	76.43'	S19°13'52"W
CA7	90.04'	S23°01'20"W
CA8	57.70'	S12°58'39"W
CA9	40.56'	S14°43'28"E
CA10	20.60'	S07°26'10"E
CA11	30.65'	S23°36'32"W
CA12	142.03'	S30°53'59"W
CA13	49.67'	S01°00'36"E
CA14	26.41'	S25°46'37"E
CA15	45.33'	S71°45'25"E
CA16	72.24'	S50°57'13"E
CA17	46.25'	S17°05'53"E
CA18	33.88'	S30°04'19"E
CA19	35.67'	S48°35'37"E
CA20	5.45'	S35°36'22"E
CA21	16.40'	S81°53'10"E
CA22	35.13'	S46°01'25"E
CA23	68.22'	S09°34'44"W
CA24	63.34'	S04°18'27"W
CA25	57.14'	N22°42'26"E
CA26	109.04'	N39°31'38"E
CA27	125.25'	N45°54'24"E
CA28	52.50'	N34°08'06"E
CA29	130.99'	N24°10'46"E
CA30	66.76'	N11°40'55"E
CA31	71.30'	N02°51'34"W
CA32	55.82'	N13°42'00"E

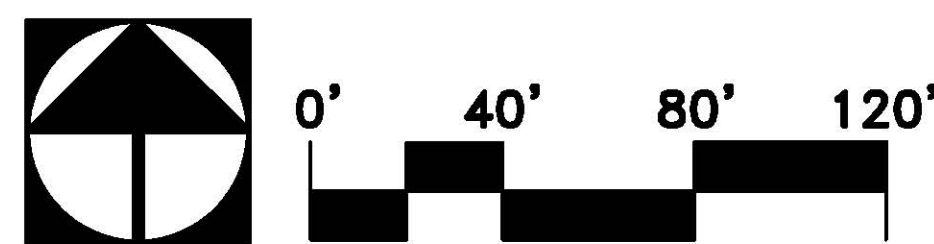
LINE	LENGTH	BEARING
CA33	46.83'	N04°07'32"W
CA34	58.38'	N28°39'36"W
CA35	43.64'	N55°03'15"W
CA36	21.16'	N59°34'30"W
CA37	NOT USED	
CA38	11.60'	N16°08'00"W
CA39	33.93'	N67°46'16"W
CA40	41.49'	N64°32'47"W
CA41	40.62'	N46°57'09"W
CA42	42.58'	N18°38'59"W
CA43	29.87'	N11°59'44"E
CA44	33.12'	N29°10'25"E
CA45	38.64'	N53°24'30"E
CA46	29.44'	N30°41'17"E
CA47	145.88'	N18°34'14"E
CA48	75.71'	N16°47'35"E
CA49	31.32'	N14°01'26"W
CA50	50.78'	N19°17'55"E
CA51	35.98'	N32°44'55"E
CA52	34.20'	N10°29'30"E
CA53	38.66'	N02°43'09"E
CA54	30.44'	N22°07'35"W
CA55	75.81'	N33°52'57"W
CA56	64.93'	N31°32'52"W
CA57	24.84'	N01°00'34"W
CA58	15.55'	N27°45'03"E
CA59	23.91'	N18°35'53"W
CA60	15.45'	N00°15'51"E
CA61	24.07'	N16°14'17"E
CA62	28.16'	N10°56'33"W
CA63	95.21'	N34°44'30"W
CA64	94.41'	N49°41'21"W

LINE	LENGTH	BEARING
CA65	79.85'	N40°32'29"W
CA66	80.56'	N21°01'56"W
CA67	56.10'	N02°13'36"W
CA68	115.31'	N08°59'31"E
CA69	87.33'	N02°49'28"E
CA70	72.12'	N09°04'32"W
CA71	91.78'	N12°38'54"W
CA72	48.26'	N01°25'21"E
CA73	2.72'	N08°01'58"E
CA74	29.55'	N02°27'48"W
CA75	51.54'	N02°24'11"E
CA76	79.83'	N22°08'27"E
CA77	40.81'	N29°35'49"E
CA78	43.40'	N02°11'45"E
CA79	57.85'	N09°26'28"W
CA80	90.64'	N19°53'48"W
CA81	29.26'	N29°43'48"W
CA82	51.94'	N05°39'48"W
CA83	49.17'	N18°10'08"E
CA84	57.97'	N21°31'23"E
CA85	49.43'	N12°47'57"E
CA86	53.40'	N06°01'47"E
CA87	19.01'	N00°15'51"E
CA88	41.57'	N39°02'23"W
CA89	46.25'	N38°11'06"W
CA90	21.16'	N14°25'10"W
CA91	22.98'	N00°03'07"E

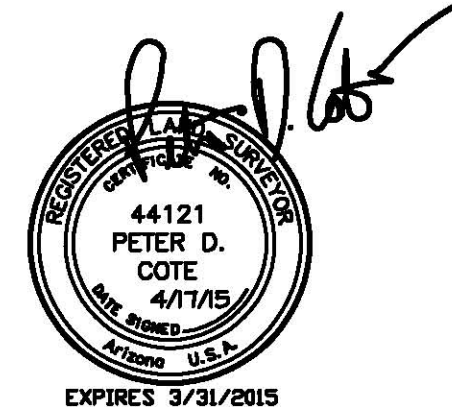
LINE	LENGTH	BEARING
EHL1	22.04'	S06°57'52"E
EHL2	26.05'	S40°57'10"E
EHL3	20.90'	S06°52'39"W
EHL4	22.78'	S24°36'59"E
EHL5	28.77'	S37°20'38"E
EHL6	24.46'	S23°22'35"E
EHL7	27.82'	S48°27'10"E
EHL8	30.95'	S15°54'05"E
EHL9	43.55'	S32°28'51"E
EHL10	21.14'	S34°18'38"E
EHL11	20.27'	S18°01'25"E
EHL12	23.58'	N69°19'01"W
EHL13	31.87'	S78°12'16"W
EHL14	26.84'	S34°24'37"W
EHL15	21.09'	S55°44'32"W
EHL16	25.07'	S09°45'45"W
EHL17	14.75'	S22°01'57"E
EHL18	31.10'	S42°05'16"E
EHL19	26.26'	S66°00'00"W
EHL20	55.74'	S34°01'59"E
EHL21	31.81'	S10°06'53"W
EHL22	51.17'	N85°11'51"W
EHL23	38.74'	S60°37'02"W
EHL24	33.19'	S23°38'39"W
EHL25	28.15'	S02°51'40"W
EHL26	26.19'	S21°42'01"E
EHL27	38.14'	S37°59'55"E
EHL28	23.67'	S21°11'55"W
EHL29	47.48'	S09°39'12"E
EHL30	17.28'	S32°15'29"E
EHL31	44.24'	S04°08'05"W
EHL32	39.09'	S29°26'40"W

LINE	LENGTH	BEARING
EHL33	30.80'	S13°28'38"W
EHL34	9.70'	S11°22'59"E
EHL35	36.38'	S14°09'13"W
EHL36	39.15'	S11°44'56"E
EHL37	30.41'	S37°45'13"E
EHL38	33.57'	S69°22'16"E
EHL39	49.04'	S25°13'01"E
EHL40	36.38'	S53°17'27"E
EHL41	47.79'	S38°45'15"E
EHL42	16.37'	S61°56'14"E
EHL43	33.61'	S48°03'46"E
EHL44	14.15'	S63°29'08"E
EHL45	9.57'	S43°58'55"E
EHL46	23.19'	S56°18'39"E
EHL47	132.24'	S05°12'22"E
EHL48	51.63'	S31°56'19"W
EHL49	46.92'	S05°31'56"E
EHL50	22.02'	S15°57'48"E
EHL51	25.42'	S70°34'05"E
EHL52	17.34'	S59°57'51"E
EHL53	26.58'	S42°35'25"E
EHL54	18.48'	S32°05'29"E
EHL55	33.76'	S15°01'24"E
EHL56	16.34'	N12°21'37"E
EHL57	13.25'	N06°10'11"E
EHL58	10.90'	N03°49'07"W
EHL59	156.97'	N08°23'02"E
EHL60	59.20'	N39°04'52"W
EHL61	26.79'	N33°48'16"W
EHL62	29.10'	N46°28'03"W
EHL63	5.32'	N21°12'06"W
EHL64	2.25'	N65°21'39"W

CURVE	LENGTH	RADIUS	DELTA	CHORD	DIST.
CAC1	158.35'	1562.00'	5°48'31"	N32°42'07"E	158.28'
CAC2	113.38'	1612.00'	4°01'48"	N33°03'28"E	113.36'



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OV1214-33
 FINAL PLAT
THE ESTATES AT CAPELLA

LOTS 1 THROUGH 120 AND COMMON AREAS "A" (PRIVATE STREETS, PUBLIC SEWER AND PUBLIC UTILITIES), "B" (CRITICAL OPEN SPACE), "C" (OPEN SPACE, DRAINAGE, PUBLIC UTILITIES AND PUBLIC SEWER EASEMENTS), AND "D" (RECREATION AREA, DRAINAGE AND PUBLIC UTILITIES) BEING A PORTION OF SECTION 9 TOWNSHIP 12 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

OV1214-29
 G140043
 OV114-027
 REF: OV913-002

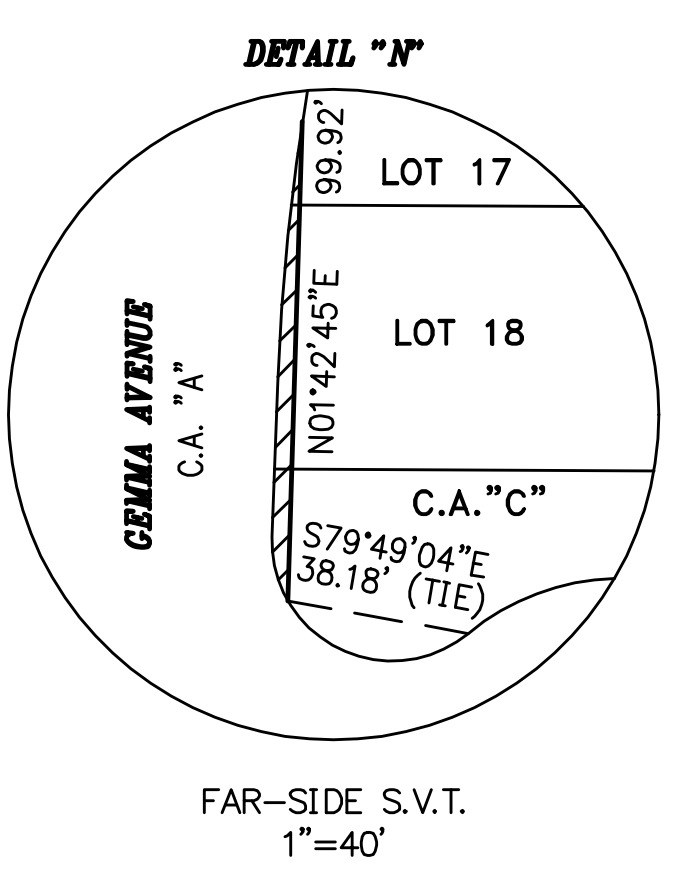
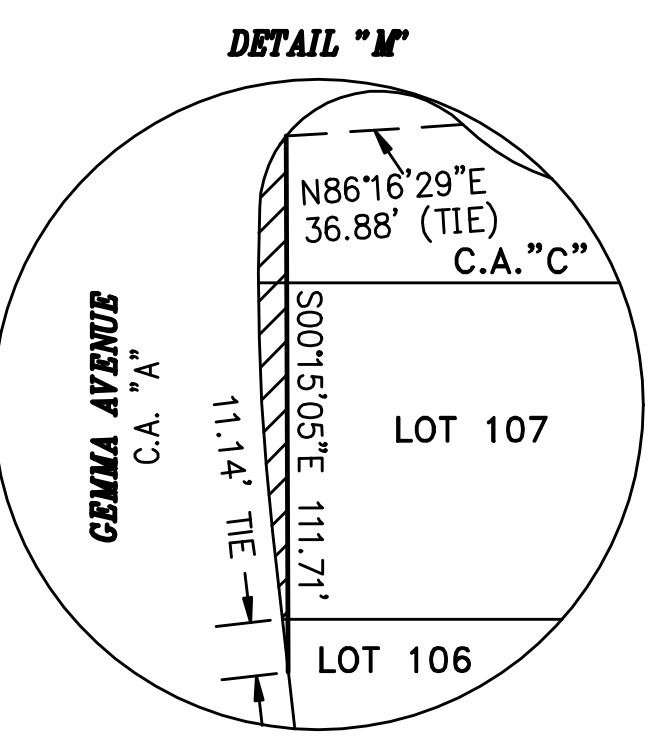
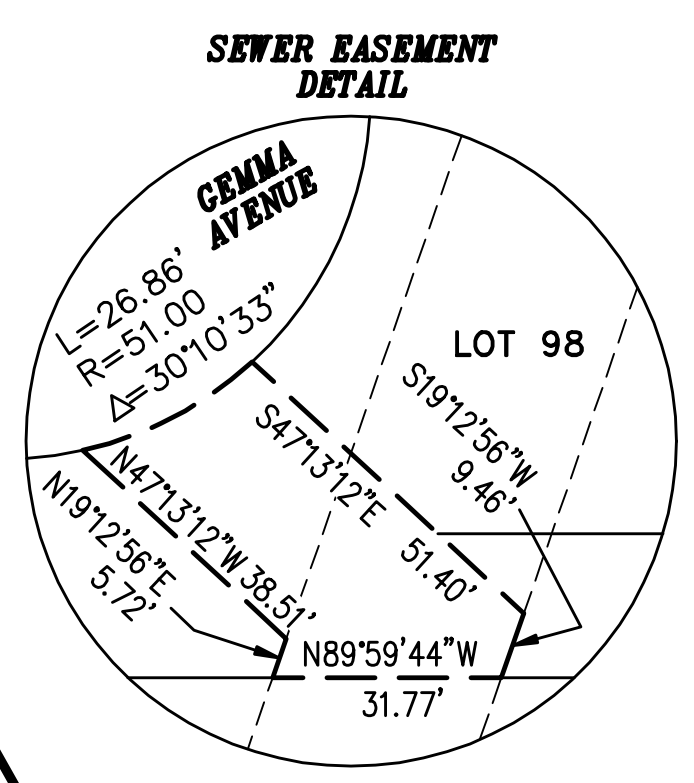
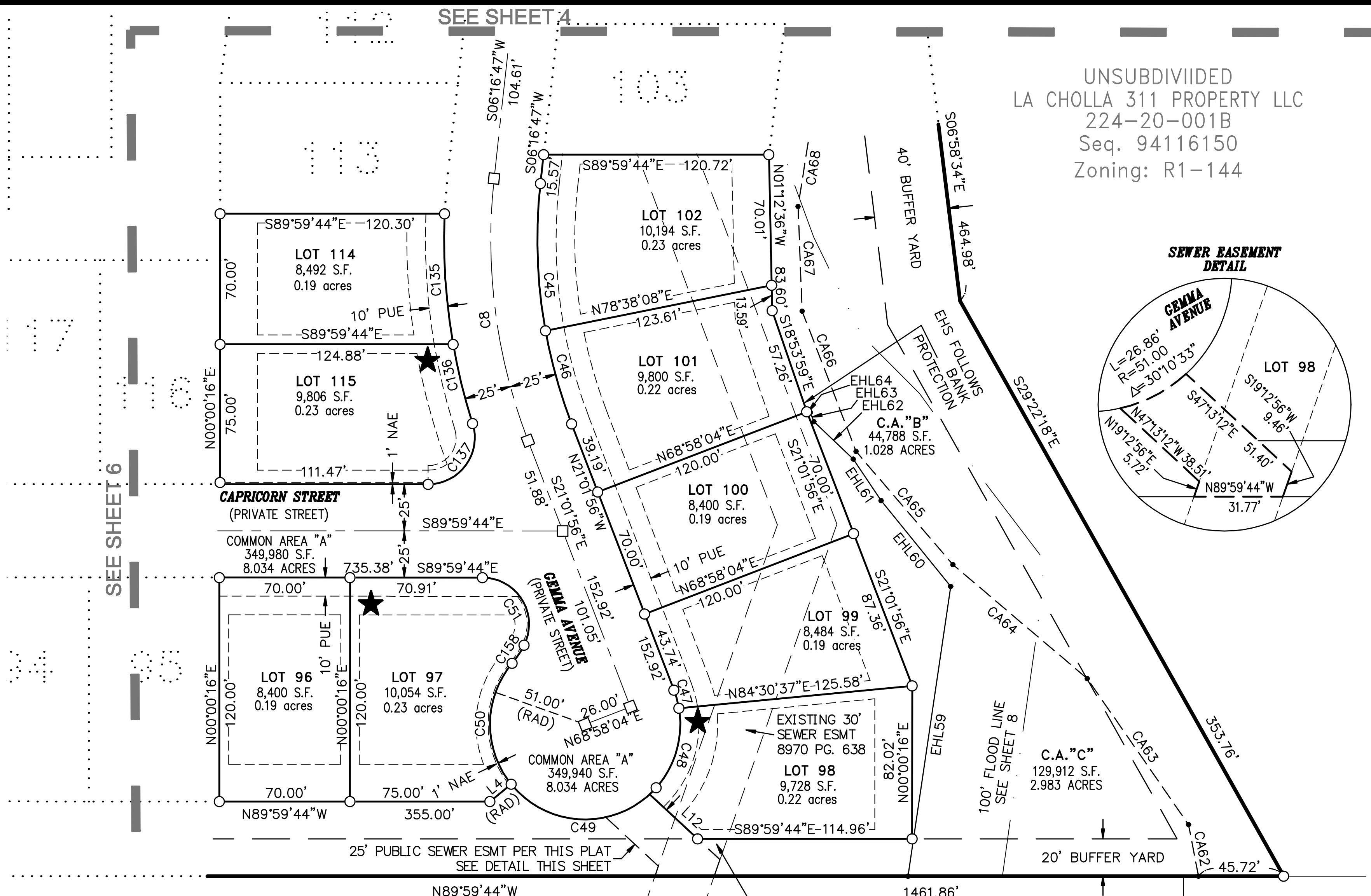
MARCH 2015

1"=40'

SHEET 6 OF 8

SEE SHEET 4

UNSUBDIVIDED
LA CHOLLA 311 PROPERTY LLC
224-20-001B
Seq. 94116150
Zoning: R1-144

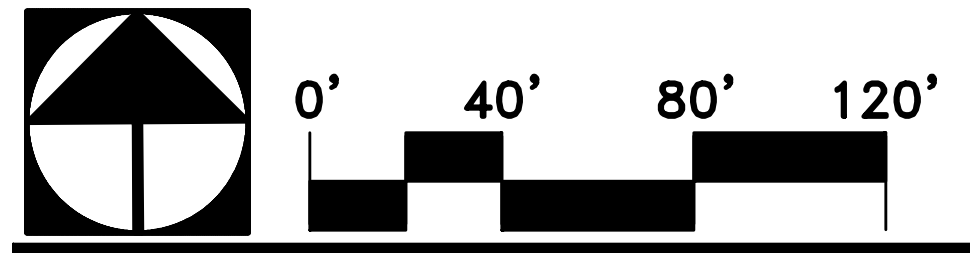


CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	DIST.
C1	3.40'	1000.00'	0°11'42"	N89°51'02"W	3.40'
C2	35.35'	1000.00'	2°01'32"	N88°44'25"W	35.35'
C3	135.08'	300.00'	25°47'56"	S02°00'13"E	133.95'
C4	90.39'	200.00'	25°53'43"	N01°57'19"W	89.62'
C5	77.56'	500.00'	8°53'15"	S06°32'54"W	77.48'
C6	74.30'	500.00'	8°30'52"	S02°09'09"E	74.23'
C7	66.44'	300.00'	12°41'22"	N00°03'54"W	66.31'
C8	143.00'	300.00'	27°18'43"	S07°22'34"E	141.65'
C9	41.25'	800.00'	2°57'17"	N84°46'58"W	41.25'
C10	48.53'	800.00'	3°28'33"	N87°59'53"W	48.52'
C11	56.83'	400.00'	8°08'24"	S85°39'57"E	56.78'
C12	54.72'	200.00'	15°40'37"	S73°45'27"E	54.55'
C13	124.40'	750.00'	9°30'12"	S30°51'16"W	124.25'
C14	319.23'	1587.00'	11°31'31"	N29°50'37"E	318.69'
C15	357.86'	1587.00'	12°55'11"	N17°37'16"E	357.10'
C16	165.31'	1587.00'	5°58'05"	N08°10'38"E	165.23'
C17	71.61'	375.00'	10°56'30"	S84°34'52"W	71.50'
C18	22.55'	50.00'	25°50'31"	S12°52'08"E	22.36'
C19	55.58'	50.00'	63°41'44"	N06°03'28"E	52.77'
C20	55.79'	25.00'	127°51'13"	S26°01'16"E	44.91'
C21	39.72'	1025.00'	2°13'14"	N88°50'16"W	39.72'
C22	3.29'	60.00'	3°08'39"	S83°36'45"W	3.29'
C23	30.59'	60.00'	29°12'42"	N80°12'34"W	30.26'
C24	30.00'	60.00'	28°38'53"	N51°16'47"W	29.69'
C25	37.69'	60.00'	35°59'20"	N18°57'40"W	37.07'
C26	23.14'	60.00'	22°05'40"	N10°04'50"E	22.99'
C27	47.96'	275.00'	9°59'36"	S05°53'58"W	47.90'
C28	55.10'	275.00'	11°28'46"	S04°50'13"E	55.01'
C29	20.76'	275.00'	4°19'34"	S12°44'24"E	20.76'
C30	24.17'	225.00'	6°09'15"	N11°49'33"W	24.16'
C31	55.17'	225.00'	14°02'57"	N01°43'27"W	55.03'
C32	22.35'	225.00'	5°41'30"	N08°08'47"E	22.34'
C33	36.51'	475.00'	4°24'14"	S08°47'25"W	36.50'
C34	37.17'	475.00'	4°29'01"	S04°20'48"W	37.16'
C35	57.46'	25.00'	131°41'54"	S63°44'40"E	45.62'
C36	73.45'	50.00'	84°09'55"	N87°30'39"W	67.02'
C37	18.19'	25.00'	41°41'51"	S66°16'38"E	17.80'
C38	18.19'	25.00'	41°41'51"	S72°01'31"W	17.80'
C39	72.10'	50.00'	82°37'12"	S87°30'48"E	66.01'
C40	57.59'	25.00'	131°59'49"	S67°47'53"W	45.68'
C41	15.77'	475.00'	1°54'09"	S00°50'54"W	15.77'
C42	52.29'	475.00'	6°18'24"	S03°15'23"E	52.26'
C43	20.40'	325.00'	3°35'50"	N04°36'40"W	20.40'
C44	51.57'	325.00'	9°05'32"	N01°44'01"E	51.52'
C45	79.21'	275.00'	16°30'09"	S26°18'17"E	78.93'
C46	51.88'	275.00'	10°48'33"	S15°37'39"E	51.80'
C47	10.04'	51.00'	11°16'42"	N15°23'35"W	10.02'
C48	50.85'	51.00'	57°07'31"	N18°48'32"E	48.77'
C49	88.29'	51.00'	99°11'38"	S88°37'52"E	77.67'
C50	70.30'	51.00'	78°58'48"	S00°27'21"W	64.87'
C51	50.88'	25.00'	116°36'39"	N31°41'25"W	42.54'
C52	52.65'	51.00'	59°08'48"	S60°25'20"E	50.34'
C53	37.01'	51.00'	41°34'30"	S10°03'41"E	36.20'
C54	124.84'	51.00'	140°15'22"	S80°51'15"W	95.93'
C55	53.21'	50.00'	60°58'40"	S59°30'24"E	50.74'
C56	34.73'	25.00'	79°35'45"	N50°12'23"E	32.00'
C57	26.10'	60.00'	24°55'15"	S12°38'13"W	25.89'
C58	32.17'	60.00'	30°42'56"	S40°27'19"W	31.78'
C59	30.88'	60.00'	29°29'31"	S70°33'32"W	30.54'
C60	15.69'	60.00'	14°58'46"	N87°12'20"W	15.64'
C61	39.27'	25.00'	90°00'00"	N45°03'07"E	35.36'
C62	39.18'	25.00'	89°47'16"	N44°50'31"W	35.29'
C63	50.61'	425.00'	6°49'22"	S86°19'28"E	50.58'
C64	9.77'	425.00'	1°19'02"	S82°15'16"E	9.77'
C65	23.90'	225.00'	6°05'07"	S78°33'12"E	23.89'
C66	34.37'	25.00'	78°46'50"	S65°05'57"W	31.73'
C67	110.02'	1612.00'	3°54'38"	N27°39'51"E	110.00'
C68	168.43'	1612.00'	5°59'12"	N32°36'46"E	168.36'
C69	108.07'	725.00'	8°32'27"	S31°20'09"W	107.97'
C70	140.63'	725.00'	10°23'48"	S30°24'28"W	140.43'
C71	188.14'	1562.00'	6°54'04"	N32°09'20"E	188.02'
C72	59.58'	1562.00'	2°11'08"	N27°36'45"E	59.58'
C73	59.58'	1562.00'	2°11'08"	N25°25'37"E	59.58'
C74	59.58'	1562.00'	2°11'08"	N23°14'29"E	59.58'
C75	59.58'	1562.00'	2°11'08"	N21°03'22"E	59.58'
C76	59.58'	1562.00'	2°11'08"	N18°52'14"E	59.58'
C77	59.58'	1562.00'	2°11'08"	N16°41'06"E	59.58'
C78	59.58'	1562.00'	2°11'08"	N14°29'58"E	59.58'
C79	59.58'	1562.00'	2°11'08"	N12°18'51"E	59.58'
C80	59.58'	1562.00'	2°11'08"	N10°07'43"E	59.58'
C81	59.58'	1562.00'	2°11'08"	N07°56'35"E	59.58'
C82	8.23'	1562.00'	0°18'07"	N06°41'58"E	8.23'
C83	16.77'	60.00'	16°01'05"	S02°07'20"W	16.72'
C84	30.43'	60.00'	29°03'14"	S24°39'29"W	30.10'
C85	33.82'	60.00'	32°18'00"	S55°20'06"W	33.38'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	DIST.
C86	20.75'	60.00'	19°49'03"	S81°23'37"W	20.65'
C87	56.96'	25.00'	130°32'21"	N26°01'59"E	45.41'
C88	56.84'	50.00'	65°07'50"	S06°40'17"E	53.83'
C89	22.55'	50.00'	25°50'31"	N12°58'23"E	22.36'
C90	32.25'	25.00'	73°55'02"	S42°09'06"W	30.06'
C91	66.84'	350.00'	10°56'24"	S84°34'52"W	66.74'
C92	39.27'	25.00'	90°00'00"	N44°56'53"W	35.36'
C93	39.27'	25.00'	90°00'00"	N45°03'07"E	35.36'
C94	43.19'	25.00'	98°59'21"	S40°27'12"E	38.02'
C95	101.91'	1612.00'	3°37'20"	N07°13'49"E	101.89'
C96	6.36'	1612.00'	0°13'34"	N05°18'22"E	6.36'
C97	17.74'	25.00'	40°38'53"	S69°43'41"W	17.37'
C98	39.27'	25.00'	90°00'00"	N44°56'53"W	35.36'
C99	68.77'	375.00'	10°30'24"	N05°18'19"E	68.67'
C100	73.35'	400.00'	10°30'24"	N05°18'19"E	73.25'
C101	73.35'	400.00'	10°30'24"	S05°18'19"E	73.25'
C102	77.19'	425.00'	10°24'23"	N05°15'19"W	77.08'
C103	39.36'	25.00'	90°12'44"	N45°09'29"E	35.42'
C104	46.55'	375.00'	7°06'47"	S86°10'46"E	46.52'
C105	6.72'	375.00'	1°01'37"	S82°06'34"E	6.72'
C106	45.26'	25.00'	103°43'23"	S29°44'04"E	39.33'
C107	22.84'	1612.00'	0°48'43"	N21°43'16"E	22.84'
C108	58.62'	1612.00'	2°05'00"	N20°16'25"E	58.61'
C109	57.88'	1612.00'	2°03'27"	N18°12'12"E	57.88'
C110	128.57'	1612.00'	4°34'11"	N14°53'23"E	128.54'
C111	16.06'	25.00'	36°47'57"	S69°43'41"W	15.78'
C112	40.24'	25.00'	92°13'14"	S46°09'44"W	36.03'
C113	43.03'	25.00'	98°37'24"	N38°24'57"W	37.91'
C114	34.45'	325.00'	6°04'22"	S07°51'34"W	34.43'
C115	55.52'	325.00'	9°47'17"	S00°04'15"E	55.45'
C116	56.37'	325.00'	9°56'17"	S09°56'02"E	56.30'
C117	15.47'	175.00'	5°03'53"	N12°22'15"W	15.46'
C118	63.62'	175.00'	20°49'50"	N00°34'37"E	63.27'
C119	16.98'	525.00'	1°51'12"	S10°03'56"W	16.98'
C120	54.35'	525.00'	5°55'54"	S06°10'23"W	54.33'
C121	10.10'	525.00'	1°06'09"	S02°39'22"W	10.10'
C122	41.27'	25.00'	94°35'23"	N49°23'59"E	36.74'
C123	36.37'	25.00'	83°21'27"	S41°37'36"E	33.25'
C124	15.71'	375.00'	2°24'01"	S01°15'08"W	15.71'
C125	53.06'	375.00'	8°06'23"	S06°30'20"W	53.01'
C126	39.10'	425.00'	5°16'15"	N07°55'24"E	39.08'
C127	38.84'	425.00'	5°14'09"	S03°40'12"E	38.82'
C128	42.17'	25.00'	96°38'33"	S48°22'24"W	37.34'
C129	37.27'	25.00'	85°24'37"	N40°36'01"W	33.91'
C130	36.79'	525.00'	4°00'54"	S00°50'50"W	36.78'
C131	41.23'	525.00'	4°29'58"	S04°09'36"E	41.22'
C132	46.47'	275.00'	9°40'56"	N01°34'07"W	46.42'
C133	14.43'	275.00'	5°00'26"	N04°46'34"E	14.43'
C134	21.70'	325.00'	3°49'33"	S04°22'01"W	21.70'
C135	70.29'	325.00'	12°23'28"	S03°44'30"E	70.15'
C136	43.71'	325.00'	7°42'23"	S13°47'26"E	43.68'
C137	46.97'	25.00'	107°38'53"	N36°10'49"E	40.36'
C138	43.81'	25.00'	100°24'15"	S39°47'37"E	38.42'
C139	26.00'	25.00'	59°35'38"	S40°12'20"W	24.85'
C140	8.75'	25.00'	20°02'58"	S80°01'38"W	8.70'
C141	6.85'	60.00'	6°32'15"	S82°59'05"E	6.84'
C142	10.01'	60.00'	9°33'44"	N88°57'56"E	10.00'
C143	25.18'	60.00'	24°02'57"	N27°09'35"E	25.00'
C144	32.29'	60.00'	30°50'10"	N44°43'01"E	31.90'
C145	29.89'	60.00'	28°32'28"	N15°01'42"E	29.58'
C146	11.45'	60.00'	10°56'16"	N04°42'40"W	11.44'
C147	55.00'	1442.00'	2°11'08"	N27°36'45"E	55.00'
C148	55.00'	1442.00'	2°11'08"	N25°25'37"E	55.00'
C149	55.00'	1442.00'	2°11'08"	N23°14'29"E	55.00'
C150	55.00'	1442.00'	2°11'08"	N21°03'22"E	55.00'
C151	55.00'	1442.00'	2°11'08"	N18°52'14"E	55.00'
C152	55.00'	1442.00'	2°11'08"	N16°41'06"E	55.00'
C153	55.00'	1442.00'	2°11'08"	N14°29'58"E	55.00'
C154	55.00'	1442.00'	2°11'08"	N12°18'51"E	55.00'
C155	55.00'	1442.00'	2°11'08"	N10°07'43"E	55.00'
C156	55.00'	1442.00'	2°11'08"	N07°56'35"E	55.00'
C157	44.37'	1145.00'	2°13'14"	N88°50'16"W	44.37'
C158	11.63'	50.00'	13°19'50"	N33°16'50"E	11.61'
C159	2.92'	431.00'	0°23'18"	N86°55'54"W	2.92'

CASAS ADOBES BAPTIST CHURCH
224-20-002B
Seq. 90153118
Zoning: R1-144

LA CHOLLA 311 PROPERTY LLC
224-20-001C
Seq. 94116150
Zoning: R1-144



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 4444 East Broadway
 Tucson, Arizona (520) 881-7480

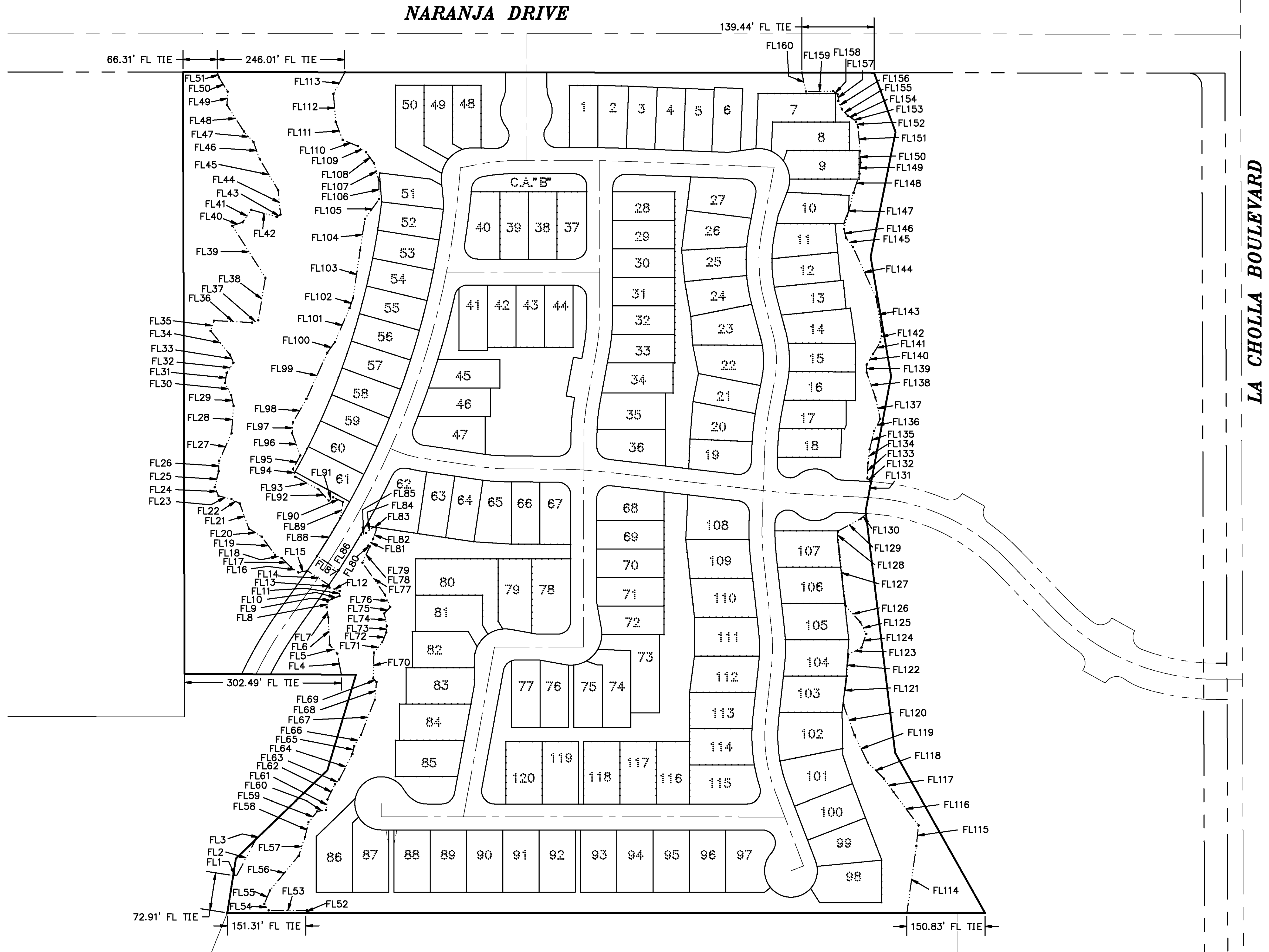
44121
 PETER D. COTE
 4/17/15
 EXPIRES 3/31/2015

