



## Planning and Zoning Commission Staff Report

---

**CASE NUMBER:** OV1114-004 and OV914-10 Mattamy Homes

**MEETING DATE:** June 2, 2015

**AGENDA ITEM:** 3A & 3B

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

---

**Applicant:** The WLB Group Inc., Paul Oland

**Request:** **Item 3A:** Proposed Minor General Plan Amendment for an approximately 4.2-acre open space trade and revision to a recreation area condition associated with a previous approval (OV1114-004)

**Item 3B:** Proposed Planned Area Development Amendment for an approximately 4.2-acre open space trade and addition of a new recreation area condition (OV914-010).

**Location:** Northeast corner of Rancho Vistoso Boulevard and Moore Road

**Recommendation:** Recommend approval of Agenda Item 3A: applicant's request for a proposed Minor General Plan Amendment for an approximately 4.2-acre open space trade and revision to a Recreation Area condition as provided on Attachment 1.

Recommend approval of Agenda Item 3B: applicant's request for a proposed Planned Area Development Amendment for an approximately 4.2-acre open space trade and addition of a Recreation Area condition as provided on Attachment 1.

---

### SUMMARY:

The applicant's request involves two separate applications (Minor General Plan Amendment and Planned Area Development Amendment) that both have the same two components:

- Open space trade
- Recreation Area condition revisions

Agenda 3A

*Open Space*

The first component of the applicant's Minor General Plan Amendment proposal (see Attachment 2) is an approximately 4.2-acre open space trade. The subject property is designated Medium Density Residential (MDR) and Open Space (OS) on the General Plan Future Land Use Map. The open space trade proposes the following:

- Converting 4.2-acres of land designated as Open Space to Medium Density Residential and developing it with homesites. This land has little value as open space because is fragmented and disconnected from the larger open space network, a majority of which has been previously disturbed.
- Converting another 4.2-acres of land designated as Medium Density Residential to Open Space. This area has not been previously disturbed and is more contiguous to the regional open space network.

As a result of the trade, more valuable and viable environmental open space will be preserved. Furthermore, the proposal will result in a better subdivision design that respects the environmental integrity of the area.

*Recreation Area Condition*

The second component of the Minor General Plan Amendment request is to revise a condition of approval associated with a Major General Plan Amendment approved in 2009 for a portion of Rancho Vistoso Neighborhood 5 (Attachment 3). The original condition which required the property owner to construct a 6.9-acre neighborhood park has been provided in Attachment 4.

Due to land ownership changes within the amendment area, the original park location is now owned by another property owner, making it difficult for Mattamy Homes to satisfy the original intent of the condition.

A revised condition has been provided in Attachment 1 that is more practical and allows the applicant to meet the intent of the original condition without reliance on the actions of other property owners. The new proposed park location has been provided in Attachment 5.

Agenda 3B

*Open Space Trade*

The first component of the applicant's Planned Area Development Amendment request is the 4.2-acre open space trade. See discussion above for additional detail.

---

*Recreation Area Condition*

The second component of the Planned Area Development Amendment request is the addition of a new recreation area condition. See discussion above for additional detail.

---

**BACKGROUND:**

Land Use Context

The Existing Land Use, General Plan and Zoning for the property and the surrounding area is depicted in Attachments 6, 7 and 8 respectively.

Approvals to Date

- The subject property was part of the original Rancho Vistoso PAD.
- There have been no approvals to date on the subject property affected by the open space trade.
- A General Plan Amendment and PAD Amendment was approved in 2009 affecting a portion of Rancho Vistoso Neighborhood 5, including the recreation area condition of approval the applicant is requesting to revise as part of this application.

**DISCUSSION / ANALYSIS:**

The applicant's request involves two separate applications (Minor General Plan Amendment and Planned Area Development Amendment) that both have the same two components:

- Open space trade
- Recreation Area condition revisions

Agenda Item 3A

*Open Space Trade*

General Plan Amendment Analysis

General Plan Amendment and PAD Amendment applications are reviewed for conformance with the General Plan, including the Amendment Criteria, Land Use Map, and the Vision, Goals and Policies, as well as the Town of Oro Valley Zoning Code. A detailed analysis is provided in Attachment 9.

Zoning Analysis

Rezoning applications are also reviewed for conformance with the Town of Oro Valley Zoning Code. The applicant's proposed open space trade will result in a better

---

subdivision design and better open space connectivity, both of which are both consistent with the Zoning Code.

