

**\*AMENDED (6/30/15, 4:30 PM)**  
**AGENDA**  
**ORO VALLEY TOWN COUNCIL**  
**REGULAR SESSION**  
**July 1, 2015**  
**ORO VALLEY COUNCIL CHAMBERS**  
**11000 N. LA CAÑADA DRIVE**

**REGULAR SESSION AT OR AFTER 5:00 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. Councilmember Hornat - 2015 AZAPA Land Use Law Update Trip Report
2. Councilmember Hornat - 2015 WRRC Conference Trip Report
3. Councilmember Zinkin - NLC 2015 Summer Leadership Forum Trip Report

**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. Proclamation - Drowning Impact Awareness Month - August 2015

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

- A. Minutes - June 17, 2015

- B. Reappointment of Stephen Dean as the Town's citizen representative on the Pima Association of Governments' (PAG) Environmental Planning Advisory Committee (EPAC)
- C. Resolution No. (R)15-51, authorizing and approving the supplemental Intergovernmental Agreement between the Town of Marana and the Town of Oro Valley to accommodate Oro Valley Water Utility work as part of the design and construction of roadway improvements to Tangerine Road from Dove Mountain Boulevard/Twin Peaks to La Cañada Drive
- D. Resolution No. (R)15-52, authorizing and approving a license agreement between the Town of Oro Valley and Meritage Homes of Arizona, Inc. for installation and maintenance of improvements within the La Cholla Boulevard right-of-way

**REGULAR AGENDA**

- 1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR CHIPOTLE MEXICAN GRILL #2590, LOCATED AT 10604 N. ORACLE ROAD, SUITE 101
- 2. DISCUSSION AND POSSIBLE DIRECTION ON ENTERING INTO A PUBLIC-PRIVATE PARTNERSHIP WITH TOHONO CHUL PARK TO PERFORM A FEASIBILITY STUDY FOR BUILDING AN EVENT PAVILION
- 3. PUBLIC HEARING: ORDINANCE NO. (O)15-09, AMENDING CHAPTER 10, ARTICLE 10-2 "GUEST REGISTERS," SECTION 10-2-1 "REGISTRATION REQUIRED" OF THE TOWN OF ORO VALLEY TOWN CODE
- 4. RESOLUTION NO. (R)15-53, APPROVING THE ADDITION OF THE CIRCULATION AND PROGRAMMING UPDATE TO THE STEAM PUMP RANCH MASTER SITE PLAN
- 5. ~~\*PUBLIC HEARING: ORDINANCE NO. (O)15-07, REZONING 9.4 ACRES NEAR THE NORTHWEST CORNER OF LA CAÑADA DRIVE AND TANGERINE ROAD FROM R1-144 TO R1-7 AND APPROVING AN ENVIRONMENTALLY SENSITIVE LAND FLEXIBLE DESIGN OPTION FOR A MODIFIED REVIEW PROCESS~~ (Removed from the agenda on 6/30/15 at 4:30 p.m.)
- 6. PUBLIC HEARING: ORDINANCE NO. (O)15-10, AMENDING THE REZONING CONDITIONS OF APPROVAL FOR ST. MARK CATHOLIC CHURCH, LOCATED AT 2727 W. TANGERINE ROAD, INVOLVING THE ELIMINATION/MODIFICATION TO THE REQUIREMENTS FOR A SCREEN WALL AND PARKING LOT LIGHT POLE HEIGHTS SOUTH OF THE MAIN SANCTUARY BUILDING
- 7. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A CONDITIONAL USE PERMIT FOR KNEADER'S BAKERY AND CAFE, INCLUDING DRIVE-THRU, TO BE LOCATED NEAR THE NORTHEAST CORNER OF LINDA VISTA AND ORACLE ROAD
- 8. PUBLIC HEARING: ORDINANCE NO. (O)15-11, AMENDING THE PLANNED AREA DEVELOPMENT FOR THE EL CORREDOR PROJECT, LOCATED AT THE NORTHEAST CORNER OF LINDA VISTA AND ORACLE ROAD, TO INCREASE THE ALLOWED BUILDING HEIGHT FOR FUTURE COMMERCIAL DEVELOPMENT

9. PUBLIC HEARING: MINOR GENERAL PLAN AMENDMENT AND PAD AMENDMENT FOR MATTAMY HOMES ON RANCHO VISTOSO PARCEL 5F, LOCATED ON THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD
  - A. RESOLUTION NO. (R)15-54, ADOPTING A MINOR GENERAL PLAN AMENDMENT FOR A 4.2-ACRE OPEN SPACE TRADE AND REVISION TO AN EXISTING RECREATION AREA CONDITION
  - B. ORDINANCE NO. (O)15-12, ADOPTING A PLANNED AREA DEVELOPMENT AMENDMENT FOR A 4.2-ACRE OPEN SPACE TRADE AND ADDITION OF A NEW RECREATION CONDITION
10. DISCUSSION AND POSSIBLE ACTION REGARDING A CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR MATTAMY HOMES ON RANCHO VISTOSO PARCEL 5F, A PROPOSED 119-LOT SINGLE-FAMILY SUBDIVISION ON 48 ACRES, LOCATED ON THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD
11. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A CONDITIONAL USE PERMIT TO INSTALL A NEW FIBER CABLE LINE, LOCATED ON THE NORTH SIDE OF INA ROAD, BETWEEN PASEO DEL NORTE AND ORACLE ROAD
12. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR KAI SOUTH, A 44-LOT SINGLE-FAMILY SUBDIVISION, LOCATED ON THE NORTHEAST CORNER OF FIRST AVENUE AND NARANJA DRIVE
13. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR APPROVAL OF A CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR RANCHO VISTOSO PARCEL 10A, A 29-LOT RESIDENTIAL DEVELOPMENT, LOCATED NEAR THE NORTHWEST CORNER OF LA CAÑADA DRIVE AND MOORE ROAD
14. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR STONE CANYON VIII, A 38-LOT SINGLE-FAMILY SUBDIVISION ON 51 ACRES LOCATED NORTH OF TORTOLITA MOUNTAIN CIRCLE, 1/4-MILE WEST OF RANCHO VISTOSO BOULEVARD

**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: 6/24/15 at 5:00 p.m. by mrs

AMENDED AGENDA POSTED: 6/30/15 at 4:30 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:** 07/01/2015

**Submitted By:** Arinda Asper, Town Manager's Office

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**Information**

**Subject**

Councilmember Hornat - 2015 AZAPA Land Use Law Update Trip Report

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**Attachments**

CM Hornat 2015 AZAPA Land Use Law Update Trip Report

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Office of the Mayor & Town Council

**Trip Report**

**Purpose:** 2015 Land Use Law Update

**Date:** June 8, 2015

**Location:** Orange Tree Golf Resort  
Scottsdale, AZ

**Attendees:** Councilmember Joe Hornat

**Summary:**

The 2015 Land Use Law Update was held on June 5 in Scottsdale, Arizona. The scheduled program included a discussion of recent and ongoing federal and state court decisions regarding sign controls and free speech; a session on subdivision assurances, examining the longstanding use of third party trust agreements in Pima County; a session on ethics for planners and lawyers; a session examining recent developments in the federal and local regulation of cell tower siting; and a review of the past year's legislative enactments and recent court decisions of interest to planners and lawyers.

The agenda is attached.

Report submitted to the Town Clerk on June 8, 2015.

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Joe Hornat  
Councilmember

*Caring for our heritage, our community, our future.*

[www.orovalleyaz.gov](http://www.orovalleyaz.gov)

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# 2015 Land Use Law Update

## Co-Sponsors:

**Arizona Chapter, American Planning Association**

**Rocky Mountain Land Use Institute**

**State Bar of Arizona**

**Friday, June 5, 2015**

**Orange Tree Golf Resort**

**10601 N. 56th St.**

**Scottsdale, AZ**

## Seminar Co-Chairs:

**Frank S. Bangs, Jr., Lazarus, Silvyn & Bangs, PC, Tucson**

**Douglas A. Jordan, Jordan Bischoff & Hiser PLC, Scottsdale**

**Joy Rich, AICP, Maricopa County Planning and Development**

## Overview

Against the generally gloomy backdrop of a real estate economy barely creeping towards some semblance of normality, and our state and local governments struggling to make fiscal ends meet, this year we examine some perennially controversial subjects of land use regulation: signs, subdivision assurances, group homes and cell towers.

Our lead-off session looks at two Arizona sign cases currently in the judicial spotlight: Reed v. Town of Gilbert, a church's challenge on First Amendment grounds to temporary sign controls, recently argued before the U.S. Supreme Court; and Scottsdale v. State of Arizona, contesting the application to charter cities of a state law which preempts regulations prohibiting the use of public rights-of-way by sign walkers, now before the Arizona Court of Appeals. The factual background and current status of those cases will be described by the two cities' attorneys. An overview of signs and free speech will be provided by Clint Bolick of the Goldwater Institute.

Our second session revisits the concept of using third party trust agreements as assurances for the completion of subdivision improvements. Renewed interest in this topic may have been prompted by a near-miss with craziness in Ponderosa Fire District 276 v. Coconino County, where a purchaser of an undeveloped subdivision out of bankruptcy tried to force a county to realize the bonds posted by the original subdivider. Legal and practical perspectives on the longstanding use of the third party trusts in Pima County will be provided.

This year's luncheon speaker, Professor Daniel R. Mandelker, Howard A. Stamper Professor of Law at Washington University in St. Louis, will discuss the use of the Fair Housing Act to combat discrimination against group homes. Professor Mandelker is one of the nation's leading scholars and teachers in land use law, the author of numerous publications, a frequent speaker at national conferences, and a member of the College of Fellows of the American Institute of Certified Planners.

Following lunch, the program offers concurrent sessions: a presentation on legal and planning ethics and a free-ranging question and answer exchange with the faculty.

The second afternoon session covers recent developments in the federal and local regulation of cell tower siting, with a panel comprised of industry consultants, and local government and private attorneys.

Wrapping up the program is an examination of the past year's legislative enactments and court decisions of interest to lawyers and planners.

## Schedule

- 8:30 - 9:00 a.m. **Registration/Continental Breakfast/Networking with Speakers and Planners**
- 9:00 - 9:10 a.m. **Welcome and Introduction of Speakers**
- 9:10 - 10:30 a.m. **The Signs of the Times**
- *Reed v. Town of Gilbert*—Supreme Court and Temporary Signs
  - Sign Walker Controls—Preempted or Not?
  - Free Speech and Sign Regulation
- 10:30 - 10:45 a.m. **Break**
- 10:45 a.m. - Noon **Better Than Bonds? Third Party Trust Subdivision Assurance Agreements**
- Learn how to make these agreements successful for all those involved – the local jurisdiction, the developer, and the title company.
- Noon - 1:00 p.m. Lunch Presentation (lunch included)  
**Fighting Discrimination: Fair Housing and Group Homes**
- 1:00 - 1:15 p.m. **Break**
- CONCURRENT SESSIONS - CHOOSE FROM**
- 1:15 - 2:15 p.m. **(1) Stump the Experts**
- Everything you wanted to know but were afraid to ask your attorney.
- (2) Ethics for Planners and Lawyers**
- Presentation and audience discussion of lawyer and planner ethical issues.
- 2:15 - 2:30 p.m. **Break**
- 2:30 - 3:30 p.m. **Cell Towers and the Telecommunications Act – An Update**
- Wireless Network Development – Meeting Rapidly Increasing Demand
  - Co-Locating on Existing Towers – The Act and the FCC’s Rules
  - City Land and Right of Way – How a City Implements the Rules
- 3:30 - 4:30 p.m. **Legislative and Case Law Update**
- 2015 Legislative Session
  - Recent Arizona Cases

ADJOURN



**Town Council Regular Session**

**Item # 2.**

**Meeting Date:** 07/01/2015

**Submitted By:** Arinda Asper, Town Manager's Office

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**Information**

**Subject**

Councilmember Hornat - 2015 WRRC Conference Trip Report

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**Attachments**

[Hornat 2015 WRRC Conference Trip Report](#)

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Office of the Mayor & Town Council

**Trip Report**

**Purpose:** Water Resources Research Center 2015 Annual Conference

**Date:** June 9 – 10, 2015

**Location:** Wild Horse Pass Hotel  
Chandler, AZ

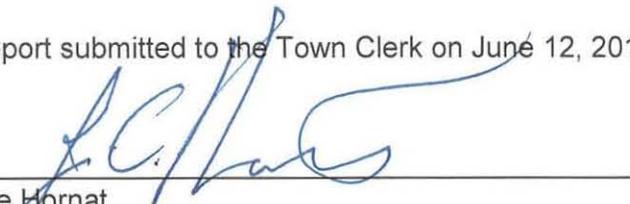
**Attendees:** Councilmember Joe Hornat

**Summary:**

The theme at this year's Water Resources Research Center annual conference was "Indigenous Perspectives on Sustainable Water Practices." Among the major challenges the state of Arizona faces is changing demands on finite water supplies. Organized in collaboration with the Gila River Indian Community, the conference explored indigenous perspectives on water stewardship, challenges and achievements with tribal water leaders. The two-day conference offered an opportunity to reflect on indigenous traditions in caring for agricultural lands and riparian areas as a guide to creating Arizona's water future.

The conference agenda is attached.

Report submitted to the Town Clerk on June 12, 2015.



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Joe Hornat  
Councilmember

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# INDIGENOUS PERSPECTIVES ON SUSTAINABLE WATER PRACTICES

Water Resources Research Center Annual Conference  
Hosted in Partnership with the Gila River Indian Community



WRRRC  
ANNUAL CONFERENCE  
2015

wrrc.arizona.edu

June 9-10, 2015

Wild Horse Pass  
Hotel And Casino  
Chandler, AZ



THE UNIVERSITY OF ARIZONA  
College of Agriculture  
& Life Sciences  
Cooperative Extension



## Agenda

Tuesday, June 9 – 12:30 to 5:30 pm

- 11:30-12:30 Registration
- 12:30-1:00 Traditional Prayer and Blessing
- Opening Remarks  
Sharon Megdal, Director, University of Arizona Water Resources Research Center  
Stephen Lewis, Governor, Gila River Indian Community  
Shane Burgess, Vice President, University of Arizona / Dean, College of Agriculture and Life Sciences
- 1:00-1:45 **Keynote Speaker: John Echohawk, Founder of Native American Rights Fund.**  
Arizona water issues from a tribal perspective
- 1:45-3:00 **The Nature of Tribal Water Rights.** Tribal representatives will discuss the history and future of negotiating Native American water rights in Arizona.  
**Moderator:** Rod Lewis, Gila River Indian Community  
**Panelists:** Jason Hauter, Senior Counsel, Akin Gump  
Margaret Vick, Water Attorney (Havasupai and Colorado River Indian Tribes)  
Robyn Interpreter, Water Attorney (Yavapai-Apache)  
Katherine Verburg, U.S. Bureau of Reclamation
- 3:00-3:20 Break
- 3:20-4:35 **Tribal Water Successes and Challenges.** Highlights of tribal water successes and challenges will be discussed by a panel of Arizona tribal water management leaders.  
**Moderator:** Dennis Patch, Chairman, Colorado River Indian Tribes  
**Panelists:** Norm DeWeaver, Inter Tribal Council of Arizona, Inc.  
Jason John, Navajo Department of Water Resources  
Cheryl Pailzote, White Mountain Apache Department of Water Resources  
Bucky Preston, Hopi Water Issues Expert
- 4:35-4:55 Tara Jackson, President, Arizona Town Hall
- 4:55-5:30 **Keynote Speaker: Ofelia Zepeda, Professor of Linguistics, University of Arizona.** Native American poetry reading.
- 6:00-8:00 Evening Reception

## Wednesday, June 10 – 7:00 am to 5:30 pm

- 7:00-8:00 Continental Breakfast
- 8:00-8:10 Traditional Prayer and Blessing
- 8:10-8:30 Senator Carlyle Begay, Arizona State Legislature, District 7
- 8:30-9:15 **Spiritual and Ceremonial Views of Water.** Panelists will reflect on how tribes relate to water in songs and offerings, and how water is respected in indigenous communities.  
**Speakers:** Herman T.J. Laffoon, Colorado River Indian Tribes  
Vincent Randall, Yavapai Apache Tribe
- 9:15-10:00 **Keynote Speaker: David DeJong, Author of "Forced to Abandon our Fields,"**  
the Agricultural History of the Gila River
- 10:00-10:20 Break
- 10:20-11:35 **Tribal Riparian Restoration Success Stories.** Arizona tribes have a long history of restoring native riparian areas. Tribal representatives will discuss current efforts in riparian restoration.  
**Moderator:** Delia Carlyle, Tribal Councilwoman, Ak-Chin  
**Panelists:** Pete Bungart, Hualapai Tribe  
Charles Enos, Department of Environmental Quality, Gila River Indian Community  
Paul J. Buck, San Carlos Apache Tribe (invited)
- 11:35-1:15 **Luncheon, Recognizing 10th Anniversary of Arizona Water Settlements Act, Public Law 108-451**  
1:15-2:30 **Arizona Groundwater, A Precious Resource.** Tribal water professionals will discuss management decisions related to groundwater, diversifying water portfolios with groundwater recharge.  
**Moderator:** Karletta Chief, University of Arizona  
**Panelists:** Ardeth Barnhart, Director, UA Renewable Energy Network  
Nicole Horseherder, Navajo Activist and To' Nizhoni Ani'  
Alex Cabillo, Hualapai Water Resources Department
- 2:30-3:45 **The Next Generation of Tribal Water Use: Our Youth Represent the Future.** Panelists will discuss current tribal programs developed to engage youth in traditional agricultural practices.  
**Moderator:** Karen Francis Begay, University of Arizona  
**Panelists:** Janene Yazzie, Little Colorado River Watershed Chapters Association  
Stetson Mendoza, Gila River Indian Community  
Cliff Pablo, Tohono O'odham Community College  
Jacob Butler, Salt River-Pima Maricopa Indian Community (invited)
- 3:45-4:00 Break
- 4:00-4:30 **Keynote Speaker: Harry Walters, Navajo Historian.** Water Culture of Indigenous Communities in the Arid Southwest: A Look Forward
- 4:30-5:15 **Learning from the Past, Looking to the Future.** Panelists will discuss how past lessons can be applied to successfully manage water supplies within and beyond Arizona.  
**Moderator:** Katosha Nakai, Central Arizona Project  
**Panelists:** Rod Lewis, Gila River Indian Community  
Ann Marie Chischilly, Northern Arizona University  
Tony Skrelunas, Grand Canyon Trust
- 5:15-5:30 **Closing Comments, Traditional Prayer and Blessing**  
Barnaby Lewis, Gila River Indian Community

[wrrc.arizona.edu](http://wrrc.arizona.edu)



**Town Council Regular Session**

**Item # 3.**

**Meeting Date:** 07/01/2015

**Submitted By:** Arinda Asper, Town Manager's Office

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**Information**

**Subject**

Councilmember Zinkin - NLC 2015 Summer Leadership Forum Trip Report

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**Attachments**

[Zinkin NLC 2015 Summer Leadership Forum Trip Report 06.16.2015](#)

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Office of the Town Council

**Trip Report**

**Purpose:** 2015 National League of Cities Summer Leadership Forum

**Date:** June 9 - 13, 2015

**Location:** Grand America Hotel  
Salt Lake City, UT

**Attendees:** Councilmember Mike Zinkin

**Summary:**

More than 200 local leaders attended the National League of Cities (NLC) summer board of directors meeting and policy forum. In addition to a business meeting for NLC's board of directors, the forum provided a platform for members of the seven policy and advocacy steering committees to discuss the organization's federal action priorities and policy positions on issues important to cities, including supporting our transportation infrastructure, public safety and creating a level playing field for our community businesses.

Councilmember Zinkin was selected to serve on the 2015 NLC Community and Economic Development Committee in January.

Highlights of the two-day forum included:

- Deliberation over NLC's federal action priorities: close the online sales tax loophole; invest in transportation priorities; protect municipal bonds
- Consideration of amendments to NLC's National Municipal Policy, which will be voted on by the membership at the Annual Business Meeting in November
- Mobile workshops to see how Salt Lake City is innovating in areas including transportation and sustainability

Supplemental notes, conference schedule and letter of appointment are attached.

Report submitted to the Town Clerk on June 16, 2015.

Mike Zinkin  
Councilmember

## SUPPLEMENTAL REPORT FOR NLC SUMMER LEADERSHIP FORUM

As usual networking was the primary reward from attending a National forum of the Nation's leaders. The only people invited to this forum were members of the different Steering Committees, so there was ample opportunity to really dwell on items that could be of benefit for our Town.

Nationally, the Transportation Bill is of paramount importance to the Nation. The use of public transportation is becoming more and more part of the Nation's lifestyle. How does this affect Oro Valley? I do not think it is too early to start thinking about developing a transit system that would start at Ina and travel north to the Pinal County line.

With the potential annexation of Arroyo Grande, it is not too early to start think about how we are going to get our citizens around. I am not advocating that we start requesting feasibility studies or grant monies. However, money for public transit will be available and Oro Valley needs to be ready. This *could* be a project for the RTA, if the voters decide to continue it, but I believe that we need to be ready to strike when the iron is hot.

I discovered there is funding available for Parks and Rec. from a fund called the Land and Water Conservation Fund. When Congress reauthorizes it, the money will come from off shore oil drilling. The City of Mesa has utilized these funds as shown below:

Grant ID & Element	Type	Grant Element Title	Grant Sponsor	Amount	Status	Date Approved	Exp. Date	Cong. District	County
45 - XXX	D	KINO SWIMMING POOL	CITY OF MESA	\$68,000.00	C	3/19/1968	12/31/1970	1	Maricopa
75 - XXX	D	REED PARK	CITY OF MESA	\$75,453.92	C	6/26/1970	1/31/1972	6	Maricopa
91 - XXX	D	FITCH PARK	CITY OF MESA	\$76,946.50	C	5/26/1970	12/31/1972	1	Maricopa
121 - XXX	D	FITCH PARK PHASE II	CITY OF MESA	\$85,539.50	C	5/13/1971	12/31/1973	1	Maricopa
126 - XXX	D	REED PARK PHASE II	CITY OF MESA	\$89,168.43	C	1/7/1971	7/31/1973	6	Maricopa
131 - XXX	A	PARK SITE SOUTHWEST AREA OF MESA	CITY OF MESA	\$66,000.00	C	3/10/1971	9/1/1975	1	Maricopa
157 - XXX	D	EVERGREEN PARK DEVELOPMENT	CITY OF MESA	\$2,993.52	C	10/7/1971	11/29/1971	1	Maricopa
158 - XXX	D	PLAYGROUND EQUIPMENT AT MESA PARKS	CITY OF MESA	\$6,250.00	C	11/16/1971	12/31/1973	1	Maricopa
159 - XXX	D	PALO VERDE PARK DEV PHASE I	CITY OF MESA	\$33,572.93	C	11/16/1971	12/31/1973	6	Maricopa
160 - XXX	D	BALLFIELD LIGHTING AND DEV	CITY OF MESA	\$11,993.50	C	12/20/1971	1/1/1973	1	Maricopa
239 - XXX	D	DEV. AT FOUR MESA PARKS	CITY OF MESA	\$15,809.65	C	5/2/1973	12/31/1975	1	Maricopa
258 - XXX	D	KLEINMAN PARK	CITY OF MESA	\$53,665.78	C	12/17/1973	12/31/1975	1	Maricopa
296 - XXX	A	FARNSWORTH PROPERTY PARK SITE	CITY OF MESA	\$39,690.00	C	2/7/1975	12/31/1976	6	Maricopa
301 - XXX	D	FREMONT POOL	CITY OF MESA	\$150,000.00	C	12/30/1974	12/31/1976	6	Maricopa
386 - XXX	D	POSTON JUNIOR HIGH SCHOOL LIGHTING	CITY OF MESA	\$22,000.00	C	2/4/1977	12/31/1981	1	Maricopa
405 - XXX	C	PARK OF THE CANALS	CITY OF MESA	\$55,888.10	C	6/9/1977	12/31/1981	1	Maricopa
408 - XXX	D	S. GREENFIELD RD. PARK	CITY OF MESA	\$25,000.00	C	9/28/1977	12/31/1982	6	Maricopa
415 - XXX	D	JEFFERSON PARK SITE	CITY OF MESA	\$187,772.49	C	1/16/1978	12/31/1982	6	Maricopa
445 - XXX	D	S. W. PARK DEV.	CITY OF MESA	\$50,000.00	C	12/13/1977	12/31/1982	1	Maricopa
487 - XXX	D	NEIGHBORHOOD PARKS IMPROVEMENT	CITY OF MESA	\$44,806.94	C	1/30/1979	12/31/1983	1	Maricopa
495 - XXX	D	DEV. OF DOBSON RANCH PARK	CITY OF MESA	\$100,000.00	C	2/15/1979	12/31/1983	1	Maricopa
498 - XXX	D	DEVELOPMENT OF NORTHWEST PARK	CITY OF MESA	\$150,000.00	C	2/15/1979	12/31/1983	1	Maricopa
514 - F	D	ARIZONA CONSOLIDATED PROJECT FY 79-8	CITY OF MESA	\$194,665.25	C	2/20/1980	12/31/1984	99	Maricopa
514 - G	D	ARIZONA CONSOLIDATED PROJECT FY 79-8	CITY OF MESA	\$75,000.00	C	2/20/1980	12/31/1984	6	Maricopa
514 - H	D	ARIZONA CONSOLIDATED PROJECT FY 79-8	CITY OF MESA	\$25,000.00	C	2/20/1980	12/31/1984	1	Maricopa
514 - I	D	ARIZONA CONSOLIDATED PROJECT FY 79-8	CITY OF MESA	\$27,991.71	C	2/20/1980	12/31/1984	1	Maricopa
514 - J	D	ARIZONA CONSOLIDATED PROJECT FY 79-8	CITY OF MESA	\$139,306.50	C	2/20/1980	12/31/1984	1	Maricopa
514 - K	D	ARIZONA CONSOLIDATED PROJECT FY 79-8	CITY OF MESA	\$48,827.62	C	2/20/1980	12/31/1984	1	Maricopa
529 - XXX	D	CARRIAGE LANE PARK DEV. PHASE III	CITY OF MESA	\$51,271.81	C	12/12/1980	12/31/1985	1	Maricopa
530 - XXX	D	EMERALD PARK DEVELOPMENT PHASE I	CITY OF MESA	\$27,641.13	C	12/12/1980	12/31/1985	6	Maricopa
531 - XXX	D	GREENFIELD PARK/DEV. PHASE III	CITY OF MESA	\$19,690.83	C	1/12/1981	12/31/1985	6	Maricopa

532 - XXX	D	MOUNTAIN VIEW PARK DEVELOPMENT PH I	CITY OF MESA	\$26,000.00	C	1/12/1981	12/31/1985	1	Maricopa
533 - XXX	D	RIVERVIEW PARK DEV. - PHASE III	CITY OF MESA	\$54,150.00	C	1/12/1981	12/31/1985	1	Maricopa
534 - XXX	D	SHERWOOD MANOR PARK DEV. PHASE I	CITY OF MESA	\$26,000.00	C	1/12/1981	12/31/1985	6	Maricopa
576 - XXX	D	DOBSON RANCH PARK IMPROVEMENTS	CITY OF MESA	\$35,615.00	C	7/14/1983	9/1/1984	1	Maricopa
605 - XXX	D	PIONEER PARK	CITY OF MESA	\$37,750.00	C	1/21/1985	6/30/1989	1	Maricopa
617 - XXX	D	KINGSBOROUGH PARK, PHASE III	CITY OF MESA	\$13,000.00	C	4/17/1985	6/30/1989	6	Maricopa
619 - XXX	D	SHERWOOD PARK-PHASE III	CITY OF MESA	\$27,519.56	C	5/29/1985	6/30/1989	6	Maricopa
632 - XXX	R	FITCH PARK REHABILITATION	CITY OF MESA	\$60,000.00	C	6/9/1986	6/30/1990	1	Maricopa
634 - XXX	D	PARK OF THE CANALS	CITY OF MESA	\$27,750.00	C	6/9/1986	6/30/1990	1	Maricopa
708 - XXX	D	AUGUSTA RANCH PARK DEVELOPMENT	CITY OF MESA	\$367,463.70	C	6/21/2002	12/31/2007	6	Maricopa

The NLC also has a National Program called U.S. Communities Government Purchasing Alliance. This program allow cities to purchase goods at cheaper rates. For example< if Oro Valley wishes to purchase park equipment, we might get a cheaper price if our desires were coupled with other cities allowing for a bulk purchase. I believe this is well worth looking into. The program explanation follows.



## U.S. Communities Government Purchasing Alliance

U.S. Communities Government Purchasing Alliance (U.S. Communities) is the leading national government purchasing cooperative, providing world class government procurement resources and solutions to your local and state government agencies, school districts (K-12), higher education institutes, and nonprofits looking for the best overall supplier government pricing.

The U.S. Communities program provides local agencies in the U.S. with competitively bid public contracts for various products and services. Most local agencies are allowed to piggyback on a contract competitively bid by another public agency, thereby eliminating the need to re-bid. Through the buying power of large government purchasers in the U.S. Communities program, all local government agencies and nonprofit organizations receive access to excellent pricing and contract terms.

### U.S. Communities offers local agencies:

- No sign up fees
- No user fees
- No minimum purchasing requirements
- Best overall supplier government pricing
- Quality brands
- Integrity and experience
- Management by public-purchasing professionals
- Green eco-friendly products

### E-Commerce Marketplace



The U.S. Communities Online Marketplace is available at no cost, provides quick visibility into products and pricing, and integrates many U.S. Communities supplier contracts into a single shopping environment, making it easier than ever to shop and compare prices. The marketplace offers access to thousands of products from multiple suppliers with a single payment using a p-card, credit card or purchase order. Try it today!

It is quick and easy to join U.S. Communities! Visit the U.S. Communities website at [www.uscommunities.org](http://www.uscommunities.org) and click on "Register Now" and begin to save!

## About U.S. Communities Government Purchasing Alliance

U.S. Communities is a nonprofit government purchasing cooperative that reduces the cost of goods and services by aggregating the purchasing power of public agencies nationwide. U.S. Communities provides world class procurement resources and solutions to local and state government agencies, school districts (K-12), higher education, and nonprofits. NLC is a sponsor of U.S. Communities and serves on its governing body.

### MORE INFORMATION



**U.S. COMMUNITIES™**  
GOVERNMENT PURCHASING ALLIANCE



[U.S. Communities Brochure](#)

[Frequently Asked Questions](#)

[Request for More Information](#)

### RESOURCE LINKS

[U.S. Communities Website](#)

[U.S. Communities Online Marketplace](#)

[U.S. Communities Products and Suppliers](#)

### IN THE NEWS

[NLC Honors Cities for Procurement Savings](#)

### CURRENT SOLICITATIONS

Listed below are posting details and documents for competitive solicitations currently in progress:

- Science/Labware Supplies and Equipment
- Foreign Language Interpretation, Translation Services and Related Services and Solutions
- Travel Services and Solutions
- Innovative Solutions, Applications, Products and Services



2015 Officers

President

Ralph E. Becker  
Mayor  
Salt Lake City, Utah

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Christopher B. Coleman  
Mayor  
Saint Paul, Minnesota

Chief Executive Officer/  
Executive Director

Clarence E. Anthony

Deputy Executive  
Director

Antoinette A. Samuel

January 20, 2015

Dear Community and Economic Development Steering Committee member:

On behalf of the National League of Cities (NLC), I am writing to congratulate you on your appointment to the 2015 Community and Economic Development Steering Committee. Your experience and commitment will bring great value to NLC, communities around the country and the efforts of the committee. Your term begins with the receipt of this notification and concludes at the adjournment of the 2015 Congress of Cities in Nashville, Tenn., in November.

This year's committee leadership team consists of Chair Mike Wojcik, councilmember, Rochester, Minn, and Vice Chair(s) Craig Thurmond, mayor, Broken Arrow, Okla. and Johnny DuPree, mayor, Hattiesburg, Miss. The NLC staff contact for your committee is Michael Wallace. Mike can be reached directly at 202-626-3025 or by e-mail at [Wallace@nlc.org](mailto:Wallace@nlc.org). All of us at NLC look forward to working with you in this capacity this year.

I hope you are already planning to attend NLC's Congressional City Conference March 7-11, 2015, at the Marriott Wardman Park Hotel in Washington, D.C., and to join us for important committee meetings that will take place during the conference. Your participation at these meetings is important as the committee will begin developing a work plan for the year. To assist you in preparing for the meetings, NLC will e-mail meeting materials and room locations in early March. Optional events may take place before the committee meetings, and we will send you that information as soon as it is available.

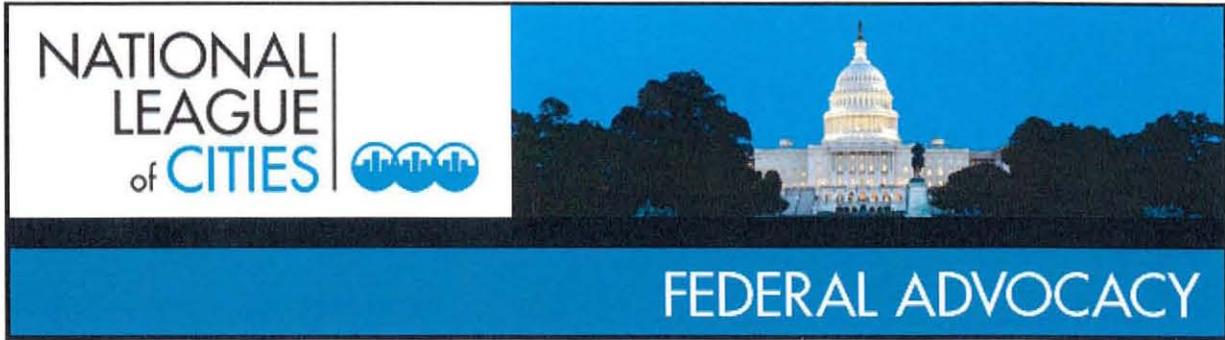
To register for the Congressional City Conference, click [here](#).

Finally, attached is a hometown press release, which I encourage you to personalize and share with your local media. If you have any questions regarding media relations, please contact Thomas Martin at [martin@nlc.org](mailto:martin@nlc.org).

Again, congratulations on your appointment and I look forward to working with you next year.

Sincerely,

Ralph E. Becker  
President  
National League of Cities



**COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMITTEE**

**2015 SUMMER MEETING**

**Wednesday, June 10<sup>th</sup> – Friday, June 12<sup>th</sup>**

**Meeting Site**

**Grand America Hotel**  
Vienna Meeting Room  
555 S Main Street  
Salt Lake City, Utah

**The Honorable Johnny Dupree,**  
**Vice Chair**  
Mayor  
Hattiesburg, Mississippi

**The Honorable Michael Wojcik,**  
**Chair**  
Council Member  
Rochester, Minnesota

**The Honorable Craig Thurmond,,**  
**Vice Chair**  
Mayor  
Broken Arrow, Oklahoma

**NLC Staff**  
**Michael Wallace**  
Program Director  
(202) 626-3025  
[Wallace@nlc.org](mailto:Wallace@nlc.org)

**COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE STEERING  
MEETING AGENDA**

<b><u>Wednesday, June 10</u></b>	
<b>8:00 a.m. – 5:00 p.m.</b>	<b>REGISTRATION</b> <i>Grand Ballroom Office Registration Area</i>
<b>5:00 p.m. – 6:00 p.m.</b>	<b>WELCOME RECEPTION</b> <i>Grand Ballroom AD</i>  <i>Dinner on your own</i>
<b><u>Thursday, June 11</u></b>	
<b>8:00 a.m. – 5:00 p.m.</b>	<b>REGISTRATION</b> <i>Grand Ballroom Office Registration Area</i>  <i>Breakfast on your own</i>
<b>8:00 a.m. – 12:00 p.m.</b>	<b>MOBILE WORKSHOP FOR COMMITTEE MEMBERS</b> <ul style="list-style-type: none"> <li>• Sugarhouse Redevelopment Tour and Streetcar Coalition -or-</li> <li>• Sustainability and Energy Efficiency – Solar Farm, PSB, Solar Tree Farm</li> <li>➤ <i>Mobile tour busses will arrive for pickup at 8:00am and depart for tours at 8:30am</i></li> <li>➤ <i>Busses will be located on the 600 south side of the hotel</i></li> <li>➤ <i>The mobile tour title will be displayed in the bus window.</i></li> </ul>
<b>12:00 p.m. – 1:30 p.m.</b>	<b>NLC BOARD AND COMMITTEE LUNCHEON</b> <i>Grand Ballroom A</i>  <i>At the beginning of the lunch, there will be a short program featuring:</i> <ul style="list-style-type: none"> <li>• <b>The Honorable Ralph Becker</b> President, National League of Cities and Mayor, Salt Lake City, Utah</li> <li>• <b>Rohan Patel</b> Deputy Director, White House Office of Intergovernmental Affairs</li> <li>• <b>The Honorable Matt Zone</b> 2<sup>nd</sup> Vice President, National League of Cities and Councilmember, Cleveland, Ohio</li> </ul>
<b>1:30 p.m. – 5:00 p.m.</b>	<b>COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE MEETING</b> <i>Vienna Meeting Room</i>
<b>1:30 p.m. – 2:00 p.m.</b>	<b>WELCOME &amp; INTRODUCTIONS; GUEST &amp; CORPORATE PARTNER RECOGNITION</b> <ul style="list-style-type: none"> <li>• <b>The Honorable Michael Wojcik, Chair</b> Council Member, Rochester, Minnesota</li> </ul>

<p>2:00 p.m. – 2:15 p.m.</p>	<p><b>SUMMARY OF 2015 WORKPLAN</b></p> <ul style="list-style-type: none"> <li>• <b>The Honorable Craig Thurmond, Vice Chair</b> Mayor, Broken Arrow, Oklahoma</li> </ul> <p>Mayor Thurmond will summarize the 2015 work plan adopted by the CED Committee at the March meeting during the Congressional Cities Conference.</p>
<p>2:15 p.m. – 3:00 p.m.</p>	<p><b>FEDERAL ADVOCACY REPORT</b></p> <ul style="list-style-type: none"> <li>• <b>Michael Wallace</b>, Program Director for CED, National League of Cities</li> </ul> <p>Following an update on NLC’s advocacy efforts for local priorities, Committee Members will be encouraged to report on individual or city-level advocacy efforts since our last meeting in March, and to share any response to those efforts.</p>
<p>3:00 p.m. – 4:00 p.m.</p>	<p><b>PRESENTATION AND DISCUSSION: FEDERAL POLICY AND ADVOCACY AGENDA FOR COMMUNITY PLANNING AND DEVELOPMENT</b></p> <ul style="list-style-type: none"> <li>• <b>Office of Community and Economic Development</b> Salt Lake City</li> <li>• <b>Elizabeth R Buehler, AICP</b> Homeless Services Coordinator Housing and Neighborhood Development Division Salt Lake City</li> </ul> <p>Committee members will hear from local leaders responsible for Salt Lake City’s innovative community development policies and practices; and about their nationally recognized “Housing First” program to end homelessness. The presentation and discussion will inform the review of NLC’s policy chapter on housing, community development, and CDBG.</p>
<p>4:00 p.m. – 4:15 p.m.</p>	<p><b>BREAK</b></p>
<p>4:15 p.m. – 4:45 p.m.</p>	<p><b>PRESENTATION AND DISCUSSION: RACE, EQUITY AND LEADERSHIP (REAL)</b></p> <ul style="list-style-type: none"> <li>• <b>The Honorable Matt Zone</b> 2<sup>nd</sup> Vice President, National League of Cities and Councilmember, Cleveland, Ohio</li> <li>• <b>Leon Andrews</b> Director, Race, Equity, and Leadership, National League of Cities</li> </ul> <p>Recent unrest in cities has put a national spotlight on the policies of municipal governments, and specific cities in the spotlight have responded to charges of discrimination in different ways. NLC’s REAL program is intended to be a resource for local elected officials engaged in these issues. For this discussion, the CED Committee will be asked for help to make the program a success.</p>

4:45 p.m. – 5:30 p.m.	<p><b>POLICY REVIEW AND DISCUSSION: THE INTERGOVERNMENTAL PARTNERSHIP FOR HOUSING AND COMMUNITY DEVELOPMENT</b></p> <ul style="list-style-type: none"> <li>• <b>The Honorable Michael Wojcik, Chair</b> Council Member, Rochester, Minnesota</li> </ul> <p>Chairman Wojcik will lead the committee in a discussion of the CED Committee policy for housing and community development. Among other things, the Committee will consider questions of policy prioritization, its usefulness for local officials building better communities, and its relevance against demographic and generational change.</p>
6:00 p.m.	<p><b>DINNER ON YOUR OWN</b></p>
8:00 p.m. – 9:30 p.m.	<p><b>MORMON TABERNACLE CHOIR REHEARSAL (OPTIONAL)</b> <i>50 W. North Temple Salt Lake City, Utah 84150 This location is within walking distance of the hotel.</i></p> <p>This optional event is for those who are interested attending.</p>
<b><u>Friday, June 12</u></b>	
8:00 a.m. – 9:00 a.m.	<p><b>POLICY AND ADVOCACY COMMITTEE BREAKFAST</b> <i>Grand Ballroom B</i></p>
9:00 a.m. – 5:00 p.m.	<p><b>COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE MEETING</b> <i>Vienna Meeting Room</i></p>
9:00 a.m. – 10:15 a.m.	<p><b>PRESENTATION AND DISCUSSION: FEDERAL POLICY AND ADVOCACY AGENDA FOR ECONOMIC DEVELOPMENT AND OPPORTUNITY</b></p> <ul style="list-style-type: none"> <li>• <b>Zions Bank</b> Zions Bank is Utah's oldest financial institution and is the only local bank with statewide distribution.</li> <li>• <b>The Salt Lake Chamber and Downtown Alliance</b> The Downtown Alliance is a nonprofit organization and strategic partner of the Salt Lake Chamber, representing more than 2,500 business and property owners in the Central Business District.</li> </ul> <p>Committee members will hear from policy experts in local economic development on what municipal governments ought to be doing to ensure business and workforce remain well-suited to one another. The presentation and discussion will inform the review of NLC's policy chapters on economic development and international trade.</p>
10:15 a.m. – 10:30 a.m.	<p><b>BREAK</b></p>

<p>10:30 a.m. – 11:30 a.m.</p>	<p><b>POLICY REVIEW AND DISCUSSION: THE INTERGOVERNMENTAL PARTNERSHIP FOR ECONOMIC DEVELOPMENT AND OPPORTUNITY</b></p> <ul style="list-style-type: none"> <li>• <b>The Honorable Craig Thurmond, Vice Chair</b> Mayor, Broken Arrow, Oklahoma</li> </ul> <p>Mayor Thurmond will lead the committee in a discussion of the CED Committee policy for economic development and international trade. Among other things, the Committee will consider questions of policy prioritization, its usefulness for local officials building better communities, and its relevance against demographic and generational change and advances in technology. The Committee may also consider if there ought to be a social equity component to economic development policies and programs</p>
<p>11:30 a.m. – 12:00 p.m.</p>	<p><b>UPDATES FROM THE BOARD</b></p> <ul style="list-style-type: none"> <li>• <b>The Honorable Michael Wojcik, Chair</b> Council Member, Rochester, Minnesota</li> </ul>
<p>12:00 p.m. – 1:30 p.m.</p>	<p><b>POLICY AND ADVOCACY COMMITTEE LUNCHEON</b> <i>Grand Ballroom ABC</i></p>
<p>1:30 p.m. – 2:45 p.m.</p>	<p><b>CED POLICY DISCUSSION: PROPOSALS FOR POLCY REFORM I</b></p> <ul style="list-style-type: none"> <li>• <b>The Honorable Michael Wojcik, Chair</b> Council Member, Rochester, Minnesota</li> </ul> <p>NLC has a process for considering amendments to NLC’s National Municipal Policy and Resolutions. However, that process may be insufficient if the Committee wants to recommend changes to the very form NLC policy takes. This discussion will be focused on ideas for improving NLC policy so that is useful to local officials for federal advocacy on behalf of cities; useful for local leaders building better communities; and able to capture and communicate the ways that cities actually practice development. Motions may be made to the Chair to inform NLC’s board of ideas or proposals for reforming National Municipal Policy.</p>
<p>2:45 p.m. – 3:00 p.m.</p>	<p><b>BREAK</b></p>
<p>3:00 p.m. – 4:00 p.m.</p>	<p><b>CED POLICY DISCUSSION: PROPOSALS FOR POLCY REFORM II</b></p> <ul style="list-style-type: none"> <li>• <b>The Honorable Michael Wojcik, Chair</b> Council Member, Rochester, Minnesota</li> </ul> <p>Concurrent with consideration of improvements to the form of NLC’s National Municipal Policy, committee members, informed by previous presentations, may want to evaluate and make changes to CED policy as it exists now. This discussion is for those proposals.</p>

<p>4:00 p.m. – 5:00 p.m.</p>	<p><b>NEXT STEPS AND ADJOURN</b></p> <p>Committee members will discuss next steps to take before the next meeting, either in the fall or at the Congress of Cities Conference in Nashville, TN</p>
<p>5:00 p.m. - 8:30 p.m.</p>	<p><b>Closing Reception and Dinner</b> <i>Aerie Restaurant at Snowbird Resort</i></p> <p>Busses will transport members to the resort and return members to the hotel. Once at the resort, members will be provided tram rides to the top of the mountain</p> <ul style="list-style-type: none"> <li>➤ <i>Busses will arrive for pickup at 5:00pm and depart for the resort at 5:30pm.</i></li> <li>➤ <i>Busses will depart Snowbird Resort at 8:30pm to return members to the Grand America Hotel.</i></li> </ul>



**Town Council Regular Session**

**Item # 1.**

**Meeting Date:** 07/01/2015  
Proclamation - Drowning Impact Awareness

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**Information**

**Subject**

Proclamation - Drowning Impact Awareness Month - August 2015

**Summary**

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**Attachments**

[Proclamation](#)

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*Office of the Mayor*  
Oro Valley, Arizona  
**Proclamation**

**DROWNING IMPACT AWARENESS MONTH  
AUGUST 2015**

**WHEREAS**, Drowning Impact Awareness month will raise awareness that the number and impact of child drownings in Arizona affects everyone; and

**WHEREAS**, the drowning incidents in Arizona take the lives of the equivalent of a classroom of children each year; and

**WHEREAS**, a child drowning can happen to any family regardless of education, race or socio-economic background; and

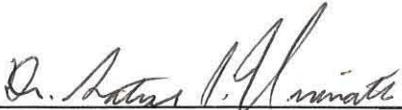
**WHEREAS**, families can take simple steps to protect their children around water to avoid the tragedy of the unnecessary loss of life; and

**WHEREAS**, water safety remains a priority for Arizona families, communities, and government, and the Drowning Prevention Coalition of Arizona; and

**WHEREAS**, keeping children healthy and safe is the goal of the Drowning Prevention Coalition of Arizona, Fire Departments and other prevention institutions in Arizona, raising awareness will increase understanding and education of effective ways to prevent drownings.

**NOW, THEREFORE**, I, Dr. Satish I. Hiremath, Mayor of Oro Valley, do hereby proclaim August 1<sup>st</sup> through 31<sup>st</sup>, 2015 as **DROWNING IMPACT AWARENESS MONTH** in the Town of Oro Valley.

Dated this 1<sup>st</sup> day of July, 2015

  
Dr. Satish I. Hiremath, Mayor



ATTEST:

  
Julie K. Bower, Town Clerk



**Town Council Regular Session**

**Item # A.**

**Meeting Date:** 07/01/2015

**Requested by:** Julie Bower **Submitted By:** Michelle Stine, Town Clerk's Office

**Department:** Town Clerk's Office

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**Information**

**SUBJECT:**

Minutes - June 17, 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 June 17, 2015 minutes.

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**Attachments**

6-17-15 Draft Minutes

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**MINUTES  
ORO VALLEY TOWN COUNCIL  
REGULAR SESSION  
June 17, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Mayor Hiremath called the meeting to order at 6:01 p.m.

**ROLL CALL**

**PRESENT:**

Satish Hiremath, Mayor  
Lou Waters, Vice Mayor  
Bill Garner, Councilmember (Via telephone)  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Mike Zinkin, Councilmember

**ABSENT:**

Brendan Burns, Councilmember, joined the meeting after the roll call (Via telephone)

**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**

Vice Mayor Waters reviewed the mold remediation report conducted by Environmental Strategies, Inc. for the Town's Community and Recreation Center.

Vice Mayor Waters spoke about several events that were taking place at the Town's Community and Recreation Center. The first event was the "Meet the Architect Open House" scheduled for June 29, 2015. The second event was "pasta night" held at La Vista Restaurant every Thursday night. Vice Mayor Waters encouraged residents to call the restaurant at (520) 229-5355 for more information

Councilmember Hornat attended the Explorers training through the American Legion.

Councilmember Zinkin attended the National League of Cities Summer Leadership Forum in Salt Lake City, at which they discussed the Marketplace Fairness Act.

Councilmember Burns joined the meeting via telephone at 6:12 p.m.

Councilmember Snider attended the 19th Annual School Resource Officers Association Conference in Phoenix, at which the Oro Valley School Resource Officers Unit was recognized as the 2015 Model Agency of the Year.

Councilmember Hornat attended the Urban Land Institute in Scottsdale, at which various sign code issues were discussed.

Councilmember Snider recognized Ms. Jennifer Royer's former fourth grade class from Copper Creek Elementary School for their extensive accomplishments and contributions in getting state Senate Bill 1441 passed into law, declaring Copper as the Arizona State Metal.

## **DEPARTMENT REPORTS**

Parks and Recreation Director Kristy Diaz-Trahan reported, since June 1<sup>st</sup>, there were 51 new memberships for the Community & Recreation Center. Ms. Diaz-Trahan said the Recreation Center had over 90 participants in the summer youth camps held at the center. Ms. Diaz-Trahan spoke about several programs that were offered at the Community & Recreation Center. Ms. Diaz-Trahan also announced Mr. Kevin Marts as the new Community & Recreation Facility Manager.

## **ORDER OF BUSINESS**

Mayor Hiremath said the agenda would stand as posted.

## **CALL TO AUDIENCE**

Pima County resident Richard Hernandez spoke about the recall process and the Pima County tax increase.

Oro Valley resident Geri Ottoboni spoke about the Pima County property tax increase and was concerned with the proposed bond.

Oro Valley resident Stan Winetrobe spoke in support of Community Policing and the benefits of being proactive and having trust between the Police Department and the Community.

Oro Valley resident Sam Sepulveda spoke words of encouragement to the Council.

## **PRESENTATIONS**

### 1. 2015 Summer Transportation Art by Youth update

Development and Infrastructure Services Assistant Director Aimee Ramsey introduced Hiro Tashima and James E. Butler as the artists to lead a team of 10 students in the development of art work near the entrance to Naranja Park.

Sophia Silva presented the sculpture that will be displayed near the entrance of Naranja Park and introduced the 10 student artists scheduled to work on the project.

### 2. Proclamation - Independents Week

Mayor Hiremath proclaimed June 27th through July 5, 2015 as Independents Week.

Lisette DeMars, representative of Local First Arizona, spoke regarding Independents Week.

## **CONSENT AGENDA**

Councilmember Zinkin requested to remove items (B - C), and (G) from the Consent Agenda for discussion.

Councilmember Garner requested to remove item (F) from the Consent Agenda for discussion.

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

### A. Minutes - May 20 and June 3, 2015

D. Resolution No. (R)15-45, approving an Intergovernmental Agreement (IGA) with the Arizona Department of Revenue (ADOR) related to uniform administration of the Town's Transaction Privilege Taxes (TPT)

E. Resolution No. (R)15-46, authorizing and executing a Right-of-Way License Agreement between the Town of Oro Valley and Zayo Group, LLC to allow telecommunication facilities within the Town's right-of-ways

H. Request for Conceptual Architecture approval for a pool building in the Maracay at Vistoso subdivision located at the Northern terminus of La Cañada Drive in Rancho Vistoso

**MOTION:** A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Consent Agenda items (A), (D), (E), and (H).

**MOTION** carried, 7-0.

**B. Fiscal Year 2014/15 financial update through April 2015**

Councilmember Zinkin asked for clarification on the projected revenues from the half cent sales tax.

Finance Director Stacey Lemos responded to Councilmember Zinkin regarding the half cent sales tax.

Councilmember Zinkin asked for clarification regarding the personnel vacancy savings.

Ms. Lemos clarified how the personnel vacancy savings were calculated.

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

**MOTION** carried, 7-0.

**C. Resolution No. (R)15-44, approving an amended Final Plat for modification of a conservation easement and no build area in Stone Canyon II, lot 193, located at 1206 West Tortolita Mountain Circle**

Councilmember Zinkin discussed his concern with the homeowner's request to add 680 square feet to his existing 7500 square foot home. In addition, Councilmember Zinkin believed this request was not consistent with the General Plan.

Planning Director Bayer Vella gave an overview of the applicants request and properties current site conditions.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to deny Resolution No. (R)15-44, denying OV1215-09, a plat amendment to modify the conservation easement and no build areas as shown in Attachment 2, based on the fact Councilmember Zinkin believes such a request is gluttony in addition to not being consistent with the General Plan in that hillsides and conservation districts will be torn down.

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

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Snider to approve Resolution No. (R)15-44, approving OV1215-09, a plat amendment to modify the conservation easement and no build areas as shown in Attachment 2, based on the findings in the staff report.

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

**F. Resolution No. (R)15-47, authorizing and approving an Intergovernmental Agreement between the Town of Oro Valley and Pima County regarding payment for the incarceration of municipal prisoners**

Councilmember Garner inquired if Pima County's FY 2015/16 incarceration fee increases were universally paid by all jurisdictions to Pima County at the same rate and if Oro Valley periodically verified the bill with Pima County.

Ms. Lemos stated that incarceration fees were paid universally by all jurisdictions to the County at the same rate. Ms. Lemos also clarified the auditing process for the monthly billing.

**MOTION:** A motion was made by Councilmember Garner and seconded by Vice Mayor Waters to approve Resolution No. (R)15-47, authorizing and approving an Intergovernmental Agreement between the Town of Oro Valley and Pima County regarding payment for the incarceration of municipal prisoners.

**MOTION** carried, 7-0.

**G. Cancellation of the July 15, 2015 Regular Town Council Meeting**

Councilmember Zinkin discussed the proposed cancellation of the July 15, 2015 Regular Town Council Meeting.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to deny the cancellation of the July 15th regular Town Council meeting.

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

**MOTION:** A motion was made by Mayor Hiremath and seconded by Councilmember Hornat to approve the cancellation of the July 15th regular Town Council meeting.

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

**I. Resolution No. (R)15-48, authorizing the Town Clerk to conduct a special recall election on November 3, 2015, as a consolidated election pursuant to A.R.S. § 16-204; and designating the election date, the deadline for voter registration and the place and last date for candidates to file nomination papers and approval of use of General Fund contingency reserves to pay for special election costs**

Councilmembers Hornat, Snider and Vice Mayor Waters recused themselves from item (I).

**MOTION:** A motion was made by Mayor Hiremath and seconded by Councilmember Zinkin to approve Resolution No. (R)15-48, authorizing the Town Clerk to conduct a special recall election on November 3, 2015, as a consolidated election pursuant to A.R.S 16-204; and designating the election date, the deadline for voter registration and the place and last date for candidates to file nomination papers. I further MOVE to approve the use of General Fund contingency reserves in the amount of \$30,000 to pay for the special election costs.

**MOTION** carried, 4-0.

## **REGULAR AGENDA**

### **1. RESOLUTIONS AMENDING THE MAYOR AND COUNCIL WATER POLICIES AND THE FINANCIAL AND BUDGETARY POLICIES**

**A. RESOLUTION NO. (R)15-49, AMENDING THE TOWN OF ORO VALLEY TOWN COUNCIL WATER POLICIES FINANCE SECTION A.1.D. AND ADDING FINANCE SECTION A.1.G.**

**B. RESOLUTION NO. (R)15-50, AMENDING THE TOWN OF ORO VALLEY FINANCIAL BUDGETARY POLICIES SECTION C.3.**

Discussion ensued amongst Council and Mr. Saletta.

**MOTION:** A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Resolution No. (R)15-49, amending the Town of Oro Valley Mayor and Town Council Water Policies finance section A.1.d and adding finance section A.1.g.

**MOTION** carried, 7-0.

**MOTION:** A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Resolution No. (R)15-50, amending the Town of Oro Valley Financial and Budgetary Policies section C.3.

**MOTION** carried, 7-0.

### **2. DISCUSSION AND POSSIBLE DIRECTION REGARDING A FISCAL YEAR 2015/16 BUDGET AMENDMENT FOR AN APPROPRIATION FROM THE GENERAL FUND FOR STEAM PUMP RANCH IN THE AMOUNT OF \$425,000 AND FROM THE HIGHWAY FUND FOR A NEW BACKHOE IN THE AMOUNT OF \$125,000**

Discussion ensued amongst Council regarding item #2.

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Snider to direct staff to refund Steam Pump Ranch in the amount of \$425,000 from the General Fund, and to refund the new Backhoe in the amount of \$125,000 from the Highway Fund.

Discussion ensued amongst Council regarding item #2.

**MOTION** carried, 6-0. with Councilmember Garner abstaining.

### **FUTURE AGENDA ITEMS**

Vice Mayor Waters requested a Future Agenda Item for Council to discuss Oro Valley water assurances in the context of the current and projected growth in Oro Valley, seconded by Councilmember Snider.

### **CALL TO AUDIENCE**

Oro Valley resident Bill Adler spoke regarding the Council's responsibility pertaining to advisory board recommendations.

### **ADJOURNMENT**

**MOTION:** A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adjourn the meeting at 7:37 p.m.

**MOTION** carried, 7-0.

Prepared by:

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Michelle Stine  
Senior Office Specialist

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 17<sup>th</sup> day of June, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015.

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Julie K. Bower, MMC  
Town Clerk



**Town Council Regular Session**

Item # **B.**

**Meeting Date:** 07/01/2015

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

**Department:** Town Clerk's Office

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**Information**

**SUBJECT:**

Reappointment of Stephen Dean as the Town's citizen representative on the Pima Association of Governments' (PAG) Environmental Planning Advisory Committee (EPAC)

**RECOMMENDATION:**

The reappointment of Stephen Dean to the PAG EPAC for a term expiring June 30, 2017, is recommended.

**EXECUTIVE SUMMARY:**

The PAG EPAC charter allows two representatives from each jurisdiction - one staff member and one citizen representative. Bayer Vella is the staff representative and Stephen Dean is the citizen representative. Mr. Dean has requested reappointment to the committee and staff supports his reappointment to a term expiring June 30, 2017.

Mr. Dean was first appointed to the committee as the Town's citizen representative in 2009.

**BACKGROUND OR DETAILED INFORMATION:**

PAG's EPAC provides information and technical expertise, and facilitates dialogue on regional environmental and sustainability topics. EPAC directly supports PAG's role as the federally-designated metropolitan planning organization and can forward recommendations to the PAG Regional Council on policies, plans, resolutions and reports.

EPAC has a voting membership comprised of PAG member jurisdiction and citizen representatives, as well as a diverse set of agency and interest group members. The general public is also welcome to attend. EPAC meets at 9:30 a.m. on the first Friday of each month.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to approve Stephen Dean's reappointment to the PAG Environmental Planning Advisory Committee for a term ending June 30, 2017.

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**Town Council Regular Session**

Item # **C.**

**Meeting Date:** 07/01/2015  
**Requested by:** Philip Saletta      **Submitted By:** Mark Moore, Water  
**Department:** Water

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**Information**

**SUBJECT:**

Resolution No. (R)15-51, authorizing and approving the supplemental Intergovernmental Agreement between the Town of Marana and the Town of Oro Valley to accommodate Oro Valley Water Utility work as part of the design and construction of roadway improvements to Tangerine Road from Dove Mountain Boulevard/Twin Peaks to La Cañada Drive

**RECOMMENDATION:**

Staff recommends approval.

**EXECUTIVE SUMMARY:**

The Town of Oro Valley, the Town of Marana and Pima County have entered into an Intergovernmental Agreement (IGA) for the design and construction of improvements to Tangerine Road from Twin Peaks Road to La Cañada Drive. The design of the drainage structures for the roadway necessitate modifications to the Oro Valley reclaimed water main and potable water mains within the Tangerine Road project area and right-of-way. This supplemental IGA provides for the terms and conditions to perform the water main modification work in a timely and efficient manner.

**BACKGROUND OR DETAILED INFORMATION:**

The Regional Transportation Authority (RTA) was authorized to design and construct improvements to Tangerine Road from Twin Peaks/Dove Mountain to La Cañada. The Town of Marana has been identified by the RTA as the lead agency for the project. The Town of Marana, Town of Oro Valley and Pima County entered into a IGA to coordinate and facilitate the design and construction of the project. Mayor and Council approved this IGA by Resolution No. (R)13-46 on July 3, 2013, with a subsequent amendment by Resolution No. (R)14-20 on April 16, 2014 .

This supplemental IGA is necessary to facilitate the Oro Valley Water Utility work in a timely and efficient manner. This supplemental IGA is consistent with the intent of the original IGA between the parties and will ensure a well-coordinated project. The supplemental IGA provides for terms and conditions to perform the work to relocate and modify the existing reclaimed and potable water lines owned by the Town of Oro Valley located within the roadway project and right-of-way. Only a portion of the water lines need to be relocated. The primary work will be relocating the water lines to accommodate stormwater and drainage control structures for the roadway.

Relocation of utility lines for roadway work is required to be paid by the responsible utility when pipelines or facilities need modification to accommodate roadway projects. The work will be performed under the roadway contract with a guaranteed maximum price. Preliminary estimates from the contractor are reasonable for the work to be performed. All inspections will be performed by the Oro Valley Water Utility to ensure the lines are pressure-tested and all specifications and design criteria are met.

The Town of Marana is expected to approve this resolution at their Council meeting on July 7, 2015.

**FISCAL IMPACT:**

There will be a fiscal impact of approximately \$2,100,000 to perform this work. A guaranteed maximum price will be developed and accepted by the Oro Valley Water Utility prior to construction. This project is currently funded in the Capital Improvement Plan at \$350,000 for FY 2015/16 and \$700,000 for FY 2016/17 based on preliminary estimated costs and project timing. It is anticipated that the full \$2.1 million is required to fund this project in FY 2015/16, and the difference of \$1,750,000 (\$2,100,000 project cost - \$350,000 budget for FY 15/16) is available in the Water Utility cash reserves currently estimated at \$10.6 million.

**SUGGESTED MOTION:**

I MOVE to (approve/deny) Resolution No. (R)15-51, authorizing and approving the supplemental Intergovernmental Agreement between the Town of Marana and the Town of Oro Valley to accommodate Oro Valley Water Utility work as part of the design and construction of roadway improvements to Tangerine Road from Dove Mountain Boulevard/Twin Peaks to La Cañada Drive.

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**Attachments**

(R)15-51 IGA w/Marana - Reclaimed Water Modifications

Exhibit A - IGA

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**RESOLUTION NO. (R)15-51**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING THE SUPPLEMENTAL INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF MARANA AND THE TOWN OF ORO VALLEY TO ACCOMMODATE ORO VALLEY WATER UTILITY WORK AS PART OF THE DESIGN AND CONSTRUCTION OF ROADWAY IMPROVEMENTS TO TANGERINE ROAD – DOVE MOUNTAIN BOULEVARD/TWIN PEAKS ROAD TO LA CANADA DRIVE**

**WHEREAS**, pursuant to ARS § 11-952, the Town of Oro Valley is authorized to enter Intergovernmental Agreements for joint and cooperative action with other public agencies; and

**WHEREAS**, pursuant to ARS § 9-511, *et seq.*, the Town has the requisite statutory authority to acquire, own and maintain a water utility for the benefit of the landowners within and the without the Town’s corporate boundaries; and

**WHEREAS**, the Town of Oro Valley, the Town of Marana, and Pima County entered into an intergovernmental agreement for the design and construction of improvements to Tangerine Road – Twin Peaks Road to La Canada Drive which was recorded in the Pima County Recorder’s office on August 15, 2013; and

**WHEREAS**, the Town desires to take advantage of the economies of scale and to avoid potential construction conflicts by adding certain Oro Valley Water Utility modifications to the Tangerine Road project; and

**WHEREAS**, it is in the best interest of the Town to enter into this Supplemental Intergovernmental Agreement with the Town of Marana, attached hereto as Exhibit “A” and incorporated herein by this reference, in order to accommodate the Oro Valley Water Utility Work as part of the design and construction of roadway improvements to Tangerine Road – Dove Mountain Boulevard/Twin Peaks Road to La Canada Drive.

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

1. The Supplemental Intergovernmental Agreement between the Town of Oro Valley and the Town of Marana to allow for the accommodation of Water Utility Work as part of the design and construction of roadway improvements to Tangerine Road – Dove Mountain Boulevard/Twin Peaks Road to La Canada, attached hereto as Exhibit “A”, is hereby approved.
2. The Water Utility Director and other administrative officials are hereby authorized to take such steps as necessary to execute and implement the terms of the Intergovernmental Agreement.

**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Oro Valley, Arizona this 1<sup>st</sup> day of July, 2015.

**TOWN OF ORO VALLEY**

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Dr. Satish I. Hiremath, Mayor

**ATTEST:**

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Julie K. Bower, Town Clerk

**APPROVED AS TO FORM:**

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Tobin Sidles, Legal Services Director

# **EXHIBIT “A”**

**SUPPLEMENTAL INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE TOWN OF MARANA AND  
THE TOWN OF ORO VALLEY TO ACCOMMODATE  
ORO VALLEY WATER UTILITY WORK AS PART OF THE  
DESIGN AND CONSTRUCTION OF ROADWAY  
IMPROVEMENTS TO TANGERINE ROAD – DOVE MOUNTAIN  
BOULEVARD/TWIN PEAKS ROAD TO LA CAÑADA DRIVE**

This intergovernmental agreement (this “IGA”) is entered into by and between the TOWN OF MARANA (“Marana”), an Arizona municipal corporation, and the TOWN OF ORO VALLEY (“Oro Valley Water Utility”), an Arizona municipal corporation. Marana and Oro Valley are sometimes collectively referred to as the “Parties,” either of which is sometimes individually referred to as a “Party.”

**RECITALS**

- A. Marana has entered into an intergovernmental agreement with the Regional Transportation Authority of Pima County (the “RTA”), recorded with its authorizing resolutions in the Pima County Recorder’s office on June 6, 2013, at Sequence 20131570430 (the “RTA Tangerine Design/ROW IGA”) to facilitate the preparation of construction design drawings and the acquisition of right-of-way needed for the construction of improvements to Tangerine Road – Twin Peaks Road to La Cañada Drive (the “Project”).
- B. Marana has been identified by the RTA as the Lead Agency for the Project and will be responsible for all aspects of project implementation, including construction.
- C. The Parties anticipate that Marana will soon enter into an intergovernmental agreement with the RTA (the “RTA Tangerine Construction IGA”) to facilitate the construction funding and administration for the Project.
- D. The Parties and Pima County entered into an intergovernmental agreement for the design and construction of the Project, recorded in the Pima County Recorder’s office on August 15, 2013, at Sequence 20132270883 (the “Local Governments Tangerine IGA”), to coordinate and facilitate the design and construction of the Project.
- E. The Local Governments Tangerine IGA was modified by the execution of “Amendment Number 1” dated June 3, 2014 (Pima County Contract No. CT-TR-14000000000000000016 Amendment No. 01), which was not recorded, but simply modified paragraph 9 (Contractor Selection) to allow a contractor for the Project to be selected “using a process that is authorized by Arizona Revised Statutes Title 34.”

- F. In accordance with the selection process set forth in the Local Governments Tangerine IGA as modified by Amendment Number 1, a contractor (the “Project Contractor”) has now been procured to construct the Project.
- G. Oro Valley Water Utility now desires to take advantage of the economies of scale and to avoid potential construction conflicts by adding certain Oro Valley Water Utility modifications to the Project, to be constructed by the Project Contractor, administered by Marana, and paid for by Oro Valley Water Utility.
- H. The Parties are authorized to contract for services and enter into agreements with one another for joint and cooperative action pursuant to A.R.S. § 11-952, et seq.

### **AGREEMENT**

NOW, THEREFORE, based on the foregoing recitals, which are incorporated by reference here, and in consideration of the matters and things set forth in this IGA, the Parties hereby agree as follows:

- 1. Purpose.** This IGA is intended as a supplement to the RTA Tangerine Design/ROW IGA, the RTA Tangerine Construction IGA, and the Local Governments Tangerine IGA as modified by Amendment Number 1 (collectively the “Controlling Tangerine IGAs”) to address only those Oro Valley Water Utility facilities modifications added to the Project pursuant to this IGA.
- 2. Expansion of the Project.** The scope of the Project shall be expanded to include modifications to the Oro Valley Water Utility 24-inch Reclaimed Water Main and 12 inch Potable Mains described in detail in “Exhibit A” attached to and incorporated by this reference in this IGA and referred to in this IGA as the “Oro Valley Utility Work.”
- 3. Oro Valley Water Utility’s responsibilities.** Oro Valley Water Utility shall:
  - 3.1. Provide and pay for the design of the Oro Valley Utility Work, including underground utility location (potholing) and related survey services including As Built plans upon completion of the work.
  - 3.2. Coordinate with Psomas, the design engineering firm for the Project, for incorporation of the Oro Valley Utility Work design/plans into the Tangerine Corridor project plans.
  - 3.3. Provide and pay for all permitting necessary for the Project Contractor to construct the Oro Valley Utility Work.
  - 3.4. Timely review and, if acceptable to Oro Valley Water Utility, authorize Marana to execute a Project Guaranteed Maximum Price with the Project Contractor for the installation and construction of the Oro Valley Utility Work.
  - 3.5. If the Project Guaranteed Maximum Price is unacceptable to Oro Valley Water Utility, the Town of Marana and Oro Valley Water Utility will cooperate and negotiate with the Project Contractor to develop an acceptable and reasonable Project Guaranteed Maximum Price.

- 3.6. Inspect the Oro Valley Utility Work for compliance with all applicable regulations, statutes, and standards.
- 3.7. Pay for the construction of the Oro Valley Utility Work performed by the Project Contractor by paying within 30 days of receipt from Marana each invoice for construction costs associated with the Oro Valley Utility Work.

**4. Marana's responsibilities.** Marana shall:

- 4.1. Negotiate and, if acceptable and authorized by Oro Valley Water Utility pursuant to paragraph 3.4 above, execute a Project Guaranteed Maximum Price with the Project Contractor for the installation and construction of the Oro Valley Utility Work, requiring the Project Contractor's separate tracking of all costs associated with the Oro Valley Utility Work.
- 4.2. Coordinate construction inspection for the Project with Oro Valley Water Utility to facilitate Oro Valley Water Utility's inspection of the Oro Valley Utility Work in accordance with paragraph 3.6 above.
- 4.3. Invoice Oro Valley Water Utility for costs of the Oro Valley Utility Work as the Project Contractor submits payment applications that include the Oro Valley Utility Work.
- 4.4. Provide As Built files in AutoCAD and PDF form to Oro Valley Water Utility upon completion of the work
- 4.5. Use its best efforts to minimize change orders that increase the cost of the Oro Valley Utility Work.

**5. Effective date; term.** This IGA shall become effective upon filing a fully executed original with the office of the Pima County Recorder and shall continue in effect until the sixth anniversary of final payment to the Project Contractor.

**6. Construction of this IGA.**

- 6.1. Entire agreement. This instrument constitutes the entire agreement between the Parties pertaining to the subject matter of this IGA, and all prior or contemporaneous agreements and understandings, oral or written, are hereby superseded and merged in this IGA.
- 6.2. Exhibits. Any exhibits to this IGA are incorporated in this IGA by this reference.
- 6.3. Amendment. This IGA may be modified, amended, altered or changed only by written agreement signed by both Parties.
- 6.4. Construction and interpretation. All provisions of this IGA shall be construed to be consistent with the intention of the Parties as expressed in the Recitals section of this IGA.
- 6.5. Severability. A declaration by statute or judicial decision that any provision of this IGA is invalid or void shall have no effect on other provisions that can be given effect without the invalid or void provision, and to this extent the provisions of this IGA are severable.

If any provision of this IGA is declared invalid or void, the Parties agree to meet promptly in an attempt to reach an agreement on a substitute provision.

6.6. Conflict of interest. This IGA is subject to the provisions of A.R.S. § 38-511, which provides for cancelation in certain instances involving conflicts of interest.

**7. Legal Jurisdiction.** Nothing in this IGA shall be construed as either limiting or extending the legal jurisdiction of the Parties.

**8. No Joint Venture.** It is not intended by this IGA to, and nothing contained in this IGA shall be construed to, create any partnership, joint venture or employment relationship between the Parties or create any employer-employee relationship between one Party and another Party's employees. No Party shall be liable for any debts, accounts, obligations or other liabilities whatsoever of another Party, including (without limitation) another Party's obligation to withhold Social Security and income taxes for itself or any of its employees.

**9. No Third Party Beneficiaries.** Nothing in the provisions of this IGA is intended to create duties or obligations to or rights in third parties not parties to this IGA or to affect the legal liability of either Party by imposing any standard of care different from the standard of care imposed by law.

**10. Compliance with Laws.** The Parties shall comply with all applicable federal, state and local laws, rules, regulations, standards and executive orders, without limitation to those designated within this IGA.

10.1. Anti-Discrimination. The provisions of A.R.S. § 41-1463 and Executive Order Number 99-4 issued by the Governor of the State of Arizona are incorporated by this reference as a part of this IGA.

10.2. Americans with Disabilities Act. This IGA is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations under the Act, including 28 CFR Parts 35 and 36.

10.3. Workers' Compensation. An employee of either Party shall be deemed to be an "employee" of both public agencies, while performing pursuant to this IGA, for purposes of A.R.S. § 23-1022 and the Arizona Workers' Compensation laws. The primary employer shall be solely liable for any workers' compensation benefits, which may accrue. Each Party shall post a notice pursuant to the provisions of A.R.S. § 23-1022(E) in substantially the following form:

All employees are hereby further notified that they may be required to work under the jurisdiction or control or within the jurisdictional boundaries of another public agency pursuant to an intergovernmental agreement or contract, and under such circumstances they are deemed by the laws of Arizona to be employees of both public agencies for the purposes of workers' compensation.

**11. Waiver.** Waiver by either Party of any breach of any term, covenant or condition of this IGA shall not be deemed a waiver of any other term, covenant or condition, or any subsequent breach of the same or any other term, covenant, or condition of this IGA.

**12. Force Majeure.** A party shall not be in default under this IGA if it does not fulfill any of its obligations under this IGA because it is prevented or delayed in doing so by reason of uncontrollable forces. The term “uncontrollable forces” shall mean, for the purpose of this IGA, any cause beyond the control of the party affected, including but not limited to failure of facilities, breakage or accident to machinery or transmission facilities, weather conditions, flood, earthquake, lightning, fire, epidemic, war, riot, civil disturbance, sabotage, strike, lockout, labor dispute, boycott, material or energy shortage, casualty loss, acts of God, or action or non-action by governmental bodies in approving or failing to act upon applications for approvals or permits which are not due to the negligence or willful action of the parties, order of any government officer or court (excluding orders promulgated by the parties themselves), and declared local, state or national emergency, which, by exercise of due diligence and foresight, such party could not reasonably have been expected to avoid. Either party rendered unable to fulfill any obligations by reason of uncontrollable forces shall exercise due diligence to remove such inability with all reasonable dispatch.

**13. Notification.** All notices or demands upon any party to this IGA shall be in writing, unless other forms are designated elsewhere, and shall be delivered in person or sent by mail addressed as follows:

To Marana:

TOWN OF MARANA  
Town Engineer  
11555 W. Civic Center Dr.  
Marana, Arizona 85653

To Oro Valley:

TOWN OF ORO VALLEY  
Water Utility Director  
11000 N. La Cañada Dr.  
Oro Valley, Arizona 85737

**14. Remedies.** Any Party may pursue any remedies provided by law for the breach of this IGA. No right or remedy is intended to be exclusive of any other right or remedy and each shall be cumulative and in addition to any other right or remedy existing at law or in equity or by virtue of this IGA.

**15. Counterparts.** This IGA 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. The signature pages from one or more counterparts may be removed and attached to a single instrument.

IN WITNESS WHEREOF, the Parties have executed this IGA as of the last signature date below.

**TOWN OF MARANA**

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Ed Honea, Mayor

\_\_\_\_\_  
Dr. Satish I. Hiremath, Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

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Town Clerk

ATTEST:

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Julie K. Bower, Town Clerk

**INTERGOVERNMENTAL AGREEMENT DETERMINATION**

The foregoing intergovernmental agreement between the TOWN OF MARANA and the TOWN OF ORO VALLEY has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Party to this intergovernmental agreement represented by the undersigned.

**TOWN OF MARANA:**

**TOWN OF ORO VALLEY:**

\_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**Town Council Regular Session**

Item # **D.**

**Meeting Date:** 07/01/2015  
**Requested by:** David Laws  
**Submitted By:** David Laws, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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**Information**

**SUBJECT:**

Resolution No. (R)15-52, authorizing and approving a license agreement between the Town of Oro Valley and Meritage Homes of Arizona, Inc. for installation and maintenance of improvements within the La Cholla Boulevard right-of-way

**RECOMMENDATION:**

Staff recommends approval.

**EXECUTIVE SUMMARY:**

The license agreement is shown in Exhibit "A" and will authorize Meritage Homes of Arizona, Inc. to install and maintain custom barricade railing within the La Cholla Boulevard right-of-way at the Rancho de Plata entrance as shown in Exhibit "B." The custom safety railing is a decorative variation from standard Town-accepted railing and therefore requires a license agreement for installation and maintenance within the public right-of-way.

**BACKGROUND OR DETAILED INFORMATION:**

Safety barricade railing is required atop two newly constructed headwalls adjacent to the subdivision's main entrance, within Town right-of-way. Meritage Homes of Arizona, Inc. has proposed to install a more decorative-type of barricade railing as opposed to the standard type accepted by the Town. The decorative railing will be consistent with the type and color of other safety railing installed throughout the Rancho de Plata subdivision by Meritage Homes. The license agreement will authorize installation of the railing within the right-of-way and will provide that Meritage Homes will have sole responsibility for maintenance of the improvements.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to (approve/deny) Resolution No. (R)15-52, authorizing and approving a license agreement between the Town of Oro Valley and Meritage Homes of Arizona, Inc. for installation and maintenance of improvements within the La Cholla right-of-way.

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**Attachments**

(R)15-52 Rancho de Plata License Agreement  
Exhibit A



**RESOLUTION NO. (R)15-52**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A LICENSE AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND MERITAGE HOMES OF ARIZONA, INC., FOR THE INSTALLATION AND MAINTENANCE OF IMPROVEMENTS WITHIN THE LA CHOLLA BOULEVARD RIGHT-OF-WAY**

**WHEREAS**, the Town is the owner of the right-of-way at La Cholla Blvd south of Tangerine Road in front of Rancho De Plata; and

**WHEREAS**, Meritage Homes of Arizona, Inc., requests an encroachment on a portion of La Cholla Blvd located south of Tangerine Road for the installation and maintenance of custom barricade railing which will be the sole cost and expense of Meritage Homes; and

**WHEREAS**, the custom barricade is a decorative variation from the standard Town accepted railing and therefor requires a license agreement for installation and maintenance within the public right-of-way

**WHEREAS**, the Town desires to permit the encroachment onto said property.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Oro Valley, Arizona that the License Agreement between the Town of Oro Valley and Meritage Homes of Arizona, Inc., attached hereto as Exhibit "A" and incorporated herein by this reference is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor and any other administrative officials of the Town of Oro Valley are hereby authorized to take such steps as are necessary to execute and implement the terms of the Agreement.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona this 1<sup>st</sup> day of July, 2015.

**TOWN OF ORO VALLEY**

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Dr. Satish I. Hiremath, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Julie K. Bower, Town Clerk

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

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."