OV1214-33
FINAL PLAT
THE ESTATES AT CAPELLA

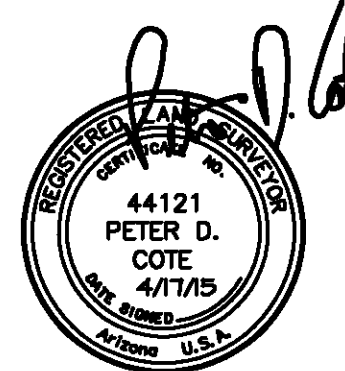
LOTS 1 THROUGH 120 AND COMMON AREAS "A" (PRIVATE STREETS, PUBLIC SEWER AND PUBLIC UTILITIES), "B" (CRITICAL OPEN SPACE), "C" (OPEN SPACE, DRAINAGE, PUBLIC UTILITIES AND PUBLIC SEWER EASEMENTS), AND "D" (RECREATION AREA, DRAINAGE AND PUBLIC UTILITIES) BEING A PORTION OF SECTION 9 TOWNSHIP 12 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

LINE	LENGTH	BEARING
FL1	7.21'	N82°22'42"E
FL2	75.16'	N28°06'17"E
FL3	17.63'	N42°35'42"E
FL4	41.34'	N10°39'58"W
FL5	22.01'	N41°32'44"W
FL6	53.15'	N03°14'40"W
FL7	19.60'	N08°33'15"W
FL8	11.13'	N07°45'18"E
FL9	9.78'	N57°19'34"E
FL10	16.08'	N70°07'44"E
FL11	9.91'	N00°17'48"E
FL12	20.81'	N71°29'24"W
FL13	4.79'	N11°11'54"W
FL14	50.00'	N56°11'54"W
FL15	17.65'	S78°42'04"W
FL16	17.57'	N54°57'03"W
FL17	25.45'	N44°46'40"W
FL18	14.27'	N65°01'45"W
FL19	43.35'	N36°14'23"W
FL20	28.84'	N58°02'36"W
FL21	51.60'	N20°10'50"W
FL22	18.16'	N61°04'36"W
FL23	25.87'	N76°31'17"W
FL24	18.15'	N22°55'29"W
FL25	31.65'	N13°15'47"E
FL26	20.51'	N03°03'10"E
FL27	57.86'	N24°30'29"E
FL28	52.58'	N03°59'44"E
FL29	22.21'	N11°42'51"W
FL30	25.92'	N27°00'00"W
FL31	19.84'	N08°59'37"E
FL32	23.28'	N34°05'50"E
FL33	16.75'	N23°16'26"W
FL34	59.42'	N39°07'40"W
FL35	20.70'	N18°08'04"E
FL36	73.69'	S87°07'06"E
FL37	12.88'	N69°46'00"E
FL38	83.11'	N09°30'37"E
FL39	118.71'	N32°28'06"W
FL40	20.87'	N71°16'41"E
FL41	29.37'	N34°37'04"E
FL42	50.88'	S74°06'06"E
FL43	9.03'	N56°56'15"E
FL44	46.73'	N05°32'04"W
FL45	69.63'	N30°47'36"W
FL46	35.55'	N19°53'23"W
FL47	27.15'	N42°30'09"W
FL48	61.09'	N32°35'42"W
FL49	25.66'	N03°27'06"E
FL50	32.40'	N31°57'11"W
FL51	10.44'	N15°50'13"W
FL52	5.60'	N26°44'44"E
FL53	74.04'	N89°59'44"W
FL54	14.98'	N33°38'39"W
FL55	28.00'	N22°42'26"E
FL56	86.96'	N39°31'38"E
FL57	37.87'	N18°30'32"E
FL58	29.23'	N13°33'46"E
FL59	26.95'	N38°54'02"E
FL60	17.34'	N80°05'28"E
FL61	20.12'	N07°25'27"E
FL62	32.26'	N26°31'15"E
FL63	12.32'	N41°50'00"E
FL64	55.64'	N27°15'51"E
FL65	16.11'	N12°45'56"E
FL66	24.83'	N32°05'42"E
FL67	72.79'	N21°13'11"E
FL68	34.55'	N05°25'31"E
FL69	9.01'	N42°54'31"W
FL70	49.87'	N01°33'46"E
FL71	25.42'	N39°22'52"E
FL72	20.79'	N21°34'21"E
FL73	11.96'	N05°31'47"E
FL74	25.06'	N11°29'49"W
FL75	16.96'	N42°48'50"E
FL76	25.52'	N23°12'53"W
FL77	75.95'	N35°02'35"W
FL78	34.21'	N24°38'34"E
FL79	3.89'	N69°22'52"W
FL80	16.03'	N37°56'19"E

LINE	LENGTH	BEARING
FL81	17.11'	N19°05'13"E
FL82	6.29'	N06°26'34"E
FL83	6.88'	N83°56'45"W
FL84	17.01'	S48°38'26"W
FL85	10.76'	S73°33'15"W
FL86	81.16'	S31°45'18"W
FL87	49.91'	N56°11'54"W
FL88	85.21'	N31°33'10"E
FL89	32.01'	N09°08'15"E
FL90	20.81'	N64°34'56"W
FL91	10.73'	S54°54'26"W
FL92	28.88'	N42°20'58"W
FL93	51.00'	N61°17'41"W
FL94	15.59'	N16°18'04"W
FL95	29.74'	N28°23'16"E
FL96	45.62'	N20°28'09"W
FL97	21.03'	N03°45'04"E
FL98	52.72'	N30°02'47"E
FL99	97.46'	N24°15'49"E
FL100	24.82'	N36°01'42"E
FL101	71.73'	N23°16'24"E
FL102	19.74'	N19°27'36"E
FL103	93.77'	N08°29'17"E
FL104	61.30'	N08°35'26"E
FL105	46.85'	N35°48'00"E
FL106	36.85'	N00°47'43"W
FL107	34.86'	N16°27'10"W
FL108	24.94'	N35°41'08"W
FL109	19.84'	N54°20'24"W
FL110	31.73'	N67°02'14"W
FL111	36.65'	N21°05'04"W
FL112	54.43'	N04°49'04"W
FL113	47.24'	N27°45'26"E
FL114	130.80'	N08°04'31"E
FL115	39.78'	N05°59'05"E
FL116	79.53'	N37°17'02"W
FL117	32.29'	N35°19'04"W
FL118	44.26'	N44°59'20"W
FL119	58.20'	N25°52'32"W
FL120	61.95'	N20°13'51"W
FL121	56.47'	N06°46'49"E
FL122	41.52'	N03°52'40"E
FL123	28.90'	N61°45'39"E
FL124	27.55'	N19°12'38"E
FL125	25.50'	N26°56'12"W
FL126	41.98'	N42°04'33"W
FL127	128.61'	N06°29'35"W
FL128	16.70'	N00°00'16"E
FL129	49.60'	N61°26'16"E
FL130	13.22'	N50°03'06"E
FL131	25.71'	N05°03'06"E
FL132	7.48'	N39°56'54"W
FL133	29.54'	N02°03'39"E
FL134	26.68'	N06°44'16"E
FL135	36.44'	N13°57'05"E
FL136	26.09'	N27°07'16"E
FL137	42.27'	N12°42'24"W
FL138	51.19'	N19°26'26"W
FL139	15.31'	N00°00'00"E
FL140	24.24'	N31°18'14"E
FL141	26.51'	N31°48'41"E
FL142	20.78'	N07°20'02"E
FL143	67.14'	N09°36'10"W
FL144	106.17'	N24°34'55"W
FL145	23.03'	N37°17'04"W
FL146	17.27'	N12°09'54"W
FL147	71.88'	N14°49'25"E
FL148	38.75'	N17°13'47"E
FL149	21.54'	N06°03'09"E
FL150	21.57'	N02°22'25"W
FL151	47.18'	N05°07'16"W
FL152	10.63'	N20°11'04"W
FL153	9.69'	N47°53'06"W
FL154	10.44'	N59°19'50"W
FL155	16.74'	N42°18'29"W
FL156	17.42'	N22°24'32"W
FL157	12.46'	N06°29'27"W
FL158	10.83'	N53°49'12"W
FL159	52.70'	S89°23'46"W
FL160	37.01'	N11°54'46"W



The **WLB** Group
 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



OV1214-33
FINAL PLAT
THE ESTATES AT CAPELLA
 LOTS 1 THROUGH 120 AND COMMON AREAS "A" (PRIVATE STREETS, PUBLIC SEWER AND PUBLIC UTILITIES), "B" (CRITICAL OPEN SPACE), "C" (OPEN SPACE, DRAINAGE, PUBLIC UTILITIES AND PUBLIC SEWER EASEMENTS), AND "D" (RECREATION AREA, DRAINAGE AND PUBLIC UTILITIES) BEING A PORTION OF SECTION 9 TOWNSHIP 12 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA
 REF: OV1214-29 G140043
 OV114-027
 REF: OV913-002
 MARCH 2015 1"=40' SHEET 8 OF 8

SEQ. #:

SEQ. #:

LICENSE
AGREEMENT

THIS LICENSE AGREEMENT ("License") made and entered into by and between the Town of Oro Valley, Pima County, Arizona, a Body Politic, hereinafter called the "LICENSOR" and Meritage Homes of Arizona, Inc., an Arizona corporation hereinafter called the "LICENSEE."

W I T N E S S E T H:

WHEREAS, Licensor is the owner of that certain real property hereinafter described, said real property having been dedicated as public right-of-way for Naranja Dr. (the "Naranja Right-of-Way"); and

WHEREAS, a portion the Naranja Right-of-Way is to be encroached upon by the installation and maintenance of landscaping and irrigation (the "Improvements"); and

WHEREAS, Licensee requesting authorization for installation and maintenance of the Improvements within the Naranja Right-of-Way; and

WHEREAS, the Licensor has agree to authorize the installation and maintenance of the Improvements within the Naranja Right-of-Way.

NOW, THEREFORE, for and in consideration of the sum of One (\$1.00) Dollar and the faithful performance by the Licensee or his heirs and assigns; Licensor does hereby grant and demise to the Licensee, his heirs and assigns, a permit, license and privilege, for the period of time hereinafter mentioned and subject to the conditions hereinafter contained, to enter in upon the Naranja Right-of-Way as described in Exhibit "A" attached hereto.

THIS LICENSE is subject to the following terms and conditions, to-wit:

1. This license is granted for the purpose of installation and maintenance of the Improvements within the Naranja Right-of-Way.
2. The Licensee shall only be permitted to use the aforesaid land for the stated purpose.
3. Notwithstanding any other agreement or condition, it is expressly agreed that the license may be revoked by the Licensors upon Ninety (90) days written notice to the Licensee.
4. Following any revocation of this License, Licensee will remove the Improvements from the Naranja Right-of-Way, at no expense to Licensor and to the satisfaction of the Licensor and will restore the Naranja Right-of-Way to the pre-license condition or as may be mutually agreed.

5. Nothing herein contained shall be construed as granting title to the land belonging to Licensor, or as vesting in the Licensee any right of entry to said land after the termination of this License.
6. This License may be transferred to the Licensee's successors and assigns upon written approval of Licensor subsequent to written request of the Licensee. This License shall run for a period of 25 years.
7. Licensee shall be responsible for all costs of installation, maintenance, and repair of the Improvements during the term of the License. The Improvements shall not interfere with safe sight distance. Licensee will indemnify Licensor for injury or damage pursuant to the provisions of Section 8 below.
8. During the term of the License, the Licensee shall indemnify, defend and hold harmless Licensor, its officers, departments, employees and agents ("Licensor Parties") from and against any and all suits, actions, legal or administrative proceedings, claims, demands or damages of any kind or nature arising out of the installation or construction of the Improvements by Licensee or Licensee's failure to comply with any obligations of Licensee hereunder, except any loss or damage which is caused by the negligence or willful misconduct of any Licensor Parties.
9. The licensee will abide by all applicable local, state and federal ordinances, statutes, and regulations.
10. Approval of this License is subject to compliance with all conditions and provisions of the approved plans and specifications for the Improvements, which by this reference are incorporated and made a part hereof.

Signatures appear on following page.

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed this ___ day of _____, 2015.

LICENSEE:

MERITAGE HOMES OF ARIZONA, INC., an
Arizona Corporation

By: _____
Name: _____
Its: _____

LICENSOR:

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

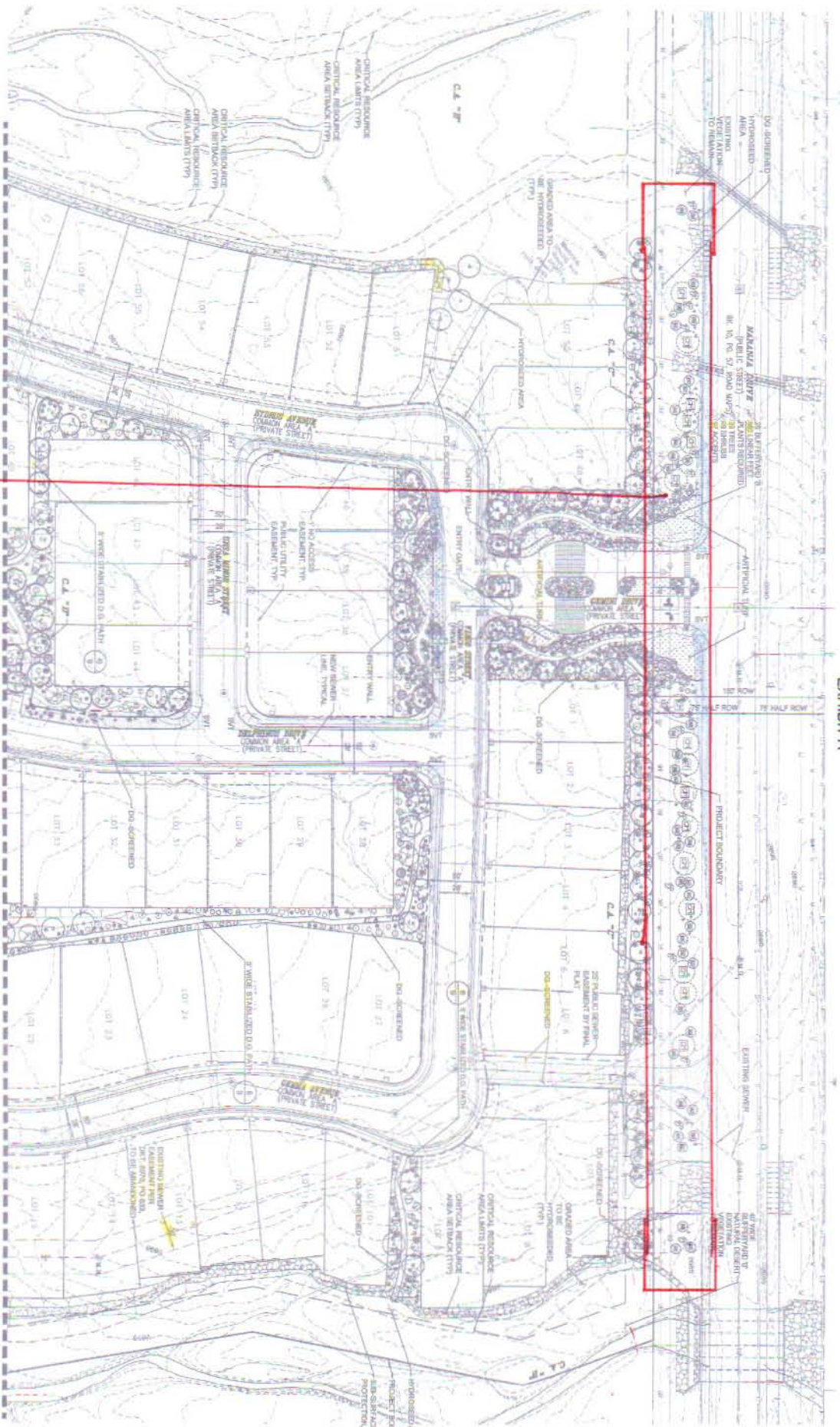
ATTEST:

Julie K. Bower, Town Clerk

APPROVED AS TO FORM

Tobin Sidles, Legal Services Director

EXHIBIT A



ENCROACHMENT AREA

MATCHLINE SEE SHEET 4

The WLB Group **WLB**
 WILSON BROS. LANDSCAPE ARCHITECTS
 1000 N. CENTRAL AVENUE, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 WWW.WLB.COM



PLANTING PLAN

DATE: 02-20-2024
 DRAWN: JLS
 CHECKED: JLS



01214-29
 FINAL LANDSCAPE PLAN
 FOR
THE ESTATES AT CAPELLA
 LOT 1'S THROUGH LOT 54 AND COMMON AREAS OF PRIVATE STREETS PUBLIC
 CHANGING, PUBLIC UTILITIES AND PUBLIC SERVICE ENCROACHMENTS AND
 DISCREPANCIES FROM THE PLANNING AND PUBLIC UTILITIES DEPARTMENT
 TOWN OF FOND DU LAKE, FOND DU LAKE, WISCONSIN
 PROJECT LOCATION: 1000 N. CENTRAL AVENUE, SUITE 100, DENVER, CO 80202
 MATCHLINE: SEE SHEET 4
 SHEET 3 OF 29
 SCALE: 1" = 40'



Town Council Regular Session

Item # **E.**

Meeting Date: 05/06/2015

Requested by: Kelly Schwab

Submitted By: Caroline Standiford, Legal

Department: Legal

Information

SUBJECT:

Resolution No. (R)15-34, authorizing Verizon Communications, Inc. to sublease the ground lease, entered with the Town of Oro Valley, to American Tower and subsequently lease back from American Tower a portion of the site located at 551 W. Lambert Lane

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

Verizon Communications, Inc. is interested in subleasing a ground lease, previously entered into with the Town of Oro Valley, to American Tower Corporation. Verizon subsequently plans to lease back a portion of the site located at 551 W. Lambert Lane from American Tower Corporation. For Verizon Communications, Inc. and American Tower Corporation to complete their transaction, the Town will need to consent to the ground lease's sublease and subsequent lease back pursuant to Section 12 of the Communications Site Lease Agreement.

BACKGROUND OR DETAILED INFORMATION:

On July 1, 2013, Verizon Communications, Inc. (then Alltel Communications of the Southwest Limited Partnership) entered into a ground lease agreement with the Town of Oro Valley. On February 5, 2015, Verizon Communications, Inc. entered into an agreement with American Tower Corporation regarding a portion of Verizon's tower portfolio. The Town of Oro Valley's ground lease and the site located at 551 W. Lambert Lane are part of that portfolio.

Verizon Communications is looking to sublease the ground lease for that site to American Tower Corporation, then lease back portion of the site from American Tower to retain certain rights to continue to use the portion of the site. To complete this transaction, Verizon Communications, Inc. and American Tower Corporation need the Town's consent to the ground lease sublease and lease-back.

FISCAL IMPACT:

While the Town will not see a fiscal impact from the subleasing of the groundlease and subsequent leaseback, it is important to note what monies the Town is receiving from the original lease agreement with Verizon Communications. The Town and Verizon Communications are in the second renewal term and per the original agreement, upon each renewal term the rent paid by Verizon Communications is expected to increase 25%. The Town receives \$1,875.00 rent payment per month from Verizon Communications. The rent payment will not be effected by the sublease or the leaseback.

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)15-34, authorizing Verizon Communications, Inc. to sublease the ground lease, entered with the Town of Oro Valley, to American Tower and subsequently lease back from American Tower a portion of the site located at 551 W. Lambert Lane.

Attachments

(R)15-34 Sublease for American Tower and Verizon Communications
Consent

RESOLUTION NO. (R)15-34

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, AUTHORIZING VERIZON COMMUNICATIONS, INC., TO SUBLEASE THE GROUND LEASE, ENTERED INTO WITH THE TOWN OF ORO VALLEY, TO AMERICAN TOWER AND SUBSEQUENTLY LEASEBACK A PORTION OF THE SITE LOCATED AT 551 W. LAMBERT LANE, ORO VALLEY FROM AMERICAN TOWER

WHEREAS, on July 1, 2003, the Town entered into a ground lease agreement, referred to as the Communications Site Lease Agreement, with Verizon Communications Inc, (then Alltel Communications of the Southwest Limited Partnership); and

WHEREAS, Subsequently, Verizon Communications, Inc., purchased Alltel's assets in 2008; and

WHEREAS, Verizon Communications, Inc, desires to sublease the ground lease to American Tower Corporation and subsequently lease back a portion of the site located at 551 W. Lambert Lane in Oro Valley from American Tower Corporation; and

WHEREAS, the Town owns the site located at 551 W. Lambert Lane; and

WHEREAS, In accordance with Section 12 of the Communications Site Lease Agreement, Verizon Communications, Inc., and American Tower Corporation is requesting the consent of the Town of Oro Valley for Verizon Communications, Inc., to sublease the ground lease to American Tower Corporation and leaseback the ground lease from American Tower Corporation, attached hereto as Exhibit "A".

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

SECTION 1. The request to consent to Verizon Communications, Inc., to sublease of the ground lease to American Tower Corporation and to subsequently leaseback a portion of the site located at 551 W. Lambert Lane from American Tower Corporation is hereby approved.

SECTION 2. The Mayor and Council of the Town Oro Valley are hereby authorized to take such steps as are necessary to execute and implement the consent for Verizon Communications, Inc., to sublease the ground lease to American Tower Corporation and to subsequently leaseback a portion of the site located at 551 W. Lambert Lane from American Tower Corporation

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 6th day of May, 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”



March 02, 2015

Town of Oro Valley, AZ
11000 N. La Canada Dr
Oro Valley, AZ 85737

Re: Notice of and consent to sublease of Ground Lease 89163 (“Ground Lease”) and subsequent leaseback of a portion of Site 212974, located at 551 W. Lambert Lane, ORO VALLEY, AZ 85737 (the “Site”)

Dear Town of Oro Valley, AZ:

On February 5, 2015, Verizon Communications Inc. (“Verizon”) entered into an agreement (“Agreement”) with American Tower Corporation (“American Tower”) regarding a portion of Verizon’s tower portfolio (the “Portfolio”), including the right for American Tower to manage and operate the Portfolio. Your Ground Lease and the Site associated with the Ground Lease are part of the Portfolio.

American Tower and Verizon expect the initial transactions contemplated under the Agreement (“Transaction”) to close on or before May 1, 2015. As part of the Transaction, Verizon’s affiliate party to the Ground Lease will: (i) sublease the Ground Lease to American Tower or one of its affiliates and (ii) leaseback a portion of the Site from American Tower or one of its affiliates and retain certain rights to continue using such portion of the Site (such sublease and leaseback hereinafter referred to as the “Ground Lease Sublease and Leaseback”).

The purpose of this letter is to provide notice of and request your consent to the Ground Lease Sublease and Leaseback. Please sign below and return this letter to us in the enclosed self-addressed pre-paid envelope. Thank you for your cooperation and prompt attention to this matter. If you have any questions, please call 877-362-1658 or send an email to land@AmericanTower.com.

Sincerely,

Justine D. Paul

ATC Site Number: 418754
ATC Lease Number: VZL89163
VZ Site Number: 212974
VZLease Number: 89163



AMERICAN TOWER
CORPORATION

The undersigned consents to the Ground Lease Sublease and Leaseback as set forth above.

Town of Oro Valley, AZ

By: _____

Print Name: _____

Title: _____

Date: _____

ATC Site Number: 418754
ATC Lease Number: VZL89163
VZ Site Number: 212974
VZLease Number: 89163



Margaret Salemi
Executive Director
Network

Verizon
One Verizon Way
Basking Ridge, NJ 07920

Office 908 559-1945
Mobile 908 477-7089
Margaret.Salemi@verizonwireless.com

March 18, 2015

Re: Consent to Sublease of Ground Lease ("Ground Lease") and Subsequent Leaseback of a Portion of Communications Site ("Site")

Dear Landlord:

As you know, on February 5, 2015, Verizon Communications Inc. ("Verizon") entered into an agreement ("Agreement") with American Tower Corporation ("American Tower") regarding a portion of Verizon's tower portfolio (the "Portfolio"). Your Ground Lease and the Site associated with the Ground Lease are part of the Portfolio.


As part of the transaction, the Verizon entity that is party to the Ground Lease may: (i) sublease the Ground Lease to American Tower or one of its affiliates and (ii) lease back a portion of the Site from American Tower or one of its affiliates and retain certain rights to continue using such portion of the Site (such sublease and lease back hereinafter referred to as the "Ground Lease Sublease and Leaseback").

Recently, you received notice of or a request to consent to the Ground Lease Sublease and Leaseback. Please work with American Tower on any questions you may have about the Agreement or your Ground Lease. We would also like to confirm that the Ground Lease will remain unchanged after the Ground Lease Sublease and Leaseback becomes effective. Please accept this letter as confirmation that the Ground Lease Sublease and Leaseback and your consent thereto will not change the current status of your Ground Lease nor any of the terms, conditions, rights or responsibilities set forth therein.

If you have additional questions, please call (877)362-1658 or send an email to land@AmericanTower.com. If, however, the above information has satisfactorily answered your remaining questions, we ask that you please sign the letter acknowledging your consent to the Ground Lease Sublease and Leaseback.

Sincerely,

Cellco Partnership d/b/a Verizon Wireless

By: 
Margaret Salemi
Executive Director

The undersigned consents to the Ground Lease Sublease and Leaseback as set forth above.

[Landlord Name]

By: _____
Print Name: _____
Title: _____
Date: _____



Town Council Regular Session

Item # **1.**

Meeting Date: 05/06/2015
Requested by: Bayer Vella
Submitted By: Chad Daines, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: RESOLUTIONS AMENDING THE GENERAL PLAN FUTURE LAND USE MAP TO MASTER PLANNED COMMUNITY, ADOPTING SPECIAL AREA POLICIES RELATED TO THE DEVELOPMENT AND DELETING THE SIGNIFICANT RESOURCE AREA DESIGNATION PERTAINING TO 191 ACRES LOCATED AT THE SOUTHWEST AND NORTHWEST CORNERS OF THE LA CHOLLA BOULEVARD AND NARANJA DRIVE INTERSECTION

A. RESOLUTION NO. (R)15-31, AMENDING THE GENERAL PLAN LAND USE MAP, ADOPTING SPECIAL AREA POLICIES AND DELETING THE SIGNIFICANT RESOURCE AREA DESIGNATION FOR 182.7 ACRES LOCATED AT THE SOUTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE

B. RESOLUTION NO. (R)15-32, AMENDING THE GENERAL PLAN LAND USE MAP, ADOPTING SPECIAL AREA POLICIES AND DELETING THE SIGNIFICANT RESOURCE AREA DESIGNATION FOR 8.2 ACRES LOCATED AT THE NORTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE

RECOMMENDATION:

The Planning and Zoning Commission recommends approval of the requested amendments. These items were continued by Town Council on December 10, 2014, and the applicant was encouraged to meet with area residents to address their concerns.

EXECUTIVE SUMMARY:

The requests pertain to 191 acres at the southwest and northwest corners of the La Cholla Boulevard and Naranja Drive intersection. The proposed amendments are comprised of three parts:

1. Amendment to the Land Use Map to Master Planned Community. The proposed development contains a variety of residential and non-residential land uses as depicted on the proposed Long Range Conceptual Master Plan (Attachment 3). The previous Long Range Conceptual Master Plan is included as Attachment 4 for comparative purposes.
2. Adoption of Special Area Policies proposed by the applicant (Attachment 5).
3. Deletion of the Significant Resource Area designation.

The applicant's narrative, response to Code evaluation criteria and market study are provided as Attachment 6. In addition, the Current and Proposed General Plan Land Use Maps are provided as Attachments 7 and 8.

The requests were considered by Town Council on December 10, 2014. The Town Council minutes from the December 10 public hearing are provided as Attachment 9. At the conclusion of the public hearing, Town Council continued the requests and encouraged the applicant to meet with area residents to address issues raised at the hearing.

Subsequent to the December 10 public hearing, the applicant met four times with an organized group of residents. In the end, a lengthy list of Special Area Policies has been developed. The majority of the list addresses issues that are best resolved upon rezoning when a tentative design will be presented. The functional purpose of a Major General Plan Amendment has been exceeded.

BACKGROUND OR DETAILED INFORMATION:

At the Town Council public hearing on December 10th, Council identified six areas of concern which are listed below, followed by the applicant's response.

1. Increase the depth of the buffer and single-story height limit along southern boundary: The applicant has modified the plan to increase the depth of the single-story height limit to 300 feet (measured from the northern right-of-way line of Lambert Lane) and also to include most of the area west of Cross Road (the road extending from La Cholla to Lambert and is adjacent to Casas Church) which is provided as Attachment 3. The applicant has further proposed Special Area Policies applicable to the 53-acre medium density residential parcel on the north side of Lambert Lane to restrict the density on this parcel to three homes per acre, require a 6,600 square foot minimum lot size and require 10,000 square foot lots along Lambert Lane, with a minimum of 15 feet between homes.

2. Provide more in-depth traffic analysis: The applicant has proposed a Special Area Policy requiring a Master Traffic Impact Analysis (TIA) during the Planned Area Development rezoning, which is already a Code requirement. This Master TIA will identify necessary improvements required to support each phase of the project as it is developed. The Master TIA will also identify traffic control methods to minimize traffic impact to Cañada Hills Drive, as determined by the Town Engineer. The applicant has proposed a Special Area Policy prohibiting traffic across La Cholla Boulevard directly from this development to Cañada Hills Drive. The applicant has also proposed a Special Area Policy which requires award of the contract for the La Cholla Boulevard widening prior to issuance of a grading permit within the development.

3. Eliminate the Senior Care use: The applicant has eliminated senior care as a stand alone use and has proposed a Special Area Policy which only allows senior care uses when operated in conjunction with the expansion of the Casas Church.

4. Reduce the commercial area at the northwest corner of La Cholla Boulevard and Naranja Drive: The applicant has not reduced the size of commercial area at the northwest corner of this intersection. However, the applicant has proposed Special Area Policies to reduce the intensity of the planned commercial by limiting this corner to C-N Neighborhood Commercial zoning and prohibiting supermarkets, gas stations, convenience stores, auto service centers, and alcohol and guns/ammunition sales as a primary use. The applicant has further proposed to limit building height on this corner to 24 feet.

5. Clarify the location of the Casas Church expansion: The Long Range Conceptual Master Plan has been modified to reflect the boundary of possible church expansion.

6. Work with the neighborhood to further resolve issues: Since the December 10 public hearing, the applicant has met four times with an organized group of residents. Listed below are changes proposed by the applicant to address their concerns.

- The Casas Church expansion area has been noted on the plan.
- The commercial area at the northwest corner of Lambert Lane and La Cholla Boulevard has been

increased in size, which resulted in the recreation area being reduced and reconfigured into two areas, with a new recreation area provided to the north.

- Senior Care uses have been deleted from the plan, unless operated in conjunction with the Casas Church expansion.
- The amount of land restricted to single-story building height was expanded to include a 300 foot boundary measured from the northern right-of-way line of Lambert Lane and also to include most of the area west of Cross Road.
- Prohibits apartments within the property.
- Requirement for specific commercial zoning districts in each commercial area (C-N north of Naranja Drive and C-1 on the two commercial areas south of Naranja Drive).
- Prohibits specific commercial uses.
- Requirement for Planned Area Development (PAD) zoning, including master studies.
- Expansion of the single-story home restriction area in the southwest portion of the development.
- Restricts the density of the medium density residential parcel along Lambert Lane to a maximum density of 3 homes per acre, requires a minimum lot size of 6,600 square feet and requires 10,000 square foot lots along Lambert Lane, with 15 feet between homes.
- Maximum number of residential homes is 500 homes, with an additional 70 homes if the two commercial areas at La Cholla Boulevard and Naranja Drive are developed as residential.
- Requirement for a master trails plan.
- Clarifies the location and limitation of the Casa Church expansion.
- Enhanced buffer yard along the 200 foot natural open space area on the western boundary adjacent to existing residences.
- Requires award of the La Cholla Boulevard widening contract prior to issuance of grading permits.
- Prohibits traffic across La Cholla Boulevard directly from this development to Cañada Hills Drive.

The above agreements address a majority of comments expressed by residents and Town Council at the December 10, 2014 public hearing. At the last meeting with residents, all parties indicated consensus with the above agreements, with the exception of minimum lot size. At this last meeting, the applicant and the residents also agreed not to raise new or additional issues and agreed to honor the process of the negotiation.

However, since the last meeting, several residents have continued raising new issues of concern including traffic mitigation at La Cholla and Cañada Hills Drive, limitations on timing of development and questions concerning the La Cholla Boulevard improvements. Attachment 10 includes comments which have been received following the last meeting with residents. The following are staff responses to these issues recently raised by area residents:

Traffic mitigation at Cañada Hills Drive: The Special Area Policies require a Master TIA which will identify traffic control methods to minimize impact to Cañada Hills Drive. Staff believes the Master TIA will enable the Town Engineer to make sound, engineering-based determinations on the scientific methods to minimize impacts, without the inclusion of additional language which is not based on engineering principles.

The applicant has proposed an additional Special Area Policy prohibiting traffic from crossing La Cholla Boulevard directly from the development to Cañada Hills Drive. The Town Engineer does not support this policy as it usurps his authority to ensure public safety, as outlined by Town Code. For this reason, the attached Resolutions do not include the policy proposed by the applicant.

Limitation on the timing of development: Consensus was reached at the last meeting with the residents on a Special Area Policy, which required roadway improvements to support each phase as the project develops. It was not the consensus of the residents and applicant to further restrict development timing. The applicant has proposed a Special Area Policy requiring the contract for the widening of La Cholla Boulevard be awarded prior to issuance of a grading permit for the development.

Questions concerning La Cholla Boulevard improvements: One resident has questioned whether funding

is available for the La Cholla Boulevard improvements. The Town Engineer has confirmed that the widening of approximately five miles of La Cholla Boulevard has been fully funded at \$25,000,000. The Town is currently entering the design phase which will continue until July 2017. Funding for the design phase is \$2,000,000. The construction, which is funded at \$23,000,000, is expected to begin in July 2017, with an expected completion by July 2019.

In summary, the applicant and the residents engaged in a meaningful negotiation, which resulted in addressing a number of concerns raised by Town Council and the residents at the December 10 public hearing.

Staff would caution that many of the Special Area Policies addressing use limitations, building heights and other standards are more appropriately addressed at the rezoning and design phase based on a specific development plan and go significantly beyond the normal scope of a general plan amendment. These policies have a high likelihood of resulting in unintended consequences and it is anticipated that amendments to these policies will be necessary over the course of development of this project, based on the ultimate design of individual projects.

Significant Resource Area Deletion

The applicant proposes deletion of the Significant Resource Area designation, which exists on portions of the property. This designation, adopted with the original General Plan in 2005, preceded the Town's adoption of the Environmentally Sensitive Lands (ESL) regulations in 2011. The ESL regulations establish comprehensive environmental conservation standards and regulations. As the comprehensive standards established by the ESL regulations provide for a superior level of resource protection, the Commission recommends approval of the applicant's request to delete the Significant Resource Area designations on the property.

The ESL Planning Map for the area is provided as Attachment 11 and establishes the following conservation categories on the property:

- Critical Resource Area: Resources including washes and riparian area, with a 95% open space requirement.
- Resource Management Area Tier 1: Lower resource value lands with lower intensity growth expectations in the General Plan, with a 66% open space requirement.
- Resource Management Area Tier 2: Lower resource value lands with moderate growth expectations in the General Plan, with a 25% open space requirement.

The amendment, if approved, will result in the Critical Resource Areas remaining at 95% open space and the balance of the property designated Resource Management Area Tier 2, requiring 25% open space.

General Plan Amendment Evaluation / Planning Commission Review and Action

The amendments were considered at two public hearings on October 7, 2014, and November 20, 2014. Discussion at these public hearings focused on density, market demand, amendment review criteria and neighborhood compatibility. At the conclusion of these hearings, the Planning and Zoning Commission recommended approval of the amendments based on a finding that the requests are consistent with the General Plan Vision and many Goals and Policies, including:

- Support for higher density residential and commercial near major arterial streets.
- Support for commercial uses and services in proximity to residential neighborhoods.
- Master planning of large parcels of land.
- Establishment of a complementary relationship between development and roads.

In regard to the four amendment criteria, the Planning and Zoning Commission found the amendments to be in compliance. The applicant's response to the Code evaluation criteria is provided as Attachment 6. Staff analysis of the applicant's response is provided on Attachment 12 and within the Planning and

Zoning Commission Staff Report, Attachment 13. The Neighborhood Meeting Summary Notes are provided as Attachment 14. A letter from Amphitheater School District is provided as Attachment 15. The Planning and Zoning Commission minutes are provided as Attachment 16.

Public Participation

Three formal neighborhood meetings and one open house on the proposal were held as follows:

- April 15, 2014 (75 attendees)
- August 13, 2014 (65 attendees)
- September 10, 2014 Open House (90 attendees)
- October 20, 2014 (40 attendees)

In addition to the above formal neighborhood meetings, the applicant has met on four occasions with an organized group of residents to address issues following the December 10 public hearing.

Letters and emails received prior to December 10, 2014, were included as an attachment to the December 10 Town Council communication.

FISCAL IMPACT:

Development of retail, office or employment uses on the property should have a long-term positive impact on revenues to support Town-provided services and reduce sales tax leakage to other communities.