### *Recreation Area Condition Analysis*

The second component of the applicant's Minor General Plan Amendment request is amend a General Plan condition applied as part of a Town Council action in 2009 (see Attachment 4).

Vistoso Partners was the sole property owner of the land included in the original amendment (see Attachment 3) and has since sold much of the land to several different owners. This complicates the applicant's ability to achieve compliance with the condition as it requires the participation of another property owner.

This condition required Vistoso Partners to build a 6.9-acre park identified in the original Rancho Vistoso Planned Area Development. Today, this condition is problematic for Mattamy Homes for the following reasons.

- With multiple property owners of much of the land included in the original Amendment area, issues have arisen in trying to determine responsibility and "fair share" for the park for each individual development.
- The original park location in the middle of Big Wash was convenient when it was adjacent to the school site along the original alignment of Moore Road. This location became less viable with the new alignment of Moore Road and the relocation of the school site.

Staff has worked with the applicant's representatives to identify a more ideal park location situated near the current Moore Road alignment (see Attachment 5). Mattamy Homes is required to provide their proportionate share of the park and staff will work with future applicants to ensure the remainder of the original acreage is preserved as one contiguous park serving the residents of Neighborhood 5.

A revised condition has been included in Attachment 1. The revised condition is more practical and allows the applicant to meet the intent of the original condition approved as part of the General Plan Amendment.

### Agenda Item 3B

#### *Open Space Trade*

##### PAD Amendment Analysis

PAD Amendment applications are reviewed for conformance with the General Plan, including the Land Use Map, and the Vision, Goals and Policies, as well as the Town of Oro Valley Zoning Code. A detailed analysis is provided in Attachment 9.

### Zoning Analysis

PAD Amendment applications are also reviewed for conformance with the Town of Oro Valley Zoning Code. The applicant's proposed open space trade will result in a better subdivision design and better open space connectivity, both of which are consistent with the Rancho Vistoso PAD and the Town of Oro Valley Zoning Code.

### *Recreation Area condition Analysis*

The second component of the applicant's PAD Amendment request is to address a recreation area condition established as part of a previous Town Council action. See discussion provided above in Agenda Item 3A for additional information.

### Engineering Comments

The applicant's proposal does not have an impact on the engineering of the site.

---

## **PUBLIC PARTICIPATION:**

### Neighborhood Meetings

Two neighborhood meetings have been held concerning the applicant's proposal. The neighborhood meeting summaries have been provided as Attachment 10.

Staff has not received any additional correspondence concerning the applicant's proposal.

---

## **RECOMMENDATION:**

Based on the following findings:

- The request is consistent with the General Plan Amendment Review Criteria;
- The request is consistent with the General Plan Vision, Goals and Policies;
- The request will result in a better subdivision design, a more contiguous open space network, and will provide additional buffering between the proposed residential subdivisions;
- The revised conditions allow the applicant to meet the intent of the original conditions and resolve the difficulty associated with the current conditions.

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

---

**Agenda Item 3A**

**Recommend approval of the applicant's request for a proposed Minor General Plan Amendment for an approximately 4.2-acre open space trade and revision to a Recreation Area condition as provided on Attachment 1.**

**Agenda Item 3B**

**Recommend approval of the applicant's request for a proposed Planned Area Development Amendment for an approximately 4.2-acre open space trade and addition of a Recreation Area condition as provided on Attachment 1.**

---

**SUGGESTED MOTIONS:**

**Agenda Item 3A**

I move to recommend approval of the requested Minor General Plan Amendment for the 4.2-acre open space trade and revision to the existing Recreation area condition based on the findings in the staff report, subject to the conditions listed in Attachment 1.

OR

I move to recommend denial of the requested 4.2-acre open space trade, based on the findings in the staff report, specifically \_\_\_\_\_.

**Agenda Item 3B**

I move to recommend approval of the requested Planned Area Development Amendment for the 4.2-acre open space trade and addition of a new Recreation area condition based on the findings in the staff report and subject to the conditions in Attachment 1.

OR

I move to recommend denial of the revised conditions of approval, based on the findings in the staff report, specifically \_\_\_\_\_.

---

**ATTACHMENTS:**

1. Conditions of Approval
2. Applicants Open Space Trade Proposal
3. 2009 Rancho Vistoso Neighborhood 5 Major GPA Map
4. 2009 General Plan Amendment Condition - Parks
5. Proposed Park Location

6. Subject Property Map
7. General Plan Land Use Map
8. Zoning Map
9. General Plan Amendment/PAD Amendment Analysis
10. Neighborhood Meeting Summaries

---

Bayer Vella, Planning Manager