WITNESSETH:

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

WHEREAS, a portion the La Cholla Right-of-Way is to be encroached upon by the installation and maintenance of custom barricade railing (the "Improvements"); and

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

WHEREAS, the Licensor has agree to authorize the installation and maintenance of the Improvements within the La Cholla 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 La Cholla 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 La Cholla 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 La Cholla Right-of-Way, at no expense to Licensor and to the satisfaction of the Licensor and will restore the La Cholla 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

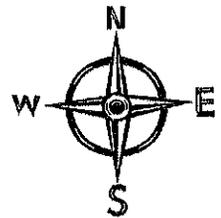
ATTEST:

\_\_\_\_\_  
Julie K. Bower, Town Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

# EXHIBIT "A"

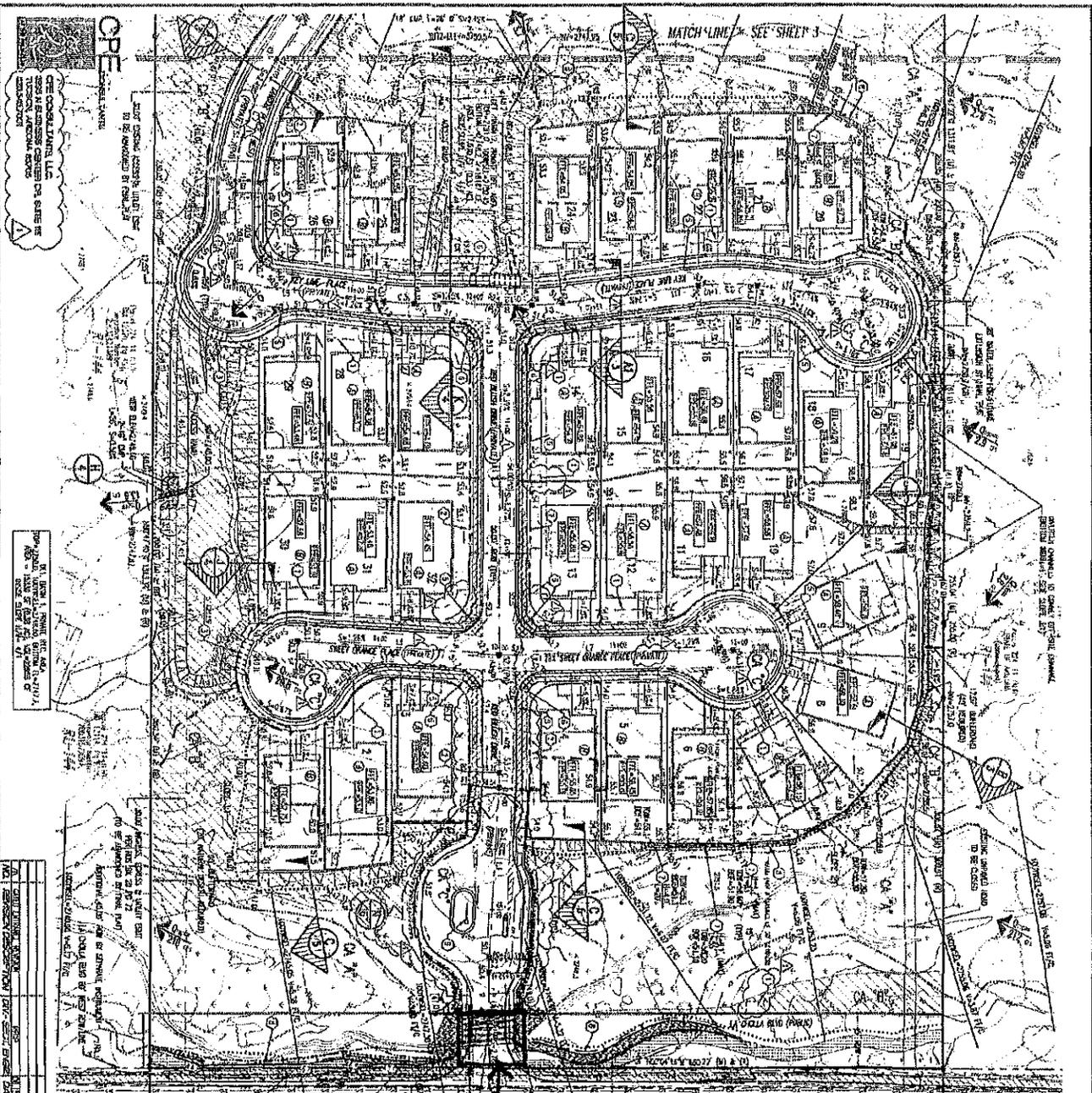


## LOCATION MAP

RANCHO DEL PLATA, G1300004

LICENSE AGREEMENT  
BARRICADE RAILING-LA CHOLLA BLVD





**CPE**  
 CPE CONSULTANTS, L.L.C. ON BEHALF OF  
 THE CLIENT, HAS PREPARED THIS PLAN  
 TO BE APPROVED BY THE CITY OF  
 CHANDLER, ARIZONA.

DATE: 4/20/17  
 SCALE: 1"=40'  
 SHEET: 1 OF 2

**PROJECT CASE NUMBER: 6130004**

**GRADING PLAN**  
**RANCHO DE PLATA**  
 A NUMBER 50 AND 600000 ACRES A TRACT OF  
 LAND IN SECTION 6, T17N, R10E, S14E, S15E & 16E,  
 TOWN OF DES VALLES, PIMA COUNTY, AZ  
**CHANDLER (EAST PART)**  
 LOTS 1 - 32

NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	07/23/12	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...

**NOTES**

1. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE "MUTUAL ENGINEERING" AND "MUTUAL ELECTRICAL" CODES AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
2. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE "MUTUAL ENGINEERING" AND "MUTUAL ELECTRICAL" CODES AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
3. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE "MUTUAL ENGINEERING" AND "MUTUAL ELECTRICAL" CODES AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
4. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE "MUTUAL ENGINEERING" AND "MUTUAL ELECTRICAL" CODES AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
5. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE "MUTUAL ENGINEERING" AND "MUTUAL ELECTRICAL" CODES AND ALL OTHER APPLICABLE CODES AND REGULATIONS.
6. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE "MUTUAL ENGINEERING" AND "MUTUAL ELECTRICAL" CODES AND ALL OTHER APPLICABLE CODES AND REGULATIONS.

**REVISIONS**

NO. 1: 10' VERTICAL CLEARANCE OVER THE ROADWAY (SEE SHEET 1 FOR DETAILS)

NO. 2: 10' VERTICAL CLEARANCE OVER THE ROADWAY (SEE SHEET 1 FOR DETAILS)

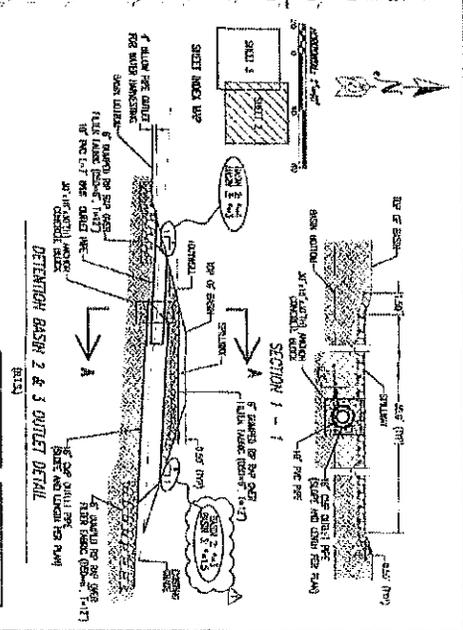
NO. 3: 10' VERTICAL CLEARANCE OVER THE ROADWAY (SEE SHEET 1 FOR DETAILS)

NO. 4: 10' VERTICAL CLEARANCE OVER THE ROADWAY (SEE SHEET 1 FOR DETAILS)

NO. 5: 10' VERTICAL CLEARANCE OVER THE ROADWAY (SEE SHEET 1 FOR DETAILS)

NO. 6: 10' VERTICAL CLEARANCE OVER THE ROADWAY (SEE SHEET 1 FOR DETAILS)

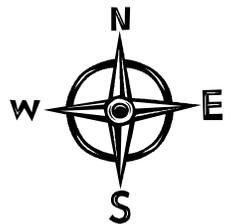
LINE	DESCRIPTION
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# EXHIBIT "B"



## LOCATION MAP

RANCHO DEL PLATA, G1300004

LICENSE AGREEMENT  
BARRICADE RAILING-LA CHOLLA BLVD



**Town Council Regular Session**

**Item # 1.**

**Meeting Date:** 07/01/2015

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

**Department:** Town Clerk's Office

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**Information**

**SUBJECT:**

PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR CHIPOTLE MEXICAN GRILL #2590, LOCATED AT 10604 N. ORACLE ROAD, SUITE 101

**RECOMMENDATION:**

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

1. No protests to this license have been received.
2. The necessary background investigation was conducted by the Police Department.
3. The Police Department has no objection to the approval of the Series 12 Liquor License.

**EXECUTIVE SUMMARY:**

An application for a new Series 12 (Restaurant) Liquor License has been submitted by Agent H. J. Lewkowitz for Chipotle Mexican Grill #2590, located at 10604 N. Oracle Road, Suite 101.

Mr. Lewkowitz has submitted all necessary paperwork to the Town of Oro Valley and the Arizona Department of Liquor Licenses and Control, and has paid all related fees associated with applying for the liquor license (\$500 Application Processing Fee).

**BACKGROUND OR DETAILED INFORMATION:**

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least 40% of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.

In accordance with Section 4-201 of the Arizona Revised Statutes, the application was posted for 20 days on the premises of the applicant's property, ending June 18, 2015. No protests were received during this time period.

Police Chief Daniel Sharp completed a standard background check on Chipotle Mexican Grill #2590 and Agent H. J. Lewkowitz. Chief Sharp has no objection to the approval of the Series 12 (Restaurant) License.

**FISCAL IMPACT:**

Per Ordinance No. (O)11-16, the Town of Oro Valley charges a \$500 liquor license application processing fee to cover the costs incurred by the Town to process the application.

Per Section 8-2-6 Schedule of the Oro Valley Town Code, persons licensed by the State of Arizona to deal in spirituous liquor within the Town shall pay an annual license fee of \$80.00 to the Town.

**SUGGESTED MOTION:**

I MOVE to (recommend or deny) approval of the issuance of a Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for H. J. Lewkowitz for Chipotle Mexican Grill #2590 located at 10604 N. Oracle Road, Suite 101.

---

**Attachments**

Chipotle #2590 Series 12 Liquor License

---

DANIEL G. SHARP  
CHIEF OF POLICE

TO: Mike Standish

FROM: Daniel G. Sharp  
*DIC [Signature] for Chief Sharp*

DATE: June 4, 2015

RE: Background Investigation, Application for Liquor License  
Chipotle Mexican Grill, Owner / Agent H.J. Lewkowitz  
10604 N Oracle Road Suite 101

On June 4, 2015, the Oro Valley Police Department completed the standard background check on Chipotle Mexican Grill and Owner / Agent H.J. Lewkowitz.

The Oro Valley Police Department has no objection for the issuance of a liquor license to Chipotle Mexican Grill, Owner / Agent H.J. Lewkowitz to be located at 10604 N Oracle Road Suite 101.

Received 5/27/15 @ 1:15 p.m.

Arizona Department of Liquor Licenses and Control  
800 West Washington, 5th Floor  
Phoenix, Arizona 85007  
www.azliquor.gov  
602-542-5141

15 MAY 20 11:41 AM 1038

**APPLICATION FOR LIQUOR LICENSE**  
TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

**SECTION 1** This application is for a:

- MORE THAN ONE LICENSE
- INTERIM PERMIT *Complete Section 5*
- NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- PERSON TRANSFER (Bars & Liquor Stores ONLY)  
*Complete Sections 2, 3, 4, 11, 13, 15, 16*
- LOCATION TRANSFER (Bars and Liquor Stores ONLY)  
*Complete Sections 2, 3, 4, 12, 13, 15, 16*
- PROBATE/WILL ASSIGNMENT/DIVORCE DECREE  
*Complete Sections 2, 3, 4, 9, 13, 16* (fee not required)
- GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

**SECTION 2** Type of ownership:

- J.T.W.R.O.S. *Complete Section 6*
- INDIVIDUAL *Complete Section 6*
- PARTNERSHIP *Complete Section 6*
- CORPORATION *Complete Section 7*
- LIMITED LIABILITY CO. *Complete Section 7*
- CLUB *Complete Section 8*
- GOVERNMENT *Complete Section 10*
- TRUST *Complete Section 6*
- OTHER (Explain) \_\_\_\_\_

**SECTION 3** Type of license and fees LICENSE #(s):

12104370

1. Type of License(s): Series #12

2. Total fees attached:

\$ 150.

Department Use Only

**APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.**

The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

**SECTION 4** Applicant

- 1. Owner/Agent's Name:  Mr. Lewkowitz H. J.  
(Insert one name ONLY to appear on license) Last First Middle
- 2. Corp./Partnership/L.L.C.: Chipotle Mexican Grill, Inc. B1022099  
(Exactly as it appears on Articles of Inc. or Articles of Org.)
- 3. Business Name: Chipotle Mexican Grill #2590  
(Exactly as it appears on the exterior of premises)
- 4. Principal Street Location 10604 N. Oracle Road, Suite 101 Oro Valley Pima 85704  
(Do not use PO Box Number) City County Zip
- 5. Business Phone: Pending Daytime Phone: (602) 200-7222 Email: jerry@lewklaw.com
- 6. Is the business located within the incorporated limits of the above city or town?  YES  NO
- 7. Mailing Address: 2600 N. Central Avenue, Suite 1775, Phoenix, AZ 85004  
City State Zip
- 8. Price paid for license only bar, beer and wine, or liquor store: Type \_\_\_\_\_ \$ \_\_\_\_\_ Type \_\_\_\_\_ \$ \_\_\_\_\_

**DEPARTMENT USE ONLY**

Fees: 100 Application 50 Interim Permit 50 Site Inspection 150 Finger Prints \$ 150  
**TOTAL OF ALL FEES**

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete?  YES  NO

Accepted by: M.S. Date: 05-20-2015 Lic. # 12104370

**License Type: Series 12 Restaurant**

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.



## Town Council Regular Session

Item # **2.**

**Meeting Date:** 07/01/2015

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

**Department:** Town Manager's Office

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### Information

#### **SUBJECT:**

DISCUSSION AND POSSIBLE DIRECTION ON ENTERING INTO A PUBLIC-PRIVATE PARTNERSHIP WITH TOHONO CHUL PARK TO PERFORM A FEASIBILITY STUDY FOR BUILDING AN EVENT PAVILION

#### **RECOMMENDATION:**

Staff recommends approval.

#### **EXECUTIVE SUMMARY:**

On March 13, 2015, Tohono Chul Park officials met with Councilmembers to discuss the possibility of entering into a public-private partnership to build an event pavilion, which would proceed in two phases. Phase 1 would consist of developing the design and include a parking lot expansion. Phase 2 would be the construction of the pavilion. Tohono Chul Park asked that the Town waive any fees (approximately \$7,800 in total for phase 1) and be a partner in the construction of the pavilion. Although a commitment for phase 2 has not been discussed further, the Town's financial contribution for phase 1 is the waiving of fees. The Councilmembers were interested in the partnership concept, but requested public input.

Tohono Chul Park has private donor commitments, but they will only provide the funding if Oro Valley is committed to partnering. If staff receives direction from Council, staff will hold up to three stakeholder meetings (more if necessary) to develop and enter into a partnership agreement with the manager's approval, which at a minimum would include the waiving of the fees mentioned above.

#### **BACKGROUND OR DETAILED INFORMATION:**

The event pavilion provides the following benefits:

- Flexible set-up options for a variety of events - concerts, performances, lectures, celebrations, art and plant sales and children activities
- Room for stage riser and dance floor
- Space for 280 seated at 10-top tables (350 seated auditorium style)
- Shade/rain pavilion
- Provision for ceiling fans and infrared radiant heaters in the ceiling
- Pavilion roof can harvest rainwater

The parking lot expansion provides the following benefits:

- Provides additional spaces for ADA
- Ensures a safer experience for the public by lessening the need to park along the roadside or across the street at night
- Allows easy access to seniors and disabled volunteers, staff and visitors to the new pavilion, administration building, gallery house and adjacent amenities with parking spaces and drop off area

near the back gate

**FISCAL IMPACT:**

The fiscal impact may include up to \$7,800 if the permitting fees are waived.

**SUGGESTED MOTION:**

I MOVE to (approve/deny) entering into a public-private partnership with Tohono Chul Park to perform a feasibility study for building an event pavilion and direct staff to hold three stakeholder meetings to develop an agreement.

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**Town Council Regular Session**

**Item # 3.**

**Meeting Date:** 07/01/2015

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

**Department:** Town Manager's Office

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**Information**

**SUBJECT:**

PUBLIC HEARING: ORDINANCE NO. (O)15-09, AMENDING CHAPTER 10, ARTICLE 10-2 "GUEST REGISTERS," SECTION 10-2-1 "REGISTRATION REQUIRED" OF THE TOWN OF ORO VALLEY TOWN CODE

**RECOMMENDATION:**

Staff recommends approval.

**EXECUTIVE SUMMARY:**

Section 10-2-1 of the Oro Valley Town Code is outdated and in need of updating. It is now necessary to modernize the language in Section 10-2-1 to allow the hospitality industry in Oro Valley to keep and maintain guest registers in a more suitable format and not require them to keep the large register books once used by hotels, motels and resorts.

**BACKGROUND OR DETAILED INFORMATION:**

During a meeting with Hilton El Conquistador, it was brought to the Town's attention that section 10-2-1 of the Town Code is outdated and in need of updating. Section 10-2-1 is the original code created in 1989 when the Town adopted "The Code of the Town of Oro Valley." The Code currently refers to a guest having to "affix [their] signature to such register," meaning the large register books once used by hotels and other hospitality businesses. It is now common practice for hotels, motels, and resorts to keep guest registries electronically or in some other suitable format.

In order to bring Section 10-2-1 up to date, it is necessary to completely change the current language to something more modern and agreeable to the hospitality industry in Oro Valley.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to (approve or deny) Ordinance No. (O)15-09, amending Chapter 10, Article 10-2 "Guest Registers," Section 10-2-1 "Registration Required" of the Town of Oro Valley Town Code.

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**Attachments**

(O)15-09 Amending 10-2-1 Guest Registers

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**ORDINANCE NO. (O)15-09**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA  
AMENDING CHAPTER 10, ARTICLE 10-2 "GUEST REGISTERS",  
SECTION 10-2-1, "REGISTRATION REQUIRED" OF THE TOWN OF  
ORO VALLEY TOWN CODE**

**WHEREAS**, on September 27, 1989, the Town Council adopted a certain document entitled "The Code of the Town of Oro Valley, Arizona"; and

**WHEREAS**, the Mayor and Council finds that Section 10-2-1 of the Oro Valley Town Code has become obsolete and is in need of being amended to fit the modern times; and

**WHEREAS**, the old guest register books have become a thing of the past and most hotels, motels and resorts keep electronic or other suitable registers of their guests instead of the large register books; and

**WHEREAS**, the Mayor and Council have determined that amending Chapter 10, Article 10-2, Section 10-2-1 is just and appropriate, and is found to be in the best interest of the Town.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Oro Valley, Arizona that the certain document, known as "The Oro Valley Town Code" is amended as follows:

**SECTION 1.** Section 10-2-1 of the Oro Valley Town Code, Chapter 10 is amended as follows with additions being shown in ALL CAPS and deletions in ~~Strikeout text~~:

**10-2-1 Registration Required**

~~It is unlawful for any owner, operator or person in charge of any hotel, rooming house, motel or auto court within the town to furnish accommodations therein to any person without first entering in a register to be kept for that purpose, the name and address of each guest so furnished with accommodations, and requiring the person requesting such accommodations to affix his signature to such register. Such register shall be available for the inspection of any police officer of the town at all times upon request.~~

**AN OWNER, OPERATOR, OR PERSON IN CHARGE OF ANY HOTEL, ROOMING HOUSE, MOTEL, OR RESORT IN THE TOWN SHALL PROVIDE AND KEEP A SUITABLE GUEST REGISTER FOR THE REGISTRATION OF ALL PERSONS PROVIDED WITH SLEEPING, HOUSEKEEPING, CAMPING OR OTHER ACCOMMODATION AT THE HOTEL, ROOMING HOUSE, MOTEL, OR RESORT AND ALL THOSE GUESTS MUST BE REGISTERED IN IT. UPON THE ARRIVAL OF A GUEST THE OWNER, OPERATOR, OR PERSON IN CHARGE MUST REQUIRE THE GUEST TO ENTER IN THE REGISTER, OR MUST ENTER FOR THE GUEST, THE FOLLOWING:**

- (A) THE NAME AND HOME ADDRESS OF THE GUEST AND OF ALL OTHER PERSONS IN THE GUEST'S PARTY;**

(B) THE DATE OF THE ARRIVAL;

UPON THE DEPARTURE OF THE GUEST, THE OWNER, OPERATOR, OR PERSON IN CHARGE MUST ENTER THE DATE OF DEPARTURE IN THE REGISTER. SUCH REGISTER SHALL BE AVAILABLE FOR THE INSPECTION OF ANY POLICE OFFICER OF THE TOWN AT ALL TIMES UPON REQUEST.

**SECTION 2.** All Oro Valley Ordinances, Resolutions, or Motions and parts of Ordinances, Resolutions, or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**PASSED AND ADOPTED** by Mayor and Town Council, the Town of Oro Valley, Arizona, this 1<sup>st</sup> day of July, 2015.

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Dr. Satish I. Hiremath, Mayor

**ATTEST:**

\_\_\_\_\_  
Julie K. Bower, Town Clerk

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_



## Town Council Regular Session

Item # **4.**

**Meeting Date:** 07/01/2015  
**Requested by:** Kristy Diaz-Trahan  
**Submitted By:** Kristy Diaz-Trahan, Parks and Recreation  
**Department:** Parks and Recreation

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### Information

#### **SUBJECT:**

RESOLUTION NO. (R)15-53, APPROVING THE ADDITION OF THE CIRCULATION AND PROGRAMMING UPDATE TO THE STEAM PUMP RANCH MASTER SITE PLAN

#### **RECOMMENDATION:**

The Historic Preservation Commission unanimously approved the Steam Pump Ranch master plan circulation and programming update at their May 4, 2015 regular meeting. Staff agrees and recommends approval as presented.

#### **EXECUTIVE SUMMARY:**

In September 2014, a small ad-hoc committee was created to revise and update the programming and circulation elements of the 2008 Steam Pump Ranch master plan. Corky Poster, from Poster Frost Mirto, was hired to facilitate the committee's work and produce a final document. The final document was presented to the Historic Preservation Commission on May 4, 2015, and was approved unanimously.

#### **BACKGROUND OR DETAILED INFORMATION:**

In September 2014, the Parks & Recreation Department put together a small working group to revise and update the programming and circulation elements of the 2008 Steam Pump Ranch master plan. Corky Poster with Poster Frost Mirto was hired to facilitate the group's work and produce a final document.

The group was made up of the following members:

- Warren Lazzar, president, Oro Valley Historical Society
- Paul Loomis, treasurer, Oro Valley Historical Society
- Ellen Guyer, chair, Oro Valley Historic Preservation Commission (HPC)
- Jack Stinnett, chair, Oro Valley Parks & Recreation Board
- Linda Mayro, director, Sustainability & Conservation, Pima County
- Bayer Vella, planning manager, Development and Infrastructure Services
- Kristy Diaz-Trahan, director, Parks & Recreation
- Lynanne Dellerman, cultural services manager, Parks & Recreation
- Mike Zinkin, Council liaison to HPC

The group met seven times over the past six months, which included a site visit and consultation from the Arizona Department of Transportation, Oro Valley engineering, and Oro Valley public safety. Their final meeting was March 31, 2015, and resulted in the attached plan. Significant changes to this plan (from the original 2008 plan) include the following:

- Water well moved from panhandle area to the northeast corner of the property
- Market space and new pavilions space moved from north of the Heritage Gardens to the panhandle

- Existing stables will be rehabilitated for indoor multipurpose market use
- Existing tack building will be rehabilitated for storage and restrooms
- Proctor Leiber house will keep the post 1930's addition and will be used for events, exhibits, staff offices, etc.
- Swimming pool will be filled-in and a hard surface will be used for events (filming, dancing, etc.)
- Garage will become the home to the Oro Valley Historical Society for offices, gallery, and artifact storage
- New orientation building will become the main entry building for visitors and will include classroom/presentation space, gift shop, event space, etc. and will likely be managed by the Western National Parks Association
- Vehicular circulation is two-way throughout the Ranch and includes an ingress/egress at Oracle Rd. and an ingress/egress at the panhandle area

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to (approve or deny) Resolution No. (R)15-53, approving the addition of the circulation and programming update to the Steam Pump Ranch Master Plan update, as presented.

---

**Attachments**

(R)15-53 Steam Pump Ranch Master Plan Circulation and Programming Update  
SPR Update Final

---

**RESOLUTION NO. (R)15-53**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING THE ADDITION OF THE CIRCULATION AND PROGRAMMING UPDATE TO THE STEAM PUMP RANCH MASTER SITE PLAN**

**WHEREAS**, on May 21, 2008, Mayor and Council approved Resolution (R) 08-40, accepting the Master Site Plan for Steam Pump Ranch; and

**WHEREAS**, in September of 2014 an ad hoc committee was created and, with the guidance of Poster Frost Associates, Inc., began to update the programming and circulation elements of the 2008 Steam Pump Ranch Master Site Plan; and

**WHEREAS**, on March 31, 2015, the Historic Preservation Commission recommended approval for the circulation and programming update, attached hereto as Exhibit "A"; and

**WHEREAS**, the approval of the addition of the circulation and programming update to the Steam Pump Ranch Master Site Plan is in the best interest of the Town and will help promote the health, safety and welfare of the Town.

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

**SECTION 1.** The programming and circulation update, attached hereto as Exhibit "A" and incorporated herein by this reference, to be added to the Steam Pump Ranch Master Site Plan is hereby approved.

**SECTION 2.** If any section, subsection, sentence, clause, phrase, or portion of this resolution or any part of the Parks and Recreation Strategic Facilities Plan 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 1<sup>st</sup> day of July, 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”**



# Steam Pump Ranch

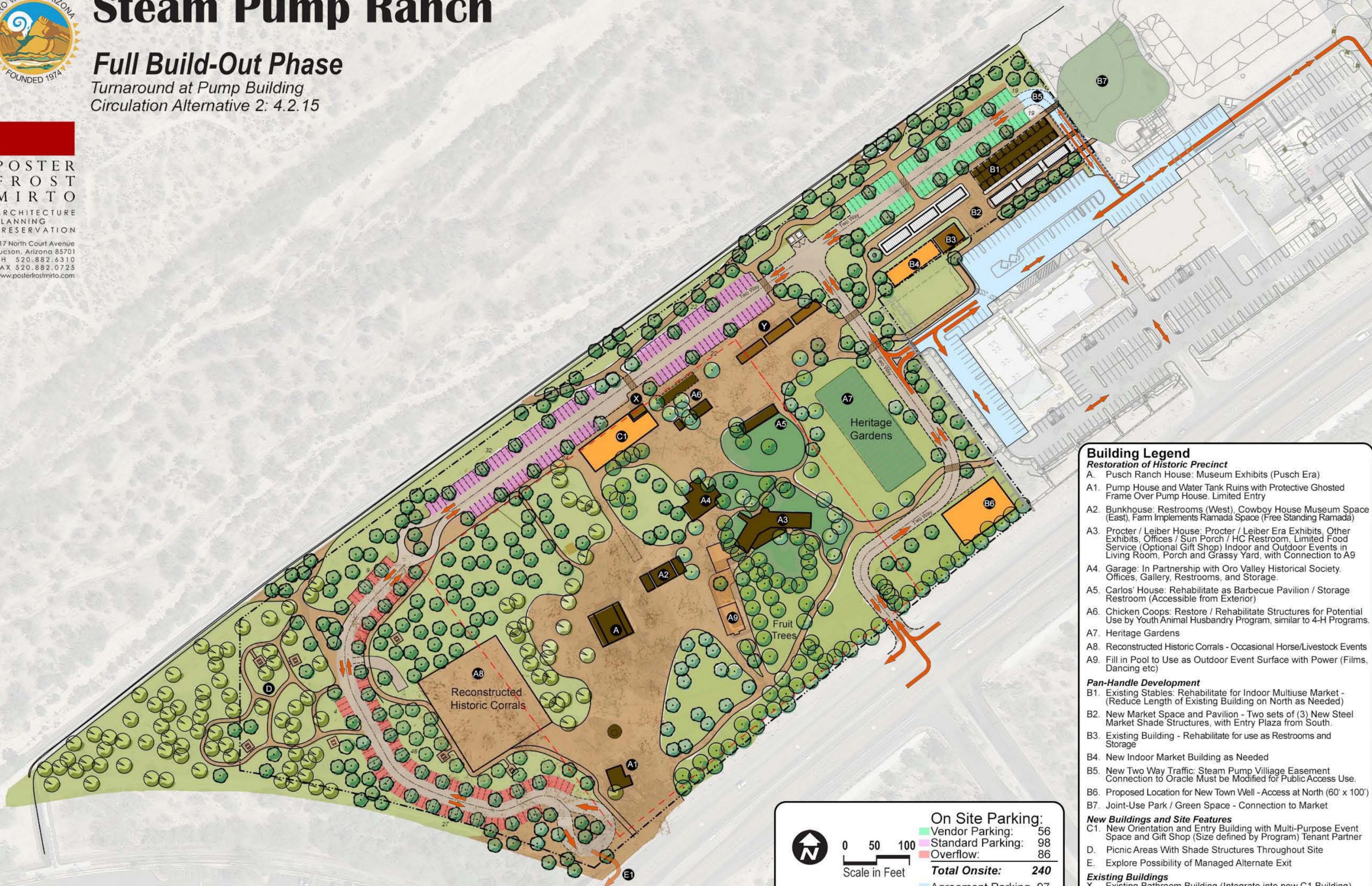
## Full Build-Out Phase

Turnaround at Pump Building  
Circulation Alternative 2: 4.2.15



**POSTER  
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PRESERVATION

317 North Court Avenue  
Tucson, Arizona 85701  
PH 520.882.6310  
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www.posterfrostmirto.com



**Building Legend**

**Restoration of Historic Precinct**

- A. Pusch Ranch House: Museum Exhibits (Pusch Era)
- A1. Pump House and Water Tank Ruins with Protective Ghosted Frame Over Pump House. Limited Entry
- A2. Bunkhouse: Restrooms (West), Cowboy House Museum Space (East), Farm Implements Ramada Space (Free Standing Ramada)
- A3. Procter / Leiber House: Procter / Leiber Era Exhibits, Other Exhibits, Offices / Sun Porch / HC Restroom, Limited Food Service (Optional Gift Shop) Indoor and Outdoor Events in Living Room, Porch and Grassy Yard, with Connection to A9
- A4. Garage: In Partnership with Oro Valley Historical Society. Offices, Gallery, Restrooms, and Storage.
- A5. Carlos' House: Rehabilitate as Barbecue Pavilion / Storage Restroom (Accessible from Exterior)
- A6. Chicken Coops: Restore / Rehabilitate Structures for Potential Use by Youth Animal Husbandry Program, similar to 4-H Programs.
- A7. Heritage Gardens
- A8. Reconstructed Historic Corrals - Occasional Horse/Livestock Events
- A9. Fill in Pool to Use as Outdoor Event Surface with Power (Films, Dancing etc)

**Pan-Handle Development**

- B1. Existing Stables: Rehabilitate for Indoor Multiuse Market - (Reduce Length of Existing Building on North as Needed)
- B2. New Market Space and Pavilion - Two sets of (3) New Steel Market Shade Structures, with Entry Plaza from South.
- B3. Existing Building - Rehabilitate for use as Restrooms and Storage
- B4. New Indoor Market Building as Needed
- B5. New Two Way Traffic: Steam Pump Villiage Easement Connection to Oracle Must be Modified for Public Access Use.
- B6. Proposed Location for New Town Well - Access at North (60' x 100')
- B7. Joint-Use Park / Green Space - Connection to Market

**New Buildings and Site Features**

- C1. New Orientation and Entry Building with Multi-Purpose Event Space and Gift Shop (Size defined by Program) Tenant Partner
- D. Picnic Areas With Shade Structures Throughout Site
- E. Explore Possibility of Managed Alternate Exit

**Existing Buildings**

- X. Existing Bathroom Building (Integrate into new C1 Building)
- Y. Existing Market Shade Structures

**On Site Parking:**

- Vendor Parking: 56
- Standard Parking: 98
- Overflow: 86

**Total Onsite: 240**

- Agreement Parking 97

Scale in Feet



## Town Council Regular Session

Item # **5.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Rosevelt Arellano  
Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

PUBLIC HEARING: ORDINANCE NO. (O)15-07, REZONING 9.4 ACRES NEAR THE NORTHWEST CORNER OF LA CAÑADA DRIVE AND TANGERINE ROAD FROM R1-144 TO R1-7 AND APPROVING AN ENVIRONMENTALLY SENSITIVE LAND FLEXIBLE DESIGN OPTION FOR A MODIFIED REVIEW PROCESS

#### **RECOMMENDATION:**

The Planning and Zoning Commission recommends denial of the initial proposal consisting of 37 lots on 16.3 acres.

#### **EXECUTIVE SUMMARY:**

The applicant proposes to rezone a 9.4-acre property located near the northwest corner of Tangerine Road and La Cañada Drive from R1-144 to R1-7. The newly revised Tentative Development Plan (Attachment 2) depicts:

- 17 fewer lots (or 20 total lots) ranging in size from 9,000 to 10,000 square feet along the east property line.
- Undisturbed areas along the north and west property lines to provide approximately 15' to 150' width of R1-144 (3.3 acre minimum lot size) zoning between the proposed development and the rural areas.
- Change of access from Sunkist Road (north) to La Cañada Drive (east)
- 1-story lot restriction for select lots

An official legal protest, as defined in state statute and the zoning code, requiring a minimum of 6 Town Councilmember votes for approval was triggered by the adjacent property owners. Subsequently, the applicant submitted a revised site plan which removes the northern, western and southern portions of the property from the proposed rezoning application and creates a more extensive buffer. A legal protest still exists as the Zoning Code excludes the applicant's property within the protest area when calculating the required percentage of protest. Additional letters of protest or potential changes to support may be received before the July 1 Town Council hearing and an update will be provided as necessary.

The request includes the use of a flexible design option for a modified review process, which is enabled by the Environmentally Sensitive Lands (ESL) regulations.

#### **BACKGROUND OR DETAILED INFORMATION:**

The applicant proposes to rezone the property to R1-7 to develop a 20-lot, single-family residential subdivision on 9.4 acres.

The following is a brief history of the proposed rezoning application:

- February 3, 2015: Planning and Zoning Commission recommended denial due to the proposal not being compatible with the rural areas to the north and west
- March 4, 2015: Town Council continued the request to allow time to address compatibility concerns
- May 19, 2015: Neighborhood meeting was held with 27 residents (see Attachment 3 for the Neighborhood Meeting Summary Notes)
- June 10, 2015: Applicant continues request to July 1<sup>st</sup> Town Council meeting to allow more time to address compatibility concerns
- June 19, 2015: Applicant submits a revised site plan

To ensure the newly revised site plan conforms with the Zoning Code, a comprehensive review will be completed by staff prior to the July 1<sup>st</sup> Town Council meeting.

### Land Use Context

- Property is vacant
- Zoning is R1-144

The existing General Plan (including lot layout), zoning and land use for the property and the surrounding area are depicted in Attachments 4, 5, 6 and 7.

### Approvals-to-Date

- The property was annexed in 2004 and zoned R1-144
- In 2014, a Major General Plan Amendment was approved for Medium Density Residential (2.1 - 5.0 du/ac) with a maximum of 2.5 homes per acre.

The site plan represented at the amendment hearing is similar to the current site plan design. In comparison, fewer lots, larger transition area and new access are currently proposed (Attachment 5 - Lot Layout from 2014 General Plan request)

### Analysis of Request

The applicant proposes to rezone a 9.4 acre property from R1-144 to R1-7 to develop a 20-lot single-family residential subdivision. The Town Council considered a previous site plan design at its March 4, 2015 meeting. During the public hearing, the Council expressed concerns with the project's compatibility with the rural areas to the north and west.

The applicant has proposed site plan revisions and conditions to address concerns from the March 4, 2015 meeting, which are provided in bullet format below, followed by staff comments.

- Reduced the rezoning boundaries from 16.3 acres to 9.4. acres
- Excluded the northern, western and southern portions of the property, resulting in an expanded transition area with R1-144 zoning
- Decrease the total number of lots from 37 to 20 lots
- The revised site plan depicts R1-144 zoning along the north and west property lines abutting rural lots, and 9,000 to 10,000 sq. ft. lots along the east property line abutting a future technology park. The proposed revisions have resulted in fewer lots, a larger transition area along the north and west property lines, and a density of 2.1 homes per acre. The proposed density is below the density maximum of 2.5 homes per acre established under the Major General Plan Amendment.
- The proposed homes shall be restricted to 18 ft. in height and 1-story as shown on Exhibit "B-1" in Attachment 1. The height restrictions will help address the neighbors' concerns for view conservation.
- Relocate the primary access from Sunkist Road (north) to La Cañada Drive (east). Neighbors

expressed strong opposition to the proposed Sunkist Road access. To address their concern, the applicant has proposed to eliminate primary access from Sunkist Road (except for emergency access) and provide a new primary entrance through the planned technology park to the east from La Cañada Drive. Eliminating Sunkist Road as an entrance addresses the neighborhood concerns relative to increased traffic and headlight pollution. The proposal uses existing improvements on La Cañada Drive (i.e. turning lanes and curb cuts) and was included as part of the original approved technology park development plan.

- From a transportation planning standpoint, utilization of Sunkist Road represents the most safe and efficient option. Sunkist Road is currently being used by many residents and is partially paved. Sunkist Road also would organize access at a single, safe access point from La Cañada Drive and avoids conflicts inherent to funneling residential traffic through a commercial/employment center. Additionally, more subdivisions are planned in the immediate area and Sunkist would provide a coordinated and improved road to serve this area. Although the use of Sunkist Road is the best alternative, what the applicant has proposed is acceptable from a safety standpoint.
- Add language in the future deeds and CC&R's informing prospective home buyers of equestrian uses and the keeping of livestock within the adjacent area
- To inform future residents of the surrounding rural lifestyle (i.e. livestock and dirt roads), a condition of approval (Exhibit "B" in Attachment 1) has been added requiring that the applicant provides language in the deeds notifying prospective buyers of rural activities

### General Plan Conformance

Rezoning applications are reviewed for conformance with the General Plan and Zoning Code. An analysis for each is provided below.

Rezoning applications must conform with the General Plan Future Land Use Map. The proposed density of 2.1 homes per acre is below the density maximum of 2.5 homes per acre established under a Major General Plan Amendment case in 2014. The application has been reviewed for consistency with the General Plan Vision, Goals and Policies and a detailed analysis is provided in the Planning and Zoning Commission staff report (Attachment 8).

### Zoning Code Conformance

To ensure the newly revised site plan conforms with the Zoning Code, a comprehensive review will be completed by staff prior to the July 1 Town Council meeting. Staff will report findings accordingly.

### ESL Open Space Conformance

The property contains the following ESL conservation categories:

- Critical Resource Area: 95% open space requirement
- Resource Management Area Tier 2: 25% open space requirement

The proposed development provides the required 3.9 acres of Environmentally Sensitive Open Space (ESOS). More detail is provided in the Planning and Zoning Commission staff report (Attachment 8). The Planning and Zoning Commission minutes are provided as Attachment 9.

### ESL Flexible Design Options

The ESL regulations enable flexible design options for conservation subdivision designs, as the intent is to encourage the preservation of natural open space while ensuring the applicant is able to develop the same number of lots as permitted under the base zoning district. The flexible design options are available to a developer when ESOS is applied to 25% or more of the property.

The applicant proposes 40% ESOS and has only requested the use of a modified review process to allow for an administrative review and approval of a site plan, provided it conforms to the proposed

## Tentative Development Plan.

This request is supported by staff as the newly revised Tentative Development Plan includes the same linear design represented during the General Plan Amendment process in 2013. The linear design has been adequately reviewed by the neighbors and the Planning and Zoning Commission at five (5) neighborhood and three (3) Planning and Zoning Commission meetings (total for General Plan and rezoning applications). It is not apparent that the community would benefit from additional reviews at public meetings.

### Public Notification and Comment

Public notice was provided by the following methods:

- Notification of all property owners within 600' and extended area
- Homeowners association mailing
- Advertisement in the Daily Territorial newspaper
- Posting on property
- Town Hall and website posting

Prior to the February 3, 2015 Planning and Zoning Commission meeting, two (2) neighborhood meetings were held, the first on July 28, 2014, with three (3) residents attending and the second on October 29, 2014, with eight (8) residents in attendance. The main issues discussed at the meetings included: access, view preservation and the project's compatibility with the rural areas to the north and west. The neighborhood summary notes are provided as Attachment 10.

Subsequent to the March 4, 2015 Town Council meeting, a third neighborhood meeting was held on May 19, 2015, with approximately 27 residents in attendance. The discussion at the meeting focused on the proposed site plan revisions, and the project's compatibility with the surrounding rural areas. The neighborhood meeting summary notes are provided as Attachment 3.

### Legal Protest Status

After the third neighborhood meeting, staff received a number of formal letters of protest. The Zoning Code and State statute (A.R.S. §9-462.04) establish the following:

*"If the owners of twenty percent (20%) or more of the area of the property that either is included in the proposed Code or zoning map change, or is immediately adjacent in the rear or any side thereof extending one hundred fifty (150) feet therefrom, or is directly opposite thereto, extending one hundred fifty (150) feet from the street frontage of the opposite lots, files a protest in writing against a proposed Code amendment, it shall not become effective except by a favorable vote of three-fourths (3/4) of all members of the Town Council. If the number of members of the Town Council who are eligible to vote after any have withdrawn from the question because of conflict of interest is three-fourths (3/4) or less, then a unanimous favorable vote of those remaining members shall be required for the amendment to become effective; provided, that such required number of votes shall in no event be less than a majority of the full membership of the Town Council. In determining the ratio of twenty percent (20%), the property of the petitioner shall not be included in the base area."*

Although the applicant has reduced the boundary of the rezoning area, property owned by the applicant in the protest area is excluded when calculating the required percentage of protest and therefore a 6 affirmative vote by Town Council is required. A map showing the protest boundary and area of actual protest is shown on Attachment 11, and a copy of the latest objection letters is included as Attachment 12.

### **FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to adopt Ordinance No. (O)15-07, rezoning 9.4 acres near the northwest corner of La Cañada Drive and Tangerine Road, from R1-144 to R1-7, including the use of the ESL modified review process, subject to the conditions in Attachment 1, Exhibit "B," finding that the request is consistent with the General Plan.

OR

I MOVE to deny Ordinance No. (O)15-07, finding that the proposed rezoning is not consistent with the General Plan, specifically \_\_\_\_\_.

---

**Attachments**

Attachment 1 - (O)15-07 Miller Ranch Rezoning

Attachment 2 - Application

Attachment 3 - 5/19 Neighborhood Meeting Summary

Attachment 4 - General Plan Map

Attachment 5 - Lot Layout from General Plan

Attachment 6 - Zoning Map

Attachment 7 - Land Use Map

Attachment 8 - PZC Report

Attachment 9 - PZC Meeting Minutes

Attachment 10 - Neighborhood Meeting Summary Notes

Attachment 11 - Protest Map

Attachment 12 - Letters of Objection

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**ORDINANCE NO. (O)15-07**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING A REZONING REQUEST BY STACEY WEAKS OF NORRIS DESIGN FOR A 9.4 ACRE PROPERTY LOCATED NEAR THE NORTHWEST CORNER OF TANGERINE ROAD AND LA CAÑADA DRIVE TO BE REZONED FROM R1-144 TO R1-7 WITH CONDITIONS AND ALLOWING A FLEXIBLE DESIGN OPTION FOR A MODIFIED REVIEW PROCESS**

**WHEREAS**, Stacey Weaks of Norris Design (the “Applicant”), applied for a rezoning from R1-144 to R1-7 for a property located near the northwest corner of Tangerine Road and La Cañada Drive, also known as Miller Ranch, see map of property as depicted on Exhibit “A” attached hereto; and

**WHEREAS**, the gross site of the proposed rezoning is 9.4 acres; and

**WHEREAS**, the current zoning of R1-144 allows one lot per 144,000 square feet; and

**WHEREAS**, the Applicant wishes to change the zoning to R1-7 to develop a 20 lot single-family residential subdivision with a minimum lot size of 9,000 sq. ft.; and

**WHEREAS**, the Application also requests a flexible design option enabled by the Environmentally Sensitive Lands regulations: 1) modified review process; and

**WHEREAS**, the Applicant’s request for rezoning complies with the OVZCR; and

**WHEREAS**, the Applicant's request for rezoning complies with the applicable General Plan requirements; and

**WHEREAS**, on February 3, 2015, the Planning & Zoning Commission recommended denial for rezoning the property from R1-144 to R1-7 and one flexible design option; and

**WHEREAS**, the Town Council has duly considered the Applicant’s request for rezoning of a 9.4 acre property located near the northwest corner of Tangerine Road and La Cañada Drive.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Town of Oro Valley, Arizona that the rezoning and flexible design option requested by Stacey Weaks of Norris Design to a property located near the northwest corner of Tangerine Road and La Cañada Drive is hereby approved with the conditions attached hereto as Exhibit “B”.

**NOW THEREFORE BE IT FURTHER ORDAINED that:**

1. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.
2. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona on this 1<sup>st</sup> day of July, 2015.

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Dr. Satish I. Hiremath, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Julie K. Bower, Town Clerk

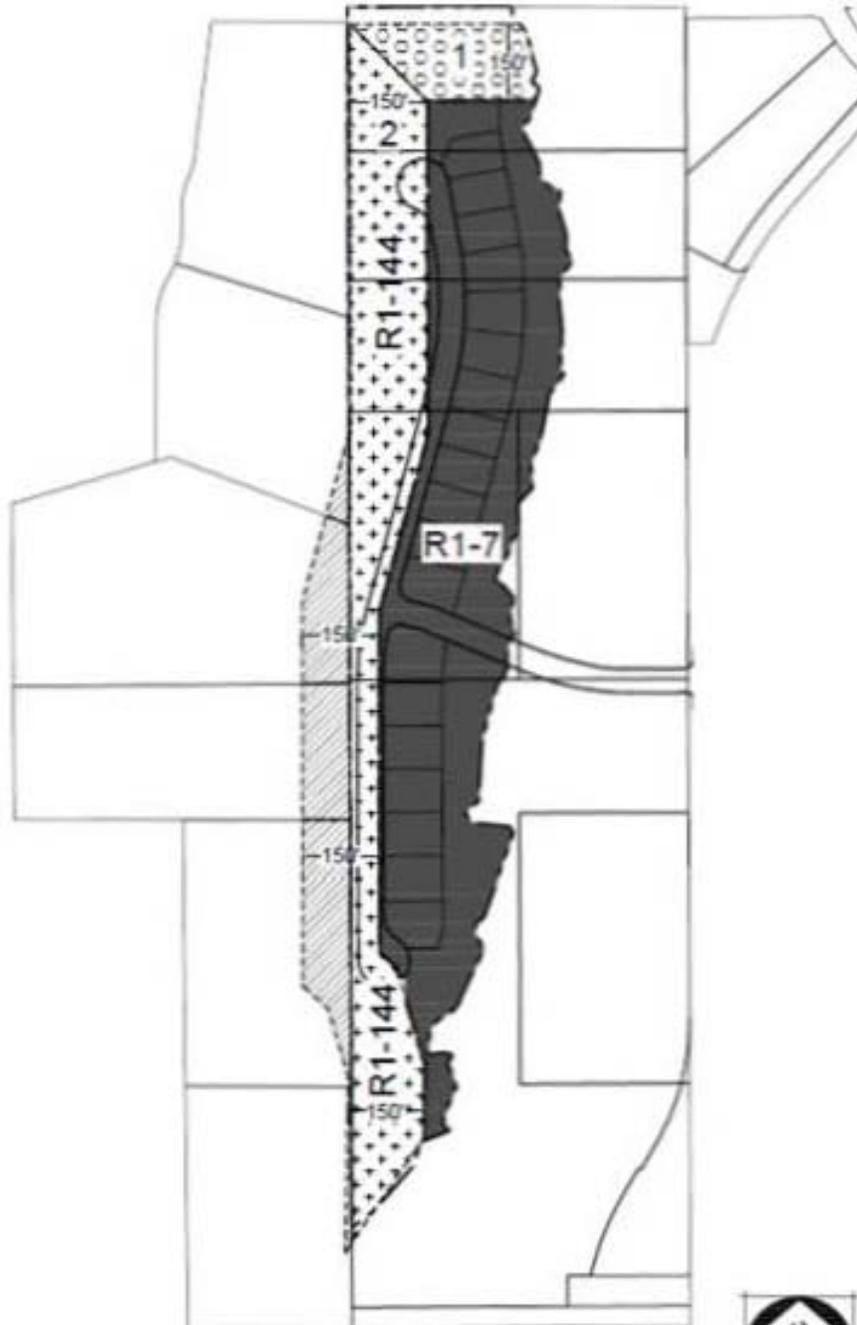
\_\_\_\_\_  
Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT "A"**

**MAP OF PROPERTY**



**MILLER RANCH**  
ZONING BOUNDARY EXHIBIT

6.22.15



## **EXHIBIT “B”**

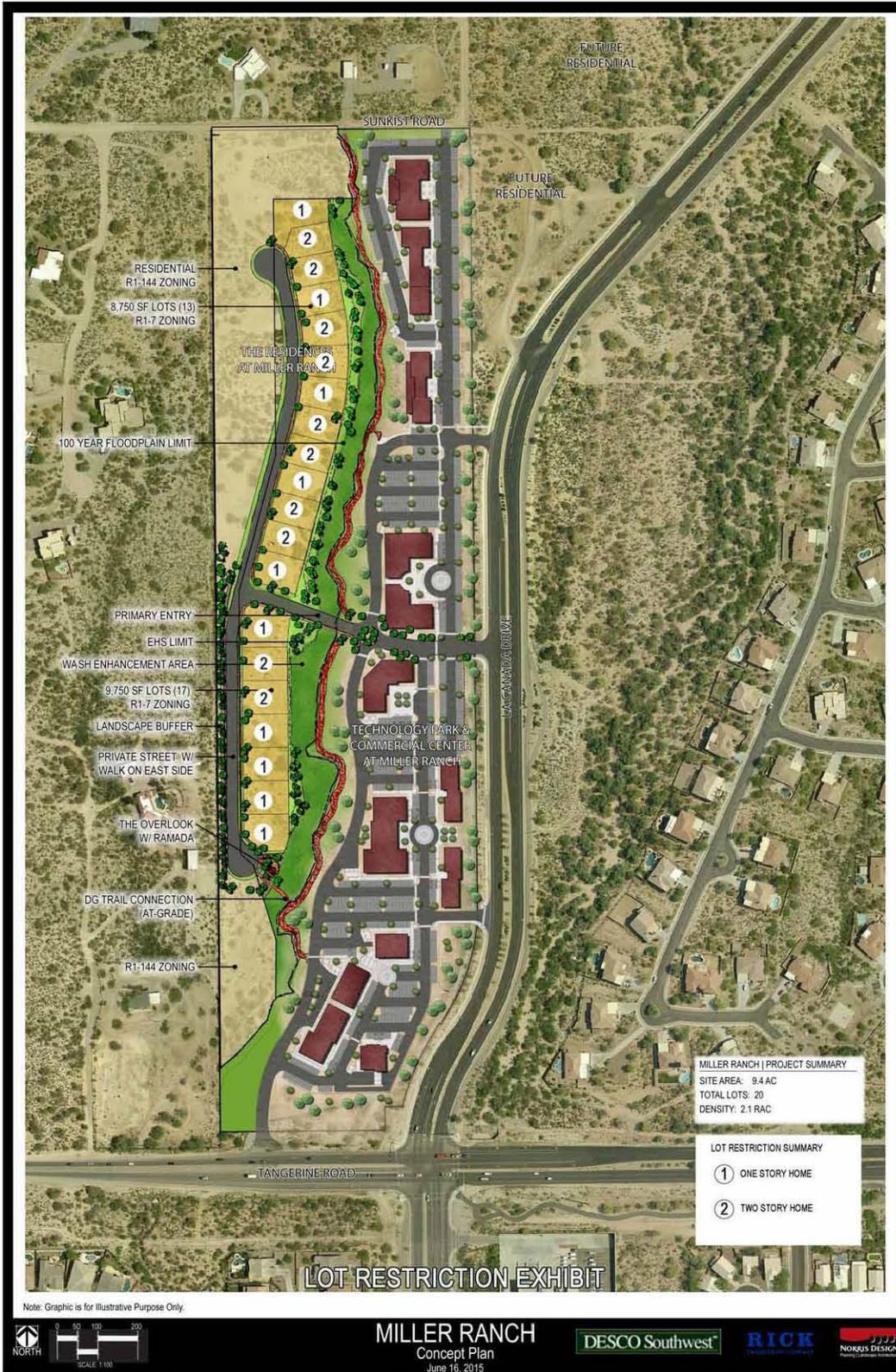
### **CONDITIONS OF APPROVAL**

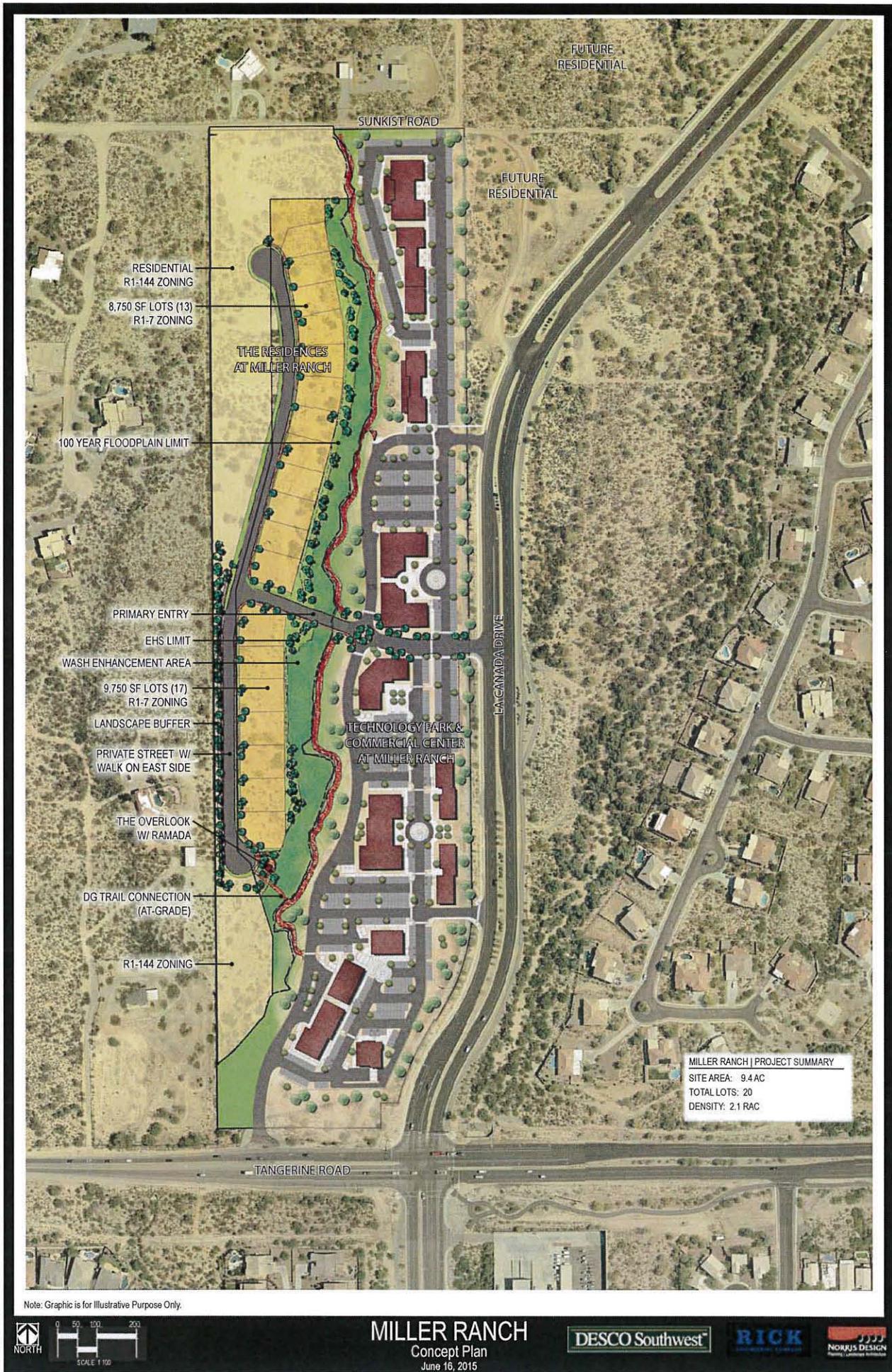
1. The proposed homes shall be restricted to eighteen (18’) feet, 1-story as depicted in Exhibit “B-1.”
2. The applicant shall provide the following language in the deeds and future CC&R’s:

The Residences at Miller Ranch property described herein is subject to all adjacent Agricultural and Ranching Uses allowed within the existing zoning district, specifically to the sights, sounds, smells, air quality, water use, animal use, hours of operation, etc., accompanying regular and customary agricultural and ranching uses now existing or which may exist in the future in the Suburban Residential zone district. Property owners waive any claim for nuisance or otherwise arising from regular and customary agricultural and ranching operations. Agricultural and ranching operations that are consistent with sound agricultural and ranching practices are declared reasonable and shall not constitute a nuisance. Agricultural and ranching operations that are in conformity with federal, state and local laws and regulations are presumed to be operating within sound agricultural and ranching practices.

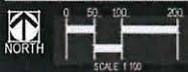
# EXHIBIT "B-1"

## 1-STORY LOT RESTRICTION





Note: Graphic is for illustrative Purpose Only.



**MILLER RANCH**  
 Concept Plan  
 June 16, 2015

**DESCO Southwest**

**RICK**  
COMMERCIAL DESIGN

**NOVUS DESIGN**  
PLANNING & ARCHITECTURE

Miller Ranch Rezoning  
5/19/15 Neighborhood Meeting Summary  
Attachment 3

## **1. Introduction and Welcome**

Meeting Facilitator Michael Spaeth, Senior Planner, introduced Oro Valley Staff Paul Keesler, DIS Director, and Rosevelt Arellano, Project Manager. 27 residents and interested parties attended the meeting.

## **2. Staff Presentation**

Rosevelt Arellano, Project Manager, provided a presentation that included:

- Rezoning process, including zoning incentives (i.e. modified review process)
- Project history
- Applicant's proposed site plan revisions
  - New access
  - Increase minimum lot sizes
- Review tools
- Public participation opportunities
- Next steps

## **3. Applicant Presentation**

Stacey Weaks, Norris Design, provided a presentation that included:

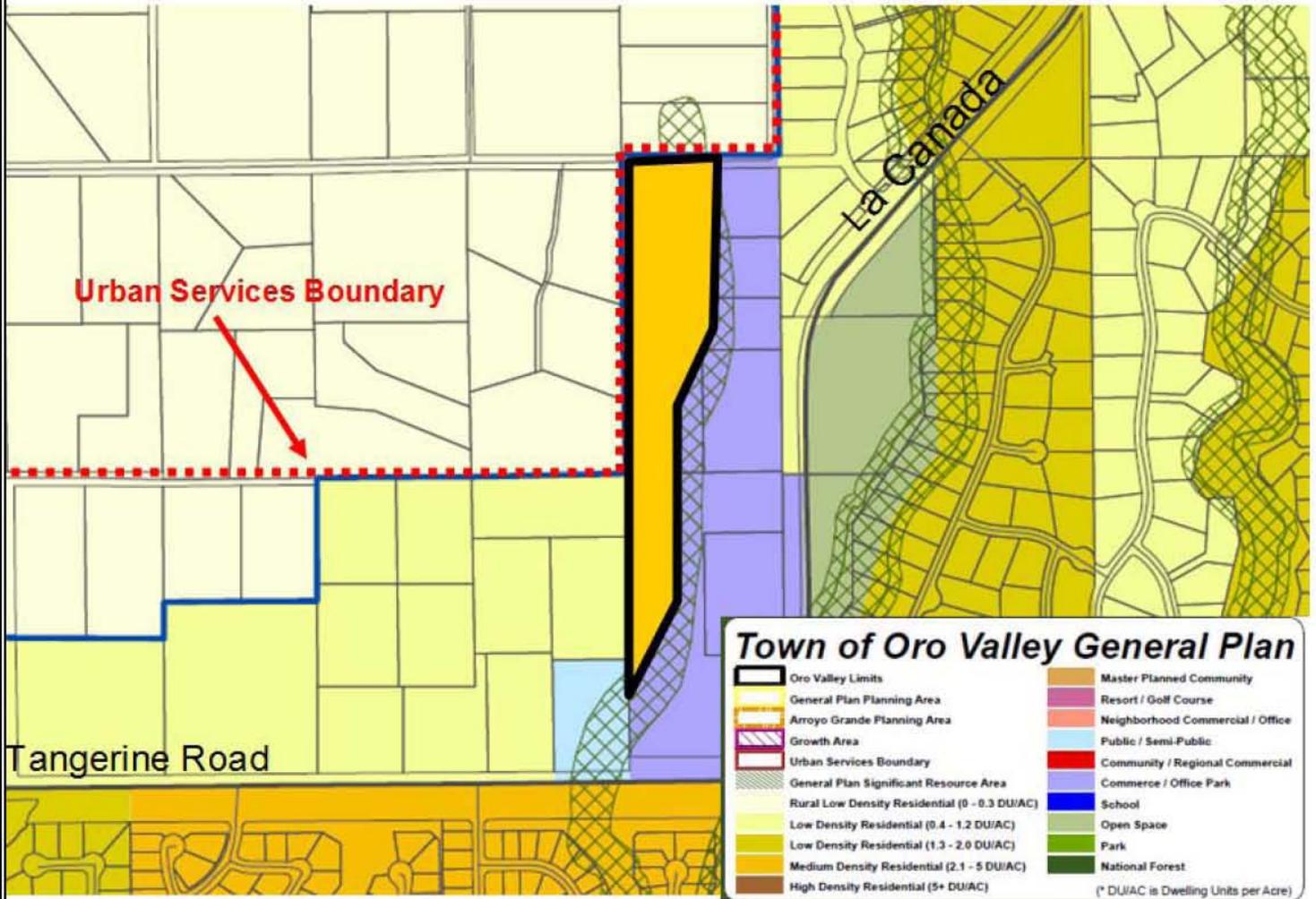
- History of the property
- New access on La Cañada Drive
- Increase minimum lot sizes from 8,000 and 10,000 sf. to 10,000 and 12,000 sf.
- Site Plan design
  - Lot and street layout
  - Open space
  - Bufferyards
  - Recreation areas

## **4. Public Questions and Comments**

- Neighbors supported the La Cañada Drive access and the new minimum lot sizes.
- What and where is secondary access?
  - Secondary access is a locked gate used by emergency vehicle only. It is located on the north property line and on the south side of Sunkist Road.
- One resident expressed concerns with vehicular traffic noise.
- Staff provided information on why the original Sunkist Road access is a safer and preferred option.
- Neighbors preferred a lesser number of homes and a density similar to the adjacent neighborhoods.

- How much will the proposed homes cost?
  - The applicant stated that the cost is unknown at this time.
- Neighbors expressed concerns with the proposed homes being architecturally compatible with the surrounding homes.
- Can the general public access the adjacent wash?
  - Yes.
- Will the project incorporate a screen wall along the north property line?
  - Yes.
- How wide is the landscape buffer yard located along the north property line?
  - The applicant stated that the width of the buffer yard varies between 50' and 100'.
- How tall are the proposed trees located along the west property line?
  - The applicant stated that the information is unknown at this time.
- Neighbors expressed concerns with the proposed trees obscuring the existing views from the west.
- Is the internal roadway public or private?
  - The internal road and the adjacent access drive will be private streets.
- Neighbors expressed interest in helping draft the proposed deed language related to informing future homeowners of the adjacent rural areas.
- Who owns the subject property?
  - The property is owned by the Desco-Miller.
- How bright are the exterior lights on the proposed homes?
  - The Planning Staff stated that the exterior lights are subject to the lighting provisions of the Zoning Code, and will be no brighter than the surrounding homes.
- Neighbors expressed concerns with preserving the existing rural lifestyle.
- Will the project have Covenants, Conditions and Restrictions (CC&R's)?
  - Yes.
- If the proposed rezoning is approved, when will the applicant begin construction?
  - The applicant stated in approximately eight (8) months.
- Will the project incorporate street lights?
  - No.
- What type of material will the proposed trail consist of?
  - Decomposed granite.

- How tall is the proposed masonry wall located along the west property line?
  - Five (5') feet tall.
- Will there be street lights located along the entry road?
  - No.
- One resident had concerns with the proposed bridge design used for the access road.



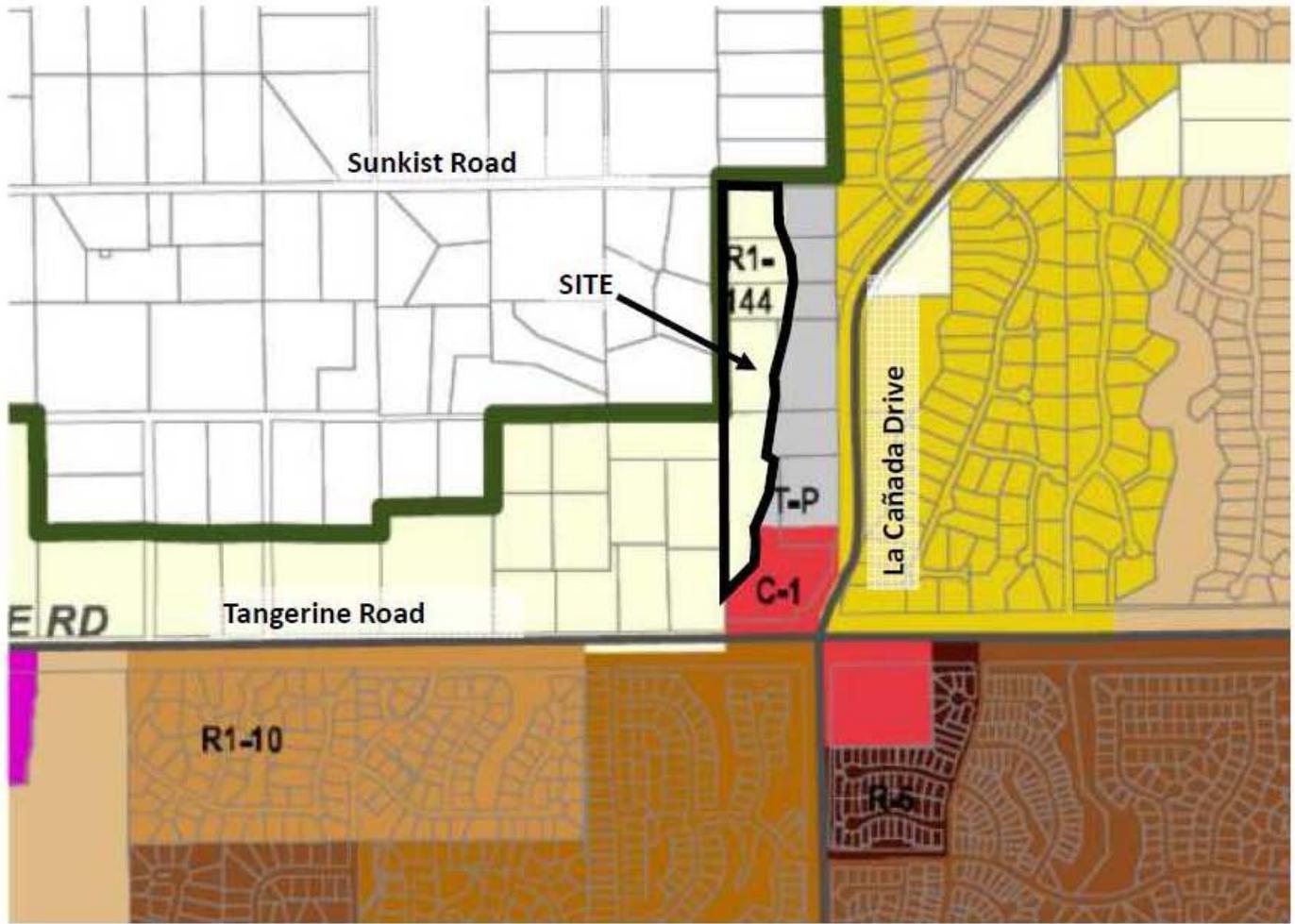
# GENERAL PLAN

## MILLER RANCH (OV914-006)



# LOT LAYOUT FROM GENERAL PLAN

MILLER RANCH (914-006)



# ZONING MAP

## MILLER RANCH (OV914-006)



# EXISTING LAND USE

MILLER RANCH (OV914-006)



# PAD Amendment Planning and Zoning Commission Staff Report

**CASE NUMBER:** OV914-006 Miller Ranch

**MEETING DATE:** February 3, 2015

**AGENDA ITEM:** 2

**STAFF CONTACT:** Rosevelt Arellano, Planner  
[rarellano@orovalleyaz.gov](mailto:rarellano@orovalleyaz.gov) (520) 229-4817

**Applicant:** Stacey Weaks, Norris Design

**Request:** Rezoning from R1-144 to R1-7 and two ESL flexible design options: 1) Modified review process 2) Reduced front lot setback

**Location:** Near the northwest corner of Tangerine Road and La Canada Drive

**Recommendation:** Approval with conditions

## SUMMARY:

The applicant proposes to rezone a 16.3-acre property from R1-144 to R1-7 to develop a residential subdivision, located near the northwest corner of Tangerine Road and La Canada Drive. The request includes two flexible design options enabled by the Environmentally Sensitive Lands regulations: 1) modified review process and 2) reduced front building setbacks from 20' to 10'.

The Tentative Development Plan (Attachment 2) proposes the following:

- 37 lots with a minimum lot size of 10,000 sq. ft. along the west boundary and 8,000 sq. ft. along the east boundary
- Density: 2.3 homes per acre  
Use: Detached single-family homes
- Building height: 25', 1 and 2-story
- Open space along eastern and southern boundaries abutting future tech park
- 14' wide landscape buffer yard along western boundary abutting rural lots
- Passive and active recreation areas
- One access point on Sunkist Road (north)

## BACKGROUND:

### Site Conditions

- 16.3 acres

**OV914-006 Miller Ranch  
Planning and Zoning Commission Staff Report**

- Property is vacant

Land Use Context

The existing land use and zoning designations for the property and the surrounding area are summarized below and depicted on Attachments 3 and 4.

	LAND USE	ZONING DESIGNATION
<b>SUBJECT PROPERTY</b>	Vacant	R1-144 (Large Lot Residential)
<b>NORTH</b>	Single-family residential 3-plus acre lots	Pima County Suburban Ranch (Large Lot Residential)
<b>WEST</b>	Single-family residential 3-plus acre lots	Pima County Suburban Ranch and R1-144 (Large Lot Residential)
<b>EAST</b>	Vacant (future technology park)	T-P and C-1 (Technology Park and Neighborhood Commercial)
<b>SOUTH</b>	Vacant (future technology park)	C-1 (Neighborhood Commercial)

Approvals-To-Date

In 2014, a Major General Plan Amendment was approved for Medium Density Residential (2.1 – 5.0 du/ac.) with a maximum of 2.5 homes per acre.

Proposed Zoning District

The applicant proposes to rezone the property to R1-7 to develop a 37 lot single-family residential subdivision on 16.3 acres.

**DISCUSSION / ANALYSIS:**

Rezoning Analysis

Rezoning applications are reviewed for conformance with the Zoning Code and General Plan.

Zoning Code Analysis

Rezoning applications are reviewed for conformance with specific development standards of the proposed zoning district. The applicant is proposing to rezone the property to R1-7 which permits medium density detached single-family residential developments.

The proposed Tentative Development Plan (TDP) conforms to the development standards of the R1-7 zoning district. Please note, additional zoning and engineering standards will be

addressed during the Final Design Review process. The following standards are notable for this proposal:

1. *Site Access:* The TDP depicts one access point on Sunkist Road which is located on the north side of the property. The following is a list of pros and cons for this access point.

#### Pros

- Sunkist Road is a public roadway which allows left turn and right turn movement from La Canada Drive to the property.
- Sunkist Road was already planned to be improved as part of an adjacent subdivision.
- Does not mix residential and commercial traffic as previously proposed during the General Plan process.
- Improving Sunkist Road will create legal access for those motorists currently using an unimproved access point onto La Canada Drive.

#### Cons

- The proposed access will create vehicle headlight pollution into the adjoining property to the north. A condition has been added requiring adequate screening for vehicle headlights. This condition requires a wall, berm and / or landscaping to be installed on the north side of Sunkist at the project entry to shield lights from vehicles exiting the development.
- The improvement of Sunkist Road will create additional traffic from this subdivision, which can change the rural characteristics of the surrounding area.

2. *Building Height:* Building heights are limited to twenty-five (25') and two-stories.
3. *Neighborhood Compatibility:* The proposed R1-7 zoning is in compliance with the Medium Density Residential designation on the General Plan Map and would serve as an appropriate land use transition from lower intensity residential land uses to the east and future technology park to the west.

The proposed site design includes larger lots (10,000 sq. ft.) abutting rural lots to the west, and smaller lots (8,000 sq. ft.) abutting open space and a future technology park to the east as represented during the Major General Plan Amendment case. This helps transition the proposed residential development to the lower densities to the north and west.

### Flexible Design Options

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

forty (40%) percent ESOS. A discussion of the flexible design options requested by the applicant is provided below:

1. *Modified Review Process:* The Environmentally Sensitive Lands (ESL) zoning regulations provide for a modified review process at Town Council's discretion for rezoning applications. If enabled, it allows for administrative review and approval of a site plan, provided it conforms to the rezoning-related Tentative Development Plan. This provision and other incentives are intended as an additional benefit for conserving open space.

The applicant has requested use of the modified review process and this request will be considered by Town Council in conjunction with this rezoning case. The recommendation section of this report includes a recommendation to Town Council on the use of this modified review process. This process heightens the importance of the review and consideration of the Tentative Development Plan (TDP) during the Planning and Zoning Commission's public hearing.

2. *Front Setback Reduction:* The TDP depicts a Conservation Subdivision Design utilizing a building setback reduction incentive. As a result of the reduced setback, the applicant is requesting the following building setback reduction:
  - o Front setback reduction from 20' to 10'

The reduced setback shall not result in on-lot driveway lengths that are less than twenty (20') feet, per Section 27.10.F.2.iii.a.2 and therefore the use of side entry or staggered garage setbacks may be required to meet this standard.

#### Environmentally Sensitive Lands (ESL)

##### **Conservation Categories (Biologically Based)**

The riparian area traversing the site is designated Critical Resource Area (CRA) on the Town's Environmentally Sensitive Lands Planning Map. This area requires ninety-five (95%) percent Environmentally Sensitive Open Space (ESOS) conservation. The project conserves ninety-five (95%) percent of the Critical Resource Area as ESOS, consistent with the minimum requirement. The remainder of the site is designated Resource Management Area Tier 2 and requires twenty-five (25%) percent ESOS conservation. In combination with a proposed wash restoration credit of fifteen (15%) percent, the project conserves twenty-five (25%) percent of this conservation category as ESOS.

##### **Conservation Categories (Non-biologically Based)**

The applicant has submitted a letter from the Arizona State Museum (ASM) indicating that the property has been surveyed and no cultural resources have been identified on the site.

#### General Plan Analysis

OV914-006 Miller Ranch  
Planning and Zoning Commission Staff Report

The proposed density of 2.26 homes per acre is below the density maximum of 2.5 homes per acre established under the Major General Plan Amendment case in 2014.

The applicant's proposal has been reviewed for conformance with the Vision, Goals and Policies of the General Plan. The most notable goals and policies are shown in italics followed by staff commentary, are discussed below:

General Plan Vision

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

Staff Commentary: The Vision Statement from the General Plan emphasizes the need to carefully balance land use decisions which respond to current conditions, against the long term impact to the community. The proposed rezoning to R1-7 will provide for nearby housing for employees within the adjacent technology park and other nearby employment areas, which supports the socio-economic goals expressed in the Vision Statement.

General Plan Policies

The application has been reviewed against notable General Plan goals and policies as follows:

*Policy 1.1.1 The Town shall promote clustering of development to protect environmentally sensitive areas and to preserve significant, passive use, natural open space with residential neighborhoods.*

Staff Commentary: The proposed TDP utilizes the Conservation Subdivision Design incentive which enables a front setback reduction and the conservation of the adjacent wash. The applicant's proposal is in conformance with the General Plan Policy.

*Policy 1.1.3 The Town shall continue to avoid development encroachment into washes, riparian areas, designated natural open space and environmentally sensitive lands.*

Staff Commentary: The applicant's proposal seeks to protect and restore the adjacent wash located along the eastern and southern boundaries. The proposed TDP meets the ESL regulations by conserving ninety five (95%) percent of the Critical Resource Areas (wash corridors), and twenty five (25%) percent of the Resource Management Area (balance of the property) in natural open space. The applicant's proposal is in conformance with the General Plan Policy.

*Policy 7.1.1 The Town shall continue to strive to protect the integrity and aesthetic context of existing neighborhoods through the use of appropriate*

*buffers or other means of land use transition between incompatible uses.*

Staff Commentary: Transition between the rural residential area and the future technology park is needed. Residential development of the property will provide a compatible land use transition between the planned employment/commercial uses to the south and east and the rural residential uses to the north and west.

### Engineering

The Site Analysis addresses issues related to drainage and traffic as follows:

#### Drainage:

- The proposed development will be designed so that post-developed drainage conditions are consistent with pre-developed conditions in accordance with Town requirements.
- The project will comply with the requirements of the Town of Oro Valley Drainage Criteria.

#### Traffic:

- A traffic impact analysis was provided with the Site Analysis to evaluate the effect of additional traffic on surrounding roadways.
- One point of ingress/egress is proposed onto La Canada Drive.
- The proposed access is achieved through the improvement of Sunkist Road from the property frontage of the development to La Canada Dr.
- There is an existing median opening and left turn lane at the intersection of La Canada Drive and Sunkist Road.
- The anticipated volume of traffic generated by this development is low and therefore will not have a noticeable impact on the surrounding roadway network.
- If the rezoning request is successful, the final analysis of drainage and traffic impacts will be evaluated during the site plan review process.

### **PUBLIC PARTICIPATION:**

#### Summary of Public Notice

Public notice has been provided:

- Notification of all property owners within 600 feet and extended area
- Homeowners Association mailing
- Advertisement in The Daily Territorial newspaper
- Post on property
- Post at Town Hall and on website

#### Neighborhood Meetings

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Two neighborhood meeting were held on July 28th and October 29th. At the first meeting, 3 residents attended the meeting and 8 residents attended the second meeting. A copy of the neighborhood meeting summary notes are included as Attachment 5.

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**RECOMMENDATION:**

Based on the finding that the proposed rezoning is consistent with the General Plan, it is recommended that the Planning and Zoning Commission take the following action:

Recommend to Town Council approval of the rezoning and ESL Flexible Design Options, subject to the conditions in Attachment 1.

---

**SUGGESTED MOTIONS:**

I move to recommend approval of the Miller Ranch Rezoning from R1-144 to R1-7, including the use of ESL's Flexible Design Options for a modified review process and front setback reduction from 20' to 10', based on the finding that the request is consistent with the General Plan, subject to the conditions in Attachment 1.

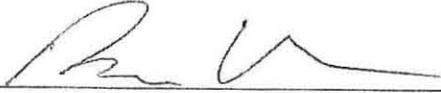
OR

I move to recommend denial of the Miller Ranch Rezoning from R1-144 to R1-7, based on the finding that the request is not consistent with the General Plan, specifically

---

**ATTACHMENTS:**

1. Conditions of Approval
2. Applicant Submittal
3. Location Map
4. Zoning Map
5. Neighborhood Meeting Summary Notes

  
Bayer Vella, Planning Division Manager

Miller Ranch Rezoning  
OV 914-006  
Conditions of Approval  
Attachment 1

Planning Conditions

1. The applicant shall provide landscaping, screen wall or berm or other acceptable method along the north right of way line of Sunkist Road to shield vehicle headlight pollution into the adjacent property to the north.

Engineering Conditions

1. During the Site Plan Process, modifications to the alignment of Sunkist Road may be required to provide adequate clear-zones and drainage access within the right-of-way.
2. Sunkist Road shall be constructed from La Canada Drive to the western property line of the development prior to final inspection for any residence. Sunkist Road improvements shall include construction of sidewalk along the south side of the street for the entire length of the improved Sunkist Road.

**MINUTES  
ORO VALLEY PLANNING AND ZONING COMMISSION  
REGULAR SESSION  
AMENDED AGENDA  
February 3, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

**CALL TO ORDER**

Chairman Rodman called the February 3, 2015 regular session of the Oro Valley Planning and Zoning Commission meeting to order at 6:00 PM.

**ROLL CALL**

**PRESENT:**

Bill Rodman, Chairman  
Bill Leedy, Vice-Chair  
Greg Hitt, Commissioner  
Frank Pitts, Commissioner  
Melanie Barrett, Commissioner  
Charlie Hurt, Commissioner

**EXCUSED:**

Tom Drazazgowski, Commissioner

**ALSO PRESENT:**

Joe Hornat, Council Member  
Lou Waters, Vice-Mayor  
Joe Andrews, Chief Civil Deputy Attorney

**PLEDGE OF ALLEGIANCE**

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

**CALL TO AUDIENCE**

There were no speaker request.

**COUNCIL LIAISON COMMENTS**

## 1. COUNCIL LIAISON UPDATE

Council Member Hornat updated the Planning and Zoning Commission and audience on the following:

- Senior Care codes have been continued
- Accelerator location has changed
- Ventana has a 25,000 foot expansion planned
- El Conquistador Country Club purchase was approved by Town Council
- Kai Property North was approved by Town Council
- Nakoma Sky was approved by Town Council
- 1/2 percent sales tax dedicated to the El Conquistador Country Club purchase was approved by Town Council
- Conditional Use Permit for Caliber Collision will be heard by Town Council on February 4th
- Environmentally Sensitive Land Ordinance was removed from the February 4th Town Council agenda
- Court case pending for the petitions on the purchase of the El Conquistador Country Club

## 2. DISCUSSION ITEM: SELF INTRODUCTION OF PLANNING AND ZONING COMMISSION MEMBERS. THIS IS AN OPPORTUNITY FOR COMMISSIONERS TO INTRODUCE THEMSELVES TO THE COMMUNITY AND EACH OTHER.

Each of the Planning and Zoning Commissioners gave a brief introduction and background on themselves.