SUGGESTED MOTION:

Agenda Item A

I MOVE to adopt Resolution No. (R)15-31, approving the Major General Plan Amendment requested under case OV1114-002, specifically the land use map shown on Attachment 8, adoption of the Special Area Policies shown on Attachment 5 and deletion of the Significant Resource Area, based on a finding that the amendments are consistent with the General Plan Vision, Goals and Policies and in compliance with the four amendment criteria in the Zoning Code.

OR

I MOVE to deny the Major General Plan Amendment requested under case OV1114-002, based on a finding that_____.

Agenda Item B

I MOVE to adopt Resolution No. (R)15-32, approving the Major General Plan Amendment requested under case OV1114-003, specifically the land use map shown on Attachment 8, adoption of the Special Area Policies shown on Attachment 5 and deletion of the Significant Resource Area, based on the findings that the amendments are consistent with the General Plan Vision, Goals and Policies and in compliance with the four amendment criteria in the Zoning Code.

OR

I MOVE to deny the Major General Plan Amendment requested under case OV1114-003, based on a finding that_____.

Attachments

(R)15-31 Southwest La Cholla and Naranja - Agenda Item A

(R)15-32 Northwest La Cholla and Naranja - Agenda Item B

[Attachment 3 - Current Concept Plan](#)

[Attachment 4 - Previous Concept Plan](#)

[Attachment 5 - Applicant Proposed Special Area Policies](#)

[Attachment 6 - Applicant Narrative and Response to Criteria](#)

[Attachment 7 - Current General Plan](#)

[Attachment 8 - Proposed General Plan](#)

[Attachment 9 - Town Council Minutes December 10, 2014](#)

[Attachment 10 - Recent Resident Comments](#)

[Attachment 11 - ESL Planning Map](#)

[Attachment 12 - General Plan Amendment Criteria and Policy Analysis](#)

[Attachment 13 - Planning and Zoning Commission Staff Report](#)

[Attachment 14 - Neighborhood Meeting Summary Notes](#)

[Attachment 15 - School District Letter](#)

[Attachment 16 - Planning and Zoning Commission Minutes](#)

RESOLUTION NO. (R)15-31

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE GENERAL PLAN FUTURE LAND USE MAP FROM RURAL LOW DENSITY RESIDENTIAL (RLDR, 0-0.3 HOMES/ACRE), LOW DENSITY RESIDENTIAL (LDR 0.4 TO 1.2 HOMES/ACRE), MEDIUM DENSITY RESIDENTIAL (MDR 2.1-5.0 HOMES/ACRE), NEIGHBORHOOD COMMERCIAL/OFFICE, PUBLIC/SEMI-PUBLIC, OPEN SPACE AND SIGNIFICANT RESOURCE AREA TO MASTER PLANNED COMMUNITY (MPC) COMPRISED OF LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL, NEIGHBORHOOD COMMERCIAL OFFICE, CASAS CHURCH EXPANSION AND PARK. THE APPLICANT ALSO PROPOSES TO ADOPT SPECIAL AREA POLICIES RELATED TO THE DEVELOPMENT AND DELETE THE SIGNIFICANT RESOURCE AREA DESIGNATION. THE PROPOSED AMENDMENTS PERTAIN TO 182.7 ACRES AT THE SOUTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE

WHEREAS, the Town of Oro Valley residents ratified the Oro Valley General Plan on November 8, 2005; and

WHEREAS, Paul Oland of WLB Group, (“applicant”) is requesting a Major General Plan Amendment to change the future land use map from Rural Low Density Residential (RLDR, 0-0.3 Homes/acre), Low Density Residential (LDR 0.4 to 1.2 homes/acre), Medium Density residential (MDR 2.1-5.0 homes/acre), Neighborhood Commercial/Office, Public/Semi-Public, Open Space and Significant Resource Area to Master Planned Community (MPC) comprised of low density residential, medium density residential, high density residential, neighborhood commercial office, casas church expansion and park. The applicant also proposes to adopt Special Area Policies related to the development and delete the Significant Resource Area designation. The proposed amendments pertain to 182.7 acres at the southwest corner of La Cholla Boulevard and Naranja Drive; and

WHEREAS, pursuant to A.R.S. § 9-461, *et seq.* and OVZCR, Section 22.2, the Planning and Zoning Commission held two (2) duly noticed public hearings, the first on October 7, 2014, and the second on November 20, 2014, at which the Planning and Zoning Commission recommended approval of the application requesting Major General Plan Amendment to change the future land use map from Rural Low Density Residential (RLDR, 0-0.3 Homes/acre), Low Density Residential (LDR 0.4 to 1.2 homes/acre), Medium Density residential (MDR 2.1-5.0 homes/acre), Neighborhood Commercial/Office, Public/Semi-Public, Open Space and Significant Resource Area to Master Planned Community (MPC) comprised of low density residential, medium density residential, high density residential, neighborhood commercial office, casas church expansion and park. The applicant also proposes to adopt Special Area Policies related to the development and delete the Significant Resource Area designation. The proposed amendments pertain to 182.7 acres at the southwest corner of La Cholla Boulevard and Naranja; and

WHEREAS, pursuant to Oro Valley Zoning Code Revised, Section 22.1, General Plan Amendment Procedures, upon recommendation by the Planning and Zoning Commission of any amendment to the General Plan, a public hearing before the Mayor and Council shall be scheduled; and

WHEREAS, Mayor and Council duly considered the proposed Major General Plan Amendment to change the future land use map from Rural Low Density Residential (RLDR, 0-0.3 Homes/acre), Low Density Residential (LDR 0.4 to 1.2 homes/acre), Medium Density residential (MDR 2.1-5.0 homes/acre), Neighborhood Commercial/Office, Public/Semi-Public, Open Space and Significant Resource Area to Master Planned Community (MPC) comprised of low density residential, medium density residential, high density residential, neighborhood commercial office, casas church expansion and park. The applicant also proposes to adopt Special Area Policies related to the development and delete the Significant Resource Area designation. The proposed amendments pertain to 182.7 acres at the southwest corner of La Cholla Boulevard and Naranja Drive;

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

SECTION 1. The Mayor and Council hereby adopts the Major General Plan Amendment to change the future land use map from Rural Low Density Residential (RLDR, 0-0.3 Homes/acre), Low Density Residential (LDR 0.4 to 1.2 homes/acre), Medium Density residential (MDR 2.1-5.0 homes/acre), Neighborhood Commercial/Office, Public/Semi-Public, Open Space and Significant Resource Area to Master Planned Community (MPC) comprised of low density residential, medium density residential, high density residential, neighborhood commercial office, casas church expansion and park. The proposed amendments pertain to 182.7 acres at the southwest corner of La Cholla Boulevard and Naranja Drive as depicted on Exhibit “A”. The applicant also proposes to adopt Special Area Policies related to the development (Exhibit “B”) and delete the Significant Resource Area designation. The proposed Long Range Conceptual Master Plan is provided as Exhibit “C”.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the General Plan Amendment adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 6th day of May, 2015.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

Tobin Sidles, Legal Services Director

Date: _____

Exhibit "A"

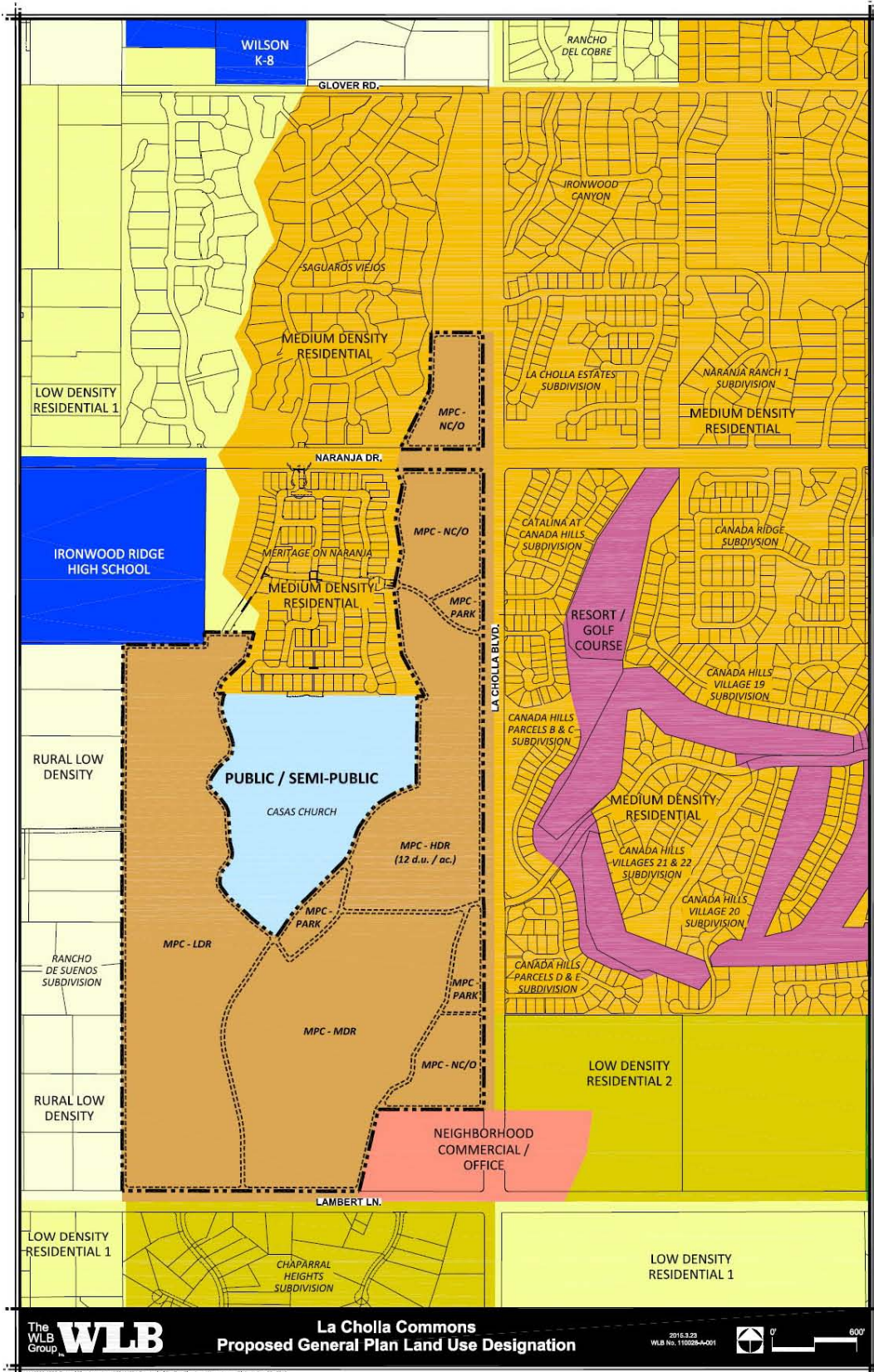


Exhibit “B” Special Area Policies

La Cholla and Naranja Southwest and Northwest

1. Planning unit boundaries are shown graphically. The actual boundaries extend to the centerline of adjacent rights-of-way or property boundaries as depicted on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan Amendment process.
2. Lands outside the Critical Resource Areas shall be considered Resource Management Area Tier 2.
3. At the time of rezoning, a master plan shall be prepared through the use of a Planned Area Development (PAD) zoning for the entire site, including:
 - a. A Master Land Use Plan, which will formalize the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan amendment process, and which will correspond to descriptions of the various land use categories proposed in the PAD.
 - b. A Master Traffic Impact Analysis (TIA), which will outline roadway improvements that are anticipated to be necessary as the PAD develops. The Master TIA shall be updated with each individual Conceptual Site Plan proposed within the PAD, determining which, if any, roadway improvements are necessary to mitigate each development’s impacts. The TIA shall identify and substantiate traffic control methods to minimize or mitigate potential traffic impacts to Canada Hills Drive, which is a private roadway. The ultimate alignment of subdivision access roads and use of proposed traffic control methods are entirely subject to Town Engineer review and approval.

- c. A Master Recreation & Trails Plan, which will schematically show bicycle and pedestrian circulation within the PAD. The Plan will also include schematic programming for the different recreational area nodes shown on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan Amendment process.
 - d. A Master Environmentally Sensitive Open Space (ESOS) plan showing the placement of required open space within the entire future Planned Area Development area. ESOS within Resource Management Areas shall be located along adjacent Critical Resource Areas to the greatest extent practical, outside of Neighborhood Commercial – Office parcels.
 - e. A Master Utilities Plan, which will show anticipated trunk utility extensions needed throughout the PAD.
4. The total maximum of permitted units is 500 for all areas designated as residential (including townhomes). The Neighborhood Commercial - Office properties at La Cholla and Naranja shall have a back-up designation of Medium Density Residential (MDR) (2.1 – 5.0 homes per acre), allowing an additional 70 units. The back-up designation of MDR may only be utilized once the remainder of the Master Planned Community residential parcels have been developed.
5. No apartments shall be permitted.
6. No Senior Care facilities shall be permitted, unless operated in conjunction with the expansion of the Casas Church.
7. No crematoriums shall be permitted.

8. Gun and ammunition sales shall not constitute the primary use within a business within the development.

9. For the northwest corner of La Cholla and Naranja Drives designated as Neighborhood Commercial - Office, all C-N uses enabled in Town zoning are permitted, except as provided below:
 - a. Supermarkets, car washes, gas stations, auto service centers and convenience stores such as Circle K, 7-11 or similar are prohibited.
 - b. Drive thru uses and other convenience uses subject to approval of a Conditional Use Permit.
 - c. Back-up designation of Medium Density Residential (2.1 – 5.0 homes per acre) is permitted, with a cap of 30 units.
 - d. Maximum building height shall be limited to 24 feet.
 - e. Packaged alcohol sales shall not constitute the primary use within a business.

10. For the southwest corner of La Cholla and Naranja Drives designated as Neighborhood Commercial - Office, all C-1 uses enabled in Town zoning are permitted, except as provided below:
 - a. Broadcasting station, fabric store, medical marijuana dispensary, video store, appliance repair, laundromat, car washes, auto service centers, convenience stores such as Circle K, 7-11 or similar, theater, or a major communications facility are prohibited.
 - b. Drive thru uses and other convenience uses are subject to approval of a Conditional Use Permit.
 - c. Back-up designation of Medium Density Residential (2.1 – 5.0 homes per acre) is permitted, with a cap of 40 units.
 - d. Packaged alcohol sales shall not constitute the primary use within a business.
 - e. Dry cleaners limited to drop off / pick up only, are permitted.

11. A 200 foot natural open space buffer shall be provided on the west boundary adjacent to existing residential areas as shown on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan amendment process. No trails shall be provided within this buffer area.
12. Homes shall be restricted to single story, not to exceed 20 feet in height along the west and south as denoted on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan amendment process. Expansions of the Casas Church campus in these areas shall be restricted to 25 feet in height.
13. Areas designated Medium Density Residential shall include perimeter buffer yards with enhanced vegetation (density and size) to screen lots along arterial roadways. Sizable native vegetation that is required to be transplanted, as specified in the zoning code, shall be placed in buffer yards.
14. The Park areas within the Master Plan shall count toward the recreation area acreage required by Town Code for residential development within the Master Plan. The Park areas shall be improved by the developer with a commensurate level of amenities as required by the Zoning Code.
15. The development shall substantially conform to the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan Amendment process.
16. These Special Area Policies represent agreed upon elements as part of the general plan amendment to be reflected in the required Planned Area Development zoning. These Special Area Policies should not be construed as the complete list of standards and requirements applicable to the Planned Area

Development. Additional development standards and requirements will be comprehensively addressed during the subsequent rezoning process.

17. Areas designated Low Density Residential shall include a perimeter buffer yard with enhanced vegetation (density and size) along the entire eastern edge of the 200 foot natural open space area adjacent to existing residences. Sizable native vegetation that is required to be transplanted as specified in the Zoning Code shall be placed in that eastern edge buffer yard. The intent of this enhanced buffer yard is to fill in any significant gaps in the native tree canopy within the 200 foot natural open space area, as viewed from the existing residences to the west. The enhanced buffer yard shall meet the Town's 10 foot Bufferyard 'A' requirements.
18. Grading permits for the development shall not be issued until the contract for the Regional Transportation Authority's widening of La Cholla Boulevard has been awarded to a contractor.
19. The 53 acre Medium Density Residential parcel on the north side of Lambert Lane shall be restricted to a maximum density of 3 homes per acre, requires a minimum lot size of 6,600 square feet and requires a minimum of 10,000 square foot longs along the north side of Lambert Lane with a minimum of 15 feet between homes.

RESOLUTION NO. (R)15-32

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE GENERAL PLAN FUTURE LAND USE MAP FROM MEDIUM DENSITY RESIDENTIAL (MDR 2.1-5.0 HOMES/ACRE) AND SIGNIFICANT RESOURCE AREA TO MASTER PLANNED COMMUNITY (MPC) COMPRISED OF MEDIUM DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL OFFICE. THE APPLICANT ALSO PROPOSES TO ADOPT SPECIAL AREA POLICIES RELATED TO THE DEVELOPMENT AND DELETE THE SIGNIFICANT RESOURCE AREA DESIGNATION. THE PROPOSED AMENDMENTS PERTAIN TO 8.2 ACRES LOCATED AT THE NORTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE

WHEREAS, the Town of Oro Valley residents ratified the Oro Valley General Plan on November 8, 2005; and

WHEREAS, Paul Oland of WLB Group, (“applicant”) is requesting a Major General Plan Amendment to change the future land use map from Medium Density Residential (MDR 2.1-5.0 homes/acre) and Significant Resource Area to Master Planned Community (MPC) comprised of Medium Density Residential and Neighborhood Commercial Office. The applicant also proposes to adopt Special Area Policies related to the development and delete the Significant Resource Area designation. The proposed amendments pertain to 8.2 acres located at the northwest corner of La Cholla Boulevard and Naranja Drive; and

WHEREAS, pursuant to A.R.S. § 9-461, *et seq.* and OVZCR, Section 22.2, the Planning and Zoning Commission held two (2) duly noticed public hearings, the first on October 7, 2014, and the second on November 20, 2014, at which the Planning and Zoning Commission recommended approval of the application requesting Major General Plan Amendment to change the future land use map from Medium Density Residential (MDR 2.1-5.0 homes/acre) and Significant Resource Area to Master Planned Community (MPC) comprised of Medium Density Residential and Neighborhood Commercial Office. The applicant also proposes to adopt Special Area Policies related to the development and delete the Significant Resource Area designation. The proposed amendments pertain to 8.2 acres located at the northwest corner of La Cholla Boulevard and Naranja Drive; and

WHEREAS, pursuant to Oro Valley Zoning Code Revised, Section 22.1, General Plan Amendment Procedures, upon recommendation by the Planning and Zoning Commission of any amendment to the General Plan, a public hearing before the Mayor and Council shall be scheduled; and

WHEREAS, Mayor and Council duly considered the proposed Major General Plan Amendment to change the future land use map from Medium Density Residential (MDR 2.1-5.0 homes/acre) and Significant Resource Area to Master Planned Community (MPC) comprised of Medium Density Residential and Neighborhood Commercial Office. The applicant also proposes to adopt Special Area Policies related to the development and delete the Significant Resource Area designation. The proposed amendments pertain to 8.2 acres located at the northwest corner of La Cholla Boulevard and Naranja Drive;

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

SECTION 1. The Mayor and Council hereby adopts the Major General Plan Amendment to change the future land use map from Medium Density Residential (MDR 2.1-5.0 homes/acre) and Significant Resource Area to Master Planned Community (MPC) comprised of Medium Density Residential and Neighborhood Commercial Office. The proposed amendments pertain to 8.2 acres located at the northwest corner of La Cholla Boulevard and Naranja Drive as depicted on Exhibit "A". The applicant also proposes to adopt Special Area Policies related to the development (Exhibit "B") and delete the Significant Resource Area designation. The Long Range Conceptual Master Plan is provided as Exhibit "C".

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the General Plan Amendment adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 6th day of May, 2015.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

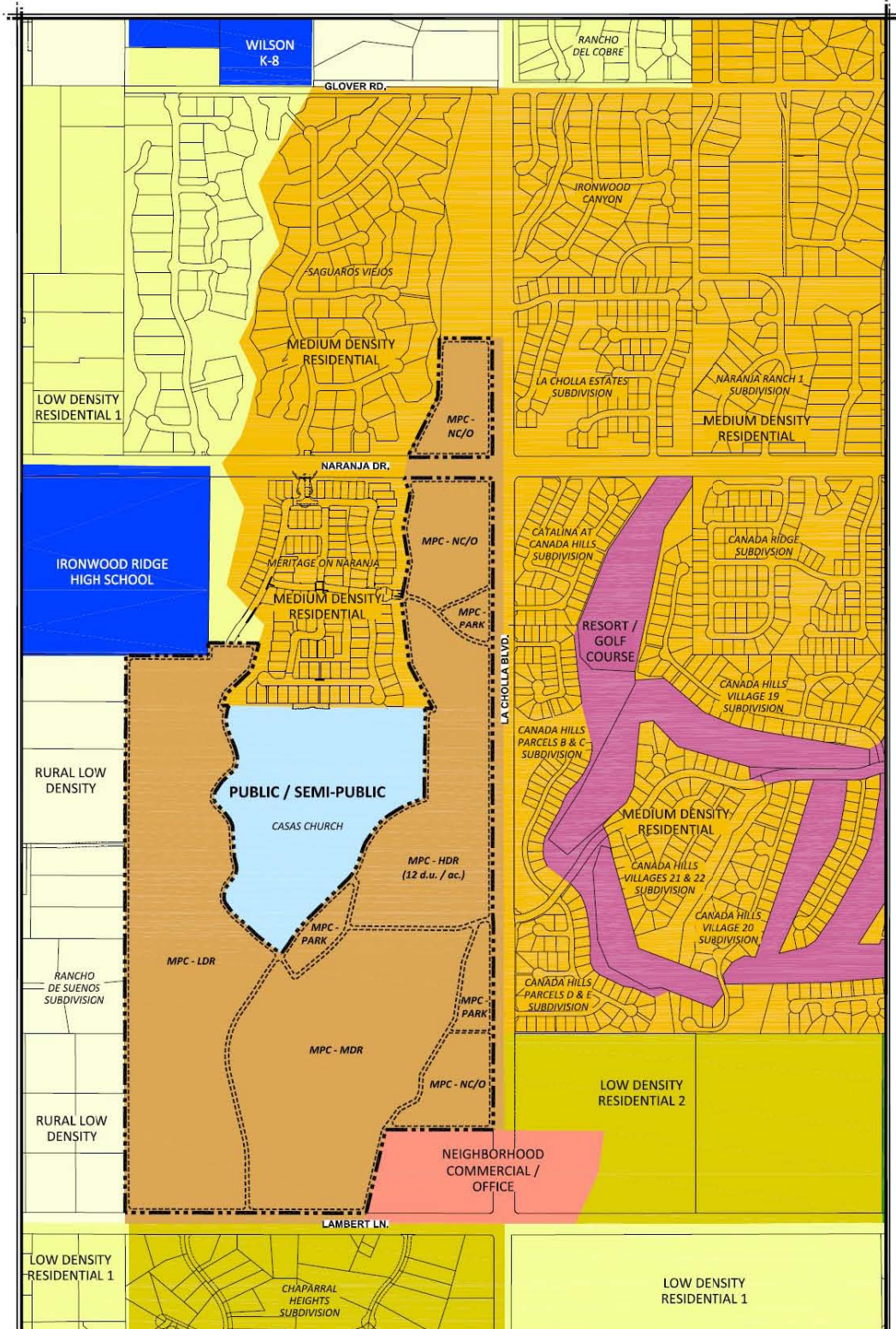
Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____

Exhibit "A"



La Cholla Commons
Proposed General Plan Land Use Designation

2016.3.23
WLB No. 1100284-001



© 1100284-002 General Plan Amendment 20141031 Revision 04/16 - City of San Diego, California

“Exhibit B” Special Area Policies

La Cholla and Naranja Southwest and Northwest

1. Planning unit boundaries are shown graphically. The actual boundaries extend to the centerline of adjacent rights-of-way or property boundaries as depicted on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan Amendment process.

2. Lands outside the Critical Resource Areas shall be considered Resource Management Area Tier 2.

3. At the time of rezoning, a master plan shall be prepared through the use of a Planned Area Development (PAD) zoning for the entire site, including:
 - a. A Master Land Use Plan, which will formalize the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan amendment process, and which will correspond to descriptions of the various land use categories proposed in the PAD.

 - b. A Master Traffic Impact Analysis (TIA), which will outline roadway improvements that are anticipated to be necessary as the PAD develops. The Master TIA shall be updated with each individual Conceptual Site Plan proposed within the PAD, determining which, if any, roadway improvements are necessary to mitigate each development’s impacts. The TIA shall identify and substantiate traffic control methods to minimize or mitigate potential traffic impacts to Canada Hills Drive, which is a private roadway. The ultimate alignment of subdivision access roads and use of proposed traffic control methods are entirely subject to Town Engineer review and approval.

- c. A Master Recreation & Trails Plan, which will schematically show bicycle and pedestrian circulation within the PAD. The Plan will also include schematic programming for the different recreational area nodes shown on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan Amendment process.
 - d. A Master Environmentally Sensitive Open Space (ESOS) plan showing the placement of required open space within the entire future Planned Area Development area. ESOS within Resource Management Areas shall be located along adjacent Critical Resource Areas to the greatest extent practical, outside of Neighborhood Commercial – Office parcels.
 - e. A Master Utilities Plan, which will show anticipated trunk utility extensions needed throughout the PAD.
4. The total maximum of permitted units is 500 for all areas designated as residential (including townhomes). The Neighborhood Commercial - Office properties at La Cholla and Naranja shall have a back-up designation of Medium Density Residential (MDR) (2.1 – 5.0 homes per acre), allowing an additional 70 units. The back-up designation of MDR may only be utilized once the remainder of the Master Planned Community residential parcels have been developed.
5. No apartments shall be permitted.
6. No Senior Care facilities shall be permitted, unless operated in conjunction with the expansion of the Casas Church.
7. No crematoriums shall be permitted.

8. Gun and ammunition sales shall not constitute the primary use within a business within the development.

9. For the northwest corner of La Cholla and Naranja Drives designated as Neighborhood Commercial - Office, all C-N uses enabled in Town zoning are permitted, except as provided below:
 - a. Supermarkets, car washes, gas stations, auto service centers and convenience stores such as Circle K, 7-11 or similar are prohibited.
 - b. Drive thru uses and other convenience uses subject to approval of a Conditional Use Permit.
 - c. Back-up designation of Medium Density Residential (2.1 – 5.0 homes per acre) is permitted, with a cap of 30 units.
 - d. Maximum building height shall be limited to 24 feet.
 - e. Packaged alcohol sales shall not constitute the primary use within a business.

10. For the southwest corner of La Cholla and Naranja Drives designated as Neighborhood Commercial - Office, all C-1 uses enabled in Town zoning are permitted, except as provided below:
 - a. Broadcasting station, fabric store, medical marijuana dispensary, video store, appliance repair, laundromat, car washes, auto service centers, convenience stores such as Circle K, 7-11 or similar, theater, or a major communications facility are prohibited.
 - b. Drive thru uses and other convenience uses are subject to approval of a Conditional Use Permit.
 - c. Back-up designation of Medium Density Residential (2.1 – 5.0 homes per acre) is permitted, with a cap of 40 units.
 - d. Packaged alcohol sales shall not constitute the primary use within a business.
 - e. Dry cleaners limited to drop off / pick up only, are permitted.

11. A 200 foot natural open space buffer shall be provided on the west boundary adjacent to existing residential areas as shown on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan amendment process. No trails shall be provided within this buffer area.
12. Homes shall be restricted to single story, not to exceed 20 feet in height along the west and south as denoted on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan amendment process. Expansions of the Casas Church campus in these areas shall be restricted to 25 feet in height.
13. Areas designated Medium Density Residential shall include perimeter buffer yards with enhanced vegetation (density and size) to screen lots along arterial roadways. Sizable native vegetation that is required to be transplanted, as specified in the zoning code, shall be placed in buffer yards.
14. The Park areas within the Master Plan shall count toward the recreation area acreage required by Town Code for residential development within the Master Plan. The Park areas shall be improved by the developer with a commensurate level of amenities as required by the Zoning Code.
15. The development shall substantially conform to the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan Amendment process.
16. These Special Area Policies represent agreed upon elements as part of the general plan amendment to be reflected in the required Planned Area Development zoning. These Special Area Policies should not be construed as the complete list of standards and requirements applicable to the Planned Area

Development. Additional development standards and requirements will be comprehensively addressed during the subsequent rezoning process.

17. Areas designated Low Density Residential shall include a perimeter buffer yard with enhanced vegetation (density and size) along the entire eastern edge of the 200 foot natural open space area adjacent to existing residences. Sizable native vegetation that is required to be transplanted as specified in the Zoning Code shall be placed in that eastern edge buffer yard. The intent of this enhanced buffer yard is to fill in any significant gaps in the native tree canopy within the 200 foot natural open space area, as viewed from the existing residences to the west. The enhanced buffer yard shall meet the Town's 10 foot Bufferyard 'A' requirements.
18. Grading permits for the development shall not be issued until the contract for the Regional Transportation Authority's widening of La Cholla Boulevard has been awarded to a contractor.
19. The 53 acre Medium Density Residential parcel on the north side of Lambert Lane shall be restricted to a maximum density of 3 homes per acre, requires a minimum lot size of 6,600 square feet and requires a minimum of 10,000 square foot longs along the north side of Lambert Lane with a minimum of 15 feet between homes.



**LONG RANGE CONCEPTUAL MASTER PLAN
LA CHOLLA NARANJA SOUTHWEST / NORTHWEST
(OV1114-002 & OV 1114-003)**



The WLB Group **WLB**

La Cholla Commons
Long Range Conceptual Master Plan

2014.11.08
WLB No. 11032A-001



PREVIOUS CONCEPT PLAN

LA CHOLLA NARANJA SOUTHWEST / NORTHWEST

(OV1114-002 & OV 1114-003)

**Special Area Policies
Town Council Draft
May 6, 2015
Attachment 5**

La Cholla and Naranja Southwest and Northwest

1. Planning unit boundaries are shown graphically. The actual boundaries extend to the centerline of adjacent rights-of-way or property boundaries as depicted on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan Amendment process.
2. Lands outside the Critical Resource Areas shall be considered Resource Management Area Tier 2.
3. At the time of rezoning, a master plan shall be prepared through the use of a Planned Area Development (PAD) zoning for the entire site, including:
 - a. A Master Land Use Plan, which will formalize the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan amendment process, and which will correspond to descriptions of the various land use categories proposed in the PAD.
 - b. A Master Traffic Impact Analysis (TIA), which will outline roadway improvements that are anticipated to be necessary as the PAD develops. The Master TIA shall be updated with each individual Conceptual Site Plan proposed within the PAD, determining which, if any, roadway improvements are necessary to mitigate each development's impacts. The TIA shall identify and substantiate traffic control methods to minimize or mitigate potential traffic impacts to Canada Hills Drive, which is a private roadway. The ultimate alignment of subdivision access roads and use of proposed traffic control methods are entirely subject to Town Engineer review and approval.

- c. A Master Recreation & Trails Plan, which will schematically show bicycle and pedestrian circulation within the PAD. The Plan will also include schematic programming for the different recreational area nodes shown on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan Amendment process.
 - d. A Master Environmentally Sensitive Open Space (ESOS) plan showing the placement of required open space within the entire future Planned Area Development area. ESOS within Resource Management Areas shall be located along adjacent Critical Resource Areas to the greatest extent practical, outside of Neighborhood Commercial – Office parcels.
 - e. A Master Utilities Plan, which will show anticipated trunk utility extensions needed throughout the PAD.
4. The total maximum of permitted units is 500 for all areas designated as residential (including townhomes). The Neighborhood Commercial - Office properties at La Cholla and Naranja shall have a back-up designation of Medium Density Residential (MDR) (2.1 – 5.0 homes per acre), allowing an additional 70 units. The back-up designation of MDR may only be utilized once the remainder of the Master Planned Community residential parcels have been developed.
 5. No apartments shall be permitted.
 6. No Senior Care facilities shall be permitted, unless operated in conjunction with the expansion of the Casas Church.
 7. No crematoriums shall be permitted.
 8. Gun and ammunition sales shall not constitute the primary use within a business within the development.

9. For the northwest corner of La Cholla and Naranja Drives designated as Neighborhood Commercial - Office, all C-N uses enabled in Town zoning are permitted, except as provided below:
 - a. Supermarkets, car washes, gas stations, auto service centers and convenience stores such as Circle K, 7-11 or similar are prohibited.
 - b. Drive thru uses and other convenience uses subject to approval of a Conditional Use Permit.
 - c. Back-up designation of Medium Density Residential (2.1 – 5.0 homes per acre) is permitted, with a cap of 30 units.
 - d. Maximum building height shall be limited to 24 feet.
 - e. Packaged alcohol sales shall not constitute the primary use within a business.

10. For the southwest corner of La Cholla and Naranja Drives designated as Neighborhood Commercial - Office, all C-1 uses enabled in Town zoning are permitted, except as provided below:
 - a. Broadcasting station, fabric store, medical marijuana dispensary, video store, appliance repair, laundromat, car washes, auto service centers, convenience stores such as Circle K, 7-11 or similar, theater, or a major communications facility are prohibited.
 - b. Drive thru uses and other convenience uses are subject to approval of a Conditional Use Permit.
 - c. Back-up designation of Medium Density Residential (2.1 – 5.0 homes per acre) is permitted, with a cap of 40 units.
 - d. Packaged alcohol sales shall not constitute the primary use within a business.
 - e. Dry cleaners limited to drop off / pick up only, are permitted.

11. A 200 foot natural open space buffer shall be provided on the west boundary adjacent to existing residential areas as shown on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan amendment process. No trails shall be provided within this buffer area.

12. Homes shall be restricted to single story, not to exceed 20 feet in height along the west and south as denoted on the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan amendment process. Expansions of the Casas Church campus in these areas shall be restricted to 25 feet in height.
13. Areas designated Medium Density Residential shall include perimeter buffer yards with enhanced vegetation (density and size) to screen lots along arterial roadways. Sizable native vegetation that is required to be transplanted, as specified in the zoning code, shall be placed in buffer yards.
14. The Park areas within the Master Plan shall count toward the recreation area acreage required by Town Code for residential development within the Master Plan. The Park areas shall be improved by the developer with a commensurate level of amenities as required by the Zoning Code.
15. The development shall substantially conform to the Long Range Conceptual Master Plan dated April 22, 2015 and approved during the General Plan Amendment process.
16. These Special Area Policies represent agreed upon elements as part of the general plan amendment to be reflected in the required Planned Area Development zoning. These Special Area Policies should not be construed as the complete list of standards and requirements applicable to the Planned Area Development. Additional development standards and requirements will be comprehensively addressed during the subsequent rezoning process.
17. Areas designated Low Density Residential shall include a perimeter buffer yard with enhanced vegetation (density and size) along the entire eastern edge of the 200 foot natural open space area adjacent to existing residences. Sizable native vegetation that is required to be transplanted as specified in the Zoning Code shall be placed in that eastern edge buffer yard. The intent of this enhanced buffer yard is to fill in any significant gaps in the native tree canopy within the 200 foot natural open space area, as viewed from the

existing residences to the west. The enhanced buffer yard shall meet the Town's 10 foot Bufferyard 'A' requirements.

18. Grading permits for the development shall not be issued until the contract for the Regional Transportation Authority's widening of La Cholla Boulevard has been awarded to a contractor.
19. Traffic shall not be allowed to cross La Cholla Boulevard directly from the development to Cañada Hills Drive.
20. The 53 acre Medium Density Residential parcel on the north side of Lambert Lane shall be restricted to a maximum density of 3 homes per acre, requires a minimum lot size of 6,600 square feet and requires a minimum of 10,000 square foot longs along the north side of Lambert Lane with a minimum of 15 feet between homes.

La Cholla Commons

Narrative for Major General Plan Amendments

November 6, 2014

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&199032-A-008

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Exhibits

- Location Map
- Aerial Photograph
- Pima Association of Governments – Transportation Analysis Zones
- Proposed General Plan Land Use Designations
- Land Use Master Plan

A. Project Summary

The La Cholla Commons property is located along the west side of La Cholla Boulevard between Glover Road and Lambert Lane. The General Plan currently contemplates a mix of uses including 5 RAC residential, commercial/office, and public/semi-public facilities. The proposal is to comprehensively plan this 1.5 mile frontage of La Cholla Boulevard. The designation of the entire corridor is proposed as Master Planned Community, with the intention of allowing future rezoning for a mix of residential, neighborhood commercial, and office uses. Future uses would be oriented to provide convenient and appropriate services to the surrounding neighborhood as well as future residents.

This amendment proposal is to change the designated land use from Medium Density Residential (MDR), Rural Low Density Residential (R-LDR), Public/Semi-Public (PSP), and Neighborhood Commercial/Office (NCO) to Master Planned Community (MPC). The Master Planned Community Designation is best suited for this location because it will allow a complimentary mix of uses and ensure cohesive, well planned development along length of La Cholla Boulevard

The proposed amendment in land uses is supported by several factors, including its location on La Cholla Boulevard (a major, regional arterial roadway with future widening to a four-lane divided arterial with sidewalks and multi-use paths), location adjacent to two major signalized arterial intersections, and compatibility with surrounding land uses.

The General Plan envisions this area as a mix of residential densities and commercial uses. The Master Planned Community will continue that vision but in a comprehensive manner.

B. Property Data

Location: The property is located immediately west of La Cholla Boulevard, south of Glover Drive, and north of Lambert Lane.

Area of Properties/General Plan Amendment:

North of Naranja Drive: 8± acres.

South of Naranja Drive: 186± acres

Assessor Parcel Numbers:

North of Naranja Drive: Portions of 224-11-061J, 224-11-061H, 224-11-061G, 224-11-060A, A portion of 224-11-038C

South of Naranja Drive: Portions of 224-20-001B, 224-20-001C, 224-20-002B, 224-20-002D, 224-20- 002E, 224-23-001A

Existing Land Uses: The proposed development surrounds the Casas Adobes Baptist Church and school, which will serve as a core for future development. The remainder of the site is vacant.

Existing Zoning: The property is currently zoned Single Family Residential District, R1-144.

Existing Oro Valley General Plan Designations: Various portions of the property are designated as Rural Low Density Residential (R-LDR), Medium Density Residential (MDR), Public/Semi-Public (PSP), and Neighborhood Commercial/Office (NCO).

Requested Oro Valley General Plan Designations: The requested land use designation for the property is Master Planned Community (MPC).

C. General Plan Amendment Criteria

In accordance with Section 22 of the Oro Valley Zoning Code Revised, the disposition of the General Plan amendment proposed shall be based on consistency with the vision, goals, and policies of the General Plan, with special emphasis on compliance with the following criteria:

1. The proposed change is necessary because conditions in the community changed to the extent that the plan requires amendment or modification.

- In the subsequent year following the approval and adoption of the Town of Oro Valley 2005 General Plan, the Regional Transportation Authority (RTA) was formed as part of the 2006 Pima County Transportation Bond initiative. The RTA is currently in the Design Phase to improve La Cholla Boulevard to a four-lane desert parkway between Overton Road and Tangerine Road. The La Cholla Corridor, as it is referenced, is one of the Region's key north-south corridors presented and approved in the 2006 Pima County, Transportation bond initiative passed by the voters; connecting Tangerine Road to Interstate 10 (through an improved connection at Ruthrauff Road). In 2013 the Average Daily Traffic (ADT) counts were approximately 7,400 along La Cholla Boulevard between Naranja Drive and Lambert Lane. Future Traffic Conditions (2040), established by the RTA, place the ADT counts for La Cholla Boulevard between Naranja Drive and Lambert Lane at 21,830, and 23,164 for La Cholla Boulevard between Naranja Drive and Tangerine Road. The formation and implementation of the RTA, and the changing transportation condition of La Cholla Boulevard to a major north-south corridor, will increase the viability and accessibility of the site, creating demand for a variety of uses along its route.
- The Town of Oro Valley is growing, not only in size but also in desirability. Since the year 2000, the population of Oro Valley has increased 25%, to just over 40,000 residents (*Source: US Census*). The rise in popularity, and the increased desire for communities to establish a live, work, play environment, leads to the need to adjust land uses to allow for flexibility and variety in each land use aspect. Locating neighborhood scale commercial in close proximity to residential users can encourage

more walking and biking, reducing vehicle miles traveled in the community, and increasing employment opportunities.

- An in-depth residential market analysis, demonstrating the changing market conditions, is further explained within the section of criteria #3 of this narrative.
- A market study has been prepared, analyzing the current and expected viability of the various land uses proposed. A draft of the study is attached to this document as an appendix.

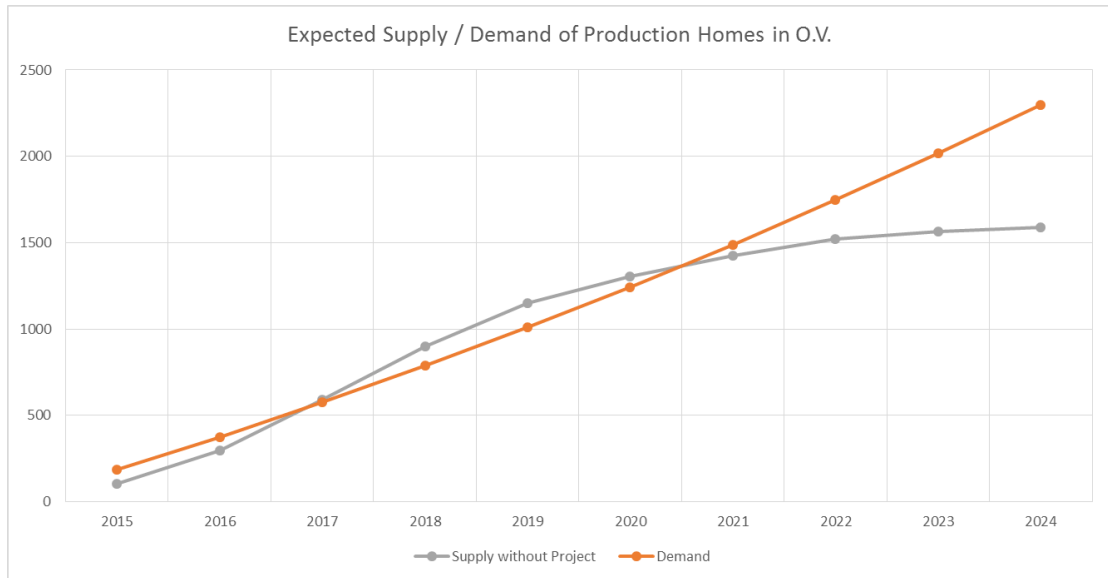
2. The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility.

- If approved, the property will be designated as a Master Plan Community. The Master Plan will set standards and themes to ensure that the development is compatible with the surrounding uses. It is anticipated that Naranja Drive on the north and Lambert Lane on the south will be improved as part of the project. La Cholla Boulevard improvements are planned as part of the 2006 Regional Transportation Authority's (RTA) initiative which once completed will adequately accommodate traffic associated with the proposed land uses. Public facilities and infrastructure already exist, and/or are planned to be constructed nearby, thus accounting for the additional burden on public infrastructure that may be associated with this project. This development will contribute to the long-term socio-economic betterment of the community by providing convenient retail and offices uses close to existing consumers and future residents.
- This proposed development will achieve community and environmental compatibility by providing open space in and along the washes and recreational areas throughout the site. Connections to the proposed trails through the development and connecting to the existing trail/path system will be provided. It is intent of the owner that future development fully comply with the requirements outlined in the Environmentally Sensitive Lands Ordinance (ESLO). The development will also include landscape buffers to further soften the appearance of future development from neighboring residents. The proposed natural and functional open space trails combined with walkable land uses will result in synergy, and the promotion of the desired live, work, play environment.
- The Master Plan will include aesthetic themes and standards which will ensure future development is compatible with its surroundings.
- The Master Plan provides a transition in density from east to west. On both the south and western boundaries larger lots, a buffer yard, or a combination of both will provide a transition from this development to the larger lot developments nearby.

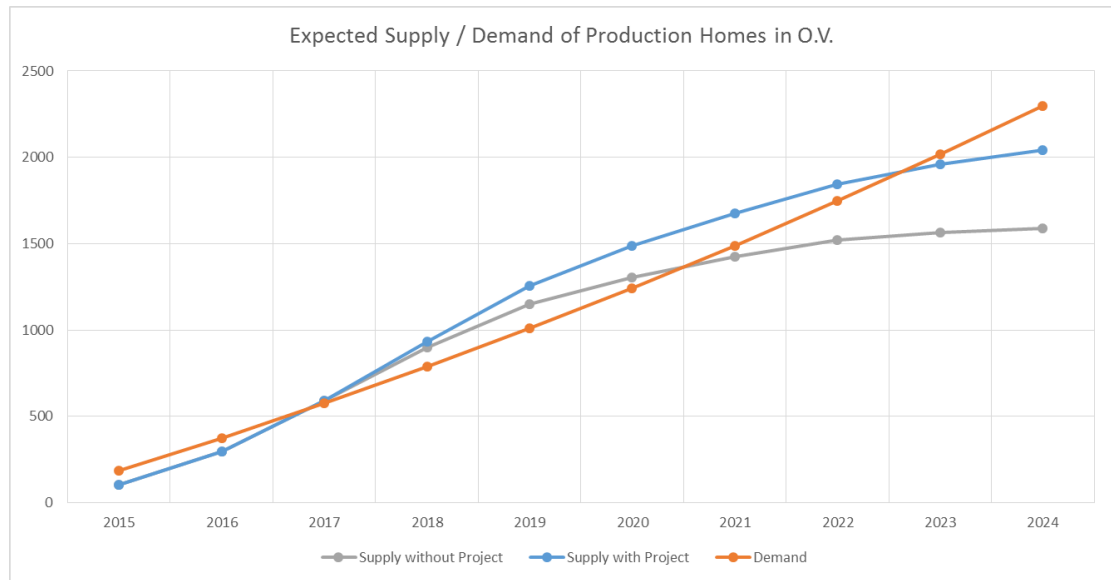
3. The proposed change reflects market demand which leads to viability and general community acceptance.

- The Town of Oro Valley is growing, not only in size but also in desirability. Since the year 2000, the population of Oro Valley has increased 38%, to just over 40,000 residents (*Source: US Census*). Along La Cholla Boulevard, residential developments are in various stages of construction and platting, including the neighboring developments of Sagueros Viejos (118 lots) on the north side of Naranja Drive, Meritage on Naranja (120 lots) on the south side of Naranja Drive, and Rancho de Plata (50 lots) and Rancho del Cobre (68 lots) to the north near Glover Rd. Over the last 12 months (August 2013 to July 2014) over 180 residential building permits have been pulled within Town limits, which is in line with the average of 183 per year over the last decade (*Source: Orange Reports, The Sales and Permit Report – August 2014, Volume 319*).

The market area applicable to this project has an expected annual growth rate of roughly 2% (*Source: Valbridge Property Advisors, Draft Market Demand Report – October 2014*). This number is derived from analyzing growth over a period of 10 years, 2000 -2010, and establishing a trend projection. During this time period, the country experienced an economic recession and real estate bubble, which contributed to the low growth rate projection. The graph below measures modeled demand for production type housing at an annual growth rate of 5%, against production home inventory that is known to exist or be in the platting process and assumed to be absorbed at a rate of 2 homes per month, per community phase (currently absorption rates are around 3 homes per month). The table clearly shows that a supply shortage will likely exist starting in 2020.



Given that the land planning, design, platting, and construction process typically takes 3-4 years in Oro Valley, it is imperative that additional home sites be planned for now in order to avoid a shortage. The graph below shows the anticipated housing supply with this project's anticipated start of 2018. Supply needs to stay slightly ahead of demand, and this project will accomplish this goal for a couple more years, but demand is still anticipated to outpace supply by 2022 even with this project.



Real Estate websites such as Zillow and Movoto, show home prices having increased 5-7% over the last 12 months (Source: www.zillow.com – 9/19/2014); coupled with The Town of Oro Valley recently being ranked as one of the top 10 safest suburbs, and continually providing a nationally ranked education system, it is clear that increased market demand within the community will need to be addressed through land use amendments to the General Plan.

- As part of 2006 Pima County Transportation Bond, approved by the voters, the Pima Association of Governments (PAG) modeled future trends to determine the transportation needs of the region. In 2005, the use of census information along with conventional transportation models led to the development of Transportation Analysis Zones (TAZ). Pima County was divided into 859 TAZ's. Using historical trends in housing, employment, and land use, PAG anticipated the needs for the year 2040 for each TAZ. Between Overton Road and Moore Road, along La Cholla Boulevard, there are 8 zones (Refer to Traffic Analysis Zones Exhibit). The table below displays each of the 8 TAZ, their respective 2005 population, their expected 2040 population, their respective 2005 employment total, and their expected 2040 employment total:

Zone #	2005 – Population	2040 – Population	2005 – Employment Total	2040 – Employment Total
689	178	3,286	4	1,051
681	291	446	46	6
656	104	811	169	278
651	2,576	2,311	85	49
621	78	508	1	642
617	2,634	2,928	305	512
584	2,745	3,057	214	307
564	1,459	2,291	151	182

Source: Pima Association of Governments

- The data above demonstrates that total housing along the La Cholla Corridor between Overton Road and Moore Road is anticipated to increase over 55%, while total employment is anticipated to increase almost 210% along the same stretch. The proposed Master Planned Community site is within Zone #621. This zone in particular, shows significant increases in both housing and total employment by the year 2040.
- The proposed change in land use accurately reflects the anticipated demand that will follow the future development of the La Cholla Corridor as demonstrated in the planning models conducted by the Pima Association of Governments. The transformation of La Cholla Boulevard into a major north-south arterial will lead to increased viability of the site, and demand a variety of uses, both residential and commercial, to not only serve those residents within the immediate vicinity, but those traveling both north and south to other destinations.
- Section C-1 of this document provides statements and a graph regarding market supply and historically modeled demand.
- A market study is being prepared, analyzing the current and expected viability of the various land uses proposed. A draft of the study is attached to this document as an appendix.

4. The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development process.

- This General Plan amendment request seeks to change the existing land use designation to Master Planned Community, allowing for neighborhood scale flexibility and innovative planning of a mix of residential and commercial uses. The site is located along a future north-south corridor, La Cholla Boulevard, and between two

major arterial roadways, Lambert Lane and Naranja Drive. Specific impacts along the projects perimeter will be addressed during the rezoning phase of the entitlement process or during subsequent detailed development proposals.

- This property is ideal and appropriate for neighborhood scale commercial and residential development with the location between two major arterial roads.
- The General Plan envisions this area as a mix of non-low density residential and commercial uses. The Master Planned Community will continue that vision but in a comprehensive manner.
- Amphitheater School District has funded plans to construct a new elementary school in the southwest portion of Rancho Vistoso. This, along with the significant increase in education-related property taxes that this development will generate, will allow the School District to continue to provide the high quality of education that Oro Valley residents have come to expect.

D. General Plan Policy Conformance

A number of Oro Valley's General Plan policies will be met by this development. Below are a few key points:

1. Land Use

- This proposed commercial development will not encroach into the wash areas and leave these areas as natural undisturbed open space. (Policy 1.1.3)
- This development will be low scale, neighborhood oriented, and compatible with surrounding current and future residential uses. La Cholla Boulevard is proposed to be improved by the Regional Transportation Authority (RTA) to a four lane desert parkway. These improvements have the ability to support the human-scale commercial development proposed, while providing the Town with sales tax revenue. (Policy 1.2.1)
- The area surrounding the subject property has been largely developed with single family residential uses. Locating compatible activity centers and residential neighborhoods are encouraged. (Policy 1.3.1)
- The southeastern and northeastern corners of the site are located at two major intersections along the La Cholla Boulevard arterial. The General plan encourages the development of commercial and higher density residential units near major arterials. (Policy 1.3.2)
- The General Plan encourages the clustering of commercial development at specific nodes or villages. The location of the site at the intersection of La Cholla Boulevard and Naranja Drive would provide an ideal location for neighborhood oriented commercial development. (Policy 1.3.4)
- The Town encourages the use of Master Planning. This request is part of a larger overall area to be designated as Master Planned Community. The location, fronting 1.5 miles along La Cholla Boulevard, is ideal for the use of comprehensive planning consistent with the General Plan. (Policy 1.3.5)
- The project will decrease density from east to west. The project will include buffer yards, larger lots, or a combination to minimize impacts to the surrounding properties to the west and south across Lambert Lane. (1.4.7)
- **The Town will require master planning for projects which exceed 40 acres in size. (1.4.11)**

2. Community Design

- Once the land use is designated as a Master Plan Community, the use of a Planned Area Development (PAD) zoning designation will be pursued. The purpose of Planned Area Development (PAD) zoning is to improve and protect the public health, safety, and welfare by pursuing unified planning and development and provide for development proposals, which are superior to that which may occur under

conventional zoning regulations. Elements associated with a PAD include architecture, landscaping, and site design standards to ensure a consistent and quality design along the corridor and throughout the site. The designs will take into consideration the surrounding neighborhoods, and current Town of Oro Valley Design Guidelines to ensure that future development is compatible. (Policy 2.1.1)

3. Economic Development

- With the location along La Cholla Boulevard, and proximity to established residential units, the proposed neighborhood oriented commercial development will not only help to prevent expenditure leakage, but also provide local options for residents (both current and new) to obtain basic services without the need for a vehicle. (Policy 3.1.1)

4. Cost of Development

- The dedication for right-of-way along La Cholla will be donated for the La Cholla corridor improvements. As previously mentioned, the RTA will improve the La Cholla Boulevard corridor. The development will provide required widening and improvements along both Naranja Drive and Lambert Lane. (Policy 4.1.1 and Policy 4.1.4)

5. Public Facilities, Services, and Safety

- Municipal facilities are already located nearby, and therefore able to service this development without imposing a significant burden. (Policy 6.1.1)
 - Below are the driving distances to public facilities from the subject property:
 - Fire Stations
 - 1.3 miles southeast - Golder Ranch Fire Station 376
 - 2.1 miles northwest - Northwest Fire Station 339
 - 2.7 miles northeast - Golder Ranch Fire Station 375
 - Police Stations
 - 1.0 mile east - Oro Valley Main Police Station
 - Schools
 - 0 miles - Casas School
 - 0.3 miles northwest - Wilson K-8 School
 - 0.5 miles west - Ironwood Ridge High School
 - 1.6 miles east - Copper Creek Elementary School
 - 2.8 miles northeast - Painted Sky Elementary School

- Town Hall
 - 1.0 mile east
 - Parks
 - 0.5 miles east - Lambert Lane Park (undeveloped)
 - 1.5 miles south - Linda Vista Neighborhood Park
 - 1.8 miles east - Naranja Town Site Park
 - 2.0 miles east - CDO River Front Park
 - 2.8 miles southwest - Arthur Pack Regional Park
- Additionally, utilities are already available to the property.
 - Efficient and safe vehicular and non-motorized traffic circulation is a primary design consideration and amenity to the proposed master planned community. (Policy 5.1.5)
 - The Town encourages development design and orientation that promotes and facilitates multi-modal transportation access, particularly in and around major activity centers. The proposed Master Plan will promote multi-modal transportation access by providing a walking and biking friendly community. Facilities such as sidewalks, trails, bikes lanes and paths will be evaluated with the plan.

6. Open Space and Natural Resources Conservation

- The site designates the multiple washes as Critical Resource areas. The remainder of the site is designated Resource Management Area Tier 2 or is already developed. The site will comply by leaving the washes and additional areas on-site as natural undisturbed open space. (Policy 11.2.7)
- The future development will locate buildings, parking, and associated amenities outside of the wash areas to the greatest extent possible. Other open space areas will be provided and will enhance the pedestrian mobility of the Master Plan Community area. (Policy 11.2.9)
- The future development will comply with the requirements contained in the ESLO, by providing adequate buffers consistent with the site characteristics. (Policy 11.2.12)
- The future development will only use vegetation on the Recommended Plant List and prohibit certain invasive, allergenic, and nuisance species within the development. (Policy 11.2.15)
- This development will meet the Native Plant Preservation Plan guidelines from the Town. (Policy 11.2.16)
- To protect the views on Naranja Drive and La Cholla Blvd., both of which are designated scenic corridors by the Town of Oro Valley, the future building masses and heights will be evaluated to ensure view protection is consistent with Town policies. (Policy 11.3.1)

- This proposed development maintains the character of the views along Naranja Drive and La Cholla Boulevard by providing landscape buffers and underground utilities. (Policy 11.3.2)
- To ensure the proposed development blends and/or enhances the natural environment, all utilities will be placed underground. This will help protect the views from surrounding properties and roads. (Policy 11.3.3)
- To protect the scenic night sky in the community, the proposed development will meet the requirements established in the Town of Oro Valley Outdoor Lighting Code. To control obtrusive aspects of outdoor lighting usage, this proposed development will have reduced and/or shielded lighting. Additionally, the surrounding public will benefit from portions of the open space on-site not receiving active illumination at night. (Policy 11.4.2)

7. Water Resources

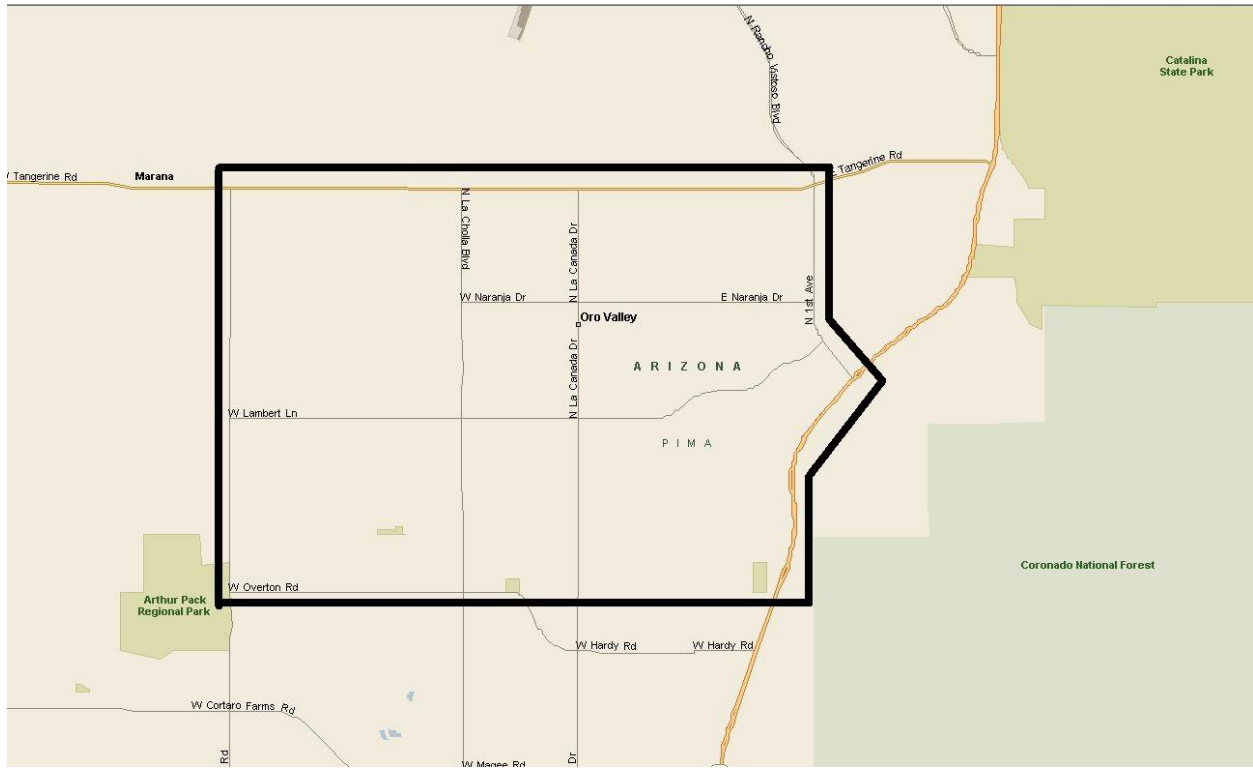
- The wash areas on the site will be designated as open space in compliance with the ESLO. (Policy 12.1.1)
- This development will be served by Oro Valley Water Utility, which participates in the Central Arizona Project (C.A.P.) and other regional groundwater protection initiatives. (Policy 12.2.1)
- Future development will include water conservation features, including water efficient irrigation system and drought tolerant vegetation. (Policy 12.3.2)

8. Housing

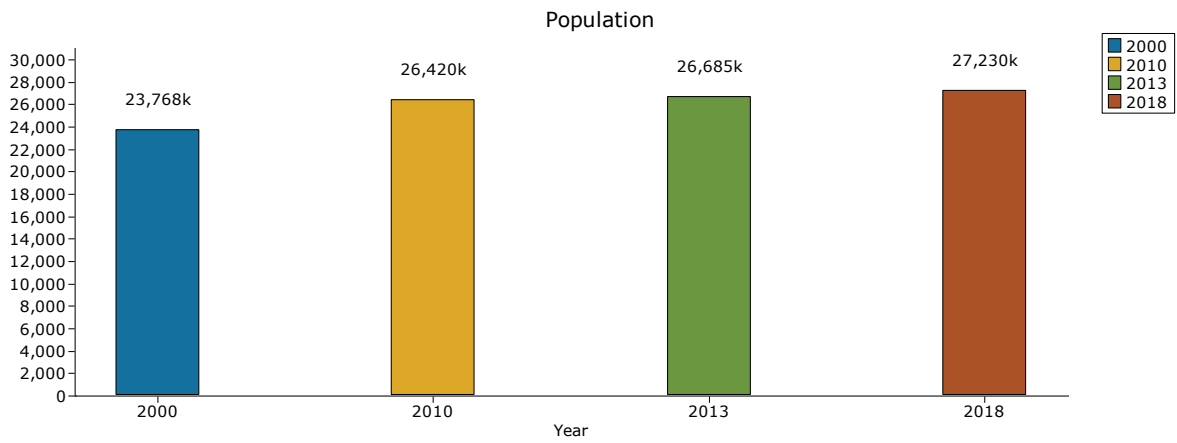
- Under the heading of encouraging and maintaining a range of housing opportunities, the General Plan states the following, which aligns very well with this proposal, “The Town shall encourage the development of a variety of types of homes to accommodate the varied needs of residents, including single-family attached and detached, townhomes, small apartments (3-4 units), condominiums, active retirement communities and congregate care housing...” (Policy 7.2.1)
- “The Town shall allow and encourage master planned communities that offer high-quality neighborhoods with a variety of residential densities and appropriately located commercial uses to serve the community.” (Policy 7.2.3)

APPENDIX: MARKET ANALYSIS

Neighborhood Demographics



Neighborhood Population Growth Projection:

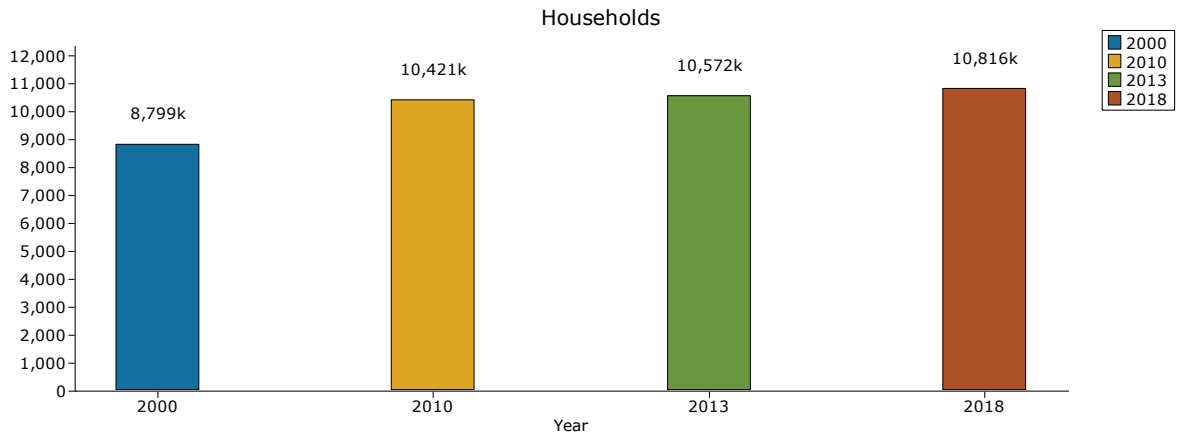


Neighborhood Population Summary Compared to Tucson MSA:

Population Summary		
Population	Neighborhood	Tucson MSA
2010 Census	26,420	980,263
2013 Estimate	26,685	1,003,140
2018 Projection	27,230	1,032,970
Gross Population Change		
2010 - 2013	1.0%	2.3%
2013 - 2018	2.0%	3.0%
Average Annual Population Change		
2010 - 2013	0.3%	0.2%
2013 - 2018	0.4%	0.6%
Median Age (2013)	47.1	38.0
Households		
2013 Estimate	10,572	397,760
2018 Projection	10,816	410,226
Avg. New HH/Year 2013-2018	49	2,493
2013 - 2018 % Change	2.3%	3.1%
Avg. Annual Change 2013 - 2018	0.5%	0.6%
Average Household Size (2013)	2.52	2.46

Source: U.S. Census Bureau, Census 2010

Neighborhood Projected Household Growth:

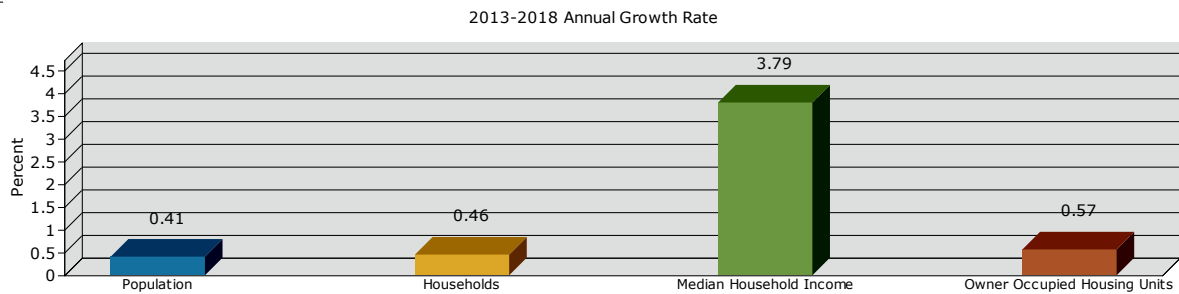


Neighborhood Income Statistics compared to Tucson MSA:

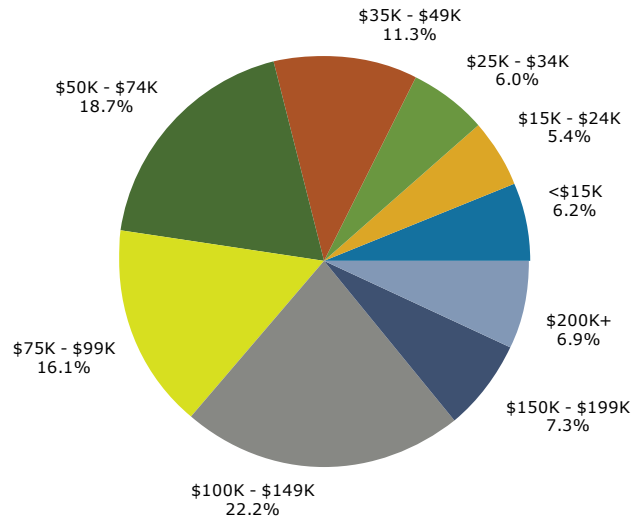
Income		
	Neighborhood	Tucson MSA
Average HH Income	\$95,350	\$60,355
Median HH Income	\$77,834	\$43,502
Per Capita Income	\$38,013	\$24,459
Household Income		
\$0 - \$15,000	6.2%	15.4%
\$15,000 - \$24,999	5.4%	12.1%
\$25,000 - \$34,999	6.0%	12.6%
\$35,000 - \$49,999	11.3%	15.2%
\$50,000 - \$74,999	18.7%	18.8%
\$75,000 - \$99,999	16.1%	10.3%
\$100,000 - \$149,999	22.2%	9.9%
\$150,000 - \$199,999	7.3%	3.0%
\$200,000 +	6.9%	2.6%

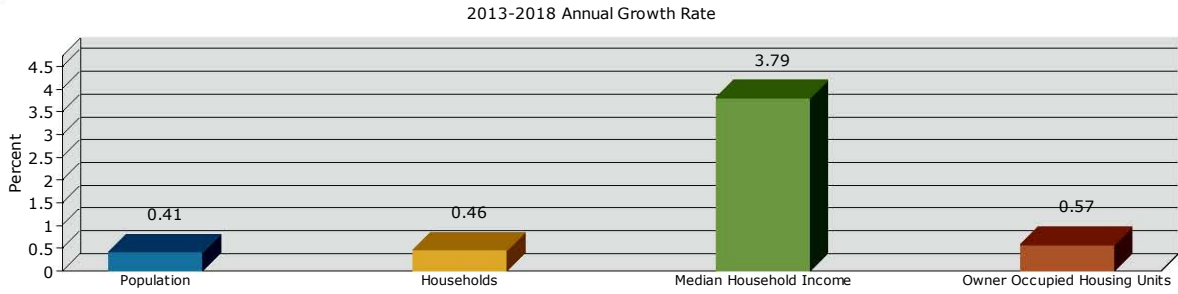
Source: U.S. Census Bureau, Census 2010

Neighborhood Growth:



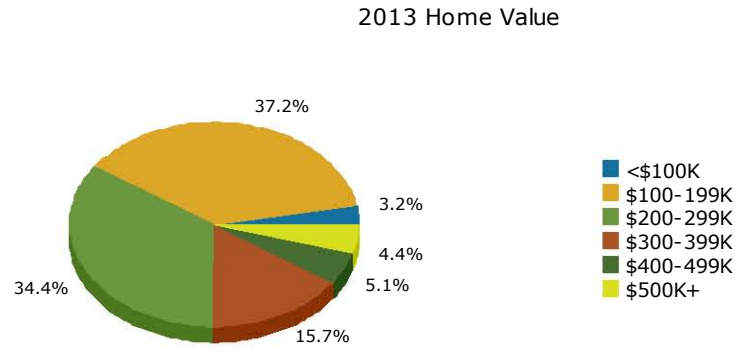
Household Income:





Housing (2013)		
% Owner Occupied	75.1%	55.0%
% Renter Occupied	17.8%	34.0%
% Vacant	7.1%	11.0%
Median Home Value	\$224,073	\$146,486

Source: U.S. Census Bureau, Census 2010



Employment Demographics

Neighborhood Employment

Total Businesses:	1,227
Total Employees:	4,610
Total Residential Population:	26,685
Employee/Residential Population Ratio:	0.17

Source: Dun & Bradstreet, Inc.

Employment by Industry

	Businesses		Employees	
	Number	Percent	Number	Percent
Agriculture & Mining	34	2.8%	90	2.0%
Construction	104	8.5%	364	7.9%
Manufacturing	36	2.9%	130	2.8%
Transportation	13	1.1%	48	1.0%
Communication	7	0.6%	23	0.5%
Utility	2	0.2%	10	0.2%
Wholesale Trade	43	3.5%	156	3.4%
Retail Trade Summary	126	10.3%	688	14.9%
Home Improvement	7	0.6%	19	0.4%
General Merchandise Stores	5	0.4%	186	4.0%
Food Stores	11	0.9%	36	0.8%
Auto Dealers, Gas Stations, Auto	3	0.2%	9	0.2%
Apparel & Accessory Stores	9	0.7%	108	2.3%
Furniture & Home Furnishings	15	1.2%	42	0.9%
Eating & Drinking Places	22	1.8%	74	1.6%
Miscellaneous Retail	54	4.4%	215	4.7%
Finance, Insurance, Real Estate Summary	138	11.2%	423	9.2%
Banks, Savings & Lending Institutions	8	0.7%	60	1.3%
Securities Brokers	9	0.7%	24	0.5%
Insurance Carriers & Agents	17	1.4%	31	0.7%
Real Estate, Holding, Other Investment	104	8.5%	307	6.7%
Services Summary	720	58.7%	2,388	51.8%
Hotels & Lodging	5	0.4%	77	1.7%
Automotive Services	10	0.8%	49	1.1%
Motion Pictures & Amusements	29	2.4%	157	3.4%
Health Services	54	4.4%	194	4.2%
Legal Services	9	0.7%	24	0.5%
Education Institutions & Libraries	21	1.7%	382	8.3%
Other Services	592	48.2%	1,505	32.6%
Government	4	0.3%	291	6.3%
Totals	1,227	100%	4,610	100%

Source: Dun & Bradstreet, Inc.

Net Worth and Age Cohorts

Neighborhood Net Worth Profile

Wealth	People	Percentage
<\$15,000	1,462	13.8%
\$15,000-\$34,999	476	4.5%
\$35,000-\$49,999	321	3.0%
\$50,000-\$74,999	530	5.0%
\$75,000-\$99,999	432	4.1%
\$100,000-\$149,999	744	7.0%
\$150,000-\$249,999	990	9.4%
\$250,000-\$500,000	1,836	17.4%
\$500,000+	3,780	35.8%
Total	10,572	100.0%
	Median Net	\$278,009
	Average Net	\$960,806

Source: U.S. Census Bureau

Net Worth by Household Age

	<25	25-34	35-44	45-54	55-64	65-74	75+
<\$15,000	57	338	372	267	253	97	78
\$15,000-\$34,999	27	117	148	80	56	24	24
\$35,000-\$49,999	5	47	113	70	47	26	12
\$50,000-\$99,999	16	128	263	213	139	118	84
\$100,000-\$149,999	6	76	125	165	137	167	69
\$150,000-\$249,999	5	58	150	247	273	113	145
\$250,000+	1	98	316	1,307	1,646	1,350	898
Total	117	861	1,488	2,349	2,553	1,894	1,309
Median Net Worth	\$15,548	\$28,882	\$64,905	\$250,001	\$250,001	\$250,001	\$250,001
Average Net Worth	\$50,051	\$165,872	\$284,084	\$923,231	\$1,200,203	\$1,205,730	\$1,008,277

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri Forecasts for 2013 and 2018.