## REGULAR AGENDA

### 1. REVIEW AND/OR APPROVAL OF THE JANUARY 6, 2015 REGULAR SESSION MEETING MINUTES

**MOTION:** A motion was made by Vice-Chair Leedy and seconded by Commissioner Hitt to approve the January 6, 2015 Regular Session meeting minutes

**MOTION** carried, 6-0.

### \*2. PUBLIC HEARING: REQUEST TO REZONE A 16.3 ACRE PROPERTY LOCATED WEST OF THE NORTHWEST CORNER OF TANGERINE ROAD AND LA CANADA DRIVE FROM R1-144 TO R1-7 AND APPROVE TWO ESL FLEXIBLE DESIGN OPTIONS RELATED TO MODIFIED REVIEW PROCESS AND REDUCED FRONT BUILDING SETBACKS, OV914-006

Chad Daines, Principal Planner, presented the following:

- Requests
- Project Overview
- Zoning Map
- Background
- 2014 General Plan Amendment
- Rezoning Request
- Flexible Design Options
- Environmentally Sensitive Lands
- Access Map
- Public Participation
- General Plan
- Recommendation

David Laws, Permitting Manager, responded to a question from the Commission in regards to drainage.

Stacey Weeks, Norris Design, representing the applicant, presented the following:

- Vicinity Map
- Approved Development Plan
- Approved General Plan Amendment
- Rezoning Application
- Development Patterns
- Residential Master Plan
- Planning Elements
- Viewshed Study
- Sunkist Road
- Front Building Setback
- Rezoning Overview

James Hardman, Desco Southwest, responded to a question from the Commission in regard to the time line for the proposed technology park.

Chairman Rodman opened the public hearing.

Greg Patchen, non Oro Valley resident, commented that this is an unacceptable encroachment of Sunkist Road between La Cholla and La Canada. Mr. Patchen would like to know the background and history of the applicant in building of subdivisions, maintaining habitat and being rigorous and conscientious about following through with their commitments to the officials of the Town. Speaking of hydraulics and the wash, there is an inlet side and an outlet side to culverts and the detention basins that Mr.

Laws is speaking about would be one big very ugly concrete device and would need multiple inlets on the north side of Tangerine Road to channelize the water velocity safely. There is a lot of equestrian activity on Sunkist Road and the traffic volumes will be a problem.

Barbara Benedict, Oro Valley resident, requested the proposed project revert back to the vision of the General Plan. Ms. Benedict suggested that this rezoning be denied based on inconsistency with the overall vision of the General Plan. The Town vision points to a well planned community that uses its resources to balance the needs of today against the needs of future generations. At the neighborhood meetings open space was the discussion and mixing one and two stories. She doesn't see this in the proposed project. She doesn't understand the rush and suggested placing a moratorium on any housing such as the one being proposed.

Chuck Boreson, non-resident, stated that the County has maintained most of the dirt portion of the road. There is a portion of the dirt road that is a private easement that is not maintained by the County. Should this project be approved, who will maintain and be held liable for the new paved road?

Pat McGowan, non-resident, expressed his concern with the light pollution that will be reflected into his home. The proposed project affects their rural lifestyle, which includes: horses, neighbors riding horses, kids on quads, and kids on bikes. Mr. McGowan just can't see where the proposed project is consistent with the area. There has been discussion about the wash being beat up; the wash is beautiful.

Sarah McGowan, non-resident, asked the Commission to deny the proposed project for the 16-acre parcel of Miller Ranch and the proposed entry way. When they bought their home they were told the 16-acres directly south of them would remain as intended, suburban ranch. The building of 37 homes is inconsistent with the surrounding large parcels and does nothing to restore the land that the applicant has said has been depleted by ranching in the past. Ms. McGowan does not see how building homes, driveways, roads, streetlights, etc. restores this open space or riparian area. That parcel of land is home to deer, coyotes, bobcats, quails and many other indigenous forms of life and the building of these homes would not be in the name of conservation. The burden of this neighborhood should not fall squarely on the shoulders of the current residents along Sunkist Road. The burden of this should be the sole responsibility of Oro Valley.

Susann Duperra, non-resident, stated that the building density is 2.3 homes per acre. The reality is it more like 4.4 - 5.5 houses per acre. There are areas that the developer cannot legally build on. The reality is that the proposed project is not medium density, it's more like high density. Ms. Duperra raises livestock (sheep and goats). Her lifestyle is not compatible with these homes. What kind of complaints is

she going to be receiving on a regular basis? There should be some assurance that the property values will be maintained and not destroyed by a small community that is zoned high density.

Amber Peterman, non-resident, stated she maintains the dirt road with her red tractor. Sunkist Road is a rural community and is asking the Commission to deny the proposal.

Nolan Reidhead, non-resident, commented that prior to living on Sunkist Road he lived in Oro Valley and is aware of clustering of homes and the amount of traffic that is generated from subdivisions. Mr. Reidhead is concerned with the traffic on Sunkist Road and La Canada, as well as no sidewalks, equine traffic and the bus stop on Sunkist Road with children walking home. Without the ability to maintain traffic with sidewalks and other areas, this is a big concern. Mr. Reidhead went on to comment that there is no need for the tech park with other parks empty nearby and is asking the Commission to deny the proposal.

Richard Paquette, non-resident, commented that Sunkist Road is not maintained by Pima County. Sunkist Road is paved half way because the residents paid to have the road improved and paved. The net result is the community makes repairs to the road and keeps the road maintained. What are the residents supposed to do with increased traffic with the 37 proposed homes? This is a 144% increase in traffic flow through an area that has no physical means of support. Mr. Paquette strongly recommends that an environmental survey be done on this proposal.

Adelina Kempner, Oro Valley resident, commented that the gate on Sunkist Road was removed about four years ago that stopped thru traffic. Ms. Kempner stated that the discussion to have only one ingress and egress to the development on Sunkist Road should not be left to an accelerated modified review process. The developer knew all along that the proposed project was a narrow skinny development and knew about the challenges of egress and ingress off Tangerine now suddenly a revelation that Sunkist Road is the ingress and egress and should be implemented. After all the major reviews, the ingress and egress through Tangerine Road has been deleted entirely and the access to the residential development has been switched to Sunkist Road. This is a significant change done without the proper review done for impact upon the neighborhood. A neighborhood meeting after the major review milestones have passed is not adequate to protect the public's interest. The impact of the ingress and egress off of Sunkist Road was never part of the earlier public record and discussion and the screening mechanisms in place to protect the interest of neighbors have effectively been bypassed. You can never know the long term impact of opening up Sunkist Road because this analysis has never received due process. Mr. Kempner respectfully asked the Planning and Zoning Commission to reject the ingress and egress on Sunkist Road.

Chairman Rodman closed the public hearing.

David Laws, Permitting Manager, responded to the access to and from the proposed property.

**MOTION:** A motion was made by Vice-Chair Leedy and seconded by Commissioner Pitts to recommend denial of the Miller Ranch Rezoning from R1-144 to R1-7, based on the finding that the request is not consistent with the General Plan, specifically on the determination with respect to compatibility of the proposed project with areas surrounding especially to the north and west.

**MOTION** carried, 6-0.

### **3. YOUR VOICE, OUR FUTURE PROJECT UPDATE AND REVIEW OF COMMITTEE PROGRESS**

Elisa Hamblin, Senior Planner, presented the following:

Your Voice Our Future Project  
 The General Plan  
 Who is responsible?  
 The Public Participation Plan  
 How to make it happen  
 Project schedule  
 Phone Survey  
 A Sound Phone Survey  
 Elements Enjoyed Most About Living in Oro Valley  
 Elements Enjoyed Least About Living in Oro Valley  
 Biggest Challenges Facing Oro Valley in the next ten years  
 Importance of various qualities that might describe Oro Valley's future  
 Key Values Confirmation  
 Methods of Engagement  
 Media Coverage and Publicity  
 Community Events  
 Online Participation  
 Survey Methods  
 Survey Results  
 Vision and Guiding Principles  
 Oro Valley's Vision  
 Guiding Principles  
 Tracking and Progress  
 Committee Formation

Committee Work  
 Committee Challenges  
 The Workbook  
 Continued Outreach  
 Next Steps  
 Get Involved

#### **4. YOUR VOICE, OUR FUTURE PLANNING AND ZONING COMMISSION LIAISON UPDATE**

Commissioner Leedy gave an overview of the Your Voice Our Future update:

- Impressed by the extraordinary amount of outreach that the Town has engaged in trying to get the community involved
- Ms. Hamblin is doing a terrific job and likes the way she directs the meetings and works with a broad variety of opinions
- A couple of different committees, exploring what constitutes a major general plan amendment and what constitutes a minor general plan amendment and what is the criteria that must be satisfied to achieve each of these.
- Zoning Code says something different than what the general plan states
- Challenges we face are the very fundamental subject of whether or not the general plan should be prescriptive or general
- Guiding principle that in the end it is going to guide or narrow the focus of this activity with two limiting factors: authority and capacity

#### **PLANNING UPDATE (INFORMATIONAL ONLY)**

Chad Daines, Principal Planner, presented the following Planning Update:

- Town Council agenda for February 4th
- Upcoming neighborhood meetings

#### **ADJOURNMENT**

**MOTION:** A motion was made by Vice-Chair Leedy and seconded by Commissioner Hitt to adjourn the February 3, 2015, Planning and Zoning Commission meeting at 8:47 PM.

**MOTION** carried, 6-0.

## 1. Introductions and Welcome

Meeting Facilitator Bayer Vella, Interim Planning Manager, introduced the Oro Valley Staff Paul Keesler, DIS Director, and Rosevelt Arellano, Project Manager. Three residents and interested parties attended the meeting, including Council Members Hornat and Zinkin.

## 2. Staff Presentation

Rosevelt Arellano, Project Manager, provided a presentation that included:

- Rezoning process, including modified review
- Project history
- Review tools
- Public participation opportunities
- Next steps

## 3. Applicant Presentation

Stacey Weaks, Principal Planner, provided a presentation that included:

- History of the property
- Site Plan design
  - Lot and street layout
  - Access
  - Open space
  - Bufferyards
  - Recreation areas
- Images of proposed viewsheds

## 4. Public Questions and Comments

- What is secondary access?
  - Secondary access is a locked gate used by emergency vehicles only.
- Where is the main entrance and secondary access?
  - The main entrance is along La Canada Drive, and the secondary access is along Sunkist Drive.
- Will the proposed subdivision be gated?
  - Yes.
- Can the proposed subdivision be accessed from the future tech park located along the east side of the property?
  - Yes.
- What is the proposed building height?
  - 25', two-story
- Who is the water provider?
  - Town of Oro Valley
- Can the property be accessed from Sunkist Drive?
  - No, Sunkist Drive is a private easement that does not allow legal access into the proposed development.
- Neighbors would like to see Sunkist Drive improved and used as the main entrance into the proposed subdivision.

## 5. Next Steps

- The next steps include:
  - Formal application
  - Staff review
  - Planning and Zoning Commission Public Hearing
  - Town Council Public Hearing

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

For more information, please contact Rosevelt Arellano, Planner, at (520) 229-4817 or [rarellano@orovalleyaz.gov](mailto:rarellano@orovalleyaz.gov).

## 1. Introductions and Welcome

Meeting Facilitator Matt Michels, Senior Planner, introduced the Oro Valley Staff Paul Kessler, DIS Director, and Roosevelt Arellano, Project Manager. Eight residents and interested parties attended the meeting.

## 2. Staff Presentation

Roosevelt Arellano, Project Manager, provided a presentation that included:

- Rezoning process, including zoning incentives (i.e. modified review process and reduced building setbacks)
- Project history
- Existing and future access
- Review tools
- Public participation opportunities
- Next steps

## 3. Applicant Presentation

Stacey Weaks, Norris Design, provided a presentation that included:

- History of the property
- New access on Sunkist Drive
- Site Plan design
  - Lot and street layout
  - Open space
  - Buffer yards
  - Recreation areas
- Images of proposed viewsheds

## 4. Public Questions and Comments

- One resident had a concern with access being finalized during the rezoning process and not the General Plan Amendment process.
- Can motorists access the adjacent technology park from Sunkist Drive (north)?
  - No. Only emergency vehicles can access the technology park from Sunkist Drive.
- Neighbors expressed concerns with the response time of emergency vehicles, because the proposed site plan showed one driveway entrance.
  - The applicant stated that the proposed homes are required to have a sprinkler system and the Golder Ranch Fire District is required to approve their site plan design.
- Will the Town pave Sunkist Drive if the applicant does not move forward with the proposed development?
  - No. The Town's current capital improvement program does not include paving Sunkist Drive.
- Will the Town require a bridge over the existing wash if access is proposed from Tangerine Road?
  - Yes.
- Will the proposed development create drainage problems?
  - No. The proposed development is required to meet the Town's adopted drainage provisions and therefore no future drainage problems are expected.
- Why is access on Sunkist Drive better than using the existing curb cuts along La Canada Drive?
  - The applicant stated that access through the existing curb cuts created conflicts with their approved plans for the adjacent technology park.
- Where are the proposed utility lines?
  - The applicant responded as follows:
    - Sewer: South property line
    - Water: North property line from La Canada Drive
    - Electric: To be determined by Tucson Electric Power
    - Gas: East property line

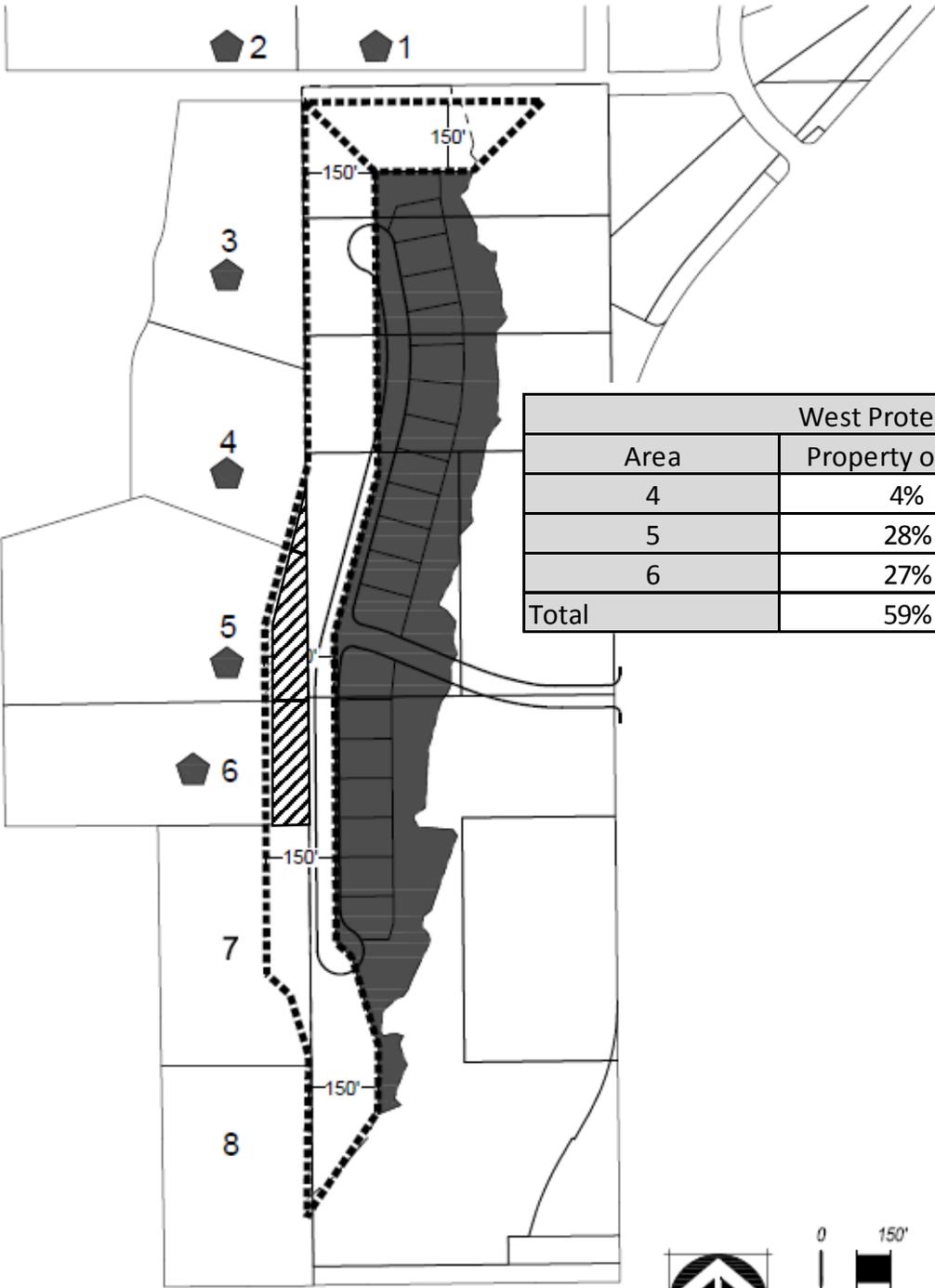
- Will the applicant remove the existing overhead power lines located along the west property line?
  - The applicant stated that the existing power lines are proposed to be relocated underground with the electric company's approval.
- When will the adjacent technology park be developed?
  - The applicant stated that they do not have a timeframe for development.

## 5. Next Steps

- The next steps include:
  - Revised application submittal
  - Staff review
  - Planning and Zoning Commission Public Hearing
  - Town Council Public Hearing

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

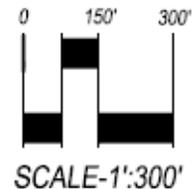
For more information, please contact Rosevelt Arellano, Planner, at (520) 229-4817 or [rarellano@orovalleyaz.gov](mailto:rarellano@orovalleyaz.gov).



West Protest Side		
Area	Property of Area	Protest Rec'd
4	4%	⬢
5	28%	⬢
6	27%	⬢
Total	59%	

**MILLER RANCH**  
ZONING BOUNDARY EXHIBIT

6.22.15



NORTH

SCALE-1':300'

Date:

Town of Oro Valley

Rosevelt Arellano rarellano@orovalleyaz.gov  
Bayer Vella bvella@orovalleyaz.gov

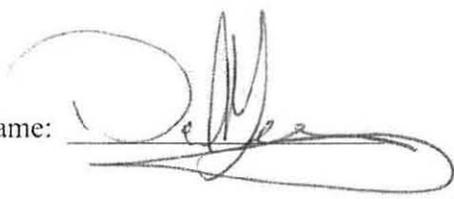
Subject: Town of Oro Valley Case Number: OV914-006

Project title: Rezoning 16.3 acres near the northwest corner of La Cañada Drive and Tangerine Road from R1-144 to R1-7 and approving one ESL Flexible Design Option for a Modified Review Process.

I, David R. LOPEZ, protest the rezoning of the Miller Ranch property OV914-006 located near the northwest corner of La Cañada Drive and Tangerine Road. I am an adjoining property owner and I am filing a formal protest of the rezoning of this property.

The proposed rezoning is incompatible with the adjacent rural and low density zoning.

Sincerely,

Name: 

Address: 12350 N. Sunkist Springs PL, Tucson AZ 85755

Date: June 01, 2015

2/8

Date:

Town of Oro Valley

Rosevelt Arellano rarellano@orovalleyaz.gov

Bayer Vella bvella@orovalleyaz.gov

Subject: Town of Oro Valley Case Number: OV914-006

Project title: Rezoning 16.3 acres near the northwest corner of La Cañada Drive and Tangerine Road from R1-144 to R1-7 and approving one ESL Flexible Design Option for a Modified Review Process.

I, MARIA G LOPEZ, protest the rezoning of the Miller Ranch property OV914-006 located near the northwest corner of La Cañada Drive and Tangerine Road. I am an adjoining property owner and I am filing a formal protest of the rezoning of this property.

The proposed rezoning is incompatible with the adjacent rural and low density zoning.

Sincerely,

Name: Maria G. Lopez

Address: 12350 N. Sunkist Springs Pl. Tucson AZ 85755

Date: JUNE 5, 2015

Date:

Town of Oro Valley

Rosevelt Arellano rarellano@orovalleyaz.gov

Bayer Vella bvella@orovalleyaz.gov

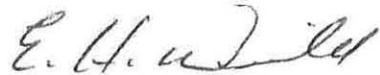
Subject: Town of Oro Valley Case Number: OV914-006

Project title: Rezoning 16.3 acres near the northwest corner of La Cañada Drive and Tangerine Road from R1-144 to R1-7 and approving one ESL Flexible Design Option for a Modified Review Process.

I, Edward H. Winter, protest the rezoning of the Miller Ranch property OV914-006 located near the northwest corner of La Cañada Drive and Tangerine Road. I am an adjoining property owner and I am filing a formal protest of the rezoning of this property.

The proposed rezoning is incompatible with the adjacent rural and low density zoning.

Sincerely,



Name: Edward H. Winter

Address: 12300 N Sunkist Springs Pl, Tucson AZ 85755

Date: 6/2/15

Date:

Town of Oro Valley

Rosevelt Arellano rarellano@orovalleyaz.gov

Bayer Vella bvella@orovalleyaz.gov

Subject: Town of Oro Valley Case Number: OV914-006

Project title: Rezoning 16.3 acres near the northwest corner of La Cañada Drive and Tangerine Road from R1-144 to R1-7 and approving one ESL Flexible Design Option for a Modified Review Process.

I, Jenine D. Roach, protest the rezoning of the Miller Ranch property OV914-006 located near the northwest corner of La Cañada Drive and Tangerine Road. I am an adjoining property owner and I am filing a formal protest of the rezoning of this property.

The proposed rezoning is incompatible with the adjacent rural and low density zoning.

Sincerely,

  
Name: Jenine D. Roach

Address: 12250 N Sunkist Springs Pl. Tucson AZ 85755

Date: 6-2-15

Date:

Town of Oro Valley

Rosevelt Arellano rarellano@orovalleyaz.gov

Bayer Vella bvella@orovalleyaz.gov

Subject: Town of Oro Valley Case Number: OV914-006

Project title: Rezoning 16.3 acres near the northwest corner of La Cañada Drive and Tangerine Road from R1-144 to R1-7 and approving one ESL Flexible Design Option for a Modified Review Process.

I, Robert Gin, protest the rezoning of the Miller Ranch property OV914-006 located near the northwest corner of La Cañada Drive and Tangerine Road. I am an adjoining property owner and I am filing a formal protest of the rezoning of this property.

The proposed rezoning is incompatible with the adjacent rural and low density zoning.

Sincerely,



Name: Robert Gin

Address: 1550 W Tangerine Rd, Oro Valley AZ 85755

Date: June 6/3/15

6/8

Date:

Town of Oro Valley

Rosevelt Arellano rarellano@orovalleyaz.gov

Bayer Vella bvella@orovalleyaz.gov

Subject: Town of Oro Valley Case Number: OV914-006

Project title: Rezoning 16.3 acres near the northwest corner of La Cañada Drive and Tangerine Road from R1-144 to R1-7 and approving one ESL Flexible Design Option for a Modified Review Process.

I, REBEKAH P. TAN, protest the rezoning of the Miller Ranch property OV914-006 located near the northwest corner of La Cañada Drive and Tangerine Road. I am an adjoining property owner and I am filing a formal protest of the rezoning of this property.

The proposed rezoning is incompatible with the adjacent rural and low density zoning.

Sincerely,



Name: Rebekah P Tan

Address: 1550 W Tangerine Rd, Oro Valley AZ 85755

Date: June 3, 2015

7/8

Date:

Town of Oro Valley

Rosevelt Arellano rarellano@orovalleyaz.gov  
Bayer Vella bvella@orovalleyaz.gov

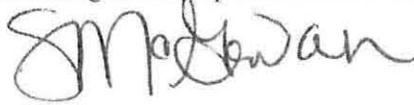
Subject: Town of Oro Valley Case Number: OV914-006

Project title: Rezoning 16.3 acres near the northwest corner of La Cañada Drive and Tangerine Road from R1-144 to R1-7 and approving one ESL Flexible Design Option for a Modified Review Process.

I, Sarah M. McGowan, protest the rezoning of the Miller Ranch property OV914-006 located near the northwest corner of La Cañada Drive and Tangerine Road. I am an adjoining property owner and I am filing a formal protest of the rezoning of this property.

The proposed rezoning is incompatible with the adjacent rural and low density zoning.

Sincerely,



Name: Sarah McGowan  
1450 W. Sunkist Road Tucson, AZ 85755

Address: 1450 W Sunkist Rd

Date: 6-8-15

Date:

Town of Oro Valley

Rosevelt Arellano rarellano@orovalleyaz.gov

Bayer Vella bvella@orovalleyaz.gov

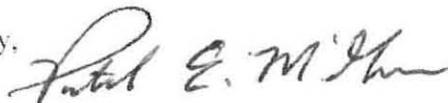
Subject: Town of Oro Valley Case Number: OV914-006

Project title: Rezoning 16.3 acres near the northwest corner of La Cañada Drive and Tangerine Road from R1-144 to R1-7 and approving one ESL Flexible Design Option for a Modified Review Process.

I, Patrick E. McGowan, protest the rezoning of the Miller Ranch property OV914-006 located near the northwest corner of La Cañada Drive and Tangerine Road. I am an adjoining property owner and I am filing a formal protest of the rezoning of this property.

The proposed rezoning is incompatible with the adjacent rural and low density zoning.

Sincerely,



Name: Patrick E. McGowan

1450 W. SUNKIST RD. TUCSON, AZ 85755

Address: 1450 W Sunkist Rd

Date: 6-8-15

## **Arellano, Rosevelt**

---

**From:** G. Matthew Patchen <gmpatchen@gmail.com>  
**Sent:** Monday, June 08, 2015 7:51 AM  
**To:** A Kempner  
**Cc:** SARAH MC GOWAN; Susann Duperret; drlopez57@gmail.com; Hank Winter; Scott Christy; apeterman@fairwaymc.com; Rick Paquette; Charles Boreson; bekaht@yahoo.com; jenine.roach@novahomeloans.com; Diane Judge; Arellano, Rosevelt  
**Subject:** Re: Flies and coming to the nuisance

Adelina-thanks for digging this up. In the matter of Miller Ranch it is not dispositive, as I read it.

However, I did go *Boomer v. Atlantic Cement Company*, a New York case involving development around a cement plant, which had cost \$45,000,000 to construct at a previous time. The court ruled the residents be paid the sum of \$185,000 for "mitigation" (the word Desco uses over and over) and that the cement plant would remain in operation.....

They relied in part on the doctrine of "servitude of the land" which ties rights and obligations to ownership of the land so that they run with the land's successive owners....

At the recent neighborhood meeting on MR, recall the plan that Stacy Weaks presented of the entire development including the non-residential portion and I commented on the connecting bridge across the wash and the so-called basins (their term)....At the first P & Z meeting I attended, during and after the meeting, firstly by Weaks and lastly by Sarabia that Desco would restore the wash to its condition of 100 years ago....That is more sales deception. I asked them how they knew the condition of the wash 100 years ago.....no reply.

As depicted on the drawing that Mr. Spaeth worked from, along with Weaks, clearly the wash is channelized and as un-natural as is the Hudson River on the west side of Manhattan....It will be a featureless, scooped out eyesore.

There has been so much "bob and weave" and double speak and dissembling about this project on the part of the developer---how can a Town Council comprised of intelligent individuals regard it with equanimity? That, of course, is the larger question.

Those intending to attend the next Town Council meeting (June 17th) should try to meet with someone on the OV staff beforehand or lobby a Council member.

Further, those attending should be aware that they will have a maximum of 3 minutes to address the Council so they should think ahead and prepare their remarks, the sum of which I hope will result in the denial of this project.

G. M. Patchen

On Sun, Jun 7, 2015 at 6:38 PM, A Kempner <[golfpair1@yahoo.com](mailto:golfpair1@yahoo.com)> wrote:

FYI

[Spur Industries, Inc. v. Del E. Webb Development Co. - Wikipedia, the free encyclopedia](#)



## Town Council Regular Session

Item # **6.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Chad Daines, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

PUBLIC HEARING: ORDINANCE NO. (O)15-10, AMENDING THE REZONING CONDITIONS OF APPROVAL FOR ST. MARK CATHOLIC CHURCH, LOCATED AT 2727 W. TANGERINE ROAD, INVOLVING THE ELIMINATION/MODIFICATION TO THE REQUIREMENTS FOR A SCREEN WALL AND PARKING LOT LIGHT POLE HEIGHTS SOUTH OF THE MAIN SANCTUARY BUILDING

#### **RECOMMENDATION:**

Staff recommends approval of the request.

#### **EXECUTIVE SUMMARY:**

The request pertains to the existing St. Mark Church at the southeast corner of Shannon and Tangerine roads (Attachment 2). The rezoning conditions required a screen wall and limited the height of parking lot light poles on the south side of the main sanctuary building, and were intended to mitigate the impact of the church on the adjoining 12-acre property to the south, which was then occupied by a single custom home.

The church has subsequently purchased the property to the south for future development, which eliminates the need for the screen wall and limited light pole height. The church is requesting deletion of the required screen wall condition and revision to the light pole height limits to allow taller light poles for safety purposes. The applicant's request is provided as Attachment 3.

Staff is recommending approval of the request as the original intent of the conditions has now changed with the church ownership of the property to the south.

#### **BACKGROUND OR DETAILED INFORMATION:**

The St. Mark Church was zoned in 2012 to accommodate the new church campus, which has been completed. The rezoning was approved subject to a number of conditions intended to reduce the impact of the church on the adjoining property, which was then occupied by a single custom home. Subsequent to the rezoning, the church purchased the 12-acre property to the south, eliminating the need for the screen wall and limited parking lot lighting pole heights. The specific amendments to applicable conditions are provided as Exhibit A of the Ordinance (Attachment 1).

#### **Screen Wall**

The original conditions of approval required construction of a parking lot screen wall along the southern boundary to reduce the visual impact of the parking areas and drive aisle. The applicant has requested this condition be deleted based on the fact that the church now owns the property to the south and the

screen wall is no longer necessary to screen the existing church campus from the future church campus planned for the south. Staff is in agreement that this screen wall is no longer necessary based on the land ownership changes.

Parking Lot Lighting

The church was approved with the following lighting limitations:

- Overall site: 18 feet (15 feet east of wash)
- South of buildings: 10 feet
- South of southern drive aisle: 8 feet

The applicant is requesting:

- Overall Site: 18 feet (15 feet east of wash)
- South of Buildings: 18 feet
- South of southern drive aisle: 10 feet

The applicant's request is based on a new planned parking area along the southern drive, which is convenient for church members using the main sanctuary building to the north. The request is based on creating a safe level of illumination for this new parking area, and the pole height requested conforms with the Town's lighting code. Staff is in agreement that the limited light pole heights along the southern boundary are no longer necessary based on the land ownership changes.

Public Participation

The request was advertised in the newspaper, notices were mailed to property owners within 600 feet and to all homeowners associations in the Town, and the request was posted at Town Hall and on the Town's website. No adverse comments on the requests have been received.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to adopt Ordinance No. (O)15-10, amending the rezoning conditions of approval based on a finding that the limitations established in the original condition are no longer necessary based on land ownership changes.

OR

I MOVE to deny the requested modification to the rezoning conditions, finding that \_\_\_\_\_.

---

**Attachments**

Attachment 1 - (O)15-10 Amending the Rezoning Conditions of Approval for St. Mark Church

Attachment 2 - Location Map

Attachment 3 - Applicant Request

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**ORDINANCE NO. (O)15-10**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA,  
AMENDING THE REZONING CONDITIONS OF APPROVAL OF  
ORDINANCE NO. (O)11-12 FOR ST. MARK'S CATHOLIC  
CHURCH LOCATED AT 2727 W. TANGERINE ROAD**

**WHEREAS**, On May 4, 2011, the Town of Oro Valley approved Ordinance No. (O) 11-12, approving a rezoning request by ML2 Management, L.L.C., representing St. Mark's Church for the property located at 2727 W. Tangerine Road from R1-144 to Private School District; and

**WHEREAS**, the conditions of approval no longer apply as St. Marks has purchased the property originally affected by the rezoning request; and

**WHEREAS**, St. Mark's Church is asking to amend the conditions of approvals from (O) 11-12 to eliminate/modify the requirement screen wall on the south and to increase the height of the light poles south of the main sanctuary building ; and

**WHEREAS**, the Applicant's request for to amend the rezoning conditions of approvals complies with the applicable General Plan requirements; and

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

**SECTION 1.** The amendment to the rezoning conditions of approvals for St. Mark's Church for the property located at 2727 W. Tangerine Road, attached hereto as Exhibit "A" and incorporated herein by reference, is hereby approved.

**SECTION 2.** All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona on this 1<sup>st</sup> day of July, 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

**Amend the conditions of approval on Ordinance (O) 11-12 as provided below.  
Deletions shown in ~~strikethrough~~ font, additions shown in ALL CAPS font.**

### **Planning**

1. Provide the following as general notes on the cover sheet of the Tentative Development Plan (TDP):

~~Along the south buffer yard, screen walls shall be constructed of stucco with pier offsets and shall be no closer to the south property line than shown on the TDP. All walls shall be contoured (not straight line).~~

2. Revise general note #13 on the TDP as follows:

Existing site: Remove existing pole lights and replace with 15' tall shielded lights or at a lesser height consistent with zoning code requirements. All other building lights shall not exceed 9' and shall be shielded. ~~Additional lights may be installed as required by Town lighting code, provided pole heights do not exceed 10' if located south of the buildings or 8' if located along the southern drive lane.~~

### **Planning and Zoning Commission Conditions**

1. Revise the Phase 1 plan to match the tentative development plan. ~~specifically the south buffer yard walls.~~
9. ~~On the south buffer yard, replace the straight line walls with contoured walls similar to the section west of the wash, with the exception of the wall on the southwest corner of the property (south of the detention basin).~~
10. Existing site: Remove existing pole lights and replace with 15' tall shielded lights. All other building lights shall not exceed 9' and shall be shielded. ~~Additional lights may be installed as required by Town lighting code, provided pole heights do not exceed 10' if located south of the buildings or 8' if located along the southern drive lane.~~
11. New Development: Parking lot lights ~~along SOUTH OF~~ the south drive lane shall be no taller than 8' 10' and shall be fully shielded. All other building lights shall not exceed 9' and shall be shielded. Additional lights ~~NORTH OF THE SOUTHERN DRIVE~~ may be installed as required by Town lighting code, provided pole heights do not exceed 40'-18 FEET. ~~if located south of the buildings or 8' if located along the southern drive lane.~~
12. ~~Screen walls shall be 5' high constructed of stucco with pier offsets and shall be located no closer to the south property than shown on the TDP.~~



# LOCATION MAP

ST MARK (OV912-002A)

June 16, 2015



Mr. Chad Daines  
**PRINCIPAL PLANNER**  
Town of Oro Valley  
11000 N. La Canada Dr.  
Oro Valley, AZ 85737

**RE: PAD AMENDMENT TO REMOVE CONDITIONS OF ZONING  
OV910-02  
ST. MARK CATHOLIC CHURCH  
2727 W. TANGERINE RD.  
ORO VALLEY, AZ 85742**

Dear Mr. Daines,

On behalf of St. Mark Catholic Church, ML2 Management, acting as its representative and project manager, is requesting modifications and/or removal of specific conditions of zoning pertaining to the above referenced project and zoning case number.

The following conditions of zoning were a direct result of negotiating with the previous property owner of the parcel directly south of St. Mark's property and were concessions made by St. Mark in good faith. These concessions have not only negatively impacted St. Mark's site planning, but also resulted in actual monetary costs to implement the referenced zoning conditions. St. Mark has since purchased the property to the south and the Pastor resides in the residence on that property.

I am requesting Zoning Condition No. 1 be modified as follows:  
Revise the Phase 1 plan to match the tentative development plan.  
Remove balance of sentence "...specifically the south buffer yard walls."

I am requesting Zoning Condition No. 10 be modified as follows:  
Existing Site: Remove existing pole lights and replace with 15' tall shielded lights. All other building lights shall not exceed 9' and shall be shielded.  
Remove last of sentence "Additional lights may be installed as required by Town lighting code, provided pole heights do not exceed 10' if located south of the buildings or 8' if located along drive lane."

I am requesting Zoning Condition No. 11 be completely removed:  
"New Development: Parking lot lights along the south drive lane shall be no taller than 8' and shall be fully shielded. All other building lights shall not exceed 9' in height and shall be shielded. Additional lights may be installed as required per the Town lighting code, provided pole heights do not exceed 10' if located south of the buildings or 8' if located along the south drive lane."

I am requesting Zoning Condition No. 12 be completely removed:  
"Screen walls shall be 5' high constructed of stucco with pier offsets and shall be located no closer than to south property line than shown on the TDP."

St. Mark is planning to increase its parking count to accommodate a net increase of about 320 or 35% in registered parish families from the date construction of the new church began in the Spring 2012 to present day. This increase in parish population has resulted in a regular parking shortage for not only weekend services throughout the year, but also results in a significant shortfall during high attendance church services at Christmas and Easter, as well as, some special occurrences, such as large funeral services. The shortage of planned and built parking spaces pushes parishioners to double park on property and along a heavily travelled Tangerine Rd, resulting in unsafe conditions. St. Mark's plan to address this issue is to immediately build a portion of Phase 2 parking in accordance with the Approved Site Plan. This parking is located to the west of the Phase 1 built limits. This parking area will yield 83 of the Phase 2 parking spaces. Additional parking is proposed to be located directly south of the church building along the south side of the drive lane. This proposed row of parking would yield an additional 40 parking spaces; however, it does require the removal of the existing site walls as referenced in Zoning Conditions No. 1 & 12. The proposed parking layout for both areas is shown on the attached Conceptual Site Plan.

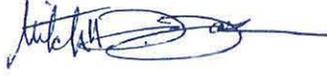
To accompany the proposed parking areas, St. Mark will also install new parking lot lighting. The new light poles at the future Phase 2 parking area will match the existing light poles and fixtures that were installed with Phase 1 improvements and shall be 18 ft. tall. Site lighting for this parking area requires no modifications to zoning conditions. The proposed new row of parking south of the church will require modification to Zoning Condition No. 10 and removal of Zoning Conditions No. 11.

The current installed lighting along the southern edge of the property uses 8 ft. tall poles located to the north side of the existing row of parking. In order to continue to meet code and the specific code limitations, i.e. Zoning Conditions 10 & 11, additional lighting along that south edge can only be 8 ft. above grade. Placing new 8 ft. tall poles to the south of the proposed row of parking allows the spaces themselves to be illuminated according to the Illuminating Engineering Society's recommended light level for low use nighttime parking lots of 0.2 foot candles average. The drive aisle between the north and south facing parking rows, however, would not be illuminated properly and falls below the 0.2 foot candles recommended. If the zoning condition limitation of an 8 ft. tall light poles is removed, then the OV Outdoor Lighting Code would allow for 10 ft. tall light poles along that southern edge of the proposed parking with an increase allowance in elevation at a rate of one foot in height for every 2'6" away from the first luminaire to maximum height allowed by the code (for property abutting residential property). This would allow for the fixtures on the southern most edge to be 10 ft. tall, then the next line of fixtures to the north of the existing parking row can be 18 ft. tall, which would then provide enough lighting to meet the IESNA recommended light levels for low use parking lots. The IESNA light levels are only recommendations. In this case, the OV Outdoor Lighting Code should take precedence, because it is a code requirement; and it should be noted that the specific zoning conditions on this property are preventing the drive aisle from being illuminated as recommended.

St. Mark proposes to remove six (6) existing 8 ft. tall light poles that are presently installed along the north edge of the existing south parking row and relocate them to the south edge of the proposed row of parking. The relocated 8 ft. poles would be set on 2 ft. tall concrete bases raising the relocated poles to 10 ft. above finished grade, which will meet the OV Outdoor Lighting Code. To replace the six (6) relocated 8 ft. tall lights, St. Mark proposes to install four (4) new 18 ft. tall light poles matching the fixture type used north of the church and installed during Phase 1. As noted above, this combination of light fixture heights and quantities will meet the OV Outdoor Lighting Code after the specific zoning conditions are removed.

Please feel free to contact me with any questions pertaining to this request.

Respectfully Submitted,  
**ML2 MANAGEMENT, LLC**

A handwritten signature in blue ink, appearing to read "Mitchell L. Lorenz", with a long horizontal flourish extending to the right.

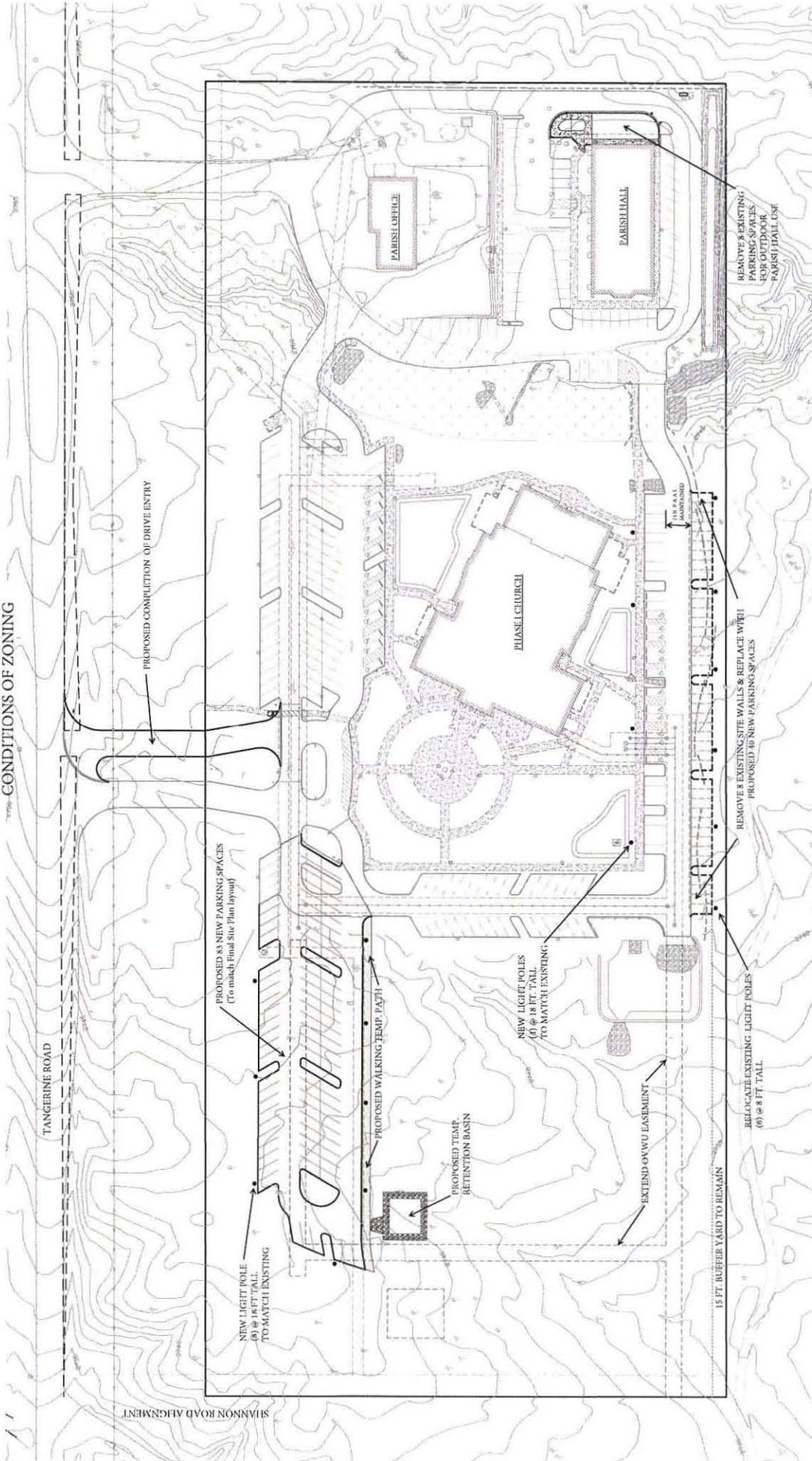
Mitchell L. Lorenz  
*Project Manager for St. Mark Catholic Church*

Attachment - Conceptual Site Plan

Cc: Rev. John Arnold, Pastor (St. Mark)  
Mr. Dennis Morneau (St. Mark)

# ST. MARK CATHOLIC CHURCH

CONCEPTUAL SITE PLAN  
PAD AMENDMENT TO REMOVE  
CONDITIONS OF ZONING





## Town Council Regular Session

Item # **7.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Chad Daines, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A CONDITIONAL USE PERMIT FOR KNEADER'S BAKERY AND CAFE, INCLUDING DRIVE-THRU, TO BE LOCATED NEAR THE NORTHEAST CORNER OF LINDA VISTA AND ORACLE ROAD

#### **RECOMMENDATION:**

The Planning and Zoning Commission recommends approval.

#### **EXECUTIVE SUMMARY:**

The applicant requests a Conditional Use Permit (CUP) for a restaurant with a drive-thru in the EI Corridor Planned Area Development located near the northeast corner of Linda Vista Boulevard and Oracle Road (Attachment 1). The proposed restaurant is on 1.1 acres of a larger 6.1 acre commercial area, the entirety of which is currently vacant. The proposed restaurant will be the first project within the commercial area.

The project consists of an approximately 4,000 square foot restaurant, outdoor patio, drive-thru lane, landscaping and customer parking. The proposed Site Plan is provided as Attachment 2. The applicant's proposal is included as Attachment 3.

The location and design of the drive-thru bakery is appropriate given the location on Oracle Road and the visual screening to adjacent residential areas provided by the apartment buildings under construction to the east.

The request was considered and recommended for approval by the Planning and Zoning Commission on June 2, 2015, based on a finding that the request was consistent with the Conditional Use Permit Evaluation Criteria, the Zoning Code and Planned Area Development zoning.

#### **BACKGROUND OR DETAILED INFORMATION:**

The property is currently vacant and will be the first commercial parcel to be developed in the EI Corridor development. The property is zoned Planned Area Development (PAD), which permits a restaurant with a drive-thru, subject to approval of a Conditional Use Permit. The General Plan for the property is Neighborhood Commercial/Office. The Existing General Plan and Zoning for the property and the surrounding area is depicted on Attachments 4, and 5. The applicant proposes a 4,000 square foot bakery and café with a drive-thru lane.

The applicant originally proposed the drive-thru lane immediately adjacent to the Oracle Road frontage. The property is within the boundaries of the Oracle Road Scenic Corridor Overlay District (ORSCOD).

The intent of this overlay district is to protect the scenic qualities of the corridor as viewed from Oracle Road. Additionally, the adopted Design Standards within the Zoning Code prohibit the location of a drive-thru lane paralleling Oracle Road.

The Conceptual Site Plan was revised during the review process to relocate the drive-thru lane on the east side of the restaurant, away from Oracle Road. The restaurant was relocated further into the site, off of the Oracle Road frontages. These revisions resulted in compliance with the adopted Design Standards and the intent of ORSCOD to maintain the scenic qualities of the corridor.

The relocated drive-thru should not negatively impact the adjacent apartments to the east, based on the distance between the apartments and the restaurant, and the planned landscaped buffer yards between the two uses. Additional measures to screen the drive-thru lane will be addressed as part of the design review process.

### Conditional Use Permit Analysis

The Conditional Use Permit review evaluation criteria contained in Section 22.5 provide the primary guidance for evaluating CUPs. The applicant's request has been reviewed and found in conformance with the evaluation criteria, as provided on Attachment 6.

### Zoning Code Analysis

The design of the restaurant will be reviewed for full conformance with all PAD standards and applicable provisions of the Zoning Code during the design review process. This review includes loading space, drive-thru lane screening, landscaping, lighting, signage, architecture, public art and conformance with all ordinances and policies.

### Public Participation

#### **Neighborhood Meeting**

A neighborhood meeting for the project was held on May 13, 2015, with approximately 10 interested residents in attendance. Comments from the residents focused primarily on the apartment development under construction and there were no adverse comments with regard to the proposed restaurant or drive-thru lane. The summary notes from the neighborhood meeting are provided on Attachment 7. Staff has not received any additional correspondence concerning the project.

#### **Planning and Zoning Commission**

The request was considered by the Planning and Zoning Commission on June 2, 2015. The Commission recommend approval of the request based on a finding that the proposed drive-thru for the bakery and cafe is consistent with the Conditional Use Permit review criteria. The Planning and Zoning Commission Staff Report is provided as Attachment 8 and the Commission minutes are provided as Attachment 9.

#### **FISCAL IMPACT:**

N/A

#### **SUGGESTED MOTION:**

I MOVE to recommend approval of the Conditional Use Permit for the Kneader's Bakery and Café, based on the findings that the proposed drive-thru is consistent with the Conditional Use Permit review criteria.

OR

I MOVE to deny the Conditional Use Permit for the Kneader's Bakery and Cafe, finding that \_\_\_\_\_.

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**Attachments**

Attachment 1 - Location Map

Attachment 2 - Conceptual Site Plan

Attachment 3 - Applicant response to Criteria

Attachment 4 - General Plan

Attachment 5 - Zoning Map

Attachment 6 - CUP Analysis

Attachment 7 - Neighborhood Meeting Summary Notes

Attachment 8 - Planning and Zoning Commission Staff Report

Attachment 9 - Planning and Zoning Commission Minutes

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# LOCATION MAP

KNEADERS (OV815-001)

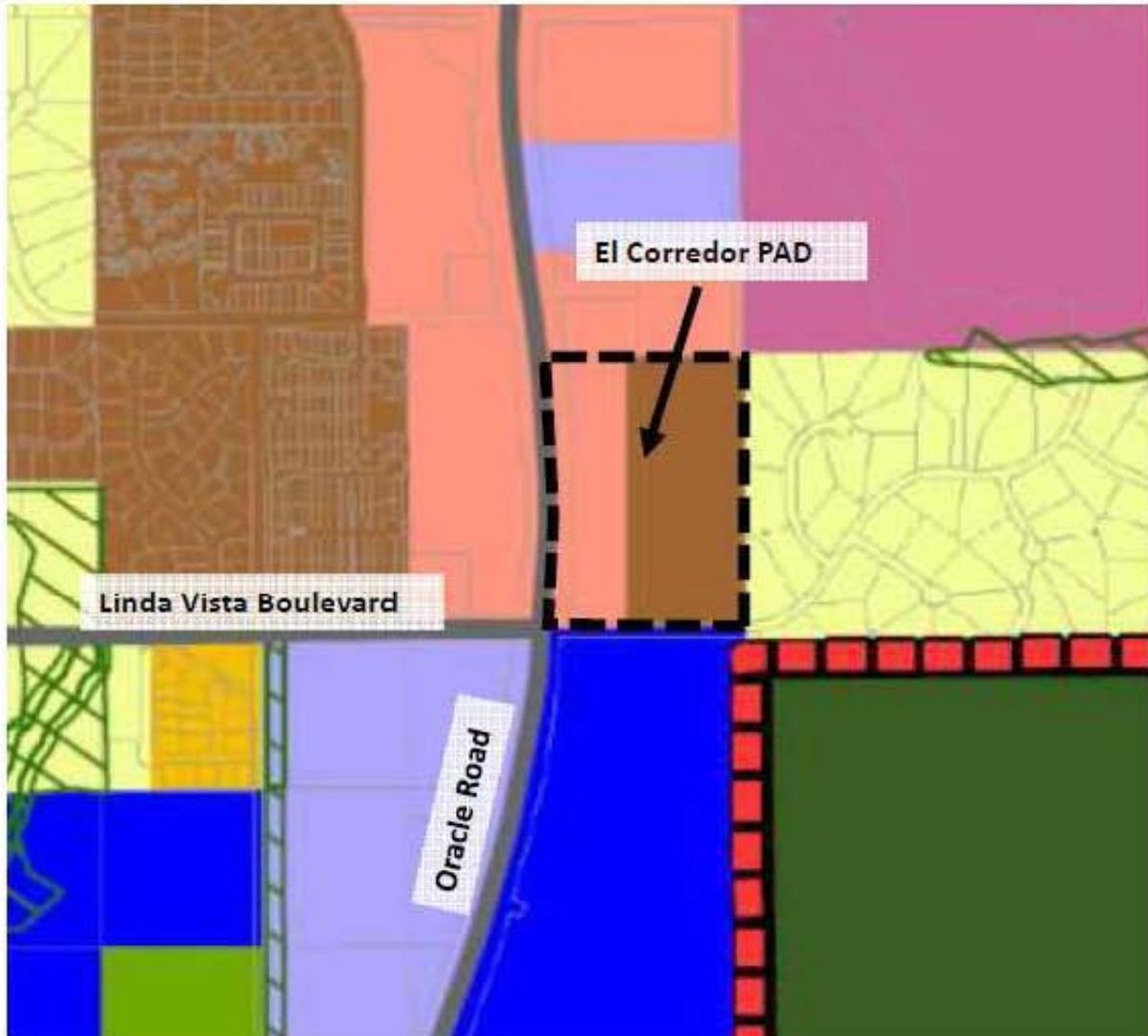


The goal of the Conditional Use Permit allowing for an additional drive-thru is to provide a high-quality mixed-use center allowing complementary retail and multi-family residential development while meeting the demands of a high quality establishment.

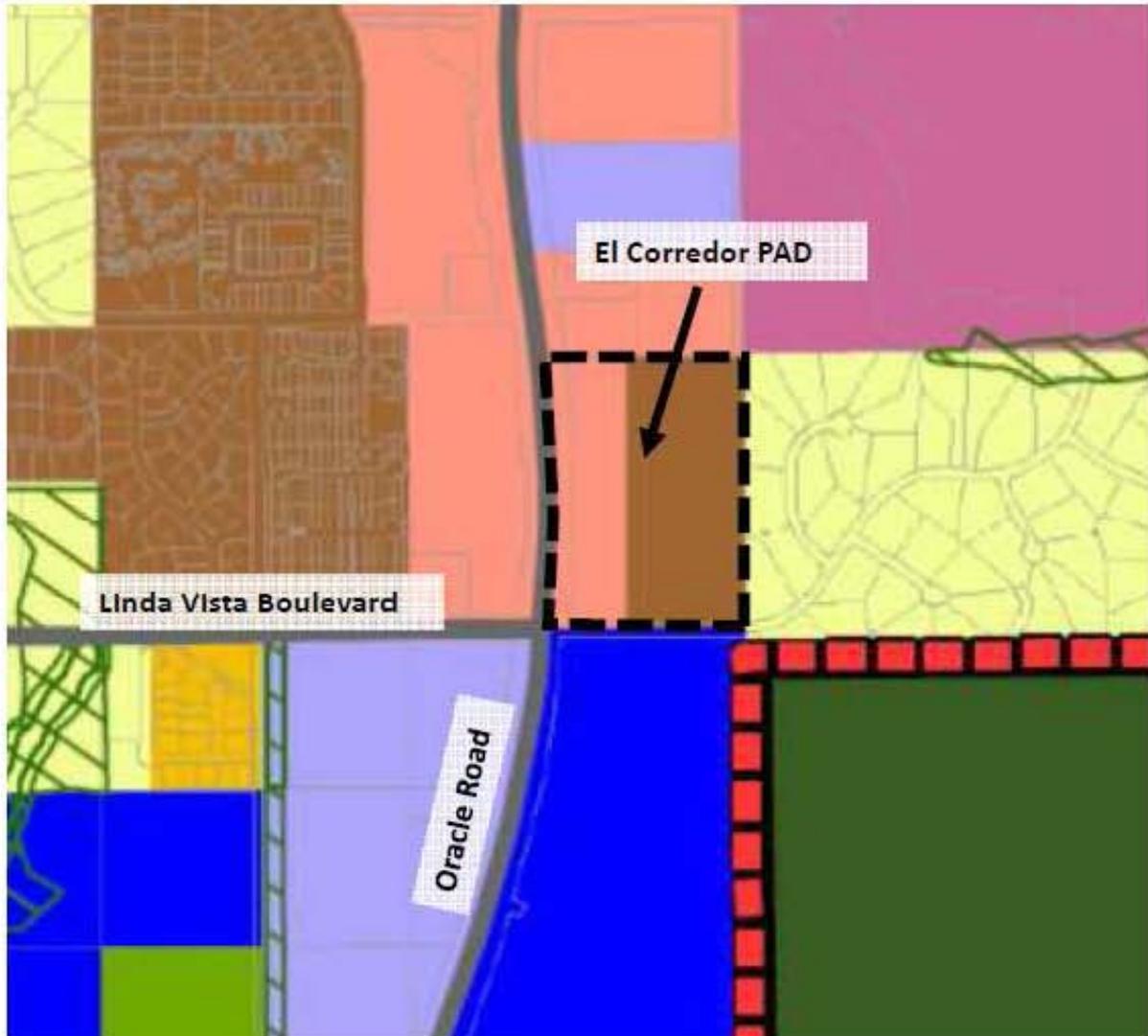
This application is in keeping with the spirit and compatibility of our planned area development and the proposed use would be a favored addition by the local citizens.

This drive-thru would not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the Town.

As the site sits today, the eastern multi-family development is near complete leaving the graded frontage along Oracle Road. The multi-family development has shielded the Pusch Ridge neighborhood of single family homes from the nuisance arising from the noise of Oracle Road.

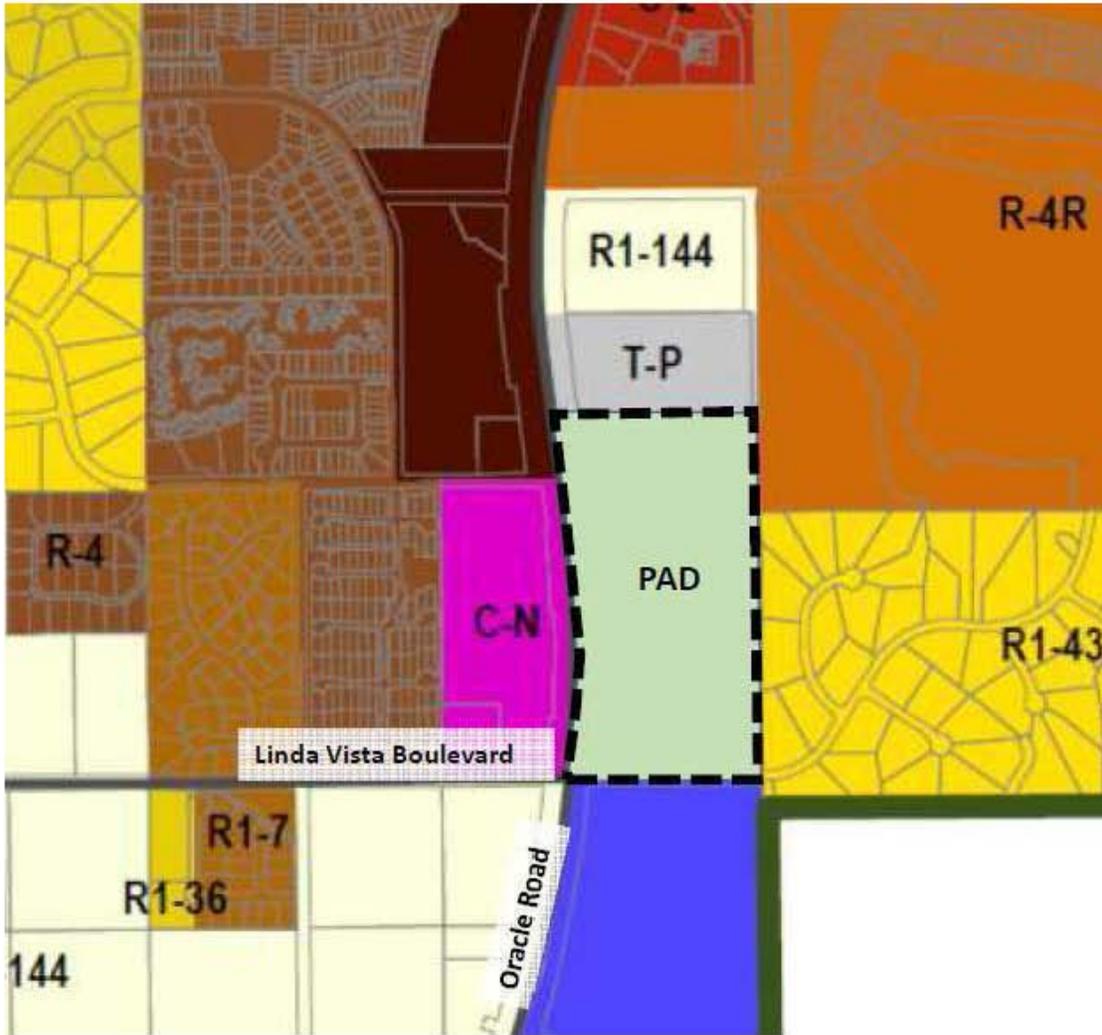


**GENERAL PLAN**  
EL CORREDOR (OV912-001A)



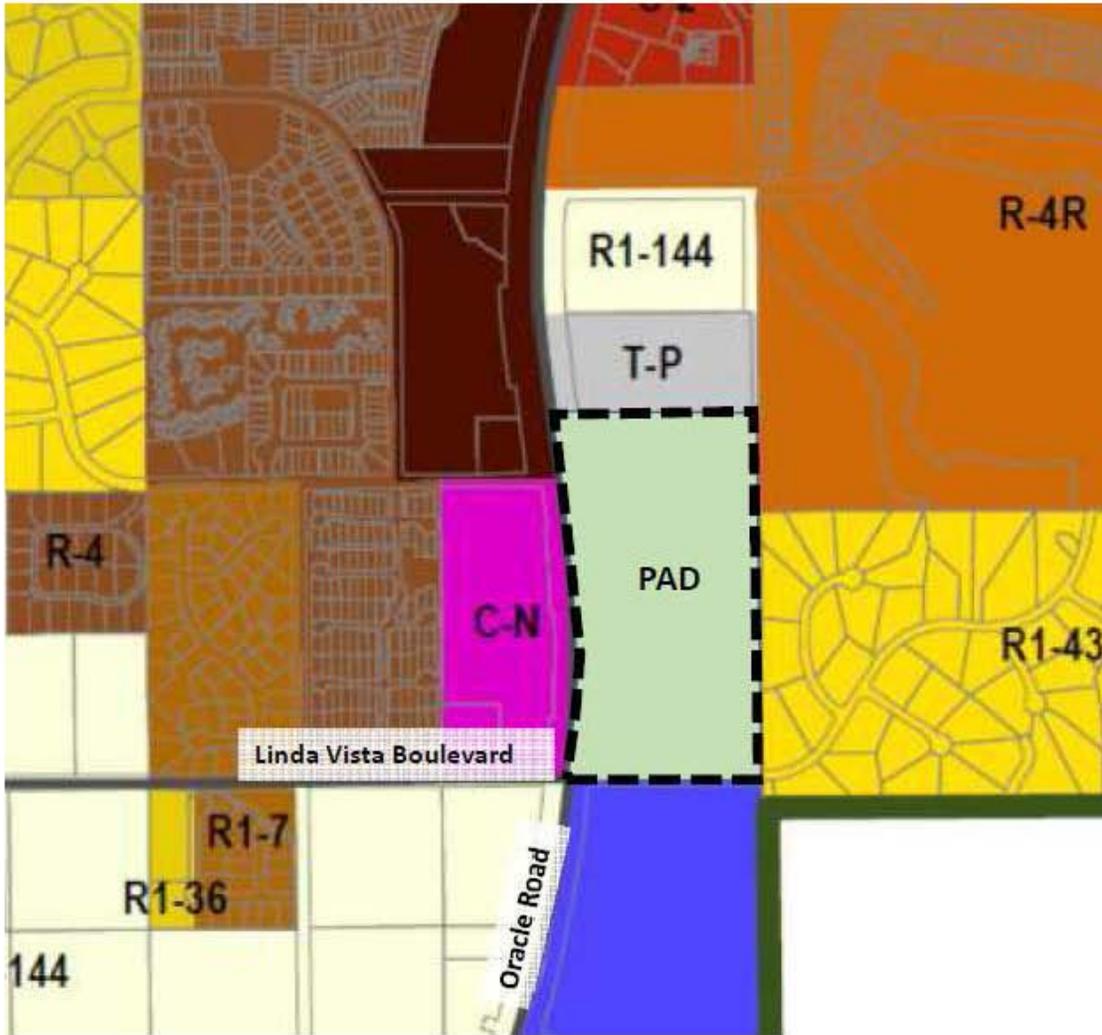
# GENERAL PLAN

EL CORREDOR (OV912-001A)



# ZONING MAP

EL CORREDOR (OV912-001A)



# ZONING MAP

EL CORREDOR (OV912-001A)

ATTACHMENT 6  
Kneaders Bakery and Café  
Conditional Use Permit Evaluation Criteria

The Conditional Use Permit Review evaluation criteria contained in Section 22.5 provide the primary guidance for evaluating CUP's. CUP's may be granted based on consideration of the following criteria shown in italics, followed by staff commentary:

*That the granting of such conditional use permit will not be materially detrimental to public health, safety, or welfare. In arriving at this determination, the factors which shall be considered shall include the following:*

*Damage or nuisance arising from noise, odor, dust, vibration or illumination;*

The everyday operations of the restaurant will not include activities that will contribute to dust or vibration within the immediate area. The proposed restaurant will be subject to the noise regulations of the Zoning Code that limit external speakers to no more than 40 decibels. The restaurant will include cooking, which will require the approval of an odor abatement plan prior to Final Design submittal. The proposed restaurant will be required to comply with the Town of Oro Valley Outdoor Lighting standards and regulations. The proposed use meets this criteria.

*Hazard to persons and property from possible explosion, contamination, fire or flood;*

The proposed use will utilize standard cleaning materials and will be required to follow strict Occupational Safety Hazard Administration (OSHA) guidelines on the correct use and application of those materials to minimize the possibility of explosion and contamination. The restaurant will be required to install fire sprinklers in accordance with Golder Ranch Fire District requirements to protect against fire potential. The proposed use meets this criteria.

*Hazard occasioned by unusual volume or character of traffic.*

The primary evaluation of drive-thru restaurants is queuing vehicles and their impact on the traffic and circulation within the center. As part of the review of this application, the site plan was reviewed and modified to address staff concerns with traffic circulation. As part of this review, the applicant provided an overall site plan for the vacant commercial area to ensure that adequate and safe circulation can be maintained through the commercial project. This overall site plan (Attachment 6) has been reviewed by planning and engineering staff, with no adverse comment relative to vehicular traffic flow. Modifications to the Conceptual Site Plan will be required to improve pedestrian circulation and the inclusion of a loading zone to minimize any potential conflicts between delivery and customer traffic.

*That the characteristics of the use proposed in such use permit are reasonably compatible with types of uses permitted in the surrounding area.*

Oracle Road frontage is an appropriate location for commercial type uses, including drive-thru restaurants. Neighboring properties to the north, south and west along Oracle Road are zoned and intended for neighborhood commercial uses.

Additionally, the proposed restaurant will be buffered from the existing single-family residential to the east by the multi-family development currently under construction. The apartment development will serve as an appropriate land use transition between the less intensive single family residential uses to the east and the commercial uses along Oracle Road.

The proposed restaurant will require landscaping consistent with the landscape requirements of the Zoning Code, visually screening the restaurant from adjacent properties. Furthermore, the PAD has established required buffer yards and screen walls ensuring the higher intensity uses are thoroughly screened from adjacent residential.

The applicant's proposal is consistent with this criteria.

**Attachment 7**  
**Neighborhood Meeting Summary**  
**Kneaders Bakery and Café Proposed Conditional Use Permit and PAD Amendment**  
**April 13, 2015 6:00 – 7:30 PM Town of Oro Valley Hopi Conference Room**

**1. Introductions and Welcome**

Meeting Facilitator Chad Daines, Principal Planner, provided introduction and an overview of the meeting format and ground rules. Approximately 10 residents and interested parties attended the meeting, including Vice Mayor Waters and Council member Hornat. Also in attendance was Planning and Zoning Commissioners Leedy and Hurt.

**2. Staff Presentation**

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

- Subject Property
- Applicant's request
- Existing zoning of the property, including development standards
- Review tools and process, including public participation opportunities

**3. Applicant Presentation**

Josh Merrell, Four Food Groups, provided a presentation detailing the applicant's proposal, which included:

- Overview of Kneaders expansion in the Tucson market
- Overview of the proposed development
- Menu of items
- Building Format

Ross Rulney, property owner of El Corredor, provided an overview of the PAD Amendment

**4. Public Questions & Comments**

Following is a summary of additional questions and comments:

- What is the anticipated building height
- Hour of operation and activities will take place after closing?
- Will lights be on within the building after closing?
- What is planned for the future commercial areas?
- What is the main ingress and egress to the building?
- Landscaping maintenance on the south side of Linda Vista Boulevard?
- Sufficiency of the overflow parking for the trailhead?
- Gating of apartment development?
- Wall along Linda Vista Boulevard?

Mr. Daines, Mr. Merrell and Mr. Ross Rulney addressed some of the questions related to the proposed development.

Mr. Daines closed the meeting, thanked everyone for their attendance.



## Conditional Use Permit Planning and Zoning Commission Staff Report

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**PROJECT:** Kneaders Bakery & Cafe  
**CASE NUMBER:** OV815-001  
**MEETING DATE:** June 2, 2015  
**AGENDA ITEM:** 4  
**STAFF CONTACT:** Chad Daines, Principal Planner  
[cdaines@orovalleyaz.gov](mailto:cdaines@orovalleyaz.gov) (520) 229-4896

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**Applicant:** Four Foods Group, Austin Smith  
**Request:** Conditional Use Permit to allow a restaurant with drive-thru.  
**Location:** El Corredor Planned Area Development  
Northeast corner of Linda Vista Boulevard and Oracle Road.  
**Recommendation:** Recommend approval to Town Council

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### **SUMMARY:**

The applicant requests a Conditional Use Permit (CUP) for a restaurant with drive-thru in the El Corredor Planned Area Development located near the northeast corner of Linda Vista Boulevard and Oracle Road (Attachment 1). The proposed restaurant is on 1.1 acres of a larger 6.1 acre commercial area, the entirety of which is currently vacant (Attachment 2). The proposed restaurant will be the first project within the commercial area.

The project consists of an approximately 4,000 square foot restaurant, outdoor patio, drive-thru lane, landscaping and customer parking. The proposal has been reviewed and is consistent with the Planned Area development and Conditional Use Permit Review Criteria. The applicant's proposal is included as Attachment 3.

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### **BACKGROUND/DETAILED INFORMATION:**

The property is currently vacant and will be the first commercial parcel to be developed in the El Corredor development. The property is zoned Planned Area Development which permits a restaurant with drive-thru, subject to approval of a Conditional Use Permit. The General Plan for the property is Neighborhood Commercial/Office. The Existing Land Use, General Plan and Zoning for the property and the surrounding area is depicted on Attachments 4, 5 and 6.

#### Approvals to Date

1974: Subject property annexed as part of the original incorporation area

2011: Subject property redesignated Neighborhood Commercial/Office on the General Plan  
2012: Subject property rezoned to El Corredor Planned Area Development

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### **DISCUSSION/ANALYSIS:**

The applicant proposes a 4,000 square foot bakery and café with a drive-thru lane. The subject property is within the commercial portion of the El Corredor Planned Area Development (PAD) which allows the use, subject to obtaining a Conditional Use Permit (CUP) for the drive-thru lane.

The applicant originally proposed the drive-thru lane immediately adjacent to the Oracle Road frontage. The property is within the boundaries of the Oracle Road Scenic Corridor Overlay District (ORSCOD). The intent of this overlay district is to protect the scenic qualities of the corridor as viewed from Oracle Road. Additionally, the adopted Design Standards within the Zoning Code prohibit the location of a drive-thru lane paralleling Oracle Road.

The Conceptual Site Plan was revised during the review process to relocate the drive-thru lane on the east side of the restaurant, away from Oracle Road. The restaurant was relocated further into the site, off the Oracle Road frontages. These revisions resulted in compliance with the adopted Design Standards and the intent of ORSCOD to maintain the scenic qualities of the corridor.

The relocated drive-thru should not negatively impact the adjacent apartments to the east, based on the distance between the apartments and the restaurant, and the planned landscaped buffer yards between the two uses. Additional measures to screen the drive-thru lane will be addressed as part of the design review process.

#### Conditional Use Permit Analysis

The Conditional Use Permit Review evaluation criteria contained in Section 22.5 provide the primary guidance for evaluating CUP's. The applicant's request has been reviewed and found in conformance with the evaluation criteria, as provided on Attachment 7.

#### Zoning Code Analysis

The design of the restaurant will be reviewed for full conformance with all PAD standards and applicable provisions of the Zoning Code during the design review process. This review includes loading space, drive thru lane screening, landscaping, lighting, signage, architecture, public art and conformance with all Ordinances and policies.

#### Engineering

To ensure vehicular and pedestrian connectivity is maintained consistent with the original plan, staff has required an overall site plan depicting how the site plan fits within the overall context of the planned commercial development (Attachment 8). In general, traffic circulation and

connectivity to the undeveloped commercial areas is consistent with the original plan for the planned commercial development. Modifications to this overall site plan will be recommended in conjunction with the design review process to improve pedestrian connectivity and define phasing responsibilities for off-site improvements to serve this property.

The traffic circulation and vehicle queuing design for the drive-through is compatible with the commercial center, which includes a mix of retail and restaurant uses, and does not impact nearby residences. The access and drive-through configuration provides sufficient vehicle queuing for normal operations.

The drive-through use will not increase the chance of flooding or cause a negative impact to the proposed drainage design for the overall commercial site. The final design will meet the requirements of the Town Code and Drainage Criteria Manual.

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**PUBLIC PARTICIPATION:**

Neighborhood Meetings

A neighborhood meeting for project was held on May 13, 2015. Approximately 10 interested residents were in attendance. Comments from the residents focused primarily on the apartment development under construction and there were no adverse comments with regard to the proposed restaurant or drive thru lane. The summary notes from the neighborhood meeting are provided on Attachment 9. Staff has not received any additional correspondence concerning the project.

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**RECOMMENDATION:**

Based on the following findings:

- The proposed restaurant is compatible with the planned commercial and multi-family residential characteristics of the area.
- The proposed use will not be materially detrimental to the public health, safety or welfare and is consistent with the Conditional Use Permit Review Criteria.

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

**Recommend approval to the Town Council of the requested Conditional Use Permit OV815-001.**

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**SUGGESTED MOTIONS:**

I move to recommend approval of the Conditional Use Permit for the Kneaders Bakery and Café, based on the findings that the proposed is consistent with the Conditional Use Permit Review Criteria.

OR

I move to recommend denial of the Conditional Use Permit for the Kneaders Bakery and Café, finding that \_\_\_\_\_.

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**ATTACHMENTS:**

1. Conceptual Site Plan
2. Approved Tentative Development Plan
3. Applicant's Proposal
4. Location Map
5. General Plan Land Use Map
6. Zoning Map
7. Conditional Use Permit Evaluation Criteria
8. Overall Site Plan Concept
9. Neighborhood Summary Notes

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Bayer Vella, Planning Manager

**MINUTES  
ORO VALLEY PLANNING AND ZONING COMMISSION  
REGULAR SESSION  
June 2, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Chairman Rodman called the June 2, 2015 regular session of the Oro Valley Planning and Zoning Commission to order at 6:00 PM.

**ROLL CALL**

**PRESENT:**

Bill Rodman, Chairman  
Greg Hitt, Commissioner  
Frank Pitts, Commissioner  
Melanie Barrett, Commissioner  
Charlie Hurt, Commissioner  
Tom Drazazgoswki, Commissioner

**EXCUSED:**

Bill Leedy, Vice-Chair

**ALSO PRESENT:**

Joe Hornat, Council Member  
Lou Waters, Vice-Mayor

**PLEDGE OF ALLEGIANCE**

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

**CALL TO AUDIENCE**

There were no speaker request.

**COUNCIL LIAISON COMMENTS**

Council Member Hornat updated the Planning and Zoning Commission and audience of the following:

Town Council approved the following items:

- La Cholla Boulevard and Naranja Drive Southwest/Northwest
- Town Council approved the budget
- Illuminated window signs was approved
  
- Planning work plan was approved by Town Council
- Personal Policy discussed by Town Council on how overtime was paid

## **REGULAR AGENDA**

### **1. REVIEW AND/OR APPROVAL OF THE MAY 5, 2015 REGULAR SESSION MEETING MINUTES**

Commissioner Hitt requested his last name be correct throughout the minutes from May 5, 2015.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Pitts to approve the May 5, 2015 Regular Session meeting minutes.

**MOTION** carried, 6-0.

~~**\*2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED REZONING OF AN APPROXIMATELY 143-ACRE PROPERTY FROM R1-144 TO R1-36 TO DEVELOP A 153-LOT RESIDENTIAL SUBDIVISION AND USE OF THE REQUESTED FLEXIBLE DESIGN OPTIONS INCLUDING MINIMUM LOT SIZE, BUILDING HEIGHT AND MODIFIED REVIEW PROCESS. THE PROPERTY IS LOCATED ON THE SOUTHEAST CORNER OF LA CHOLLA BLVD AND LAMBERT LANE, OV914-009 (ITEM PULLED BY APPLICANT)**~~

### **3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED MINOR GENERAL PLAN AMENDMENT AND PLANNED AREA DEVELOPMENT AMENDMENT FOR A PROPERTY LOCATED AT THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD. THIS ITEM INCLUDES THE FOLLOWING:**

- A. MINOR GENERAL PLAN AMENDMENT FOR AN APPROXIMATELY 4.2-ACRE OPEN SPACE TRADE AND REVISIONS TO A RECREATION AREA CONDITION ASSOCIATED WITH A PREVIOUS APPROVAL, OV1114-004; AND**
- B. PLANNED AREA DEVELOPMENT AMENDMENT FOR AN APPROXIMATELY 4.2-ACRE OPEN SPACE TRADE AND ADDITION OF A NEW RECREATION AREA CONDITION, OV914-010**

Michael Spaeth, Senior Planner, presented the following:

- Request
- Subject Property
- Proposed Open Space Trade
- Open Space Trade - Minor General Plan Amendment
- Open Space Trade - PAD Amendment
- Recreation Area - Minor General Plan Amendment
- Recreation Area - PAD Amendment
- Review
- Summary and Recommendation

Paul Oland, WLB Group, representing the applicant and property owner, presented the following:

- Conceptual Site Plan
- Aerial Photo of Propose Trade Area
- Ground Floor Plan

Chairman Rodman opened the public hearing.

Bill Adler, Oro Valley resident, commented that the space that is being discussed this evening is referred to as open space. Whereas the general plan calls for more parks, Mr. Adler believes open space is needed in this particular location. What the community needs, especially in these small lots, is recreational space. We should have walking distance and ease of accessibility to recreational facilities. Mr. Adler believes it doesn't meet the general plan criteria.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Pitts to deny the requested 4.2-acre open space trade.

Motion died for lack of a second.

**MOTION:** A motion was made by Commissioner Drazazgoswki and seconded by Commissioner Hurt 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.

**MOTION** carried, 5-1 with Commissioner Pitts opposed.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Hurt 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.

**MOTION** carried, 5-1 with Commissioner Pitts opposed.

**4. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED CONDITIONAL USE PERMIT FOR KNEADERS BAKERY AND CAFÉ WITH A DRIVE-THRU TO BE LOCATED NEAR THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD, IN THE EL CORREDOR DEVELOPMENT, OV815-001**

Chad Daines, Principal Planner, presented the following:

- Purpose
- Location
- Conceptual Site Plan
- Conditional Use Permit review Criteria
- Recommendation

Ross Rulney, Property Owner and Developer, representing Kneaders, presented the following:

- Elevations
- Daytime View
- Aerial View
- Conceptual Site Plan
- Landscape Plan
- Drive-thru Information
- Automatic Voice Control System
- Menu Board
- Signs
- Items discussed through the process
- Questions

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Barrett and seconded by Commissioner Pitts to recommend approval of the Conditional Use Permit for the Kneaders Bakery and Café, based on the findings that the proposed is consistent with the Conditional Use Permit Review Criteria.

**MOTION** carried, 6-0.

**5. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED REZONING AMENDMENT FOR THE EL CORREDOR PLANNED AREA DEVELOPMENT (PAD) STANDARDS TO INCREASE THE ALLOWABLE BUILDING HEIGHT FOR THE COMMERCIAL AREAS FRONTING ORACLE ROAD. THE EL CORREDOR PAD PERTAINS TO 20 ACRES LOCATED AT THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD, OV912-001A**

Chad Daines, Principal Planner, presented the following

- Location
- Aerial
- Recommendation

Ross Ruley, Property Owner and Developer, representing Kneaders, presented a brief history of the property and brief explanation for the request.

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Drazazgoswki and seconded by Commissioner Hurt to recommend approval of the Planned Area Development Amendment requested under case OV912-001A, based on the finding that the request is consistent with applicable policies of the General Plan.

**MOTION** carried, 6-0.

**6. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED TYPE II HOME OCCUPATION PERMIT TO ALLOW A CONTRACTORS BUSINESS LOCATED AT 11286 N. COPPER SPRING TRAIL, OV415-008**

Patty Hayes, Zoning Plans Examiner, presented the following:

- Purpose
- Location
- Proposal
- Conclusion

Sean Schillizzi, Owner of the business, presented a brief explanation for the request.

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Hurt and seconded by Commissioner Hitt to approve OV415-008, a Type II Home Occupation Permit for a contractors business at 11286 N. Copper Springs Trail, based on the finding that the proposed use is in conformance with the Zoning Code Standards for Type II Home Occupations.