Demographic Summary	Census 2010	2013	2018	2013-2018	2013-2018
				Change	Annual Rate
Total Population	26,420	26,685	27,230	545	0.41%
Population 50+	11,361	12,213	12,979	766	1.22%
Median Age	46.0	47.1	48.3	1.2	0.50%
Households	10,421	10,572	10,816	244	0.46%
% Householders 55+	51.0%	54.5%	58.0%	3.5	1.25%
Owner/Renter Ratio	4.8	4.2	4.3	0.1	0.47%
Median Home Value	-	\$224,073	\$245,839	\$21,766	1.87%
Average Home Value	-	\$254,609	\$278,344	\$23,735	1.80%
Median Household Income	-	\$77,834	\$93,730	\$15,896	3.79%
Median Household Income for Householder 55+	-	\$70,385	\$89,107	\$18,722	4.83%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2013 and 2018.

Total Population	Census 2010		2013		2018	
	Number	% of Total	Number	% of Total	Number	% of Total
Total(50+)	11,361	43.0%	12,213	45.8%	12,979	47.7%
50-54	2,442	9.2%	2,411	9.0%	2,055	7.5%
55-59	2,264	8.6%	2,414	9.0%	2,433	8.9%
60-64	2,084	7.9%	2,249	8.4%	2,414	8.9%
65-69	1,609	6.1%	1,808	6.8%	2,131	7.8%
70-74	1,127	4.3%	1,328	5.0%	1,635	6.0%
75-79	817	3.1%	904	3.4%	1,116	4.1%
80-84	604	2.3%	618	2.3%	662	2.4%
85+	414	1.6%	481	1.8%	533	2.0%
65+	4,571	17.3%	5,139	19.3%	6,077	22.3%
75+	1,835	6.9%	2,003	7.5%	2,311	8.5%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2013 and 2018.

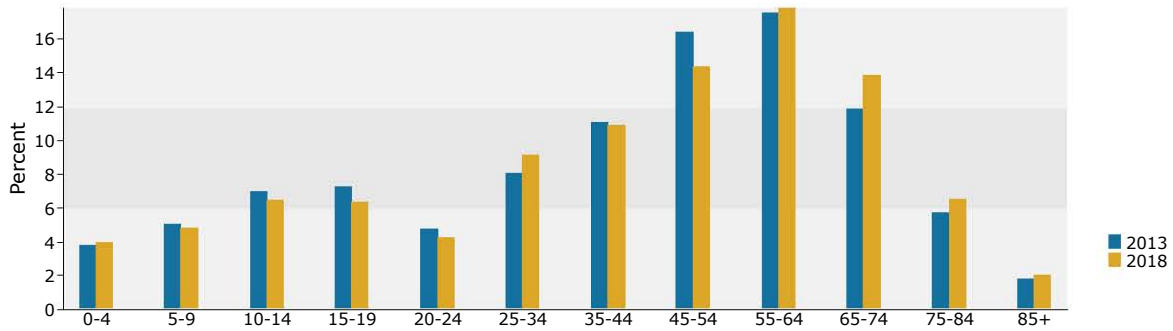
2013 Households by Income and Age of Householder 55+								
	55-64	Percent	65-74	Percent	75+	Percent	Total	Percent
Total	2,553	100%	1,894	100%	1,309	100%	5,756	100%
<\$15,000	140	5.5%	94	5.0%	178	13.6%	412	7.2%
\$15,000-\$24,999	91	3.6%	138	7.3%	170	13.0%	399	6.9%
\$25,000-\$34,999	124	4.9%	84	4.4%	210	16.0%	418	7.3%
\$35,000-\$49,999	252	9.9%	173	9.1%	297	22.7%	722	12.5%
\$50,000-\$74,999	424	16.6%	433	22.9%	216	16.5%	1,073	18.6%
\$75,000-\$99,999	408	16.0%	353	18.6%	67	5.1%	828	14.4%
\$100,000-\$149,999	645	25.3%	391	20.6%	124	9.5%	1,160	20.2%
\$150,000-\$199,999	221	8.7%	120	6.3%	25	1.9%	366	6.4%
\$200,000+	249	9.8%	107	5.6%	23	1.8%	379	6.6%
Median HH Income	\$88,236		\$76,230		\$38,605		\$70,385	
Average HH Income	\$107,326		\$91,934		\$53,622		\$90,044	

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2013 and 2018.

2018 Households by Income and Age of Householder 55+								
	55-64	Percent	65-74	Percent	75+	Percent	Total	Percent
Total	2,588	100%	2,223	100%	1,460	100%	6,271	100%
<\$15,000	95	3.7%	78	3.5%	180	12.3%	353	5.6%
\$15,000-\$24,999	44	1.7%	84	3.8%	116	7.9%	244	3.9%
\$25,000-\$34,999	84	3.2%	69	3.1%	206	14.1%	359	5.7%
\$35,000-\$49,999	156	6.0%	125	5.6%	267	18.3%	548	8.7%
\$50,000-\$74,999	282	10.9%	365	16.4%	215	14.7%	862	13.7%
\$75,000-\$99,999	524	20.2%	550	24.7%	123	8.4%	1,197	19.1%
\$100,000-\$149,999	853	33.0%	618	27.8%	264	18.1%	1,735	27.7%
\$150,000-\$199,999	275	10.6%	191	8.6%	49	3.4%	515	8.2%
\$200,000+	274	10.6%	144	6.5%	39	2.7%	457	7.3%
Median HH Income	\$103,545		\$90,717		\$47,055		\$89,107	
Average HH Income	\$125,455		\$108,636		\$68,934		\$106,335	

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2013 and 2018.

Population by Age

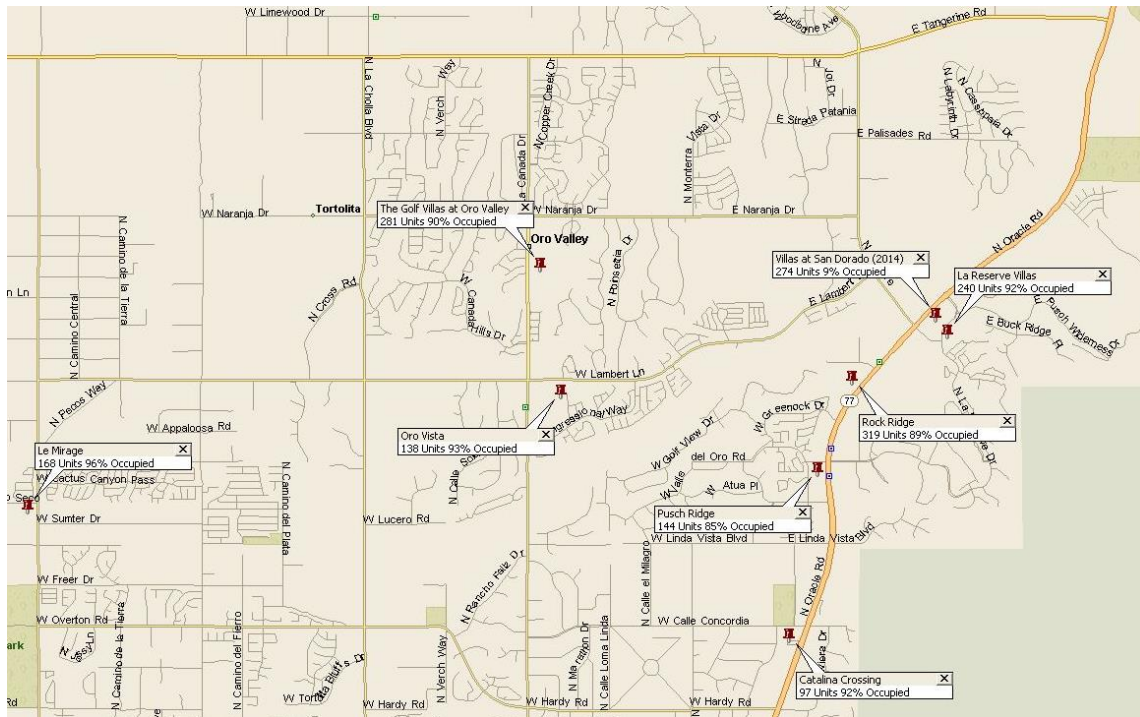


Medical Expenditures

	Average Amount Spent	Total
Health Care	\$6,275.01	\$66,339,358
Medical Care	\$2,768.02	\$29,263,457
Physician Services	\$354.22	\$3,744,785
Dental Services	\$564.91	\$5,972,262
Eyecare Services	\$68.72	\$726,509
Lab Tests, X-Rays	\$89.38	\$944,887
Hospital Room and Hospital Services	\$214.18	\$2,264,313
Convalescent or Nursing Home Care	\$19.54	\$206,623
Other Medical services (1)	\$158.03	\$1,670,706
Nonprescription Drugs	\$164.65	\$1,740,655
Prescription Drugs	\$680.73	\$7,196,668
Nonprescription Vitamins	\$95.01	\$1,004,468
Medicare Prescription Drug Premium	\$117.17	\$1,238,730
Eyeglasses and Contact Lenses	\$118.06	\$1,248,091
Hearing Aids	\$31.70	\$335,145
Medical Equipment for General Use	\$6.64	\$70,165
Other Medical Supplies (2)	\$85.08	\$899,450
Health Insurance	\$3,506.99	\$37,075,901
Blue Cross/Blue Shield	\$1,114.37	\$11,781,133
Commercial Health Insurance	\$664.12	\$7,021,068
Health Maintenance Organization	\$565.43	\$5,977,735
Medicare Payments	\$708.70	\$7,492,424
Long Term Care Insurance	\$150.25	\$1,588,431
Other Health Insurance (3)	\$304.12	\$3,215,110

Source: Bureau of Labor Statistics

Multifamily Supply



Supply:

Existing Multifamily									
Property	Location	Total Units	Year Built	Unit Types	Avg. Rent	Units	Overall Occ.	Lambert	Naranja
Golf Villas	10950 N La Canada	231	1999	1BR/1BA	\$957	50	90%	1.25 mi	1.1 mi
				2BR/2BA	\$1,082	140			
				3BR/2BA	\$1,297	41			
La Reserve Villas	10700 N La Reserve	240	1988	1BR/1BA	\$725	64	92%	3.55 mi	3.6 mi
				2BR/2BA	\$825	148			
				3BR/2BA	\$925	28			
Oro Vista	1301 W Lambert	138	2006	1BR/1BA	\$719	32	93%	1.15 mi	1.6 mi
				2BR/2BA	\$852	82			
				3BR/2BA	\$1,104	24			
Catalina Crossing	9095 N Oracle	97	1985	1BR/1BA	\$565	66	92%	3 mi	3.65 mi
				2BR/1BA	\$785	1			
				2BR/2BA	\$809	18			
Push Ridge	9901 N Oracle	144	1998	1BR/1BA	\$729	48	85%	2.8 mi	3.15 mi
				2BR/1BA	\$889	8			
				2BR/2BA	\$864	60			
Rock Ridge	10333 N Oracle	319	1995	1BR/1BA	\$710	96	89%	3 mi	3.15 mi
				2BR/2BA	\$808	192			
				3BR/2BA	\$995	31			
Villas at San Dorado	10730 N Oracle	274	2014	1BR/1BA	\$1,000	102	35%		
				2BR/2BA	\$1,242	136			
				3BR/2BA	\$1,490	36			
Le Mirage	9777 N Thornydale	168	1995	1BR/1BA	\$624	60	96%	2.2 mi	2.7 mi
				2BR/2BA	\$744	76			
				3BR/2BA	\$919	32			
Total/Average		1,611		1BR/1BA	\$754		84%		
				2BR/2BA	\$903				
				3BR/2BA	\$1,080				

Demand:

Multifamily Residual Demand	
Households	10,572
x Current Renter rate	x 25%
	2,643
x .95 frictional vacancy	x.95
Rental Unit Demand	2,511
Existing Units	1,611
Residual Demand for Rental Units	900
Household Growth Projection 2013-2023	1,750
x Projected Renter rate	x 30%
Renter Growth Projection	525
x .95 frictional vacancy	x.95
Future Renter Demand	499
Total Rental Units Demanded 2013-2023	1,399
Multifamily Projects Under Construction	0
Residual Demand for Multifamily Units Thru 2023	1,399

Conclusion:

- Demand is strong
- However, scale and market demand is not met by complexes under construction.
- Area has seasonal empty-nesters in a population weighted to older age cohorts.
- Recommend casita apartments such as Tucson Rental Homes and Avilla, NOT stacked 2 and 3 story garden units with higher density.

Single Family

Single Family Demand Analysis		
Housing Price	\$250,000	\$500,000
20% Down	\$50,000	\$100,000
Loan Amount	\$200,000	\$400,000
30 year loan, 4.25%	\$984	\$2,460
Taxes, Ins.	\$350	\$700
Monthly Payment	\$1,334	\$3,160
Ann. Inc. Req. at 33%	\$48,509	\$114,909
% of the Area Population With Sufficient Income for Housing		
Price Range	71.20%	Approx. 35%

Single Family Existing Supply							
Name	Builder	Location	Total Lots	Lots Remaining	Months on Market	Absorption Per Year	Price:
Uplands	AF Sterling	La Canada & Lambert	14	2	18	8	300K+
Rancho de Plata	Meritage	La Cholla & Tangerine	50	32	8	27	280-350k
Desert Sky	Dorn	NW of Desert Sky & Oracle	40	1	60	7.8	210-240K
Sunset Canyon	Copper Canyon	SWc of Tangerine & Vista del Oro		15			549-700K
Rancho de Cobre	Maracay	11752 N Mabini	68	50	8	27	380k+
Total/Average			172	100		17.45	
Outside Neighborhood Boundary							
Shannon Estates		Shannon & Magee	55	28	12	27	270-400K
Cortina Terrace	Miramonte	Shannon & Magee	12	9	60	0.6	200-250K
La Cholla Vista	Pulte	Magee & La Cholla	42	8	12	34	250-325K
Total/Average			109	45		20.53	
Overall Total/Average			281	145		18.99166667	

Single Family Approved Lots (In Platting Process)			
Name	Builder	Location	Total Lots
Saguaros Viejos	AF Sterling	Near NWc of La Cholla & Naranja	118
Meritage on Naranja	Meritage	SWc of Naranja & La Cholla	120
Total Approved Lots			238
Single Family Proposed Lots (Submitted for Approval)			
Name	Builder	Location	Total Lots
OVTC	AF Sterling	Oracle & Pusch View Lane	60
River's Edge	Davis Development	Naranja & Pusch Ridge Vistas	55
SEC Lambert & La Cholla	N/A	Sec of Lambert Ln. & La Cholla Blvd	154
Meritage on First	Meritage	Nec of 1st & Palasades	255
Total Proposed Lots			524
			at 50% for risk and unknown
			262

2013-2023 Household Growth Projection:

	1750 Households
x Owner Occupancy rate	x 70%
Demand 2013-23	1,225 Households
- Existing Supply	100 Homes
- Planned Supply	500 Homes
Net Demand 2013-23	625 Homes

Remarks:

- The market is currently coming out of a recession and STDB growth projections are under-represented. Our projections are based on historical 2000-2010 household growth rates which equally rate the growth cycle and the recession in that decade.
- Owner occupancy rates projected to decrease from 75% to 70% as the area matures.
- Price range is \$250,000 to \$500,000 move up segment.
- Given age cohort information, low maintenance for sale units would meet needs on this market niche.

Retail



Shopping Center Retail Supply					
Center Name	Location	Total S.F.	Year Built	Vacancy	Asking Rents/ S.F.
Shoppes at Thornydale Crossings	Tangerine & Thornydale	158,197	2007	8.0%	\$18-\$28
Thornydale Plaza	9665-9725 N. Thornydale Rd.	76,975	1997	9.3%	\$23
Thornydale Village	Thornydale & Overton Rd	57,612	1995	56.7%	\$16
Mercado at Canada Hills	La Canada Dr. & Lambert Ln	54,517	2008	3.6%	\$19
Strip Retail Center	La Canada Dr. & Naranja Dr.	13,527	2003	0.0%	N/Ap
Shops at Oro Vista	La Canada Dr. & Lambert Ln	59,017	2002	20.0%	\$17
Strip Retail Center	La Canada Dr. & Lambert Ln	23,022	2000	18.8%	\$20-\$21
Strip Retail Center	10420 N. La Canada Dr.	75,333	1993	2.9%	\$17
Placita del Oro	Tangerine & 1st Avenue	63,891	2002	17.0%	\$21
Safeway Vistoso Center	Tangerine & Rancho Vistoso	100,363	1999	0.0%	N/Ap
Target/ Home Depot	10775-10885 N. Oracle Rd.	609,385	1993	0.6%	N/Ap
San Jose Plaza	10110 N. Oracle Rd.	13,785	2000	21.3%	\$16-\$20
Total S.F.		1,305,624		6.9%	\$16-\$28

*Excluding Thornydale Village, due to inferior appeal and functionality, the overall vacancy rate is reduced to 4.4%, which is below frictional vacancy

Demand:

Retail Surplus/Leakage Analysis Summary					
Industry Summary	Demand	Supply	Retail Gap	Leakage	Businesses
Total Retail Trade and Food &	\$373,861,255	\$75,787,562	\$298,073,693	66.3	118
Total Retail Trade	\$337,381,202	\$70,095,500	\$267,285,702	65.6	110
Total Food & Drink	\$36,480,053	\$5,692,062	\$30,787,991	73.0	8

Source: Dun & Bradstreet

Proposed Shopping Center Developments		
Name	Location	Approx. Planned S.F.
Mercado Mandarin	Near NWC of La Cholla & Naranja	50,000
Rancho del Cobre	SWc of Naranja & La Cholla	50,000 - 60,000
Total Proposed S.F.		100,000 - 110,000

Household Disposable Income Profile (2013)		
	Number	Percent
<\$15,000	767	7.3%
\$15,000-\$24,999	696	6.6%
\$25,000-\$34,999	864	8.2%
\$35,000-\$49,999	1,603	15.2%
\$50,000-\$74,999	2,321	22.0%
\$75,000-\$99,999	1,781	16.8%
\$100,000-\$149,999	1,812	17.1%
\$150,000-\$199,999	336	3.2%
\$200,000+	392	3.7%
Total	10,572	100.0%
Median Disposable Income	\$62,015	
Average Disposable Income	\$77,128	

Source: U.S. Census Bureau

Conclusion:

- The area has a significant retiree and seasonal population
- There is significant discretionary income for food, services, and medical services
- Centers with higher vacancy lack curb appeal and inviting attractive architecture to create a sense of place. The area is not overbuilt. Higher vacancy centers have design and/or functional obsolescence issues.
- There is household and income growth demand for a planned center in 2 years but likely with a 5 to 7 year delivery.
- Despite demand, immediate construction would not take place for at least 2 years due to planning/entitlement time as the market is still coming out of a recession and development is less risky with strong pre-leasing.

Assisted Living



Supply:

Existing Assisted Living Beds		
LEGALNAME	ADDRESS	CAPACITY
CLARE BRIDGE OF ORO VALLEY	10175 NORTH ORACLE ROAD	42
FAIRWINDS - DESERT POINT	10701 NORTH LA RESERVE DRIVE	75
2ND BEGINNINGS CARE HOME	5331 WEST EAGLESTONE LOOP	4
DESERT OASIS ADULT CARE HOME	5260 WEST GREENOCK DRIVE	10
FEEL AT HOME 2 ASSISTED LIVING	3530 WEST SAHUARO DIVIDE	5
FEEL AT HOME ASSISTED LIVING	4671 WEST CAMINO DE MANANA	10
FOUNTAIN OF YOUTH, LLC	4021 WEST HARDY ROAD	5
GRAMA'S HOME, LLC	9950 NORTH WILD CREEK DRIVE	5
MOM AND DAD PLACE, LLC	9980 NORTH SHANNON ROAD	10
Total		166

Population:

Total Population	Census 2010		2013		2018	
	Number	% of Total	Number	% of Total	Number	% of Total
Total(50+)	11,361	43.0%	12,213	45.8%	12,979	47.7%
50- 54	2,442	9.2%	2,411	9.0%	2,055	7.5%
55- 59	2,264	8.6%	2,414	9.0%	2,433	8.9%
60- 64	2,084	7.9%	2,249	8.4%	2,414	8.9%
65- 69	1,609	6.1%	1,808	6.8%	2,131	7.8%
70- 74	1,127	4.3%	1,328	5.0%	1,635	6.0%
75- 79	817	3.1%	904	3.4%	1,116	4.1%
80- 84	604	2.3%	618	2.3%	662	2.4%
85+	414	1.6%	481	1.8%	533	2.0%
65+	4,571	17.3%	5,139	19.3%	6,077	22.3%
75+	1,835	6.9%	2,003	7.5%	2,311	8.5%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2013 and 2018.

Affordability:

Net Worth by Household Age							
	<25	25-34	35-44	45-54	55-64	65-74	75+
<\$15,000	57	338	372	267	253	97	78
\$15,000- \$34,999	27	117	148	80	56	24	24
\$35,000- \$49,999	5	47	113	70	47	26	12
\$50,000- \$99,999	16	128	263	213	139	118	84
\$100,000- \$149,999	6	76	125	165	137	167	69
\$150,000- \$249,999	5	58	150	247	273	113	145
\$250,000+	1	98	316	1,307	1,646	1,350	898
Total	117	861	1,488	2,349	2,553	1,894	1,309
Median Net Worth	\$15,548	\$28,882	\$64,905	\$250,001	\$250,001	\$250,001	\$250,001
Average Net Worth	\$50,051	\$165,872	\$284,084	\$923,231	\$1,200,203	\$1,205,730	\$1,008,277

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri Forecasts for 2013 and 2018.

Demand:

Assisted Living Demand							
2013	Age	Income	Health	2018	Age	Income	Health
75-84	1,522	1,370	343	75-85	1,778	1,600	400
				<i>Change</i>	256	230	57
85+	481	433	217	85+	533	480	240
				<i>Change</i>	52	47	23
TOTAL			560				640

Inputs:

	75-84	85+
Affordability	90%	90%
Health	25%	50%

Conclusion:

- Population age cohorts and income cohorts intersect to infer considerable demand.
- Balancing development of targeted medical and wellness services with assisted living development appears to have strong demand.

Conclusions

The district boundaries utilized were designed to emphasize the immediate area. This included a district of at least 1 mile up to 3 mile boundaries. District lines were set with the intent to provide an accurate depiction of the immediate neighborhood. Therefore, regional retail such as the Walmart anchored retail center at Tangerine and Oracle, which serves a larger trade area much farther north, luxury homes against Pusch Ridge, older dwellings to the south, and higher density merchant built housing to the west were specifically excluded.

A review of population statistics indicated excessively optimistic projections in 2008 based upon a high growth housing bubble. The 2013 projections tend to understate growth due to projections made during a recession. Therefore, I reviewed growth rates from 2000 to 2010, which included five years of recession bracketing five years of expanding economy. The usefulness of this time period is derived from its balance of both strong and weak economies.

The growth projected based on 2000 through 2010 would be over 1,900 units. I back this off to 1,750 housing units. As the area matures and given current trends, there's likelihood of more rather than fewer renters. So I reduced the home ownership components from 75% to 70%. However, I only used a 25% rental component for rental housing because of the age cohorts within this neighborhood, thereby allocating approximately 5% to senior housing.

Household income is over 50% higher in the neighborhood than the Tucson MSA. Employment demographics likely infer a considerable seasonal resident, empty nester, and family components, based upon the .17 employee/residential population ratio.

Over 60% of the residents have net worth of above \$150,000, with the majority concentrated in the 45 year and older age cohorts. Moreover, about 55% of householders are 55 years or older.

In conclusion, this is a moderately affluent neighborhood, with many residents at or just past their peak earning years based upon these statistics. Housing that is easier to maintain, adaptable for greater accessibility and flexible for varied occupancy by different generations, will generate greatest demand.

For Sale Residential Conclusions:

- Owner occupancy rates are forecasted to decline from 75% to 70% due to age cohorts in the neighborhood and due to changing market preferences.
- A likely price range is \$250,000 to 500,000 which is a move up segment and also accounts for both low and medium density development.
- Based upon neighborhood demographics including wealth and age, for sale units that emphasize low maintenance, adaptability to meeting physical needs, and inter-generational use would attract broader demand.
- Even with planned developments in the neighborhood, there appears to be additional demand of 600+ for sale residential units.
- It is important to be aware of the gradually changing age of the neighborhood population, whereby, ease of using housing will attract demand. Therefore, this inherently infers some demand for attached products such as townhomes. The current develop pipeline of townhomes and condominiums is quite shallow, which is typical in recessionary periods. There is a demand for about 100 to 200 townhomes or casita style apartments.

Multi-Family Conclusions:

- Demand for multi-family is strong with residual demand of about 1400 units.
- Traditional garden apartments of two to three stories is inconsistent with scale of the existing neighborhood.
- Multi-family use should be limited to a combination of one and two stories designed to attract the market segments typically found within casita projects such as those developed by Avilla and Tucson Rental Homes.
- The market segments consist of seasonal visitors, empty nesters, a few families in modest segments of larger units, and single employed professionals. Single employed professionals, particularly females, are attracted to this product's lower density, low maintenance, and greater similarity to living in owner occupied residence whether it be a townhome or single family home.

Retail Conclusions:

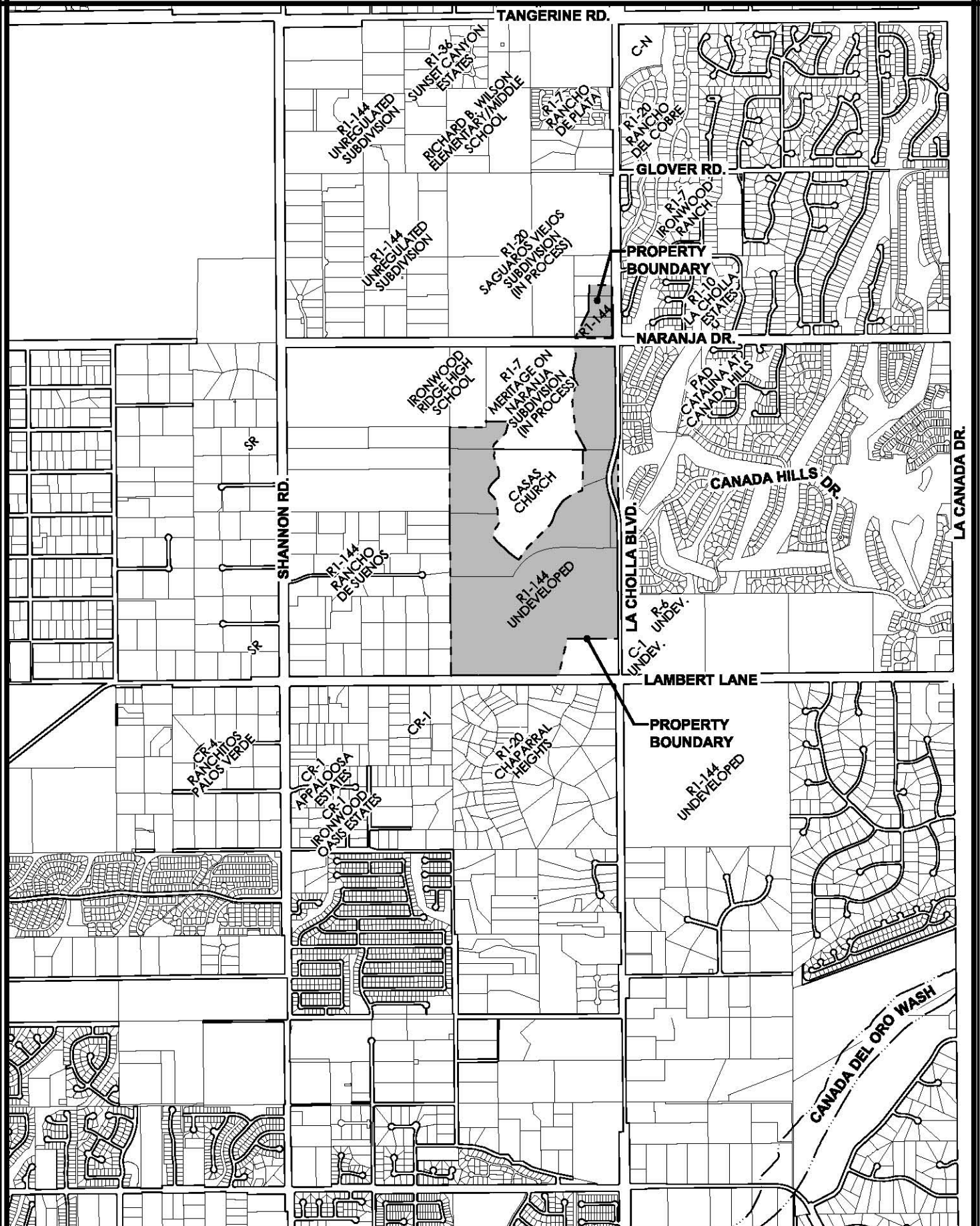
- The area has a significant retiree and seasonal population
- There is significant discretionary income for food, services, and medical services
- Centers with higher vacancy lack curb appeal and inviting attractive architecture to create a sense of place. The area is not overbuilt. Higher vacancy centers have design and/or functional obsolescence issues.
- There is household and income growth demand for a planned center in 2 years but likely with a 5 to 7 year delivery.

- Despite demand for about 200,000 S.F., immediate construction would not take place for at least 2 years due to planning/entitlement time as the market is still coming out of a recession and development is less risky with strong pre-leasing.
- Medical expenditures infer demand for supporting services oriented to 55+ age cohorts, included in the retail demand.
- Observing retail development, Oracle Road, La Canada, and Tangerine Road have attracted retail development but, there is a hole in the center of the immediate neighborhood in the area along La Cholla, primarily at Lambert Lane but secondarily at Naranja Drive.

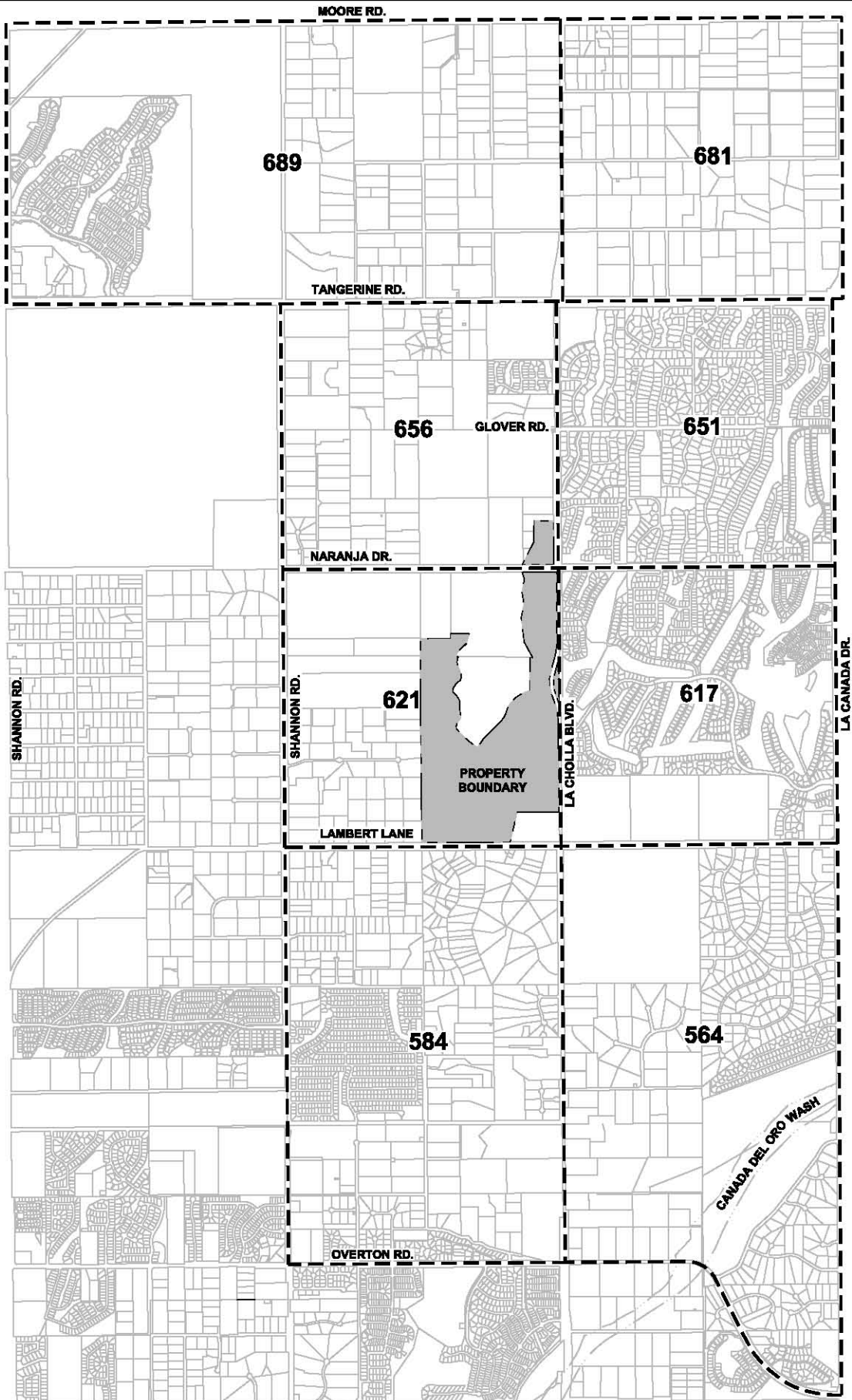
Assisted Living Conclusions:

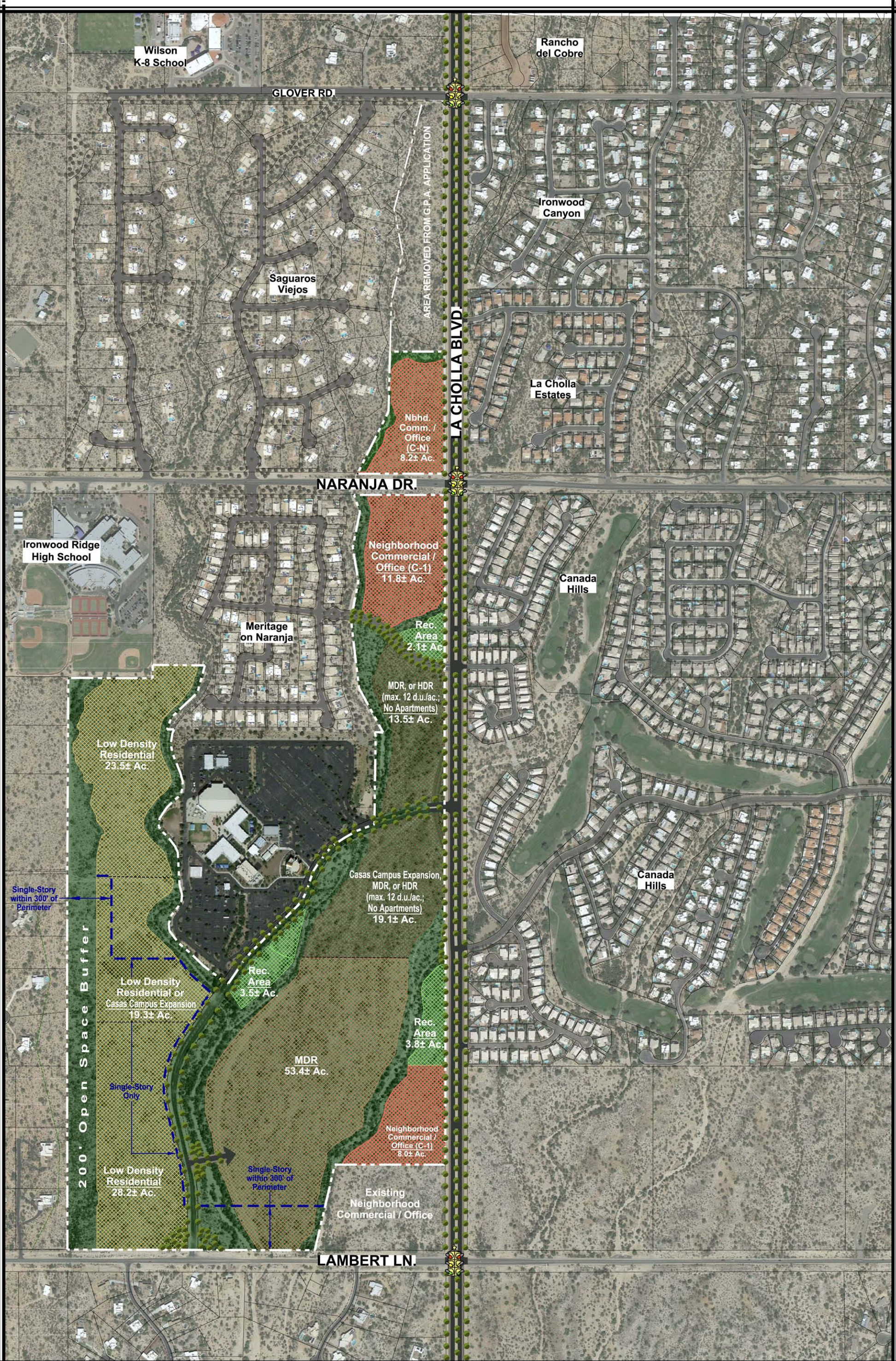
- Population age cohorts and income cohorts intersect to infer considerable demand.
- Balancing development of targeted medical and wellness services with assisted living development appears to have strong demand.
- There are 166 senior care beds in the immediate area. For assisted living, mobility is less important though a sense of place for a senior resident is also important. Moreover, this neighborhood is proximate to the Town hall, Town library, and parks without having to navigate the heavy traffic on Oracle Road. Even assuming dislocation out of the immediate area, there is unmet assisted living demand for over 200 beds, increasing by 80 more beds over the next 10 years.