**MOTION** carried, 6-0.

**7. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED CONDITIONAL USE PERMIT TO INSTALL A FIBER CABLE LINE ON EXISTING UTILITY POLES IN THE RIGHT-OF-WAY ON THE NORTH SIDE OF INA ROAD, BETWEEN PASEO DEL NORTE AND ORACLE ROAD, OV815-003**

Patty Hayes, Zoning Plans Examiner, presented the following:

- Proposal
- Location
- Recommendation

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Drazazgoswki to recommend approval of the Conditional Use Permit for Cox Communications, based on the finding that the proposal is consistent with the Conditional Use Permit Review Criteria.

**MOTION** carried, 6-0.

**8. YOUR VOICE, OUR FUTURE PROJECT UPDATE**

Bayer Vella, Planning Manager, presented the following:

- Your Voice, Our Future Community Update
- Project Schedule
- Continued Outreach
- The General Plan
- The Your Voice, Our Future Project
- Oro Valley's Vision
- Committee Work
- Stakeholder Review
- What's in the Plan?
- In the Plan: Development
- In the Plan: Amendment Thresholds
- In the Plan: Amendment Criteria
- Next Steps

## **PLANNING UPDATE (INFORMATIONAL ONLY)**

Bayer Vella, presented the following:

- Items heard by Town Council on June 3rd
- Items heard by Town Council on June 17th
- Planning and Zoning Commission Meeting July 7th
- Upcoming Neighborhood Meeting

## **ADJOURNMENT**

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Hurt to adjourn the June 2, 2015, Planning and Zoning Commission meeting.

**MOTION** carried, 6-0.

DRAFT



## Town Council Regular Session

Item # **8.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Chad Daines, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

PUBLIC HEARING: ORDINANCE NO. (O)15-11, AMENDING THE PLANNED AREA DEVELOPMENT FOR THE EL CORREDOR PROJECT, LOCATED AT THE NORTHEAST CORNER OF LINDA VISTA AND ORACLE ROAD, TO INCREASE THE ALLOWED BUILDING HEIGHT FOR FUTURE COMMERCIAL DEVELOPMENT

#### **RECOMMENDATION:**

The Planning and Zoning Commission has recommended approval.

#### **EXECUTIVE SUMMARY:**

The El Corredor Planned Area Development (PAD) is a high density and commercial development under construction at the northeast corner of Linda Vista Boulevard and Oracle Road. The PAD establishes an 18 foot (one-story) height limit for commercial buildings within 100 feet of Oracle Road. Commercial buildings further than 100 feet from Oracle Road have a building height limit of 28 feet.

The applicant has requested a rezoning amendment to allow buildings within 100 feet of Oracle Road to be up to 25 feet (one story) in height, as opposed to the current 18 foot (one story) height limit. The applicant has further agreed to reduce the allowable building height for commercial buildings further than 100 feet from Oracle Road from 28 to 25 feet, resulting in a single 25 foot (one story) height limit for the entire commercial area.

The proposed amendment will have a minimal visual impact and meets the Town's Oracle Road Scenic Corridor Overlay District conditions. The proposed building height is lower than the apartment construction to the east and will have limited visibility from the single-family residential area, which is east of the apartment complex. No adverse comments on the amendment were received from the residents within the area.

The Planning and Zoning Commission recommended approval of the request on June 2nd, finding the request was with applicable General Plan policies. The Ordinance amending the Planned Area Development is provided as Attachment 1. The applicant's request is provided as Attachment 2.

#### **BACKGROUND OR DETAILED INFORMATION:**

Land Use Context

The existing land use on the property includes an apartment complex, which is under construction on the eastern portion of the property. The commercial property along the Oracle Road frontage is currently vacant. The subject property is zoned Planned Area Development (PAD) and permits the apartment development under construction and the planned commercial land uses along the Oracle Road frontage. The General Plan designation allows High Density on the eastern portion of the site and Neighborhood Commercial/Office on the Oracle Road frontage. The Existing Land Use, General Plan and Zoning for the property and the surrounding area are depicted on Attachments 3, 4 and 5 respectively.

PAD Amendment Analysis

The existing PAD standard was established by the original rezoning case in 2012. The 18 foot height limit within 100 feet of Oracle Road is not a requirement of the Oracle Road Scenic Corridor Overlay District (ORSCOD). Currently, approved building height limits within the El Corredor Planned Area Development are as follows:

Location	Maximum Building Height
Commercial within 100 feet of Oracle Road	18 feet and one-story
Commercial further than 1100 feet from Oracle Road	28 feet
Residential (Apartments)	27.5 feet

As indicated, the applicant’s request involves establishing a single 25 foot (one story) building height limit for the entire commercial parcel along Oracle Road.

A primary issue of concern during the rezoning of the property was the impact of the development on the single-family residential area to the east. Based on neighborhood input, development standards were included in the PAD to minimize the development impact. As a result, the apartments were limited in height to 27.5 feet and required substantial building setbacks from the single-family residential area.

The 25 foot (one story) building height requested by the applicant will not be visible from the single-family residential area due to the existence of the 27.5 foot tall apartment buildings being constructed between the commercial area and the single-family residential area. Additionally, the 25 foot one story limitation is consistent with the building height limits of the Town’s C-1 zoning district, which permits 25 foot, two story commercial development. The Town’s C-1 zoning district is the underlying zoning district referenced within the El Corredor development.

In terms of the ORSCOD, commercial building heights on the eastern side of the road are permitted at a height of 25 feet. The intent of the ORSCOD standards is to minimize the visual impact of buildings from the vantage point of Oracle Road and the request is consistent with the ORSCOD building height standard of 25 feet.

General Plan Conformance Analysis

Planned Area Development amendments are reviewed for consistency with applicable the General Plan policies. The request is consistent with General Plan policies with regard to view preservation. Attachment 6 contains complete staff analysis relative to conformance with applicable General Plan policies.

Public Participation

A neighborhood meeting on the PAD amendment request was held on May 13, 2015, with approximately 10 interested residents in attendance. Comments from the residents focused primarily on the apartments

under construction and there were no adverse comments with regard to the proposed building height increase for the commercial area. The summary notes from the neighborhood meeting are provided on Attachment 7.

Planning and Zoning Commission

The request was considered by the Planning and Zoning Commission (PZC) on June 2, 2015, which recommended approval based on a finding that the request is consistent with applicable General Plan policies. The PZC Staff Report is provided as Attachment 8 and the PZC minutes area provided as Attachment 9.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to adopt Ordinance No. (O)15-11, adopting an amendment to the EI Corredor Planned Area Development zoning, based on the finding that the request is consistent with applicable policies of the General Plan.

OR

I MOVE to recommend denial of the Planned Area Development Amendment, based on a finding that the request does not meet \_\_\_\_\_.

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**Attachments**

Attachment 1 - (O)15-11 EI Corredor PAD Amendment

Attachment 2 - Applicant Request

Attachment 3 - Location Map

Attachment 4 - General Plan

Attachment 5 - Zoning Map

Attachment 6 - General Plan Policy Analysis

Attachment 7 - Neighborhood Meeting Summary Notes

Attachment 8 - Planning and Zoning Commission Staff Report

Attachment 9 - Planning and Zoning Commission Minutes

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**ORDINANCE NO. (O)15-11**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA,  
AMENDING THE PLANNED AREA DEVELOPMENT FOR THE  
EL CORREDOR PROJECT LOCATED AT THE NORTHEAST  
CORNER OF LINDA VISTA AND ORACLE ROAD, TO  
INCREASE THE ALLOWED BUILDING HEIGHT FOR FUTURE  
COMMERCIAL DEVELOPMENT**

**WHEREAS**, the Applicant has requested a rezoning amendment to allow buildings within 100 feet of Oracle Road to be up to 25 feet in height, as opposed to the current 18 foot height limit; and

**WHEREAS**, the Applicant agrees to reduce the allowable building height for commercial buildings further than 100 feet from Oracle Road from 28 feet to 25 feet, resulting in a single 25 foot height limit for the entire commercial area; and

**WHEREAS**, the Applicant's request for an amendment to the El Corredor PAD is found to be in conformance with applicable policies of the Town's adopted General Plan; and

**WHEREAS**, the Planning and Zoning Commission held duly noticed public hearings on May 12, 2015 and June 2, 2015 and voted to recommend approval to the Town Council; and

**WHEREAS**, the Town Council has duly considered the Applicant's proposal for the amendment to the El Corredor Planned Area Development.

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

- Section 1. The amendment to the El Corredor Planned Area Development for the project located at the northeast corner of Linda Vista and Oracle Road to establish the allowed building height of 25 feet for future commercial development is hereby approved.
- Section 2. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.
- Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona on this 1<sup>st</sup> day of July, 2015.

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Dr. Satish I. Hiremath, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

**ATTEST:**

\_\_\_\_\_  
Julie K. Bower, Town Clerk

Date: \_\_\_\_\_

Date: \_\_\_\_\_

13 May 2015

Town of Oro Valley Development Services  
11000 North La Canada Drive  
Oro Valley, Arizona 85737

Attn: Mr. Bayer Vella, Planning and Zoning Administrator

**RE: El Corredor – Proposed PAD Amendment**

Dear Bayer,

This letter is being provided as a request to the Town of Oro Valley for the consideration of amending the existing El Corredor Planned Area Development (hereinafter the "PAD"), approved on May 16, 2012 by the Town Mayor and Council as Ordinance #(O)12-07, to provide for more reasonable and effective development within the commercial portion of the property. Specifically, the PAD Amendment requests to revise the maximum allowable building height, for buildings constructed within 100 feet of the Oracle Road right-of-way, to be 25 feet as opposed to the 18 feet currently allowed by the PAD.

The El Corredor development, as approved by the PAD, is a blended development with a high-density, multi-family residential component occupying the east portion of the twenty acre site complemented by a commercial component on the west portion consisting of five separated buildings intended for retail use. As part of the site development standards dictated by the PAD, starting at page 57 of the PAD, there are height requirements placed on the buildings constructed at the site. These height requirements are as follows: 27.5 feet maximum for the residential portion; 28 feet maximum for the commercial portion; and, further, 18 feet or 1-story within 100 feet of Oracle Road (measured to the right-of-way). The project site is currently under construction and is well into the residential phase with completion of units beginning this coming summer.

As a result of the recent construction and the pending opening of the residential portion of the development, interest for potential users of the commercial side has continued to increase. This has led to serious inquiries and detailed discussions with the potential users. A common theme that has risen in these various discussions is the concern with the limiting building height of 18 feet within 100 feet of Oracle Road. It has been realized by the El Corredor development team that this limitation is very crippling for the vast majority of commercial users, especially those developing their own sites. For prime real estate, such as that at El Corredor, high development costs drive the end-user's expectations to include being able to construct buildings with high-visibility facades and high ceilings. It is common that these retail users

require a minimum of 23 feet in height for their buildings. The limiting height recently became a problem for the first potential user, with a single-story building, of the commercial area, as known by Town of Oro Valley Planning staff. Fortunately a site layout was approved that relocated the proposed building outside of the 100-foot setback from Oracle Road. This will not continue to be possible within the development without drastically altering the site layout from what was approved by the Town within the PAD and also creating an unappealing access and circulation situation throughout the development.

It is hereby requested that the existing El Corredor Planned Area Development be amended to allow for a maximum building height of twenty-five (25) feet within 100 feet of Oracle Road. This amendment will allow for a more realistic building height for today's retail users. It is felt that this amendment will not have any adverse impact on any other development standards or on the restrictions/requirements of the existing PAD document. Additionally, this twenty-five foot building height will be in conformance with the building height allowed by the Town Zoning Code for the C-1 zone (Section 23.4 of the Zoning Code). Lastly, it is also believed that the requested amendment is in conformance with the vision goals and policies of the Town's General Plan as adopted in June, 2005. Several examples of conformance with the General Plan include the following, with discussion of applicability to the El Corredor PAD:

**Section 1.3.3:** *The Town shall encourage the establishment of new commercial uses in areas so designated on the land use map near residential neighborhoods with the type, scale and potential for buffering to be taken into account.* **Applicability:** A building height limitation of less than the standard for the vast majority of commercial users will severely limit the types of users that could develop within the commercial component at El Corredor. It has become known that the 18-foot height limitation has done just that. In essence this limitation can be perceived as not encouraging the establishment of new commercial uses located adjacent to residential areas.

**Section 1.5.1:** *The Town shall continue to encourage high density development to concentrate along existing or planned transit corridors within growth areas.* **Applicability:** As this project is located on the Oracle Road frontage it is definitely on a major transit corridor. It is felt that limiting the building height within 100 feet of the right-of-way for the commercial development could prohibit growth by reducing the amount of potential end-users and possibly create a situation where the commercial phase does not get built-out for a very long time.

**Section 3.1.1:** *The Town shall ensure that future growth reflects the desires of the community in balance with an analysis of the Town's financial needs, maintain and periodically update the Town's Community Economic Development Strategy to ensure that future development will complement community values and implement the community's economic vision for the future, while maintaining the ability of Oro Valley to attract and retain desirable businesses.* **Applicability:** The limitation on building height can be seen as a direct negative impact on the flexibility of the commercial development, thus impacting the ability to attract desirable

businesses. As the El Corredor development provides both residential and commercial components, greater flexibility in development is paramount to being able to attract the retail users that will best complement the residential component.

**Section 3.1.5:** *The Town shall continue its efforts to attract new high-end retail and service businesses, especially those in under-represented categories, in order to help reduce expenditure leakage.* **Applicability:** By employing an 18-foot building height minimum for commercial buildings the Town is restricting the potential users for the commercial component at El Corredor. Typical building heights for today's desirable, higher-end businesses range from 23 feet to 28 feet. Limiting the building height can have a limiting effect on the businesses that are willing to develop to this requirement.

The design team greatly appreciates your review and consideration of this matter. If you have any questions or need further information please do not hesitate to contact the undersigned.

Sincerely,

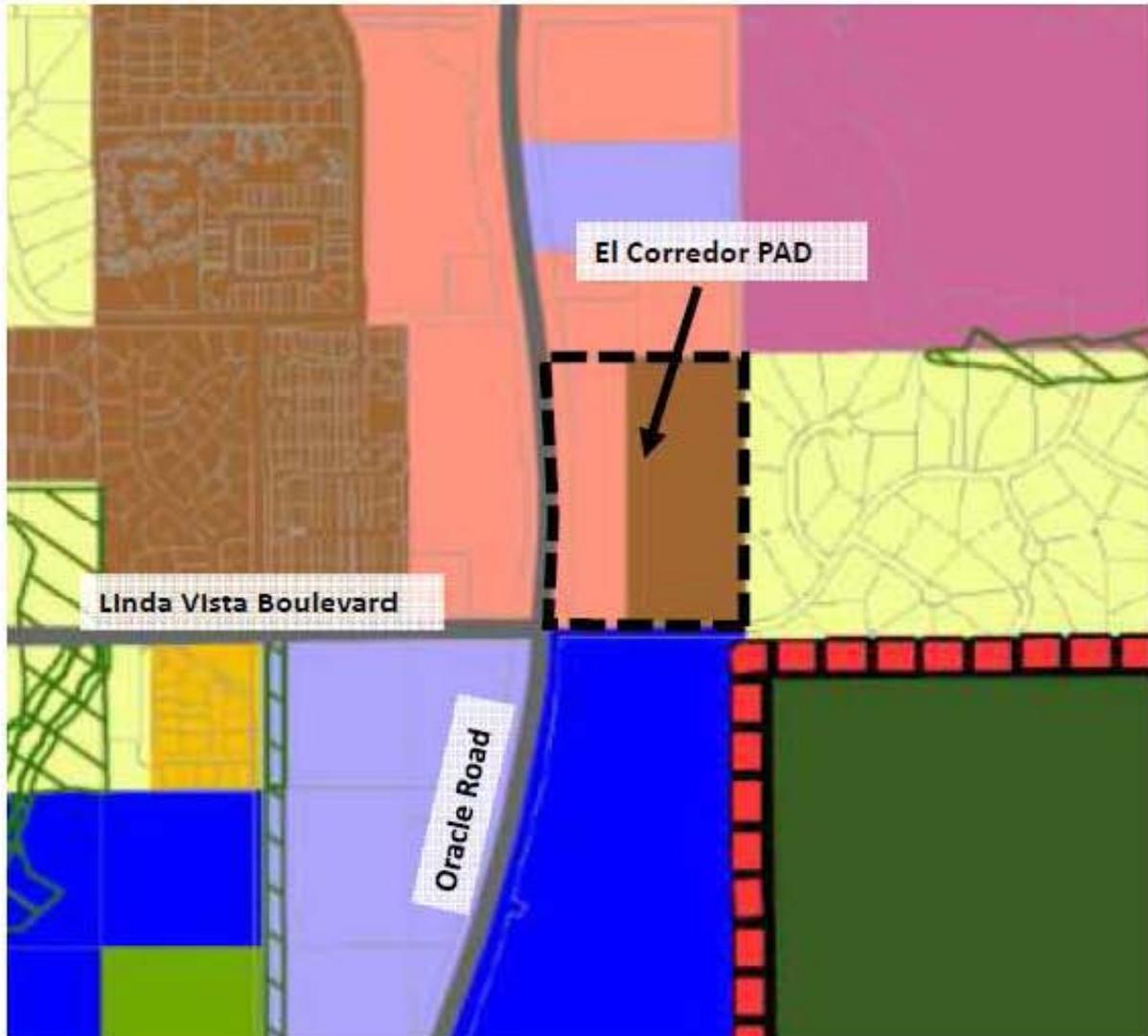
A handwritten signature in black ink, appearing to read 'R. Rulney', with a stylized flourish at the end.

Ross Rulney



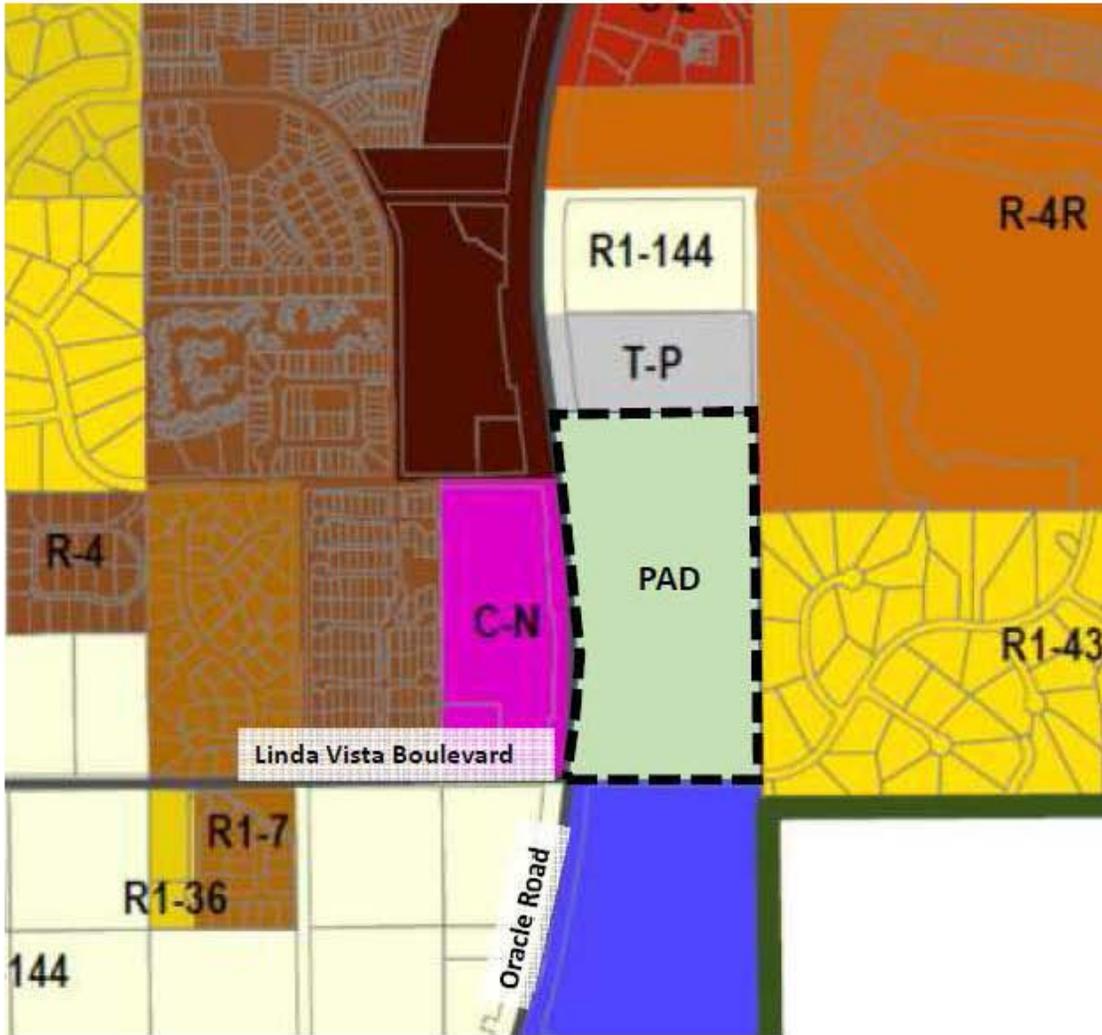
# LOCATION MAP

EL CORREDOR (OV912-001A)



# GENERAL PLAN

EL CORREDOR (OV912-001A)



# ZONING MAP

EL CORREDOR (OV912-001A)

## El Corredor Planned Area Development Amendment

### General Plan Policy Analysis

#### Attachment 6

Listed below are applicable policies from the General Plan in italics, followed by staff comment. Attachment 1 contains the applicant's response to some of these policies.

*Policy 1.3.3 The Town shall encourage the establishment of new commercial uses in areas so designated on the land use map near new residential neighborhoods with the type, scale, and potential for buffering to be taken into account.*

The type and scale of development proposed by the applicant is appropriate for the site. The original PAD zoning case included a number of development standards which were designed to reduce the impact of the project on the adjoining single-family residential area to the east. The single-family area is adjoined by the apartment development, which allows building heights of two stories, 27.5 feet. The commercial area will be appropriately buffered by the taller apartment buildings, and the limitation of 25 foot, one story commercial development within 100 feet of Oracle Road.

*Policy 1.4.8 The Town shall continue to require adequate buffering of commercial and employment uses from adjacent neighborhoods, with special consideration being given to placing office or other less intense uses adjacent to the residential areas.*

The commercial area will be appropriately buffered by the taller apartment buildings, and the limitation of 25 foot, one story commercial development within 100 feet of Oracle Road.

*Policy 1.5.4 The Town shall ensure that areas appropriately zoned and planned for neighborhood commercial uses are developed.*

The applicant indicates that the additional height is needed to accommodate traditional commercial development to the site. Staff would concur that the additional height is justified based on typical retail development formats. The amendment would support development of this property as a commercial use to serve this area.

*Policy 2.1.4 The Town shall require that all development proposals depict an arrangement of and massing of buildings and/or arrangement of lots to minimize impacts on views from adjacent properties and streets and from properties and streets internal to the proposed project while providing privacy for residents.*

The apartments under construction are taller (27.5 feet, two story), than the amendment proposed by the applicant for 25 foot single-story development within 100 feet of Oracle Road. The existing building height of the apartment buildings precludes visibility of this area from the single-family residential area to the east and represents an appropriate arrangement and massing of buildings. The lower proposed building heights of the commercial area along Oracle Road when compared to the apartment development will result in limited view impacts from Oracle Road to the east.

**Attachment 7**  
**Neighborhood Meeting Summary**  
**Kneaders Bakery and Café Proposed Conditional Use Permit and PAD Amendment**  
**April 13, 2015 6:00 – 7:30 PM Town of Oro Valley Hopi Conference Room**

**1. Introductions and Welcome**

Meeting Facilitator Chad Daines, Principal Planner, provided introduction and an overview of the meeting format and ground rules. Approximately 10 residents and interested parties attended the meeting, including Vice Mayor Waters and Council member Hornat. Also in attendance was Planning and Zoning Commissioners Leedy and Hurt.

**2. Staff Presentation**

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

- Subject Property
- Applicant's request
- Existing zoning of the property, including development standards
- Review tools and process, including public participation opportunities

**3. Applicant Presentation**

Josh Merrell, Four Food Groups, provided a presentation detailing the applicant's proposal, which included:

- Overview of Kneaders expansion in the Tucson market
- Overview of the proposed development
- Menu of items
- Building Format

Ross Rulney, property owner of El Corredor, provided an overview of the PAD Amendment

**4. Public Questions & Comments**

Following is a summary of additional questions and comments:

- What is the anticipated building height
- Hour of operation and activities will take place after closing?
- Will lights be on within the building after closing?
- What is planned for the future commercial areas?
- What is the main ingress and egress to the building?
- Landscaping maintenance on the south side of Linda Vista Boulevard?
- Sufficiency of the overflow parking for the trailhead?
- Gating of apartment development?
- Wall along Linda Vista Boulevard?

Mr. Daines, Mr. Merrell and Mr. Ross Rulney addressed some of the questions related to the proposed development.

Mr. Daines closed the meeting, thanked everyone for their attendance.



## Planned Area Development Amendment Planning and Zoning Commission Staff Report

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**PROJECT:** El Corredor Planned Area Development Amendment

**CASE NUMBER:** OV912-001A

**MEETING DATE:** June 2, 2015

**AGENDA ITEM:** 5

**STAFF CONTACT:** Chad Daines, Principal Planner  
[cdaines@orovalleyaz.gov](mailto:cdaines@orovalleyaz.gov) (520) 229-4896

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**Applicant:** Ross Rulney

**Request:** Planned Area Development amendment to increase building height

**Location:** Northeast corner of Linda Vista Boulevard and Oracle Road

**Recommendation:** Recommend approval

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### **SUMMARY:**

The El Corredor Planned Area Development (PAD) establishes an 18 foot (one-story) height limit for any commercial building within 100 feet of Oracle Road. Commercial buildings further than 100 feet from Oracle Road have a building height limit of 28 feet.

The applicant has requested a rezoning amendment to allow buildings within 100 feet of Oracle Road to be up to 25 feet (one story) in height, as opposed to the current 18 foot (one story) height limit. The applicant has further agreed to reduce the allowable building height for commercial buildings further than 100 feet from Oracle Road from 28 to 25 feet, resulting in a single 25 foot (one story) height limit for the entire commercial area. The amendment request has been reviewed and found in compliance with applicable General Plan policies. The applicant's request is provided as Attachment 1.

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### **BACKGROUND:**

#### Land Use Context

The existing land use on the property includes an apartment complex, which is under construction on the eastern portion of the property. The commercial property along the Oracle Road frontage is currently vacant. The subject property is zoned Planned Area Development (PAD) and permits the apartment development under construction and the planned commercial land uses along the Oracle Road frontage. The General Plan designation allows High Density on the eastern portion of the site and Neighborhood

Commercial /Office on the Oracle Road frontage. The Existing Land Use, General Plan and Zoning for the property and the surrounding area are depicted on Attachments 2, 3 and 4.

Approvals to Date

1974: Subject property annexed as part of the original incorporation area  
2011: Subject property redesignated Neighborhood Commercial/Office on General Plan  
2012: Subject property rezoned to El Corredor PAD

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**DISCUSSION / ANALYSIS:**

PAD Amendment Analysis

The existing PAD standard was established by the original rezoning case in 2012. The 18 foot height limit within 100 feet of Oracle Road is not a requirement of the Oracle Road Scenic Corridor Overlay District (ORSCOD) for commercial development along the east side of Oracle Road. Current building height limits within the El Corredor Planned Area Development are as follows:

Location	Maximum Building Height
Commercial within 100 feet of Oracle Road	18 feet and one-story
Commercial further than 100 feet of Oracle Road	28 feet
Residential (Apartments)	27.5 feet

As indicated, the applicant's request involves establishing a single 25 foot (one story) building height limit for the entire commercial parcel along Oracle Road.

A primary issue of concern during the rezoning of the property was the impact of the development on the single-family residential area to the east. Based on neighborhood input, development standards were included in the PAD to minimize the development impact. As a result, the apartments were limited in height to 27.5 feet and required substantial building setbacks from the single-family residential area.

The 25 foot (one story) building height requested by the applicant will not be visible from the single-family residential area due to the existence of the 27.5 foot tall apartment buildings being constructed between the commercial area and the single-family residential area. Additionally, the 25 foot one story limitation is consistent with the building height limits of the Town's C-1 zoning district, which permits 25 foot two story commercial development. The Town's C-1 zoning district is the underlying zoning district referenced within the El Corredor development.

In terms of the Oracle Road Scenic Corridor Overlay District (ORSCOD), commercial building heights on the eastern side of the road are permitted at a height of 25 feet. The intent of the ORSCOD standards is to minimize the visual impact of buildings from the vantage point of Oracle Road and the request is consistent with the ORSCOD building height standard of 25 feet.

#### General Plan Conformance Analysis

Planned Area Development amendments are reviewed for consistency with applicable the General Plan policies. The request is consistent with General Plan policies with regard to view preservation. Attachment 5 contains complete staff analysis relative to conformance with applicable General Plan policies.

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#### **PUBLIC PARTICIPATION:**

##### Neighborhood Meetings

A neighborhood meeting on the PAD amendment request was held on May 13, 2015. Approximately 10 interested residents were in attendance. Comments from the residents focused primarily on the apartments under construction and there were no adverse comments with regard to the proposed building height increase for the commercial area. The summary notes from the neighborhood meeting are provided on Attachment 6.

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#### **RECOMMENDATION:**

Based on the following findings:

- The requested 25 foot (one story) building height will not negatively impact the single-family residential area to the east
- The requested 25 foot (one story) building height is consistent with the provisions of the Oracle Road Scenic Corridor Overlay District
- The request is consistent with other properties along Oracle Road
- The request is consistent with applicable General Plan policies

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

**Recommend approval to the Town Council of the requested Planned Area Development Amendment under case OV912-001A.**

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#### **SUGGESTED MOTIONS:**

I move to recommend approval of the Planned Area Development Amendment requested under case OV912-001A, based on the finding that the request is consistent with applicable policies of the General Plan.

OR

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I move to recommend denial of the Planned Area Development requested under case OV912-001A, as the request does not meet the finding that\_\_\_\_\_.

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**ATTACHMENTS:**

1. Applicant's Request
2. Location Map
3. Current Zoning Map
4. Current General Land Use Plan
5. General Plan Policy Analysis
6. Neighborhood Meeting Summary Notes

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Bayer Vella, Planning Manager

**MINUTES  
ORO VALLEY PLANNING AND ZONING COMMISSION  
REGULAR SESSION  
June 2, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Chairman Rodman called the June 2, 2015 regular session of the Oro Valley Planning and Zoning Commission to order at 6:00 PM.

**ROLL CALL**

**PRESENT:**

Bill Rodman, Chairman  
Greg Hitt, Commissioner  
Frank Pitts, Commissioner  
Melanie Barrett, Commissioner  
Charlie Hurt, Commissioner  
Tom Drazazgoswki, Commissioner

**EXCUSED:**

Bill Leedy, Vice-Chair

**ALSO PRESENT:**

Joe Hornat, Council Member  
Lou Waters, Vice-Mayor

**PLEDGE OF ALLEGIANCE**

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

**CALL TO AUDIENCE**

There were no speaker request.

**COUNCIL LIAISON COMMENTS**

Council Member Hornat updated the Planning and Zoning Commission and audience of the following:

Town Council approved the following items:

- La Cholla Boulevard and Naranja Drive Southwest/Northwest
- Town Council approved the budget
- Illuminated window signs was approved
  
- Planning work plan was approved by Town Council
- Personal Policy discussed by Town Council on how overtime was paid

## **REGULAR AGENDA**

### **1. REVIEW AND/OR APPROVAL OF THE MAY 5, 2015 REGULAR SESSION MEETING MINUTES**

Commissioner Hitt requested his last name be correct throughout the minutes from May 5, 2015.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Pitts to approve the May 5, 2015 Regular Session meeting minutes.

**MOTION** carried, 6-0.

~~**\*2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED REZONING OF AN APPROXIMATELY 143-ACRE PROPERTY FROM R1-144 TO R1-36 TO DEVELOP A 153-LOT RESIDENTIAL SUBDIVISION AND USE OF THE REQUESTED FLEXIBLE DESIGN OPTIONS INCLUDING MINIMUM LOT SIZE, BUILDING HEIGHT AND MODIFIED REVIEW PROCESS. THE PROPERTY IS LOCATED ON THE SOUTHEAST CORNER OF LA CHOLLA BLVD AND LAMBERT LANE, OV914-009 (ITEM PULLED BY APPLICANT)**~~

### **3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED MINOR GENERAL PLAN AMENDMENT AND PLANNED AREA DEVELOPMENT AMENDMENT FOR A PROPERTY LOCATED AT THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD. THIS ITEM INCLUDES THE FOLLOWING:**

- A. MINOR GENERAL PLAN AMENDMENT FOR AN APPROXIMATELY 4.2-ACRE OPEN SPACE TRADE AND REVISIONS TO A RECREATION AREA CONDITION ASSOCIATED WITH A PREVIOUS APPROVAL, OV1114-004; AND**
- B. PLANNED AREA DEVELOPMENT AMENDMENT FOR AN APPROXIMATELY 4.2-ACRE OPEN SPACE TRADE AND ADDITION OF A NEW RECREATION AREA CONDITION, OV914-010**

Michael Spaeth, Senior Planner, presented the following:

- Request
- Subject Property
- Proposed Open Space Trade
- Open Space Trade - Minor General Plan Amendment
- Open Space Trade - PAD Amendment
- Recreation Area - Minor General Plan Amendment
- Recreation Area - PAD Amendment
- Review
- Summary and Recommendation

Paul Oland, WLB Group, representing the applicant and property owner, presented the following:

- Conceptual Site Plan
- Aerial Photo of Propose Trade Area
- Ground Floor Plan

Chairman Rodman opened the public hearing.

Bill Adler, Oro Valley resident, commented that the space that is being discussed this evening is referred to as open space. Whereas the general plan calls for more parks, Mr. Adler believes open space is needed in this particular location. What the community needs, especially in these small lots, is recreational space. We should have walking distance and ease of accessibility to recreational facilities. Mr. Adler believes it doesn't meet the general plan criteria.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Pitts to deny the requested 4.2-acre open space trade.

Motion died for lack of a second.

**MOTION:** A motion was made by Commissioner Drazazgoswki and seconded by Commissioner Hurt 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.

**MOTION** carried, 5-1 with Commissioner Pitts opposed.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Hurt 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.

**MOTION** carried, 5-1 with Commissioner Pitts opposed.

**4. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED CONDITIONAL USE PERMIT FOR KNEADERS BAKERY AND CAFÉ WITH A DRIVE-THRU TO BE LOCATED NEAR THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD, IN THE EL CORREDOR DEVELOPMENT, OV815-001**

Chad Daines, Principal Planner, presented the following:

- Purpose
- Location
- Conceptual Site Plan
- Conditional Use Permit review Criteria
- Recommendation

Ross Rulney, Property Owner and Developer, representing Kneaders, presented the following:

- Elevations
- Daytime View
- Aerial View
- Conceptual Site Plan
- Landscape Plan
- Drive-thru Information
- Automatic Voice Control System
- Menu Board
- Signs
- Items discussed through the process
- Questions

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Barrett and seconded by Commissioner Pitts to recommend approval of the Conditional Use Permit for the Kneaders Bakery and Café, based on the findings that the proposed is consistent with the Conditional Use Permit Review Criteria.

**MOTION** carried, 6-0.

**5. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED REZONING AMENDMENT FOR THE EL CORREDOR PLANNED AREA DEVELOPMENT (PAD) STANDARDS TO INCREASE THE ALLOWABLE BUILDING HEIGHT FOR THE COMMERCIAL AREAS FRONTING ORACLE ROAD. THE EL CORREDOR PAD PERTAINS TO 20 ACRES LOCATED AT THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD, OV912-001A**

Chad Daines, Principal Planner, presented the following

- Location
- Aerial
- Recommendation

Ross Ruley, Property Owner and Developer, representing Kneaders, presented a brief history of the property and brief explanation for the request.

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Drazazgoswki and seconded by Commissioner Hurt to recommend approval of the Planned Area Development Amendment requested under case OV912-001A, based on the finding that the request is consistent with applicable policies of the General Plan.

**MOTION** carried, 6-0.

**6. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED TYPE II HOME OCCUPATION PERMIT TO ALLOW A CONTRACTORS BUSINESS LOCATED AT 11286 N. COPPER SPRING TRAIL, OV415-008**

Patty Hayes, Zoning Plans Examiner, presented the following:

- Purpose
- Location
- Proposal
- Conclusion

Sean Schillizzi, Owner of the business, presented a brief explanation for the request.

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Hurt and seconded by Commissioner Hitt to approve OV415-008, a Type II Home Occupation Permit for a contractors business at 11286 N. Copper Springs Trail, based on the finding that the proposed use is in conformance with the Zoning Code Standards for Type II Home Occupations.

**MOTION** carried, 6-0.

**7. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED CONDITIONAL USE PERMIT TO INSTALL A FIBER CABLE LINE ON EXISTING UTILITY POLES IN THE RIGHT-OF-WAY ON THE NORTH SIDE OF INA ROAD, BETWEEN PASEO DEL NORTE AND ORACLE ROAD, OV815-003**

Patty Hayes, Zoning Plans Examiner, presented the following:

- Proposal
- Location
- Recommendation

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Drazazgoswki to recommend approval of the Conditional Use Permit for Cox Communications, based on the finding that the proposal is consistent with the Conditional Use Permit Review Criteria.

**MOTION** carried, 6-0.

**8. YOUR VOICE, OUR FUTURE PROJECT UPDATE**

Bayer Vella, Planning Manager, presented the following:

- Your Voice, Our Future Community Update
- Project Schedule
- Continued Outreach
- The General Plan
- The Your Voice, Our Future Project
- Oro Valley's Vision
- Committee Work
- Stakeholder Review
- What's in the Plan?
- In the Plan: Development
- In the Plan: Amendment Thresholds
- In the Plan: Amendment Criteria
- Next Steps

## **PLANNING UPDATE (INFORMATIONAL ONLY)**

Bayer Vella, presented the following:

- Items heard by Town Council on June 3rd
- Items heard by Town Council on June 17th
- Planning and Zoning Commission Meeting July 7th
- Upcoming Neighborhood Meeting

## **ADJOURNMENT**

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Hurt to adjourn the June 2, 2015, Planning and Zoning Commission meeting.

**MOTION** carried, 6-0.

DRAFT



## Town Council Regular Session

Item # **9.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Michael Spaeth, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

PUBLIC HEARING: MINOR GENERAL PLAN AMENDMENT AND PAD AMENDMENT FOR MATTAMY HOMES ON RANCHO VISTOSO PARCEL 5F, LOCATED ON THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD

A. RESOLUTION NO. (R)15-54, ADOPTING A MINOR GENERAL PLAN AMENDMENT FOR A 4.2-ACRE OPEN SPACE TRADE AND REVISION TO AN EXISTING RECREATION AREA CONDITION

B. ORDINANCE NO. (O)15-12, ADOPTING A PLANNED AREA DEVELOPMENT AMENDMENT FOR A 4.2-ACRE OPEN SPACE TRADE AND ADDITION OF A NEW RECREATION CONDITION

#### **RECOMMENDATION:**

The Planning and Zoning Commission recommends approval of the Minor General Plan Amendment (Item A) and approval of the Planned Area Development Amendment (Item B), subject to the conditions listed in Attachments 1 and 2.

Please note, separate motions are required for each item.

#### **EXECUTIVE SUMMARY:**

The applicant's request (Attachment 3) involves two separate applications (Minor General Plan Amendment and Planned Area Development Amendment), which both have the same two components:

- Open space trade
- Recreation area condition revisions

#### **Agenda Items A and B**

##### ***Open Space Trade***

The first component of Items A and B is an approximate 4.2-acre open space trade. The applicant proposes to trade 4.2 acres of previously disturbed area for 4.2 acres of undisturbed area. As a result of the trade, more valuable and viable environmental open space will be preserved.

##### ***Recreation Area Condition***

The second component of Items A and B is a revision to a 2009 condition of approval that required the then single property owner to construct a 6.9-acre neighborhood park. The original larger property is now owned by several property owners, making it difficult for Mattamy Homes to satisfy the original intent of

the condition. The revised condition (Attachments 1 and 2) allows the applicant to meet the intent of the original condition without reliance on the actions of other property owners.

Both Items A and B were considered by the Planning and Zoning Commission on June 2, 2015, which recommended approval based on consistency with the General Plan and applicable sections of the Zoning Code. The Planning and Zoning Commission staff report and draft minutes are provided in Attachments 4 and 5 respectively.

The proposed change to the Recreational Area condition was favorably reviewed with the Parks and Recreation Advisory Board (PRAB) on May 19, 2015. A Master Recreation Area Plan for the overall Rancho Vistoso Neighborhood 5 park will be presented to the PRAB for review and approval in conjunction with the review and approval of Mattamy Homes proposed Conceptual Site Plan and Landscape Plan for Rancho Vistoso Neighborhood 5 Parcels G, K and V.

## **BACKGROUND OR DETAILED INFORMATION:**

### Current Site Conditions

- Site encompasses approximately 48 acres
- Property currently vacant

### Land Use Context

The Existing Land Use, General Plan and Zoning for the property and the surrounding area are 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

### Summary of Requests

The two separate applications (Minor General Plan Amendment and Planned Area Development Amendment) have the same two components:

- Open space trade
- Recreation area condition revisions

### Agenda Item A

#### **Open Space Trade**

The first component is an open space trade, which is as follows:

- Converting 4.2-acres of land from open space to residential development. The land to be converted is fragmented and disconnected from the larger open space network and has been previously disturbed.
- Preserving another 4.2-acres of land from residential to open space. This area has not been previously disturbed and is more contiguous to the regional open space network.

#### **Recreation Area Condition**

The second component of the applicant's Minor General Plan Amendment request is a revision to a 2009 General Plan condition (see Attachment 9). This condition required Vistoso Partners to build a 6.9-acre park identified in the original Rancho Vistoso Planned Area Development.

Vistoso Partners was the sole property owner of the land included in the original amendment (see Attachment 10) and has since sold much of the land to several different owners. Today, this condition is

problematic for Mattamy Homes for the following reasons:

1. 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.
2. 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 11). Mattamy Homes is required to provide their proportionate share of the park. Future applicants in this area will also be responsible for their proportionate share of the park to ensure one contiguous park serving the residents of Neighborhood 5 is developed.

A revised condition has been included in Attachments 1 and 2. The revised condition is more practical and allows the applicant to meet their proportional share of the park, within the intent of the original condition.

### Agenda Item B

#### **Open Space Trade**

The first component of the PAD Amendment includes the open space trade, which is discussed above under Agenda Item A.

#### **Recreation Area Condition**

The second component of the applicant’s PAD Amendment includes the new recreation area condition established, which is discussed above in Agenda Item A.

### 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 12.

### 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 consistent with the Zoning Code.

### Parks and Recreation Advisory Board

The proposed revisions to the existing recreation area condition were presented to the PRAB on May 19, 2015.

A Master Recreation Area Plan for the park will be presented to the board for review and approval in conjunction with the review and approval of Mattamy Homes' proposed Conceptual Site Plan and Landscape Plan for Rancho Vistoso Neighborhood 5 Parcels G, K and V.

### Public Participation

#### **Neighborhood Meetings**

Two neighborhood meetings were held on September 15, 2014, and April 6, 2015, concerning the applicant's proposal. The primary topics discussed during the meetings included:

- Building height
- Compatibility
- Traffic

A copy of the neighborhood meeting summaries have been provided as Attachment 13 and an analysis of how the applicant has addressed the neighborhood meeting topics listed above is provided in Attachment 14.

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

***Planning and Zoning Commission***

Both Item A and Item B were considered by the Planning and Zoning Commission on June 2, 2015. The Commission recommends approval subject to the conditions listed in Attachments 1 and 2 respectively. The staff report and meeting minutes have been provided in Attachment 4 and 5 respectively.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

Agenda Item A

I MOVE to adopt Resolution No. (R)15-54, approving the Minor General Plan Amendment based on the finding that the request is consistent with the General Plan and applicable sections of the Zoning Code, subject to the conditions listed in Attachment 1.

OR

I MOVE to deny the Minor General Plan Amendment requested under case OV1114-004, based on the finding that \_\_\_\_\_.

Agenda Item B

I MOVE to adopt Ordinance No. (O)15-12, approving the Planned Area Development Amendment based on the finding that the request is consistent with the General Plan and applicable sections of the Zoning Code, subject to the conditions listed in Attachment 2.

OR

I MOVE to deny the Planned Area Development Amendment requested under case OV914-010, based on the finding that \_\_\_\_\_.

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**Attachments**

ATTACHMENT 1 - (R)15-54 MINOR GPA AMENDMENT - MATTAMY HOMES

ATTACHMENT 2 - (O)15-12 AMENDING THE RANCHO VISTOSO PAD

ATTACHMENT 3 - APPLICANT'S PROPOSAL

ATTACHMENT 4 - PZC STAFF REPORT

ATTACHMENT 5 - PZC MEETING MINUTES

ATTACHMENT 6 - SUBJECT PROPERTY MAP

ATTACHMENT 7 - GENERAL PLAN LAND USE

ATTACHMENT 8 - ZONING MAP

ATTACHMENT 9 - 2009 RANCHO VISTOSO NEIGHBORHOOD 5 MAJOR GPA PARK CONDITION

ATTACHMENT 10 - 2009 RANCHO VISTOSO NEIGHBORHOOD 5 MAJOR GPA MAP

ATTACHMENT 11 - PROPOSED PARK SITE

ATTACHMENT 12 - GENERAL PLAN AMENDMENT.PAD AMENDMENT ANALYSIS

ATTACHMENT 13 - NEIGHBORHOOD MEETING SUMMARIES

ATTACHMENT 14 - NEIGHBORHOOD MEETING TOPICS ANALYSIS

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**RESOLUTION NO. (R)15-54**

**A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA,  
ADOPTING A MINOR GENERAL PLAN AMENDMENT FOR A 4.2  
ACRE OPEN SPACE TRADE AND REVISION TO AN EXISTING  
RECREATION AREA CONDITION LOCATED AT THE NORTHEAST  
CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD**

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

**WHEREAS**, Paul Oland of the WLB Group, (“Applicant”), filed an application in September 2014, requesting a Minor General Plan Amendment for an 4.2-acre open space trade and revision to an existing recreation area condition located at the northeast corner of Rancho Vistoso Boulevard and Moore Road; and

**WHEREAS**, the requested open space trade proposes converting 4.2 acres of land designated as Open Space to Medium Density Residential on the General Plan Future Land Use Map; and

**WHEREAS**, the requested open space trade also proposes converting another 4.2 acres of land designated as Medium Density Residential to Open Space on the General Plan Future Land Use Map; and

**WHEREAS**, pursuant to A.R.S. § 9-461, *et seq.* and OVZCR, Section 22.2, the Planning and Zoning Commission held a duly noticed public hearing on June 2, 2015, at which the Planning and Zoning Commission recommended approval of the application requesting a Minor General Plan Amendment for an 4.2-acre open space trade located at the northeast corner of Rancho Vistoso Boulevard and Moore Road, as depicted in Exhibit “A” and a revision to an existing recreation area condition, subject to the conditions depicted on Exhibit “B”; and

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

**WHEREAS**, Mayor and Council duly considered the proposed Minor General Plan Amendment requesting an open space trade for 4.2 acres located on the northeast corner of Rancho Vistoso Boulevard and Moore Road and a revision to an existing recreation area condition at a public hearing on July 1, 2015.

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

**SECTION 1.** The Mayor and Council hereby adopts the Minor General Plan Amendment for a 4.2 acre open space trade located at the northeast corner of Rancho Vistoso Boulevard and Moore Road, as depicted on Exhibit “A” and a revision to an existing recreation area condition, as depicted on Exhibit “B”.

**SECTION 2.** If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the Minor 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 1<sup>st</sup> day of July, 2015.

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Dr. Satish I. Hiremath, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

**ATTEST:**

\_\_\_\_\_  
Julie K. Bower, Town Clerk

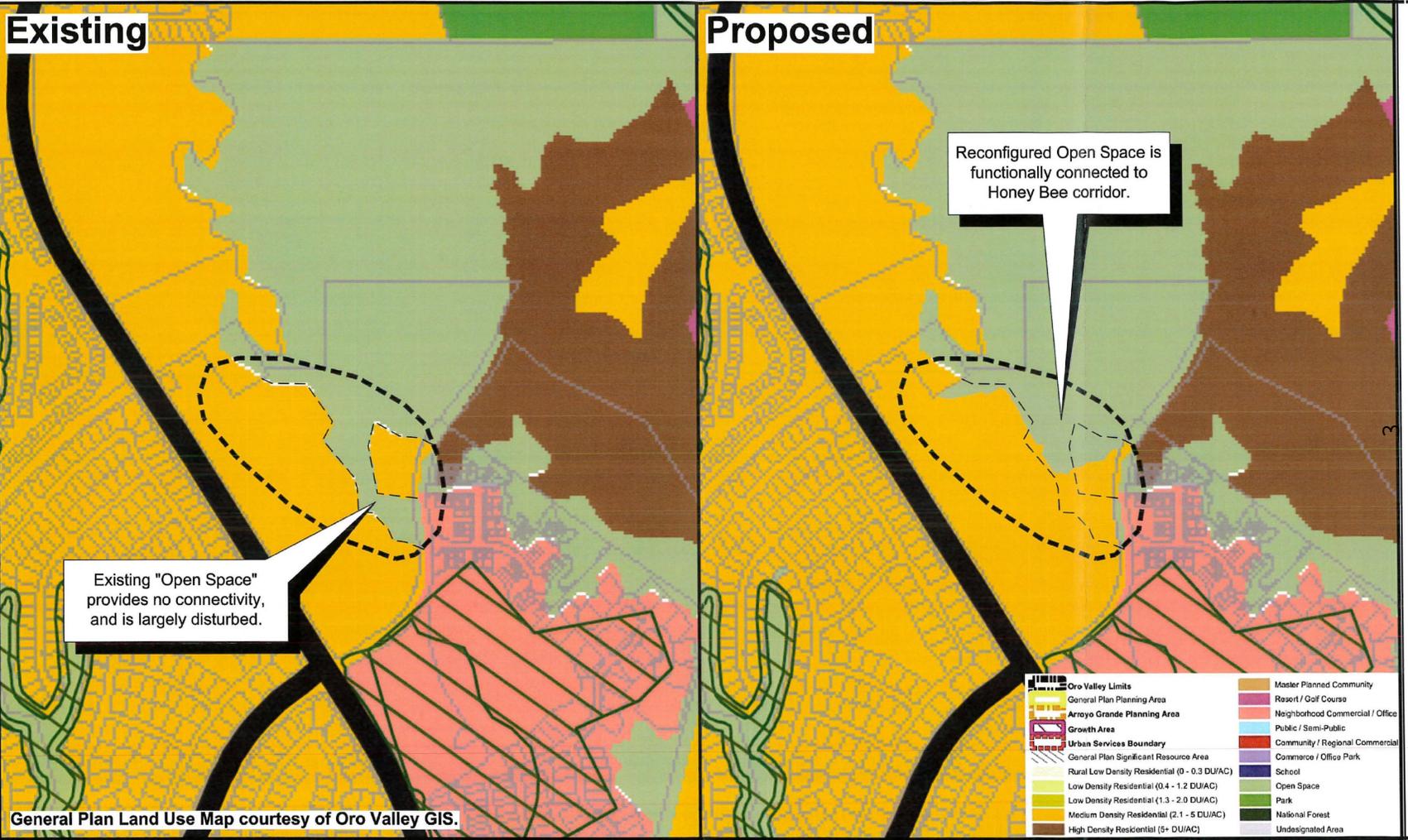
Date: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT "A"**

**Existing**

**Proposed**



Existing "Open Space" provides no connectivity, and is largely disturbed.

Reconfigured Open Space is functionally connected to Honey Bee corridor.

General Plan Land Use Map courtesy of Oro Valley GIS.

	Oro Valley Limits		Master Planned Community
	General Plan Planning Area		Resort / Golf Course
	Arroyo Grande Planning Area		Neighborhood Commercial / Office
	Growth Area		Public / Semi-Public
	Urban Services Boundary		Community / Regional Commercial
	General Plan Significant Resource Area		Commerce / Office Park
	Rural Low Density Residential (0 - 0.3 DU/AC)		School
	Low Density Residential (0.4 - 1.2 DU/AC)		Open Space
	Low Density Residential (1.3 - 2.0 DU/AC)		Park
	Medium Density Residential (2.1 - 5 DU/AC)		National Forest
	High Density Residential (5+ DU/AC)		Undesignated Area



**PROPOSED GENERAL PLAN MINOR MAP AMENDMENT**

2015.05.05  
WLB No. 150500-MT-07



1:100000\Nep\GIMT\07 2014 GP-FWD Amend\05F Open Space\F Gen Plan LU Amend Exh.dwg Plot: May 05, 2015

## **EXHIBIT “B”**

1. Prior to issuance of any residential building permits associated with a home or lot on Parcel 5-F, the developer shall post financial assurances in the form of a performance bond equal to the amount of recreation area and amenities as required in Section 26.5 of the Zoning Code, subject to approval by the Parks and Recreation Director and Planning and Zoning Administrator.
2. Issuance of residential building permits associated with a home or lot on Parcels 5-G, 5-K and 5-V, shall be in accordance with Section 26.5.E.1.a. of the Oro Valley Zoning Code
3. The general location of the new Rancho Vistoso Neighborhood 5 Park, as depicted in Attachment 5 of this Amendment, is subject to refinement as approved by the Planning and Zoning Administrator and Parks and Recreation Director. The Town's intent is to direct future subdivision builders to complete the remainder of the 6.9-acre park in lieu of the one designated within Neighborhood 5 of the Rancho Vistoso PAD.
4. Concurrent with the review and approval of the Conceptual Site Plan for Parcels 5-G, 5-K and 5-V, a master recreation plan for the new Rancho Vistoso Neighborhood 5 Park with amenities must be presented to the Oro Valley Parks and Recreation Advisory Board and Town Council for review and approval

**ORDINANCE NO. (O)15-12**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA,  
APPROVING A RANCHO VISTOSO PLANNED AREA  
DEVELOPMENT AMENDMENT FOR A 4.2 ACRE OPEN SPACE  
TRADE AND ADDITION OF A NEW EXISTING RECREATION  
CONDITION FOR THE AREA LOCATED ON THE NORTHEAST  
CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE  
ROAD**

**WHEREAS**, the subject property was part of the original Rancho Vistoso Planned Area Development; and

**WHEREAS**, the Applicant is requesting an open space trade of 4.2 acres located on the northeast corner of Rancho Vistoso Boulevard and Moore Road and is further requesting a new Recreation Area condition; and

**WHEREAS**, the Planning and Zoning Commission held duly noticed public hearings on June 2, 2015, and voted to recommend approval to the Town Council, subject to the conditions attached hereto as Exhibit "A"; and

**WHEREAS**, the Town Council has duly considered the Applicant's proposal for the Rancho Vistoso Planned Area Development Amendment for a 4.2 acre open space trade and addition of a new recreation condition.

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

- Section 1. The amendment to the Rancho Vistoso Planned Area Development for an open space trade of 4.2 acres located on the northeast corner of Rancho Vistoso Boulevard and Moore Road, as depicted in Exhibit "A", and the addition of a new recreation condition as provided in Exhibit "B" is hereby approved.
- Section 2. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.
- Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona on this 1<sup>st</sup> day of July, 2015.

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Dr. Satish I. Hiremath, Mayor

**APPROVED AS TO FORM:**

**ATTEST:**

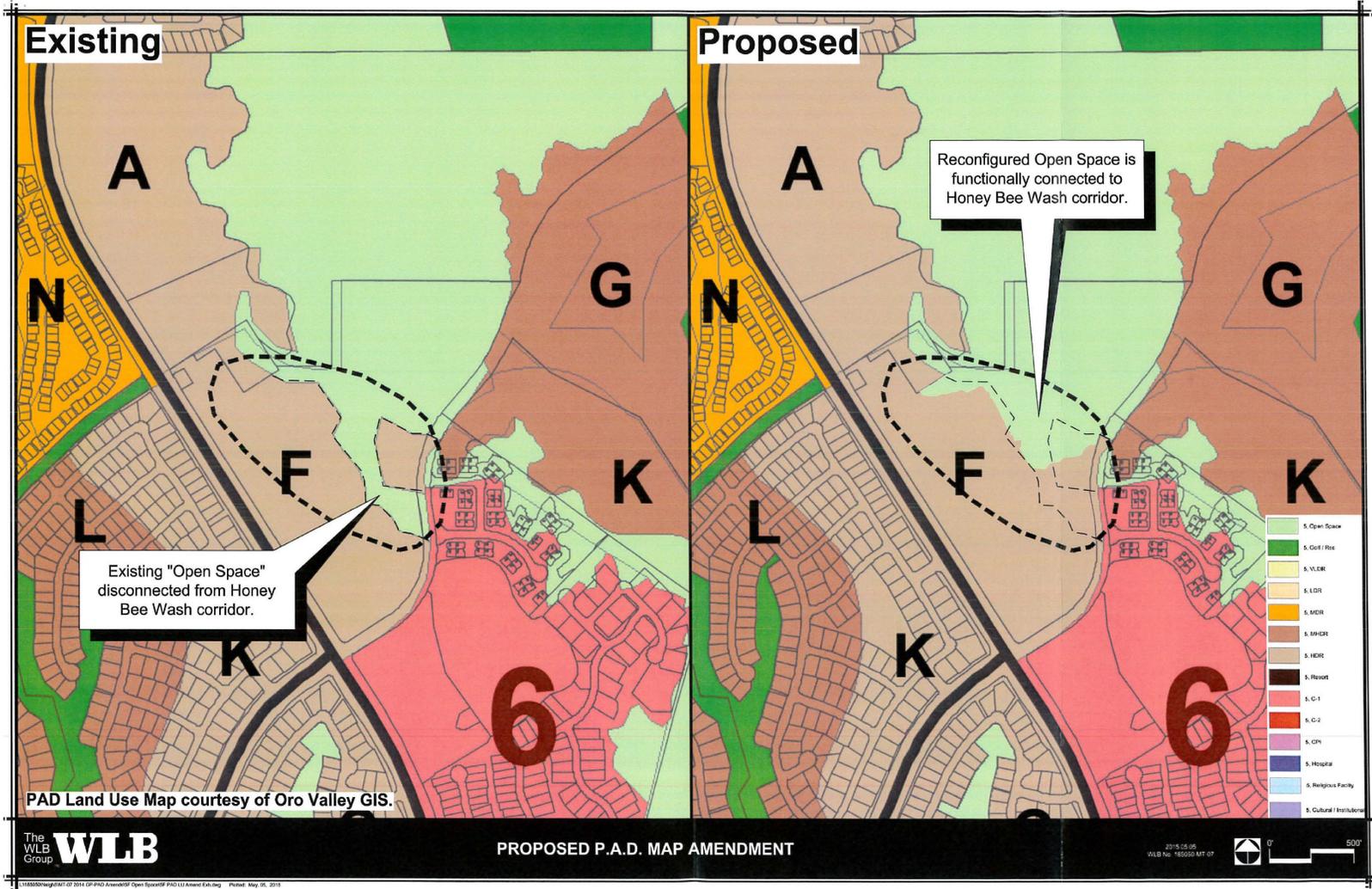
\_\_\_\_\_  
Julie K. Bower, Town Clerk

Date: \_\_\_\_\_

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

EXHIBIT "A"



## **EXHIBIT “B”**

1. Prior to issuance of any residential building permits associated with a home or lot on Parcel 5-F, the developer shall post financial assurances in the form of a performance bond equal to the amount of recreation area and amenities as required in Section 26.5 of the Zoning Code, subject to approval by the Parks and Recreation Director and Planning and Zoning Administrator.
2. Issuance of residential building permits associated with a home or lot on Parcels 5-G, 5-K and 5-V, shall be in accordance with Section 26.5.E.1.a. of the Oro Valley Zoning Code
3. The general location of the new Rancho Vistoso Neighborhood 5 Park, as depicted in Attachment 5 of this Amendment, is subject to refinement as approved by the Planning and Zoning Administrator and Parks and Recreation Director. The Town’s intent is to direct future subdivision builders to complete the remainder of the 6.9-acre park in lieu of the one designated within Neighborhood 5 of the Rancho Vistoso PAD.
4. Concurrent with the review and approval of the Conceptual Site Plan for Parcels 5-G, 5-K and 5-V, a master recreation plan for the new Rancho Vistoso Neighborhood 5 Park with amenities must be presented to the Oro Valley Parks and Recreation Advisory Board and Town Council for review and approval

**Introduction – Minor General Plan and Planned Area Development Map Amendment**

Rancho Vistoso Neighborhood 5, Parcel F is a proposed residential subdivision located at the northeast corner of Rancho Vistoso Boulevard and Moore Road. The subject property is approximately 48.4 acres and is currently designated Medium Density Residential (MDR) and Open Space per the Town of Oro Valley 2005 General Plan, and High Density Residential (HDR) and Open Space per the Rancho Vistoso Planned Area Development (PAD).

The purposes of this Minor General Plan and PAD Map Amendment is to request for approval a 1:1 Open Space Trade reconfiguration of both the General Plan and PAD map. The requested reconfiguration will encompass the relocation of 2.1 acres of MDR to Open Space and 2.1 acres of Open Space to MDR within the General Plan; and the relocation of 2.1 acres of HDR to Open Space and 2.1 acres of Open Space to HDR within the Rancho Vistoso PAD. The reconfigured designations will provide increased functional Open Space connectivity to the Honey Bee Wash and a more homogenous Open Space area that buffers the development from wildlife and other future development.

The property owner is focused on acquiring the necessary land entitlements to make this project a reality, and looks forward to achieving an amicable response to the proposed Minor General Plan Amendment.

**A. Property Data**

*Location:* The property is located at the northeast corner of the intersection of the Rancho Vistoso Boulevard and Moore Road.

*Area of Property:* ~30.5 acres.

*Area of General Plan Amendment:* 4.2 acres.

*Assessor Parcel Number:* 219-21- 6275.

*Legal Description:* Rancho Vistoso Neighborhood 5, Parcel F.

*Existing Land Uses:* The property is vacant.

*Existing Zoning:* The property is currently zoned as Rancho Vistoso PAD: High Density Residential (HDR) and Open Space.

*Existing Oro Valley General Plan Designations:* Medium Density Residential (MDR) and Open Space

*Requested Oro Valley General Plan Designations:* No change in designation – requesting a reconfiguration of the 2 existing designations.

## **B. 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.**

- The elimination of Moore Road as a pass through between the western and eastern halves of Rancho Vistoso Boulevard into a loop road has changed the layout of development and open space. The original map layout accommodated and mitigated for a roadway bisecting the Honey Bee Wash, and therefore provided adequate open space corridors to assist in creating palatable connectivity between the northern and southern segments anticipated to be created by the Moore Road extension. With Moore Road now serving as a loop road on the western boundary of Honey Bee Wash, it is important to promote continuous open space that would be uninterrupted by future development. The proposed reconfiguration increases the continuous open space area along the Honey Bee Wash for improved wildlife movement, and provides increased buffering between the development of Parcel 5-F and Parcels 5-G, 5-K, and 5-V.

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

- The development will contribute to the long-term socio-economic betterment of the community by providing convenient high quality housing for employees of Oro Valley's growing businesses.
- The change would enable the development to provide a greater element of clustering, and reduce the overall development/infrastructure area. By clustering the development, a more continuous area of open space is preserved within the Parcel boundary, providing a greater buffer to the designated open space associated with the Honey Bee Wash and neighboring developments.

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

- The Rancho Vistoso community has been an area of high demand for single family residential developers. In 2013, sales averaged over 10 units per month (source: Bright Future Real Estate Research – Oct. 2014), its highest monthly average since 2008. Real Estate websites such as Zillow and Movoto, show home prices having increased 5-7% over the last 12 months (Source: [www.zillow.com](http://www.zillow.com) – 9/19/2014); verifying increased market demand within the area. 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 future developments such as the one proposed.

**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 subsequent zoning and development process.**

- The proposed development is adjacent to designated open space. The proposed trade area concentrates the overall open space within the Parcel boundaries to be more homogenous with the adjacent open space. The proposed trade will also increase the area of open space serving as a buffer between the proposed development and future development to the northeast. A portion of the community and the community as a whole will not be adversely impacted by this Minor General Plan and PAD Map Amendment.



# Existing

# Proposed

Existing "Open Space" provides no connectivity, and is largely disturbed.

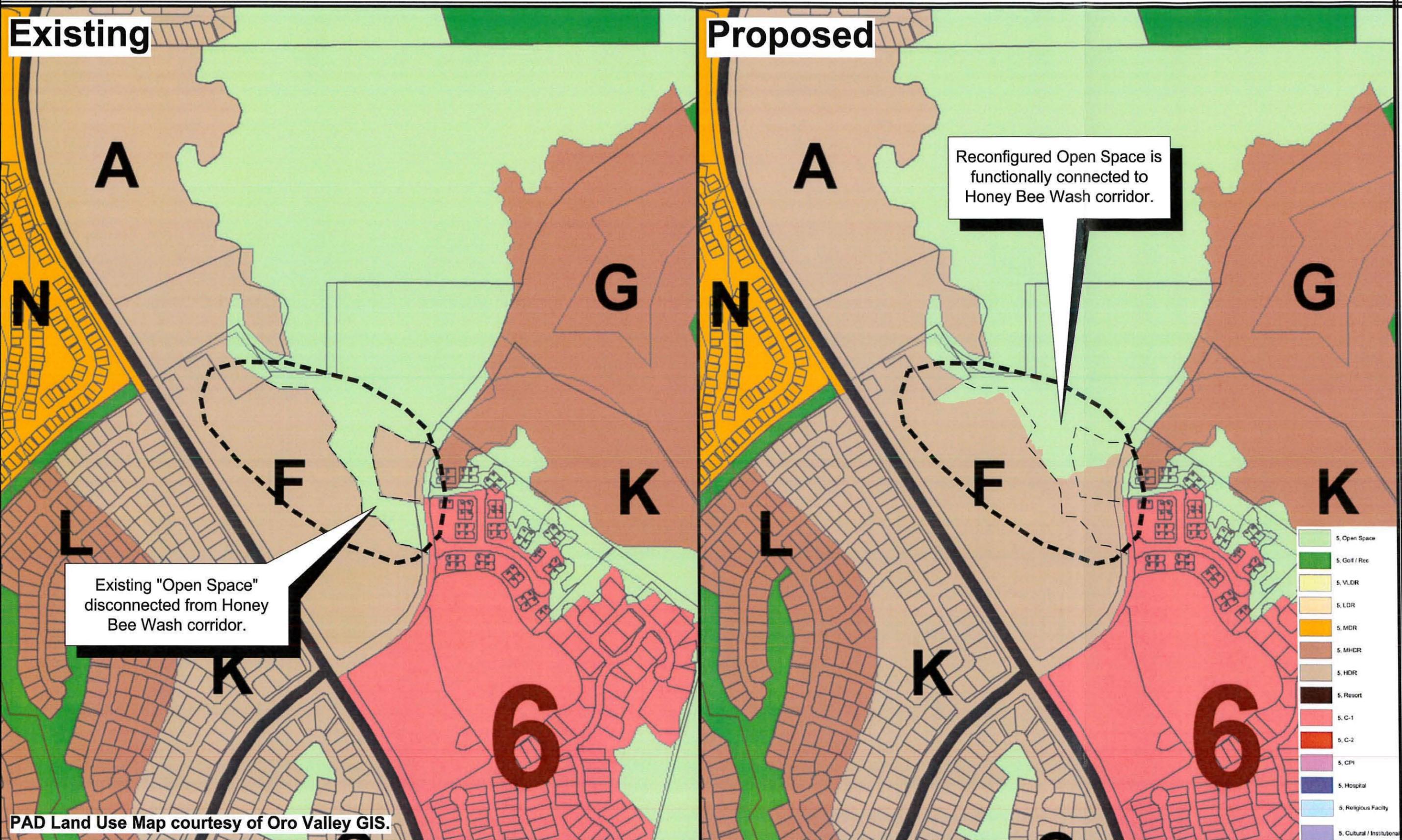
Reconfigured Open Space is functionally connected to Honey Bee corridor.

General Plan Land Use Map courtesy of Oro Valley GIS.

	Oro Valley Limits		Master Planned Community
	General Plan Planning Area		Resort / Golf Course
	Arroyo Grande Planning Area		Neighborhood Commercial / Office
	Growth Area		Public / Semi-Public
	Urban Services Boundary		Community / Regional Commercial
	General Plan Significant Resource Area		Commerce / Office Park
	Rural Low Density Residential (0 - 0.3 DU/AC)		School
	Low Density Residential (0.4 - 1.2 DU/AC)		Open Space
	Low Density Residential (1.3 - 2.0 DU/AC)		Park
	Medium Density Residential (2.1 - 5 DU/AC)		National Forest
	High Density Residential (5+ DU/AC)		Undesignated Area

# Existing

# Proposed



Existing "Open Space" disconnected from Honey Bee Wash corridor.

Reconfigured Open Space is functionally connected to Honey Bee Wash corridor.

PAD Land Use Map courtesy of Oro Valley GIS.



## PROPOSED P.A.D. MAP AMENDMENT

2015 05 05  
WLB No. 185050-MT-07





## Planning and Zoning Commission Staff Report

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**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

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**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.

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### 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.

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*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.

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**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

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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.

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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.

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**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.

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**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:

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**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.**

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**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 \_\_\_\_\_.

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**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

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Bayer Vella, Planning Manager

**MINUTES**  
**ORO VALLEY PLANNING AND ZONING COMMISSION**  
**REGULAR SESSION**  
**June 2, 2015**  
**ORO VALLEY COUNCIL CHAMBERS**  
**11000 N. LA CANADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Chairman Rodman called the June 2, 2015 regular session of the Oro Valley Planning and Zoning Commission to order at 6:00 PM.

**ROLL CALL**

**PRESENT:** Bill Rodman, Chairman Greg Hitt, Commissioner Frank Pitts, Commissioner Melanie Barrett, Commissioner Charlie Hurt, Commissioner Tom Drazazgoswki, Commissioner

**EXCUSED:** Bill Leedy, Vice-Chair

**ALSO PRESENT:**

Joe Hornat, Council Member  
Lou Waters, Vice-Mayor

- 3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED MINOR GENERAL PLAN AMENDMENT AND PLANNED AREA DEVELOPMENT AMENDMENT FOR A PROPERTY LOCATED AT THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD. THIS ITEM INCLUDES THE FOLLOWING:**
  - A. MINOR GENERAL PLAN AMENDMENT FOR AN APPROXIMATELY 4.2-ACRE OPEN SPACE TRADE AND REVISIONS TO A RECREATION AREA CONDITION ASSOCIATED WITH A PREVIOUS APPROVAL, OV1114-004; AND**
  - B. PLANNED AREA DEVELOPMENT FOR AN APPROXIMATELY 4.2-ACRE OPEN SPACE TRADE AND ADDITION OF A NEW RECREATION AREA CONDITION, OV914-010.**

Michael Spaeth, Senior Planner, presented the following:

- Request
- Subject Property
- Proposed Open Space Trade
- Open Space Trade - Minor General Plan Amendment
- Open Space Trade - PAD Amendment
- Recreation Area - Minor General Plan Amendment
- Recreation Area - PAD Amendment - Review
- Summary and Recommendation

Paul Oland, WLB Group, representing the applicant and property owner, presented the following:

- Conceptual Site Plan
- Aerial Photo of Propose Trade Area
- Ground Floor Plan

Chairman Rodman opened the public hearing.

Bill Adler, Oro Valley resident, commented that the space that is being discussed this evening is referred to as open space. Whereas the general plan calls for more parks, Mr. Adler believes open space is needed in this particular location. What the community needs, especially in these small lots, is recreational space. We should have walking distance and ease of accessibility to recreational facilities. Mr. Adler believes it doesn't meet the general plan criteria.

Chairman Rodman

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Pitts to deny the requested 4.2-acre open space trade.

Motion died for lack of a second.

**MOTION:** A motion was made by Commissioner Drazazgoswki and seconded by Commissioner Hurt 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.

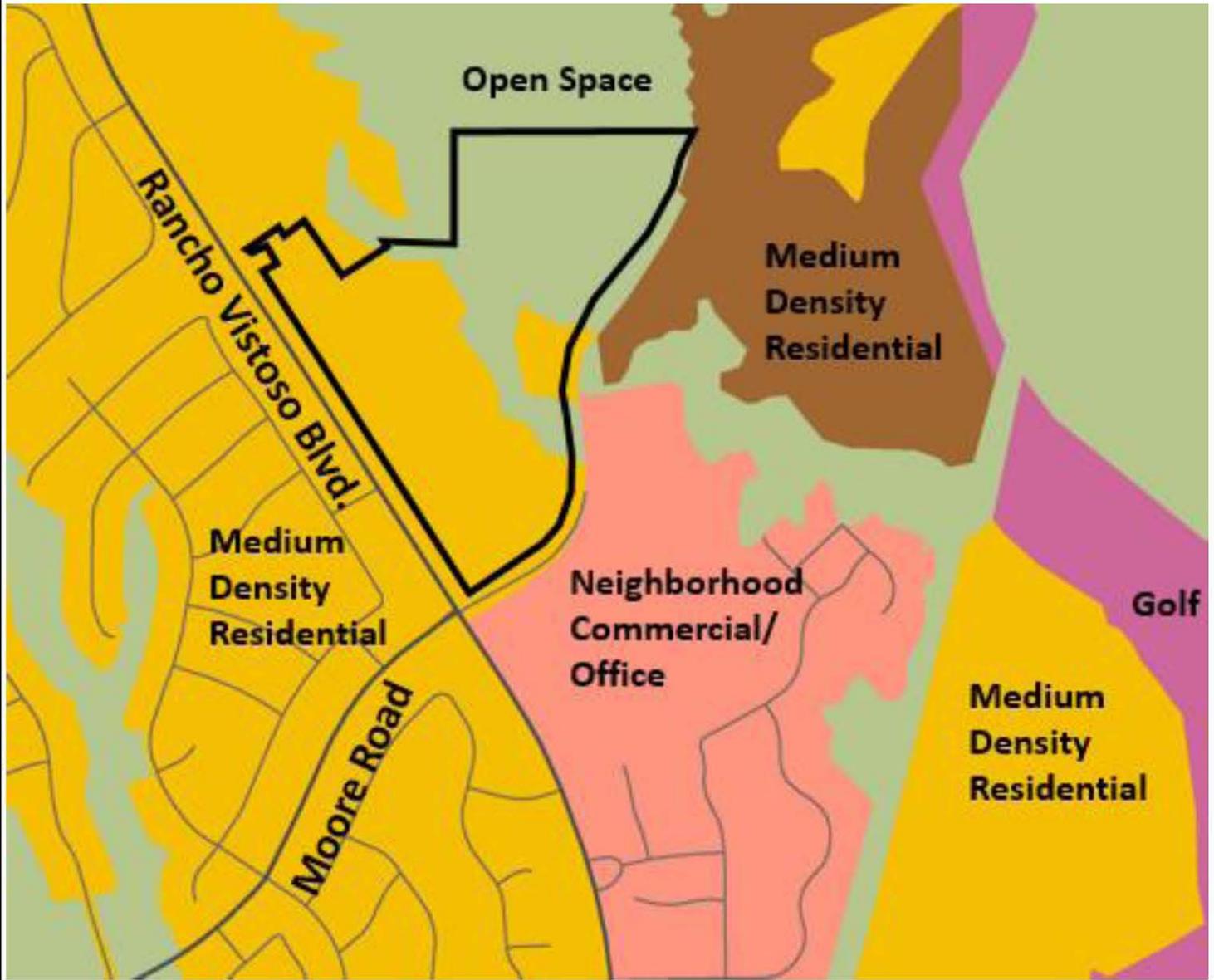
**MOTION** carried, 5-1 with Commissioner Pitts opposed.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Hurt 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.

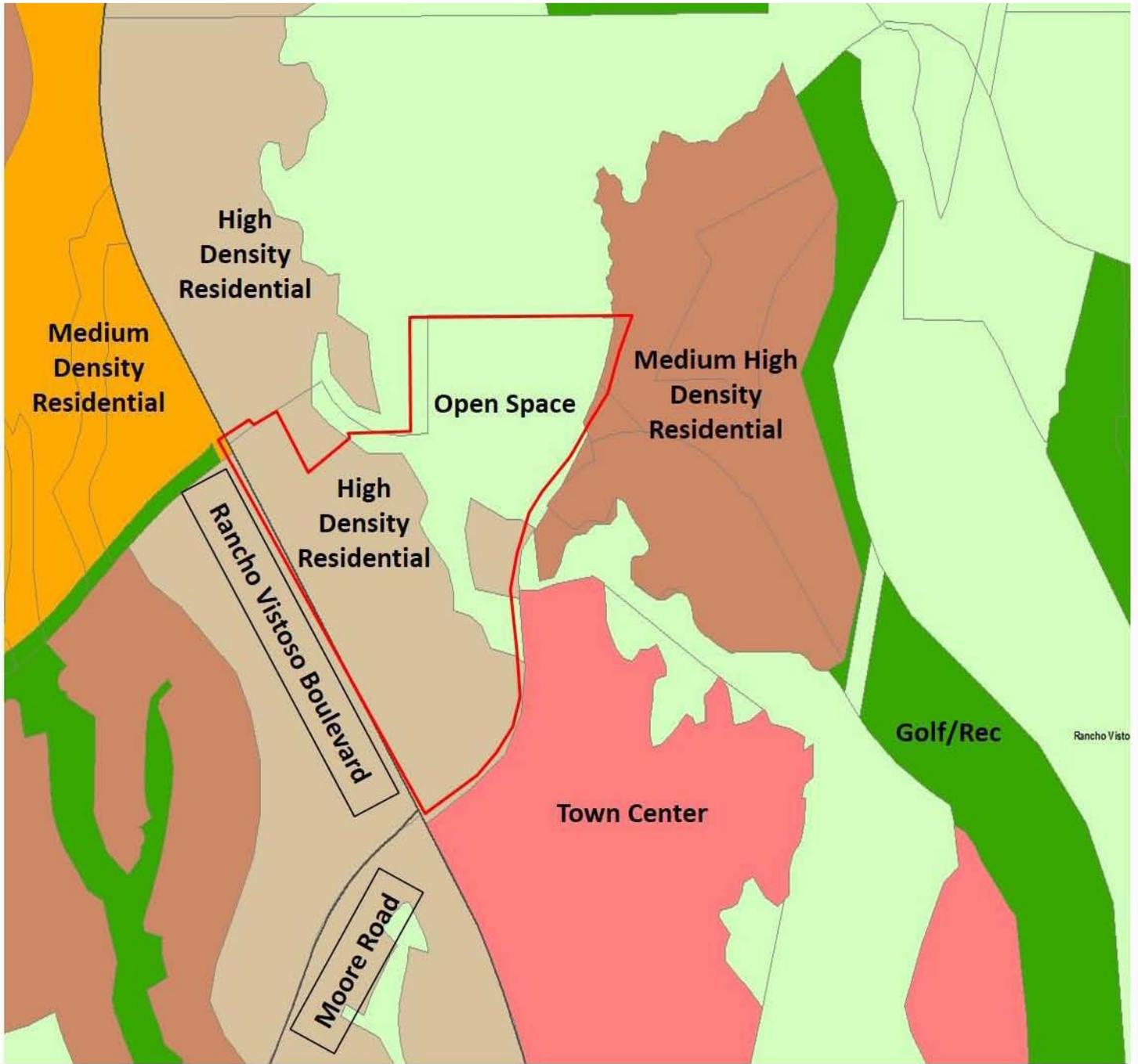
**MOTION** carried, 5-1 with Commissioner Pitts opposed.



**SUBJECT PROPERTY MAP**  
RANCHO VISTOSO AND MOORE ROAD  
(OV1114-004/OV914-010)



**GENERAL PLAN MAP**  
RANCHO VISTOSO AND MOORE ROAD  
(OV1114-004/OV914-010)



**ZONING MAP**  
 RANCHO VISTOSO AND MOORE ROAD  
 (OV1114-004/OV914-010)

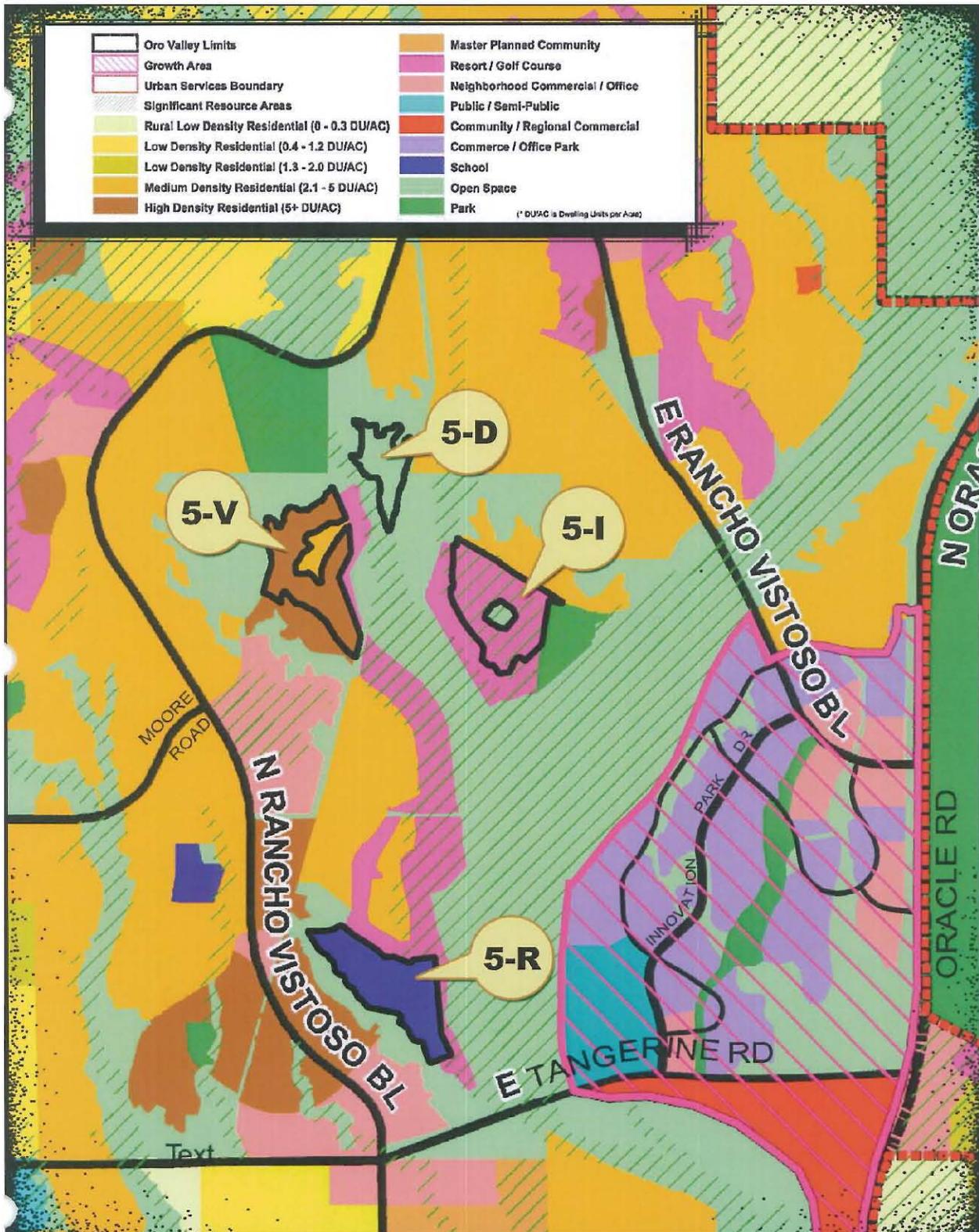
**Attachment 9**  
**2009 Rancho Vistoso Neighborhood 5 Major GPA**  
**Parks and Recreation Condition**  
**Planning and Zoning Commission**  
**June 2, 2015**

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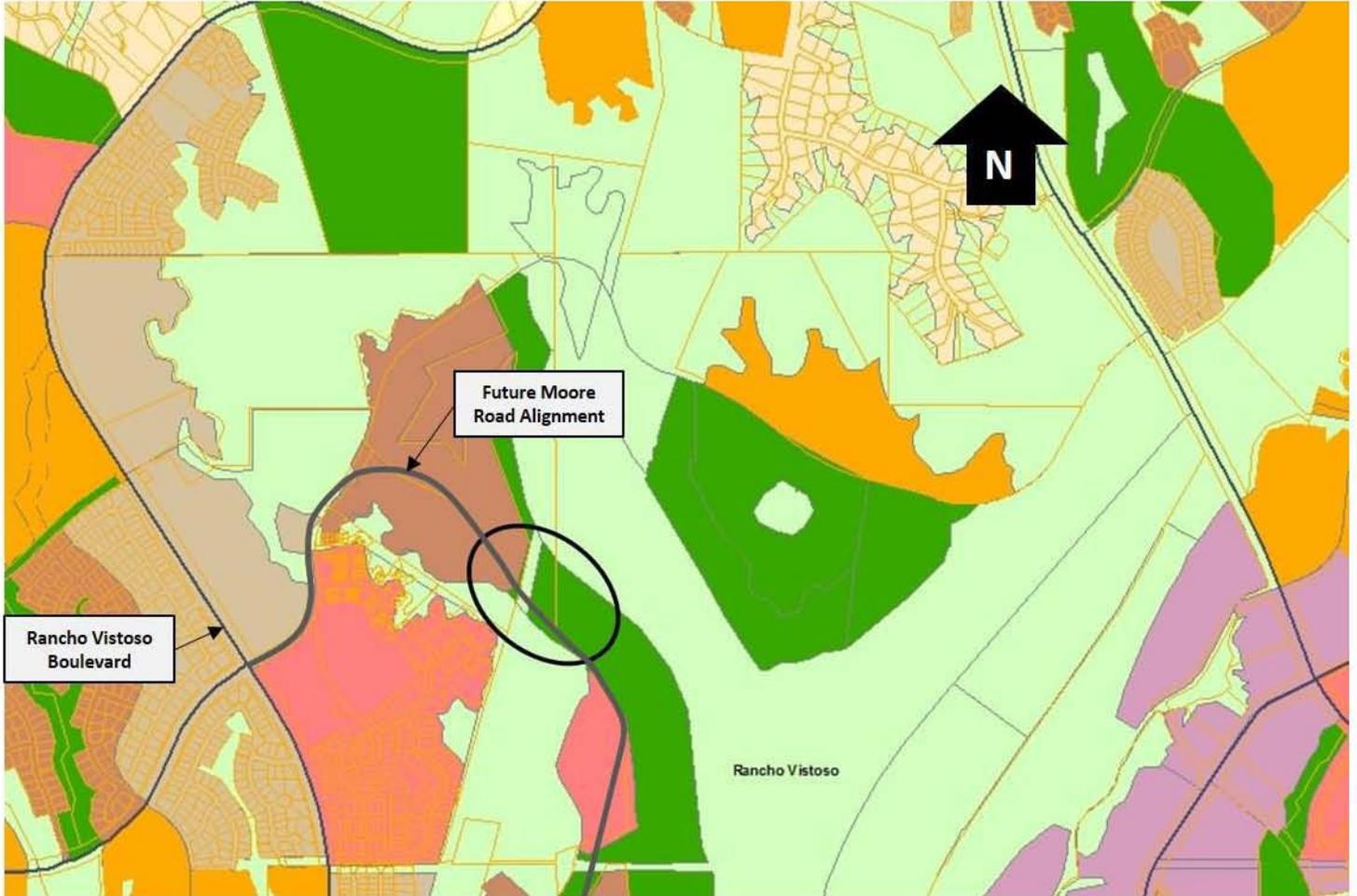
**Exhibit "A" Conditions of Approval**  
**OV11-08-04**  
**November 4, 2009**

**Planning and Zoning Conditions**

2. *The recreation area adjacent to the old school site (Parcel 5-I) must be improved with sufficient recreational elements and amenities to provide meaningful active and passive recreation opportunities for the community. The park must be constructed to the standards of Section 26.5 of the Oro Valley Zoning Code Revised, or to a standard deemed appropriate by the Oro Valley Parks and Recreation Advisory Board (PRAB). The park plan must be approved by PRAB.*



**2009 RANCHO VISTOSO NEIGHBORHOOD 5  
MAJOR GPA AMENDMENT AREA  
(OV1114-004/OV914-010)**



# PROPOSED PARK LOCATION

RANCHO VISTOSO AND MOORE ROAD  
(OV1114-004/OV914-010)

**Attachment 12**  
**Mattamy Homes**  
**General Plan Amendment/PAD Amendment Analysis**

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 in the Attachment indicated and is 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 Page 3 of Attachment 2

Staff Comment:

The revised Moore Road alignment has affected the land use pattern within Rancho Vistoso Neighborhood 5. The loop road will allow for the preservation of a broader, more significant open space network and the associated wildlife corridors throughout Big Wash. The applicant's proposed trade will result in more contiguous open space with a better defined edge that will contribute to the viability of wildlife movement within the open space network.

**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 2

Staff Comment:

The applicant's proposal will contribute to the overall socio-economic betterment of the community by providing recreational amenities to support this area.

Furthermore, the proposed open space trade achieves environmental compatibility by preserving more contiguous, undisturbed open space which contributes to the betterment of this area.

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

Applicant's response – See Page 3 of Attachment 2

Staff Comment:

The General Plan states the Town “reasonably” wishes to be satisfied that market demand exists for the land uses proposed in the application.

As of 2013, the Town was approximately 80% built out for single family residential developments. This has resulted in a significant amount of development demand throughout the Town. Recent medium density residential development within the area includes the Eagles Rest (75 lots), Maracay at Vistoso development (+/- 290 residential units) and the Vistoso Reserve (28 units) by Lennar immediately north of the subject property. This recent development demonstrates existing market demand for medium density residential units within the area.

- 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.**

Applicant’s response – See Page 4 of Attachment 2

Staff Comment:

The proposed open space trade will result in a contiguous open space network connected to the larger open space network encompassing Big Wash. The open space area will serve as an additional buffer between the applicant’s proposed subdivision and future development to the east along the revised Moore Road alignment. The applicant’s proposal will not adversely impact the community and provides for an appropriate mitigation of impacts.

General Plan Conformance Analysis

The following section provides analysis relative to the consistency of the applicants request with the General Plan Vision and key General Plan Goals and Policies. Excerpts from the General Plan are shown in italics, followed by staff comment.

General Plan Vision

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

The applicant’s open space trade request proposes to trade a fragmented, disconnected and previously disturbed open space area for an area that is undisturbed and will be more contiguous with the existing open space network. The open space

trade will not only result in a more valuable and viable natural environment, but it will also create a better subdivision design. The proposed rezoning will maintain the highest standard for environmental integrity for the additional open space and improve community amenities within the area. The applicant's request is consistent with the General Plan Vision.

General Plan Goals and Policies.

*Policy 1.1.1 The Town shall promote clustering of development to protect environmentally sensitive areas and to preserve significant, passive use, natural open space within residential neighborhoods.*

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

The applicant's request is to trade fragmented and disconnected areas which have been previously disturbed for open space areas in a natural state and are better connected with the larger open space network.

The additional proposed open space will buffer the proposed residential from future higher density residential along Moore Road.

The applicant's proposal meets these General Plan Policies.

**Attachment 13  
Mattamy Homes  
Neighborhood Meeting Summaries**

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**Neighborhood Meeting Summary  
Rancho Vistoso Neighborhood 5 (Parcels 5F, 5G, 5K, and 5v)  
Proposed Subdivision (Conceptual Site Plan)  
September 15, 2014  
6:00 – 7:30 PM  
Resurrection Lutheran Church, 11575 North First Avenue**

**1. Introductions and Welcome**

Meeting Facilitator Chad Daines, Principal Planner, introduced the Oro Valley staff Michael Spaeth, Senior Planner, as project manager. Approximately 40 residents and interested parties attended the meeting, including Vice Mayor Waters and Council Members Snider and Hornat. Also in attendance was Planning and Zoning Commission Chairman Don Cox.

**2. Staff Presentation**

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

- Definition of a Planned Area Development (PAD)
- History of Rancho Vistoso PAD
- Applicant's request
- Existing zoning of the property, including development standards
- Review tools
- Traffic impacts and submittal requirements
- Drainage impacts and submittal requirements
- Water availability
- Cultural Resources preservation requirements
- Impacts on Schools
- Review process
- Public participation opportunities

**3. Applicant Presentation**

Paul Oland from the planning firm WLB Group Inc., provided a presentation detailing the applicant's proposal, which included:

- Overview of project
- Traffic impact on Rancho Vistoso Boulevard
- Anticipated architectural style for the subdivision

**4. Public Questions & Comments**

Following is a summary of additional questions and comments:

- Anticipated size of Moore Road extension
- Access be to the proposed subdivisions
- Timing of the traffic signal at Rancho Vistoso Blvd and Moore Road
- Concern over U-turns on Rancho Vistoso Blvd
- Plans to alleviate traffic issues at Woodburne Ave (Safeway shopping center)
- Concerns about the approved “Lofts” at Vistoso Town Center condominium project
- Anticipated timing for development
- Improvements to the recreational area
- Two-story home restrictions
- Architecture consistent with surrounding neighborhoods
- The anticipated price range for the homes

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

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

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**Neighborhood Meeting Summary  
Rancho Vistoso Neighborhood 5 Parcel F  
Proposed Subdivision (Conceptual Site Plan)  
April 6, 2015  
6:00 – 7:30 PM  
Town of Oro Valley Town Council Chambers**

## **5. Introductions and Welcome**

Meeting Facilitator Rosevelt Arellano, Senior Planner, introduced the Oro Valley staff Michael Spaeth, Senior Planner, as project manager. Approximately 15 residents and interested parties attended the meeting, including Vice Mayor Waters and Council member Hornat. Also in attendance was Planning and Zoning Commissioner Leedy and Conceptual Design Review Board Member Linton.

## **6. Staff Presentation**

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

- Subject Property
- Applicant’s request
- Existing zoning of the property, including development standards
- Review tools
- Outstanding questions from first meeting.
- Traffic impacts and submittal requirements

- Review process
- Public participation opportunities

## **7. Applicant Presentation**

Paul Oland from the planning firm WLB Group Inc., provided a presentation detailing the applicant's proposal, which included:

- Overview of project
- Traffic impact on Rancho Vistoso Boulevard
- Anticipated architectural style for the subdivision

## **8. Public Questions & Comments**

Following is a summary of additional questions and comments:

- What is the anticipated building height
- What will the setback be from Rancho Vistoso Boulevard?
- What type of roof will the architecture have (pitched, flat, etc)?
- How many homes will be attached to one another?
- What will be the average home and lot size?
- How will construction traffic be handled?
- What type of vegetation will be in bufferyard?
- Why is the subdivision not further setback from Rancho Vistoso Boulevard?
- What will be the finished grade of the homes?
- What will the average home cost?
- Any idea when development will begin? Phasing?
- Do we have enough demand for the new homes?

Mr. Spaeth and Mr. Oland addressed some of the questions related to the proposed development and the associated traffic impacts.

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

**Attachment 14  
Mattamy Homes  
Neighborhood Meeting Topics Analysis**

Building Height

Concerns were raised during the neighborhood meetings regarding the proposed building heights. The High Density Residential (HDR) Zoning District allows for a maximum building height of thirty-four (34') feet. The applicant has proposed a maximum building height of thirty (30') feet. Homes will be setback from the Rancho Vistoso visually separating the proposed homes from the view sheds and view corridors from the adjacent roadway and the existing residential on the west side of Rancho Vistoso.

Compatibility

The subject property is surrounded by similar residential subdivisions, higher density condominiums and neighborhood commercial. The proposed subdivision incorporates the required landscape buffers along Moore Road and Rancho Vistoso Boulevard further visually separating the proposed residences from adjacent properties. The applicant's proposal is compatible with existing development in the area.

Traffic

A future traffic signal is planned for the intersection of Rancho Vistoso Boulevard and Moore Road. A traffic impact analysis will be required prior to development to determine whether the traffic signal will be required as part of this application.



## Town Council Regular Session

Item # **10.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Michael Spaeth, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING A CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR MATTAMY HOMES ON RANCHO VISTOSO PARCEL 5F, A PROPOSED 119-LOT SINGLE-FAMILY SUBDIVISION ON 48 ACRES, LOCATED ON THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD

#### **RECOMMENDATION:**

The Conceptual Design Review Board recommends approval of the Conceptual Site Plan and Landscape Plan, subject to the conditions listed in Attachment 1.

#### **EXECUTIVE SUMMARY:**

The applicant's request (Attachment 2) is to develop 119 single-family lots on approximately 48-acres. The proposed homes are an attached single-family product with no more than six homes attached to one another. The subdivision incorporates associated open space, a small recreation area and pedestrian connections to larger regional trails and multi-use paths. The Conceptual Site Plan and Landscape Plan conforms with the Rancho Vistoso Planned Area Development and the Design Principles and Design Standards of the Zoning Code, subject to the conditions listed in Attachment 1.

The Conceptual Design Review Board considered the applicant's proposal on June 9, 2015, and has recommended approval based on the finding that the request conforms with the Rancho Vistoso PAD Design Standards and the Design Principles and Design Standards of the Zoning Code. The Conceptual Design Review Board staff report is included as Attachment 3 and the draft minutes are provided as Attachment 4.

#### **BACKGROUND OR DETAILED INFORMATION:**

##### Current Site Conditions

- The property encompasses approximately 48 acres
- Currently vacant

##### Land Use Context

The Existing Land Use, General Plan and Zoning for the property and the surrounding area is depicted in Attachments 5, 6 and 7 respectively.

##### Approvals to Date

- The subject property was part of the original Rancho Vistoso PAD established in 1987
- There have been no site plan-related approvals to date on the subject property

## Conceptual Site Plan and Landscape Plan

The applicant's proposal (Attachment 2) depicts 119 single-family residential lots on approximately 48 acres with lot sizes ranging from 4,000 sq. ft. to 6,500 sq. ft. The proposed homes are an attached single-family product with no more than 6 homes attached to one another. Additional discussion of the proposed Conceptual Site Plan is provided in Attachment 8.

## Rancho Vistoso PAD, Zoning Code Design Principles and Design Standards Analysis

The applicant's proposal has been reviewed for conformance with the Rancho Vistoso PAD Design Standards and the Town of Oro Valley Zoning Code, including the Design Principles and Design Standards. A discussion and analysis of the projects conformance with these requirements is provided in Attachment 8.

Concurrent with this request, the applicant is processing a Minor General Plan Amendment and PAD Amendment for a 4.2-acre open space trade and to revise an existing recreation area condition. The recreation area condition is specific to the development of the Rancho Vistoso Neighborhood 5 park. A condition has been added to Attachment 1 requiring the developer contribute their fair share to the development of the park. Detailed information and analysis regarding these two related applications can be found in the Council Communication for these cases.

The Conceptual Landscape Plan has been reviewed for conformance with the applicable Rancho Vistoso PAD and Zoning Code requirements. The Conceptual Landscape Plan includes landscaped entries with separated ingress and egress lanes, as well as landscaping in all common areas. The proposal incorporates walking trails within the linear landscaped common areas throughout the subdivision and includes a small recreation area with pool, ramada, picnic tables and barbeques.

## Public Participation

### ***Neighborhood Meetings***

Two neighborhood meetings were held on September 15, 2014, and April 6, 2015, regarding the applicant's proposal. Approximately 15 to 20 residents attended each meeting. The primary topics discussed during the meetings included:

- Building height
- Compatibility
- Traffic

A copy of the neighborhood meeting summaries have been provided in Attachment 9 and an analysis of how the applicant has addressed the neighborhood meeting topics listed above is provided in Attachment 10.

No additional correspondence has been received by staff.

## Conceptual Design Review Board

The applicant's request was considered by the Conceptual Design Review Board on June 9, 2015. The board recommended approval, subject to the conditions listed in Attachment 1. The staff report and meeting minutes have been provided in Attachments 3 and 4 respectively.

## **FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to approve the Conceptual Site Plan and Landscape Plan based on the finding the request in conformance with the Rancho Vistoso PAD and the Design Principles and Design Standards of the Zoning Code.

OR

I MOVE to deny the Conceptual Site Plan and Landscape Plan requested under case OV1214-31, based on the finding that \_\_\_\_\_.

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**Attachments**

ATTACHMENT 1 - CONDITIONS OF APPROVAL

ATTACHMENT 2 - CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN

ATTACHMENT 3 - CDRB STAFF REPORT

ATTACHMENT 4 - CDRB DRAFT MEETING MINUTES

ATTACHMENT 5 - SUBJECT PROPERTY MAP

ATTACHMENT 6 - GENERAL PLAN LAND USE MAP

ATTACHMENT 7 -ZONING MAP

ATTACHMENT 8 - CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN SUMMARY AND ANALYSIS

ATTACHMENT 9 - NEIGHBORHOOD MEETING SUMMARIES

ATTACHMENT 10 - NEIGHBORHOOD MEETING TOPICS ANALYSIS

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**Attachment 1  
Mattamy Homes  
Conditions of Approval**

*Planning Conditions*

1. Add the following General Note:

Issuance of any residential building permits shall be in accordance with the following:

- a. Prior to issuance of any residential building permits associated with a home or lot on Parcel 5-F, the developer shall post financial assurances in the form of a performance bond for future development of the Rancho Vistoso Neighborhood 5 Park, equal to the amount of recreation area and amenities as required in Section 26.5 of the Zoning Code, subject to approval by the Parks and Recreation Director and Planning and Zoning Administrator. Financial assurances shall be released upon completion of Mattamy Home's fair share of the new Rancho Vistoso Neighborhood 5 Park.

*Engineering Conditions*

1. The Moore Road cross-section shall include a 16' wide raised median.

**GENERAL NOTES**

1. THE GROSS AREA OF THIS DEVELOPMENT IS 48.05 ACRES.
2. THE PROPOSED NUMBER OF RESIDENTIAL UNITS IS 119 (2.48 UNITS PER ACRE)
3. TOTAL LENGTH OF NEW PUBLIC STREET IS 0.00 MILES.
4. TOTAL LENGTH OF NEW PRIVATE STREET IS 0.80 MILES.
5. ASSURANCES FOR SITE IMPROVEMENTS, LANDSCAPING, AND REVEGETATION BONDS MUST BE POSTED PRIOR TO THE ISSUANCE OF GRADING PERMITS.
6. GROSS AREA OF ALL IMPERVIOUS SURFACES = 369,071 S.F. (8.47 ACRES) (ASPHALT AND SIDEWALK HATCHES ONLY - NO BUILDING OR PAD).
7. TOTAL RECREATION AREA PARKING PROVIDED = 7 SPACES (100 LOTS OR LESS - 1 SPACE PER 20 LOTS + 1 SPACE PER 40 ADD'L LOTS OVER 100 + 1 HANDICAP FOR EVERY 25 SPACES)
8. ALL NEW RIGHTS OF WAY WILL BE DEDICATED BY FINAL PLAT.
9. THE REQUIRED RECREATION AREA OF PARCEL 5F WILL BE SATISFIED WITH THE REQUIRED NEIGHBORHOOD 5, 6.8 ACRE PARK PLANNED TO BE CONSTRUCTED ON PARCEL 5J. PRIOR TO ISSUANCE OF THE FIRST BUILDING PERMIT WITHIN PARCEL 5F, PARCEL 5F'S EQUITABLE SHARE SHALL BE UNDER CONSTRUCTION, OR THE DEVELOPER WILL POST A BOND EQUIVALENT TO SAID EQUITABLE SHARE.

**PLANNING GENERAL NOTES**

1. MAXIMUM BUILDING HEIGHT ALLOWED AND PROPOSED = 30' / TWO-STORY.
2. TOTAL AMOUNT OF OPEN SPACE REQUIRED = 0.00 AC. (0% OF SITE).
3. TOTAL AMOUNT OF LANDSCAPED COMMON AREAS = 7.65 AC.  
COMMON AREA "A" (PRIVATE STREETS, PRIVATE SEWER & UTILITIES) = 5.14 AC.  
COMMON AREA "B" (UNDISTURBED OPEN SPACE) = 21.97 AC.  
COMMON AREA "C" (DRAINAGE, LANDSCAPE, UTILITIES) = 7.65 AC.
4. SETBACKS REQUIRED/PROVIDED (PER P.A.D. M.D.R. STANDARDS): FRONT = 20'; SIDE = 5' OR 0' FOR COMMON WALL ON ZERO LOT LINE; REAR = 5'.  
A 15' FRONT BUILDING SETBACK IS PERMITTED FOR:  
A) HOMES WITH SIDE ENTRY GARAGE.  
B) HOMES WITH FRONT ENTRY GARAGE PROVIDED THAT A DRIVEWAY AT LEAST 20' IN LENGTH IS MAINTAINED ON THE PROPERTY.
6. COMMON AREAS SHALL BE OWNED AND MAINTAINED BY THE H.O.A.
7. EXISTING ZONING IS RANCHO VISTOSO P.A.D. HIGH DENSITY RESIDENTIAL AND RANCHO VISTOSO P.A.D. OPEN SPACE.
8. ALL SIGNAGE AND LIGHTING TO BE ADDRESSED AS PART OF SEPARATE REVIEW AND APPROVAL PROCESS.
9. TYPICAL LOT SIZES:  
40' x 100' = 60 LOTS  
50' x 100' = 52 LOTS  
50' x 120' = 4 LOTS  
65' x 120' = 3 LOTS

**ENGINEERING GENERAL NOTES**

1. THE DESIGN VEHICLE FOR THIS PROJECT IS A SU-30. THE DESIGN SPEED FOR PRIVATE ROADS IS 25 MPH.
2. ALL NEW PRIVATE ROADS WITHIN THIS PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS. SEPARATE IMPROVEMENT AND CONSTRUCTION PLANS WILL BE SUBMITTED TO THE TOWN ENGINEER'S OFFICE FOR REVIEW AND APPROVAL.
3. ANY RELOCATION OR MODIFICATION OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS NECESSITATED BY THE PROPOSED DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.

**DRAINAGE GENERAL NOTES**

1. DEVELOPER WILL COVENANT TO HOLD THE TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, HARMLESS IN THE EVENT OF FLOODING.
2. DRAINAGE WILL NOT BE ALTERED, DISTURBED, OR OBSTRUCTED WITHOUT THE APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
3. DRAINAGE STRUCTURES MUST BE CONSTRUCTED AND INSTALLED ACCORDING TO TOWN STANDARDS AND PAID FOR BY THE DEVELOPER.
4. ALL DRAINAGE STRUCTURES MUST BE DESIGNED TO CONVEY A Q100 FLOW.
5. ALL DRAINAGE FACILITIES WILL BE CONSTRUCTED ACCORDING TO APPROVED PLANS PRIOR TO THE ISSUANCE OF ANY CERTIFICATES OF OCCUPANCY FROM THE BUILDING OFFICIAL FOR ALL AFFECTED BUILDINGS.
6. THE DEVELOPER WILL ACCEPT RESPONSIBILITY FOR MAINTENANCE, CONTROL, SAFETY AND LIABILITY OF PRIVATE DRAINAGEWAYS, DRAINAGE EASEMENTS, AND COMMON AREAS.

**ORO VALLEY WATER GENERAL NOTES**

1. THIS DEVELOPMENT MUST COMPLY WITH THE ORO VALLEY WATER UTILITY SPECIFICATIONS MANUAL DURING ALL PHASES OF CONSTRUCTION.
2. THE TOWN OF ORO VALLEY HAS BEEN DESIGNATED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES AS HAVING AN ASSURED WATER SUPPLY, PURSUANT TO A.R.S. 45-576, AND WILL SERVE THIS DEVELOPMENT.
3. A LINE EXTENSION AGREEMENT FOR THIS PROJECT MUST BE IN PLACE PRIOR TO ANY WORK ON THE WATER INFRASTRUCTURE.
4. WATER INFRASTRUCTURE SHOWN IS NOT NECESSARILY THE FINAL DESIGN. A SEPARATE WATER IMPROVEMENT PLAN MUST BE SUBMITTED TO ORO VALLEY WATER UTILITY FOR REVIEW AND APPROVAL.
5. ALL METERS SHALL HAVE A BACKFLOW PROTECTION DEVICE INSTALLED ON THE CUSTOMER SIDE OF THE METER.
6. ALL FIRE SERVICES SHALL HAVE A BACKFLOW PROTECTION DEVICE INSTALLED ON THEM.

**WASTEWATER GENERAL NOTES**

1. PROJECT IS IN CONFORMANCE WITH SECTION J, WASTEWATER, OF THE PIMA COUNTY DEVELOPMENT PLAN REQUIREMENTS AS REFERENCED IN 18.71.030.A.

**GENERAL UTILITY NOTES**

1. SHOULD AN EASEMENT BE IN CONFLICT WITH ANY PROPOSED BUILDING LOCATION, VACATION OF THE EASEMENT IS TO OCCUR PRIOR TO ISSUANCE OF BUILDING PERMITS.

**GOLDER RANCH FIRE GENERAL NOTES**

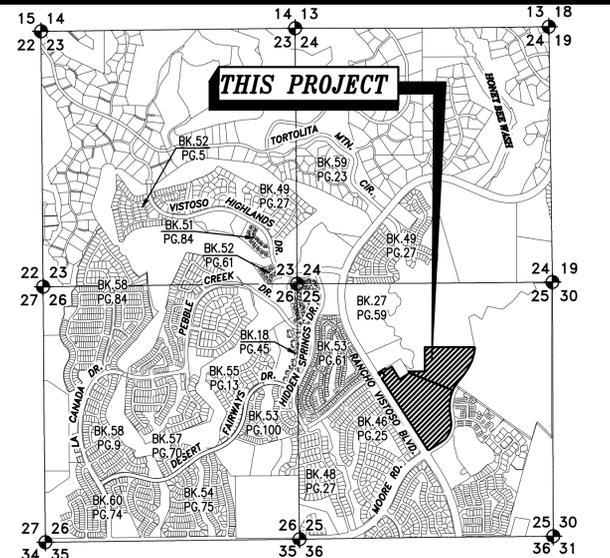
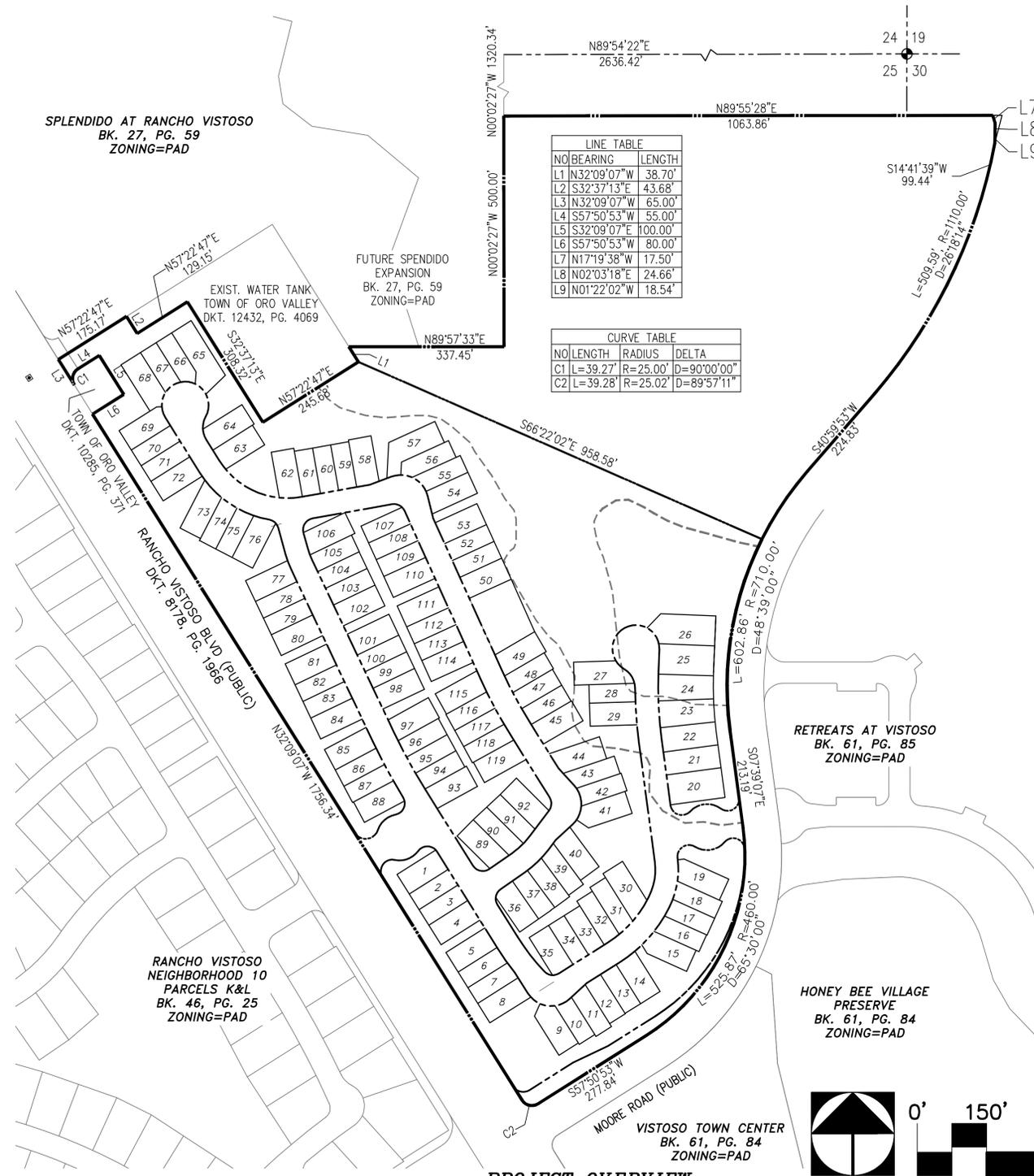
1. ALL FIRE HYDRANTS CONNECTED TO AN APPROVED WATER SUPPLY OF 1000 GPM FOR FIRE PROTECTION SHALL BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE. TEMPORARY CONSTRUCTION OFFICE TRAILERS ARE CONSIDERED COMBUSTIBLE MATERIAL.
2. APPROVED FIRE APPARATUS ACCESS ROADS SHALL BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE.
3. APPROVED AUTOMATIC SPRINKLER SYSTEMS IN NEW BUILDINGS AND STRUCTURES SHALL BE PROVIDED FOR ALL GROUP A, B, E, F, H, I, M, R, AND S OCCUPANCIES FOR EVERY FACILITY, BUILDING OR PORTION OF A BUILDING HEREAFTER CONSTRUCTED WITHIN OR MOVED INTO THE JURISDICTION. APPROVED AUTOMATIC SPRINKLER SYSTEMS SHALL BE PROVIDED THROUGHOUT ALL ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES USED AS MODEL HOMES WITH SALES OR CONSTRUCTION OFFICES, AND ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES WHICH EXCEED 3,600 SQUARE FEET IN FIRE FLOW CALCULATION AREA HEREAFTER CONSTRUCTED WITHIN OR MOVED INTO THE JURISDICTION.
4. TEMPORARY STREET SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE OF VEHICLES. ALL STRUCTURES UNDER CONSTRUCTION MUST BE CLEARLY IDENTIFIED WITH AN APPROVED ADDRESS.

# CONCEPTUAL SITE PLAN

## RANCHO VISTOSO PARCEL 5F

### LOTS 1-119, BLOCK 1, AND COMMON AREAS "A" THROUGH "C"

#### OV1214-31



**LOCATION MAP**  
A PORTION OF SECTION 25  
T11S, R13E, G & S.R.M., TOWN OF ORO VALLEY,  
PIMA COUNTY, ARIZONA

3" = 1 MILE  
**LEGEND**

- EXIST. MAJOR CONTOUR
- EXIST. MINOR CONTOUR
- DEVELOPMENT BOUNDARY
- PARCEL BOUNDARY
- PROPOSED LOT LINE
- EXIST. PAVEMENT
- PROPOSED CURB
- EXISTING EASEMENT LINE
- LOT SETBACKS (TYP.)
- PROPOSED SPOT ELEVATION
- DIRECTION OF FLOW
- SECTION CORNER OR 1/4 SECTION CORNER
- FINISHED PAD ELEVATION (FFE=FPE+0.67')
- GRADE BREAK (GB/HP/LP)
- STORMDRAIN AND HEADWALL WITH RIPRAP
- EXISTING CULVERT
- PROPOSED CULVERT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED PAVEMENT
- EXISTING
- RETAINING WALL
- LOT ACCESS LOCATION
- PROPOSED SURVEY MONUMENT
- TYPICAL LOT WIDTH
- SLOPE DIRECTION SYMBOL & GRADING LIMIT
- PROPOSED TRAFFIC CONTROL SIGNAGE
- EXISTING FENCE
- C.A.A.
- COMMON AREA A
- EXISTING 24" RECLAIMED WATER LINE
- PROPOSED OPEN SPACE ZONING BOUNDARY
- BOUNDARY LINE BETWEEN EX. HIGH DENSITY RESIDENTIAL & EX. OPEN SPACE ZONING BOUNDARY

**PROJECT OVERVIEW**

**PERMITTING DIVISION-BUILDING CODES**

- THE FOLLOWING CODES AND STANDARDS SHALL BE APPLICABLE TO THIS DEVELOPMENT:
- 2012 INTERNATIONAL CODES WITH LOCAL AMENDMENTS
  - 2011 NATIONAL ELECTRIC CODE
  - 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN
  - 2006 GOLDER RANCH FIRE DISTRICT STANDARDS AND FORMS
  - 2008 ORO VALLEY POOL CODE
  - 2003 PC/COT STANDARD SPECIFICATIONS AND DETAILS FOR PUBLIC IMPROVEMENTS
  - 2010 TOWN OF ORO VALLEY DRAINAGE CRITERIA MANUAL
  - 2004 TOWN OF ORO VALLEY SUBDIVISION STREET STANDARDS AND POLICIES MANUAL
  - TOWN OF ORO VALLEY ZONING CODE, CURRENT REVISED
  - ORO VALLEY TOWN CODE, CURRENT REVISED
  - 2010 ADA ACCESSIBILITY GUIDELINES

**SHEET INDEX**

- SHEET 1..... COVER SHEET/NOTES
- SHEET 2..... SITE PLAN KEYMAP
- SHEETS 3-7..... SITE PLAN

**OWNER/DEVELOPER**

MATTAMY TUCSON, LLC  
6640 N. ORACLE ROAD  
TUCSON, AZ 85704  
(520) 297-6846  
ATTN: RYAN HUFFMAN  
RYAN.HUFFMAN@MATTAMYPHOMES.COM

**ENGINEER**

THE WLB GROUP, INC.  
4444 E. BROADWAY BLVD.  
TUCSON, AZ 85711  
(520) 881-7480  
ATTN: PAUL OLAND  
GPOLAND@WLBGROUP.COM



EXPIRES 09-30-17

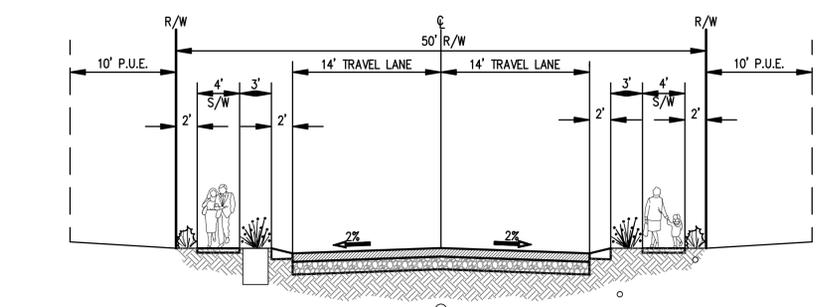
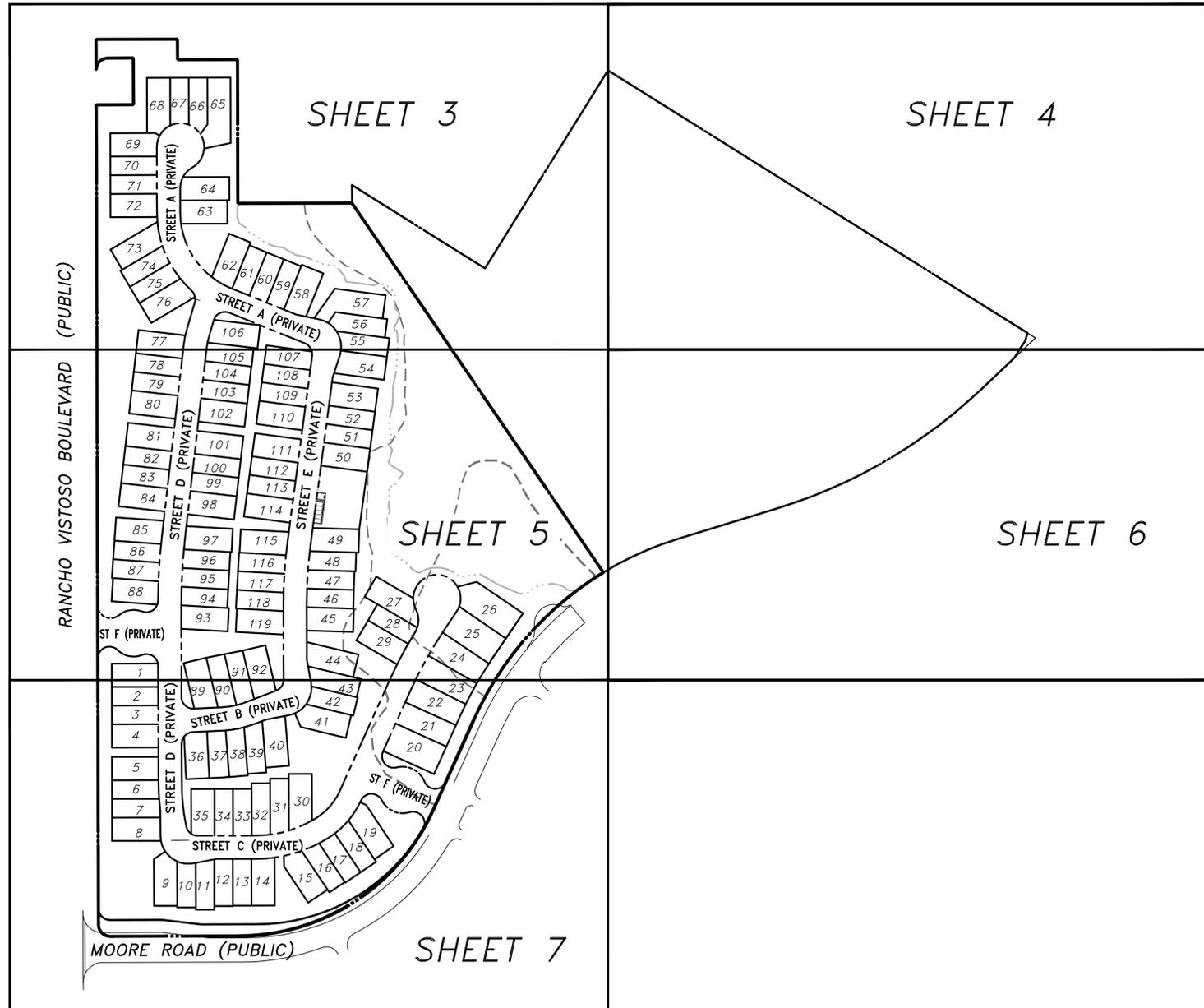
**OV1214-31**  
**CONCEPTUAL SITE PLAN**  
FOR  
**RANCHO VISTOSO PARCEL 5F**  
LOTS 1-119, BLOCK 1, AND COMMON AREAS "A" THROUGH "C"

BEING A PORTION OF SECTION 25  
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

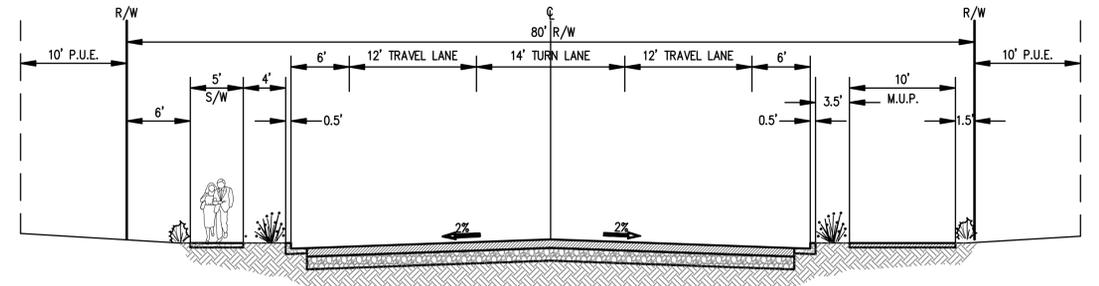
MAY 2015  
WLB NO. 185050-MT03  
CONTOUR INTERVAL: 1'

REF. CASE #OV114-001  
**SHEET 1 OF 7**

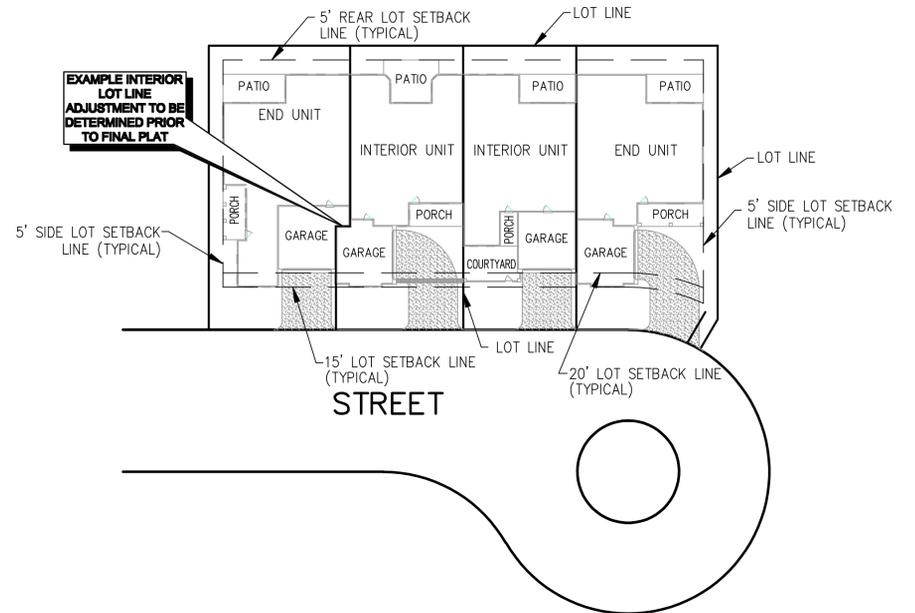
The **WLB** Group  
Engineering Planning Surveying  
Landscape Architecture Urban Design  
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Tucson, Arizona (520) 881-7480



1 RESIDENTIAL STREET (PRIVATE) NTS



2 MOORE ROAD (PUBLIC) "AS APPROVED" NTS



3 LOT DETAIL NTS

SIGHT VISIBILITY TRIANGLE (SVT) TABLE			
	POSTED SPEED	NEAR SIDE (FT)	FAR SIDE (FT)
RESIDENTIAL STREET	25	240	190
SPINE ROAD (MOORE)	35	380	300
ARTERIAL ROAD (R.V.BLVD.)	45	600	470

MATCHLINE SEE SHEET 4

SPLENDIDO AT RANCHO VISTOSO  
BK. 27, PG. 59  
ZONING=PAD

FUTURE SPLENDIDO  
EXPANSION  
BK. 27, PG. 59  
ZONING=PAD

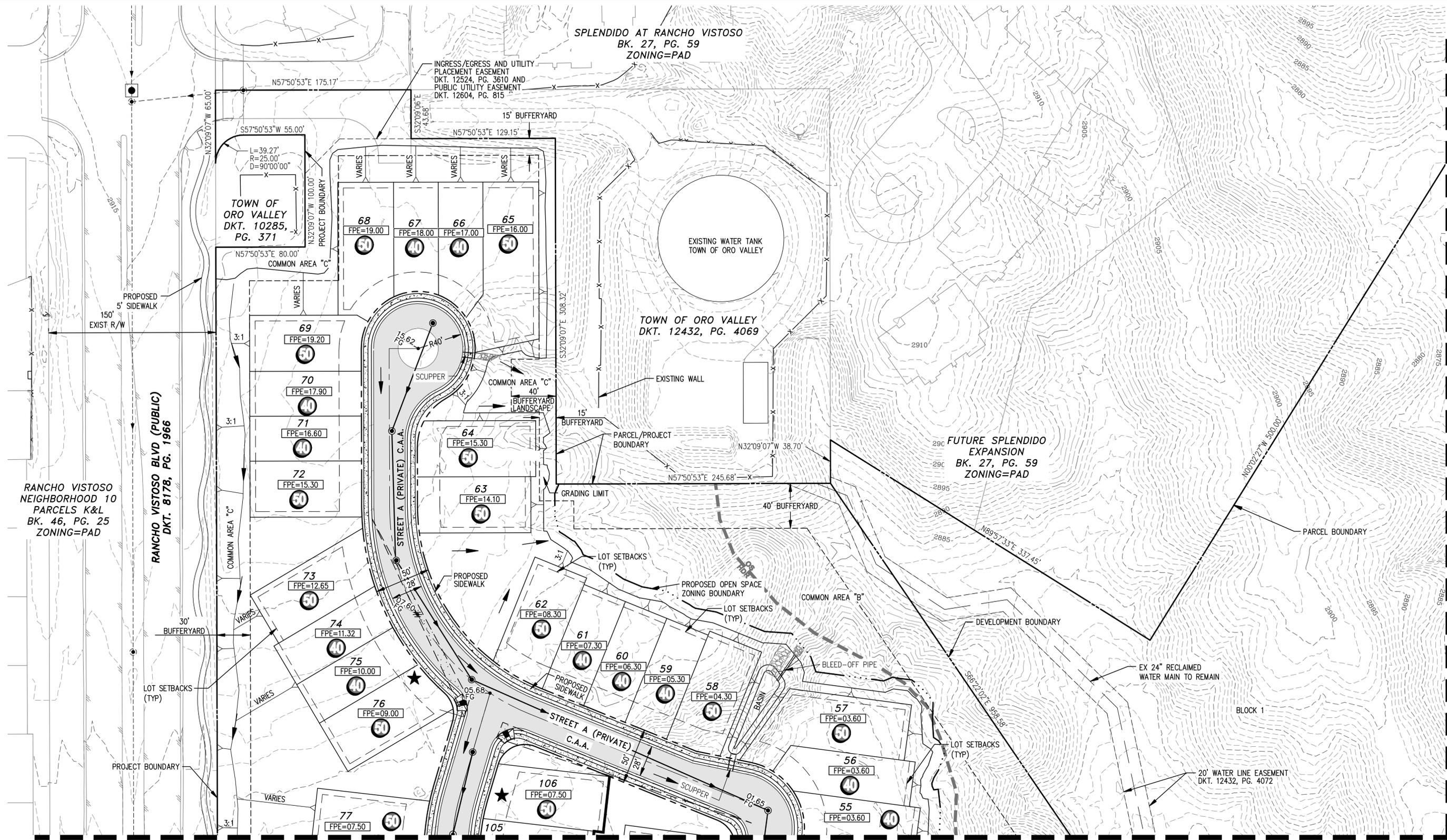
RANCHO VISTOSO  
NEIGHBORHOOD 10  
PARCELS K&L  
BK. 46, PG. 25  
ZONING=PAD

RANCHO VISTOSO BLVD (PUBLIC)  
DKT. 8178, PG. 1966

TOWN OF ORO VALLEY  
DKT. 10285,  
PG. 371

TOWN OF ORO VALLEY  
DKT. 12432, PG. 4069

MATCHLINE SEE SHEET 5



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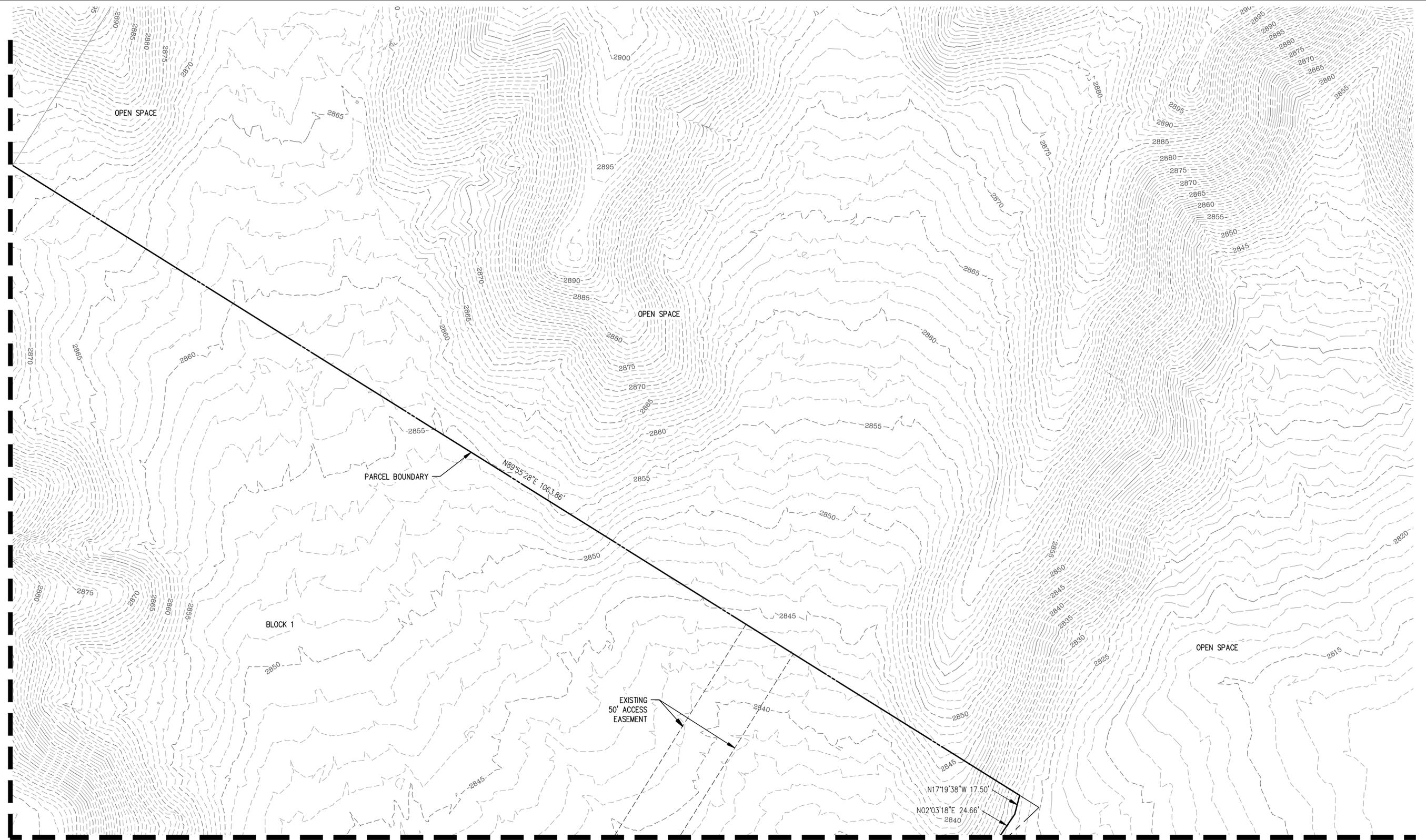
OV1214-31  
 CONCEPTUAL SITE PLAN  
 FOR  
**RANCHO VISTOSO PARCEL 5F**  
 LOTS 1-119, BLOCK 1, AND COMMON AREAS "A" THROUGH "C"

BEING A PORTION OF SECTION 25  
 TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

MAY 2015  
 WLB NO. 185050-MT03  
 CONTOUR INTERVAL: 1'

REF. CASE #OV114-001  
**SHEET 3 OF 7**

MATCHLINE SEE SHEET 3



MATCHLINE SEE SHEET 6

OV1214-31  
 CONCEPTUAL SITE PLAN  
 FOR  
**RANCHO VISTOSO PARCEL 5F**  
 LOTS 1-119, BLOCK 1, AND COMMON AREAS "A" THROUGH "C"

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 TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
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MAY 2015  
 WLB NO. 185050-MT03  
 CONTOUR INTERVAL: 1'

REF. CASE #OV114-001

SHEET 4 OF 7

The **WLB**  
 Group

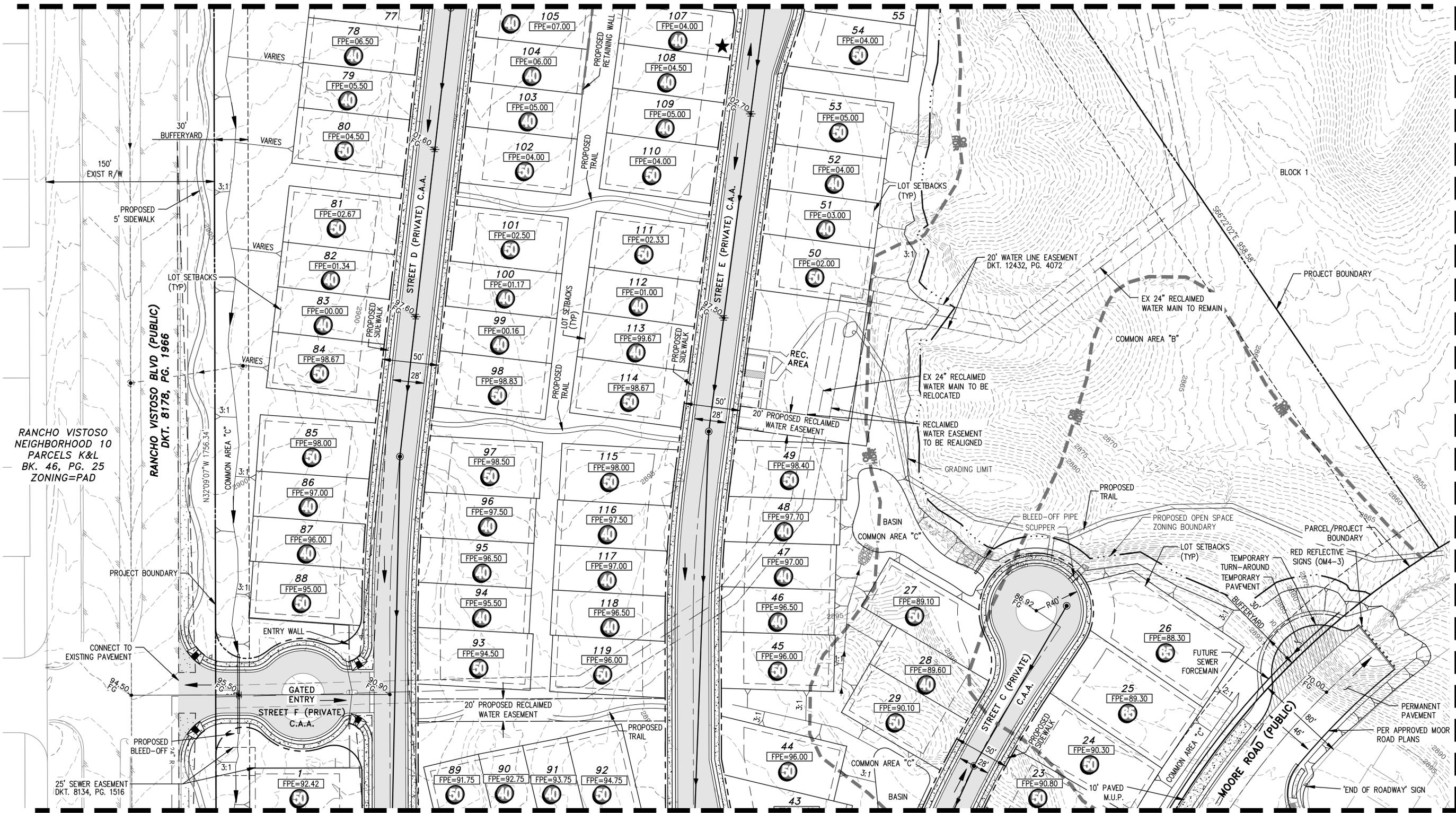
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EXPIRES 09-30-17

MATCHLINE SEE SHEET 3

MATCHLINE SEE SHEET 6



MATCHLINE SEE SHEET 7

RANCHO VISTOSO  
NEIGHBORHOOD 10  
PARCELS K&L  
BK. 46, PG. 25  
ZONING=PAD

RANCHO VISTOSO BLVD (PUBLIC)  
DKT. 8178, PG. 1966

0V1214-31  
CONCEPTUAL SITE PLAN  
FOR  
RANCHO VISTOSO PARCEL 5F  
LOTS 1-119, BLOCK 1, AND COMMON AREAS "A" THROUGH "C"

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TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

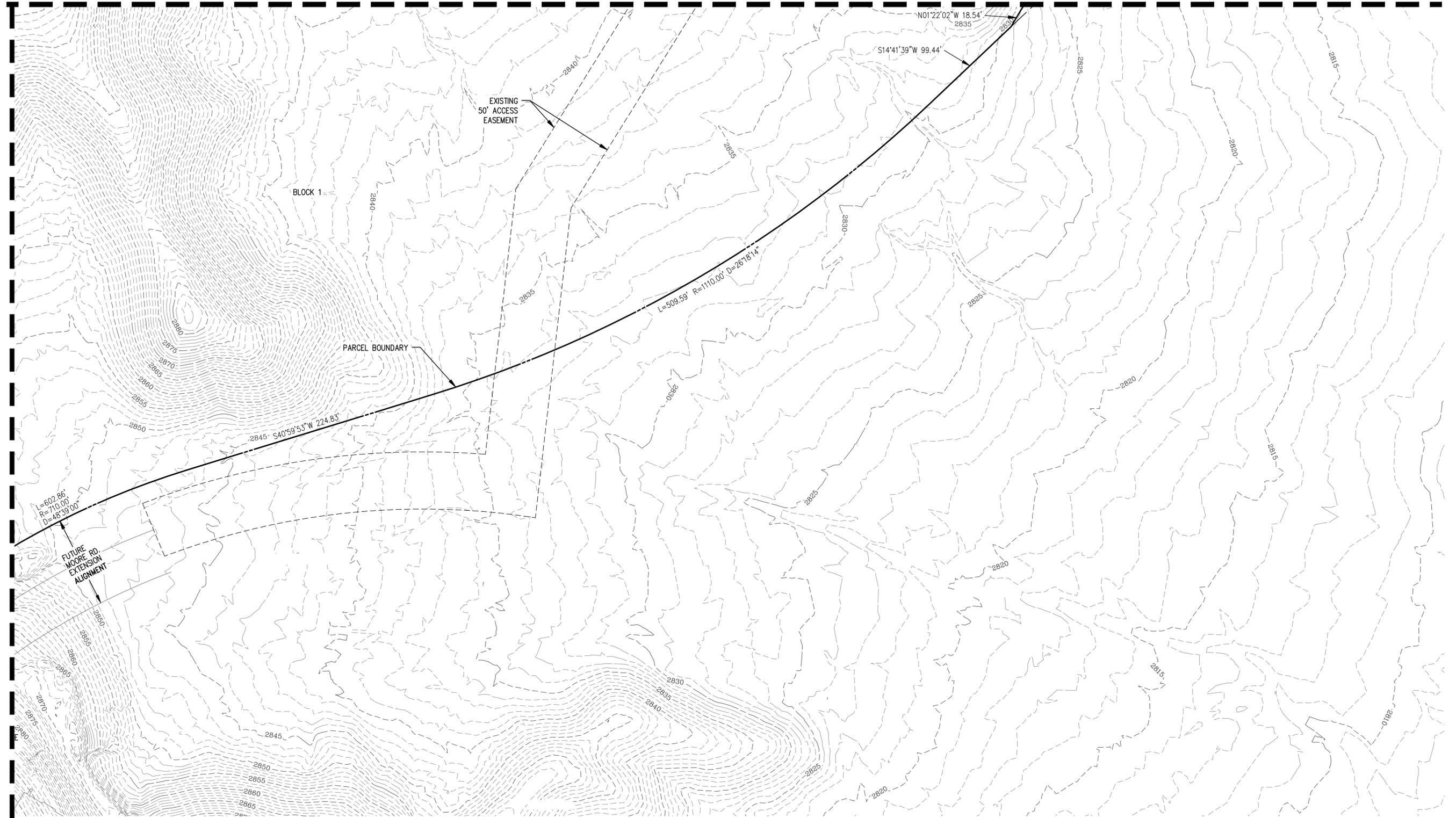
MAY 2015  
WLB NO. 185050-MT03  
CONTOUR INTERVAL: 1'

EXPIRES 09-30-17

REF. CASE #0V114-001  
SHEET 5 OF 7

MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 5



OV1214-31  
CONCEPTUAL SITE PLAN

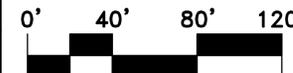
FOR  
RANCHO VISTOSO PARCEL 5F

LOTS 1-119, BLOCK 1, AND COMMON AREAS "A" THROUGH "C"

BEING A PORTION OF SECTION 25  
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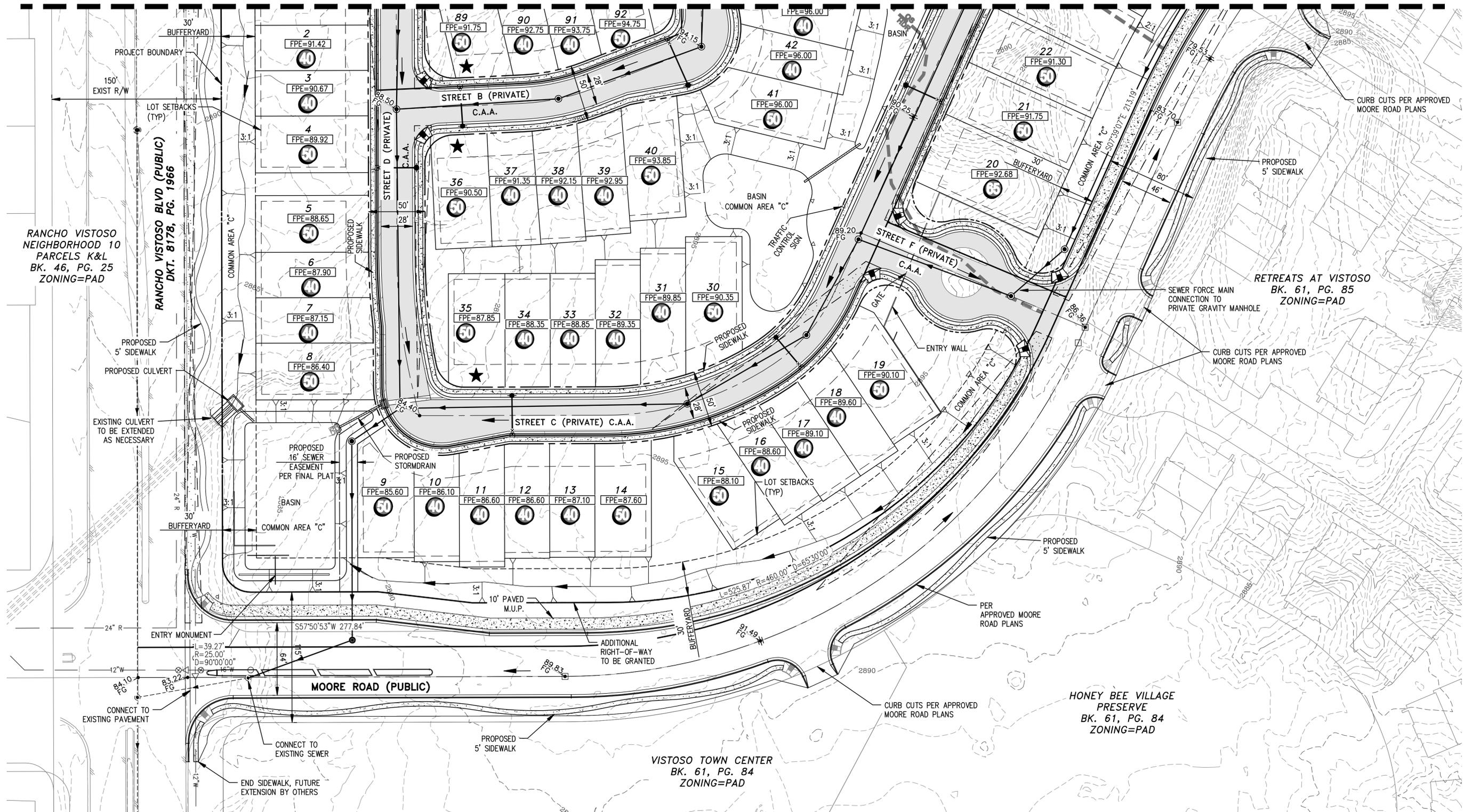
EXPIRES 09-30-17

MAY 2015  
WLB NO. 185050-MT03  
CONTOUR INTERVAL: 1'

REF. CASE #OV114-001

SHEET 6 OF 7

MATCHLINE SEE SHEET 5



RANCHO VISTOSO NEIGHBORHOOD 10 PARCELS K&L BK. 46, PG. 25 ZONING=PAD

RANCHO VISTOSO BLVD (PUBLIC) DKT. 8178, PG. 1966

RETREATS AT VISTOSO BK. 61, PG. 85 ZONING=PAD

HONEY BEE VILLAGE PRESERVE BK. 61, PG. 84 ZONING=PAD

VISTOSO TOWN CENTER BK. 61, PG. 84 ZONING=PAD

OV1214-31  
CONCEPTUAL SITE PLAN  
FOR  
RANCHO VISTOSO PARCEL 5F  
LOTS 1-119, BLOCK 1, AND COMMON AREAS "A" THROUGH "C"

BEING A PORTION OF SECTION 25  
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
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MAY 2015  
WLB NO. 185050-MT03  
CONTOUR INTERVAL: 1'

# CONCEPTUAL LANDSCAPE PLAN

## RANCHO VISTOSO PARCEL 5F

### LOTS 1-119, BLOCK 1, AND COMMON AREAS "A" THROUGH "C"

#### OV1214-31

#### GENERAL NOTES

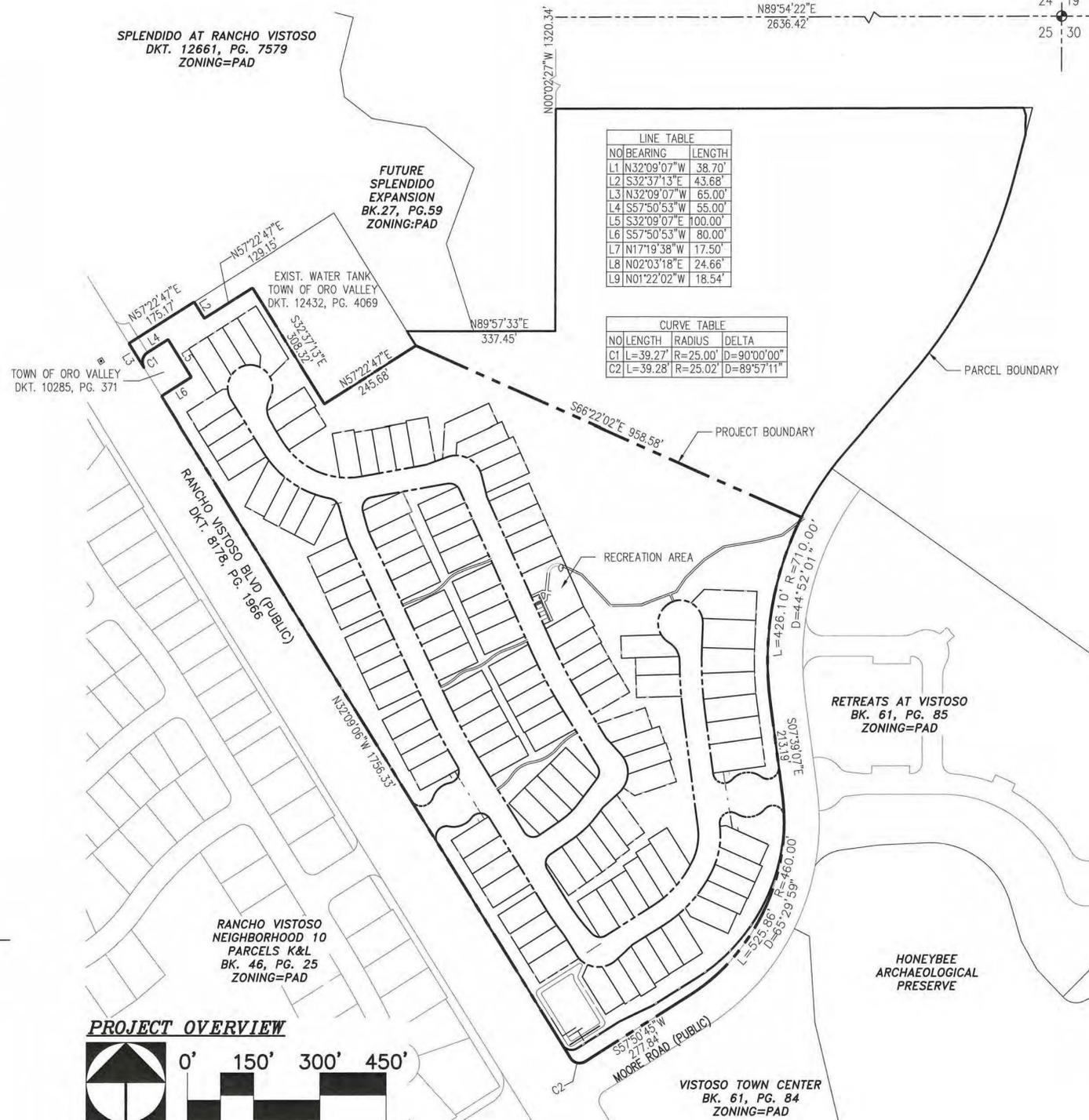
1. THE GROSS AREA OF THIS DEVELOPMENT IS 30.5 ACRES
2. TOTAL GRADED AREA IS 25.3 ± ACRES
3. TOTAL UNDISTURBED AREA = 5.2 ± ACRES
4. TOTAL AREA OF OPEN SPACE REQUIRED = 3.05 ACRES
5. TOTAL AREA OF LANDSCAPED COMMON AREA = 4.16 ACRES
6. SETBACKS REQUIRED/PROVIDED (FRONT = 20'/15'; SIDE = 5'/0'; REAR = 5').
7. COMMON AREAS / OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE H.O.A.
8. EXISTING ZONING IS RANCH VISTOSO PAD HIGH DENSITY RESIDENTIAL & PAD OPEN SPACE
9. LANDSCAPE BUFFERYARD: BUFFERYARD "B" IS REQUIRED AND PROVIDED AS FOLLOWS: NORTH: 15' AND 40' NATURAL, WEST: 30', SOUTH: 30', EAST: 40' NATURAL.
10. ASSURANCES FOR LANDSCAPING AND RE-VEGETATION BONDS MUST BE POSTED PRIOR TO ISSUANCE OF GRADING PERMITS.
11. PROPERTY OWNER SHALL MAINTAIN BUFFERYARD PLANTINGS TO ENSURE UNOBSTRUCTED VISIBILITY TO MOTORISTS. ALL SHRUBS, ACCENTS, AND GROUNDCOVERS SHALL NOT EXCEED THIRTY (30) INCHES IN HEIGHT WITHIN SITE VISIBILITY TRIANGLES. TREES WITHIN SITE VISIBILITY TRIANGLES WILL BE MAINTAINED TO ENSURE THAT BRANCHES / FOLIAGE ARE NOT BELOW A HEIGHT OF SIX (6) FEET.
12. IN THE EVENT OF ABANDONMENT OF THE SITE AFTER GRADING / DISTURBANCE OF NATURAL AREAS, DISTURBED AREAS SHALL BE RE-VEGETATED WITH A NON-IRRIGATED HYDRO SEED MIX FROM OVZCR ADDENDUM D: APPROVED REVEGETATION SEED MIX.
13. ALL PLANT MATERIAL SHALL MEET THE MINIMUM STANDARDS CONTAINED IN THE CURRENT EDITIONS OF THE ARIZONA NURSERY ASSOCIATION'S GROWERS COMMITTEE RECOMMENDED TREE SPECIFICATIONS AND THE AMERICAN ASSOCIATION OF NURSERYMEN AS TO SIZE, CONDITION AND APPEARANCE.
14. PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING THE TEMPORARY IRRIGATION SYSTEM AS LONG AS NECESSARY IN ORDER TO TRANSITION PLANTS OVER TO NATURAL SOURCES. ANY PLANT MATERIALS THAT DIE IN TRANSITION, FOR ANY REASONS, SHALL BE REPLACED IN ACCORDANCE WITH SECTION 27.6.E.4., MAINTENANCE.
15. MATERIALS WITHIN SIGHT VISIBILITY TRIANGLES MUST BE PLACED SO AS NOT TO INTERFERE WITH A VISIBILITY PLANE DESCRIBED BY TWO HORIZONTAL LINES LOCATED THIRTY (30) INCHES AND SEVENTY TWO (72) INCHES ABOVE FINISHED GRADE OF THE ROADWAY SURFACE.
16. LANDSCAPE SHALL CONFORM TO ORO VALLEY LANDSCAPE CODE.
17. MITIGATION OF SURVEYED PLANTS IN THE NATIVE PLANT PRESERVATION PLAN WILL BE INCORPORATED INTO THE LANDSCAPE DESIGN.
18. TREE AND SHRUB LOCATIONS ARE PRELIMINARY.
19. ALL PLANTS TO BE IRRIGATED WITH AN UNDERGROUND AUTOMATIC DRIP IRRIGATION SYSTEM.
20. HYDROSEED ALL AREAS DISTURBED BY GRADING OPERATIONS AROUND LOTS AND ALONG ROADS. DECOMPOSED GRANITE SHALL BE PLACED AT ENTRIES.
21. LANDSCAPE AREAS THAT ARE SUSCEPTIBLE TO DAMAGE BY PEDESTRIAN OR AUTO TRAFFIC SHALL BE PROTECTED BY CURBS, TREE GUARDS OR OTHER DEVICES.
22. LANDSCAPE SHALL BE DESIGNED TO MINIMIZE SEDIMENT, SAND AND GRAVEL BEING CARRIED INTO THE STREETS BY STORM WATER OR OTHER RUNOFF.
23. LANDSCAPE DESIGN ENABLES ADEQUATE PLANT SPACING TO ENSURE SURVIVABILITY AT PLANT MATURITY.
24. ALL LANDSCAPED AREAS ARE TO BE FINISHED WITH A NATURAL TOPPING OF AT LEAST TWO (2) INCHES IN DEPTH.
25. TREES AND LARGE SHRUBS SHALL BE ADEQUATELY SUPPORTED WHEN PLANTED
26. ANY SPADED OR BOXED TREE TRANSPLANTED ON SITE THAT DIES DUE TO NEGLECT OR LACK OF MAINTENANCE SHALL BE REPLACED WITH THE SAME SIZE AND SPECIES OF THE ORIGINAL SALVAGED TREE, AS REQUIRED BY THE SALVAGE PLAN.
27. THE LIMITS OF GRADING SHALL BE STAKED IN THE FIELD, IN ACCORDANCE WITH SECTION 27.6.B.7.c.ii. DISTURBANCE OUTSIDE THE APPROVED GRADING LIMITS SHALL NOT BE PERMITTED.
28. THE DEVELOPER SHALL REPLACE REMOVED OR DAMAGED PLANT MATERIALS WITH LIKE SIZE AND SPECIES, AND SHALL MAINTAIN AND GUARANTEE THE REPLACEMENT PLANT MATERIALS FOR A PERIOD OF THREE (3) YEARS.
29. NO SALVAGE OF PLANTS REGULATED BY THE ENDANGERED SPECIES ACT AND/OR THE ARIZONA NATIVE PLANT LAW MAY OCCUR WITHOUT THE ISSUANCE OF THE APPROPRIATE PERMIT BY THE STATE DEPARTMENT OF AGRICULTURE.