EXHIBITS



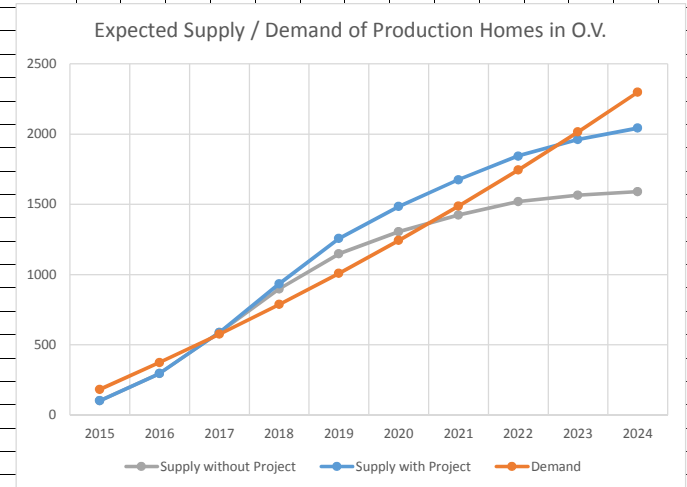






Neighborhood	Status	Total Lots	Total Lots (Undeveloped)	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	
AF Sterling's La Reserve Villas	Platted	40	40		12	24	4															40
Dorn Homes' Desert Sky	Building	45	9	4	5																	9
River's Edge	Zoned	55	55			6	12	12	12	12	1											55
Vistoso Parcel 10A	Zoned	29	29			6	12	11														29
SEC Lambert & La Cholla	Rezoning	154	154				12	24	24	24	24	24	22									154
Meritage on First - South	Zoned	44	44			6	12	12	12	2												44
Meritage on First - North	Rezoning	211	211			6	24	24	24	24	24	24	24	24	13							211
AmericaBuilt's La Canada Ridge	Platted	33	33		6	24	3															33
Miller Ranch		40																				0
Vistoso Parcel 10T	Zoned	19						19														19
Meritage on Naranja Ph. 1A	Zoned	72	72		8	24	24	16														72
Meritage on Naranja Ph. 1B	Zoned	47	47		8	24	15															47
Lennar's Discovery at Vistoso Reserve	Platted	27	27		24	3																27
Sagueros Viejos	Zoned	118	118				24	24	24	24	22											118
Maracay's Center Pointe Block 1 Ph. 1	Building	50	50			12	24	14														50
Maracay's Center Pointe Block 1 Ph. 2	Platted	31	31					10	21													31
Maracay's Center Pointe Block 2	Building	39	39			12	24	3														39
Maracay's Center Pointe Block 3 Ph. 1	Building	42	42			12	24	6														42
Maracay's Center Pointe Block 3 Ph. 2	Platted	59	59					18	24	17												59
Maracay's Center Pointe Block 4 Ph. 1	Building	31	31			12	19															31
Maracay's Center Pointe Block 4 Ph. 2	Platted	43	43				5	24	14													43
Maracay's Center Pointe Block 5	Platted	47	47					21	24	2												47
Mattamy's Vistoso Phase 1A	Zoned	50	50			6	24	20														50
Mattamy's Vistoso Phase 1B	Zoned	50	50			6	24	20														50
Mattamy's Vistoso Phase 2A	Zoned	100	100					4	24	24	24	24										100
Mattamy's Vistoso Phase 2B	Zoned	100	100					4	24	24	24	24										100
Olson Property	Zoned	75	75				24	24	24	3												75
Maracay's Rancho del Cobre	Building	68	51	10	24	17																51
Meritage's Rancho de Plata	Building	50	32	25	7																	32
Richmond's Torreno at Rancho Vistoso	Building	68	20	14	6																	20
AF Sterling's Uplands at Oro Valley	Building	14	9	7	2																	9
DR Horton's Stonefield at Rancho Vistoso	Building	59	2	2																		2
Existing Projects Annual Totals:		1910	1670	62	102	194	292	310	251	156	119	96	46	24	24	13	0	0	0	0	0	1689
Existing Projects Running Totals:					102	296	588	898	1149	1305	1424	1520	1566	1590	1614	1627	1627	1627	1627	1627	1627	
La Cholla Master Plan Townhome/MDR Ph. 1		135						12	24	24	24	24	24	3								135
La Cholla Master Plan Townhome/MDR Ph. 2		190												21	24	24	24	24	24	24	25	190
La Cholla Master Plan MDR Ph. 1		66						12	24	24	6											66
La Cholla Master Plan MDR Ph. 2		37									18	19										37
La Cholla Master Plan MDR Ph. 3		57										5	24	24	4							57
La Cholla Master Plan LDR Ph. 1		47						12	24	11												47
La Cholla Master Plan LDR Ph. 2		38								13	24	1										38
La Cholla Master Plan LDR Ph. 3		56										23	24	9								56
La Cholla Master Plan Totals:		626		0	0	0	0	36	72	72	72	72	72	57	28	24	24	24	24	24	25	626
Cumulative Annual Totals:				62	102	194	292	346	323	228	191	168	118	81	52	37	24	24	24	24	25	2315
Cumulative Running Totals:					102	296	588	934	1257	1485	1676	1844	1962	2043	2095	2132	2156	2180	2204	2228	2253	
Annual Demand Based on OV Last 10 Years:		182.8			183	192	202	212	222	233	245	257	270	284	298	313	328	345	362	380	399	
Cumulative Running Demand Total:					183	375	576	788	1010	1243	1488	1746	2016	2299	2597	2910	3238	3583	3945	4325	4724	
Expected Annual Growth Rate:		105%																				

* Assumed 2 homes/month absorption



WILSON
K-8

RANCHO
DEL COBRE

GLOVER RD.

IRONWOOD
CANYON

SAGUAROS VIEJOS

MEDIUM DENSITY
RESIDENTIAL

LA CHOLLA ESTATES
SUBDIVISION

NARANJA RANCH 1
SUBDIVISION

LOW DENSITY
RESIDENTIAL 1

MPC -
NC/O

MEDIUM DENSITY
RESIDENTIAL

NARANJA DR.

IRONWOOD RIDGE
HIGH SCHOOL

MPC - NC/O

MERITAGE ON NARANJA

MEDIUM DENSITY
RESIDENTIAL

MPC -
PARK

CATALINA AT
CANADA HILLS
SUBDIVISION

CANADA RIDGE
SUBDIVISION

RESORT /
GOLF
COURSE

CANADA HILLS
VILLAGE 19
SUBDIVISION

RURAL LOW
DENSITY

PUBLIC / SEMI-PUBLIC

CASAS CHURCH

MPC - HDR
(12 d.u. / ac.)

CANADA HILLS
PARCELS B & C
SUBDIVISION

MEDIUM DENSITY
RESIDENTIAL

CANADA HILLS
VILLAGES 21 & 22
SUBDIVISION

CANADA HILLS
VILLAGE 20
SUBDIVISION

RANCHO
DE SUEÑOS
SUBDIVISION

MPC - LDR

MPC -
PARK

MPC
PARK

CANADA HILLS
PARCELS D & E
SUBDIVISION

MPC - MDR

MPC - NC/O

LOW DENSITY
RESIDENTIAL 2

RURAL LOW
DENSITY

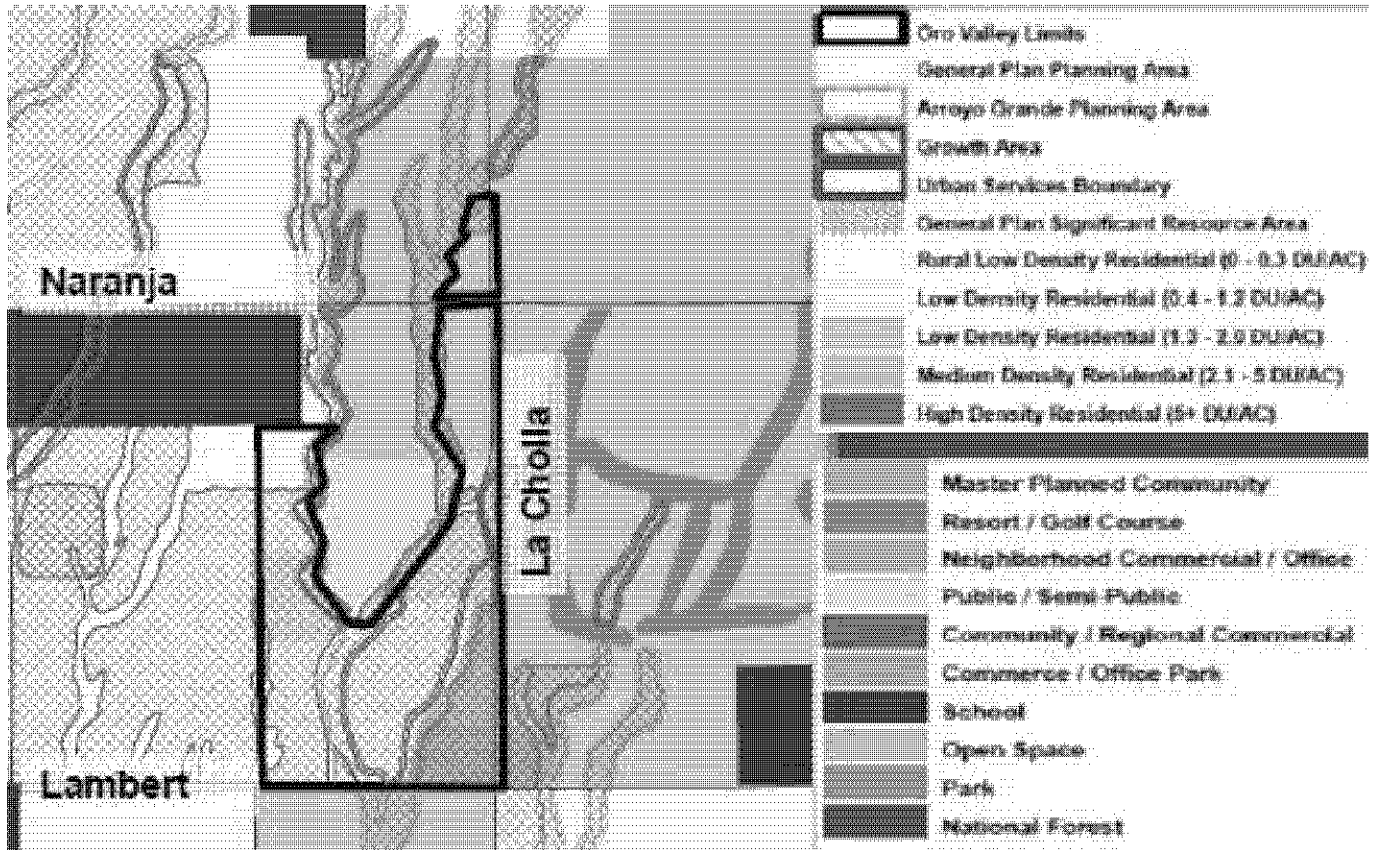
NEIGHBORHOOD
COMMERCIAL /
OFFICE

LAMBERT LN.

LOW DENSITY
RESIDENTIAL 1

CHAPARRAL
HEIGHTS
SUBDIVISION

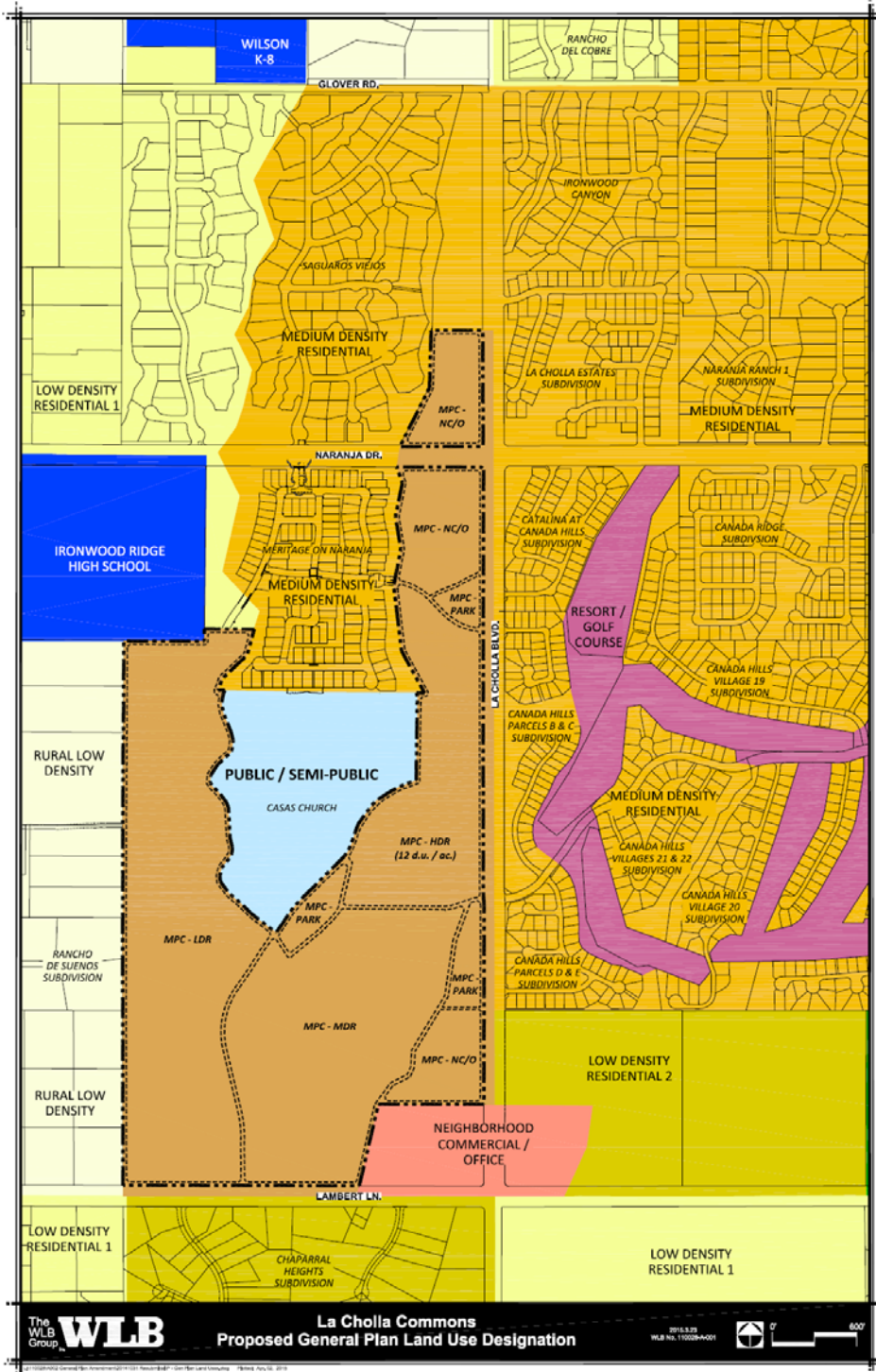
LOW DENSITY
RESIDENTIAL 1



CURRENT GENERAL PLAN

LA CHOLLA NARANJA SOUTHWEST / NORTHWEST

(OV1114-002 & OV 1114-003)



PROPOSED GENERAL PLAN

LA CHOLLA NARANJA SOUTHWEST / NORTHWEST (OV1114-002 & OV1114-003)

Search

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**MINUTES
ORO VALLEY TOWN COUNCIL
SPECIAL SESSION
December 10, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

SPECIAL SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 5:01 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

Mayor Hiremath led the audience in the Pledge of Allegiance.

ORDER OF BUSINESS

Mayor Hiremath said the agenda would stand as posted.

REGULAR AGENDA

1. PUBLIC HEARING: RESOLUTIONS AMENDING THE GENERAL PLAN FUTURE LAND USE MAP TO MASTER PLANNED COMMUNITY, ADOPTING SPECIAL AREA POLICIES RELATED TO THE DEVELOPMENT AND DELETING THE SIGNIFICANT RESOURCE AREA DESIGNATION PERTAINING TO 194 ACRES LOCATED AT THE SOUTHWEST AND NORTHWEST CORNERS OF LA CHOLLA BOULEVARD AND NARANJA DRIVE A. RESOLUTION NO. (R)14-63, AMENDING THE GENERAL PLAN FUTURE LAND USE MAP, ADOPTING SPECIAL AREA POLICIES AND DELETING THE SIGNIFICANT RESOURCE AREA FOR 186 ACRES LOCATED AT THE SOUTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE B. RESOLUTION NO. (R)14-64, AMENDING THE GENERAL PLAN FUTURE LAND USE MAP, ADOPTING SPECIAL AREA POLICIES AND DELETING THE SIGNIFICANT RESOURCE AREA

**FOR 8 ACRES LOCATED AT THE NORTHWEST CORNER OF LA
CHOLLA BOULEVARD AND NARANJA DRIVE**

(R)14-63 Major GPA Southwest La Cholla & Naranja

(R)14-64 Major GPA Southwest La Cholla & Naranja

Attachment 3 - Concept Plan

Attachment 4 - Special Area Policies

Attachment 5 - Applicant Request

Attachment 6 - Current General Plan Land Use

Attachment 7 - Proposed General Plan Land Use Map

Attachment 8 - ESL Planning Map

Attachment 9 - General Plan Amendment Evaluation

Attachment 10 - Planning and Zoning Commission Staff Report

Attachment 11 - Planning and Zoning Commission Minutes

Attachment 12 - Neighborhood Meeting Summary Notes

Attachment 13 - Resident / Interested Parties Letters and Emails

Attachment 14 - Amphitheater School District Letter

**Principal Planner, Chad Daines gave an overview of the proposed Major
General Plan Amendments that included the following:**

- Request**
- Current & Proposed General Plan**
- Concept Plan**
- Special Area Policies**
- Significant Resource Area**
- Environmentally Sensitive Lands**
- Amendment Evaluation**
- General Plan Vision**
- Notable General Plan Policies**
- General Plan Evaluation Criteria**
- Conditions in Community have changed?**
- Socio-economic betterment / community and environment compatibility?**
- Reflects market demand**
- Will not impact community without mitigation?**
- Amendment Evaluation**
- Neighborhood Meetings**

- Changes during Commission hearings
- Summary/Conclusion
- Recommendation

Discussion ensued amongst Council and staff regarding item #1.

Paul Oland with WLB Group, representing the applicant, answered questions from Council regarding the proposed master planned community.

Representative of the Kai Family, Greg Wexler, presented a brief history of the Kai Family and the proposed master planned community.

Mr. Oland gave a presentation on the General Plan policy conformance.

Mike Naifeh of Valbridge Property Advisors, presented the market study findings for the proposed master planned community that included the following:

- Income
- Single Family Demand Analysis
- 2013-2023 Household Growth Projection
- Conclusions
- Multifamily Residual Demand
- Conclusions
- 2010, 2013 and 2018 Total Population Census
- 2013 Households by Income and Age of Householder 55+
- Net Worth by Household Age
- Retail Surplus/Leakage Analysis Summary
- Potential Rental Space Currently Demanded
- Medical Care Residual Demand

Discussion ensued amongst Council, staff and applicant representatives regarding item #1.

Representative of Suite 6 Architecture and Planning, Dean Munkachy, gave a presentation that included the following:

- | | |
|------------------------------------|---|
| -Six Mile Radius
East Corner | -Concept Study North
Commercial Land |
| -Scale and Site Aerial
Patterns | -Concept Study South
Commercial Land |
| -Site Context
East Corner | |
| -Project Goals
Patterns | |
| -Washes | -Paseo Character |
| -Connections | -Entry Character |
| -Roadways | -Intersection Character |

- Uses
- Character
- Linkages
- Paseos
- Open Spaces
- Pathways

- Attached Residential
- Commercial Character

Mr. Oland spoke regarding the proposed Major General Plan Amendments.

Mayor Hiremath opened the public hearing.

The following individuals spoke in opposition to item #1.

- Oro Valley resident Jose Echeverri
- Oro Valley resident Don Bristow
- Oro Valley resident Kent Bauman
- Oro Valley resident Gary Meyerr
- Oro Valley resident Joe Kutschka
- Oro Valley resident John Hutchinson
- Oro Valley resident Bruce McDoniel
- Oro Valley resident Rick Hines
- Oro Valley resident Karen Carlson

The following individuals spoke in support of item #1.

- Oro Valley resident and representative of Casas Church Darin Hoffmann
- Oro Valley resident Dr. Judy Huch
- Oro Valley resident Mike Jones
- Oro Valley resident and President and CEO of the Greater Oro Valley Chamber of Commerce, Dave Perry
- Oro Valley resident Andrew Tesler
- Oro Valley resident Thrac Paulette
- Oro Valley resident Jeff Grobstein

Mayor Hiremath closed the public hearing.

Discussion ensued amongst Council and staff regarding item #1.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to deny the Major General Plan Amendment requested under case OV 114-002, based on the finding that the developer has not met the demands of the citizens and that the modification may adversely impact the community.

Mayor Hiremath requested a friendly amendment to continue item #1A rather than denying the amendment.

Councilmembers Zinkin and Garner agreed to the amendment.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to continue item #1A to a date uncertain.

MOTION carried, 7-0.

MOTION: A motion was made by Mayor Hiremath and seconded by Councilmember Snider to continue item #1B.

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

FUTURE AGENDA ITEMS

No future agenda items were requested.

ADJOURNMENT

MOTION: A motion was made by Mayor Hiremath and seconded by Councilmember Snider to adjourn the meeting at 9:08 p.m.

MOTION carried, 7-0.

Attachment 10

Recent Resident Comments

Paul,

I know you responded to my e-mail below but I can't find it so I must have accidentally deleted it when I was deleting a bunch of files the other day.

I think you responded that both residential and commercial development could begin as early as **2017**. My memory was that it would be 5 years for residential and 10 years for commercial. Have the plans changed?

I just found the comment that you made on this topic in the past.

[August 13, 2014 Neighborhood Meeting:](#)

When a resident said that all the empty storefronts in town indicated that there is no need for any more commercial, you said that you didn't argue with this but that you were "thinking long-range, most likely 10 years from now."

That's a lot different than 2017. Can we get something in writing, added to the Special Area Policies, that promises that commercial won't be built until at least the year _____?

What year seems feasible to you?

Something should also be added to the SAP stating the earliest date that development could begin in the residential portion.

Please advise.

Diane Peters

From: Diane Peters [mailto:tucson_cowgirl@hotmail.com]

Sent: Tuesday, April 14, 2015 1:35 PM

To: Paul Oland; Zinkin, Mike; Garner, William; Burns, Brendan

Cc: Vella, Bayer; Daines, Chad

Subject: RE: Proposed Major General Plan Amendment SWC Naranja and La Cholla

Paul and Bayer,

Also, the below wording should be removed from the SAP:

"The ultimate alignment of subdivision access roads and use of proposed traffic control methods are entirely subject to Town Engineer review and approval."

REASON: If it is later determined that the proposed road will connect to CH Drive, this would "adversely impact...a portion of the community" and this does not meet the General Plan Criteria for approval.

A stipulation could be added to the SAP that the Town Engineer cannot connect a road to Canada Hills Drive without the approval of ____% of the residents of the Canada Hills HOA.

That percentage should be determined by CH HOA.

Since the Major GPA public hearing/vote has been postponed until May 6th, we consider the SAP to still be a work-in-progress!

Diane Peters

From: CALROZ@aol.com

Date: Tue, 14 Apr 2015 15:51:19 -0400

Subject: Re: Proposed Major General Plan Amendment SWC Naranja and La Cholla

To: gpoland@wlbgroup.com; mzinkin@orovalleyaz.gov

CC: bvella@orovalleyaz.gov; tucson_cowgirl@hotmail.com; sbetten@carondelet.org

Mike and Paul,

Appreciate the idea.

But the concept as shown would not work, since area residents would no longer be able to make a left hand turn from Canada Hills Drive south onto La Cholla Boulevard.

Rudy Roszak

calroz@aol.com

520) 297-0943

On Apr 11, 2015, at 11:08 AM, "CALROZ@aol.com" <CALROZ@aol.com> wrote:

Reference: Proposed Major General Plan Amendment at Northwest and Southwest Corners of Naranja and La Cholla (194 Acres)

Dear Council Member Zinkin:

I will cut to the chase.

The Canada Hills Drive Issue should be resolved before the GPA is considered and voted upon.

Otherwise we will be stuck with the old Concept Plan which is unacceptable by the majority of the Canada Hills residents we have spoken to.

Canada Hills Drive is a private street, maintained by the homeowners. Walkers, joggers, bicyclists, kids, parents with strollers, and golf carts use the street, with its 25 mph speed limit.

The proposed 500 to 570 new homes will generate approximately 1,000 to 1,200 additional cars and increased traffic on our local roads. This is unacceptable. The developer is obligated to find an alternate route for this proposed development.

We do not want the new development to hook directly into Canada Hills Drive, as shown on the present maps.

Period.

Rudy Roszak 10797 N. Glen Abbey Drive, Oro Valley, AZ 85737

520) 297-0943

calroz@aol.com

Paul,

The map that's included in the council packet for the April 15th meeting (attached) still shows the proposed road connecting to Canada Hills Drive.

Will this map be updated prior to the council meeting?

The concern is that passing the GPA with the map "as is" creates two problems:

(1) It leaves the residents of Canada Hills wide open for disaster in the future if the town decides to leave that road in the current location.

(2) The current location of the road does not meet the GP criteria below:

The amendment will not adversely impact the community as a whole, or a portion of the community...

We understand the caveat in the second half of that criteria...

...without an acceptable means of mitigating these impacts through the subsequent zoning and development process.

However, it's not fair to the residents of CH to have to wait until the zoning process to find

out where the road will be placed since the placement of that road could **adversely impact** their community.

This needs to be ironed out now. Otherwise, we're being asked to approve something when we have no idea of what we're actually approving.

Please advise.

Diane Peters

Dear Mayor and Council,

At the **December 10th** council meeting to vote on the LaCholla Major General Plan Amendment, a decision was made to continue the item for another time. It is now on the April 15th agenda.

Mayor Hiremath asked for a continuance for the following reasons:

- (1) He wanted clarification on the portion of the land that is owned by Casas Church that could still be used for church expansion.
- (2) Council wanted further discussion on commercial and the possibility of removing some of it from the plan as they were not convinced that market demand exists.
- (3) They wanted to research the timetable for the widening of LaCholla in this area.

*(Council Member Zinkin stated that the RTA is already discussing widening **Broadway** to only 3 lanes on each side rather than 4 lanes as was approved by the voters. Apparently the RTA is having revenue issues and they're considering a further increase in the sales tax in order to complete all the projects they promised. As such, the possibility exists that they will run out of money before they have widened LaCholla.)*

- (4) They wanted to further research and clarify overall construction density.
- (5) They wanted to further research market need for townhomes.

Have you researched the above issues? If yes, what was the outcome of each one?

Councilmember Zinkin asked for a continuance for an additional reason:

That the continuance also be based upon our citizens group conducting further negotiations with the applicant. **This issue has been addressed. Our CORE group met with Paul Oland in January, February, and March.**

Respectfully,

Diane Peters

Chair, Citizen Advocates of the Oro Valley General Plan

From: [K Stratman](#)

Sent: 4/10/2015 2:06 PM

To: [Vella, Bayer](#); [Hiremath, Satish](#); [Waters, Lou](#); [Burns, Brendan](#); [Garner, William](#); [Hornat, Joe](#); [Snider, Mary](#); [Zinkin, Mike](#)

Subject: Town Council Meeting April 15, 2015

Dear Mayor, Council Members and Town Staff,

Re; Major General Plan Amendment SW corner Naranja and LaCholla

AS stated on attachment 12 of agenda item 1, General Plan Amendment Evaluation Criteria Analysis, Section 22.2.D.3

1. The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification.

The very essence of the application for a Major General Plan Amendment to the SW corner of Naranja and LaCholla is based entirely on the funding and planned expansion of LaCholla Blvd.

As stated in the Staff Comment, "The funding of the planned expansion of La Cholla Boulevard to a four lane desert parkway is a change in conditions which support reconsideration of the planned density and intensity along this corridor."

Since La Cholla is still a two lane street, and ***does not have funding to date for an expansion***, if this motion is to pass, **please consider a condition of approval that the completion of this stretch of LaCholla to a four lane parkway starting from Overton Rd to Tangerine Road be complete prior to any rezoning.**

to my knowledge, Currently there is no complete funding nor is there any factual time frame for the expansion of La Cholla Boulevard to a four lane desert parkway.

Please consider adding this condition to the final approval. The safety of all our students who use this corridor, not to mention the citizens should be the number one priority.

La Cholla Blvd is not a four lane desert parkway yet.

Sincerely,

Karen Stratman

Citizen of Oro Valley, AZ

From: Diane Peters [mailto:tucson_cowgirl@hotmail.com]

Sent: Wednesday, April 8, 2015 7:21 PM

To: Gustav Paul Oland

Subject: Mtg with Bill Garner

Hi Paul,

I spoke with Bill Garner about the offer you made on Tuesday.

Before I survey the citizens group on their preference, I need to make sure that I understand this properly.

Option A: The 12 to 14 lots on the southern portion of MDR on Lambert Lane would have a MINIMUM lot size of 8000 sf and other lots at 8500 sf.

Option B: The entire MDR portion would have an average lot size between 6000-7000 sf.

Is this correct?

If yes, what is meant by "an AVERAGE lot size between 6000-7000 sf?"

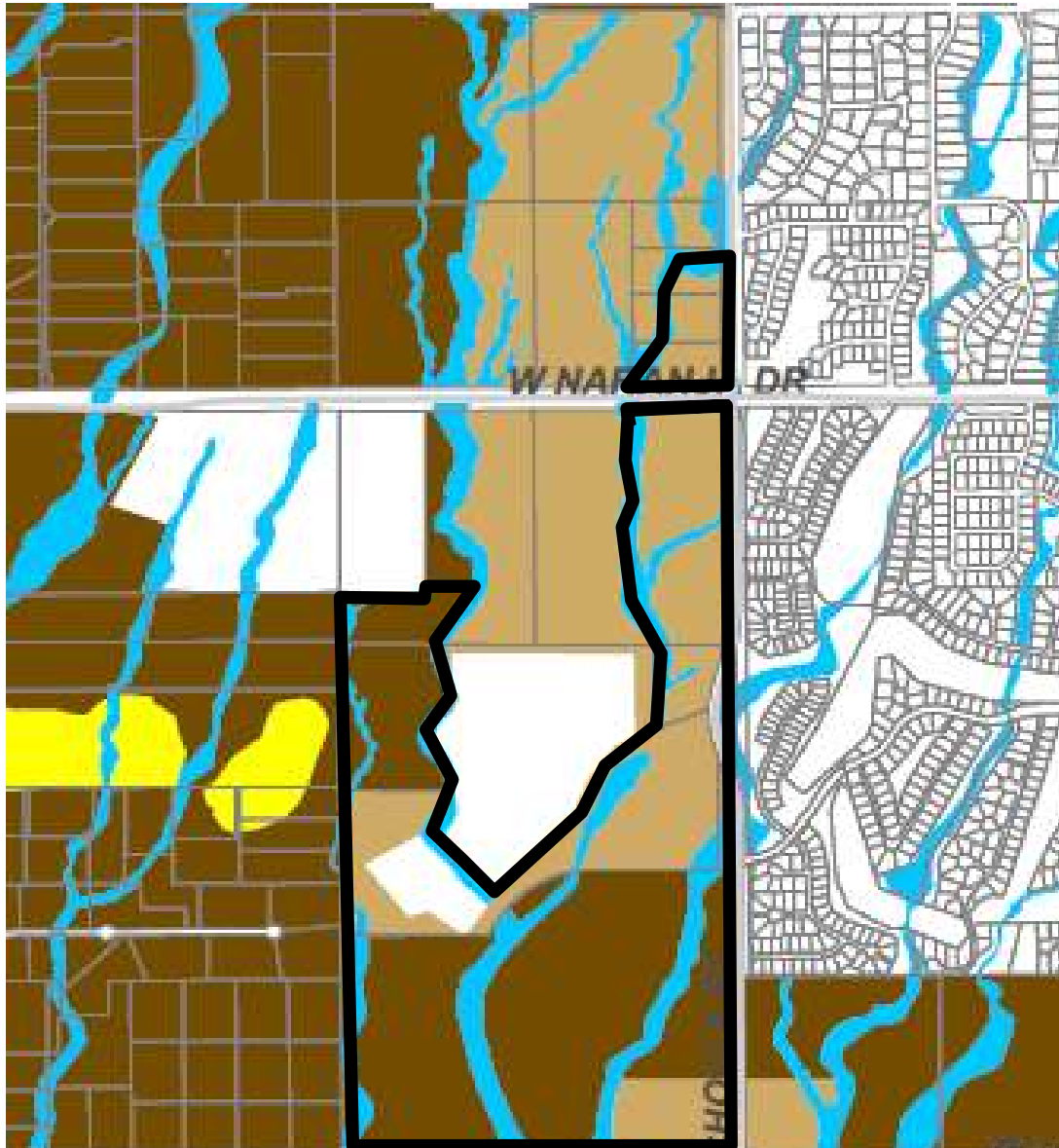
(a) NO lots would be below 6000 sf?

(b) The average would be 6000-7000, but SOME could still be larger or smaller than that.

The word "average" reminds me of the word "overall" and how it's very different than what people expect it to be. That's why I need clarification.

Thank you. Deep cleansing breath. We're almost done!

Diane Peters



ESL PLANNING MAP

LA CHOLLA / NARANJA (OV1114-002 & OV 1114-003)

Attachment 12

General Plan Amendment Evaluation Criteria Analysis, Section 22.2.D.3

General Plan Amendments are evaluated for consistency with the General Plan Amendment criteria in the Zoning Code. It is the burden of the applicant to present facts and other materials to support these criteria. The applicant's response to each of the criteria is provided below in italics followed by staff's analysis of each criterion:

1. The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification.

Applicant's Response – See Pages 2 and 3 of Attachment 5

Staff Comment:

The funding of the planned expansion of La Cholla Boulevard to a four lane desert parkway is a change in conditions which support reconsideration of the planned density and intensity along this corridor. Voter authorization of the Regional Transportation Authority Plan occurred in 2006, after the 2005 ratification of the Oro Valley General Plan. The timing of the expansion is currently planned for 2021, but the Town is now working with the RTA to move the planned expansion up to accommodate the additional projected traffic volume of this roadway.

Expanding La Cholla Boulevard to a parkway will provide another important major north-south transportation corridor within the community and warrants re-evaluation of the planned land uses. A moderate increase in density / intensity is supported by the General Plan policy which provides that higher density uses should be located near major arterial streets. Increasing the planned density and intensity of development based on the expansion of La Cholla Boulevard represents an efficient use of public infrastructure, a concept which is also supported by General Plan policy.

2. The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility.

Applicant's Response – See Page 3 of Attachment 5

Staff Comment:

The planned variety of residential uses, supported by retail and office development contributes to the overall socio-economic opportunities within this area. A balanced land use plan reduces vehicle trips on adjacent roadways and reduces traffic congestion. Nearby commercial services also creates walkable neighborhoods by promoting non-motorized travel to access goods and services. Employment opportunities also contribute to the socio-economic betterment of residents through reduced traffic impact and transportation costs.

The proposed concept plan achieves environmental compatibility through conformance with the Town's adopted Environmentally Sensitive Lands ordinance and preservation of the natural wash corridors through the site.