#### BUFFERYARD NOTES

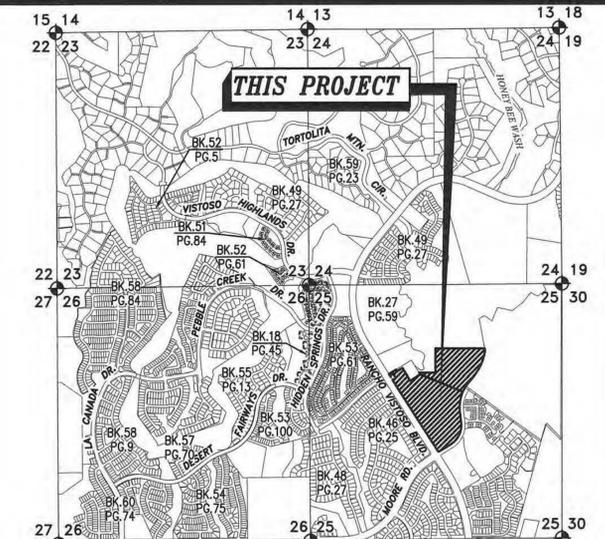
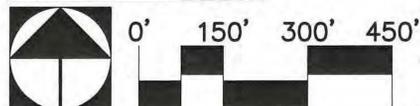
1. BUFFERYARDS ARE BASED ON REQUIREMENTS OF OVZCR BUFFERYARD TABLE 27-7.
2. RANCHO VISTOSO BOULEVARD IS CLASSIFIED AS AN ARTERIAL STREET

#### SIGHT VISIBILITY TRIANGLE (SVT) TABLE

	POSTED SPEED	NEAR SIDE (FT)	FAR SIDE (FT)
RESIDENTIAL STREET	25	240	190
SPINE ROAD (MOORE)	35	380	300
ARTERIAL ROAD (R.V.BLVD.)	45	600	470



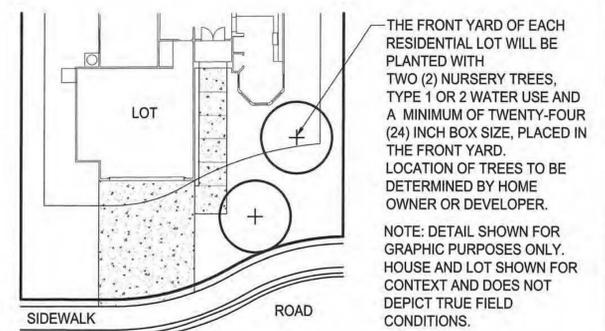
#### PROJECT OVERVIEW



3" = 1 MILE

**LEGEND**

- EXIST. MAJOR CONTOUR
- EXIST. MINOR CONTOUR
- PARCEL BOUNDARY
- DEVELOPMENT / PROJECT BOUNDARY
- OPEN SPACE BOUNDARY
- PROPOSED LOT LINE
- EXIST. PAVEMENT
- PROPOSED CURB
- EXISTING EASEMENT LINE
- SECTION CORNER OR 1/4 SECTION CORNER
- STORMDRAIN AND HEADWALL WITH RIPRAP
- EXISTING CULVERT
- PROPOSED CULVERT
- PROPOSED CONCRETE SIDEWALK
- SIGHT VISIBILITY TRIANGLE



**OV1214-31**  
**CONCEPTUAL LANDSCAPE PLAN**  
FOR  
**RANCHO VISTOSO PARCEL 5F**  
LOTS 1-119, BLOCK 1 AND COMMON AREAS "A" THROUGH "C"

BEING A PORTION OF SECTION 25  
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

MAY 2015  
WLB NO. 185050-MT04  
CONTOUR INTERVAL: 1'

REF. CASE #OV114-001  
**SHEET 1 OF 7**

**OWNER/DEVELOPER**  
MATTAMY TUCSON, LLC  
6640 N.ORACLE ROAD  
TUCSON, AZ 85704  
(520) 297-6846  
ATTN: RYAN HUFFMAN  
ryan.huffman@mattamyhomes.com

**LANDSCAPE ARCHITECT**  
THE WLB GROUP, INC.  
4444 E. BROADWAY BLVD.  
TUCSON, AZ 85711  
(520) 881-7480  
ATTN: GARY GRIZZLE  
ggrizzle@wlbgroup.com

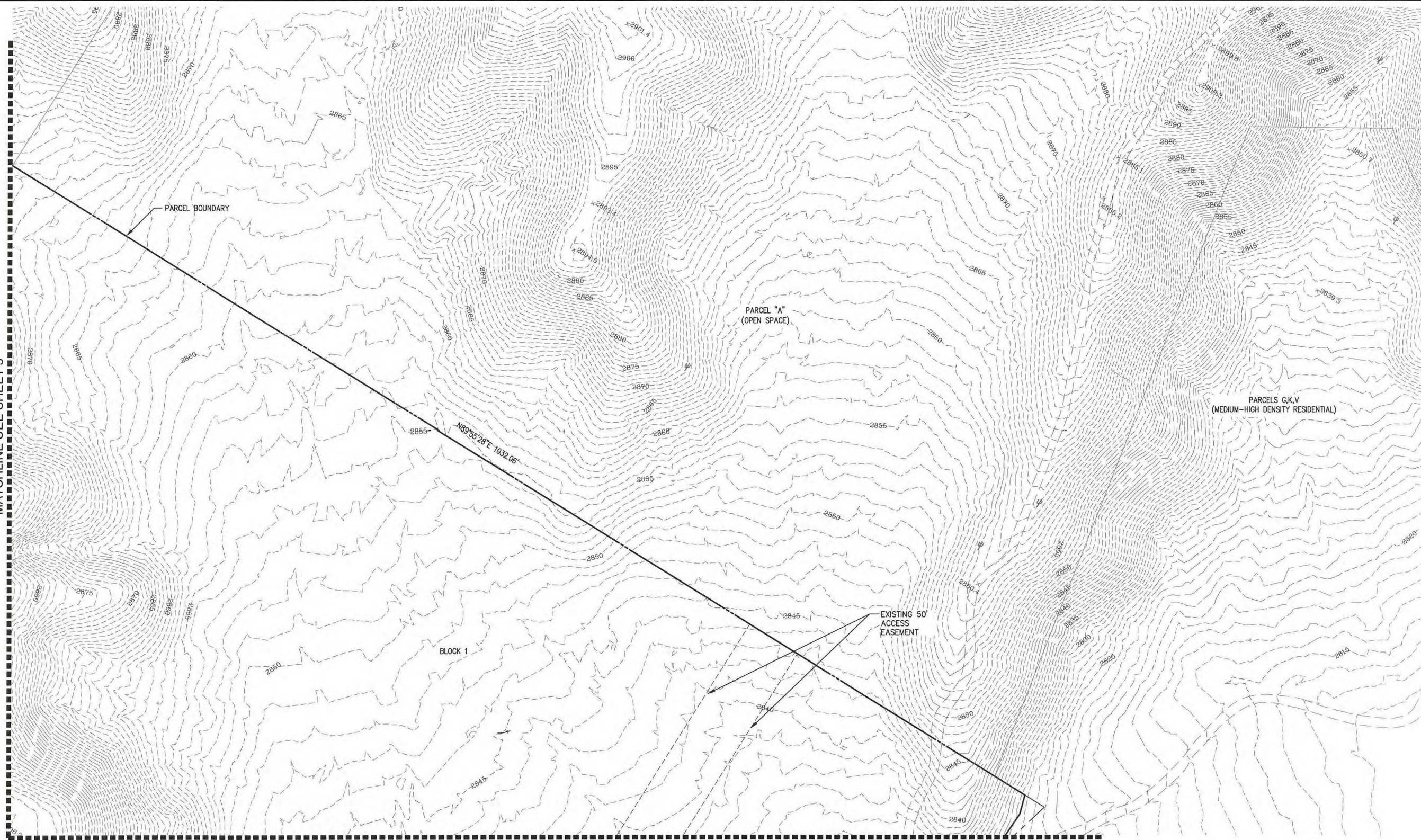
**SHEET INDEX**  
SHEET 1..... COVER SHEET  
SHEETS 2-7..... CONCEPTUAL LANDSCAPE PLAN







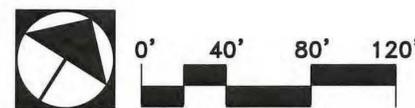
MATCHLINE SEE SHEET 3



MATCHLINE SEE SHEET 6

**CONCEPTUAL PLANTING LEGEND**

-  TREES
-  SHRUBS / GROUNDCOVER
-  ACCENTS



**OV1214-31**  
**CONCEPTUAL LANDSCAPE PLAN**  
 FOR  
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 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

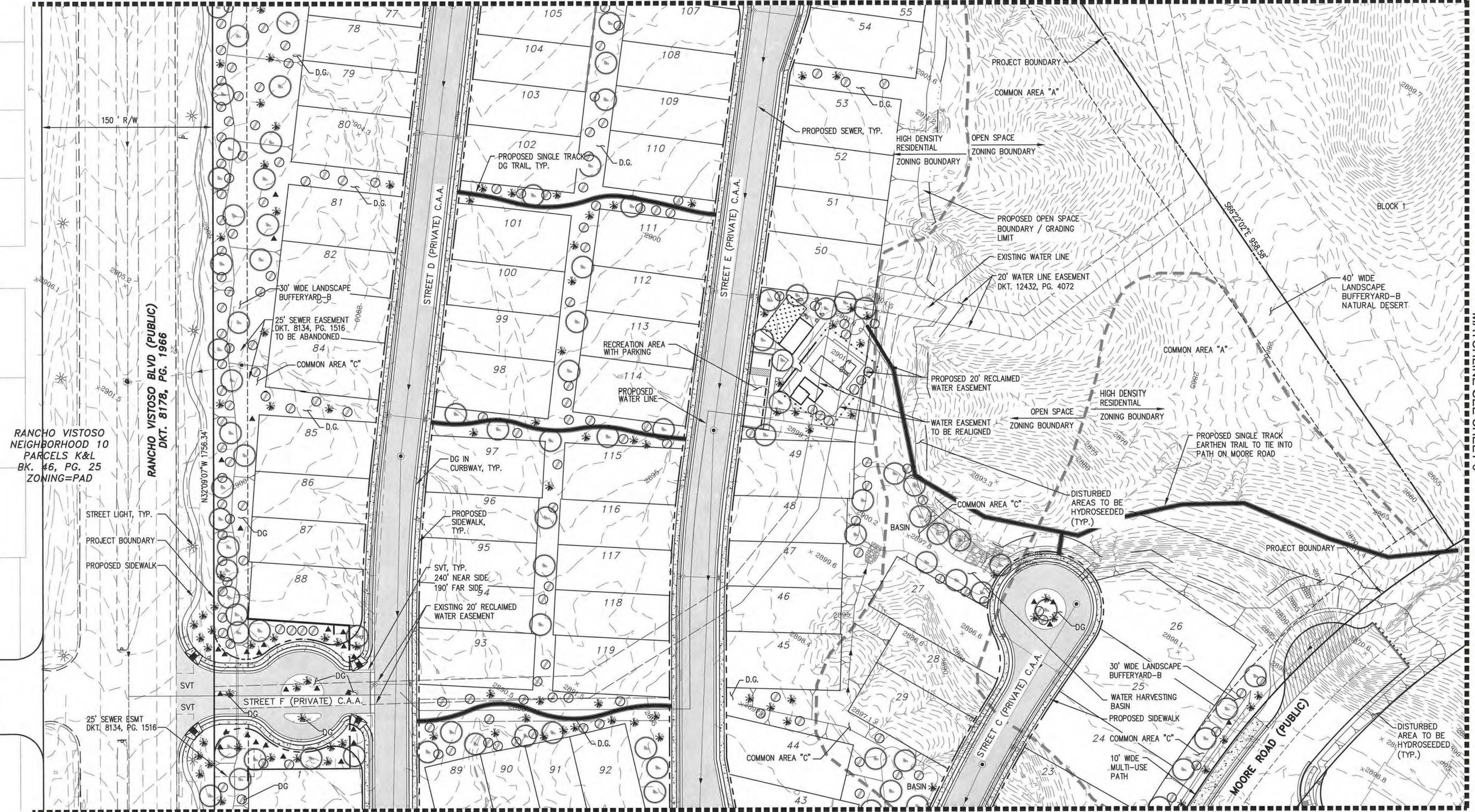
MAY 2015  
 WLB NO. 185050-MT04  
 CONTOUR INTERVAL: 1'

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**SHEET 4 OF 7**



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MATCHLINE SEE SHEET 3



RANCHO VISTOSO NEIGHBORHOOD 10 PARCELS K&L BK. 46, PG. 25 ZONING=PAD

RANCHO VISTOSO BLVD (PUBLIC) DKT. 8178, PG. 1966

STREET LIGHT, TYP. PROJECT BOUNDARY PROPOSED SIDEWALK

25' SEWER ESMT DKT. 8134, PG. 1516

STREET D (PRIVATE) C.A.A.

STREET E (PRIVATE) C.A.A.

STREET F (PRIVATE) C.A.A.

PROJECT BOUNDARY

COMMON AREA "A"

PROPOSED SEWER, TYP.

HIGH DENSITY RESIDENTIAL ZONING BOUNDARY

OPEN SPACE ZONING BOUNDARY

PROPOSED OPEN SPACE BOUNDARY / GRADING LIMIT

EXISTING WATER LINE

20' WATER LINE EASEMENT DKT. 12432, PG. 4072

COMMON AREA "A"

PROPOSED 20' RECLAIMED WATER EASEMENT

OPEN SPACE ZONING BOUNDARY

HIGH DENSITY RESIDENTIAL ZONING BOUNDARY

WATER EASEMENT TO BE REALIGNED

COMMON AREA "C"

DISTURBED AREAS TO BE HYDROSEED (TYP.)

PROPOSED SINGLE TRACK EARTHEN TRAIL TO TIE INTO PATH ON MOORE ROAD

PROJECT BOUNDARY

COMMON AREA "C"

BASIN

COMMON AREA "C"

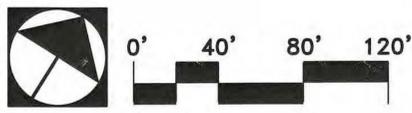
MATCHLINE SEE SHEET 7

MATCHLINE SEE SHEET 6

FRONT YARD TREES ARE INDICATED ON THE COVER SHEET

CONCEPTUAL PLANTING LEGEND

- TREES
- SHRUBS / GROUND COVER
- ACCENTS



OV1214-31  
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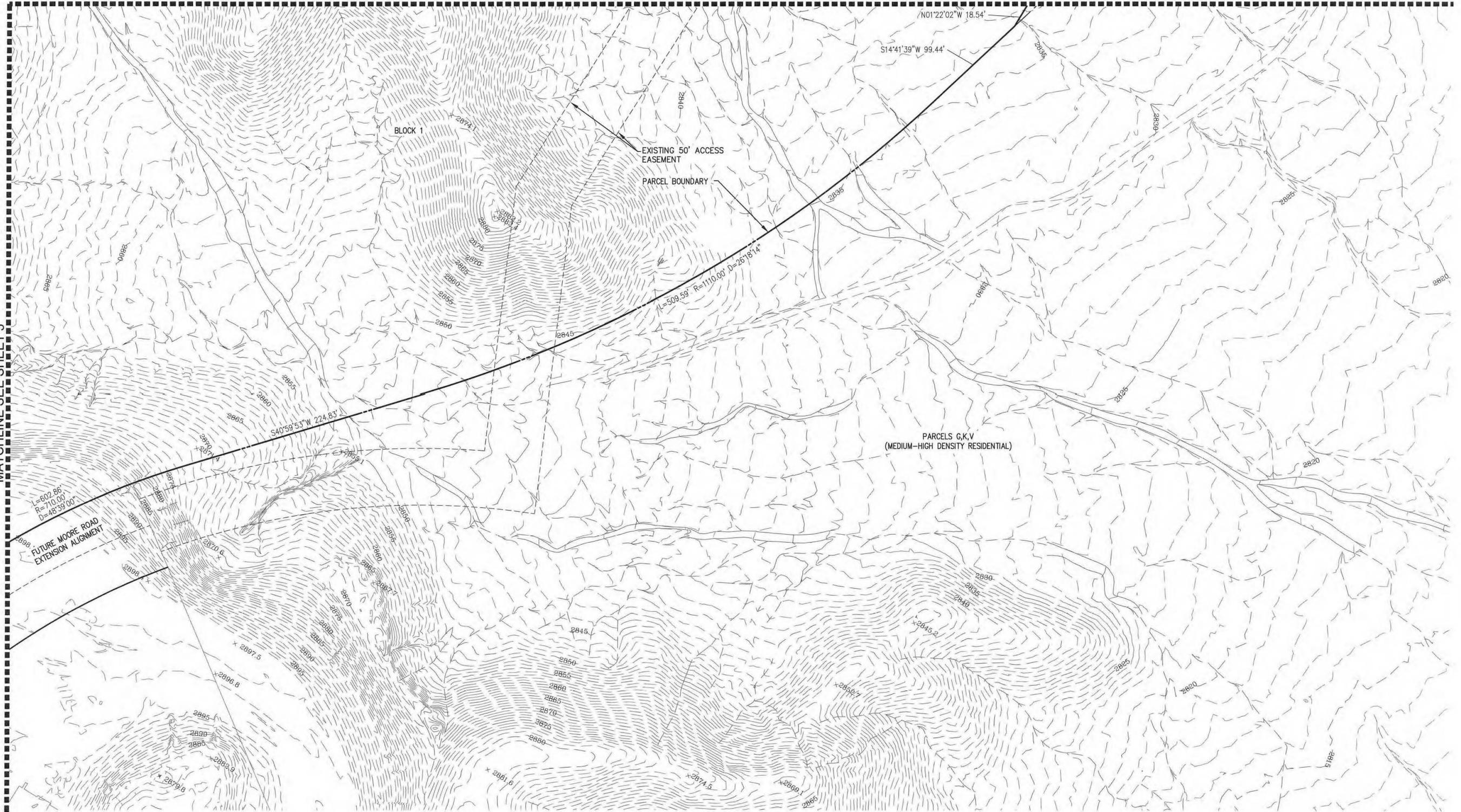
REF. CASE #OV114-001  
**SHEET 5 OF 7**

N:\185050\ENGINEERING\MATT\AM\1505 Option 2\CLP\F-CLP-05.dwg Plotter: May 08, 2015 - 10:38am

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MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 5



**CONCEPTUAL PLANTING LEGEND**

-  TREES
-  SHRUBS / GROUNDCOVER
-  ACCENTS



**OV1214-31**  
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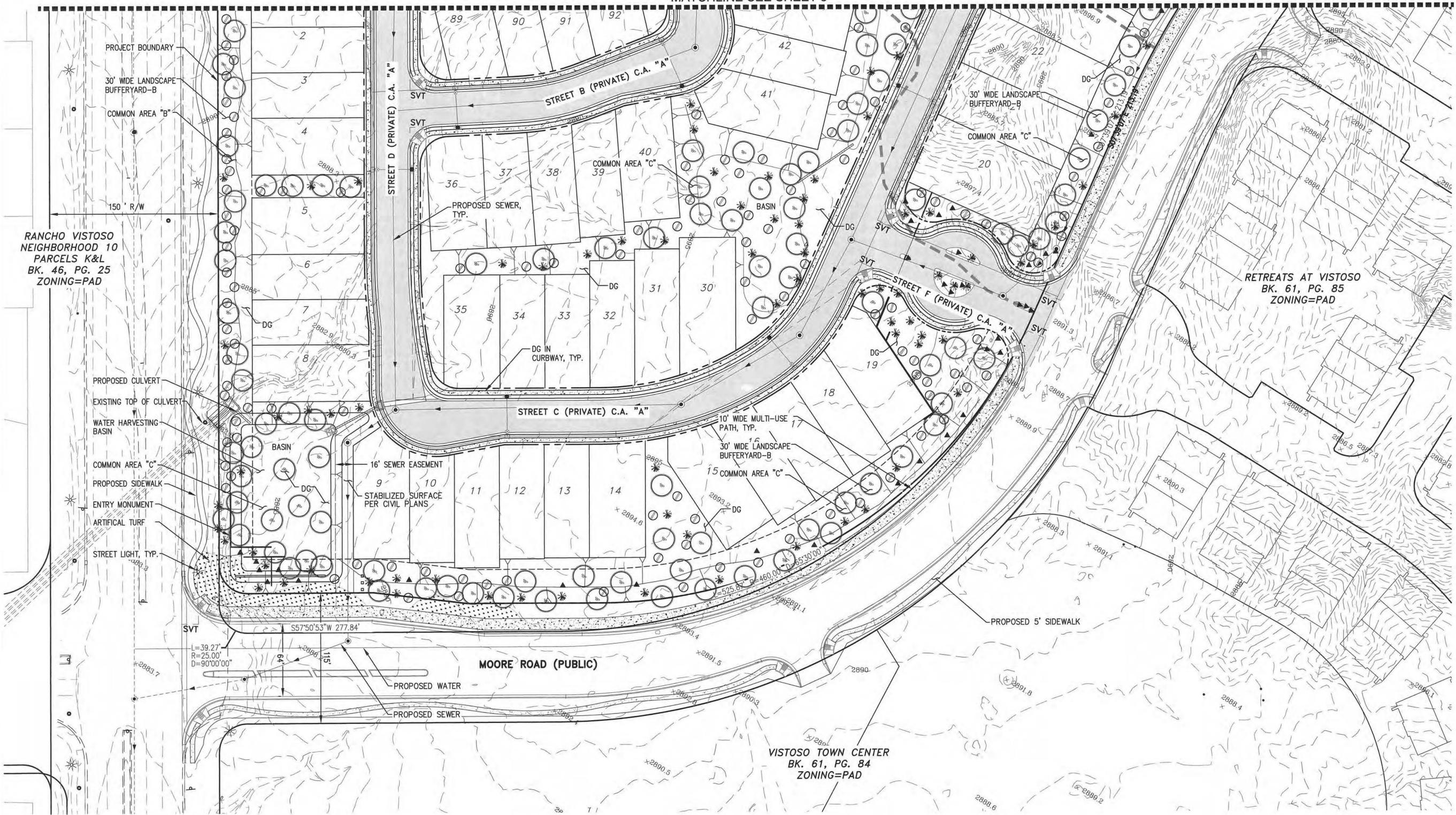
REF. CASE #OV114-001  
**SHEET 6 OF 7**

N:\185050\NEIGH5\WLB\MATT\MYGF Option 2\CLIP5E-CLIP-06.dwg Picked: May 08, 2015 - 9:41am

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 Tucson, Arizona (520) 881-7480

MATCHLINE SEE SHEET 5

PROJECT BOUNDARY  
30' WIDE LANDSCAPE  
BUFFERYARD-B  
COMMON AREA "B"  
150' R/W  
RANCHO VISTOSO  
NEIGHBORHOOD 10  
PARCELS K&L  
BK. 46, PG. 25  
ZONING=PAD



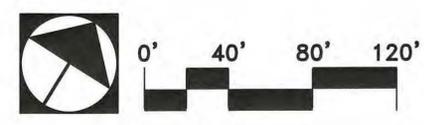
RETREATS AT VISTOSO  
BK. 61, PG. 85  
ZONING=PAD

VISTOSO TOWN CENTER  
BK. 61, PG. 84  
ZONING=PAD

**CONCEPTUAL PLANTING LEGEND**

- TREES
- SHRUBS / GROUNDCOVER
- ACCENTS

**FRONT YARD TREES ARE  
INDICATED ON THE COVER SHEET**



**OV1214-31  
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LOTS 1-119, BLOCK 1 AND COMMON AREAS "A" THROUGH "C"**

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CONTOUR INTERVAL: 1'

REF. CASE #OV114-001  
**SHEET 7 OF 7**

N:\185050\NEIGHBORHOOD10\MATT\MY5F\Option 2\CLP\5F-CLP-07.dwg Plotted: May 08, 2015 - 10:40am

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 Tucson, Arizona (520) 881-7480



## Conceptual Site Plan Conceptual Design Review Board Staff Report

---

**CASE NUMBER:** OV1214-31 Mattamy Homes  
**MEETING DATE:** June 9, 2015  
**AGENDA ITEM:** 4  
**STAFF CONTACT:** Michael Spaeth, Senior Planner  
[mspaeth@orovalleyaz.gov](mailto:mspaeth@orovalleyaz.gov) (520) 229-4812

---

**Applicant:** Paul Oland, The WLB Group Inc  
**Request:** **Conceptual Site Plan and Landscape Plan for 119-lot single family residential development**  
**Location:** Northeast corner of Rancho Vistoso Boulevard and Moore Road.  
**Recommendation:** Recommend approval of requested Conceptual Site Plan and Landscape Plan subject to the conditions listed in Attachment 1.

---

### **SUMMARY:**

The applicant's request (Attachment 2) is to develop an approximately 48-acre property into a 119 single-family lots. The Conceptual Design Review Board review is focused on the fundamental elements of the Conceptual Site Plan and Landscape Plan, including site layout, drainage/grading and pedestrian and vehicular connectivity.

The Conceptual Site Plan and Landscape Plan conforms with the Rancho Vistoso Planned Area Development and, where applicable, the Conceptual Design Principles and Design Standards of the Zoning Code, subject to the conditions listed in Attachment 1.

The applicant is concurrently requesting a Minor General Plan Amendment and Planned Area Development (PAD) Amendment for a 4.2-acre open space trade and revision to a previously approved recreation area condition of approval that will be considered by the Planning and Zoning Commission and Town Council.

### **BACKGROUND/DETAILED INFORMATION:**

#### Current Site Conditions

- The property encompasses approximately 48 acres
- Currently vacant
- Located in Rancho Vistoso Neighborhood 5

---

The Existing Land Use, General Plan and Zoning for the property and the surrounding area is depicted in Attachments 3, 4 and 5 respectively.

Approvals to Date

- The subject property was part of the original Rancho Vistoso PAD established in 1987.
  - A Minor General Plan Amendment and PAD Amendment for a proposed 4.2-acre open space trade will be considered by the Planning and Zoning Commission on June 2<sup>nd</sup>.
  - There have been no site plan related approvals to date on the subject property.
- 

**DISCUSSION / ANALYSIS:**

Conceptual Site Plan and Landscape Plan

The applicant's proposal (Attachment 2) depicts 119 single-family residential lots on approximately 48 acres with lot sizes ranging from 4,000 sq. ft. to 6,500 sq. ft. The proposed homes are an attached single-family product with no more than 4 homes attached to one another. Additional discussion of the proposed Conceptual Site Plan is provided in Attachment 6.

Rancho Vistoso PAD, Zoning Code Design Principles and Design Standards Analysis

The applicant's proposal has been reviewed for conformance with the Rancho Vistoso PAD Design Standards and the Town of Oro Valley Zoning Code including the Conceptual Design Principles and Design Standards. Each is utilized as primary evaluation criteria for staff and CDRB evaluation of the application. The Addendum "A" Design Standards are used as secondary guidance, as appropriate. A discussion and analysis of the projects conformance with each is provided in Attachment 7.

The Conceptual Landscape Plan has been reviewed for conformance with the applicable Rancho Vistoso PAD and Zoning Code requirements. The Conceptual Landscape Plan includes landscaped entries with separated ingress and egress lanes, as well as landscaping in all common areas. The proposal incorporates walking trails within the linear landscaped common areas throughout the subdivision and a small recreation area with pool, Ramada, picnic tables and barbeques.

Engineering Comments

*Traffic*

The proposed development will be served by an extension of Moore Road. The Moore Road section will consist of one travel lane in each direction, with a raised median and dedicated left turn lanes. Bike lanes and sidewalks will also be provided. An additional access to the development will be provided on Rancho Vistoso Boulevard, north of the intersection of Rancho Vistoso Boulevard and Moore Road. This development is similar to the other

developments within Rancho Vistoso and will not generate traffic that is uncharacteristic of the area. The existing roadway network within Rancho Vistoso and the surrounding areas have existing capacity to accommodate the anticipated traffic volume.

*Drainage*

Existing storm water runoff flows through the site in a southerly direction. The drainage system for the proposed development will be designed to meet the Town's Drainage Criteria Manual and Floodplain Ordinance requirements. Storm water runoff will be conveyed by drainage channels, storm drains, culverts, and basins throughout the development. Post-developed discharges will be reduced to pre-developed discharges to mimic existing conditions.

*Grading*

A Type 2 Grading Permit is required to construct the utilities, street, and any other structures requiring grading on the project site. The grading represented within the Conceptual Site Plan conforms to the requirements of the Rancho Vistoso PAD and applicable sections of the Town's Zoning Code (Section 27.9) as well as the Town's Subdivision Street Standards.

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**PUBLIC PARTICIPATION:**

Neighborhood Meetings

Two neighborhood meetings were held on September 15, 2014 and April 6, 2015 regarding the applicant's proposal. Approximately 15 to 20 residents attended each meeting. The primary topics discussed during the meetings included:

- Building Height
- Compatibility
- Traffic

A copy of the neighborhood meeting minutes have been provided in Attachment 8 and an analysis of how the applicant has addressed the neighborhood meeting topics listed above is provided in Attachment 9.

No additional correspondence has been received by staff.

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**CONCLUSION/RECOMMENDATION:**

Based on the following findings:

- The request is in conformance with the Rancho Vistoso Planned Area Development
- The request is consistent with the Oro Valley Design Principles and applicable Design Standards,

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**Recommend approval to Town Council of the Mattamy Homes Conceptual Site Plan and Landscape Plan, subject to the conditions on Attachment 1.**

---

**SUGGESTED MOTIONS:**

I move to recommend approval of the Mattamy Homes Conceptual Site Plan and Landscape Plan, based on the findings that in the staff report, subject to the conditions on Attachment 1.

OR

I move to recommend denial of the Mattamy Homes Conceptual Site Plan and Landscape Plan finding that \_\_\_\_\_.

---

**ATTACHMENTS:**

1. Conditions of Approval
2. Conceptual Site Plan and Landscape Plan
3. Location Map
4. General Plan Map
5. Zoning Map
6. Conceptual Site Plan and Landscape Plan Summary
7. Rancho Vistoso PAD, Design Principles and Design Standards Analysis
8. Neighborhood Meeting Summary
9. Neighborhood Meeting Topics Analysis

---

Bayer Vella, Planning Manager

**DRAFT MINUTES  
ORO VALLEY CONCEPTUAL DESIGN REVIEW BOARD  
REGULAR SESSION  
JUNE 9, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CAÑADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Chairman Eggerding called the meeting to order at 6:00 pm.

**ROLL CALL**

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

**ABSENT:** None

**ALSO PRESENT:**

Chief Civil Deputy Attorney Joe Andrews  
Vice Mayor Lou Waters  
Permitting Manager David Laws  
Principal Planner Chad Daines

**4. DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN APPROVAL FOR A 119-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD, OV1214-31**

Chad Daines, Principal Planner, presented the following information:

Purpose  
Subject Property  
Conceptual Site Plan

Conceptual Landscape plan  
Trails  
Public Participation  
Summary and Recommendation

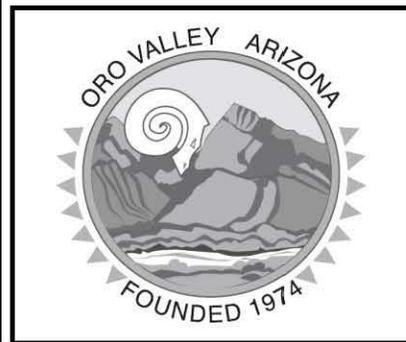
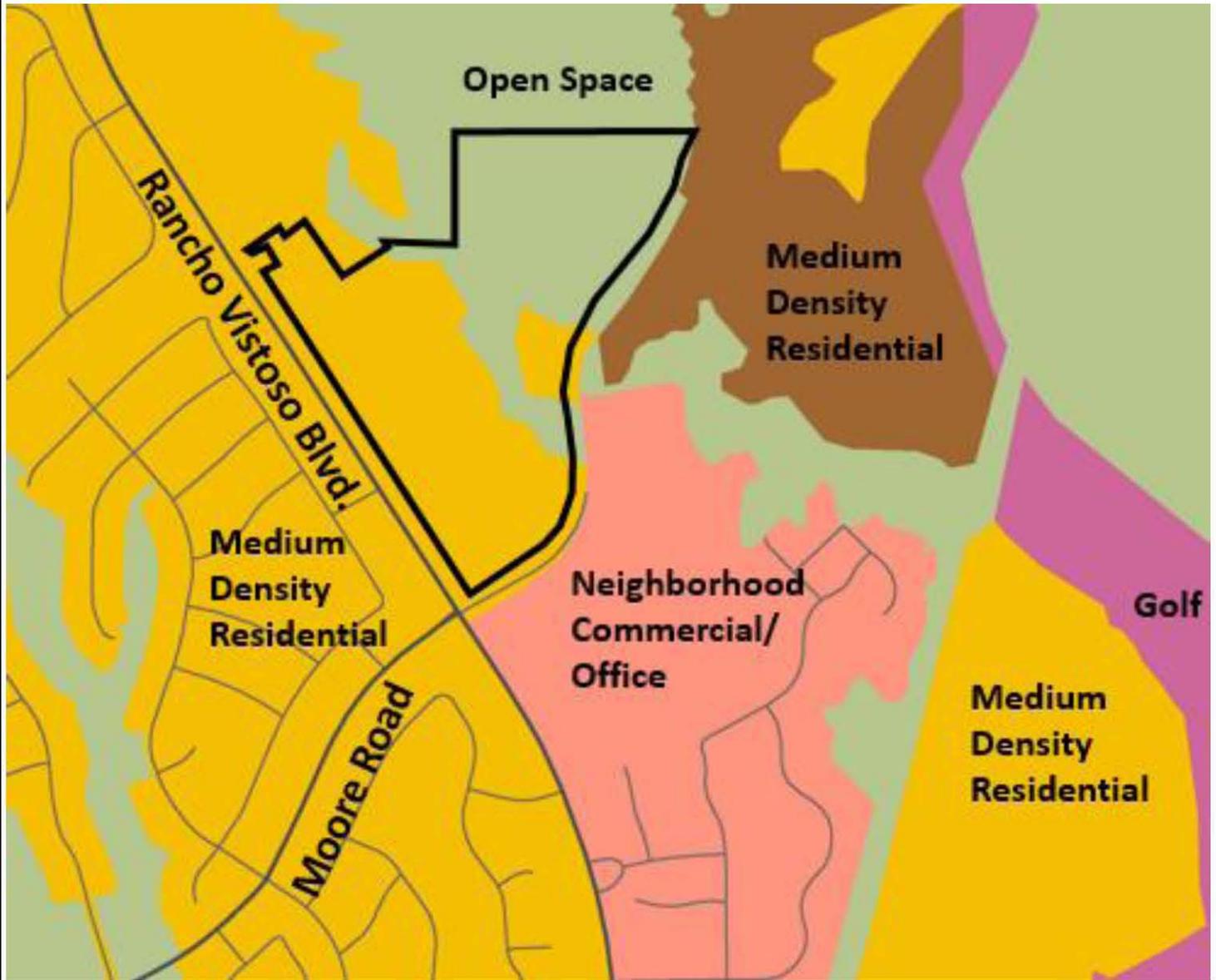
Paul Oland, WLB, representing Mattamy Homes, reviewed the elements of the site plan, including the open space, buffers and common areas within the community. Mr. Oland provided clarification regarding the entries into the development and images of the proposed town homes and entry gate.

**MOTION:** A motion was made by Nathan Basken, Member and seconded by Kit Donley, Member to approve

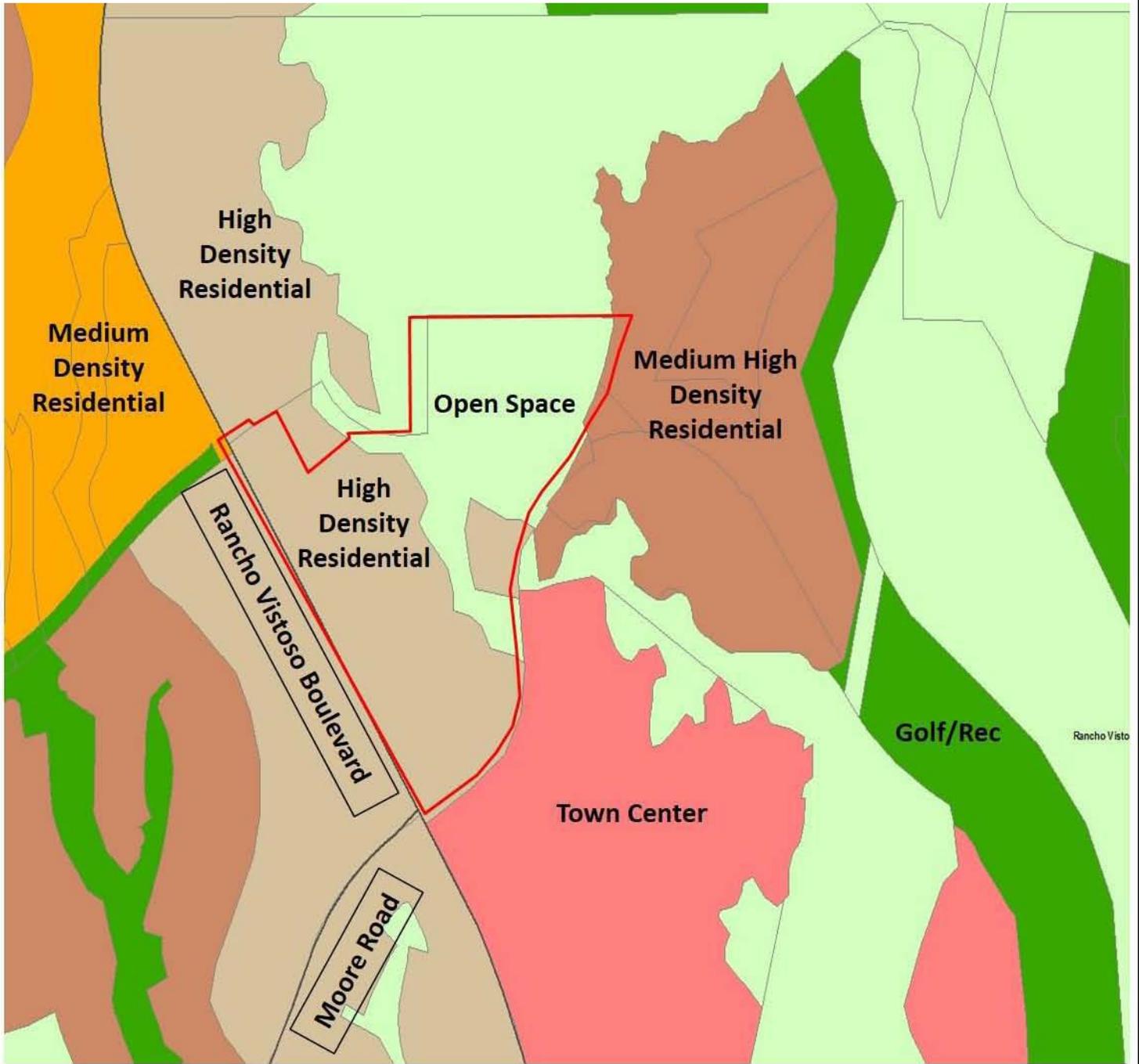
**MOTION** carried, 7-0.



**SUBJECT PROPERTY MAP**  
RANCHO VISTOSO AND MOORE ROAD  
(OV1214-31)



**GENERAL PLAN MAP**  
 RANCHO VISTOSO AND MOORE ROAD  
 (OV1214-31)



# ZONING MAP

## RANCHO VISTOSO AND MOORE ROAD

(OV1214-31)

**Attachment 8  
Mattamy Homes  
Conceptual Site Plan and Landscape Plan Summary and Analysis**

Conceptual Site Plan and Landscape Plan

The subject property is zoned Rancho Vistoso PAD High Density Residential (HDR) and Open Space (OS) as indicated in Attachment 5. The HDR Zoning District permits detached single-family dwelling units. As discussed, the Rancho Vistoso development standards are used as the primary evaluative tool for determining compliance. However, where the Rancho Vistoso development standards are silent, several development standards are derived from the Oro Valley Zoning Code.

The applicant's request (Attachment 2) is to develop 119 single-family lots on approximately 48 acres. The applicant's proposal is for attached single-family residential units. The project details have been provided in the table below:

<b>Total Lots</b>	119
<b>Density (du/ac)</b>	2.48 du/ac
<b>Building Heights</b>	30'
<b>Minimum Lot Size</b>	4,000 sq. ft.
<b>Open Space</b>	22 acres (46%)

The High Density Residential (HDR) Zoning District requires a minimum of 30% of the site to be preserved as open space. The applicant's proposal provides approximately 46% open space and is consistent with this requirement

The Conceptual Site Plan proposes building heights consistent with the Rancho Vistoso PAD Design Standards which permit a maximum building height of 34'. The Rancho Vistoso PAD allows the Planning and Zoning Administrator to permit non-substantial changes that do not change the intent of the PAD. An Administrative Decision has been approved by the Planning and Zoning Administrator to allow front setback reductions to no less than 15' when a minimum 20' is provided for parking larger vehicles. The reduced setback will further another PAD objective for varied streetscapes. The modified setbacks are summarized below:

<b>Front</b>	15'
<b>Side</b>	5'
<b>Rear</b>	5'

There are two points of ingress/egress; one at the southern end of the property providing access onto Moore Road, and a second at the western property line providing access to Rancho Vistoso Boulevard. The subdivision will be gated once complete. The

proposed subdivision incorporates sidewalks on both sides of the street as well as walking trails within the linear common areas within the subdivision.

#### Minor General Plan Amendment/PAD Amendment

Concurrent with this request, additional applications have been filed for a proposed Minor General Plan Amendment and Planned Area Development Amendment.

These applications are further discussed under a separate Town Council agenda item. These applications require the applicant to provide an amount equal to the required recreation area and amenities, as required by Section 26.5, in a performance bond to contribute to the construction of the future Rancho Vistoso Neighborhood 5 community park. A condition has been added in Attachment 1 to add a General Note on the Conceptual Site Plan.

In addition, the applicant has proposed a recreation area that will serve the residents of the immediate subdivision. A pool, ramada, barbeque and picnic tables have been provided to serve the residents.

#### Conceptual Landscape Plan

The Conceptual Landscape Plan (Attachment 2) depicts the general design concept within the subdivision, including the proposed common areas and traffic circles. The Landscape Plan meets all applicable sections of the Rancho Vistoso PAD and Zoning Code.

#### Conceptual Site Plan and Landscape Plan Analysis

##### Rancho Vistoso PAD conformance

The applicant's proposed design is generally consistent with the development standards of the HDR Zoning District. The Rancho Vistoso PAD allows the Planning and Zoning Administrator to permit non-substantial changes that do not change the intent of the PAD. An Administrative Decision has been approved by the Planning and Zoning Administrator to allow front setback reductions to no less than 15' when a minimum 20' is provided for parking larger vehicles. The reduced setback will further another PAD objective for varied streetscapes

The natural topography of the site contains slopes of greater than 25%. The arrangement of lots avoids development within these areas and is conformance with the Rancho Vistoso PAD Hillside Development Standards.

The applicant's request is in conformance with the Rancho Vistoso PAD Design Standards.

Oro Valley Zoning Code Conceptual Site Design Principles, Section 22.9.D.5.a

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

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

Staff Commentary: The subject property is surrounded by similar residential subdivisions, higher density condominiums and neighborhood commercial. The proposed subdivision incorporates the required landscape buffers along Moore Road and Rancho Vistoso Boulevard further visually separating the proposed residences from adjacent properties.

Internally, the proposal is for an attached single-family home product. No more than 6 homes attached to one another, breaking up the building mass. The homes will incorporate standard entry and side entry garages that will provide for a varied streetscape.

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

Staff Commentary: The overall topography of the developable area of the site is relatively flat. No major cuts or fills are proposed. Any encroachment into protected areas will have to be mitigated in accordance with the Hillside Development Standards.

A full drainage report will be required as part of the Final Design review submittal to verify conformance with the Town's Drainage Criteria Manual. All post-development flow shall be mitigated and released in the same manner and quantity as the existing conditions.

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

Staff Commentary: The proposed development will be accessible from both Moore Road and Rancho Vistoso Boulevard. The subdivision incorporates sidewalks throughout and walking paths within all linear common areas. A multi-use path will be

constructed along Moore Road in conjunction with the applicant's proposal providing pedestrian and bicycling opportunities to area residents.

### Design Standards Analysis

The proposed Conceptual Site Plan has been reviewed for conformance with the Conceptual Site Design Standards, where the Rancho Vistoso PAD is silent. Following are key Design Standards (*in italics*), followed by staff's commentary.

1. *Section 3.1B.1: Street character should be diverse.*
2. *Section 3.1.B.2: Street trees, landscape themes, varied setbacks or architectural treatments shall be used to provide individual street character.*

Staff Commentary: The applicant's proposal incorporates a housing product that will utilize varied setbacks including side entry garages. The homes will be an attached product with no more than 4 homes attached to one another. Each grouping will have varied setbacks and entries that will provide for diversity and individual street character.

3. *Section 3.1.D.4: Pedestrian connections shall be provided between neighborhoods*

Staff Commentary: The proposed subdivision will incorporate walking trails throughout all linear common areas providing access to the neighborhood recreational area and external pedestrian connections, including the multi-use path along Moore Road.

Furthermore, trail connections will be provided connecting to the larger regional trail network, including providing access to the adjacent Honey Bee Village Archaeological site and established trails in Honey Bee Wash.

4. *Section 3.1.G.1: Natural features...shall be preserved to the greatest extent possible.*
5. *Section 3.1.G.1.a: Significant environmental features, shall be identified and conserved as open space on the development plan or plat.*

Staff Commentary: The applicant has concurrently filed Minor General Plan Amendment and Planned Area Development Amendment applications for a proposed 4.2-acre open space trade affecting the subject property. The open space trade proposes to trade 4.2 acres of disturbed land designated as Open Space for 4.2 acres of undisturbed land designated as High Density Residential. The trade will result in additional contiguous open space and protection of larger wildlife corridors.

### Recreation Area

The applicant is required to provide an amount equal to the required recreation area and amenities, as required by Section 26.5, in a performance bond to contribute to the construction of the future Rancho Vistoso Neighborhood 5 community park. A condition has been added in Attachment 1 to add a General Note on the Conceptual Site Plan.

In addition, the applicant has proposed a recreation area that will serve the residents of the immediate subdivision. A pool, Ramada, BBQ and picnic tables have been provided to serve the residents.

**Attachment 9  
Mattamy Homes  
Neighborhood Meeting Summaries**

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**Neighborhood Meeting Summary  
Rancho Vistoso Neighborhood 5 (Parcels 5F, 5G, 5K, and 5v)  
Proposed Subdivision (Conceptual Site Plan)  
September 15, 2014  
6:00 – 7:30 PM  
Resurrection Lutheran Church, 11575 North First Avenue**

**1. Introductions and Welcome**

Meeting Facilitator Chad Daines, Principal Planner, introduced the Oro Valley staff Michael Spaeth, Senior Planner, as project manager. Approximately 40 residents and interested parties attended the meeting, including Vice Mayor Waters and Council Members Snider and Hornat. Also in attendance was Planning and Zoning Commission Chairman Don Cox.

**2. Staff Presentation**

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

- Definition of a Planned Area Development (PAD)
- History of Rancho Vistoso PAD
- Applicant's request
- Existing zoning of the property, including development standards
- Review tools
- Traffic impacts and submittal requirements
- Drainage impacts and submittal requirements
- Water availability
- Cultural Resources preservation requirements
- Impacts on Schools
- Review process
- Public participation opportunities

**3. Applicant Presentation**

Paul Oland from the planning firm WLB Group Inc., provided a presentation detailing the applicant's proposal, which included:

- Overview of project
- Traffic impact on Rancho Vistoso Boulevard
- Anticipated architectural style for the subdivision

**4. Public Questions & Comments**

Following is a summary of additional questions and comments:

- Anticipated size of Moore Road extension
- Access be to the proposed subdivisions
- Timing of the traffic signal at Rancho Vistoso Blvd and Moore Road
- Concern over U-turns on Rancho Vistoso Blvd
- Plans to alleviate traffic issues at Woodburne Ave (Safeway shopping center)
- Concerns about the approved “Lofts” at Vistoso Town Center condominium project
- Anticipated timing for development
- Improvements to the recreational area
- Two-story home restrictions
- Architecture consistent with surrounding neighborhoods
- The anticipated price range for the homes

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

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

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**Neighborhood Meeting Summary  
Rancho Vistoso Neighborhood 5 Parcel F  
Proposed Subdivision (Conceptual Site Plan)  
April 6, 2015  
6:00 – 7:30 PM  
Town of Oro Valley Town Council Chambers**

## **5. Introductions and Welcome**

Meeting Facilitator Rosevelt Arellano, Senior Planner, introduced the Oro Valley staff Michael Spaeth, Senior Planner, as project manager. Approximately 15 residents and interested parties attended the meeting, including Vice Mayor Waters and Council member Hornat. Also in attendance was Planning and Zoning Commissioner Leedy and Conceptual Design Review Board Member Linton.

## **6. Staff Presentation**

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

- Subject Property
- Applicant’s request
- Existing zoning of the property, including development standards
- Review tools
- Outstanding questions from first meeting.

- Traffic impacts and submittal requirements
- Review process
- Public participation opportunities

## **7. Applicant Presentation**

Paul Oland from the planning firm WLB Group Inc., provided a presentation detailing the applicant's proposal, which included:

- Overview of project
- Traffic impact on Rancho Vistoso Boulevard
- Anticipated architectural style for the subdivision

## **8. Public Questions & Comments**

Following is a summary of additional questions and comments:

- What is the anticipated building height
- What will the setback be from Rancho Vistoso Boulevard?
- What type of roof will the architecture have (pitched, flat, etc)?
- How many homes will be attached to one another?
- What will be the average home and lot size?
- How will construction traffic be handled?
- What type of vegetation will be in bufferyard?
- Why is the subdivision not further setback from Rancho Vistoso Boulevard?
- What will be the finished grade of the homes?
- What will the average home cost?
- Any idea when development will begin? Phasing?
- Do we have enough demand for the new homes?

Mr. Spaeth and Mr. Oland addressed some of the questions related to the proposed development and the associated traffic impacts.

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

**Attachment 10  
Mattamy Homes  
Neighborhood Meeting Topics Analysis**

Building Height

Concerns were raised during the neighborhood meetings regarding the proposed building heights. The High Density Residential (HDR) Zoning District allows for a maximum building height of thirty-four (34') feet. The applicant has proposed a maximum building height of thirty (30') feet. Homes will be setback from the Rancho Vistoso visually separating the proposed homes from the view sheds and view corridors from the adjacent roadway and the existing residential on the west side of Rancho Vistoso.

Compatibility

The subject property is surrounded by similar residential subdivisions, higher density condominiums and neighborhood commercial. The proposed subdivision incorporates the required landscape buffers along Moore Road and Rancho Vistoso Boulevard further visually separating the proposed residences from adjacent properties. The applicant's proposal is compatible with existing development in the area.

Traffic

A future traffic signal is planned for the intersection of Rancho Vistoso Boulevard and Moore Road. A traffic impact analysis will be required prior to development to determine whether the traffic signal will be required as part of this application.



## Town Council Regular Session

Item # **11.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Patty Hayes, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A CONDITIONAL USE PERMIT TO INSTALL A NEW FIBER CABLE LINE, LOCATED ON THE NORTH SIDE OF INA ROAD, BETWEEN PASEO DEL NORTE AND ORACLE ROAD

#### **RECOMMENDATION:**

The Planning and Zoning Commission (PZC) recommends approval of the Conditional Use Permit.

#### **EXECUTIVE SUMMARY:**

Cox Communications is proposing to add one 1,600 foot fiber cable line onto seven existing utility poles on the north side of Ina Road (Attachment 1) to provide phone and internet services in the area.

The Zoning Code requires a Conditional Use Permit (CUP) for the installation of above ground wires. The proposal (Attachment 2) meets the requirements of the Zoning Code as further addressed in Attachment 3.

The PZC considered the applicant's proposal on June 2, 2015, and has recommended approval based on the finding that the request conforms with the Design Principles and Conditional Use Permit evaluation criteria of the Zoning Code. The PZC staff report is included as Attachment 4 and the draft minutes are provided as Attachment 5.

The proposed one (1) fiber cable line will have minimal visual impact among the existing utility poles with cables in the area.

#### **BACKGROUND OR DETAILED INFORMATION:**

Below is a summary of the proposed fiber cable line, with further details provided in the applicant's submittal (Attachment 2).

- 1 fiber cable line
- Dime size in diameter
- On 7 existing utility poles
- 1,600 feet in length
- Hung 25' from the ground

New above ground utility wires are reviewed with the standards defined in the Zoning Code for Conditional Use Permits to ensure the cable line would not pose a hazard, nuisance or be visually intrusive to the public. The Conditional Use Permit is also reviewed against applicable General Plan policies.

A detailed analysis of the Zoning Code and General Plan is provided in Attachment 3, demonstrating minimal visual impact to the area.

Planning and Zoning Commission review:

The proposed fiber cable line installation was reviewed by the PZC on June 2, 2015, and recommended for approval. The PZC report is included as Attachment 4 and the draft minutes are included as Attachment 5.

Neighborhood Meeting

A neighborhood meeting was held on April 9, 2015, with no residents in attendance. No comments or concerns have been received by staff.

Public Notification and Comment

Public notice has been provide as follows:

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

To date, staff has not received comment from the public for this proposal.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to approve the Conditional Use Permit to allow the installation of the fiber cable line, based on a finding that it is consistent with the General Plan, Zoning Code and Conditional Use Permit evaluation criteria.

OR

I MOVE to deny the Conditional Use Permit, based on a finding that \_\_\_\_\_.

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**Attachments**

Location Map

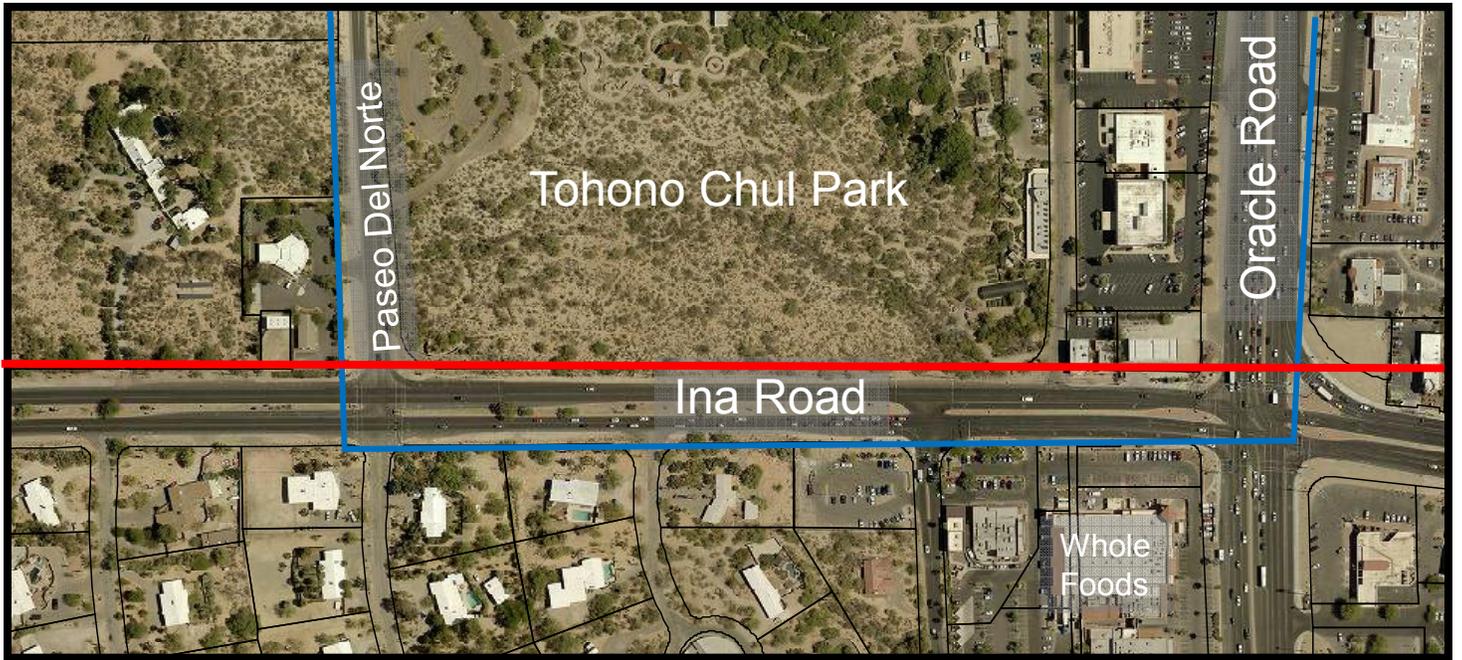
Applicants Submittal

CUP & Zoning Code Analysis

PZC Staff Report

PZC Draft Minutes

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 Fiber Cable Line

 Town Boundary



**Location Map**  
Cox Communications(OV815-003)  
**Attachment 1**

Area Within the Town of Oro Valley:

Cox Communications is requesting to put new fiber cable on the poles on the North side of Ina Road, between N. Paseo Del Norte and Arizona Hwy 77/Oracle Road. This falls in the Town of Oro Valley jurisdiction and is on the south side of the Tohono Chul Park.

This is approximately 1,600 feet on the south side of Tohono Chul Park. This span of work includes 7 poles that currently have existing utilities/service lines attached, and we are requesting to attach below them.

The fiber is a 96 count fiber and is the diameter size of a dime. It will be attached to the strand, which is ¼" diameter.

We will have all safety and Traffic Controls in place and this work should be completed in 2 days. One day to attach the ¼" strand and one day to attach the fiber. After that, we will be out of the Oro Valley jurisdiction, and moving east to the customer, across Oracle Road.

## **Additional Narrative:**

### **2.1**

D. That the granting of such CUP will not be materially detrimental to the public health, safety, or welfare. In arriving at this determination, the factors which shall be considered shall include the following:

i. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.

ii. Hazard to persons and property from possible explosion, contamination, fire or flood.

III. That the characteristics of the use proposed in such use permit are reasonably compatible with the types of uses permitted in the surrounding area.

**Response: Attaching the Cox fiber will not be detrimental to the public health, safety, or welfare.**

E. That the characteristics of the use proposed in such use permit are reasonably compatible with the types of use permitted in the surrounding area.

**Response: Attaching the Cox fiber is in line and compatible with the types of use permitted in the surrounding areas.**

Applicants response to the CUP requirements:

1. We have 7 poles that run through the Oro Valley section. The 7 pole attachment heights are: 20' 4", 28' 2", 25' 8", 24' 5", 25' 8", 26' 4", 29' 3". The height of our requested attached cable is referenced on the TEP permit # 773.1. This request does not cross any roads but runs parallel to Ina Road, on the north side of Ina, south side of the Tohono Chul Park.
2. Our lines would cross over N Paseo Del Norte, over Northern Ave, and then Oracle Road.
3. There are no churches or schools within the vicinity. We would be over 600 feet away from the nearest picnic location in the Tohono Chul Park.
4. No special fire-fighting equipment is needed for any of the materials used in this project. These cables do not contain any electrical voltages.
5. TEP has allowed us space on the existing poles that are in Oro Valley ROW. Permit # 773.1
6. If there is ever a public improvement in the ROW, Cox would re-locate at no charge to Oro Valley.
7. Dirt ROW along Ina Road, on North side.
8. The aerial cost to install is estimated at \$5,600.00. If we had to go underground in this 1,600 feet of ROW in Oro Valley, it would be a cost of \$32,000.
9. We have already looked at alternative routes, but going through Oro Valley is the best route we have today. If we are not given access through Oro Valley and had to go an alternate route, the cost would be increased.

NORTH

APPROX 1600' OF NEW AERIAL 96 CT FIBER AND STRAND

N Paseo Del Norte

W Ina Rd

N Via Venezia

N Via Ponte

N North Ave

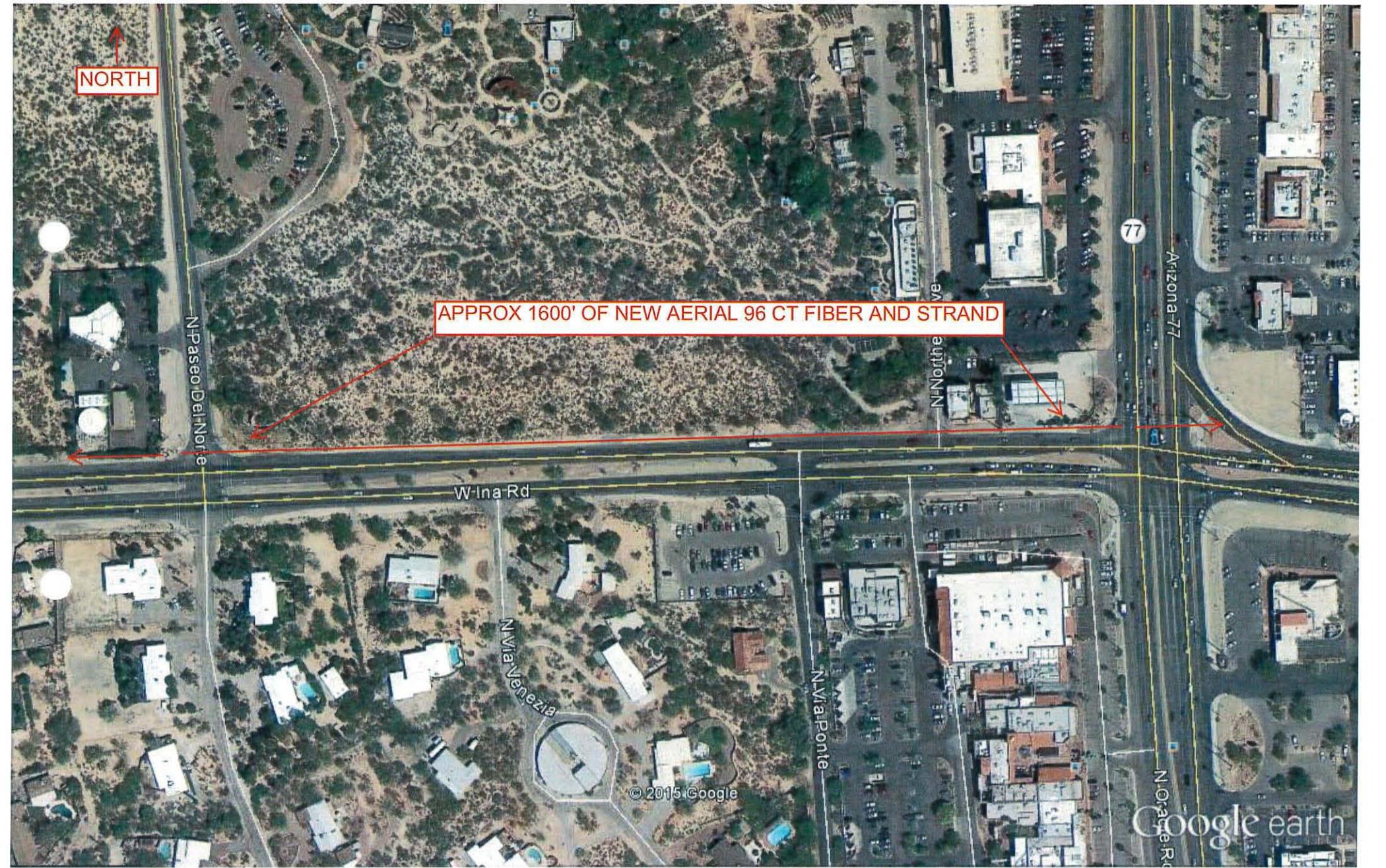
77

Arizona 77

N Orange Rd

© 2015 Google

Google earth



# Before



**AFTER**

**Comcast**



**COX**



Pole 1

Pole 2

Pole 3

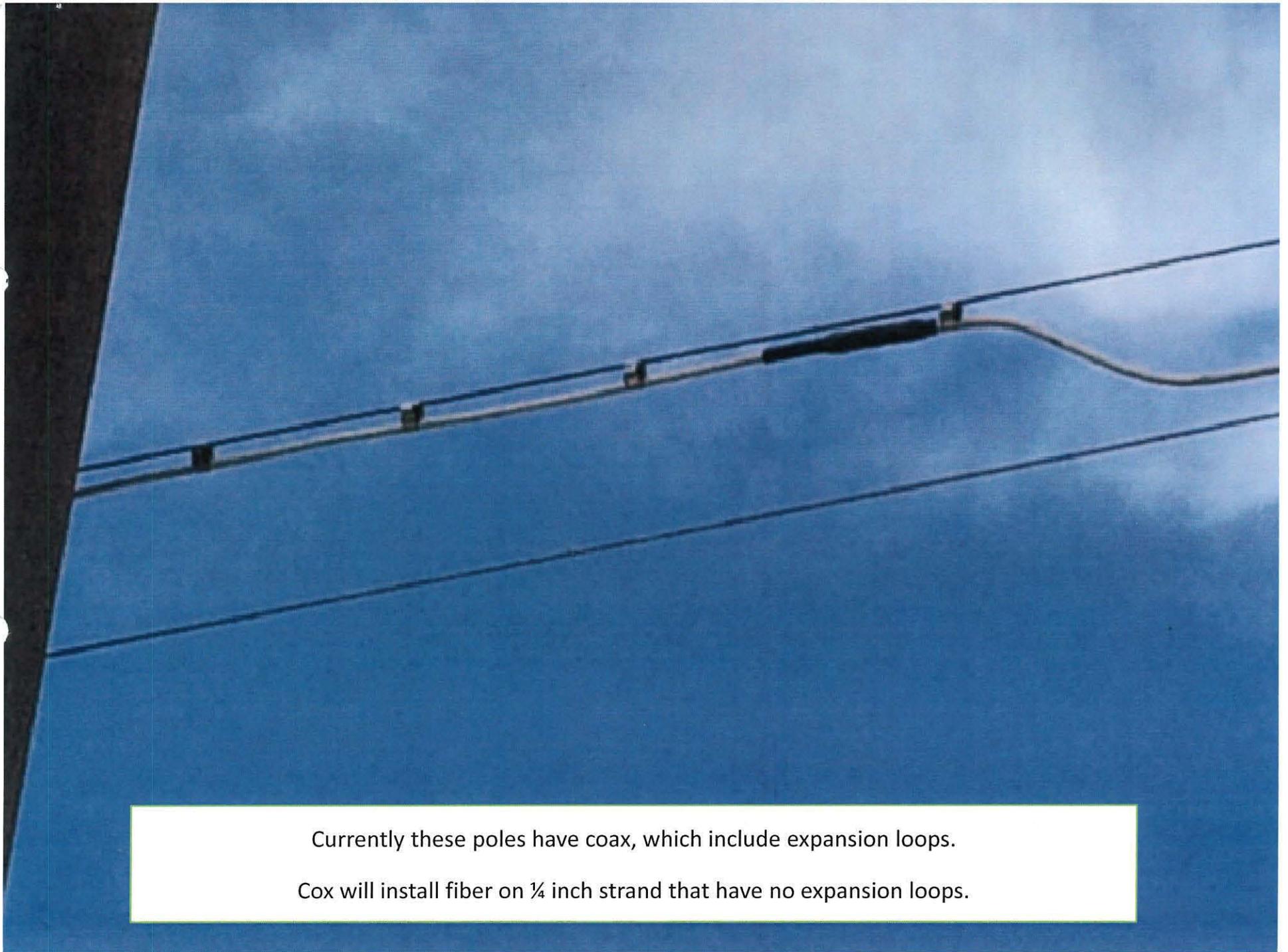
Pole 4

Pole 5

Pole 6

Pole 7





Currently these poles have coax, which include expansion loops.  
Cox will install fiber on ¼ inch strand that have no expansion loops.

## Attachment 3

### Conditional Use Permit Zoning Code Analysis

The Conditional Use Permit Review Criteria contained in Section 22.5 provide the primary guidance for evaluating conditional uses. CUP's may be granted based on consideration of the following criteria shown in *italics*, followed by staff commentary:

*That the granting of such conditional use permit will not be materially detrimental to public health, safety, or welfare. In arriving at this determination, the factors which shall be considered shall include the following:*

*Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination;*

- The proposed fiber cable line does not create noise, smoke, odor, dust, vibration or illumination.

*Hazard to persons and property from possible explosion, contamination, fire or flood;*

- The proposed fiber cable line does not produce explosions or cause fire or flood.

*Hazard occasioned by unusual volume or character of traffic.*

- The proposed fiber cable line does not increase or affect the volume of traffic in the area.

*That the characteristics of the use proposed in such use permit are reasonably compatible with types of uses permitted in the surrounding area.*

- The fiber cable line will be installed on existing utility poles among other existing utility lines as shown in the applicants submittal Attachment 2. The proposed additional line on the poles with existing lines will be compatible with surrounding area.

In summary, the applicants proposal is consistent with the Conditional Use Permit evaluation criteria.

### Zoning Code Analysis

The Zoning Code section 25.1.N.2 states the primary consideration shall be aesthetics with the following factors also considered shown in *italics*, followed by staff commentary:

*Zoning Code 25.1.N.2.b.i.: The location and height of such poles and wires and the relation to the present or potential roads;*

- There are no new poles installed with the proposed new fiber cable line. The cable will be attached to existing poles which are located in the right-of-way on Ina Road outside of the paved road as shown in Attachment 1.

*Zoning Code 25.1.N.2.b.ii. The crossing of such lines over much traveled highways and streets;*

- The line will cross over Paseo Del Norte, Northern Ave and eastward over Oracle Road, similar to other existing cables on existing poles at 25' from the ground.

*Zoning Code 25.1.N.2.iii.: Proximity of such lines to schools, religious institutions and other places where people may congregate;*

- The proposed fiber cable line is not near any schools or religious institutions as it is proposed through this section of Oro Valley. The existing poles where the proposed cable line will be installed follows the southern property line of the Tohono Chul Park and will be approximately 60 feet away from the nearest trails in the park.

*Zoning Code 25.1.N.2.iv.: Fire or other accidental hazards from the presence of such poles and wires and the effect, if any, of the same upon the effectiveness of firefighting equipment;*

- The applicant states that no electricity flows through the fiber cable line.

*Zoning Code 25.1.N.2.v.: The availability of a suitable right-of-way installation;*

- The existing right-of-way provides adequate space for installation and the Town will ensure the applicant uses prescribed traffic safety measures during installation.

*Zoning Code 25.1.N.2.b.vi.: Future conditions which may be reasonably anticipated in the area in view of a normal course of development;*

- If the existing utility poles were required to be relocated due to future road projects, it would be the applicants responsibility to arrange to move the line onto new poles. The Town would assume no costs for the relocation.

*Zoning Code 25.1.N.2.bvii.: The type of terrain;*

- The area where the cable will be attached to existing poles is relatively flat and does not pose any type of challenges to the proposed installation.

*Zoning Code 25.1.N.2.b viii.: The practicality and feasibility of underground installation of such poles and wires with the due regard for the comparative costs between underground and over ground installations (provided, however, that a mere showing that an underground installation shall cost more than an over ground installation shall not, in itself, necessarily require issuance of a permit);*

- The applicant states that cost of the proposed overhead work is approximately \$5,600 and the estimated costs to install the cable underground would be \$32,000. Installing this one section of cable line underground would be inconsistent with the overall project for the area.

*Zoning Code 25.1.N.2.c.: In the event such poles and wires are for the sole purpose of carrying electricity or power or for transmitting of telephone, telegraph, or television*

*communication through or beyond the Town's boundaries or from one major facility to another, the practicality or feasibility of alternative or other routes shall also be considered.*

- This 1,600 foot section of line is a small part of an overall larger project that travels several miles through Pima County and continues past the Oro Valley Town limits to a facility in Pima County east of Oracle Road. The applicant states this is the best route for the new line, since the poles where this 1,600 foot section of line is proposed are already in place.

### General Plan Compliance

*Policy 11.3.2. The Town shall continue to require all new development and improvements to existing development, both public and private, to maintain and/or enhance the character and quality of views from and along scenic corridors and public parks. The following measures will contribute to achieving this objective:*

- *preserve areas of natural open space (especially habitat areas) to provide visual relief;*
- *provide large natural or naturally landscaped areas in rights-of-way along scenic corridors;*
- *work with utility providers to place utilities underground; and,*
- *discourage visually intrusive structures.*

This proposal is to install one additional fiber cable line, as the lowest hanging line, on seven existing poles. The addition of this one line should not create a discernable impact to the view of surrounding areas.



## Conditional Use Permit Planning and Zoning Commission Staff Report

7

**CASE NUMBER:** OV815-003  
**MEETING DATE:** June 2, 2015  
**AGENDA ITEM:** 7  
**STAFF CONTACT:** Patty Hayes, Senior Planning Technician  
[phayes@orovalleyaz.gov](mailto:phayes@orovalleyaz.gov) (520) 229-4819

**Applicant:** Cox Communications, Kristi Springer  
**Request:** Conditional Use Permit to install an overhead fiber cable line  
**Location:** North side of Ina Road between Paseo Del Norte and Oracle Road  
**Recommendation:** Recommend approval to Town Council

### SUMMARY:

The applicant requests a Conditional Use Permit (CUP) to install 1,600 feet of fiber cable line on existing utility poles on the north side of Ina Road between Paseo Del Norte and Oracle Road as shown in the applicants submittal Attachment 1. The proposed fiber cable line is intended to provide phone and internet services to a health care facility located on Ina Road east of Oracle Road.

The proposed fiber cable line is .65" (dime size) in thickness and will stretch 1,600 linear feet between seven existing utility poles that are located in the northern portion of the Ina Road right-of-way as shown in Attachment 2. The proposed fiber cable line will be the lowest hanging line on the poles at 25' from grade as shown in Attachment 1.

The Zoning Code requires applicants to obtain a CUP prior to installation of new utility wires over 600 feet in length. A CUP requires recommendation by the Planning and Zoning Commission and a final decision by the Town Council.

### BACKGROUND/DETAILED INFORMATION:

The subject property is in the established right-of-way of Ina Road. The existing land use and zoning for the property and surrounding area is depicted in Attachment 3.

### Approvals to Date

2013: Annexation into the Town of Oro Valley.

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Existing Site Details

The Ina Road right-of-way contains a multi-lane roadway with the following:

- Seven utility poles parallel to Ina Road.
- Multiple above ground utility lines attached to existing utility poles.

---

**DISCUSSION/ANALYSIS:**

Conditional Use Permit Analysis

The Conditional Use Permit Review Criteria contained in Section 22.5 provide the primary guidance for evaluating conditional uses. CUP's may be granted based on consideration of the following criteria shown in *italics*, followed by staff commentary:

*That the granting of such conditional use permit will not be materially detrimental to public health, safety, or welfare. In arriving at this determination, the factors which shall be considered shall include the following:*

*Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination;*

The proposed fiber cable line does not create noise, smoke, odor, dust, vibration or illumination.

*Hazard to persons and property from possible explosion, contamination, fire or flood;*

The proposed fiber cable line does not produce explosions or cause fire or flood.

*Hazard occasioned by unusual volume or character of traffic.*

The proposed fiber cable line does not increase or affect the volume of traffic in the area.

*That the characteristics of the use proposed in such use permit are reasonably compatible with types of uses permitted in the surrounding area.*

The fiber cable line will be installed on existing utility poles among other existing utility lines as shown in the applicants submittal Attachment 1. The proposed additional line is compatible with the use of the existing utility poles and lines.

In summary, the applicants proposal is consistent with the Conditional Use Permit evaluation criteria.

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Zoning Code Analysis

A detailed Zoning Code analysis with standards specific to the CUP requirements for utility wires is included in Attachment 3.

General Plan Compliance

*Policy 11.3.2. The Town shall continue to require all new development and improvements to existing development, both public and private, to maintain and/or enhance the character and quality of views from and along scenic corridors and public parks. The following measures will contribute to achieving this objective:*

- *preserve areas of natural open space (especially habitat areas) to provide visual relief;*
- *provide large natural or naturally landscaped areas in rights-of-way along scenic corridors;*
- *work with utility providers to place utilities underground; and,*
- *discourage visually intrusive structures.*

This proposal is to install one additional fiber cable line, as the lowest hanging line, on seven existing poles. The addition of this one line should not create a discernable impact to the view of surrounding areas.

Engineering

The Engineering Division does not have concerns with the proposal.

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**PUBLIC PARTICIPATION:**

Summary of Public Notice

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

- Letter to all property owners within 600 feet
- Posting at Town Hall
- All registered HOAs

Neighborhood Meetings

A neighborhood meeting was held on April 9, 2015 with no residents in attendance. No comments or concerns have been received by Staff.

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**RECOMMENDATION:**

Based on the following findings:

- The proposed cable line will not be materially detrimental to the public health, safety or welfare

- 
- The proposed cable line is consistent with the Conditional Use Permit Review Criteria and Zoning Code requirements for utility lines.
  - The proposed cable line will not be visually impactful as it will utilize existing utility poles which contain a number of similar lines.

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

**Recommend approval to the Town Council of the requested Conditional Use Permit OV815-003.**

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**SUGGESTED MOTIONS:**

I move to recommend approval of the Conditional Use Permit for Cox Communications, based on the finding that the proposal is consistent with the Conditional Use Permit Review Criteria.

OR

I move to recommend denial of the Conditional Use Permit for Cox Communications finding that \_\_\_\_\_.

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**ATTACHMENTS:**

1. Applicant's Proposal
2. Location Map
3. Report Details and Analysis

  
\_\_\_\_\_  
Bayer Vella, Planning Manager

**MINUTES  
ORO VALLEY PLANNING AND ZONING COMMISSION  
REGULAR SESSION  
June 2, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Chairman Rodman called the June 2, 2015 regular session of the Oro Valley Planning and Zoning Commission to order at 6:00 PM.

**ROLL CALL**

**PRESENT:**

Bill Rodman, Chairman  
Greg Hitt, Commissioner  
Frank Pitts, Commissioner  
Melanie Barrett, Commissioner  
Charlie Hurt, Commissioner  
Tom Drazazgoswki, Commissioner

**EXCUSED:**

Bill Leedy, Vice-Chair

**ALSO PRESENT:**

Joe Hornat, Council Member  
Lou Waters, Vice-Mayor

**PLEDGE OF ALLEGIANCE**

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

**CALL TO AUDIENCE**

There were no speaker request.

**COUNCIL LIAISON COMMENTS**

Council Member Hornat updated the Planning and Zoning Commission and audience of the following:

Town Council approved the following items:

- La Cholla Boulevard and Naranja Drive Southwest/Northwest
- Town Council approved the budget
- Illuminated window signs was approved
  
- Planning work plan was approved by Town Council
- Personal Policy discussed by Town Council on how overtime was paid

## **REGULAR AGENDA**

### **1. REVIEW AND/OR APPROVAL OF THE MAY 5, 2015 REGULAR SESSION MEETING MINUTES**

Commissioner Hitt requested his last name be correct throughout the minutes from May 5, 2015.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Pitts to approve the May 5, 2015 Regular Session meeting minutes.

**MOTION** carried, 6-0.

~~**\*2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED REZONING OF AN APPROXIMATELY 143-ACRE PROPERTY FROM R1-144 TO R1-36 TO DEVELOP A 153-LOT RESIDENTIAL SUBDIVISION AND USE OF THE REQUESTED FLEXIBLE DESIGN OPTIONS INCLUDING MINIMUM LOT SIZE, BUILDING HEIGHT AND MODIFIED REVIEW PROCESS. THE PROPERTY IS LOCATED ON THE SOUTHEAST CORNER OF LA CHOLLA BLVD AND LAMBERT LANE, OV914-009 (ITEM PULLED BY APPLICANT)**~~

### **3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED MINOR GENERAL PLAN AMENDMENT AND PLANNED AREA DEVELOPMENT AMENDMENT FOR A PROPERTY LOCATED AT THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD. THIS ITEM INCLUDES THE FOLLOWING:**

- A. MINOR GENERAL PLAN AMENDMENT FOR AN APPROXIMATELY 4.2-ACRE OPEN SPACE TRADE AND REVISIONS TO A RECREATION AREA CONDITION ASSOCIATED WITH A PREVIOUS APPROVAL, OV1114-004; AND**
- B. PLANNED AREA DEVELOPMENT AMENDMENT FOR AN APPROXIMATELY 4.2-ACRE OPEN SPACE TRADE AND ADDITION OF A NEW RECREATION AREA CONDITION, OV914-010**

Michael Spaeth, Senior Planner, presented the following:

- Request
- Subject Property
- Proposed Open Space Trade
- Open Space Trade - Minor General Plan Amendment
- Open Space Trade - PAD Amendment
- Recreation Area - Minor General Plan Amendment
- Recreation Area - PAD Amendment
- Review
- Summary and Recommendation

Paul Oland, WLB Group, representing the applicant and property owner, presented the following:

- Conceptual Site Plan
- Aerial Photo of Propose Trade Area
- Ground Floor Plan

Chairman Rodman opened the public hearing.

Bill Adler, Oro Valley resident, commented that the space that is being discussed this evening is referred to as open space. Whereas the general plan calls for more parks, Mr. Adler believes open space is needed in this particular location. What the community needs, especially in these small lots, is recreational space. We should have walking distance and ease of accessibility to recreational facilities. Mr. Adler believes it doesn't meet the general plan criteria.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Pitts to deny the requested 4.2-acre open space trade.

Motion died for lack of a second.

**MOTION:** A motion was made by Commissioner Drazazgoswki and seconded by Commissioner Hurt 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.

**MOTION** carried, 5-1 with Commissioner Pitts opposed.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Hurt 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.

**MOTION** carried, 5-1 with Commissioner Pitts opposed.

**4. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED CONDITIONAL USE PERMIT FOR KNEADERS BAKERY AND CAFÉ WITH A DRIVE-THRU TO BE LOCATED NEAR THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD, IN THE EL CORREDOR DEVELOPMENT, OV815-001**

Chad Daines, Principal Planner, presented the following:

- Purpose
- Location
- Conceptual Site Plan
- Conditional Use Permit review Criteria
- Recommendation

Ross Rulney, Property Owner and Developer, representing Kneaders, presented the following:

- Elevations
- Daytime View
- Aerial View
- Conceptual Site Plan
- Landscape Plan
- Drive-thru Information
- Automatic Voice Control System
- Menu Board
- Signs
- Items discussed through the process
- Questions

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Barrett and seconded by Commissioner Pitts to recommend approval of the Conditional Use Permit for the Kneaders Bakery and Café, based on the findings that the proposed is consistent with the Conditional Use Permit Review Criteria.

**MOTION** carried, 6-0.

**5. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED REZONING AMENDMENT FOR THE EL CORREDOR PLANNED AREA DEVELOPMENT (PAD) STANDARDS TO INCREASE THE ALLOWABLE BUILDING HEIGHT FOR THE COMMERCIAL AREAS FRONTING ORACLE ROAD. THE EL CORREDOR PAD PERTAINS TO 20 ACRES LOCATED AT THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD, OV912-001A**

Chad Daines, Principal Planner, presented the following

- Location
- Aerial
- Recommendation

Ross Ruley, Property Owner and Developer, representing Kneaders, presented a brief history of the property and brief explanation for the request.

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Drazazgoswki and seconded by Commissioner Hurt to recommend approval of the Planned Area Development Amendment requested under case OV912-001A, based on the finding that the request is consistent with applicable policies of the General Plan.

**MOTION** carried, 6-0.

**6. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED TYPE II HOME OCCUPATION PERMIT TO ALLOW A CONTRACTORS BUSINESS LOCATED AT 11286 N. COPPER SPRING TRAIL, OV415-008**

Patty Hayes, Zoning Plans Examiner, presented the following:

- Purpose
- Location
- Proposal
- Conclusion

Sean Schillizzi, Owner of the business, presented a brief explanation for the request.

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Hurt and seconded by Commissioner Hitt to approve OV415-008, a Type II Home Occupation Permit for a contractors business at 11286 N. Copper Springs Trail, based on the finding that the proposed use is in conformance with the Zoning Code Standards for Type II Home Occupations.

**MOTION** carried, 6-0.

**7. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED CONDITIONAL USE PERMIT TO INSTALL A FIBER CABLE LINE ON EXISTING UTILITY POLES IN THE RIGHT-OF-WAY ON THE NORTH SIDE OF INA ROAD, BETWEEN PASEO DEL NORTE AND ORACLE ROAD, OV815-003**

Patty Hayes, Zoning Plans Examiner, presented the following:

- Proposal
- Location
- Recommendation

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Drazazgoswki to recommend approval of the Conditional Use Permit for Cox Communications, based on the finding that the proposal is consistent with the Conditional Use Permit Review Criteria.