In terms of neighborhood compatibility, a number of mitigation measures have been included in the proposals:

- Prohibition of apartments within the property

- Requirement for specific commercial zoning districts in each commercial area
- Limitation on commercial uses
- Requirement for PAD zoning, including master studies
- Expansion of the single-story home restriction in the southwest portion of the property
- Establish maximum number of homes on the property
- Requirement for master trails plan
- Perimeter landscape buffer yard requirements
- Restriction of senior care uses to Casas Church expansion
- Location and limitation of Casas Church expansion

3. The proposed change reflects market demand which leads to viability and general community acceptance.

Applicant’s Response – See Pages 4 - 6 of Attachment 5

Staff Comment:

General Plan policy states that the Town “reasonably” wishes to be satisfied that market demand exists for the land uses proposed in the application. It should be acknowledged that market demand beyond the 2-3 year timeframe is difficult to predict. It also should be noted that demand and supply in a free market economy are never perfectly synchronized and a margin of supply above demand is normal.

Residential

As of 2013 the Town was approximately 80% built out for single family residential development. Of the remaining vacant land left in the Town, this area represents one of the few remaining large tracts of vacant land. This condition has resulted in a significant amount of recent growth and development pressure in this specific area. Recent medium density residential development activity along the La Cholla corridor includes the subject property, Rancho de Plata, Rancho de Cobre, Saguaros Viejos, Meritage at Naranja and a rezoning at the southeast corner of Lambert and La Cholla. This recent and focused development activity demonstrates there is current market demand in this area for medium density residential.

To compare supply of medium density residential in relation to demand, staff refined the numbers provided in the October 7th staff report to delete areas which were not comparable (e.g. Stone Canyon) and to reflect actual proposed development totals. For vacant areas, density assumptions were reduced to the midpoint of the density range which is more reflective of actual development densities based on the Town’s Environmentally Sensitive Lands section of the Zoning Code. This refined analysis resulted in a reduction of the supply numbers from the previous reported number of 2,420 down to 1,993 units. A breakdown of these supply units is as follows:

Category	Number of Lots
Vacant lots in actively selling subdivisions	222
Projects approved since 2013	655
Projects Proposed Since 2013	900
Vacant Zoned & General Plan	216
Total	1,993

The revised application submitted by the applicant contains additional analysis relative to market absorption over time of this projected supply of medium density residential units. Included within the revised submittal is conclusions derived from a draft market demand report which is being prepared by Valbridge Property Advisors. The applicant has provided a supplemental analysis projecting future growth of medium density residential based on assumed timeframes of development by community, assumed rate of growth of the market and an assumed absorption rate by community. This analysis is provided in Attachment 5.

It should be noted that the full market analysis has not been completed nor reviewed by staff and therefore definitive conclusions cannot be reached. It also should be reinforced that an empirical market study is not required by the General Plan which requires only that the Town wishes to be reasonably satisfied that a market exists for the proposed land uses. Based on the information supplied, several observations are noted:

- The analysis submitted by the applicant includes most of the supply numbers listed above, with the exception of the 216 vacant / zoned units.
- The analysis uses an expected annual growth rate of 5%, which in staff's opinion is optimistic and conflicts with the conclusions of Valbridge Property Advisors which suggest a more modest 2% annual growth rate.
- The analysis assumes an absorption rate by community of 2 homes per month. The current absorption rate by community is actually higher at 2.5 – 3.0 homes per month, dependent on the specific community.
- The draft market demand study submitted by Valbridge Property Advisors concludes that there is demand for approximately 100-200 townhouses, although the study is general in nature.

With the noted discrepancies, the analysis generally shows a reasonable relationship between supply and demand of medium density residential units. Correction of the unit totals will result in a longer supply horizon beyond the applicant's forecast of 2022. Given the generalized nature of the General Plan policy and the evaluation criteria, staff is reasonably satisfied that a market exists for the medium density land use with the observation that absorption of the supply medium density will extend beyond the applicants forecast of 2022.

Commercial

In regard to the market to support the amount of commercially designated land in the plan, Valbridge Property Advisors concludes that there is a market for approximately 200,000 additional square feet of retail space in the neighborhood. The conclusions do not appear to account for the existing commercial zoning at the northeast corner of Lambert and La Cholla. The back-up analysis supporting the market study conclusion for 200,000 sq. ft. of additional retail demand is general in nature. It is reasonable to anticipate additional commercial will be needed, although the timeframe is uncertain and tied to residential growth.

Senior Care

The market demand study submitted by Valbridge Property Advisors concludes that there is demand for approximately 200 new assisted living units in the neighborhood, although the study is general in nature. This study notably does not account for all planned facilities in the Town including La Posada at 1st Avenue and Naranja and All Seasons Care on Innovation Park Drive, north of Tangerine Road which are outside the study area of the market study. The applicant has now eliminated senior care uses from the property, unless developed in conjunction with the Casa Church expansion

4. The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.

Applicant's Response – See Pages 6 and 7 of Attachment 5

Staff Comment:

The General Plan supports higher density development near major arterial streets and the proposed moderate increase in density is consistent with this policy. Measures incorporated into the proposals to reduce impacts on adjoining areas and the school district, including the measures listed in response to Criteria 2.

General Plan Vision, Goals and Policies Analysis

General Plan Amendments are also evaluated for consistency with the Vision, Goals and Policies of the General Plan. The following is an analysis relative to the amendments consistency with the Vision and key Policies in the General Plan.

General Plan Vision

To be a well planned community that uses its resources to balance the needs of today against the potential impacts to future generations. Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, and public safety. It is a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term financial stability of the Town.

The Vision Statement from the General Plan emphasizes the need to carefully balance land use decisions which respond to current conditions, against the long term impact to the community. The amendment provides for an efficient use of planned infrastructure and addresses the socio-economic goals expressed in the Vision Statement through the provision of nearby services in proximity to residential.

General Plan Policies

The applicant has provided analysis of the amendments conformance with adopted General Plan policies, which is provided in Attachment 5.

Staff has evaluated the amendment against all General Plan policies, with notable policies identified below.

Policy 1.3.2 *The Town shall encourage new development to locate uses that depend on convenient transportation access (e.g. higher density residential and commercial) near major arterial streets.*

Policy 1.2.1 *The Town shall maintain Oro Valley's predominately low-density character while considering the needs of financial stability and infrastructure efficiency.*

The proposed density / intensity of the planned development is consistent with the policy supporting higher density residential and commercial uses near major arterial streets. The planned expansion of La Cholla to a four lane desert parkway represents a significant public investment in infrastructure to serve this area. The proposed increase in planned intensity will promote the efficient use of this expanded infrastructure, in conformance with the General Plan policy.

Policy 1.3.1 *The Town shall encourage the location of residential neighborhoods close to activity centers compatible with residential uses, and vice versa.*

The proposed plan provides commercial uses and services in proximity to residential neighborhoods, consistent with this policy.

Policy 1.4.3 *The Town reasonably wishes to be satisfied that sufficient demand exists before authorizing a higher land use intensity than the present zoning permits.*

The applicant has generally demonstrated demand exists for the proposed single family residential uses, although the timeframe for absorption of the supply will more than likely significantly longer than suggested by the applicant based on discrepancies noted. The market study concludes there is additional demand for retail and assisted living, although these conclusions cannot be independently verified by staff.

Policy 1.3.5 *The Town shall encourage master planning that looks comprehensively at the subject properties and all adjacent areas.*

Policy 1.4.11 *The Town shall establish procedures to ensure the coordinated development of vacant areas of 40 acres or more either under multiple or single ownership by requiring the development of master plans for those areas. These master plans must consider and seek to minimize the impact of development on all adjoining properties.*

The applicant proposes a Special Area Policy requiring master planning of the property through the use of a Planned Area Development (PAD) zoning application. is to comprehensively plan the property through the use of master planning at the rezoning stage of development. This PAD will provide a coordinated and cohesive circulation, utility, infrastructure phasing, land use, landscaping, recreational areas and architectural standards, consistent with this policy.

Policy 5.4.1 *The Town shall maintain a harmonious relationship between urban development and development of the transportation network.*

The proposed moderate overall density provides a complementary relationship between the planned development and the transportation network. Expansion of La Cholla to a four lane parkway supports a moderate increase in density along this corridor, but not at the density proposed by the applicant.

Policy 7.2.3 *The Town shall allow and encourage master planned communities that offer high-quality neighborhoods with a variety of residential densities and appropriately located commercial uses to serve the community. In these developments, ensure there are adequate transitions and buffers between uses.*

The proposed amendment to master planned community would establish a variety of residential densities along with support commercial and non-residential uses, consistent with this policy.

Policy 8.1.2 *The Town shall identify and work to acquire a La Cholla corridor park site.*

The current General Plan includes an open space designated property north of the northwest corner of La Cholla and Lambert. The applicant has retained this parcel as a private recreational area to serve the planned neighborhoods. The Town has analyzed this parcel and concluded that is too small to accommodate community level park facilities.

Policy 6.1.2 *The Town shall continue to require that all new developments be evaluated to determine impacts on all public facilities within the Town, including but not limited to schools and roads. Such impacts shall be used as criterion in deciding the approval or denial of land use rezoning proposals.*

As previously stated, the school district has provided a letter indicating that with the applicant's commitment to complete a donation agreement, the school district anticipates that they will be able to serve the expected enrollment generated from the project.



**Major General Plan Amendment
Planning and Zoning Commission Staff Report**

CASE NUMBER: OV1114-002 and OV 1114-003
MEETING DATE: November 20, 2014
AGENDA ITEM: 2A and 2B
STAFF CONTACT: Chad Daines, Principal Planner
cdaines@orovalleyaz.gov (520) 229-4896

Applicant: Paul Oland of WLB Group

Requests:

Agenda Item	From:	To:
Case #2A OV1114-002 La Cholla / Naranja Southwest	Rural Low Density Residential Low Density Residential Neighborhood Commercial Office Public / Semi Public Medium Density Residential Open Space Significant Resource Area	Master Planned Community comprised of: Open Space Neighborhood Commercial / Office Low Density Residential Medium Density Residential High Density Residential Senior Care Facility Deletion of Significant Resource Area Adoption of Special Area Policies
Case #2B OV 1114-003 La Cholla / Naranja Northwest	Medium Density Significant Resource Area	Master Planned Community comprised of: Neighborhood Commercial / Office Medium Density Residential Deletion of Significant Resource Area Adoption of Special Area Policies

Location: Southwest / Northwest corner of La Cholla Boulevard and Naranja Drive

Recommendation: Recommend approval to Town Council

SUMMARY:

The applicant proposes two Major General Plan Amendments to Master Planned Community for 194 acres located at the southwest and northwest corners of La Cholla Boulevard and Naranja Drive (Attachment 1). The proposed Master Planned Community contains a variety of residential and non-residential land uses as depicted on the applicant's Concept Plan (Attachment 2), including:

- Low, Medium and High Density Residential
- Open Space
- Senior Care Facility

The applicant also proposes Special Area Policies to guide future development of the property (Attachment 3). The applicant's narrative, response to Code evaluation criteria and market study are

provided as Attachments 4A and 4B. The current and proposed General Plan Land Use Maps are provided on Attachments 5 and 6.

Following the October 7th Commission public hearing, another neighborhood meeting was held on October 20th. In addition, the applicant also met recently with a smaller group of residents to hear their concerns. As a result, the proposed amendment has been modified by the applicant as follows:

- Elimination of apartments from the Master Planned Community and replacement with townhouses / condominiums with a density not to exceed 12 homes per acre
- Narrowing the range of allowed uses in the High Density area to townhouses /condominiums, medium density residential and senior care
- Elimination of the southern “flexible zone”, replacing it with medium density residential
- Provision for a maximum 778 dwelling unit cap on the entire project area.
- Extending area of the one-story home restriction along the southern border
- Amended Special Area Policies to address previously raised staff issues
- Amended general plan amendment criteria and submittal of a market study

The above issues will be addressed in greater detail in the balance of this staff report.

In summary, conditions in the community have changed which warrant reconsideration of the land use densities and intensities along this corridor, specifically the funding of the expansion of La Cholla Boulevard to a four lane parkway. The planned expansion of La Cholla will establish this roadway as a primary north-south route through Oro Valley. General Plan policies support the location of higher density / intensity uses along or near major arterial streets. The function and future traffic volume of this major arterial roadway supports reconsideration of the existing land use designations and a moderate intensification of land use along this corridor.

As a result of neighborhood input, the applicant has made significant modifications to the amendments which reduce the impact of the planned development on adjacent areas. These modifications include deletion of the planned apartments, removal of the church expansion, reduction in the range of uses allowed on specific parcels and the inclusion of open space buffers and building height restrictions. The proposals are consistent with the major general plan amendment review criteria and general plan goals and policies.

BACKGROUND:

Land Use Context

LOCATION	EXISTING LAND USE (Attachment 1)	GENERAL PLAN LAND USE (Attachment 5)
SUBJECT PROPERTY	Vacant	Various designations
NORTH	Vacant and High School	Medium Density Residential (2.1 – 5.0 homes / acre) School
SOUTH	Single-family Residential .5 to 3.3 acre lots	Low Density Residential (1.3 – 2.0 homes / acre)
EAST	Single-family Residential 7,000 sq. ft. lots and Vacant	Medium Density, Low Density and Neighborhood Commercial Office
WEST	Single-family Residential and Vacant	Rural Low Density (0-0.3 homes / acre)

Approvals To Date There have been no approvals to date on the subject property. The property was annexed into the Town in 2002.

Existing General Plan Land Use Designations (Attachment 5) The current Oro Valley General Plan designates the property as follows:

Agenda Item 2A

- Rural Low Density Residential (0.0 – 0.3 homes per acre)
- Low Density (0.4 – 1.2 homes per acre)
- Medium Density Residential (2.1 – 5.0 homes per acre)
- Neighborhood Commercial / Office
- Public / Semi-Public
- Open Space
- Significant Resource Area

Agenda Item 2B

- Medium Density Residential (2.1 – 5.0 homes per acre)
- Significant Resource Area

Proposed General Plan Land Use Designation (Attachment 6)

The proposed amendment is to Master Planned Community, which is described as follows:

Master Planned Community: This land use designation refers to areas where large multi-use developments should be planned and developed in a comprehensive manner.

The proposed Master Planned Community is comprised of:

Agenda Item 2A

- Open Space
- Neighborhood Commercial / Office
- Low Density Residential (1.3 -2.0 homes per acre)
- Medium Density Residential (2.1 – 5.0 homes per acre)
- High Density (Up to 12 homes per acre)
- Senior Care Uses

Agenda Item 2B

- Neighborhood Commercial / Office
- Medium Density Residential (2.1 – 5.0 homes per acre)

Environmentally Sensitive Lands (ESL) Conservation Categories (Attachment 7)

The property contains the following ESL conservation categories:

- Critical Resource Area (CRA) Resources including washes and riparian areas with a 95% open space requirement

- Resource Management Area (RMA) Tier 1: Lower resource value lands with lower intensity growth expectations in the General Plan, such as Low-Density residential, and includes a 66% open space requirement
- Resource Management Area (RMA) Tier 2: Lower resource value lands with lower intensity growth expectations in the General Plan, such as Low-Density residential, and includes a 25% open space requirement

The ESL conservation system protects critical open space systems and linkages throughout the Town. ESL provides strict requirements for highest value resources and more flexible ones in areas of lower resource value. Riparian areas or very significant habitat features have the highest conservation requirements.

On the other end of the spectrum, lands designated as Resource Management Area (RMA) are important but have the lowest resource value and lower conservation requirements. Unlike higher resource value categories, including Major Wildlife Linkages (MWL), Critical Resource Areas (CRA), and Core Resource Area (Core), the RMA designation is driven by growth expectations of the General Plan. Each Resource Management Tier aligns with the anticipated level of growth reflected in the General Plan. In other words, the General Plan designation determines the RMA Tier and subsequent amount of conservation (open space).

Based on the proposed amendment, if approved, areas outside Critical Resource Area's will be designated RMA Tier 2 and require 25% open space conservation. Previously, staff had indicated that the area proposed on the western boundary as Low Density should be designated RMA Tier 1 and require 66% open space conservation. After further analysis relative to the existing classification for the other existing Master Planned Community areas, staff has concluded that this Low Density area should be classified as RMA Tier 2 and require 25% open space. This determination is based on the overall medium density character of the development and that the Tier 2 classification would be consistent with the other Master Planned Community referenced in the Environmentally Sensitive Lands section of the Zoning Code.

Significant Resource Area Deletion

The applicant proposes to delete the Significant Resource Area designation on the southern portion of the property. This designation, adopted with the original General Plan in 2005, preceded the Town's adoption of the Environmentally Sensitive Lands (ESL) regulations in 2011. The ESL ordinance establishes comprehensive environmental conservation standards and regulations.

From a land use standpoint, retention of the SRA designation will have the effect of limiting density to the lowest end of the density range (e.g. areas designated Low Density would be limited to 1.3 homes per acre and areas designated Medium Density would be limited to 2.1 homes per acre), which would have a reduced environmental impact on the property. Beyond the density limitation, the Significant Resource Area designation does not provide any additional measure of environmental protection when compared to the Town's ESL regulations. As the comprehensive standards established by the Environmentally Sensitive Lands section of the Zoning Code provide for a superior level of resource protection, staff is supportive of the applicant's request to delete the Significant Resource Area designation.

DISCUSSION / ANALYSIS:

Land Use Plan Analysis

The proposed Concept Plan (Attachment 2) provides for a range of single-family residential land uses, townhouses/condominiums, parks and non-residential uses. The Concept Plan is provided for illustrative purposes and will not be formally adopted as part of the General Plan. The proposed master planned community wraps around the existing Casas Adobes Baptist Church and incorporates the existing Cross Road as the primary internal access to the development. A total of three access points are proposed from La Cholla Boulevard and one access drive is provided from Lambert Lane.

A significant concern of staff and the neighborhood with the earlier proposal was the inclusion of apartments in the center portion of the property. Based on staff and neighborhood input, the applicant has now eliminated the proposed apartments and replaced this use with townhouse/condominium development not to exceed 12 homes per acre.

Along the western boundary, the applicant proposes Low Density Residential with a maximum density of 2.0 homes per acre to provide lower densities adjacent to the 3.3 acre lots to the west. A 200 foot open space buffer and 300 foot one story home restriction along the western boundary adjacent to existing homes will provide additional buffering to this lower density area. Based on neighborhood input, the 300 foot one story single-family residential height restriction has been extended along the southern boundary (Lambert Lane).

Neighborhood Commercial / Office parcels are proposed at the northwest and southwest corners of Naranja Drive and La Cholla. Additionally, the applicant proposes an expansion of the existing Neighborhood Commercial / Office property at the northwest corner of Lambert and La Cholla. The proposed commercial parcels are consistent with General Plan policies which support the location of higher intensity uses near major arterial streets. A Special Area Policy has been included providing a back-up designation of Medium Density Residential within these commercial areas once all other residential areas have developed. Discussion relative to the market for future commercial is addressed in the criteria analysis section of this report.

A number of previous concerns with the proposals have been addressed as follows:

- The applicant has modified the amendments to significantly reduce the amount of variation in land use. The southern "flexibility" area has been eliminated and now only permits medium density residential. Furthermore, the center area is now restricted to townhouse/condominiums, senior care and medium density residential.
- The back-up designation for the commercial areas of medium density residential would result in the commercial areas being developed as residential based on the typical market sequence which prioritizes single-family residential, followed by commercial development. The applicant has addressed this concern with a Special Area Policy which allows residential development on the commercial parcels only after all other residential development within the property occurs.
- The lack of market analysis supporting the senior care uses within the property is addressed under the criteria analysis section of this report.
- A Special Area Policy has been included requiring the recreational areas to be improved with a commensurate level of amenities required by the Zoning Code. The Parks and Recreation Director has reviewed the site and determined that the size of the recreation areas is not conducive to a dedicated Town park and therefore the recreational areas should remain private.

In summary, the moderate increase in intensity is consistent with the General Plan policies with regard to locating higher intensity uses near major arterial streets. The moderate intensity will result in an efficient use of infrastructure and complement the planned expansion of La Cholla Boulevard. The planned commercial areas are consistent with General Plan policies on location and scale of commercial development. The applicant has incorporated measures to address some neighborhood concerns as follows:

- Established a maximum unit cap of 778 units which will result in an overall density that is comparable with the density of the residential area to the east.
- Modified the proposed amendments to respond to neighborhood concerns through the elimination of the apartment use and church expansion and limiting the density of the townhouses/condominiums to 12 homes per acre.
- Included an open space buffer on the western boundary and building height restrictions on the west and south which will reduce the impact of development on these areas.

Special Area Policy Analysis

The applicant proposes a number of Special Area Policies to implement the proposed Master Planned Community (Attachment 3). Notable elements of the Special Area Policies are discussed in the preceding Land Use Analysis section. Previous concerns with the policies have been addressed as follows:

- All land use designations will utilize General Plan land use descriptions
- A requirement to master plan the property through the use of a Planned Area Development
- Open space buffer on the west and single-story height restrictions on the west and south have been incorporated
- Apartments have been deleted and replaced with townhouses/condominiums not to exceed 12 homes per acre
- Medium density development on commercial parcels can only occur after all other residential in the master planned community are developed
- A maximum of 778 residential dwelling units can be built in the master planned community
- Clarification with regard to the amenities within the Park areas.

General Plan Amendment Evaluation Criteria Analysis, Section 22.2.D.3

General Plan Amendments are evaluated for consistency with the General Plan Amendment criteria in the Zoning Code. It is the burden of the applicant to present facts and other materials to support these criteria. The applicant's response to each of the criteria is provided below in italics followed by staff's analysis of each criterion:

1. The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification.

Applicant's Response – See Pages 2 and 3 of Attachment 4

Staff Comment:

The funding of the planned expansion of La Cholla Boulevard to a four lane desert parkway is a change in conditions which support reconsideration of the planned density and intensity along this corridor. Voter authorization of the Regional Transportation Authority Plan occurred in 2006, after the 2005

ratification of the Oro Valley General Plan. The timing of the expansion is currently planned for 2021, but the Town is now working with the RTA to move the planned expansion up to accommodate the additional projected traffic volume of this roadway.

Expanding La Cholla Boulevard to a parkway will provide another important major north–south transportation corridor within the community and warrants re-evaluation of the planned land uses. A moderate increase in density / intensity is supported by the General Plan policy which provides that higher density uses should be located near major arterial streets. Increasing the planned density and intensity of development based on the expansion of La Cholla Boulevard represents an efficient use of public infrastructure, a concept which is also supported by General Plan policy.

2. The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility.

Applicant's Response – See Page 3 of Attachment 4

Staff Comment:

The planned variety of residential uses, supported by retail and office development contributes to the overall socio-economic opportunities within this area. A balanced land use plan reduces vehicle trips on adjacent roadways and reduces traffic congestion. Nearby commercial services also creates walkable neighborhoods by promoting non-motorized travel to access goods and services. Employment opportunities also contribute to the socio-economic betterment of residents through reduced traffic impact and transportation costs.

The proposed concept plan achieves environmental compatibility through conformance with the Town's adopted Environmentally Sensitive Lands ordinance and preservation of the natural wash corridors through the site.

In terms of neighborhood compatibility, a number of mitigation measures have been included in the proposals:

- The proposed Low Density along the western boundary of the property address compatibility with the 3.3 acre lots to the west.
- Open space and one story residential building height limitations on the west and south boundaries to reduce the impact on adjacent areas.
- Elimination of the planned apartments which had been the major concern of a majority of residents who spoke at the neighborhood meetings and the October 7th Planning and Zoning Commission meeting. The plan now proposes townhouse/condominium uses limited to 12 homes per acre in the center portion of the property.
- Establishment of a maximum unit cap of 778 units which will result in an overall density that is comparable with the density of the residential area to the east.

3. The proposed change reflects market demand which leads to viability and general community acceptance.

Applicant's Response – See Pages 4 - 6 of Attachment 4

Staff Comment:

General Plan policy states that the Town “reasonably” wishes to be satisfied that market demand exists for the land uses proposed in the application. It should be acknowledged that market demand beyond the 2-3 year timeframe is difficult to predict. It also should be noted that demand and supply in a free market economy are never perfectly synchronized and a margin of supply above demand is normal.

Residential

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To compare supply of medium density residential in relation to demand, staff refined the numbers provided in the October 7th staff report to delete areas which were not comparable (e.g. Stone Canyon) and to reflect actual proposed development totals. For vacant areas, density assumptions were reduced to the midpoint of the density range which is more reflective of actual development densities based on the Town’s Environmentally Sensitive Lands section of the Zoning Code. This refined analysis resulted in a reduction of the supply numbers from the previous reported number of 2,420 down to 1,993 units. A breakdown of these supply units is as follows:

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Total	1,993

The revised application submitted by the applicant contains additional analysis relative to market absorption over time of this projected supply of medium density residential units. Included within the revised submittal is conclusions derived from a draft market demand report which is being prepared by Valbridge Property Advisors. The applicant has provided a supplemental analysis projecting future growth of medium density residential based on assumed timeframes of development by community, assumed rate of growth of the market and an assumed absorption rate by community. This analysis is provided on Attachment 4B.

It should be noted that the full market analysis has not been completed nor reviewed by staff and therefore definitive conclusions cannot be reached. It also should be reinforced that an empirical market study is not required by the General Plan which requires only that the Town wishes to be reasonably satisfied that a market exists for the proposed land uses. Based on the information supplied, several observations are noted:

- The analysis submitted by the applicant includes most of the supply numbers listed above, with the exception of the 216 vacant / zoned units.

- The analysis reflects 626 units for the subject property, not the 778 units proposed by Special Area Policy.
- The analysis uses an expected annual growth rate of 5%, which in staff's opinion is optimistic and conflicts with the conclusions of Valbridge Property Advisors which suggest a more modest 2% annual growth rate.
- The analysis assumes an absorption rate by community of 2 homes per month. The current absorption rate by community is actually higher at 2.5 – 3.0 homes per month, dependent on the specific community.
- The draft market demand study submitted by Valbridge Property Advisors concludes that there is demand for approximately 100-200 townhouses, although the study is general in nature.

With the noted discrepancies, the analysis generally shows a reasonable relationship between supply and demand of medium density residential units. Correction of the unit totals will result in a longer supply horizon beyond the applicant's forecast of 2022. Given the generalized nature of the General Plan policy and the evaluation criteria, staff is reasonably satisfied that a market exists for the medium density land use with the observation that absorption of the supply medium density will extend beyond the applicants forecast of 2022.

Commercial

In regard to the market to support the amount of commercially designated land in the plan, Valbridge Property Advisors concludes that there is a market for approximately 200,000 additional square feet of retail space in the neighborhood. The conclusions do not appear to account for the existing commercial zoning at the northeast corner of Lambert and La Cholla. The back-up analysis supporting the market study conclusion for 200,000 sq. ft. of additional retail demand is general in nature. It is reasonable to anticipate additional commercial will be needed, although the timeframe is uncertain and tied to residential growth.

Senior Care

The market demand study submitted by Valbridge Property Advisors concludes that there is demand for approximately 200 new assisted living units in the neighborhood, although the study is general in nature. This study notably does not account for all planned facilities in the Town including La Posada at 1st Avenue and Naranja and All Seasons Care on Innovation Park Drive, north of Tangerine Road which are outside the study area of the market study. The applicant has indicated that they will be seeking a niche of senior care not currently addressed by the above referenced planned facilities.

4. The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.

Applicant's Response – See Pages 6 and 7 of Attachment 4

Staff Comment:

The General Plan supports higher density development near major arterial streets and the proposed moderate increase in density is consistent with this policy. Measures incorporated into the proposals to reduce impacts on adjoining areas and the school district, including:

- The proposed plan internalizes the higher density and intensity land uses away from the lower density areas to the west.

- To address compatibility concerns raised by residents to south along Lambert, the revised plan extended the 300 foot single-story residential building height limitation along Lambert Lane.
- The modified plan eliminates the planned apartments which had been the major concern of a majority of residents who spoke at the neighborhood meetings and the October 7th Planning and Zoning Commission meeting. The plan now proposes townhouse / condominium uses limited to 12 homes per acre.
- The applicant has established a maximum unit cap of 778 units which will result in an overall density that is comparable with the density of the residential area to the east.
- The applicant has met with Amphitheater School District who have provided a letter indicating that with the applicant's commitment to complete a donation agreement, the school district anticipates that they will be able to serve the expected enrollment generated from the project. (Attachment 10).

General Plan Vision, Goals and Policies Analysis

General Plan Amendments are also evaluated for consistency with the Vision, Goals and Policies of the General Plan. The following is an analysis relative to the amendments consistency with the Vision and key Policies in the General Plan.

General Plan Vision

To be a well planned community that uses its resources to balance the needs of today against the potential impacts to future generations. Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, and public safety. It is a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term financial stability of the Town.

The Vision Statement from the General Plan emphasizes the need to carefully balance land use decisions which respond to current conditions, against the long term impact to the community. The amendment provides for an efficient use of planned infrastructure and addresses the socio-economic goals expressed in the Vision Statement through the provision of nearby services in proximity to residential.

General Plan Policies

The applicant has provided analysis of the amendments conformance with adopted General Plan policies, which is provided in Attachment 4.

Staff has evaluated the amendment against all General Plan policies, with notable polices identified below.

Policy 1.3.2 The Town shall encourage new development to locate uses that depend on convenient transportation access (e.g. higher density residential and commercial) near major arterial streets.

Policy 1.2.1 The Town shall maintain Oro Valley's predominately low-density character while considering the needs of financial stability and infrastructure efficiency.

The proposed density / intensity of the planned development is consistent with the policy supporting higher density residential and commercial uses near major arterial streets. The planned expansion of La Cholla to a four lane desert parkway represents a significant public investment in infrastructure to

serve this area. The proposed increase in planned intensity will promote the efficient use of this expanded infrastructure, in conformance with the General Plan policy.

Policy 1.3.1 The Town shall encourage the location of residential neighborhoods close to activity centers compatible with residential uses, and vice versa.

The proposed plan provides commercial uses and services in proximity to residential neighborhoods, consistent with this policy.

Policy 1.4.3 The Town reasonably wishes to be satisfied that sufficient demand exists before authorizing a higher land use intensity than the present zoning permits.

The applicant has generally demonstrated demand exists for the proposed single family residential uses, although the timeframe for absorption of the supply will more than likely significantly longer than suggested by the applicant based on discrepancies noted. The market study concludes there is additional demand for retail and assisted living, although these conclusions cannot be independently verified by staff.

Policy 1.3.5 The Town shall encourage master planning that looks comprehensively at the subject properties and all adjacent areas.

Policy 1.4.11 The Town shall establish procedures to ensure the coordinated development of vacant areas of 40 acres or more either under multiple or single ownership by requiring the development of master plans for those areas. These master plans must consider and seek to minimize the impact of development on all adjoining properties.

The applicant proposes a Special Area Policy requiring master planning of the property through the use of a Planned Area Development (PAD) zoning application. is to comprehensively plan the property through the use of master planning at the rezoning stage of development. This PAD will provide a coordinated and cohesive circulation, utility, infrastructure phasing, land use, landscaping, recreational areas and architectural standards, consistent with this policy.

Policy 5.4.1 The Town shall maintain a harmonious relationship between urban development and development of the transportation network.

The proposed moderate overall density provides a complementary relationship between the planned development and the transportation network. Expansion of La Cholla to a four lane parkway supports a moderate increase in density along this corridor, but not at the density proposed by the applicant.

Policy 7.2.3 The Town shall allow and encourage master planned communities that offer high-quality neighborhoods with a variety of residential densities and appropriately located commercial uses to serve the community. In these developments, ensure there are adequate transitions and buffers between uses.

The proposed amendment to master planned community would establish a variety of residential densities along with support commercial and non-residential uses, consistent with this policy.

Policy 8.1.2 The Town shall identify and work to acquire a La Cholla corridor park site.

The current General Plan includes an open space designated property north of the northwest corner of La Cholla and Lambert. The applicant has retained this parcel as a private recreational area to serve

the planned neighborhoods. The Town has analyzed this parcel and concluded that it is too small to accommodate community level park facilities.

Policy 6.1.2 The Town shall continue to require that all new developments be evaluated to determine impacts on all public facilities within the Town, including but not limited to schools and roads. Such impacts shall be used as criterion in deciding the approval or denial of land use rezoning proposals.

As previously stated, the school district has provided a letter indicating that with the applicant's commitment to complete a donation agreement, the school district anticipates that they will be able to serve the expected enrollment generated from the project.

PUBLIC PARTICIPATION:

Summary of Public Notice

The following public notice has been provided:

- Notification of all property owners within 1,000 feet
- Notification to additional interested parties who signed in at neighborhood meetings
- Homeowners Association mailing
- Advertisement in The Daily Territorial and Arizona Daily Star newspapers
- Post on property
- Post at Town Hall and on Town website
- Outside review agencies

The applicant conducted three neighborhood meetings and an open house on the proposals as follows:

- April 15, 2014, with approximately 75 interested parties attending the meeting.
- August 13, 2014, with 65 interested parties attending the meeting
- An open house was held September 10, 2014 with approximately 90 interested parties attending the meeting.
- October 20th with approximately 40 interested parties attending the meeting.

A number of issues were discussed at each meeting, summarized as following:

- Concern over proposed apartments
- Access to schools
- The proposed uses are not appropriate adjacent to the high school
- Impact to water resources
- Impact to the environment
- Impact to habitat
- Accommodation for pedestrian / bicycle traffic
- Concerns over public safety
- Lighting and noise impact
- Increased drainage in the area
- Capacity of schools to handle the additional students
- Impact to taxes to address additional school impact
- Traffic impact
- Negative impact to property values

-
- Lack of market demand for additional residential
 - Lack of market demand for additional commercial
 - Increased air pollution

The summary notes from all neighborhood meetings and the open house are attached as Attachment 8. Letters, emails and/or comment cards from area residents have been submitted and are attached as Attachment 9. As a result of neighborhood input following the October 7th Commission meeting, the proposed amendment has been modified by the applicant as follows:

- Elimination of Apartments from the Master Planned Community and replacement with townhouses / condominiums with a density not to exceed 12 homes per acre
- Narrowing the range of allowed uses in the High Density area to townhouses /condominiums, medium density and senior care
- Elimination of the southern flexible zone, replacing it with medium density residential
- Provision for a maximum 778 dwelling unit cap on the project.
- Extension of the one-story home restriction along the southern border
- Amended Special Area Policies to address previously raised staff issues
- Amended general plan amendment criteria and submittal of a draft market demand study

SUMMARY

The proposed amendment has been evaluated using the general plan amendment criteria and applicable General Plan goals and policies as well as neighborhood and outside agency input. Following is a summary of the factors for and against the proposal:

Factors For:

1. The General Plan policies support the location of higher density / intensity along or near major arterial streets.
2. The amendment will provide for the efficient use of the planned infrastructure expansion of La Cholla Boulevard. A moderate increase in density and intensity of development will provide an appropriate relationship with the expansion of La Cholla Boulevard.
3. The overall residential density proposed by the applicant is generally compatible with the moderate density to the east along La Cholla.
4. The Low Density area, open space and one-story residential building height restriction will provide compatibility with the lower density area to the south and east
5. The proposed development provides nearby commercial services and employment to area residents.
6. The applicant has addressed the primary concerns of the neighborhood.
7. The proposals are consistent with the General Plan review criteria
8. The proposal are consistent with the Vision, Goals and Policies of the General Plan.

Factors Against:

1. Compatibility concerns have been raised by the residents to the east and south of the property.
2. Market viability of commercial and senior care uses has not been clearly demonstrated by the applicant.

RECOMMENDATION:

Based on the findings that the request is supported by the Factors For list above, it is recommended that the Planning and Zoning Commission take the following action:

Recommend approval to the Town Council of the requested Major General Plan Amendment under OV1114-002 and OV1114-003.

SUGGESTED MOTIONS:

Agenda Item 2A

I move to recommend approval of the Major General Plan Amendment requested under case OV1114-002, specifically the land use map as shown on Attachment 6, deletion of the Significant Resource Area and adoption of the Special Area Policies shown on Attachment 3, based on the findings contained in the staff report.

OR

I move to recommend denial of the Major General Plan Amendments requested under case OV 1114-002, based on the finding that _____.

Agenda Item 2B

I move to recommend approval of the Major General Plan Amendments requested under case OV1114-003, specifically the land use map as shown on Attachment 6, deletion of the Significant Resource Area and adoption of the Special Area Policies shown on Attachment 3, based on the findings contained in the staff report.

OR

I move to recommend denial of the Major General Plan Amendments requested under case OV 1114-003, based on the finding that _____.

ATTACHMENTS:

1. Location Map
2. Concept Plan
3. Proposed Special Area Policies
- 4A. Applicant Market Study and Responses to Criteria
- 4B. Applicant Housing Demand Study
5. Current General Land Use Plan
6. Proposed General Plan Land Use Plan
7. Environmentally Sensitive Lands Planning Map
8. Neighborhood Meeting Summary Notes
9. Letters / Emails Received
10. Amphitheater School District Letter



Bayer Vella, AICP, Interim Planning Manager

Attachment 14 – Neighborhood Meeting Summary Notes

Kai 311/ Lin-La Cholla Major General Plan Amendments
Neighborhood Meeting
April 15, 2014

Approximately 75 neighbors were in attendance, including Council Member Joe Hornat and Planning and Zoning Commission Members Bill Leedy, Bill Rodman and John Buetee.

Planning Manager David Williams facilitated the event that included a brief presentation by Town staff discussing the General Plan Amendment process, followed by a presentation by the Applicant. A question and answer session followed the Applicants presentation, which is outlined below.

Transportation/Traffic

1. A question was asked concerning La Canada as the “designated truck route” for Oro Valley
 - a. Why was La Cholla being considered for a similar level of service?
2. A comment was made concerning southbound traffic on La Cholla, and that future development was only go to make it go from bad to worse.
3. A question was asked about the timing of development in relation to the future expansion project on La Cholla.
4. A comment was made emphasizing commercial should be located at arterial intersections.
5. A question was asked about any future plans to expand Lambert Lane.
6. A comment was made about concerns moving traffic from east to west.
7. A question was asked about the anticipated size of the La Cholla right-of-way. Where would the land come from?

Land Use

8. A comment was made that commercial along the La Cholla street frontage was a bad idea.
9. The applicant asked what the residents would like to see on the vacant property. Several suggestions were:
 - a. School expansion
 - b. Linear Park
 - c. Senior Living
 - d. Condominiums
10. Numerous comments were made that “Core Area”, as proposed by the applicant, was too vague. What does it mean? What is it going to be? (3 total)
11. A comment was made concerning nearby neighborhood commercial, followed by a question of how much neighborhood commercial do we need?
12. A question was asked about the anticipated population and proposed density in the area.

13. A question was asked about the developer's motivation for the new proposal.
14. A question was asked specifically about plans for the north proposed core area.
15. A comment was made indicating the project known as Kai Naranja was already approved and construction traffic would be increasing very soon.
16. A comment was made concerning existing vacant commercial properties. Do we really need to be adding commercial when so many sit vacant?
17. A comment was made about proposed commercial at the intersection of Glover Rd and La Cholla Blvd. being a bad idea.
18. A comment was made against future apartments in the area.
19. A comment was made about the opportunity for the Town to establish a linear park or community garden.
20. A question was asked whether any viability studies had been conducted to determine what type of commercial was needed.
21. A question was asked whether there was any desire for the Town to promote affordable housing.

Neighborhood Impacts

22. A comment was made about light pollution concerns.
23. A question was asked about future plans for a screen wall to be included during the La Cholla expansion.
24. A comment was made about the current level of construction, and the impact additional construction would have on the area.

Schools

25. A question was asked about neighborhood school capacity and whether or not the additional development could be accommodated.
26. A comment was made concerning school traffic and that adding higher density development would overwhelm the system.

General Plan

27. Several comments were made in support of the current General Plan designations. (3 total)
28. A question was asked about the relationship between General Plan Amendments and the General Plan Update process.
29. A comment was made indicating preference for the property to remain Low Density.

Following the end of the question and answer period, Planning Manager David Williams closed the meeting and thanked everyone for their attendance.

Neighborhood Meeting Summary
La Cholla & Naranja Southwest and Northwest
Major General Plan Amendments
August 13, 2014
6:00 – 7:30 PM
Casas Church, 10801 N. La Cholla Blvd.

1. Introductions and Welcome

Meeting Facilitator Bayer Vella introduced the Oro Valley staff Paul Keesler, DIS Director and Chad Daines, Principal Planner. Approximately 65 residents and interested parties attended the meeting, including Vice Mayor Waters and Council Members Snider, Zinkin, and Hornat. Also in attendance were several Planning and Zoning Commission members.

2. Staff Presentation

Chad Daines, Principal Planner, provided a presentation that included:

- Area development activity
- Existing General Plan land use designations
- Applicant's request
- Development potential of property under existing and proposed land use designations
- Review process
- Public Participation Opportunities
- Review tools

Bayer Vella outlined the issues raised at the previous neighborhood meeting issues, which included:

- Lack of definition in land uses
- Increased traffic on La Cholla and Naranja
- Impact of commercial on La Cholla
- Lack of demand for more commercial
- Concern over proposed apartments
- Opportunity for linear park
- Area should remain low density

Mr. Vella then asked the audience for any additional issues which should be added to the list. Audience members offered the following additional issues:

- Accommodation for pedestrian / bicycle traffic
- Access to schools
- The proposed uses are not appropriate adjacent to the high school
- Impact to water resources
- Impact to the environment
- Impact to habitat
- Concerns over public safety
- Lighting and noise impact
- Increased drainage in the area
- Capacity of schools to handle the additional students
- Impact to taxes to address additional school impact
- Traffic impact to Shannon and Lambert
- Negative impact to property values
- Lack of market demand for additional residential
- Lack of market demand for additional commercial
- Increased air pollution

3. Applicant Presentation Paul Oland from the planning firm WLB addressed the following issues from the April 15th neighborhood meeting and the issues raised at tonight's neighborhood meeting.

- Overview of project, including location and existing and proposed General Plan land use designations
- Open space buffers
- One story restriction along the western border
- Traffic impact on La Cholla

Paul Keesler, DIS Director and Town Engineer provided an overview on planned improvements to La Cholla Boulevard, Naranja Drive and Lambert Lane.

4. Public Questions & Comments

Following is a summary of additional comments made at the neighborhood meeting:

- Need for additional open space
- Building heights
- No need for additional apartments
- Open space blocks commercial visibility
- Concern over deletion of the Significant Resource Area
- Impact on quality of education
- Oro Valley revenues received from development
- Need to maintain rural character

- Request to have Water Resources Director at next neighborhood meeting

Mr. Oland addressed some of the questions related to land use flexibility, variety in residential land use designations, justification for commercial designations, financial contributions to the school district, possibility for a linear park system and traffic impact.

**Neighborhood Meeting Summary
La Cholla & Naranja Southwest and Northwest
Major General Plan Amendments
September 10, 2014
6:00 – 7:30 PM
Ironwood Ridge High School – Library Lecture Hall**

5. Introductions and Welcome

Approximately 90 residents and interested parties attended the meeting, including Vice Mayor Waters and Council Members Snider, Zinkin, and Hornat. Two Planning and Zoning Commissioners were also in attendance.

Meeting Facilitator Bayer Vella welcomed the residents. Mr. Vella explained the purpose of the neighborhood meeting and outlined several objectives which were intended to be accomplished. The previous neighborhood meetings were very productive in hearing resident concerns. Tonight's format was designed to allow for Town staff to cover the "givens" with the review of any development application; specifically traffic, drainage, water and schools. The applicant will then present their revised plan and respond to issues raised at the earlier meetings. The meeting will then transition into an open house format where residents can visit stations covering water, traffic and drainage, general plan and public participation and applicant. The goal is to allow for residents to be able to ask focused questions and receive detailed answers. Each station has a note pad for residents to write specific comments, which will be reflected in the summary notes for the meeting.

6. Staff Presentation

Chad Daines, Principal Planner, provided a presentation that included:

- Current designations and allowed density/intensity
- Context Area including existing density/intensity
- Proposed Master Planned Community
- Traffic Overview
- Drainage Overview
- Water Overview
- Review tools including amendment review criteria

7. Applicant Presentation James Kai, Applicant, provided an overview of his family's involvement as a property owner in the area over the years. Mr. Kai provided comments relative to the role of the Kai family in bringing sewer into this area in conjunction with the construction of Ironwood Ridge High School and Wilson Elementary and his family's commitment to responsible growth within the community.

Paul Oland from the planning firm WLB provided an overview of the revised development plan including changing the western boundary to low density, reduction of the northern

parcel to eliminate the flex zone north of Naranja, reduction in the allowed flexibility in the core and flex areas, and provision for recreation areas on La Cholla and the main wash corridor along Cross Road. Mr. Oland addressed the following summary issues from the earlier neighborhood meetings:

- Lack of defined land uses
- Maintain rural / low density
- Traffic / Drainage
- No commercial / Apartments
- Need for parks, open space and trails
- Water Availability
- Environmental impact
- Noise, light and air pollution
- Visual impacts
- Public safety impacts
- School impacts
- Lack of market demand

8. **Open House Stations** were staffed for Water, Traffic and Drainage, General Plan and Public Participation and Applicant. The following comments were recorded at each station:

Land Use Comments

- Leave the land from Glover to Naranja along La Cholla designated as rec area and open space. No building at all, except the already designated corner on Naranja and La Cholla.
- Keep flex land in the center of the property off Lambert. Senior Living and apartments will be an eyesore if allowed on Lambert.
- Apartments and 2 stories will destroy views.
- No Senior Living.
- No apartments – No pride of ownership.
- Keep all apartments and townhomes to 2 stories only to maintain views.
- No apartments – the residents are not vested in the community.
- Enough commercial is available one mile to the north, east and south.
- No commercial at La Cholla and Naranja.
- No apartments.
- No commercial at La Cholla and Naranja.
- 100 yard buffer on west side is inadequate (ditto).
- Too many people for unit of land as a result of apartments. We are not Scottsdale. Apartments encourage transiency. Let's keep our beautiful desert as open as possible.
- We have enough apartments in Oro Valley.
- Transitions among designations are erratic with core and flex areas.
- No apartments. Renters do not have a vested interest in property and they don't take as good care of it as someone who owns it.

- Transition from La Canada to Shannon is not consistent.
- One row of one story homes is not enough to not destroy views.
- Apartments destroy the view and feel of Sonoran Desert as stated in the Oro Valley vision.
- Oro Valley will become like the Foothills area which people moved to Oro Valley to get away from.
- Better definition of flex and core areas in Master Planned language – not made up.
- Objection to increasing commercial. Use property at La Cholla and Naranja.
- Who determines what kind of business is permitted on the commercial property? What is the criteria? A carwash? A Circle K? 24 hour liquor store?
- Object to commercial at Naranja. One mile in three directions has commercial on the current General Plan.
- Safe means to me: No commercial, knowing my voter approved General Plan is going to be.
- No apartments – they don't have a vested interest in the community.
- No apartments.
- Area removed from application – Glover to Naranja – please leave it a park or rec area.
- Lighting issue southeast to homes.
- Commercial property value to homes.
- No apartments.
- No retirement.

Environment

- Not consistent with Oro Valley Sonoran Desert protection.
- How are the plans addressing the SRA and ESL Ordinance.
- Not enough open space.
- Oro Valley is a beautiful area and developing this plan will destroy the desert area.

Traffic

- Naranja access – Par Drive – No left turn?
- La Cholla access – Divot Drive – No left turn?
- Additional traffic lights between Lambert to Naranja.
- Traffic on Shannon needs to be addressed. Shannon and Lambert traffic issues are already horrible at Ironwood Ridge High School start and stop hours.
- Par Drive needs street sign at entry from Naranja.

Water

- Just because we have water available doesn't mean we have to use it up.

General Plan Criteria and Process

- No one showed what major changes (other than widening La Cholla) have occurred to make it necessary to amend the General Plan.
- Wait for General Plan revisions.

Other

- The residents should know if it would be positive. Did anyone from the Town or WLB ask about how we feel? Not that we remembered.
- The format tonight seemed too chaotic.
- Not a neighborhood meeting. Next time allow group questions and answers.
- Current owners bought residences because of current zoning – why should they be subject to the financial interest of developers?

Neighborhood Meeting Summary
La Cholla & Naranja Southwest and Northwest
Major General Plan Amendments
October 20, 2014
6:00 – 7:30 PM
Casas Church, 10801 N. La Cholla Blvd.

9. Introductions and Welcome

Meeting Facilitator Bayer Vella welcomed the audience. Approximately 40 residents and interested parties attended the meeting, including Vice Mayor Waters and Council Members Snider, Zinkin, and Hornat.

Mr. Vella discussed the opportunity tonight to identify areas where the application could be improved. The format tonight would be to hear from the applicant and then focus on areas of agreement and areas where the application could be improved.

10. Applicant Presentation Paul Oland from the planning firm WLB outlined the main areas he understood were an issue from previous neighborhood meetings. Mr. Oland indicated that the applicant has listened and presented the following changes to the application.

- Elimination of apartments from the Master Planned Community
- Open space buffers
- One story restriction extended along the southern boundary
- Replacement of the multiple uses in MPA-2 with medium density
- Focusing uses in the center HDR parcel to allow townhouses or condominiums, senior care or medium density residential
- Allowing medium density residential development in NC/O areas

11. Public Questions & Comments

Mr. Vella asked for input and comments from the audience. Comments were placed under four headings on the wall: "Got it Right" "Improve", "Protest" and "To Do". The comments provided by category were as follows:

Got it Right

Removal of Apartments

Improve

Change commercial at Lambert Lane and La Cholla from commercial to medium density residential

Low Density Residential area should provide 66% open space
Cap density in MDR areas at 2.5 homes per acre
No drive-thru's or fast food in commercial areas
Address cut-through traffic into neighborhoods to the east
Cap density to no greater than the density to the east
The western boundary should include a berm, wall or elevation change as a buffer
Carmel Point should be used as a model for the townhouse area

Protest

Too much senior care already in the Town
Concern over conversion of townhouse to rentals
Keep current General Plan designations
Commercial not viable

To Do

School Impact
Drainage
Traffic
Address General Plan Amendment criteria

Mr. Oland addressed some of the questions related to the amended land use plan, planned townhouse development, commercial uses and school district impact. Mr. Vella and Mr. Daines answered questions relative to the Town process, existing general plan designations, cut-through traffic and the upcoming Commission hearing.



OFFICE OF LEGAL COUNSEL

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November 6, 2014

James M. Kai, LEED-AP
VP Operations/Finance
Kai Enterprises/JMK Family Properties/Kai Motels Inc.
P.O. Box 2305
Cortaro, AZ 85652 -2305

RE: Planning and Zoning Application Process for OV1114-002; School Enrollment Capacity

Dear Mr. Kai:

I would like to again thank you, and Messrs. Wexler and Oland, for meeting with Jim Burns and I last week to discuss your planned project. I appreciated, very much, the opportunity to get some additional clarification on your plans.

I also appreciate and commend you and your company for your commitment to the community and your sincere support of our public schools. Our discussions included a commitment from the Kai companies to enter into a donation agreement that would greatly ameliorate the enrollment impact we might expect from your residential project. With current enrollment capacity at each affected school, the support provided by your firm through the donation agreement we still must finalize, and the existing commitments of other developers of a similar nature, we do anticipate that we will be able to serve the enrollment we would expect from your project.

Thank you again for your interest and concern for our schools. I look forward to concluding our agreement very soon.

Sincerely,

Todd A. Jaeger, J.D.
Associate to the Superintendent & General Counsel

**MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
AMENDED AGENDA
REGULAR SESSION
October 7, 2014
IRONWOOD RIDGE HIGH SCHOOL - CAFETERIA
2475 W. NARANJA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chair Cox called the October 7, 2014 session of the Oro Valley Planning and Zoning Commission Regular Session to order at 6:00 PM.

ROLL CALL

PRESENT:

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

EXCUSED:

Tom Drazazgowski, Commissioner

ALSO PRESENT:

Joe Hornat, Council Member and Council Liaison
Lou Waters, Vice - Mayor
Paul Keesler, DIS Director
Joe Andrews, Chief Civil Deputy Attorney

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was not said, due to no flag being present.

CALL TO AUDIENCE

There were no speaker requests.

COUNCIL LIAISON COMMENTS

Council Member Hornat updated the Commission on the following items:

Miller Ranch, decrease lot width was denied by Town Council

Olson Property Rezoning was approved by Town Council 7-0 with some changes
Stone Canyon Clubhouse was approved by Town Council

REGULAR AGENDA

1. REVIEW AND/OR APPROVAL OF THE SEPTEMBER 2, 2014 REGULAR SESSION MEETING MINUTES

MOTION: A motion was made by Vice-Chairman Buette and seconded by Commissioner Rodman to approve the September 2, 2014 Regular Session meeting minutes.

MOTION carried, 5-0. with Bill Leedy, Commissioner abstained.

- *2. PUBLIC HEARING: SHANNON ROAD SOUTH OF IRONWOOD RIDGE HIGH SCHOOL MAJOR GENERAL PLAN AMENDMENT FROM RURAL LOW DENSITY RESIDENTIAL (0-0.3 HOMES/ACRE) AND SIGNIFICANT RESOURCE AREA TO LOW DENSITY RESIDENTIAL (0.4-1.2 HOMES/ACRE) AND MEDIUM DENSITY RESIDENTIAL (2.1-5.0 HOMES/ACRE) FOR A 77 ACRE PROPERTY LOCATED ON THE EAST SIDE OF SHANNON ROAD, APPROXIMATELY ONE-QUARTER (1/4) MILE SOUTH OF NARANJA DRIVE. THE APPLICANT ALSO REQUESTS DELETION OF THE SIGNIFICANT RESOURCE AREA DESIGNATION AND INCLUDE THE PROPERTY IN THE URBAN SERVICES BOUNDARY, OV1114-001 (ITEM HAS BEEN WITHDRAWN FROM AGENDA PER APPLICANTS REQUEST)**
- 3. PUBLIC HEARING: LA CHOLLA BOULEVARD AND NARANJA DRIVE SOUTHWEST AND LA CHOLLA BOULEVARD AND NARANJA DRIVE NORTHWEST**
- A. MAJOR GENERAL PLAN AMENDMENT FROM RURAL LOW DENSITY RESIDENTIAL (0-0.3 HOMES/ACRE), LOW DENSITY RESIDENTIAL (0.4 TO 1.2 HOMES/ACRE), MEDIUM DENSITY RESIDENTIAL (2.1-5.0 HOMES/ACRE), NEIGHBORHOOD COMMERCIAL/OFFICE, PUBLIC/SEMI PUBLIC, OPEN SPACE AND SIGNIFICANT RESOURCE AREA TO MASTER PLANNED COMMUNITY COMPRISED OF SINGLE FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, NEIGHBORHOOD COMMERCIAL OFFICE, PROFESSIONAL AND MEDICAL OFFICE, SENIOR LIVING USES CASAS CHURCH EXPANSION AND OPEN SPACE FOR 202 ACRES LOCATED ON THE WEST SIDE OF LA CHOLLA BOULEVARD, BETWEEN NARANJA DRIVE AND LAMBERT LANE. THE APPLICANT ALSO PROPOSES TO DELETE THE SIGNIFICANT RESOURCE AREA DESIGNATION AND ADOPT SPECIAL AREA POLICIES RELATED TO THE MASTER PLANNED COMMUNITY, OV1114-002**

B. MAJOR GENERAL PLAN AMENDMENT FROM MEDIUM DENSITY RESIDENTIAL (2.1-5.0 HOMES/ACRE) AND SIGNIFICANT RESOURCE AREA TO MASTER PLANNED COMMUNITY COMPRISED OF NEIGHBORHOOD COMMERCIAL OFFICE AND MEDIUM DENSITY RESIDENTIAL FOR 8 ACRES LOCATED AT THE NORTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE. THE APPLICANT ALSO PROPOSES TO DELETE THE SIGNIFICANT RESOURCE AREA DESIGNATION AND ADOPT SPECIAL AREA POLICIES RELATED TO THE MASTER PLANNED COMMUNITY, OV1114-003

Chad Daines, Principal Planner, presented the following:

- Applicant's Request
- Public Participation/Outreach
- Location
- Current & Proposed General Plan
- Concept Plan
- Development Potential
- Special Area Policies
- Significant Resource Area
- Environmentally Sensitive Lands
- General Plan Evaluation Criteria
- Conditions in community have changed?
- Socio-economic betterment/community and environmental compatibility?
- Reflects market demand?
- Will Not adversely impact community without mitigation?
- Neighborhood Meetings
- Summary/Conclusion

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

- Aesthetics - level of quality that would be required
- La Canada Drive (from Lambert to Naranja) - Land Uses along corridor
- Plan Policies
- Effects of the RMA
- General Plan Criteria

Chair Cox opened the public hearing

Adrienne Caldwell, Oro Valley resident, stated she was opposed to the proposed application and questioned where is the hard evidence that there is a demand or will be a demand in the near future for apartments.

Bill Boull, Oro Valley resident, expressed his concern for 5 additional plans for high density sites in Oro Valley and stated his opposition to high density housing.

Don Burdick, Oro Valley resident, expressed his concern with zone number 621 referred to in the applicants market data and questioned what information or data was provided for Council to support an increase in growth. In the current General Plan, covered is twice of people that are supposed to move into Oro Valley, there is no need for an increase for housing whether it be low or high density.

Betty Danker, Oro Valley resident, expressed her concerns with the following: commercial being built in the area, the dark sky will be impacted, access off of La Cholla with Divot Drive being the only access and making left hand turns. Ms. Danker went on to ask the Commission to consider an access lane.

Roslyn Nemke, Oro Valley resident, stated she is an advocate for the Citizen Advocate for Oro Valley's General Plan and went on to ask the Commission to not recommend the amendments and leave the General Plan as is. Amendments should be based on significant change and there seems to be more concern with owners, developers and future residents than there is for the current residents who are adversely impacted.

John Lay, Oro Valley resident, stated he is opposed to high density and is open to change in plans, just not high density. Maybe graduate to two acre lot and he doesn't care much for the apartment idea.

Tom Myatt, Oro Valley, resident, stated he is opposed to the significant resource area deletion. The current designation is consistent with the existing development to the south of the property and should remain as is. A lower density area to the south should be considered and the existing walking paths in Oro Valley are being used as recreational purposes and don't believe they are being used to access commercial. Mr. Myatt doesn't believe there is a support for any additional commercial development on this property.

Joe Bailes, Oro Valley resident, stated he is pro-business and pro- development and he does not like high density. When the apartment get older and in order to be competitive the rent will be lowered. The Commission needs to take responsibility and turn this around and not let it happen.

Don Bristow, Oro Valley resident, stated that everything in Oro Valley is in a convenient distance of residential areas. Mr. Bristow went on to question, is there really a demand for commercial/professional offices? The applicant has not submitted any facts that support the need for additional multi-family homes in Oro Valley. Mr. Bristow commented that he did some research and the Town has not documented to support the claim that the Vantana Medical Center requires high end housing units for their employees.

Karen Stratman, Oro Valley resident, commented that Ironwood Ridge High School is in the middle of the proposed development. Students and educators travel along La Cholla which is already overcrowded. Ms. Stratman agrees with keeping the area

residential and low/medium density and allowing the environmental sensitive lands ordinance to guide development will result in people coming to this area.

Gary Meyers, Oro Valley resident, expressed his concern with traffic, water and drainage. Mr. Meyers also commented that he didn't like the format of the neighborhood meeting held on September 10th. Attendees of the meeting were not able to hear all the questions/answers. He opposes the proposed amendments and is proud of the members of this community for standing up for the character of Oro Valley.

Rick Harris, Oro Valley resident, commented that the proposal is going to make this community look like any other community. The Planning Department cannot prove that it is required to change the General Plan. Mr. Harris choose to live in Oro Valley because of the schools. The developer needs to go back and look at this proposal.

Connie Inboden, Oro Valley resident, commented that her idea of well planned community is to have separate residential, commercial and open space as a buffer. The owners of the property have a right to make a profit on their investment, but would make a tidy profit for single family homes. Ms. Inboden is asking the Commission not to approve the proposed amendment.

Bill Adler, Oro Valley resident, commented on community acceptance. Mr. Adler went on to comment about targeting specific uses and neighbors having the right to know what a commercial piece of property will provide. Apartments are not desirable and do not provide any architectural or visible appearance that is desirable.

Eric Kleil, non-Oro Valley resident, stated to compare La Cholla to La Canada is unfair because what is already there is completely different. In the proposal the buffer to the west should be larger and what is already here needs to be factored in. People need to live in apartments, but apartments make no sense on this property.

Chair Cox closed public hearing.

4. REQUEST FOR PLANNING AND ZONING COMMISSION INITIATION OF A ZONING CODE AMENDMENT TO PROVIDE TEMPORARY SIGN ALLOWANCES FOR BUSINESSES IN AREAS OF ROAD CONSTRUCTION

Bayer Vella, Planning Division Manager, presented the following:

- Construction along Oracle Road
- Banner/Signs
- Brought forth by the Community

Bill Adler, Oro Valley resident, commented that Rancho Vistoso HOA should provide some guidance to staff. Care should be taken to avoid creating a safety problem. A decision needs to be made on which business need a sign. All business don't need or want a sign. Travelers need to be able to read the sign.

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Leedy approve to initiate a Zoning Code Amendment to Section 28.6 B (Temporary Signs in a Commercial/Industrial Zoning District) to provide a special sign type for businesses in road construction areas.

MOTION carried, 6-0.

PLANNING UPDATE (INFORMATIONAL ONLY)

Bayer Vella, Planning Division Manager, presented the following:

- 10/21 Special Planning and Zoning Commission Meeting
- 11/03 Special Planning and Zoning Commission Meeting
- Upcoming Neighborhood Meetings

ADJOURNMENT

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Hitt to adjourn the Planning and Zoning Commission meeting at 8:21 PM.

MOTION carried, 6-0.

**MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
SPECIAL SESSION
November 20, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

SPECIAL SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Cox called the November 20, 2014 session of the Oro Valley Planning and Zoning Commission Special Session to order at 6:00 PM

ROLL CALL

PRESENT:

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

ALSO PRESENT:

Joe Hornat, Council Member and Council Liaison
Lou Waters, Vice - Mayor
Mary Snider, Council Member
Greg Caton, Town Manager
Bayer Vella, Interim Planning Manager
Joe Andrews, Chief Civil Deputy Attorney
Paul Keesler, Director/Town Engineer - Development & Infrastructure Services

PLEDGE OF ALLEGIANCE

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

CALL TO AUDIENCE -

There were no speaker requests.

COUNCIL LIAISON COMMENTS

Council Member Hornat had no updates to present this evening.

SPECIAL SESSION

1. REVIEW AND/OR APPROVAL OF THE OCTOBER 7, 2014 REGULAR SESSION AND OCTOBER 21, 2014 SPECIAL SESSION MEETING MINUTES

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Rodman to approve the October 7, 2014 Regular Session and October 21, 2014 Special Session meeting minutes.

MOTION carried, 6-0. with Tom Drazazgowski, Commissioner abstained.

2. PUBLIC HEARING: LA CHOLLA BOULEVARD AND NARANJA DRIVE SOUTHWEST AND LA CHOLLA BOULEVARD AND NARANJA DRIVE NORTHWEST

- A. MAJOR GENERAL PLAN AMENDMENT FROM RURAL LOW DENSITY RESIDENTIAL (0-0.3 HOMES/ACRE), LOW DENSITY RESIDENTIAL (0.4 TO 1.2 HOMES/ACRE), MEDIUM DENSITY RESIDENTIAL (2.1-5.0 HOMES/ACRE), NEIGHBORHOOD COMMERCIAL/OFFICE, PUBLIC/SEMI PUBLIC, OPEN SPACE AND SIGNIFICANT RESOURCE AREA TO MASTER PLANNED COMMUNITY COMPRISED OF LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL, NEIGHBORHOOD COMMERCIAL OFFICE, SENIOR CARE USES, AND PARK FOR 186 ACRES LOCATED ON THE WEST SIDE OF LA CHOLLA BOULEVARD, BETWEEN NARANJA DRIVE AND LAMBERT LANE. THE APPLICANT ALSO PROPOSES TO DELETE THE SIGNIFICANT RESOURCE AREA DESIGNATION AND ADOPT SPECIAL AREA POLICIES RELATED TO THE MASTER PLANNED COMMUNITY, OV1114-002**
- B. MAJOR GENERAL PLAN AMENDMENT FROM MEDIUM DENSITY RESIDENTIAL (2.1-5.0 HOMES/ACRE) AND SIGNIFICANT RESOURCE AREA TO MASTER PLANNED COMMUNITY COMPRISED OF NEIGHBORHOOD COMMERCIAL OFFICE AND/OR MEDIUM DENSITY RESIDENTIAL FOR 8 ACRES LOCATED AT THE NORTHWEST CORNER OF LA CHOLLA BOULEVARD AND NARANJA DRIVE. THE APPLICANT ALSO PROPOSES TO DELETE THE SIGNIFICANT RESOURCE AREA DESIGNATION AND ADOPT SPECIAL AREA POLICIES RELATED TO THE MASTER PLANNED COMMUNITY, OV1114-003**

Chad Daines, Principal Planner, presented the following:

- Request
- Current & Proposed General Plan
- Concept Plan

- Special Area Policies
- Significant Resource Area
- Environmentally Sensitive Lands
- Amendment Evaluation
- General Plan Vision
- Notable General Plan Policies
- General Plan Evaluation Criteria
- Conditions in community have changed?
- Socio-economic betterment/community and environmental compatibility
- Reflects market demand
- Will not impact community without mitigation?
- Neighborhood Meetings
- Changes in request since October 7th
- Amendment Evaluation
- Summary/Conclusion
- Recommendation

Paul Oland, WLB Group, representing the applicant, introduced the following:
 Greg Wexler representing the Kai Family
 Mike Naifeh of Valbridge Property Advisors.
 Dean Munkachy of Suite 6 Architecture and Planning

Greg Wexler, representing the Kai Family, presented a brief history of the property.

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

- Conditions have changed since General Plan was last adopted
- The proposed change
- Market Demand
- The subsequent rezoning process
- Land Use
- Low Density Residential
- Medium Density Residential
- Neighborhood Commercial/Office on Naranja
- NC/O Expansion on Lambert
- Open Space Recreation Area
- Open Space
- General Plan Policy Conformance
- Viewshed Analysis from west
- Viewshed Analysis from south
- Special Area Policies

Mike Naifeh, Valbridge Property Advisors, representing the applicant, presented the following:

- Market Study

- Income
- Single Family Demand Analysis
- 2013-2023 Household Growth Projection
- Conclusions
- Multifamily Residual Demand
- Senior Housing
- New Worth by Household Age
- Retail Surplus/Leakage Analysis Summary
- Conclusions

Dean Munkachy, Suite 6 Architecture and Planning, representing the applicant, presented the following:

- Location Map
- Scale of overall development
- Project Goals
- Boundaries
- Washes
- Connections
- Roadways
- Uses
- Linkages - non-automotive
- Open space
- Pathways
- Concept Study north east corner Commercial Land patterns
- Concept Study south east corner Commercial Land patterns
- Paseo character
- Entry character
- Intersection character
- Attached residential character
- Commercial character

Chairman Cox opened the public hearing.

Roslyn Nemke, Oro Valley resident, asked the Commission to deny the amendments and to leave the General Plan as is. Ms. Nemke voiced her concern with commercial in the area along with safety issues for students. Assisted living and senior care facilities might be needed in Oro Valley, but these uses would exacerbate traffic problems. Townhomes and commercial in the middle of a single family residential area does not seem like sound planning. After speaking to a number of residents, the consensus was that no one is willing to walk to shopping and traveling by car will be more difficult.

Richard Tracy, Oro Valley resident, voiced his concerns with traffic, population and safety. Mr. Tracy still remains undecided until he becomes better informed.

Donald Bristow, Oro Valley resident, commented that the Town's economic strategies specify that the Town shall continue to attract new high end retail and service businesses, especially those in underrepresented categories in order to help reduce expenditure leakage. The Commission needs to take a closer look at the zoning requirements and the way this land is addressed in the General Plan.

Bill Ball, Oro Valley resident, echoes what Roslyn Nemke has to say about the proposed commercial. The applicant's documents on pages 59-60 refers to strip commercial. Mr. Ball indicated that he is not against commercial, but he is against veering from the Town's plan as approved by the voters.

Tom Danker, Oro Valley resident, expressed his concern with the egress and ingress from La Cholla into Canada Hills at Catalina Drive. He was concerned with being blocked from making a southbound turn onto La Cholla. Mr. Danker would like to be a part of a task force that looks at the egress and ingress from La Cholla. Another concern of Mr. Danker is whether La Cholla can handle all the projected traffic.

Betty Danker, Oro Valley resident, voiced her concern with making a left hand turn onto La Cholla from her street. Ms. Danker is asking the Town to look at a possibility of an access road.

Gary Meyers, Oro Valley resident, commented that the request does not address the concerns of the neighbors. He was concerned with the level of density proposed. The Town seems more responsive to the developer than with its current residents.

Larry Hudson, Oro Valley resident, questioned how La Cholla would be realigned and whether it would require an elevated roadway over the wash. Mr. Hudson expressed his concern with the medium density housing and how close homes will be built to the wash area. He asked the Commission to vote no.

Joe Snapp, Oro Valley resident, commented that he feels like the silent majority of the Town that don't get involved. What is being proposed makes sense and revenue is needed to drive the growth of a town and improve the roads. People need to drill down to the specifics and this is what the people need to focus on. Mr. Snapp commented that he is favor of the proposed amendments.

Darin Hoffmann, Oro Valley resident and representing the Casas Church Leadership, commented that he is favor of the proposed amendments to the General Plan. It creates options that will allow Casas Church utilize their property in the future. This proposal has produced a good compromise that creates opportunity for taxable revenue and space for new people to join our beautiful city.

Bruce McDaniel, Oro Valley resident, expressed his concerns with the traffic studies and drainage.

Karen Stratman, Oro Valley resident, stated there are still a number of problems with this proposal that have not been addressed. In the past, there have been a lot of promises made by developers to create the perfect vision, only to fall through on those promises. Ms. Stratman sees no need for senior care on this property and there is no market demand for it. There is no community acceptance of the amendments. Increased commercial at Naranja and La Cholla needs more study.

Jeff Grobstein, Oro Valley resident, stated that the owners have owned the property for a long time. He is excited about a more diverse master plan that will bring a great vision to a great property within a great community. The planning that is proposed will raise everyone's property values. The positive economic impact coupled with the smart planning and growth and layered with the rigid constraints of the policies fully supports a change to the General Plan.

Bill Adler, Oro Valley resident, stated that he is not opposed to the development, but he expects good development and he expects developments to comply with the rules. Mr. Adler expressed his concern with the failure of the neighborhood meeting process and with the failure to achieve community acceptance.

Dave Perry, Oro Valley resident, stated that the Greater Oro Valley Chamber of Commerce's is in support of the proposal. The character around La Cholla is going to change because the RTA will build a four lane divided desert parkway. It makes sense to concentrate impacts along La Cholla with some higher density housing, office and commercial uses clustered at major intersections and near the roadway. There is greater community concern at play, Oro Valley needs wise growth which includes neighborhood, commercial, retail and office uses along busy roadways. These general plan amendments represent a reasonable and intelligent, considerate, forward thinking way to develop Oro Valley's dwindling supply of land.

Ron Bliss, Oro Valley resident, stated his opposition to the proposal because it doesn't meet the legal standards required of a major amendment to the General Plan. In order for this amendment to be adopted, it has to meet the four criteria. The only things we have heard today is that the demand is not here but it's coming, and a bigger roadway is planned which justifies a bigger population.

Trace Paulette, Oro Valley resident, stated that the requested plan is very reasonable and should be approved. Development like this is important to Oro Valley's future economic welfare.

Chairman Cox closed the public hearing.

MOTION: A motion was made by Vice-Chairman Buette and seconded by Commissioner Leedy to Recommend Approval of the Major General Plan Amendments requested under case OV1114-002, specifically the land use map as shown on Attachment 6, deletion of the Significant Resource Area and adoption of the Special Area Policies shown on Attachment 3, conditioned upon the expansion of the Casas

Church continuing as an allowed use, based on the findings contained in the staff report.

MOTION carried, 6-1 with Commissioner Pitts opposed.

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Drazazgowski to Recommend Approval of the Major General Plan Amendments requested under case OV1114-003, specifically the land use map as shown on Attachment 6, deletion of the Significant Resource Area and adoption of the Special Area Policies shown on Attachment 3, based on the findings contained in the staff report.

MOTION carried, 6-1 with Commissioner Pitts opposed.

PLANNING UPDATE (INFORMATIONAL ONLY)

Bayer Vella, Interim Planning Division Manager, indicated that the Planning Update will be postponed until next week.

FUTURE AGENDA ITEMS

Commissioner Pitts requested the following be added to a future agenda:

- Neighborhood meeting procedures
- Advertising in the Explorer vs. Daily Territorial
- New homes built in Oro Valley require roof top solar
- New construction tax (this item was withdrawn)

Commissioner Drazazgowski requested the following be added to a future agenda:

- Presentation on low density vs. high density in regard to transportation infrastructure

ADJOURNMENT

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Drazazgowski to adjourn the Special Planning and Zoning Commission meeting at 9:16 PM.

MOTION carried, 7-0.



Town Council Regular Session

Item # 2.

Meeting Date: 05/06/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

DISCUSSION AND POSSIBLE DIRECTION REGARDING COMMEMORATIVE PLAQUES FOR TOWN COUNCIL-AUTHORIZED PROJECTS

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

Mayor Hiremath has requested that the item be placed on the agenda for discussion.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE _____