**MOTION** carried, 6-0.

**8. YOUR VOICE, OUR FUTURE PROJECT UPDATE**

Bayer Vella, Planning Manager, presented the following:

- Your Voice, Our Future Community Update
- Project Schedule
- Continued Outreach
- The General Plan
- The Your Voice, Our Future Project
- Oro Valley's Vision
- Committee Work
- Stakeholder Review
- What's in the Plan?
- In the Plan: Development
- In the Plan: Amendment Thresholds
- In the Plan: Amendment Criteria
- Next Steps

## **PLANNING UPDATE (INFORMATIONAL ONLY)**

Bayer Vella, presented the following:

- Items heard by Town Council on June 3rd
- Items heard by Town Council on June 17th
- Planning and Zoning Commission Meeting July 7th
- Upcoming Neighborhood Meeting

## **ADJOURNMENT**

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Hurt to adjourn the June 2, 2015, Planning and Zoning Commission meeting.

**MOTION** carried, 6-0.

DRAFT



## Town Council Regular Session

Item # **12.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Michael Spaeth, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR KAI SOUTH, A 44-LOT SINGLE-FAMILY SUBDIVISION, LOCATED ON THE NORTHEAST CORNER OF FIRST AVENUE AND NARANJA DRIVE

#### **RECOMMENDATION:**

The Conceptual Design Review Board recommends approval, subject to the conditions listed in Attachment 1.

#### **EXECUTIVE SUMMARY:**

The applicant's request (Attachment 2) is to develop 44 single-family lots on 131-acres. As part of the Conceptual Site Plan review, the applicant has "opted-in" to the requirements of the Environmentally Sensitive Lands section of the Zoning Code.

The proposed lot configuration is designed to prevent encroachment into the hillsides throughout the site and preserves approximately 67% of the site as Environmentally Sensitive Open Space. To achieve this, the applicant has requested use of the following Flexible Design Options, which have been administratively approved:

- Minimum lot size
- Building height
- Internal building setbacks
- Native vegetation preservation

The Conceptual Site Plan and Landscape Plan are in conformance with the General Plan, Special Area Policies, and Design Principles and Design Standards of the Zoning Code, subject to the conditions listed in Attachment 1.

The Conceptual Design Review Board considered the applicant's request on June 9, 2015, and has recommended approval based on the finding that the request conforms with the Kai-Capri Special Area Policies and Design Principles and Design Standards of the Zoning Code. The Conceptual Design Review Board staff report is included in Attachment 3 and the draft minutes are included in Attachment 4.

#### **BACKGROUND OR DETAILED INFORMATION:**

### Current Site Conditions

- The property encompasses 131 acres
- Currently vacant
- Located on the northeast corner of Naranja Drive and First Avenue

### Land Use Context

The Existing Land Use, General Plan and Zoning for the property and the surrounding area are depicted in Attachments 5, 6 and 7 respectively.

### Approvals-to-Date

- There have been no approvals to date regarding the subject property
- The property was annexed into the Town in 1994
- Special Area Policies specific to this site were included in the General Plan, which was adopted in 2005

### Conceptual Site Plan and Landscape Plan

The applicant's proposal (Attachment 2) depicts 44 detached single-family residential lots on 131 acres with lot sizes ranging from 17,794 sq. ft. to 45,415 sq. ft. The subdivision will have two ingress/egress points; one from the intersection of Naranja Drive and First Avenue, and a second serving two lots off of Palisades Road. A pedestrian connection has been incorporated providing access to a multi-use path being constructed along Palisades Road.

The subdivision design preserves 67% of the site as Environmentally Sensitive Open Space and primarily avoids encroachment into slopes of 25% or more. The design preserves the riparian corridors traversing the site, other than a roadway wash crossing to provide access to a future development on an adjacent parcel.

The proposed subdivision incorporates landscaped entries with separated ingress/egress and landscaping in all common areas. Sidewalks have been provided throughout the subdivision and trail connections have been provided with access to the larger regional trail network. Finally, an equestrian trail and roadway crossing have been provided for neighboring residents who frequently use the property while riding horses.

The applicant's request is in conformance with the Town of Oro Valley Zoning Code, including the Design Principles and Design Standards. The subdivision design avoids encroachment into hillside areas and provides pedestrian connectivity amenities throughout the area. Additional discussion and analysis of the proposed Conceptual Site Plan and Landscape Plan is provided in Attachment 8.

### Environmentally Sensitive Lands Analysis

As part of the Conceptual Site Plan review, the applicant has "opted in" to the Environmentally Sensitive Lands (ESL) requirements of the Zoning Code. The applicant has requested the use of several Flexible Design Options enabled by Section 27.10 of the Zoning Code that have been approved administratively, including:

- Minimum Lot Size
- Building Height
- Internal Building Setbacks
- Native Vegetation Preservation

A discussion and analysis of the projects conformance with the ESL section of the Zoning Code is provided in Attachment 9.

### Special Area Policies Analysis

In 2005, Special Area Policies were adopted which established specific design elements to be incorporated into the development. These policies establish requirements for density, open space, building height and other design requirements. The applicant's proposal conforms with these Kai-Capri Special Area Policies.

Additional discussion and analysis of the projects conformance with the Kai-Capri Special Area Policies is provided in Attachment 10.

### Public Participation

Three neighborhood meetings were held regarding the applicant's proposal on August 15, 2013, November 19, 2013, and June 16, 2014. Approximately 45 to 60 residents attended each meeting. The primary topics discussed during the meetings included:

- Building height
- Compatibility
- Traffic
- Drainage
- Trail access

The neighborhood meetings were held in regard to this application and the proposed rezoning application for the Kai (North) property. The comments discussed during the meetings were primarily directed toward the proposed Kia (North) rezoning, north of Palisades Road.

A copy of the neighborhood meeting summaries have been provided in Attachment 11 and a discussion of the how the applicant has addressed the neighborhood meeting topics listed above is included in Attachment 12.

No additional correspondence has been received by staff.

### Conceptual Design Review Board

The applicant's request was considered by the Conceptual Design Review Board (CDRB) on June 9, 2015. The CDRB recommends approval of the proposed Conceptual Site Plan and Landscape Plan, subject to the conditions listed in Attachment 1. The CDRB staff report and meeting minutes have been provided as Attachments 3 and 4 respectively.

### **FISCAL IMPACT:**

N/A

### **SUGGESTED MOTION:**

I MOVE to approve the requested Conceptual Site Plan and Landscape Plan for the Kai South subdivision, based on a finding that the request is in conformance with the Kai-Capri Special Area Policies and Design Principles and Design Standards of the Zoning Code, subject to the conditions listed in Attachment 1.

OR

I MOVE to deny the requested Conceptual Site Plan and Landscape Plan, based on the finding that

\_\_\_\_\_.

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## **Attachments**

ATTACHMENT 1 - CONDITIONS OF APPROVAL

ATTACHMENT 2 - CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN

ATTACHMENT 3 - CDRB STAFF REPORT

ATTACHMENT 4 - JUNE 9, 2015 CDRB MEETING MINUTES

ATTACHMENT 5 - SUBJECT PROPERTY MAP

ATTACHMENT 6 - GENERAL PLAN FUTURE LAND USE MAP

ATTACHMENT 7 - ZONING MAP

ATTACHMENT 8 - CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN AND ANALYSIS

ATTACHMENT 9 - ENVIRONMENTALLY SENSITIVE LANDS DISCUSSION AND ANALYSIS

ATTACHMENT 10 - SPECIAL AREA POLICIES ANALYSIS

ATTACHMENT 11 - NEIGHBORHOOD MEETING SUMMARIES

ATTACHMENT 12 - NEIGHBORHOOD MEETING TOPICS ANALYSIS

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**Attachment 1  
Kai (South)  
Conditions of Approval**

*Planning Conditions*

1. ESL incentives attachment incorrectly references the actual minimum lot size as 24,000 square feet. Per the Conceptual Site Plan, the minimum lot size proposed is 17,794 square feet.
2. Indicate in the legend on the Cover Sheet the material to be used for the path over sewer connection on Sheet 5.
3. Include a label on Sheet 5 for path over sewer connection.
4. Revise the name on the old Rooney Ranch Area Z to reflect the new PAD on Sheet 9.

*Engineering Conditions*

1. The developer shall provide a striped crosswalk and advance warning signs at the Palisades Road pedestrian crossing.

**GENERAL NOTES**

1. THE GROSS AREA OF THIS DEVELOPMENT IS 131.03 ACRES. TOTAL UNDISTURBED AREA IS 87.39 ACRES.
2. THE PROPOSED NUMBER OF RESIDENTIAL UNITS IS 44 (0.33 UNITS PER ACRE)
3. TOTAL LENGTH OF NEW PRIVATE STREET IS 0.77 MILES.
4. NO PUBLIC STREETS ARE PROPOSED WITH THIS DEVELOPMENT.
5. ASSURANCES FOR SITE IMPROVEMENTS, LANDSCAPING, AND REVEGETATION BONDS MUST BE POSTED PRIOR TO THE ISSUANCE OF GRADING PERMITS.
6. PROPOSED SURFACE TREATMENT FOR DRIVEWAYS SHALL BE 2" A.C. OVER 4" A.B.C.

**PLANNING GENERAL NOTES**

1. MAXIMUM ALLOWED BUILDING HEIGHT ALLOWED = 18', EXCEPT THAT MAXIMUM PROPOSED BUILDING HEIGHT FOR PITCHED ROOF HOMES = 23'. (PER ESLO FLEXIBLE DEVELOPMENT OPTION -BUILDING HEIGHT)
2. TOTAL AMOUNT OF OPEN SPACE REQUIRED = 54.20 ACRES  
TOTAL AMOUNT OF OPEN SPACE PROVIDED = 87.39 ACRES
3. TOTAL AMOUNT OF LANDSCAPED COMMON AREAS = 1.21 ACRES
4. SETBACKS REQUIRED FOR R1-144 ZONING DISTRICT: FRONT = 50'; SIDE = 20'; REAR = 50'  
SETBACKS PROVIDED: FRONT = 40'; SIDE = 16'; REAR = 40' (PER ESLO FLEXIBLE DEVELOPMENT OPTION - BUILDING SETBACK MODIFICATION)
5. COMMON AREAS SHALL BE OWNED AND MAINTAINED BY THE H.O.A.  
COMMON AREA "A" - PRIVATE ROADS; COMMON AREA "B" - LANDSCAPE/OPEN SPACE
6. EXISTING ZONING IS R1-144 AND R1-36
7. ALL SIGNAGE AND LIGHTING TO BE ADDRESSED AS PART OF SEPARATE REVIEW AND APPROVAL PROCESS.
8. MINIMUM LOT SIZE = 17,794 (PER ESLO FLEXIBLE DEVELOPMENT OPTION - CONSERVATION SUBDIVISION DESIGN - LOT SIZE REDUCTION)  
LOT SIZE RANGE SHOWN = 17,794 S.F. TO 45,514 S.F. AVERAGE LOT SIZE = 28,848± S.F.
9. BUFFERYARD TYPES: 40' NATURAL DESERT BUFFERYARD "B" AND 25' BUFFERYARD "B"
10. THIS PROJECT HAS BEEN DESIGNED IN CONFORMANCE WITH THE ENVIRONMENTALLY SENSITIVE LANDS REGULATIONS OF THE ZONING CODE.

**ENGINEERING GENERAL NOTES**

1. THE DESIGN VEHICLE FOR THIS PROJECT IS A SU-30. THE DESIGN SPEED FOR THIS PROJECT IS 25 MPH.
2. ALL NEW ROADS WITHIN AND ADJACENT TO THIS PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS. SEPARATE PUBLIC IMPROVEMENT AND CONSTRUCTION PLANS WILL BE SUBMITTED TO THE TOWN ENGINEER'S OFFICE FOR REVIEW AND APPROVAL.
3. ANY RELOCATION OR MODIFICATION OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS NECESSITATED BY THE PROPOSED DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.
4. INDIVIDUAL TYPE 1 GRADING PERMITS WILL BE REQUIRED FOR EACH LOT.
5. THE MAXIMUM ALLOWABLE CUT/FILL SLOPE IS 12' PER SECTION 27.10.D.3.g.v.g.2.B.

**DRAINAGE GENERAL NOTES**

1. DEVELOPER WILL COVENANT TO HOLD THE TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, HARMLESS IN THE EVENT OF FLOODING.
2. DRAINAGE WILL NOT BE ALTERED, DISTURBED, OR OBSTRUCTED WITHOUT THE APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
3. DRAINAGE STRUCTURES MUST BE CONSTRUCTED AND INSTALLED ACCORDING TO TOWN STANDARDS AND PAID FOR BY THE DEVELOPER.
4. ALL DRAINAGE STRUCTURES MUST BE DESIGNED TO CONVEY A 100 YR FLOW.
5. ALL DRAINAGE FACILITIES WILL BE CONSTRUCTED ACCORDING TO APPROVED PLANS PRIOR TO THE ISSUANCE OF ANY CERTIFICATES OF OCCUPANCY FROM THE BUILDING OFFICIAL FOR ALL AFFECTED BUILDINGS.
6. THE DEVELOPER WILL ACCEPT RESPONSIBILITY FOR MAINTENANCE, CONTROL, SAFETY AND LIABILITY OF PRIVATE DRAINAGEWAYS, DRAINAGE EASEMENTS, AND COMMON AREAS.

**ORO VALLEY WATER GENERAL NOTES**

1. THIS DEVELOPMENT MUST COMPLY WITH THE ORO VALLEY WATER UTILITY SPECIFICATIONS MANUAL DURING ALL PHASES OF CONSTRUCTION.
2. THE TOWN OF ORO VALLEY HAS BEEN DESIGNATED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES AS HAVING AN ASSURED WATER SUPPLY, PURSUANT TO A.R.S. 45-576, AND WILL SERVE THIS DEVELOPMENT.
3. A LINE EXTENSION AGREEMENT FOR THIS PROJECT MUST BE IN PLACE PRIOR TO ANY WORK ON THE WATER INFRASTRUCTURE.
4. WATER INFRASTRUCTURE SHOWN IS NOT NECESSARILY THE FINAL DESIGN. A SEPARATE WATER IMPROVEMENT PLAN MUST BE SUBMITTED TO ORO VALLEY WATER UTILITY FOR REVIEW AND APPROVAL.

**WASTEWATER GENERAL NOTES**

1. PROJECT IS IN CONFORMANCE WITH SECTION J, WASTEWATER, OF THE PIMA COUNTY DEVELOPMENT PLAN REQUIREMENTS AS REFERENCED IN 18.71.030.A.
2. SEE PRELIMINARY SEWER LAYOUT PLAN FOR ADDITIONAL WASTEWATER NOTES.

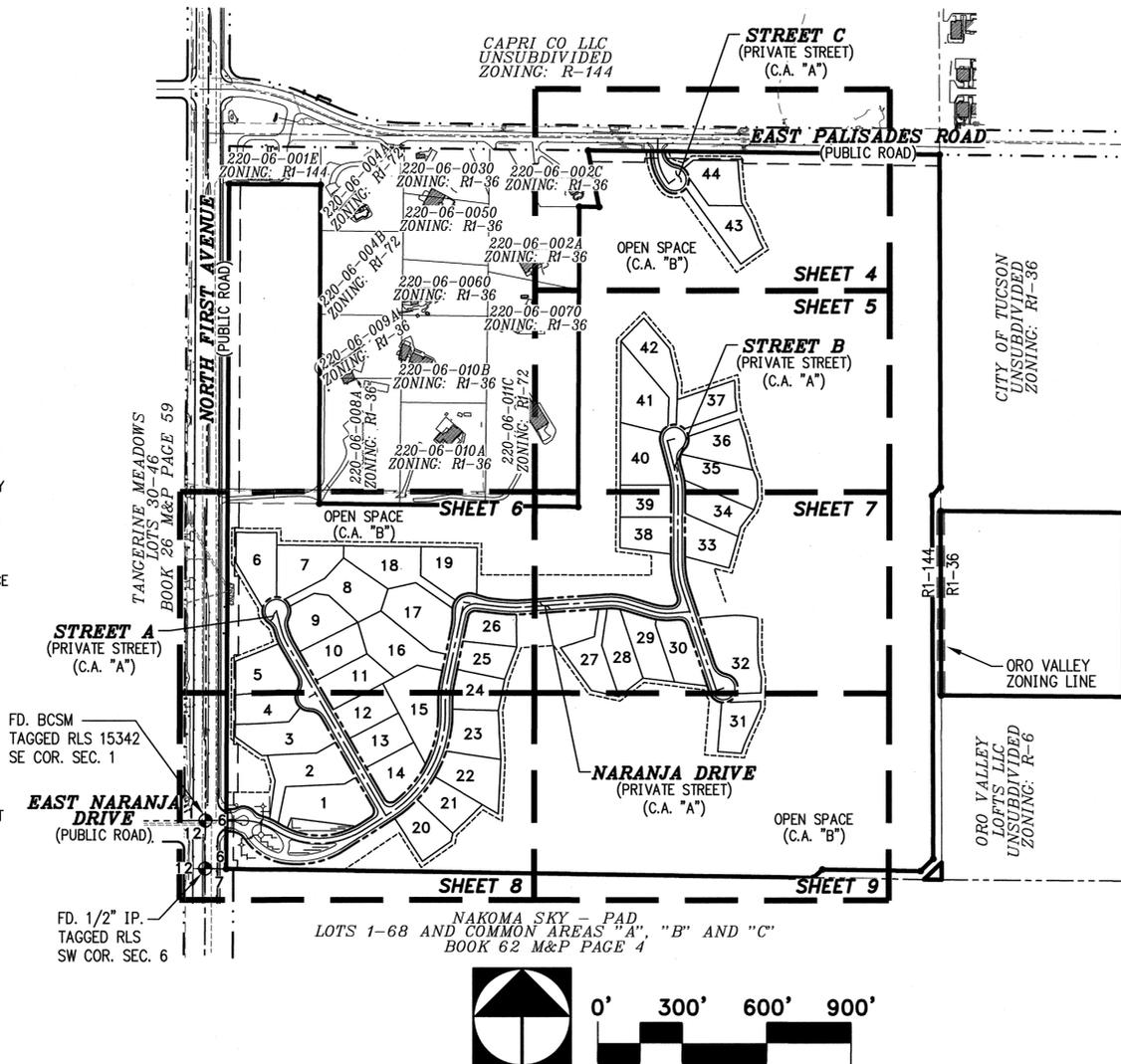
**GENERAL UTILITY NOTES**

1. SHOULD AN EASEMENT BE IN CONFLICT WITH ANY PROPOSED BUILDING LOCATION, VACATION OF THE EASEMENT IS TO OCCUR PRIOR TO ISSUANCE BUILDING PERMITS.

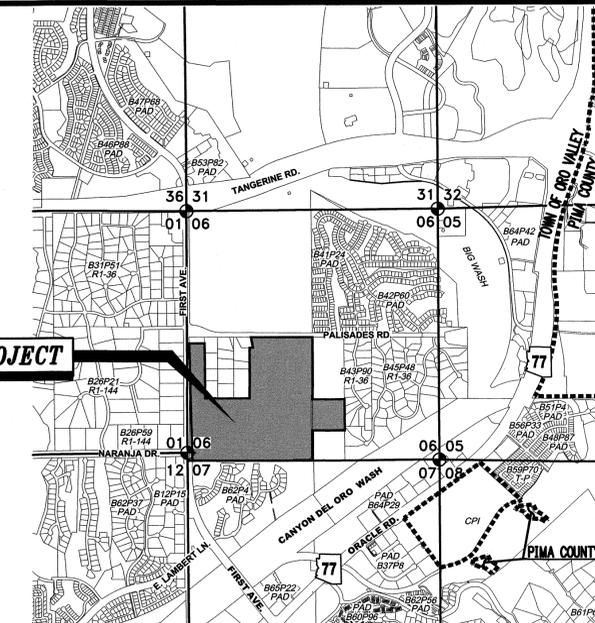
**GOLDER RANCH FIRE GENERAL NOTES**

1. FIRE HYDRANTS CONNECTED TO AN APPROVED WATER SUPPLY OF 1000 GPM FOR FIRE PROTECTION MUST BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE. TEMPORARY CONSTRUCTION OFFICE TRAILERS ARE CONSIDERED COMBUSTIBLE MATERIAL.
2. APPROVED FIRE APPARATUS ACCESS ROADS MUST BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE.
3. APPROVED AUTOMATIC SPRINKLER SYSTEMS SHALL BE PROVIDED THROUGHOUT ALL ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES WHICH EXCEED 3,600 SQUARE FEET IN FIRE-FLOW CALCULATION AREA. APPROVED AUTOMATIC SPRINKLER SYSTEMS SHALL BE PROVIDED THROUGHOUT ALL ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES USED AS MODEL HOMES WITH SALES OR CONSTRUCTION OFFICES.
4. TEMPORARY STREET SIGNS MUST BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE OF VEHICLES. ALL STRUCTURES UNDER CONSTRUCTION MUST BE CLEARLY IDENTIFIED WITH AN APPROVED ADDRESS.

# CONCEPTUAL SITE PLAN MERITAGE ON FIRST - SOUTH LOTS 1 THROUGH 44 AND COMMON AREAS "A" & "B" OV1214-07



**THIS PROJECT**



**LOCATION MAP**

A PORTION OF SECTION 6  
T12S, R14E, G & S.R.M., TOWN OF ORO VALLEY,  
PIMA COUNTY, ARIZONA

**LEGEND**

	EXIST. MAJOR CONTOUR		EXISTING
	EXIST. MINOR CONTOUR		ASPHALT PAVEMENT
	PROJECT BOUNDARY		TOP OF SLOPE (SLOPES ≤ 3:1 UNLESS NOTED)
	PROPOSED LOT LINE		BOTTOM OF SLOPE
	EXISTING RIGHT-OF-WAY LINE		SIGHT VISIBILITY TRIANGLE (SVT)
	PROPOSED RIGHT-OF-WAY LINE		15% SLOPE AREAS
	EXIST. PAVEMENT		25% SLOPE AREAS
	PROPOSED CURB		EXIST. 100 YR FLOOD PLAIN
	EXIST. PUBLIC SEWER LINE & MANHOLE		PROPOSED 100 YR FLOOD PLAIN
	EXIST. PUBLIC WATERLINE & VALVE		EROSION HAZARD SETBACK
	EXISTING EASEMENT LINE		CRITICAL RESOURCE AREA
	PROPOSED EASEMENT LINE		EXISTING RIPRAP
	LOT SETBACKS (TYP.)		PROPOSED RIPRAP
	QUARTER LINE		PROPOSED EROSION MITIGATION
	SECTION LINE		EXISTING ZONING BOUNDARY LINE
	SECTION CORNER OR 1/4 SECTION CORNER		PROPOSED DRIVEWAY LOCATION (CORNER DOUBLE SIDED LOTS)
	FINISHED FLOOR ELEVATION		STABILIZED SURFACE PER RWRD 111
	FINISHED PAD ELEVATION		
	GRADE BREAK (GB/HP/LP)		
	EXIST. CULVERT		
	PROPOSED CULVERT		
	PROPOSED CONCRETE SIDEWALK		

**PARKS AND RECREATION GENERAL NOTES**

1. TRAIL EASEMENT IS A "PERMANENT NON-MOTORIZED PUBLIC RECREATION EASEMENT" THAT IS GRANTED TO THE TOWN.

**PERMITTING DIVISION-BUILDING CODES**

THE FOLLOWING CODES AND STANDARDS SHALL BE APPLICABLE TO THIS DEVELOPMENT:

- 2012 INTERNATIONAL CODES WITH LOCAL AMENDMENTS
- 2011 NATIONAL ELECTRIC CODE
- 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN
- 2006 GOLDER RANCH FIRE DISTRICT STANDARDS AND FORMS
- 2008 ORO VALLEY POOL CODE
- 2003 PC/COT STANDARD SPECIFICATIONS AND DETAILS FOR PUBLIC IMPROVEMENTS
- 2010 TOWN OF ORO VALLEY DRAINAGE CRITERIA MANUAL
- 2004 TOWN OF ORO VALLEY SUBDIVISION STREET STANDARDS AND POLICIES MANUAL
- TOWN OF ORO VALLEY ZONING CODE, CURRENT REVISED
- ORO VALLEY TOWN CODE, CURRENT REVISED.

**DEVELOPER**

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3275 W. INA RD. SUITE #220  
TUCSON, AZ 85741  
(520) 225-6800  
ATTN: JEFF GROBSTEIN  
JEFF.GROBSTEIN@MERITAGEHOMES.COM

**OWNER**

CAPRI CO. LLC  
6088 WEST ARIZONA PAVILIONS DRIVE BLDG. #2  
MARANA, AZ 85743  
(520) 744-1573  
ATTN: JAMES KAI  
JAMES.KAI@KAIENTERPRISES.COM

**ENGINEER**

THE WLB GROUP, INC.  
4444 E. BROADWAY BLVD.  
TUCSON, AZ 85711  
(520) 881-7480  
ATTN: COREY THOMPSON  
CTHOMPSON@WLBGROUP.COM

**SHEET INDEX**

SHEET 1..... COVER SHEET  
SHEETS 2..... OVERALL SITE PLAN  
SHEETS 3..... E.S.O.S. CALCS  
SHEETS 4-9.... SITE PLAN

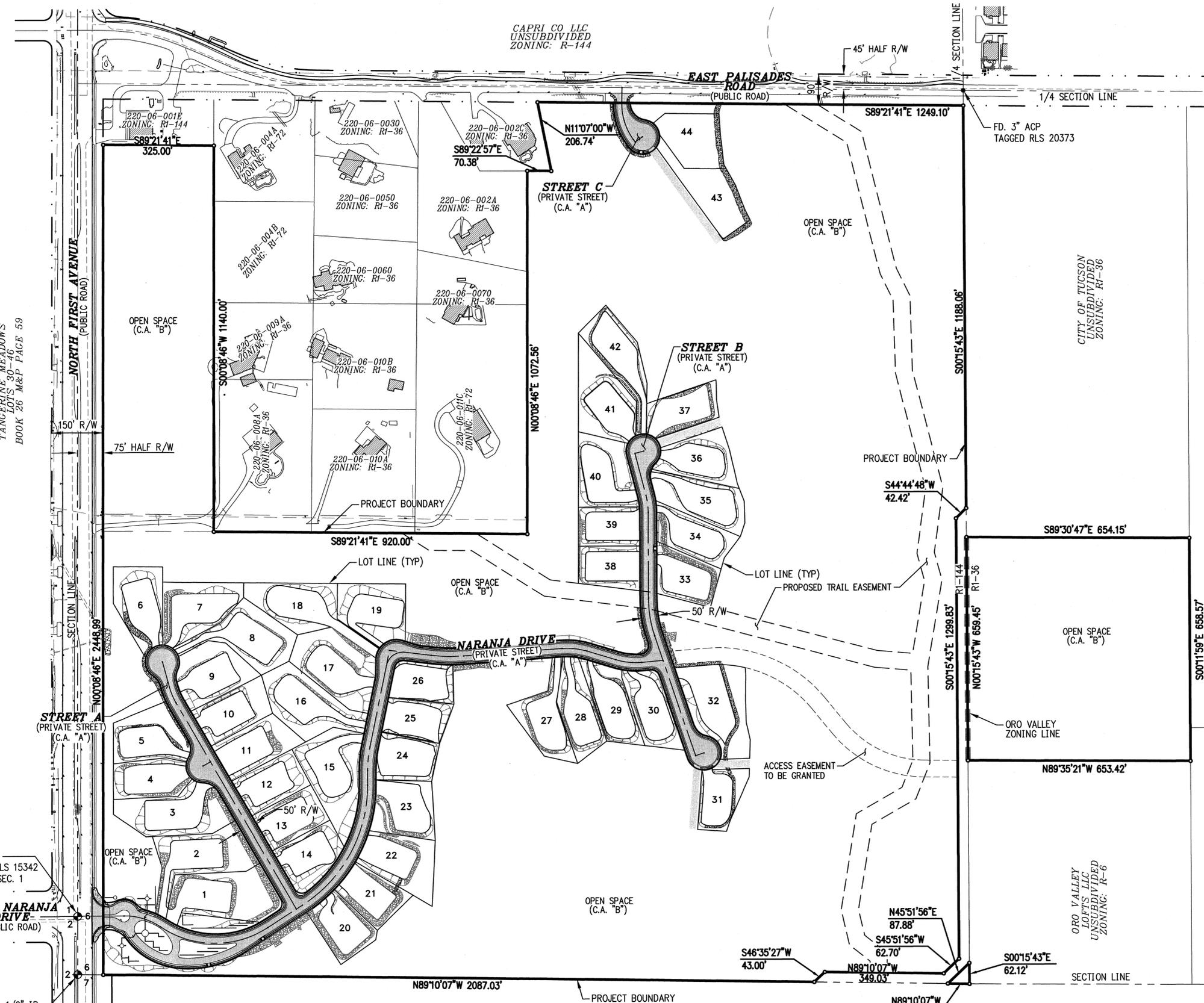


**OV1214-07**  
**CONCEPTUAL SITE PLAN**  
FOR  
**MERITAGE ON FIRST - SOUTH**  
**LOTS 1 THROUGH 44 AND COMMON AREAS "A" & "B"**

BEING A PORTION OF SECTION 6  
TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M.  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

APRIL 2015  
WLB NO. 182053-J-002  
CONTOUR INTERVAL: 1' SCALE: AS SHOWN  
REF. CASE #OV113-009  
**SHEET 1 OF 9**



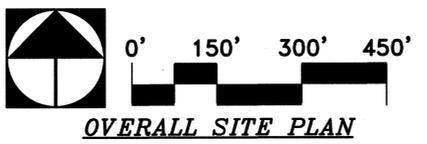


FD. BCSM  
TAGGED RLS 15342  
SE COR. SEC. 1

**EAST NARANJA DRIVE**  
(PUBLIC ROAD)

FD. 1/2" IP.  
TAGGED RLS  
SW COR. SEC. 6

NAKOMA SKY - PAD  
LOTS 1-68 AND COMMON AREAS "A", "B" AND "C"  
BOOK 62 M&P PAGE 4



**OV1214-07**  
CONCEPTUAL SITE PLAN  
FOR  
**MERITAGE ON FIRST - SOUTH**  
LOTS 1 THROUGH 44 AND COMMON AREAS "A" & "B"

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TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M.  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

APRIL 2015  
WLB NO. 182053-J-002  
CONTOUR INTERVAL: 5' SCALE: 1"=150'

REF. CASE #OV113-009  
**SHEET 2 OF 9**

NORTH FIRST AVENUE  
(PUBLIC ROAD)

EAST PALISADES ROAD  
(PUBLIC ROAD)

STREET C  
(PRIVATE STREET)

STREET B  
(PRIVATE STREET)

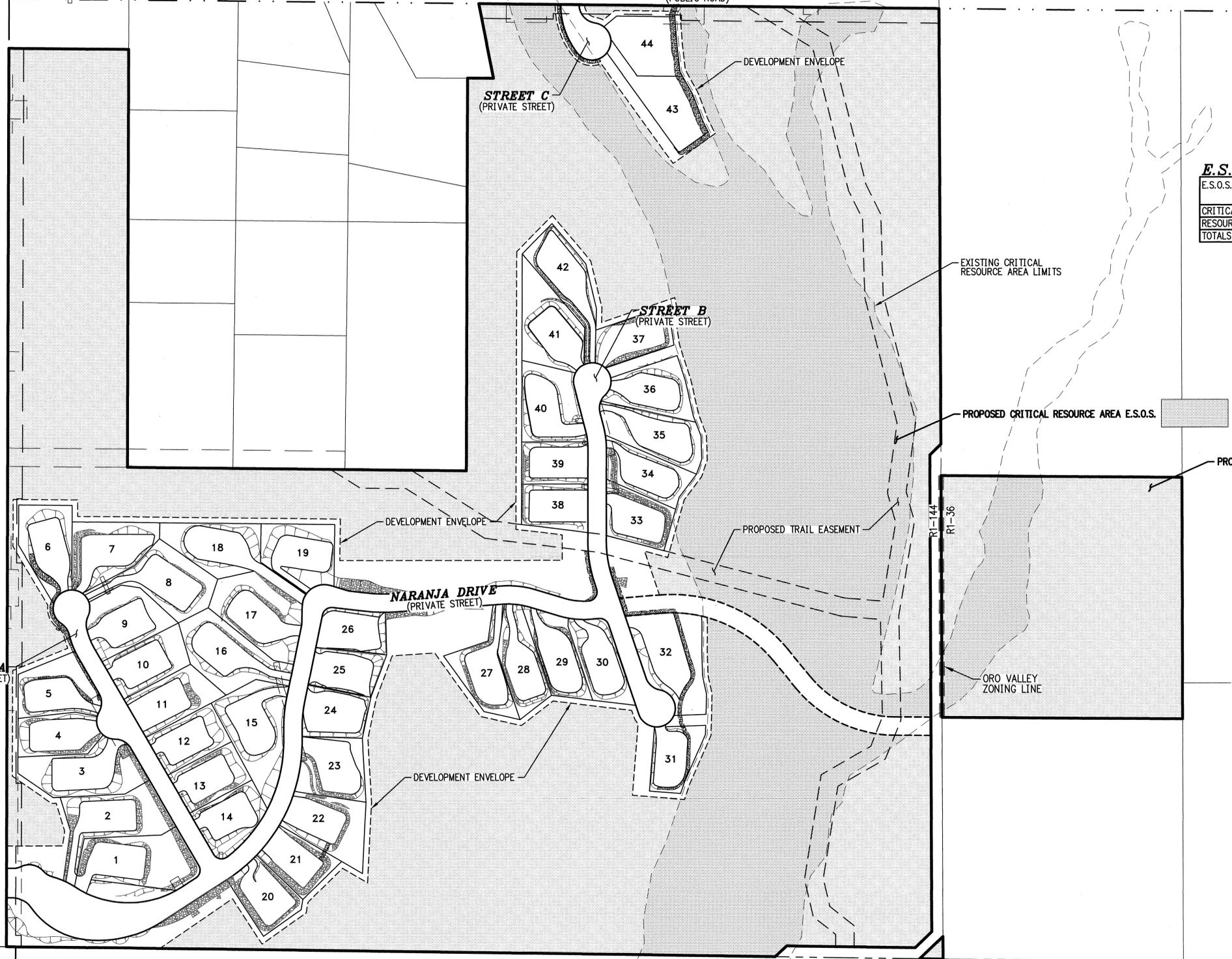
NARANJA DRIVE  
(PRIVATE STREET)

STREET A  
(PRIVATE STREET)

EAST NARANJA DRIVE  
(PUBLIC ROAD)

**E.S.O.S. CALCULATIONS**

E.S.O.S. CATEGORY	TOTAL AREA EXISTING (AC)	REQUIRED E.S.O.S. (AC)	PROVIDED E.S.O.S. (AC)	SURPLUS (AC)
CRITICAL RESOURCE AREA	30.63	29.10 (95%)	29.28 (96%)	0.18
RESOURCE MANAGEMENT AREA 2	100.40	25.10 (25%)	58.11 (58%)	35.53
TOTALS	131.03	54.20 (41%)	87.39 (67%)	33.19



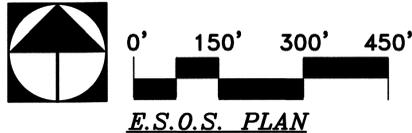
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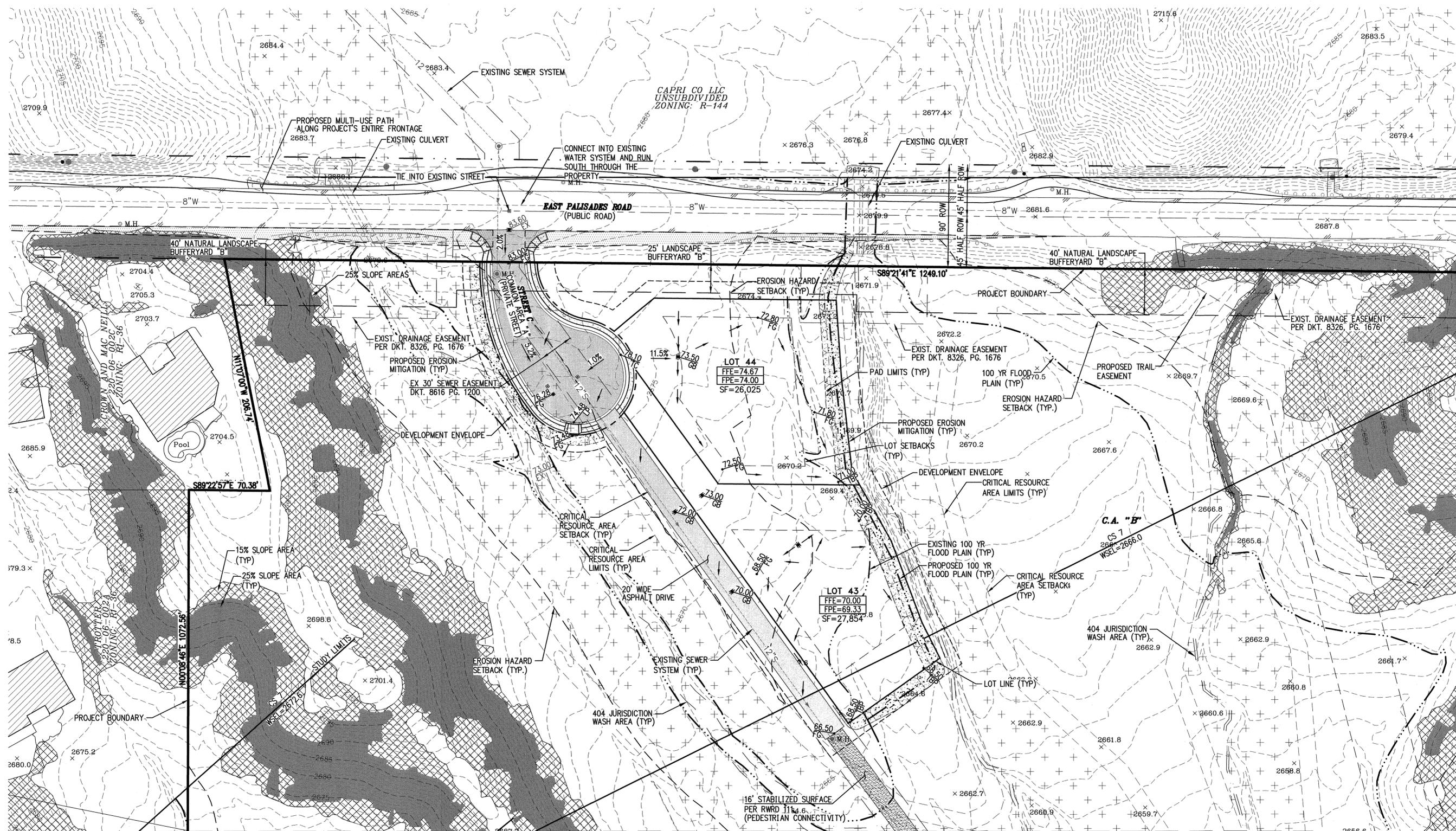
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**SHEET 3 OF 9**



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MATCHLINE SEE SHEET 5

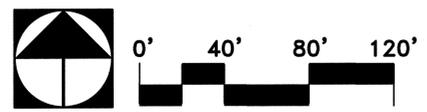
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 CONCEPTUAL SITE PLAN  
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 LOTS 1 THROUGH 44 AND COMMON AREAS "A" & "B"  
 BEING A PORTION OF SECTION 6  
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 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA



APRIL 2015  
 WLB NO. 182053-J-002  
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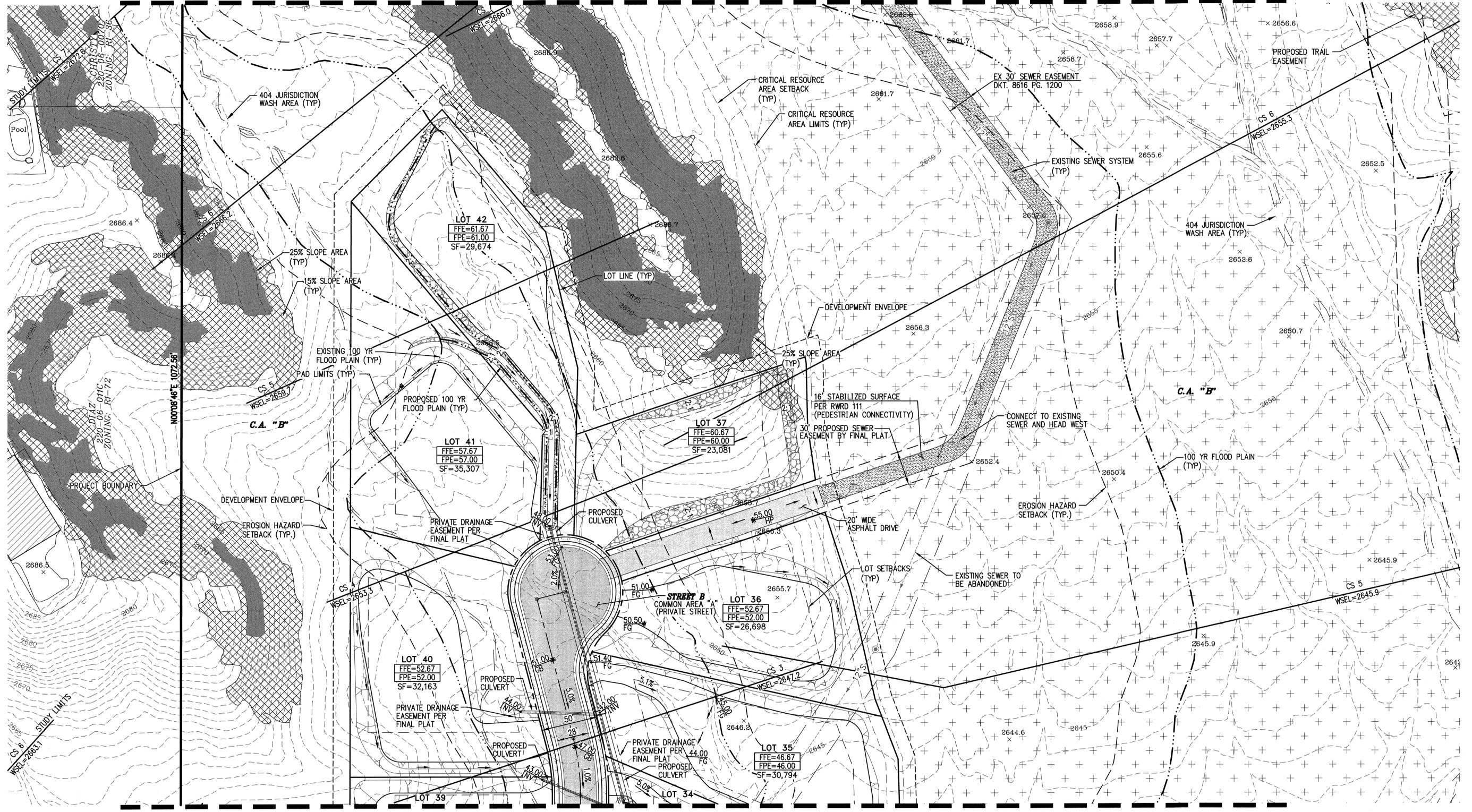
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**SHEET 4 OF 9**

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MATCHLINE SEE SHEET 4



MATCHLINE SEE SHEET 7

OV1214-07  
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**MERITAGE ON FIRST - SOUTH**  
 LOTS 1 THROUGH 44 AND COMMON AREAS "A" & "B"

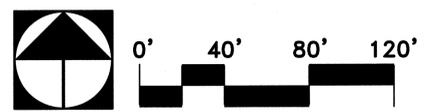
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 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA



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**SHEET 5 OF 9**

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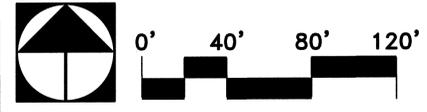
MATCHLINE SEE SHEET 8

0V1214-07  
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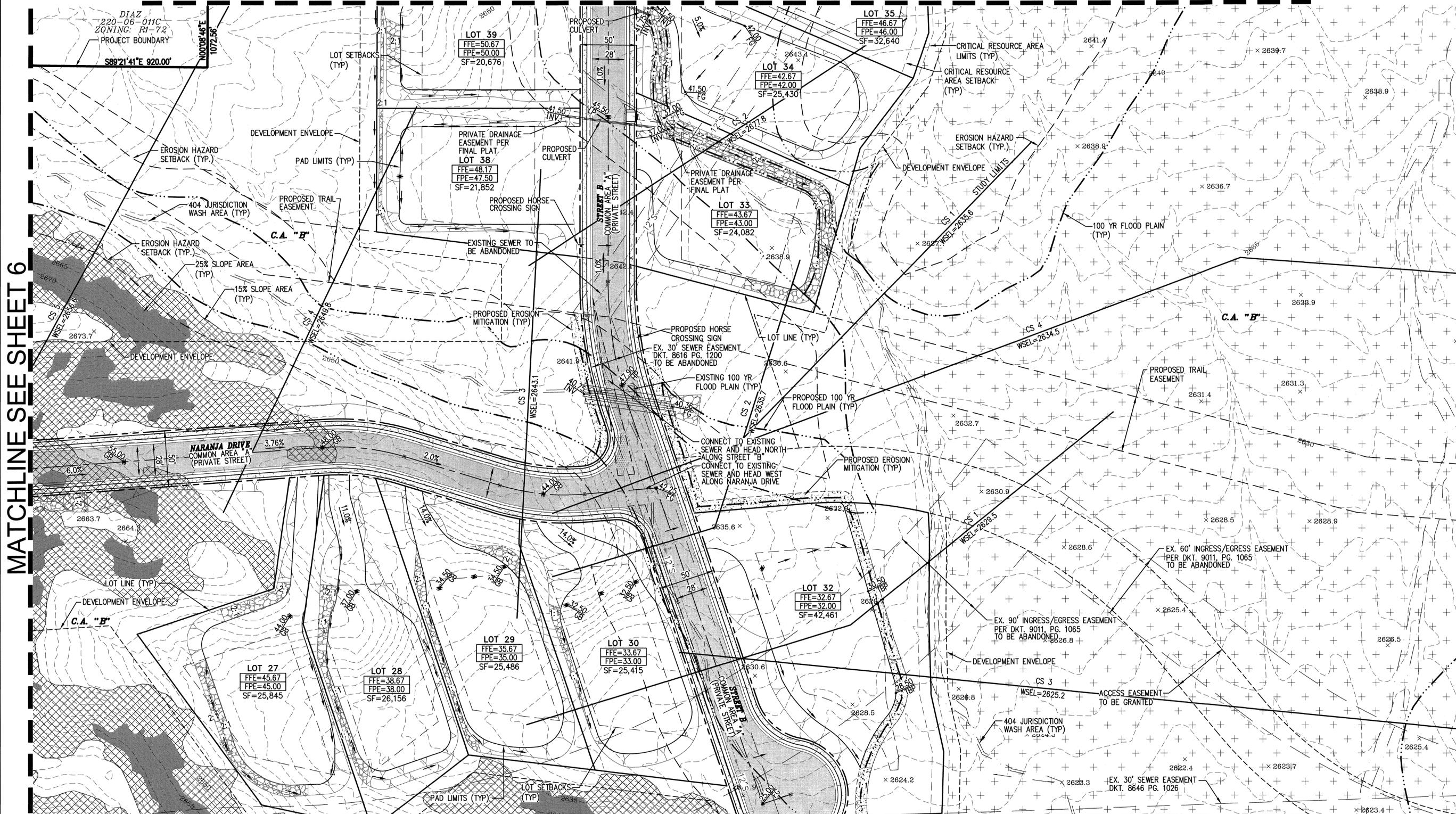
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 REF. CASE #0V113-009  
**SHEET 6 OF 9**

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MATCHLINE SEE SHEET 5



MATCHLINE SEE SHEET 6

MATCHLINE SEE SHEET 9

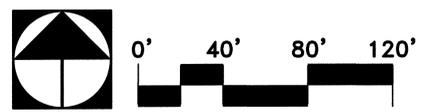
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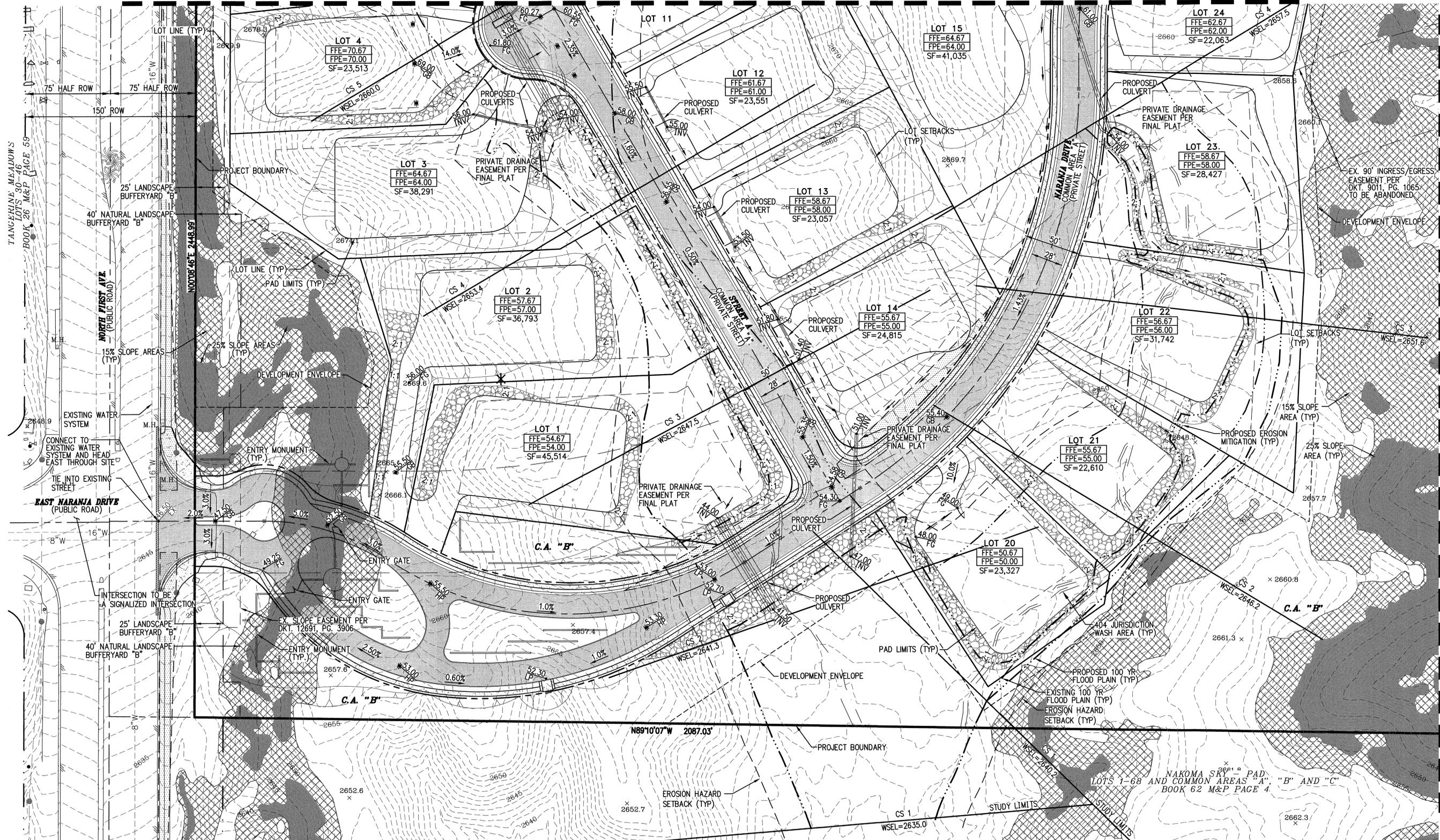
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**SHEET 7 OF 9**

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MATCHLINE SEE SHEET 6



MATCHLINE SEE SHEET 9

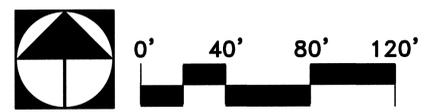
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 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA



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 SHEET 8 OF 9

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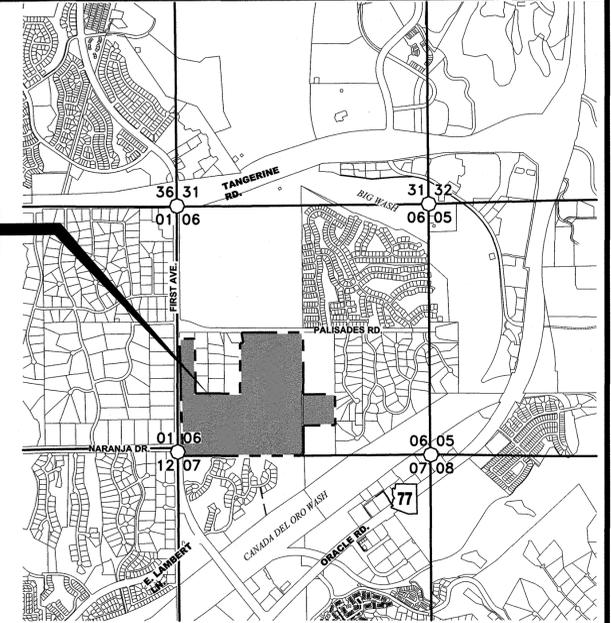


**GENERAL NOTES**

1. THE GROSS AREA OF THIS DEVELOPMENT IS 131.03 ACRES  
TOTAL UNDISTURBED AREA 99.0 ± ACRES
2. TOTAL AMOUNT OF OPEN SPACE REQUIRED = 54.2 ACRES  
TOTAL AMOUNT OF OPEN SPACE PROVIDED = 87.39 ACRES
3. TOTAL AMOUNT OF LANDSCAPED COMMON AREAS = 1.21 ACRES.
4. SETBACKS REQUIRED/PROVIDED (FRONT = 40'; SIDE = 16'; REAR = 40').
5. COMMON AREAS / OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE H.O.A.
6. EXISTING ZONING IS R1-144 AND R1-36.
7. BUFFERYARD TYPES: 40' NATURAL DESERT BUFFERYARD "B" AND 25' BUFFERYARD "B"
8. ASSURANCES FOR LANDSCAPING AND RE-VEGETATION BONDS MUST BE POSTED PRIOR TO ISSUANCE OF GRADING PERMITS.
9. PROPERTY OWNER SHALL MAINTAIN BUFFERYARD PLANTINGS TO ENSURE UNOBSTRUCTED VISIBILITY TO MOTORISTS. ALL SHRUBS, ACCENTS, AND GROUNDCOVERS SHALL NOT EXCEED THIRTY (30) INCHES IN HEIGHT WITHIN SITE VISIBILITY TRIANGLES. TREES WITHIN SITE VISIBILITY TRIANGLES WILL BE MAINTAINED TO ENSURE THAT BRANCHES / FOLIAGE IS NOT BELOW A HEIGHT OF SIX (6') FEET.
10. IN THE EVENT OF ABANDONMENT OF THE SITE AFTER GRADING / DISTURBANCE OF NATURAL AREAS, DISTURBED AREAS SHALL BE RE-VEGETATED WITH A NON-IRRIGATED HYDRO SEED MIX FROM OVZCR ADDENDUM D. APPROVED REVEGETATION SEED MIX.
11. ALL PLANT MATERIAL SHALL MEET THE MINIMUM STANDARDS CONTAINED IN THE CURRENT EDITIONS OF THE ARIZONA NURSERY ASSOCIATION'S GROWERS COMMITTEE RECOMMENDED TREE SPECIFICATIONS AND THE AMERICAN ASSOCIATION OF NURSERYMEN AS TO SIZE, CONDITION AND APPEARANCE.
12. PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING THE TEMPORARY IRRIGATION SYSTEM AS LONG AS NECESSARY IN ORDER TO TRANSITION PLANTS OVER TO NATURAL SOURCES. ANY PLANT MATERIALS THAT DIE IN TRANSITION, FOR ANY REASONS, SHALL BE REPLACED IN ACCORDANCE WITH SECTION 27.6.E.4., MAINTENANCE.
13. MATERIALS WITHIN SIGHT VISIBILITY TRIANGLES MUST BE PLACED SO AS NOT TO INTERFERE WITH A VISIBILITY PLANE DESCRIBED BY TWO HORIZONTAL LINES LOCATED THIRTY (30) INCHES AND SEVENTY TWO (72) INCHES ABOVE FINISHED GRADE OF THE ROADWAY SURFACE.
14. LANDSCAPE SHALL CONFORM TO ORO VALLEY LANDSCAPE CODE.
15. MITIGATION OF SURVEYED PLANTS IN THE NATIVE PLANT PRESERVATION PLAN WILL BE INCORPORATED INTO THE LANDSCAPE DESIGN.
16. TREE AND SHRUB LOCATIONS ARE PRELIMINARY.
17. ALL PLANTS TO BE IRRIGATED WITH AN UNDERGROUND AUTOMATIC DRIP IRRIGATION SYSTEM.
18. HYDROSEED ALL AREAS DISTURBED BY GRADING OPERATIONS AROUND LOTS AND ALONG ROADS. DECOMPOSED GRANITE SHALL BE PLACED AT ENTRIES.
19. THE DEVELOPER SHALL REPLACE REMOVED OR DAMAGED PLANT MATERIAL WITH LIKE SIZE AND SPECIES, AND SHALL MAINTAIN AND GUARANTEE (IN ACCORDANCE WITH SECTION 26.6.C AND I) THE REPLACEMENT PLANT MATERIALS FOR A PERIOD OF (3) YEARS.
20. LANDSCAPE AREAS THAT ARE SUSCEPTIBLE TO DAMAGE BY PEDESTRIAN OR AUTO TRAFFIC SHALL BE PROTECTED BY APPROPRIATE CURBS, TREE GUARDS OR OTHER DEVICES.
21. CURB-WAY CONSISTING OF INORGANIC GROUNDCOVER OR PLANTS NOT EXCEED TYPE 2 WATER USE SHALL BE PROVIDED BETWEEN CURB AND ALL SIDEWALKS.
22. LANDSCAPE SHALL BE DESIGNED TO MINIMIZE SEDIMENT, SAND, AND GRAVEL BEING CARRIED INTO THE STREETS BY STORM WATER OR OTHER RUNOFF.
23. LANDSCAPE DESIGN ENABLES ADEQUATE PLANT SPACING TO ENSURE SURVIVABILITY AT PLANT MATURITY.
24. ALL LANDSCAPED AREAS SHALL BE FINISHED WITH A NATURAL TOPPING MATERIAL OF AT LEAST TWO (2) INCHES IN DEPTH.
25. TREES AND LARGE SHRUBS SHALL BE ADEQUATELY SUPPORTED WHEN PLANTED.
26. SLOPES SHALL BE NO STEEPER THAN THREE TO ONE (3:1) UNLESS OTHERWISE SPECIFIED IN A SITE-SPECIFIC SOILS REPORT PREPARED BY A REGISTERED CIVIL ENGINEER AND APPROVED BY THE TOWN ENGINEER.

# CONCEPTUAL LANDSCAPE PLAN MERITAGE ON FIRST - SOUTH LOTS 1 THROUGH 44 AND COMMON AREAS "A" AND "B" OV1214-07

**THIS PROJECT**



**LOCATION MAP**

A PORTION OF SECTION 6  
T12S, R14E, G & S.R.M., TOWN OF ORO VALLEY,  
PIMA COUNTY, ARIZONA

**OWNER**

CAPRI CO. LLC  
6088 WEST ARIZONA PAVILIONS DRIVE BLDG. #2  
MARANA, AZ 85743  
(520) 744-1573  
ATTENTION: JAMES KAI  
james.kai@kaienterprises.com

**DEVELOPER**

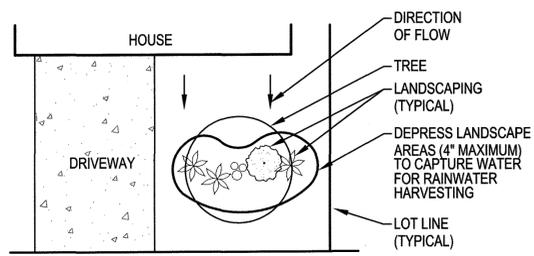
MERITAGE HOMES, INC.  
3275 W. INA ROAD, SUITE 220  
TUCSON AZ, 85741  
(520) 225-6800  
ATTN: JEFF GROBSTEIN  
jeff.grobstein@meritagehomes.com

**LANDSCAPE ARCHITECT**

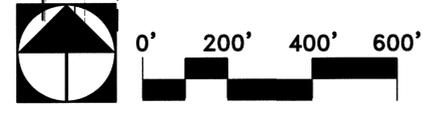
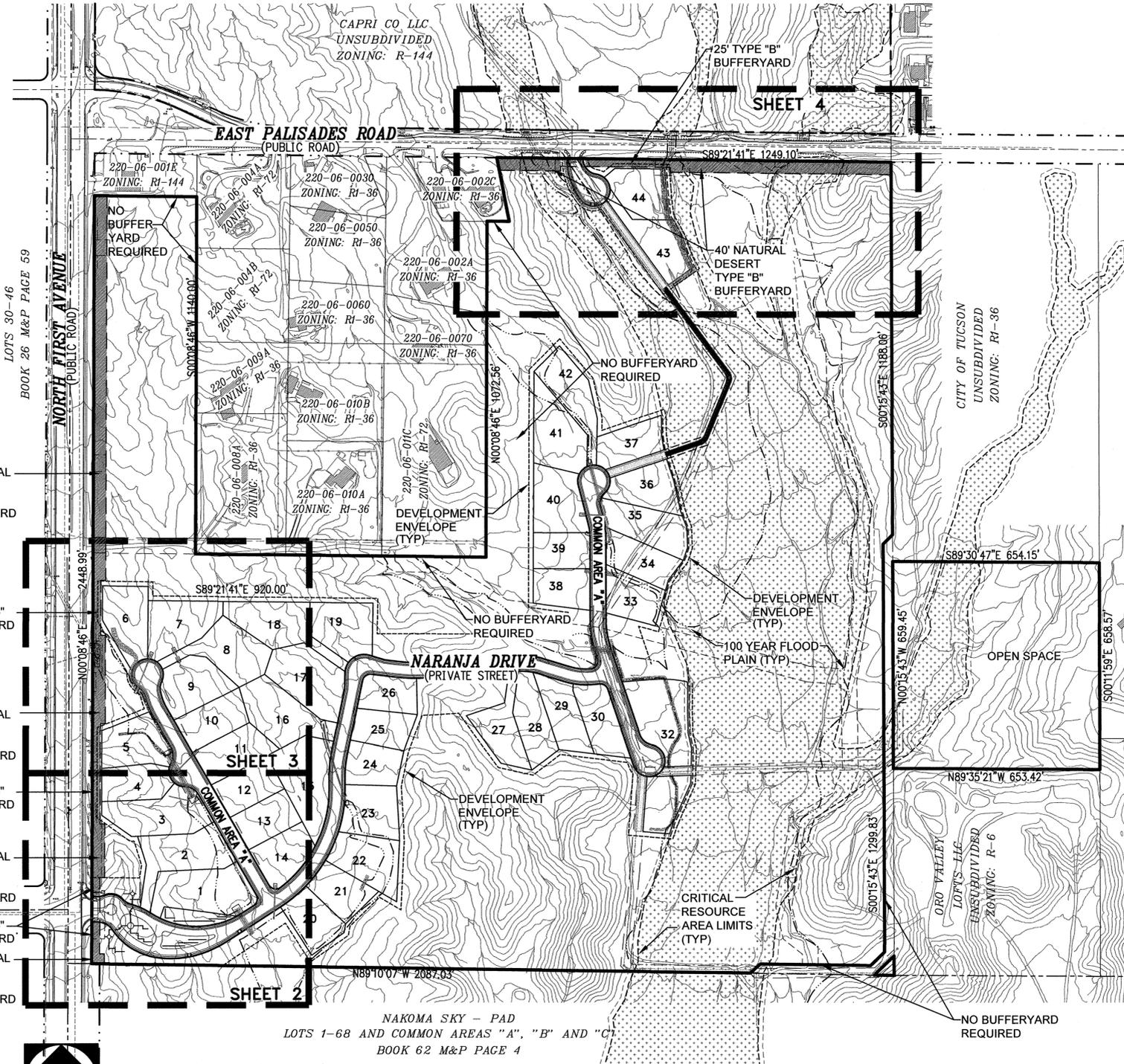
THE WLB GROUP, INC.  
4444 E. BROADWAY BLVD.  
TUCSON, AZ 85711  
(520) 881-7480  
ATTN: GARY GRIZZLE  
ggrizzle@wlbgroup.com

**SHEET INDEX**

- SHEET 1 ..... COVER/PROJECT OVERVIEW
- SHEET 2 ..... PLANTING PLAN
- SHEET 3 ..... PLANTING PLAN
- SHEET 4 ..... PLANTING PLAN



**1 TYPICAL FRONT YARD WATER HARVESTING**  
NTS



**PROJECT OVERVIEW**

**APPROVAL**

PLANNING & ZONING ADMINISTRATOR \_\_\_\_\_ DATE \_\_\_\_\_

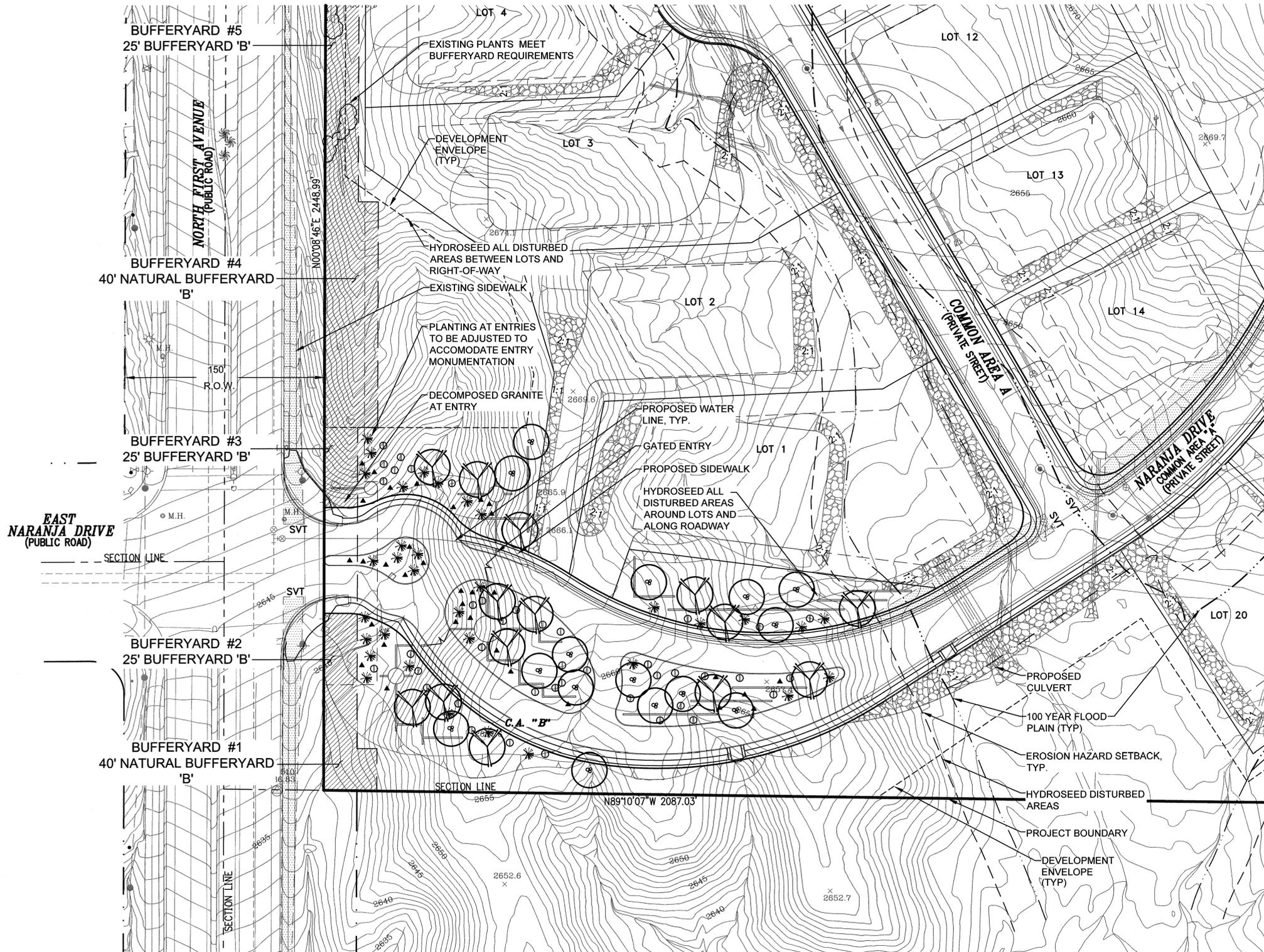


**OV1214-07  
CONCEPTUAL LANDSCAPE PLAN  
FOR  
MERITAGE ON FIRST-SOUTH  
LOTS 1 THROUGH 44 AND COMMON AREAS "A" & "B"**

BEING A PORTION OF SECTION 6  
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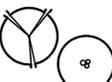
APRIL 2015  
WLB NO. 182053-J002  
CONTOUR INTERVAL: ONE FOOT. SCALE: AS SHOWN

CONCEPTUAL LANDSCAPE PLAN MERITAGE ON FIRST - SOUTH  
Plotted: May, 20, 2015 - 2:27pm



**HYDROSEED ALL DISTURBED AREAS BETWEEN LOTS AND RIGHT-OF-WAY EXCEPT WHERE DECOMPOSED GRANITE IS INDICATED**

**PLANT LEGEND**

-  TREES
-  SHRUBS / GROUNDCOVER
-  ACCENTS
-  EXISTING PLANTS



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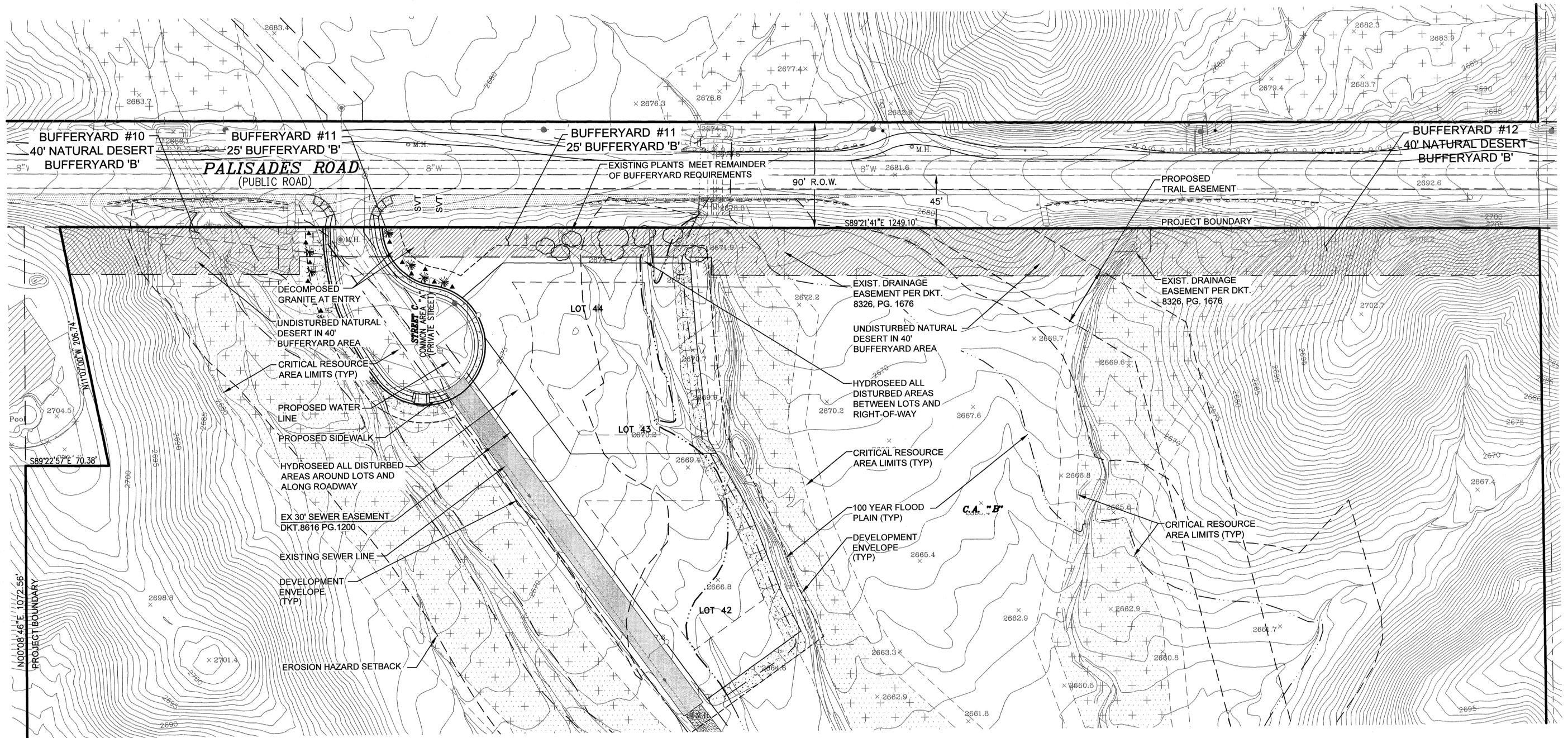
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**LOTS 1 THROUGH 44 AND COMMON AREAS "A" & "B"**  
 BEING A PORTION OF SECTION 6  
 TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M.  
 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

APRIL 2015  
 WLB NO. 182053-J002  
 CONTOUR INTERVAL: ONE FOOT. SCALE: 1"=40'

REF. CASE #113-009  
**SHEET 2 OF 4**

CONCEPTUAL LANDSCAPE PLAN MERITAGE ON FIRST - SOUTH  
 Plotted: May, 20, 2015 - 2:27pm  
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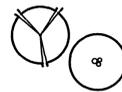




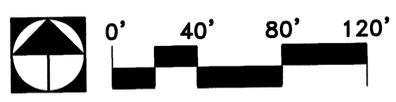
N00°08'46"E 1072.56'  
PROJECT BOUNDARY

CONCEPTUAL LANDSCAPE PLAN MERITAGE ON FIRST - SOUTH

**PLANT LEGEND**

-  TREES
-  SHRUBS / GROUND COVER
-  ACCENTS
-  EXISTING PLANTS

**HYDROSEED ALL DISTURBED AREAS BETWEEN LOTS AND RIGHT-OF-WAY EXCEPT WHERE DECOMPOSED GRANITE IS INDICATED**



The WLB Group, Inc. **WLB**  
 Engineering • Planning • Surveying  
 Landscape Architecture • Urban Design  
 Offices located in: Tucson, Phoenix, and Flagstaff, Arizona and Las Vegas, Nevada.  
 4444 E. Broadway Tucson, Az. 85711  
 (520) 881-7480



**OV1214-07**  
**CONCEPTUAL LANDSCAPE PLAN**  
 FOR  
**MERITAGE ON FIRST-SOUTH**  
 LOTS 1 THROUGH 44 AND COMMON AREAS "A" & "B"  
 BEING A PORTION OF SECTION 6  
 TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M.  
 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

N:\182053\Meritage & First\CLP\ANS182053 CLP 4.dwg Plotted: May 20, 2015 - 2:29pm



## Conceptual Site Plan Conceptual Design Review Board Staff Report

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**CASE NUMBER:** OV1214-07 Kai (South)  
**MEETING DATE:** June 9, 2015  
**AGENDA ITEM:** 5  
**STAFF CONTACT:** Michael Spaeth, Senior Planner  
[mspaeth@orovalleyaz.gov](mailto:mspaeth@orovalleyaz.gov) (520) 229-4812

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**Applicant:** Paul Oland, The WLB Group Inc  
**Request:** **Conceptual Site Plan and Landscape Plan for a 44-lot single-family residential development**  
**Location:** Northeast corner of First Avenue and Naranja Drive  
**Recommendation:** Recommend approval of requested Conceptual Site Plan and Landscape Plan subject to the conditions listed in Attachment 1.

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### **SUMMARY:**

The applicant's request (Attachment 2) is to develop an approximately 131-acre property into 44 single-family lots. The Conceptual Design Review Board review is focused on the fundamental elements of the Conceptual Site Plan and Landscape Plan, including site layout, drainage/grading and pedestrian and vehicular connectivity.

The Conceptual Site Plan and Landscape Plan conforms with the General Plan Special Area Policies, and Conceptual Design Principles and Design Standards of the Zoning Code, subject to the conditions listed in Attachment 1.

### **BACKGROUND/DETAILED INFORMATION:**

#### Current Site Conditions

- The property encompasses approximately 131 acres
- Currently vacant
- Located on the northeast corner of Naranja Drive and First Avenue

The Existing Land Use, General Plan and Zoning for the property and the surrounding area is depicted in Attachments 3, 4 and 5 respectively.

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Approvals to Date

- There have been no approvals to date regarding the subject property.
  - The property was annexed into the Town in 1994.
  - Special Area Policies specific to this site were included in the General Plan, which was adopted in 2005.
- 

**DISCUSSION / ANALYSIS:**

Conceptual Site Plan and Landscape Plan

The applicant's proposal (Attachment 2) depicts 44 detached single-family residential lots on approximately 131 acres with lot sizes ranging from 17,794 sq. ft. to 45,415 sq. ft. The property is subject to the Kai-Capri Special Area Policies established in the 2005 General Plan update.

The subdivision will have two ingress/egress points; one from the intersection of Naranja Drive and First Avenue and a second serving two lots off Palisades Road. A pedestrian connection will be provided between the southern portion of the development and the northern two lots, providing access to multi-use path being constructed along Palisades Road and sidewalks will be incorporated throughout the design.

Additional discussion of the proposed Conceptual Site Plan and Landscape Plan is provided in Attachment 6.

Environmentally Sensitive Lands Analysis

As part of the Conceptual Site Plan review, the applicant has "opted in" to the Environmentally Sensitive Lands requirements of the Zoning Code. The applicant has requested the use of several Flexible Design Options enabled by Section 27.10 of the Zoning Code that have been approved administratively, including:

- Minimum Lot Size
- Building Height
- Internal Building Setbacks
- Native Vegetation Preservation

A discussion and analysis of the projects conformance with the Environmentally Sensitive Lands section of the Zoning Code is provided in Attachment 7.

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Special Area Policies, Design Principles and Design Standards Plan Analysis

The applicant's proposal has been reviewed for conformance with the Town of Oro Valley Zoning Code including the Conceptual Design Principles and Design Standards. The Conceptual Design Principles are utilized as primary guidance for staff and CDRB evaluation of the application. The Addendum "A" Design Standards are used as secondary guidance, as appropriate.

The Conceptual Landscape Plan has been reviewed for conformance with the applicable Zoning Code requirements. The proposed subdivision incorporates landscaped entries with separated ingress/egress and landscaping in all common areas. Sidewalks have been provided throughout the subdivision and trail connections have been provided with access to the larger regional trail network. Finally, an equestrian trail and roadway crossing have been provided for neighboring residents who frequently use the property while riding horses.

Additional discussion and analysis of the projects conformance with the Kai-Capri Special Area Policies and Design Principles and Design Standards of the Zoning Code is provided in Attachment 8.

Engineering Comments

*Traffic*

The proposed development will be served by an access at the signalized intersection of Naranja Drive and 1<sup>st</sup> Avenue. Improvements to the existing intersection will be required by the developer and access into the development from this location will be gated. Another access point for two lots on the northern portion of the development will be provided from Palisades Road. This development is similar to the other developments in the area and will not generate traffic that is uncharacteristic of the area. The existing roadway network has existing capacity to accommodate the slight increase of traffic volume.

*Drainage*

Existing storm water runoff flows through the site in a southerly direction. The drainage system for the proposed development will be designed to meet the Town's Drainage Criteria Manual and Floodplain Ordinance requirements. Storm water runoff will be conveyed by drainage channels, storm drains, and culverts throughout the development. Post-developed discharges will be reduced to pre-developed discharges to mimic existing conditions.

*Grading*

A Type 2 Grading Permit is required to construct the utilities, street, and any other structures requiring grading on the project site. The grading represented within the Conceptual Site Plan conforms to the requirements of the Town's Zoning Code (Section 27.9) as well as the Town's Subdivision Street Standards. Type 1 Grading Permits will be required for individual lot development.

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**PUBLIC PARTICIPATION:**

Neighborhood Meetings

Three neighborhood meetings have been held regarding the applicant's proposal on August 15, 2013, November 19, 2013 and June 16, 2014. Approximately 45 to 60 residents attended each meeting. The primary topics discussed during the meetings included:

- Building Height
- Compatibility
- Traffic
- Drainage
- Trail access

The neighborhood meetings were held regarding both, this application and the proposed rezoning application for the Kai (North) property. The comments discussed during the meetings were primarily directed toward the proposed rezoning proposal.

A copy of the neighborhood meeting minutes have been provided in Attachment 9 and a discussion of the how the applicant has addressed the neighborhood meeting topics listed above is included in Attachment 10.

No additional correspondence has been received by staff.

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**CONCLUSION/RECOMMENDATION:**

Based on the following findings:

- The request conforms with the Conceptual Design Principles of the Zoning Code
- The request conforms with the Addendum "A" Design Standards of the Zoning Code.
- The request conforms with the Kai-Capri Special Area Policies.

**Recommend approval to Town Council of the Kai (South) Conceptual Site Plan and Landscape Plan, subject to the conditions on Attachment 1.**

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**SUGGESTED MOTIONS:**

I move to recommend approval of the Kai (South) Conceptual Site Plan and Landscape Plan, based on the findings that in the staff report, subject to the conditions on Attachment 1.

OR

I move to recommend denial of the Kai (South) Conceptual Site Plan and Landscape Plan finding \_\_\_\_\_.

**ATTACHMENTS:**

1. Conditions of Approval
2. Conceptual Site Plan and Landscape Plan
3. Location Map
4. General Plan Map
5. Zoning Map
6. Conceptual Site Plan and Landscape Plan Summary
7. Environmentally Sensitive Lands Discussion and Analysis
8. Special Area Policies, Design Principles and Design Standards Analysis
9. Neighborhood Meeting Summaries
10. Neighborhood Meeting Topics Analysis

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Bayer Vella, Planning Manager

**DRAFT MINUTES  
ORO VALLEY CONCEPTUAL DESIGN REVIEW BOARD  
REGULAR SESSION  
JUNE 9, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CAÑADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Chairman Eggerding called the meeting to order at 6:00 pm.

**ROLL CALL**

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

**ABSENT:** None

**ALSO PRESENT:**

Chief Civil Deputy Attorney Joe Andrews  
Vice Mayor Lou Waters  
Permitting Manager David Laws  
Principal Planner Chad Daines

**5. DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR A 44-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF FIRST AVENUE AND NARANJA DRIVE, OV1214-07**

**Member Donley recused himself from this case.**

Chad Daines, Principal Planner, presented the following information:

Purpose

Subject property  
Conceptual Site Plan  
Environmentally Sensitive Lands Images  
Conceptual Landscape Plan  
Public Participation  
Summary and Recommendation

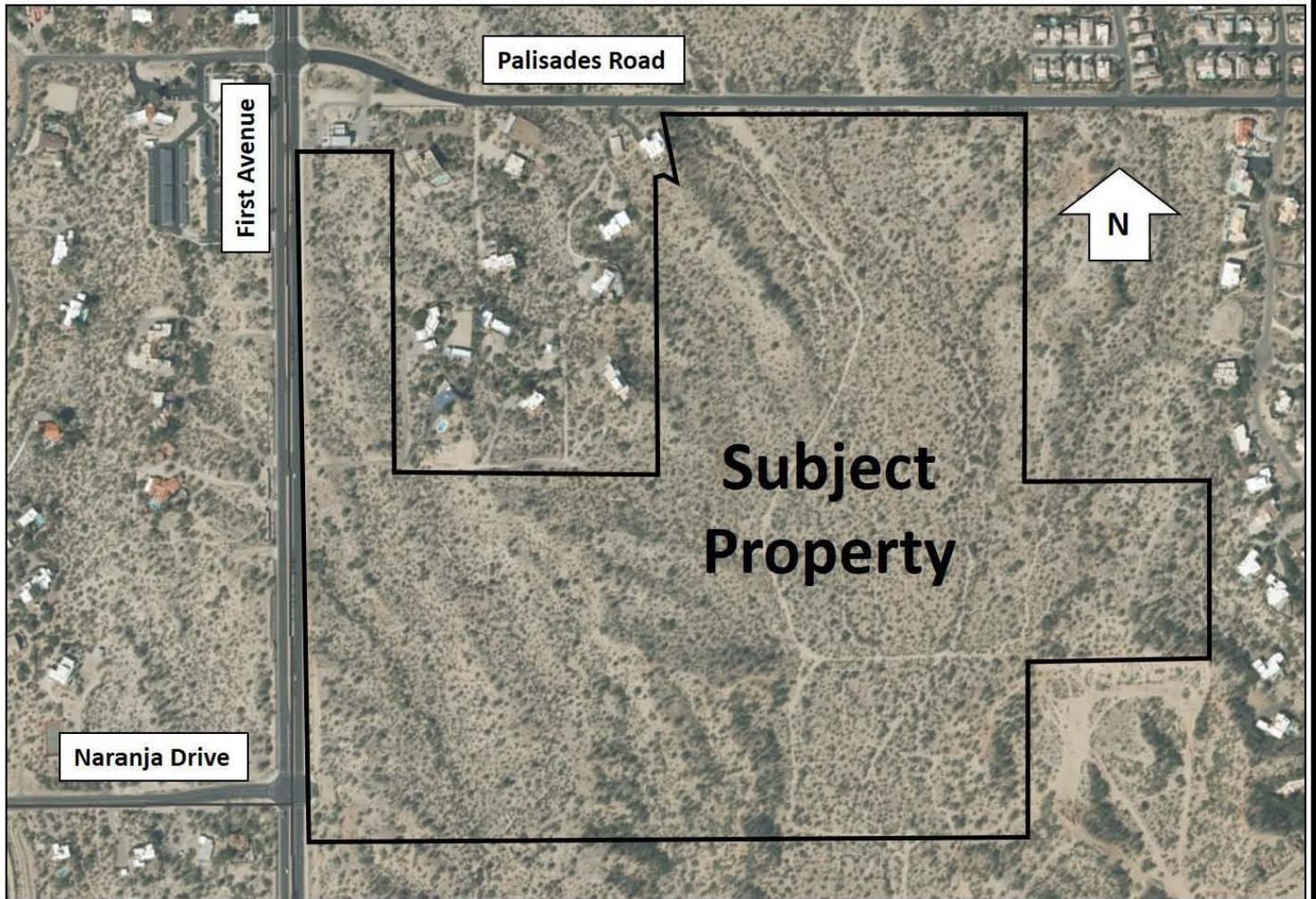
Paul Oland, WLB, representing Meritage Homes, answered questions from the Board. Mr. Oland stated the developer has opted into the Environmentally Sensitive Lands regulations. The developer has worked hard to make sure the area is kept open and plenty of easements for access are maintained. This will be a gated area with openings or access at two locations. Being an ESL area, the applicant will not have to salvage plants, provided they have enough of the conservation land, which this applicant is doing. However, the applicant does intend to participate in the save - a - plant program.

**MOTION:** A motion was made by Sarah Chen, Member and seconded by Jacob Herrington, Member to approve

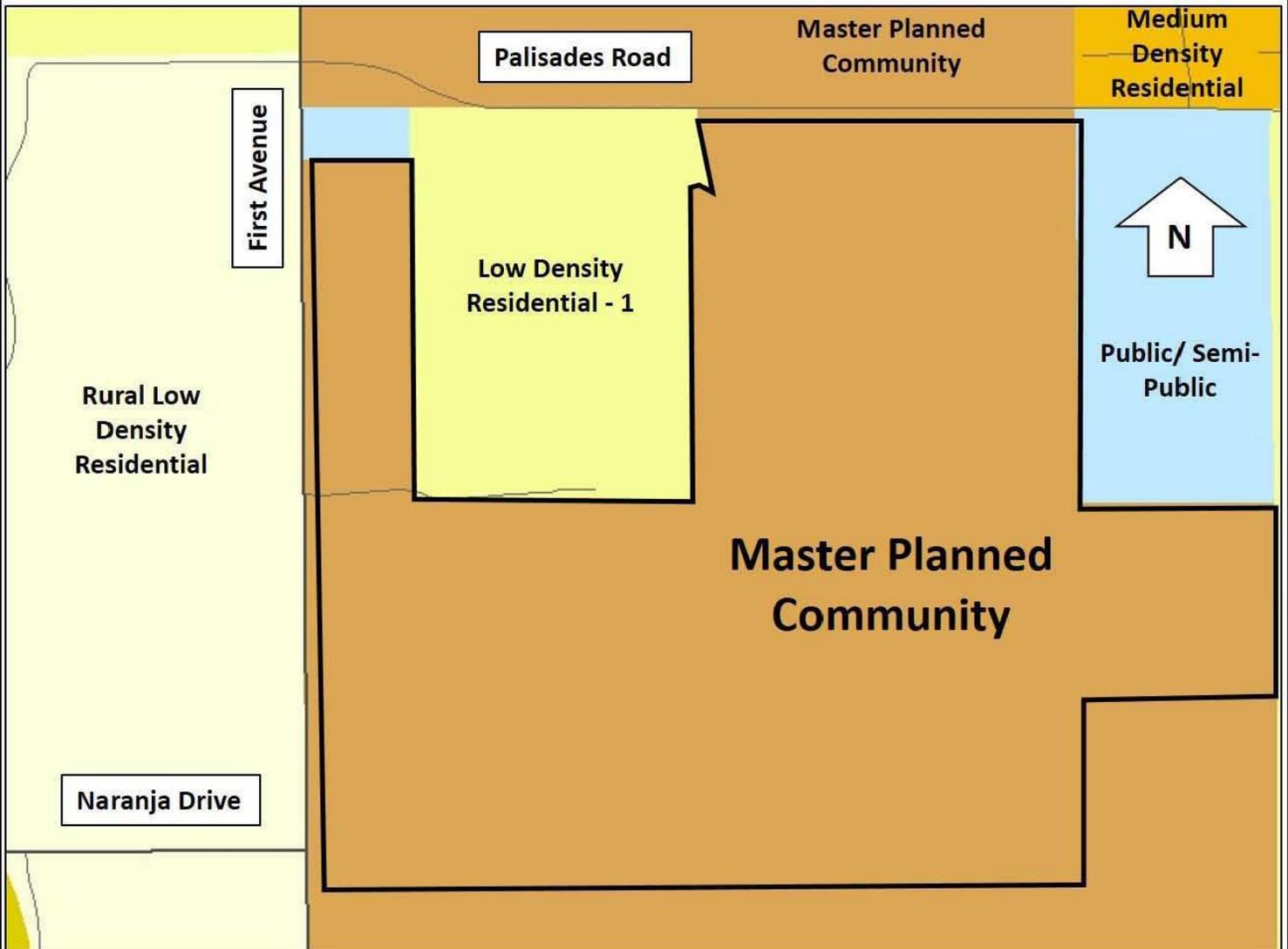
**MOTION** carried, 6-0.

**Member Donley returned to the meeting.**

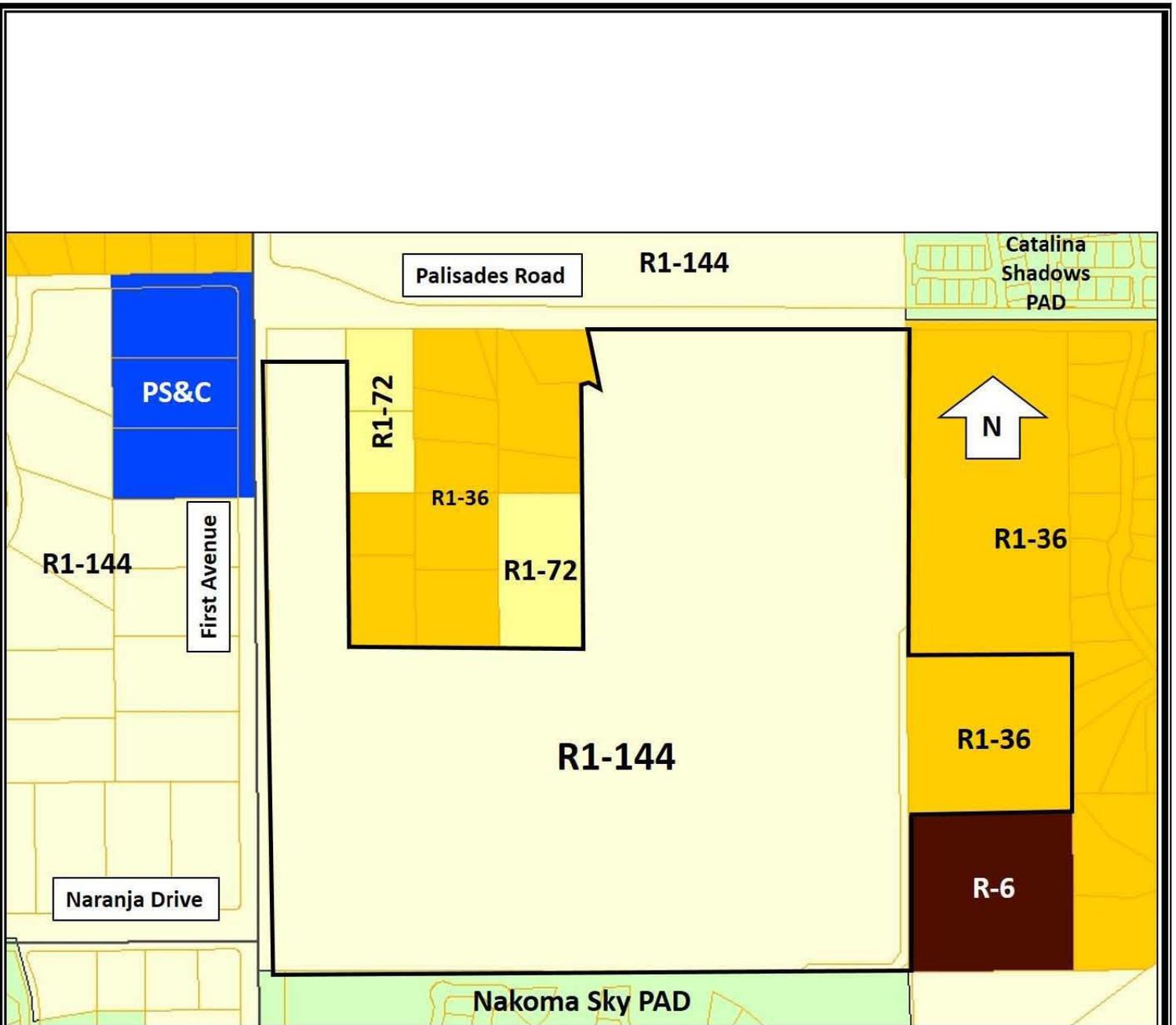
**The meeting was adjourned for a brief recess at 7:15 and called back into session at 7:25 pm.**



**SUBJECT PROPERTY MAP**  
FIRST AVENUE AND NARANJA DRIVE  
(OV1214-07)



**GENERAL PLAN MAP**  
 FIRST AVENUE AND NARANJA DRIVE  
 (OV1214-07)



# ZONING MAP

## FIRST AVENUE AND NARANJA DRIVE

(OV1214-07)

**Attachment 8  
Kai (South)  
Conceptual Site Plan and Landscape Plan Summary and Analysis**

The subject property is zoned R1-144 (minimum lot size 144,000 sq. ft. single-family residential) as indicated in Attachment 5. The R1-144 Zoning District permits detached single-family dwelling units. The Conceptual Design Principles and the Addendum “A” Design Standards are the primary evaluative criteria for the applicant’s proposed subdivision.

The applicant’s request (Attachment 2) is to develop 44 single-family lots on 131 acres. The applicant’s proposal is for semi-custom detached single-family homes. The project details have been provided in the table below:

<b>Total Lots</b>	44
<b>Density (du/ac)</b>	0.34 du/ac
<b>Building Heights</b>	23’ (per ESL)
<b>Minimum Lot Size</b>	17,794 sq. ft.
<b>Average Lot Size</b>	28,848 sq. ft.
<b>Open Space</b>	87 acres (67%)

The R1-144 Zoning District does not have a minimum open space requirement. The applicant’s proposal provides approximately 67% open space.

There are two points of ingress/egress; one at the intersection of First Avenue and Naranja Drive, and a second serving two lots on the northern property line providing access to Palisades Road. Traffic onto Palisades Road has been a historical concern for residents in the area. The applicant’s proposal minimizes traffic onto Palisades Road with most vehicles accessing the subdivision from the First Avenue entrance. The Palisades Road ingress is limited to two lots.

The subdivision will be gated with sidewalks incorporated on both sides of the street throughout the subdivision. Trail connections, including an equestrian trail and roadway crossing, have been provided connecting to the larger regional trail network within the area. Furthermore, a pedestrian connection has been provided between the two portions of the subdivision that will provide access to the future multi-use path along Palisades Road.

The applicant requests the use of several flexible design options enabled by the Environmentally Sensitive Lands regulations of the Zoning Code as further discussed in Attachment 9.

### Conceptual Landscape Plan

The Conceptual Landscape Plan (Attachment 2) depicts the general landscape design concept within the subdivision. The Landscape Plan incorporates landscaped entries with separated ingress/egress and landscaping in all disturbed common areas. A substantial area of the site is proposed to be left undisturbed preserving the natural desert vegetation. The Landscape meets all applicable sections of the Zoning Code.

The applicant has requested administrative approval of the Native Vegetation Preservation incentive enabled in the Environmentally Sensitive Lands Section of the Zoning Code. The applicant's request has been reviewed and administratively approved. For further information please refer to Attachment 7.

### Recreation Area

The applicant is not required to provide a recreational area in accordance with Section 26.5 of the Zoning Code. However, the proposed subdivision does provide a number of trail connections, including an equestrian trail connection to the larger regional trail network.

### Oro Valley Zoning Code Conceptual Site Design Principles, Section 22.9.D.5.a

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

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

Staff Commentary: The subject property is surrounded by similar residential subdivisions with similar densities. The applicant's proposal incorporates a substantial buffer (approximately 1200 feet) from existing residential to the east and a minimum 150' buffer from the existing homes located in the Palisades splits area. Furthermore, the majority of the proposed homes are proposed at lower, some significantly lower, elevations than the existing homes in the area decreasing any impacts on views of the Catalina Mountains. The proposed subdivision incorporates the required landscape buffers along First Avenue and Palisades Road visually separating the proposed residences from adjacent roadways and properties.

Internally, the proposed subdivision will consist of a semi-custom home product on large lots that will be designed to take advantage of the preserved vegetation and views of the Catalina Mountains. The applicant's proposal respects the natural contours of the site and appropriately locates the lots accordingly.

*Drainage/grading: site grading shall minimize impacts on natural grade and landforms and provide for subtle transitions of architectural elements to grade. Significant cuts and*

*fills in relation to natural grade shall be avoided or minimized to the extent practical given property constraints.*

Staff Commentary: The overall topography of the site is varied and has a number of steep slopes. The applicant has arranged the proposed subdivision to respect the steep slopes on the site and minimize the number of major cuts or fills. Two lots require up to a 12' cut and fill enabled by the Environmentally Sensitive Lands Section of the Zoning Code (see Attachment 7).

A full drainage report will be required as part of the Final Design review submittal to verify conformance with the Town's Drainage Criteria Manual. All post-development flow shall be mitigated and released in the same manner and quantity as the existing conditions.

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

Staff Commentary: The proposed development will have a primary access on First Avenue. Two lots within the subdivision will be accessed from Palisades Road. The subdivision incorporates sidewalks throughout and a pedestrian walking path between the two components of the subdivision providing access to the future multi-use path along Palisades Road. Trail connections have been provided to the larger regional trail network including the provision of an equestrian trail with roadway crossing.

### Design Standards Analysis

The proposed Conceptual Site Plan has been reviewed for conformance with the Addendum "A" Design Standards. Following are key Design Standards (*in italics*), followed by staff's commentary.

1. *Section 3.1.A.1.a: Open space shall be used to enhance and organize the community...*
2. *Section 3.1.A.1.b: Clustering of lots as a means of preserving open space*

Staff Commentary: The applicant's proposal incorporates open space elements at the project entry on First Avenue to provide project identity. The proposed lot layout utilizes a conservation subdivision design (clustering) that results in more contiguous open space that protects the wildlife corridors within the area.

3. *Section 3.1B.1: Street character should be diverse.*
4. *Section 3.1.B.2: Street trees, landscape themes, varied setbacks or architectural treatments shall be used to provide individual street character.*

Staff Commentary: The proposed subdivision incorporates a variety of lot sizes and shapes that will result in a diversity of setbacks and landscape buffers between the proposed lots and the street. The semi-custom housing product will further the architectural variety within the subdivision by allowing residents a variety of design options.

5. *Section 3.1.D.4: Pedestrian connections shall be provided between neighborhoods*

Staff Commentary: The proposed subdivision will incorporate sidewalks throughout the subdivision that will connect to existing sidewalks along First Avenue. Additionally a walking trail will be provided between the two components of the subdivision providing access to the future multi-use path on Palisades Road.

Finally, the subdivision is providing trail connections to the larger regional trail network providing access to the Canada del Oro Wash and an equestrian trail connection including an associated roadway crossing.

6. *Section 3.1.G.1: Natural features...shall be preserved to the greatest extent possible.*

7. *Section 3.1.G.1.a: Significant environmental features, shall be identified and conserved as open space on the development plan or plat.*

Staff Commentary: The applicant has “opted in” to the standards of the Environmentally Sensitive Lands Section of the Zoning Code which further defines those resources that must be protected (see Attachment 8). The proposed subdivision preserves approximately 67% of the site as Environmentally Sensitive Open Space that will be permanently protected.

**Attachment 9  
Kai (South)  
Environmentally Sensitive Lands Discussion and Analysis**

In conjunction with the Conceptual Site Plan review, the applicant has “opted in” to the requirements of the Environmentally Sensitive Lands Section (ESL) of the Zoning Code. Below is a discussion of the project’s conformance with ESL.

**Conservation Categories (Biologically Based)**

The riparian areas traversing the site are designated Critical Resource Area (CRA) and with the remainder of the site designated as Resource Management Area Tier 2 on the Town’s Environmentally Sensitive Lands Planning Map. The two Environmentally Sensitive Lands Conservation Categories require the following open space preservation as Environmentally Sensitive Open Space (ESOS):

- Critical Resource Area: 95%
- Resource Management Area Tier 2: 25%

The proposed Tentative Development Plan conserves the following:

- Critical Resource Area: 96%
- Resource Management Area Tier 2: 58%

Overall, 67% of the site is conserved as natural open space. The applicant’s proposal is consistent with the open space requirements for both conservation categories.

**Conservation Categories (Non-biologically Based)**

**Cultural Resources**

The applicant submitted a letter from the Arizona State Museum (ASM) indicating that the subject property has been surveyed for cultural resources and three historic sites were recorded on the property. A field survey in March 2014, identified all three archaeological sites on the subject property, two of which did not meet the criteria of inclusion on the National Register of Historic Places. The third site was identified as a possible candidate for inclusion and may need a treatment plan in accordance with Section 27.10.D.3.e. of the Zoning Code. On June 16, a field analysis was conducted which determined the third remaining site did not meet the eligibility requirements for inclusion in the National Register of Historic Places.

**Scenic Resources**

The site is characterized by a moderate grade changes throughout the property with several significant ridgelines traversing the property. The applicant’s proposed homes are arranged to respect the steep slopes and located within the less visible portions of the property that will not impact view sheds or view corridors of the Catalina Mountains.

### Hillside Areas

The subject property has numerous topographical constraints, including several significant ridgelines. The proposed subdivision limits impacts to slopes greater than 25% to only utility and roadway crossings where no feasible alternative exists, in accordance with Section 27.10.D.3.g.

### Flexible Design Options

The applicant has requested the use of several Flexible Design Options enabled by Section 27.10 of the Zoning Code. For Conceptual Site Plan applications that have “opted in” to the requirements of the Environmentally Sensitive Lands Section of the Zoning Code, the requested Flexible Design Options are reviewed and approved administratively when a minimum of 25% of the site is preserved as Environmentally Sensitive Open Space (ESOS). The applicant has provided approximately 67% Environmentally Sensitive Open Space. Below is a discussion of the requested Flexible Design Options followed by an analysis of each.

#### *Building Setbacks (Internal)*

This incentive allows an applicant to request a reduction for internal building setbacks.

The Conceptual Site Plan depicts a Conservation Subdivision Design utilizing the lot reduction incentive. As a result of the reduced lot sizes, the applicant requested the following building setback reductions:

- Front: 40 feet (existing 50 feet)
- Side: 16 feet (existing 20 feet)
- Rear: 40 feet (existing 50 feet)

Subdivisions with lot sizes larger than 12,000 sq. ft. may reduce building setbacks up to 20%. The applicant’s request is consistent with this requirement. The reduced setbacks shall not result in on-lot driveway lengths that are less than twenty (20’) feet, per Section 27.10.F.2.c.iii.a.2.

#### *Native Vegetation Preservation*

Environmentally Sensitive Lands Section 27.10.F.2.c.iii.k provides for the Native Plant Salvage and Mitigation requirements (Section 27.6.B) to be waived within the development envelope when fifty (50%) percent or more of a site is preserved as Environmentally Sensitive Open Space. This modification does not apply to areas of distinct vegetation which are designated as Core Resource Area or native plants that are listed as threatened or endangered by the Endangered Species Act or highly safeguarded by the Arizona Department of Agriculture.

The applicant requested to waive the Native Plant Salvage and Mitigation requirements of Section 27.6B within development envelopes. The Conceptual Site Plan provides approximately 67% ESOS, in excess of the fifty (50%) percent minimum for this flexible design option.

#### *Minimum Lot Size*

The applicant has proposed a Conservation Subdivision Design utilizing the lot reduction incentive. The applicant’s request is to reduce the minimum lot size from 144,000 sq. ft. to

17,794 sq. ft in accordance with Section 27.10.F.2.d.iii.c. The applicant is concurrently proposing reduced lot widths below the minimum lot width of the R1-144 zoning district of 150 feet. A reduction in lot dimensions, including lot width, is necessary concurrent with the applicant's request to reduce the minimum lot size.

### *Building Height*

The applicant is requesting a building height increase from eighteen (18') feet to twenty (23') feet for pitch roofed homes. The applicant's request does not interfere with view sheds of the Catalina Mountains and will not have a significant impact on view corridors. The proposed homes will also need to be in conformance with the two-story homes restrictions in Zoning Code.

Following review of the applicant's requests, the Planning and Zoning Administrator has approved the Flexible Design Options for Minimum Lot Size, Internal Building Setbacks, Native Vegetation Preservation and Building Height based on the following:

- All proposed lots are a minimum 150' from the nearest existing residential;
- The reduced minimum lot sizes allow for additional open space preservation and a more contiguous open space network.
- The reduced setbacks are more congruous with the reduced lot size of the conservation subdivision design;
- A significant percentage (67%) of the project site is being preserved as Environmentally Sensitive Open Space protecting a majority of the existing vegetation located on the site. This incentive does not apply to any distinct vegetation or plants that are listed as threatened or endangered by the Endangered Species Act or highly safeguarded by the Arizona Department of Agriculture.
- All of the proposed homes will be built at a lower elevation than the nearest existing residential, thereby not impacting existing view sheds.

**Attachment 10  
Kai (South)  
Special Area Policies Analysis**

Special Area Policies

The subject property is located within an area known on the General Plan as Kai-Capri. The Kai-Capri area has General Plan Special Area Policies that were adopted to further define the type and character of future development for this area. A condition of approval has been included in Attachment 1 requiring all Kai-Capri Special Area Policies to be listed as General Notes on the subsequent Final Plat. The subject property is located within the Master Planned Community component of the Kai-Capri area. The Special Area Policies are listed below in italics and followed by staff comment.

Master Planned Community

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

Staff Comment: The application proposes 44 detached single-family residential units for the Master Planned Community designated area within the subject property. The remaining acreage within the Kai-Capri area was recently rezoned to allow for the remaining Master Planned Community designated area and the Neighborhood Commercial/Office designated area to be master planned in accordance with this Special Area Policy.

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

Staff Comment: The applicant has requested a building height increase (up to twenty 23 feet for pitched roof homes) as a flexible design option enabled by the Environmentally Sensitive Lands section of the Zoning Code. The required view shed analysis as required by this Special Area Policy has been reviewed and approved administratively. The applicant's request meets this Special Area Policy.

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

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

- Proposed development footprint that avoids all areas within the 100-year floodplain, all riparian areas and all areas with slopes 25% or greater.

- Only development proposed for any of these areas is roadway and utility placement which is permitted by this Special Area Policy.
- Towns Environmentally Sensitive Lands requirements further restrict the amount of disturbance in areas designated as Critical Resource Areas to only development necessary for roadway and utility placement.

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

Staff Comment: The applicant's proposal is for 44 detached single-family homes. The applicant has not proposed alternative housing types and is consistent with this Special Area Policy.

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

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

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

Staff comment: The proposed Conceptual Site Plan has provided a substantial buffer along the eastern portion of the property with a minimum setback from existing residential of approximately 1250 feet. The applicant's proposal meets this Special Area Policy.

**Attachment 11  
Kai (South)  
Neighborhood Meeting Summaries**

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**Neighborhood Meeting Summary  
Kai Tangerine & First Ave. Rezoning  
August 15, 2013  
6:00 – 7:30 PM  
Oro Valley Library Large Meeting Room**

**1. Introductions and Welcome**

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

**2. Staff Presentation**

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

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

**3. Applicant Presentation**

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

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

**4. Public Questions & Comments**

Process & Project Timeline

- How many votes by the Town Council are needed for approval of a rezoning?
- Is a General Plan amendment proposed?
- Does a General Plan amendment require a super majority for passage?
- Why is a rezoning being proposed? Why not develop the property as R1-144 (3.3 acre minimum)?

- How do we block/protest this rezone?
- Several residents stated that another neighborhood meeting should be held
- What is the project schedule?
- Will a natural area be provided around each home (like Catalina Shadows)?

#### Development Standards/General Plan Special Area Plan Policies

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

#### Traffic & Circulation

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

#### Environmentally Sensitive Lands

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

#### Schools

- How will the schools be impacted?

- Who pays for school impacts?

#### Miscellaneous Questions & Comments

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

#### **5. Next Steps**

- The next steps include:
  - Formal application
  - Staff review
  - Additional neighborhood meeting
  - Planning and Zoning Commission Public Hearing
  - Town Council Public Hearing

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**Open House Summary  
Kai Tangerine & First Ave. Rezoning  
November 19, 2013  
6:00 – 8:00 PM  
Hilton El Conquistador White Dove Room**

#### Process & Project Timeline

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

#### Development Standards/General Plan Special Area Plan Policies

- Overall density of 1 home per acre allowed by General Plan Special Area Policies should be interpreted to mean lot sizes of 1 acre or greater, not an overall density based on larger and smaller lots.
- Does the proposal conform to the General Plan Special Area Policies?
- What is the size of the homes?
- What is the price of the homes?
- Increase buffer distance from Kai Way to new homes.
- Concern about view and privacy impacts of proposed homes on ridge east of Palisades splits. "Why not build on other side of wash?"

- What is the building height limit?
- Will the homes be one or two story homes?
- Density should be lower, especially on the north side of Palisades Rd.
- A transition in density should be provided around the Palisades Splits parcels, which are lower density
- Provide additional buffer on the north side of Palisades Rd.
- Provide “reasonable development distribution with the open space”
- Eliminate gated entrances
- Must have underground utilities
- “Neighboring community deserves quality homes; not cheap or cut rate; 10,000 square feet minimum lot size; priced high enough to fit with existing similar homes; keep the large homes/lot desert natural”
- Is there enough water to support residential use?
- Will density increase property taxes?

#### Traffic, Connectivity, Trails and Paths

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

#### Environmentally Sensitive Lands

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

#### Parks and Recreation Areas

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

### Commercial Area

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

### Schools

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

### Miscellaneous Questions & Comments

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

**Open House Summary  
Kai (North) Rezoning  
June 16, 2014  
6:00 – 8:00 PM  
Resurrection Lutheran Church**

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

### Process & Project Timeline

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

### Development Standards/General Plan Special Area Plan Policies

- Does the proposal conform to the General Plan Special Area Policies?
- What is the size of the homes?
- What is the price of the homes?
- Concern about view and privacy impacts of proposed homes on ridge east of Palisades splits.
- What is the building height limit?
- Will the homes be one or two story homes?
- Density should be lower, especially on the north side of Palisades Road

- Provide additional buffer on the north side of Palisades Rd (Southwest corner of property).
- “Neighboring community deserves quality homes; not cheap or cut rate; 10,000 square feet minimum lot size; priced high enough to fit with existing similar homes; keep the large homes/lot desert natural”
- Is there enough water to support residential use?
- Will density increase property taxes?

#### Traffic, Connectivity, Trails and Paths

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

#### Environmentally Sensitive Lands

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

#### Parks and Recreation Areas

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

#### Commercial Area

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

#### Schools

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

#### Miscellaneous Questions & Comments

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

**Attachment 12  
Kai (South)  
Neighborhood Meeting Topics Analysis**

Building Height

The applicant has proposed a lot configuration that respects the natural topography of the site, situating the proposed homes on the areas at lower elevations. The topography of the site gradually slopes from west to east toward the Canada del Oro Wash which will result in building heights that are less and less visible from adjacent roadways and existing residential.

Compatibility

The applicant has incorporated a minimum 150' setback from all existing residential in accordance with Section 27.10 of the Zoning Code. The proposed semi-custom homes will be similar to a majority of the existing homes in the immediate area. The natural topography of the site, the lot size and semi-custom home product will ensure the applicant's proposal is compatible with the surrounding area.

Traffic

Increased traffic on Palisades Road has been a historical concern throughout the area. The applicant has revised the proposed subdivision to limit the number of homes with access onto Palisades Road. The two homes that will utilize Palisades Road as an ingress/egress are not expected to impact the overall traffic pattern in the area.

Drainage

The applicant is required to complete a comprehensive drainage study prior to construction. Any development will be required to be in conformance with the Town of Oro Valley Drainage Manual. This will ensure the added impervious surface will not impact the regional drainage network.

Trail access

The proposed subdivision provides numerous trail connections to the larger regional trail network. One trail connection is specifically an equestrian trail with associated road way crossing to provide access to the Canada del Oro wash. Additionally, the subdivision will incorporate a pedestrian connection between the two component of the development that will provide access to the future multi-use path along Palisades Road.



## Town Council Regular Session

Item # **13.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Rosevelt Arellano  
Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR APPROVAL OF A CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR RANCHO VISTOSO PARCEL 10A, A 29-LOT RESIDENTIAL DEVELOPMENT, LOCATED NEAR THE NORTHWEST CORNER OF LA CAÑADA DRIVE AND MOORE ROAD

#### **RECOMMENDATION:**

The Conceptual Design Review Board (CDRB) recommends approval, subject to the conditions in Attachment 1.

#### **EXECUTIVE SUMMARY:**

The applicant proposes to develop a 20 acre property into a 29-lot single-family residential subdivision. The proposed site plan and landscape plan (Attachment 2) depict the following:

- 29 lots with a minimum lot size of 14,520 sf.
- Building heights up to 30', 2-stories
- Internal sidewalks and pedestrian trail
- Conservation easements to preserve a natural wash and open space zoning
- 100' wide buffer yard along west property line abutting La Cholla Airpark
- One access point on La Cañada Drive (east)

The CDRB considered the applicant's proposal on June 9, 2015, and has recommended approval based on the finding that the request conforms with the Design Principles and Design Standards of the Zoning Code. The CDRB staff report is included as Attachment 3 and the draft minutes are provided as Attachment 4.

#### **BACKGROUND OR DETAILED INFORMATION:**

##### Current Site Conditions

- 20.38 acres
- Property is vacant
- Zoning is Rancho Vistoso Planned Area Development

##### Land Use Context

The existing land use and zoning for the property and the surrounding area is depicted in Attachments 5 and 6.

##### Approvals-to-Date

- Rancho Vistoso Planned Area Development approved in 1987

Conceptual Site Plan and Landscape Plan

The applicant’s request (Attachment 2) is summarized as follows:

- 29 lots with a minimum lot size of 14,520 sq. ft.
- Density: 1.4 homes per acre
- Use: Detached single-family homes
- Building height: Up to 30’, 2-story
- Conservation easements to preserve a natural wash and open space zoning
- 100’ wide buffer yard along west property line abutting La Cholla Airpark
- One access point on La Cañada Drive (east)
- Internal sidewalks and a 10’ wide pedestrian/equestrian trail along east property line
- Landscaped entryways, basins and disturbed areas

The applicant’s proposal conforms with the Rancho Vistoso Planned Area Development as summarized in the below table.

	<b>Allowed / Required</b>	<b>Proposed</b>
<b>Density (dwelling units/acre)</b>	3 homes per acre	1.4 homes per acre
<b>Building height</b>	30’, 2-story	Up to 30’, 2-story
<b>Minimum lot size</b>	14,520 sq. ft.	14,520 sq. ft.
<b>Building setbacks</b>	Front: 20’, 25’ average Side: 8’ Rear: 25’	Front: 20’, 25’ average Side: 8’ Rear: 25’

The proposed subdivision is located immediately east of the La Cholla Airpark’s emergency runway (Attachment 5). Due to its location, the project is subject to the zoning provisions of the Airport Environ Zone (AEZ) Overlay District. The purpose of the overlay district is to promote the health, safety and welfare of residents and pilots by: 1) Limiting building height within the runway approach 2) Requiring 30% open space in the runway approach area and 3) Restricting certain visual obstructions such as reflective surfaces and smoke-generating devices. The proposed Conceptual Site Plan complies with the overlay district requirements. To ensure the proposed subdivision meets the AEZ provisions, conditions have been added requiring that the Final Plat contains the same AEZ information as the Conceptual Site Plan.

Other site related elements such as lot size, setbacks, open space and conservation easement locations are in conformance with the applicable requirements of the Zoning Code and Rancho Vistoso Planned Area Development. Additional discussion and analysis of the projects conformance with the applicable zoning provisions is provided in Attachment 7.

Public Participation

Two neighborhood meetings were held, the first on July 31, 2014, with 11 residents and the second on April 30, 2015, with six (6) residents in attendance. The main topics discussed at the meetings included traffic and conformance with the AEZ Overlay District.

A copy of the neighborhood meeting summary notes is included as Attachment 8.

Conceptual Design Review Board

The CDRB considered this request on June 9, 2015, and recommended approval based on the finding that the request meets Design Principles and applicable Design Standards. The discussion at the meeting focused on the project's conformance with the zoning provisions of the AEZ Overlay District. For additional information, please refer to the CDRB staff report (Attachment 3) and the draft CDRB minutes (Attachment 4).

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to approve the Conceptual Site Plan and Landscape Plan for Parcel 10A Rancho Vistoso, based on the finding that the request meets the Design Principles and Standards of the Zoning Code, subject to the conditions listed in Attachment 1.

OR

I MOVE to deny the Conceptual Site Plan and Landscape Plan for Parcel 10A Rancho Vistoso, as it does not meet the finding that \_\_\_\_\_.

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**Attachments**

Attachment 1 - Conditions of Approval

Attachment 2 - CSP and CLP

Attachment 3 - CDRB Staff Report

Attachment 4 - CDRB Draft Minutes

Attachment 5 - Vicinity Map

Attachment 6 - Zoning Map

Attachment 7 - Analysis

Attachment 8 - Neighborhood Meeting Summary

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Parcel 10A Rancho Vistoso  
Conceptual Site Plan and Landscape Plan  
Conditions of Approval  
Attachment 1

1. The following information shall be included on the the Final Plat:
  - a. Runway Centerline Section Diagram (See Sheet 2 of the Conceptual Site Plan)
  - b. Allowable Building Height Table (See Sheet 3 of the Conceptual Site Plan)
  - c. The following General Notes:
    - i. No high reflective surfaces, large areas of standing water, smoke or steam generating devices, or other visual obstructions shall be placed in any areas of the property located within the Airport Environ Zone Overlay District.
    - ii. All prospective buyers of lots within this subdivision shall be informed of the presence and activity of the La Cholla Airpark, a private airport located west of the project. All perspective buyers shall be informed that low flying aircrafts may be a nuisance.
2. The applicant shall provide language in the deeds and future CC&R's for the development stating that all prospective buyers of lots within this subdivision shall be informed of the presence and activity of the La Cholla Airpark, a private airport located west of the project. All perspective buyers shall be informed that low flying aircrafts may be a nuisance.
3. A barrier wall shall be installed along the open space boundaries located inside the rear property lines of the northern and eastern lots.

# CONCEPTUAL SITE PLAN

## RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A

### LOTS 1 THROUGH 29 AND COMMON AREAS "A" AND "B"

### OV1214-35

**GENERAL NOTES**

1. THE GROSS AREA OF THIS DEVELOPMENT IS 20.38± ACRES.
2. THE PROPOSED NUMBER OF RESIDENTIAL UNITS IS 29 (1.4 UNITS PER ACRE)
3. TOTAL LENGTH OF NEW PUBLIC STREET IS 0.00 MILES.
4. TOTAL LENGTH OF NEW PRIVATE STREET IS 0.34 MILES.
5. ASSURANCES FOR SITE IMPROVEMENTS, LANDSCAPING, AND REVEGETATION BONDS MUST BE POSTED PRIOR TO THE ISSUANCE OF GRADING PERMITS.
6. ALL NEW RIGHTS OF WAY WILL BE DEDICATED BY FINAL PLAN.
7. THE PROJECT IS SUBJECT TO THE ZONING PROVISIONS OUTLINED IN CHAPTER 24.8, AIRPORT ENVIORN ZONE OF THE ORO VALLEY ZONING CODE.
8. AREAS WITHIN THE AEZ SHALL NOT CONTAIN HIGHLY REFLECTIVE SURFACES, LARGE AREAS OF STANDING WATER, OR ANY DEVICE WHICH CAN GENERATE SMOKE, STREAM OR OTHER VISUAL OBSTRUCTIONS. (TABLE 1 OF THE AEZ SECTION OF THE ZONING CODE).
9. ALL USES WITHIN THE AEZ MUST PROVIDE INSULATION, FENESTRATION AND RELATED BUILDING TECHNIQUES TO REDUCE THE INTERIOR NOISE LEVEL TO 45 DECIBELS OR LESS, AS SPECIFIED BY THE INTERNATIONAL RESIDENTIAL CODE, SECTION 324, THE INTERNATIONAL BUILDING CODE SECTION 1207, AND THE ARIZONA REVISED STATUES SECTION 28-8461 (SECTION 24.8.G).

**PLANNING GENERAL NOTES**

1. MAXIMUM BUILDING HEIGHT ALLOWED AND PROPOSED = 30'.
2. TOTAL AMOUNT OF OPEN SPACE PROVIDED = 7.6 AC. (37.3% OF SITE).
3. TOTAL AMOUNT OF LANDSCAPED COMMON AREAS = 0.56 AC.
4. SETBACKS REQUIRED/PROVIDED (PER P.A.D. L.D.R. STANDARDS): FRONT = 20' (25'AVG.); SIDE = 5'; REAR = 25'.
5. COMMON AREAS SHALL BE OWNED AND MAINTAINED BY THE H.O.A.
6. EXISTING ZONING IS RANCHO VISTOSO P.A.D., OPEN SPACE & VERY LOW DENSITY RESIDENTIAL P.A.D. LOW DENSITY RESIDENTIAL DEVELOPMENT STANDARDS ARE BEING UTILIZED FOR THIS PROJECT, AS ALLOWED BY P.A.D. SEC. 1.2.A.4.C.
7. ALL SIGNAGE AND LIGHTING TO BE ADDRESSED AS PART OF SEPARATE REVIEW AND APPROVAL PROCESS.
8. MIN. LOT SIZE=14,520 SF.
9. NO HOMES SHALL BE BUILT WITHIN 100-YEAR FLOODPLAIN, WHICH IS AN OPEN SPACE/CONSERVATION AREA.

**ENGINEERING GENERAL NOTES**

1. THE DESIGN VEHICLE FOR THIS PROJECT IS A SU-30. THE DESIGN SPEED FOR PRIVATE ROADS IS 25 MPH.
2. ALL NEW PUBLIC ROADS WITHIN THIS PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS. SEPARATE IMPROVEMENT AND CONSTRUCTION PLANS WILL BE SUBMITTED TO THE TOWN ENGINEER'S OFFICE FOR REVIEW AND APPROVAL.
3. ANY RELOCATION OR MODIFICATION OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS NECESSITATED BY THE PROPOSED DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.

**DRAINAGE GENERAL NOTES**

1. DEVELOPER WILL COVENANT TO HOLD THE TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, HARMLESS IN THE EVENT OF FLOODING.
2. DRAINAGE WILL NOT BE ALTERED, DISTURBED, OR OBSTRUCTED WITHOUT THE APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
3. DRAINAGE STRUCTURES MUST BE CONSTRUCTED AND INSTALLED ACCORDING TO TOWN STANDARDS AND PAID FOR BY THE DEVELOPER.
4. ALL DRAINAGE STRUCTURES MUST BE DESIGNED TO CONVEY A ONE FLOW.
5. ALL DRAINAGE FACILITIES WILL BE CONSTRUCTED ACCORDING TO APPROVED PLANS PRIOR TO THE ISSUANCE OF ANY CERTIFICATES OF OCCUPANCY FROM THE BUILDING OFFICIAL FOR ALL AFFECTED BUILDINGS.
6. THE DEVELOPER WILL ACCEPT RESPONSIBILITY FOR MAINTENANCE, CONTROL, SAFETY AND LIABILITY OF PRIVATE DRAINAGEWAYS, DRAINAGE EASEMENTS, AND COMMON AREAS.
7. EROSION PROTECTION DESIGN WILL BE PROVIDED IN THE DRAINAGE REPORT TO BE PREPARED DURING THE FINAL SITE PLAN (FSP) STAGE. ACTUAL FLOODPLAIN ENCROACHMENT WILL BE DETERMINED DURING THE INDIVIDUAL GRADING PERMIT STAGE.

**ORO VALLEY WATER GENERAL NOTES**

1. THIS DEVELOPMENT MUST COMPLY WITH THE ORO VALLEY WATER UTILITY SPECIFICATIONS MANUAL DURING ALL PHASES OF CONSTRUCTION.
2. THE TOWN OF ORO VALLEY HAS BEEN DESIGNATED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES AS HAVING AN ASSURED WATER SUPPLY, PURSUANT TO A.R.S. 45-576, AND WILL SERVE THIS DEVELOPMENT.
3. A LINE EXTENSION AGREEMENT FOR THIS PROJECT MUST BE IN PLACE PRIOR TO ANY WORK ON THE WATER INFRASTRUCTURE.
4. WATER INFRASTRUCTURE SHOWN IS NOT NECESSARILY THE FINAL DESIGN. A SEPARATE WATER IMPROVEMENT PLAN MUST BE SUBMITTED TO ORO VALLEY WATER UTILITY FOR REVIEW AND APPROVAL.

**WASTEWATER GENERAL NOTES**

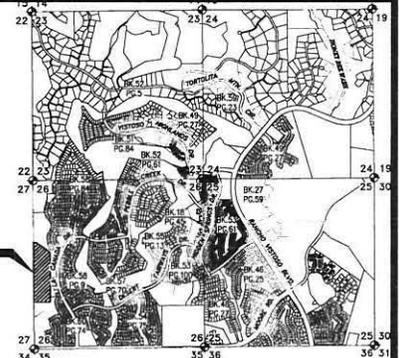
1. PROJECT IS IN CONFORMANCE WITH SECTION J, WASTEWATER, OF THE PIMA COUNTY DEVELOPMENT PLAN REQUIREMENTS AS REFERENCED IN 18.71.030.A.

**GENERAL UTILITY NOTES**

1. SHOULD AN EASEMENT BE IN CONFLICT WITH ANY PROPOSED BUILDING LOCATION, VACATION OF THE EASEMENT IS TO OCCUR PRIOR TO ISSUANCE OF BUILDING PERMITS.

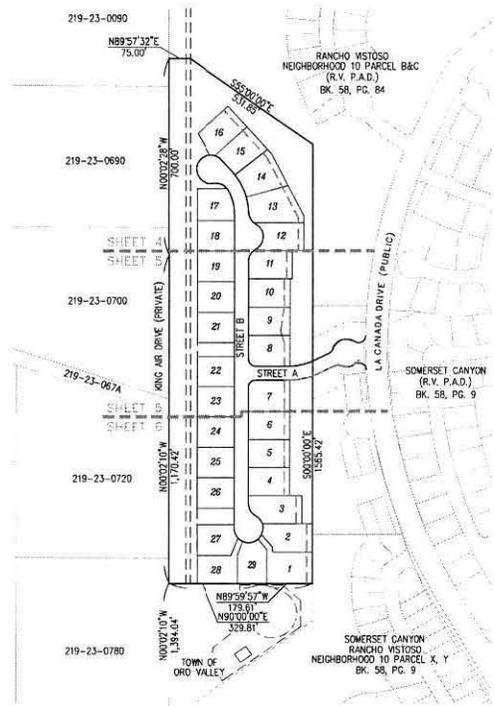
**COLDER RANCH FIRE GENERAL NOTES**

1. FIRE HYDRANTS CONNECTED TO AN APPROVED WATER SUPPLY OF 1000 GPM FOR FIRE PROTECTION MUST BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE. TEMPORARY CONSTRUCTION OFFICE TRAILERS ARE CONSIDERED COMBUSTIBLE MATERIAL.
2. APPROVED FIRE APPARATUS ACCESS ROADS MUST BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE.
3. APPROVED AUTOMATIC SPRINKLER SYSTEMS IN NEW BUILDINGS AND STRUCTURES SHALL BE PROVIDED FOR ALL GROUP A, B, E, F, H, I, M, R, AND S OCCUPANCIES FOR EVERY FACILITY, BUILDING OR PORTION OF A BUILDING HEREAFTER CONSTRUCTED WITHIN OR MOVED INTO THE JURISDICTION. APPROVED AUTOMATIC SPRINKLER SYSTEMS SHALL BE PROVIDED THROUGHOUT ALL ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES USED AS MODEL HOMES WITH SALES OR CONSTRUCTION OFFICES, AND ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES WHICH EXCEED 3,600 SQUARE FEET IN FIRE FLOW CALCULATION AREA HEREAFTER CONSTRUCTED WITHIN OR MOVED INTO THE JURISDICTION.
4. TEMPORARY STREET SIGNS MUST BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE OF VEHICLES. ALL STRUCTURES UNDER CONSTRUCTION MUST BE CLEARLY IDENTIFIED WITH AN APPROVED ADDRESS.



THIS PROJECT

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



**LEGEND**

	EXIST. MAJOR CONTOUR		EXISTING CULVERT
	EXIST. MINOR CONTOUR		PROPOSED CULVERT
	PROJECT BOUNDARY		PROPOSED CONCRETE SIDEWALK
	PROPOSED LOT LINE		PROPOSED PAVEMENT
	EXIST. PAVEMENT		EXISTING
	PROPOSED CURB		100-YEAR FLOODPLAIN/OPEN SPACE LIMITS
	EXISTING EASEMENT LINE		EROSION HAZARD SETBACK
	LOT SETBACKS (TYP.)		EROSION PROTECTION
	PROPOSED SPOT ELEVATION		EXISTING FENCE
	DIRECTION OF FLOW		CURB ACCESS RAMP
	SECTION CORNER OR 1/4 SECTION CORNER		LOT ACCESS LOCATION
	FINISHED PAD ELEVATION (FEE=FPE+0.67)		SLOPE INDICATOR SYMBOL
	GRADE BREAK (OB/HP/LP)		PROPOSED SURVEY MONUMENT
	STORMDRAIN AND HEADWALL WITH RIPRAP		PROPOSED SEWER MAIN, MANHOLE, & SERVICE
	EXISTING SEWER		PROPOSED WATER
	EXISTING WATER		PROPOSED FIRE HYDRANT
	EXISTING OVERHEAD ELECTRIC		
	EXISTING EASEMENT LINE		

**PERMITTING DIVISION-BUILDING CODES**

- THE FOLLOWING CODES AND STANDARDS SHALL BE APPLICABLE TO THIS DEVELOPMENT:
- 2012 INTERNATIONAL CODES WITH LOCAL AMENDMENTS
  - 2011 NATIONAL ELECTRIC CODE
  - 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN
  - 2005 COLDER RANCH FIRE DISTRICT STANDARDS AND FORMS
  - 2008 ORO VALLEY POOL CODE
  - 2003 P.C./C.O.T. STANDARD SPECIFICATIONS AND DETAILS FOR PUBLIC IMPROVEMENTS
  - 2010 TOWN OF ORO VALLEY DRAINAGE CRITERIA MANUAL
  - 2004 TOWN OF ORO VALLEY SUBDIVISION STREET STANDARDS AND POLICES MANUAL
  - TOWN OF ORO VALLEY ZONING CODE, CURRENT REVISED
  - ORO VALLEY TOWN CODE, CURRENT REVISED.

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

**OWNER/DEVELOPER**  
 AHMAD ZARIFI  
 3400 E. FINGER ROCK CIR  
 TUCSON, AZ 85718  
 (520) 368-0785  
 ATTN: AHMAD ZARIFI  
 AHMADZARIFI@GMAIL.COM

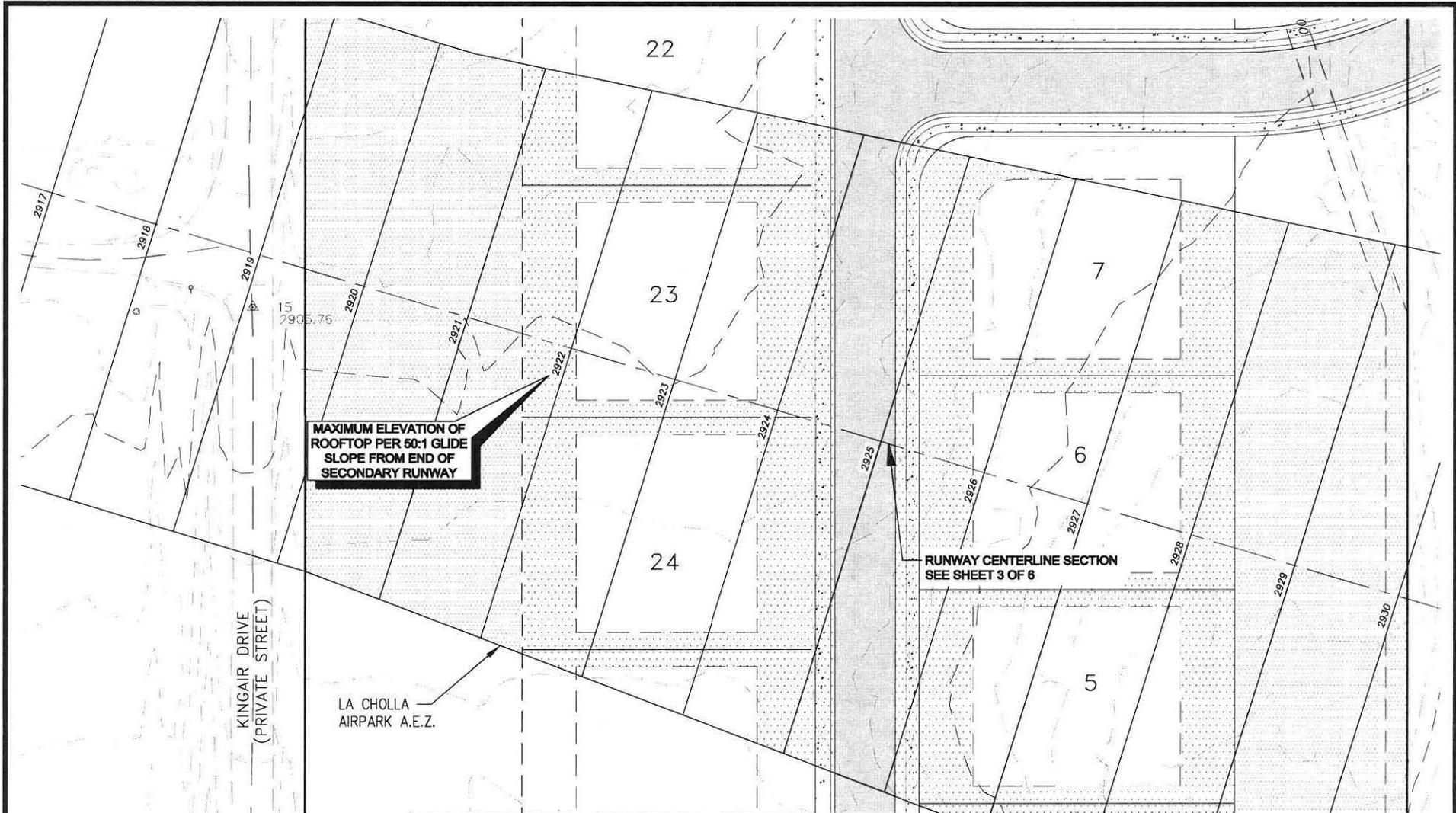
**ENGINEER**  
 THE WLB GROUP, INC.  
 4444 E. BROADWAY BLVD.  
 TUCSON, AZ 85711  
 (520) 681-7480  
 ATTN: PAUL OLAND  
 OPOLAND@WLBGROUP.COM

**SHEET INDEX**  
 SHEET 1..... COVER SHEET/NOTES  
 SHEET 2..... AEZ SITE PLAN  
 SHEET 3..... RUNWAY CROSS SECTION  
 SHEETS 4-5..... SITE PLAN



**OV1214-35**  
**CONCEPTUAL SITE PLAN**  
 FOR  
**RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A**  
 LOTS 1-29 AND COMMON AREAS "A" & "B"

BEING A PORTION OF SECTION 26  
 TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.,  
 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

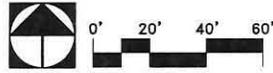


NOTE:  
 OPEN SPACE REQUIRED WITHIN A.E.Z. = 30%.   
 COMMON AREA O. S. WITHIN A.E.Z. = 35%.   
 OPEN SPACE PROVIDED WITHIN A.E.Z. = 70%. 

TABLE OF ALLOWABLE BUILDING HEIGHTS FOR LOTS IMPACTED BY THE A.E.Z.

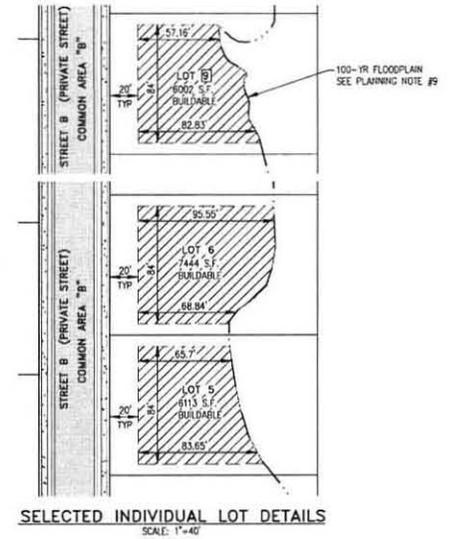
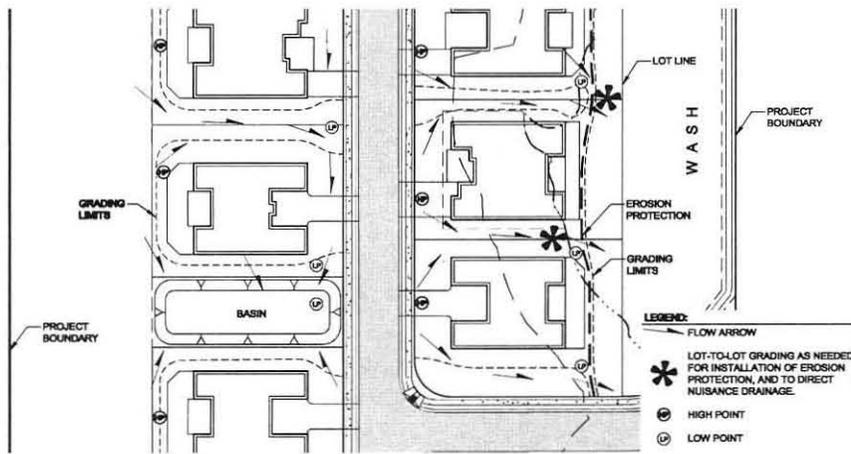
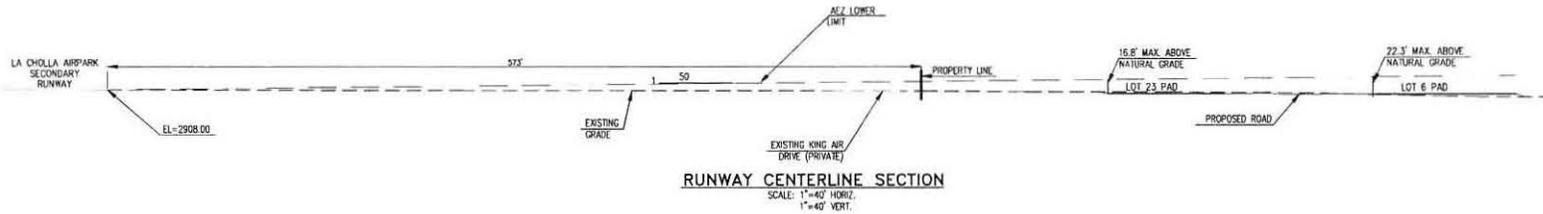
LOT	F.F.E.	ELEV. OF GLIDE SLOPE	MAX. HT. ABOVE NATURAL GRADE
5	2902.9	2927	24.1'
6	2903.7	2926	22.3'
7	2904.2	2925	20.8'
22	2906.7	2922	15.3'
23	2905.2	2922	16.8'
24	2904.4	2923	18.6'
25	2903.7	2923	19.3'

The WLB Group **WLB** Engineering, Planning, Surveying, Landscape Architecture, Urban Design  
 Offices located in Tucson, Phoenix, Flagstaff, AZ and Las Vegas, NV  
 4444 East Broadway Tucson, Arizona (520) 881-1483



OV1214-35  
 CONCEPTUAL SITE PLAN  
 FOR  
**RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A**  
 LOTS 1-29 AND COMMON AREAS "A" & "B"

BEING A PORTION OF SECTION 26  
 TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA  
 MAY 2015  
 WLB NO. 185050-ZA01  
 CONTOUR INTERVAL: 1'  
 REF. CASE #OV114-023  
**SHEET 2 OF 6**



OV1214-35  
 CONCEPTUAL SITE PLAN  
 FOR  
**RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A**  
 LOTS 1-29 AND COMMON AREAS "A" & "B"



BEING A PORTION OF SECTION 26  
 TOWNSHIP 11 SOUTH, RANGE 13 EAST, Q & S.R.M.  
 TOWN OF ORG VALLEY, PIMA COUNTY, ARIZONA

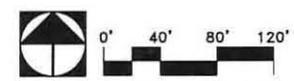
MAY 2015  
 WLB NO. 185050-ZA01  
 CONTOUR INTERVAL: 1'

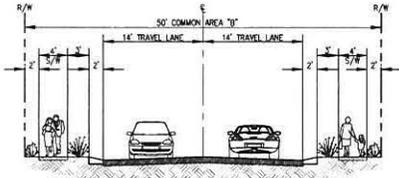
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**SHEET 3 OF 6**

The WLB Group

**WLB**

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 Offices located in Tucson, Phoenix  
 Flagstaff, AZ and Los Angeles, CA  
 4444 East Broadway  
 Tucson, Arizona (520) 881-7489

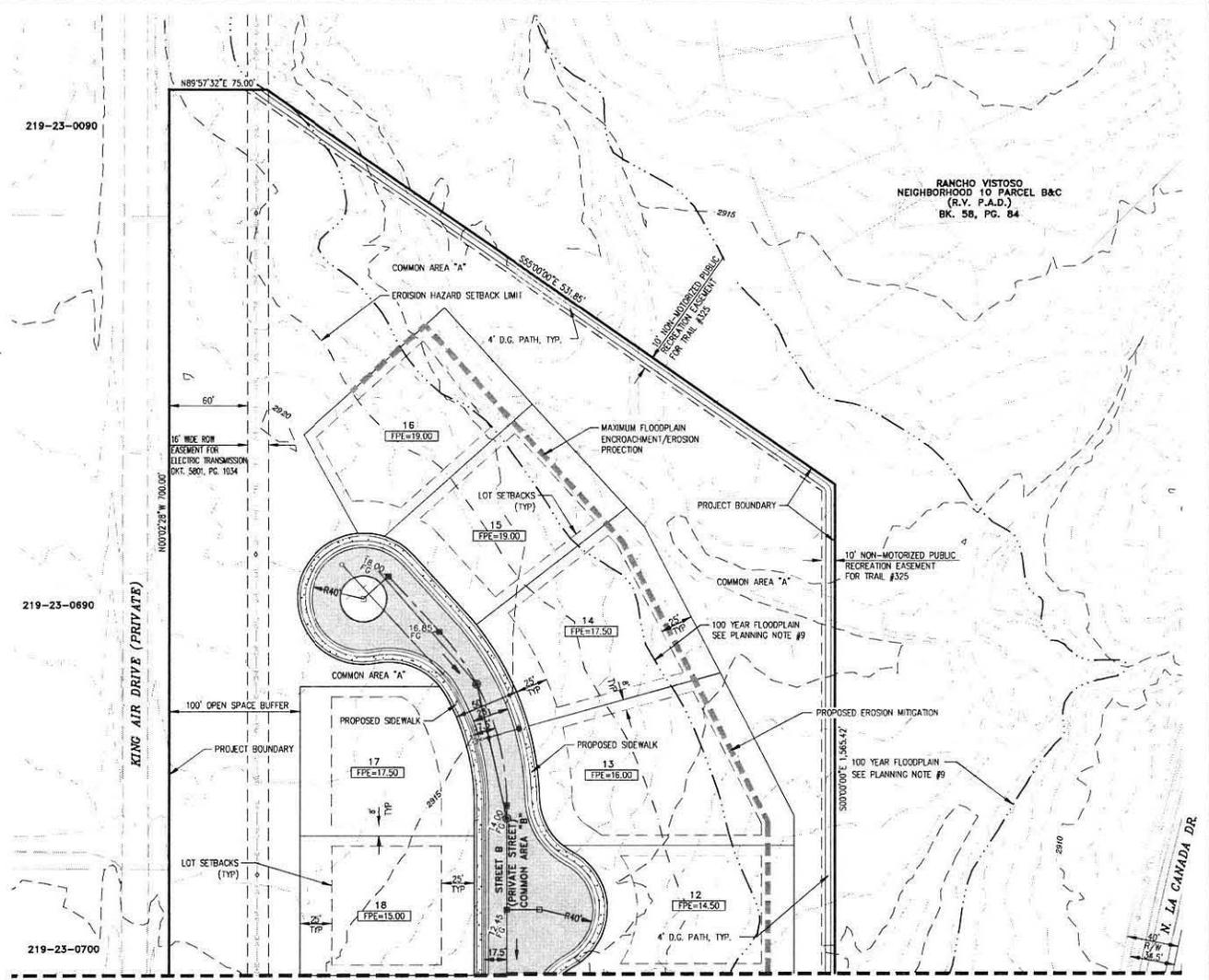




1 RESIDENTIAL (PRIVATE) STREET

NTS

NOTE:  
FOR TYPICAL LOT GRADING, PLEASE REFER TO SCHEMATIC DETAIL ON SHEET 3.



MATCHLINE SEE SHEET 5

OV1214-35  
CONCEPTUAL SITE PLAN

FOR  
RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A  
LOTS 1-29 AND COMMON AREAS "A" & "B"

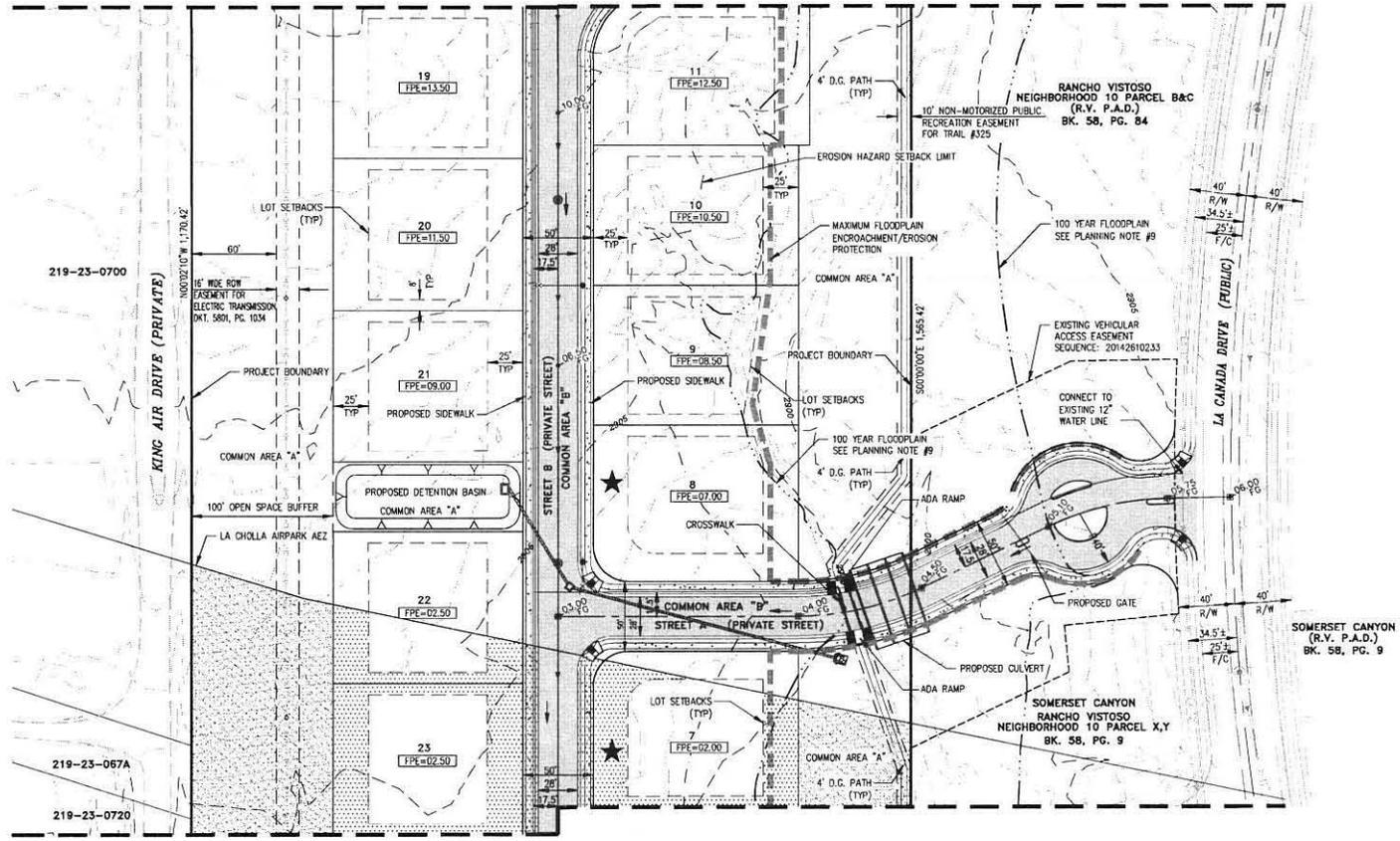
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TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

MAY 2015  
WLB NO. 185050-7A01  
CONTOUR INTERVAL: 1'  
REF. CASE #OV114-023  
SHEET 4 OF 6

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 Tucson, Arizona (520) 881-7480



MATCHLINE SEE SHEET 4



MATCHLINE SEE SHEET 6

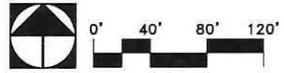
NOTE:  
FOR TYPICAL LOT GRADING, PLEASE REFER TO SCHEMATIC DETAIL ON SHEET 3.

OV1214-35  
CONCEPTUAL SITE PLAN  
FOR  
RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A  
LOTS 1-29 AND COMMON AREAS "A" & "B"

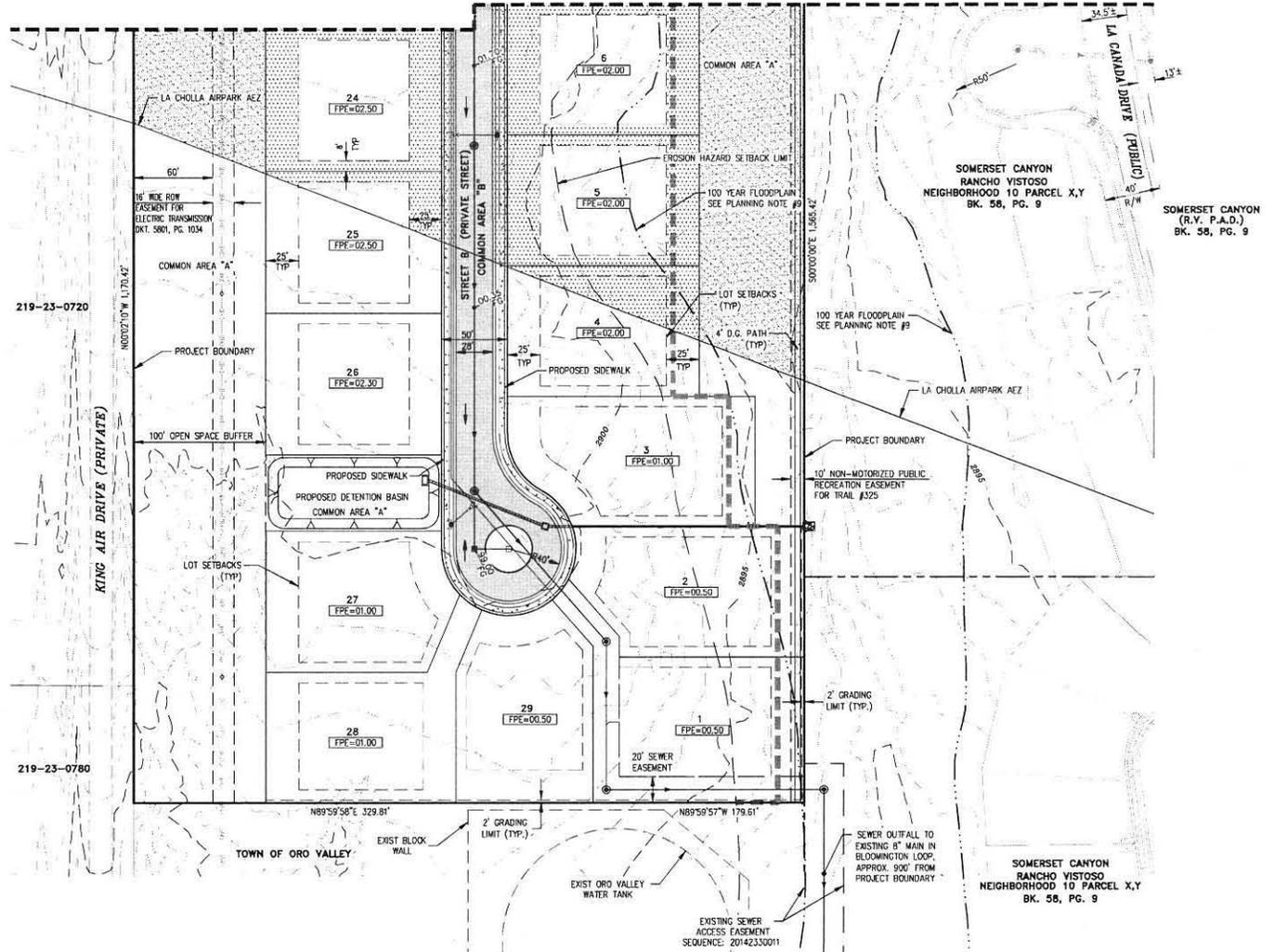
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TOWN OF ORG VALLEY, PIMA COUNTY, ARIZONA

MAY 2015  
WLB NO. 185050-ZA01  
CONTOUR INTERVAL: 1'  
REF. CASE #0V114-023  
SHEET 5 OF 6

The WLB Group **WLB**  
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Flagstaff, AZ and Las Vegas, NV  
6444 East Broadway  
Tucson, Arizona (520) 961-1480



**MATCHLINE SEE SHEET 5**

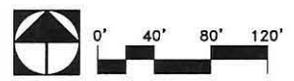


NOTE:  
FOR TYPICAL LOT GRADING, PLEASE REFER TO SCHEMATIC DETAIL ON SHEET 3.

**OV1214-35**  
**CONCEPTUAL SITE PLAN**  
 FOR  
**RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A**  
 LOTS 1-29 AND COMMON AREAS "A" & "B"

BEING A PORTION OF SECTION 26  
 TOWNSHIP 11 SOUTH, RANGE 13 EAST, 6 & S.R.M.  
 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA  
 MAY 2015  
 WLB NO. 185050-ZA01  
 CONTOUR INTERVAL: 1'  
 REF. CASE #0114-023  
**SHEET 6 OF 6**

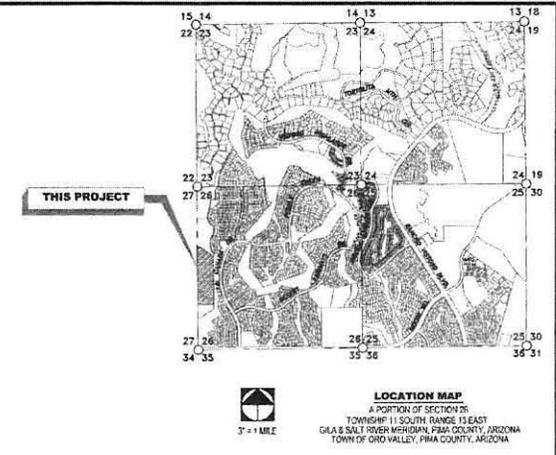
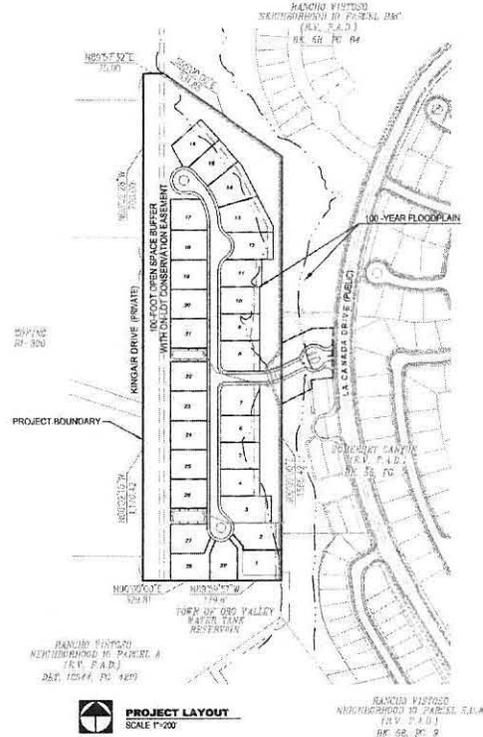
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 Landscape Architecture Urban Design  
 Offices located in Tucson, Phoenix  
 Flagstaff, AZ and Las Vegas, NV  
 4244 East Broadway  
 Tucson, Arizona (520) 881-7480



**GENERAL NOTES**

1. THE GROSS AREA OF THIS DEVELOPMENT IS 26.38 ± ACRES
2. TOTAL GRADED AREA IS 12.60 ACRES
3. TOTAL AREA OF UNDISTURBED AREA = 7.78 ± ACRES
4. TOTAL AREA OF OPEN SPACE PROVIDED = 7.8 ±
5. TOTAL AREA OF SITE LANDSCAPED = 0.58 ± ACRES
6. SETBACKS REQUIRED/PROVIDED (FRONT = 20' (25' AVERAGE), SIDE & REAR = 25')
7. COMMON AREAS / OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE H.O.A.
8. EXISTING ZONING IS RANCHO VISTOSO PAD
9. LANDSCAPE BUFFERYARD; NO BUFFERYARD REQUIRED
10. ASSURANCES FOR LANDSCAPING AND RE-VEGETATION BONDS MUST BE POSTED PRIOR TO ISSUANCE OF GRADING PERMITS
11. PROPERTY OWNER SHALL MAINTAIN BUFFERYARD PLANTINGS TO ENSURE UNOBSTRUCTED VISIBILITY TO MOTORISTS. ALL SHRUBS, ACCENTS, AND GROUNDCOVERS SHALL NOT EXCEED THIRTY (30) INCHES IN HEIGHT WITHIN SITE VISIBILITY TRIANGLES. TREES WITHIN SITE VISIBILITY TRIANGLES WILL BE MAINTAINED TO ENSURE THAT BRANCHES / FOLIAGE IS NOT BELOW A HEIGHT OF SIX (6) FEET.
12. IN THE EVENT OF ABANDONMENT OF THE SITE AFTER GRADING / DISTURBANCE OF NATURAL AREAS, DISTURBED AREAS SHALL BE RE-VEGETATED WITH A NON-IRRIGATED HYDRO SEED MIX FROM GVZCR ACCENDUM D. APPROVED REVEGETATION SEED MIX
13. ALL PLANT MATERIAL SHALL MEET THE MINIMUM STANDARDS CONTAINED IN THE CURRENT EDITIONS OF THE ARIZONA NURSERY ASSOCIATION'S GROWERS COMMITTEE RECOMMENDED TREE SPECIFICATIONS AND THE AMERICAN ASSOCIATION OF NURSERYMEN AS TO SIZE, CONDITION AND APPEARANCE.
14. PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING THE TEMPORARY IRRIGATION SYSTEM AS LONG AS NECESSARY IN ORDER TO TRANSITION PLANTS OVER TO NATURAL SOURCES. ANY PLANT MATERIALS THAT DIE IN TRANSITION, FOR ANY REASONS, SHALL BE REPLACED IN ACCORDANCE WITH SECTION 37.6.E.4, MAINTENANCE.
15. MATERIALS WITH SIGHT VISIBILITY TRIANGLES MUST BE PLACED SO AS NOT TO INTERFERE WITH A VISIBILITY PLANE DESCRIBED BY TWO HORIZONTAL LINES LOCATED THIRTY (30) INCHES AND SEVENTY TWO (72) INCHES ABOVE FINISHED GRADE OF THE ROADWAY SURFACE
16. LANDSCAPE SHALL CONFORM TO ORO VALLEY LANDSCAPE CODE.
17. MITIGATION OF SURVEYED PLANTS IN THE NATIVE PLANT PRESERVATION PLAN WILL BE INCORPORATED INTO THE LANDSCAPE DESIGN.
18. TREE AND SHRUB LOCATIONS ARE PRELIMINARY.
19. ALL PLANTS TO BE IRRIGATED WITH AN UNDERGROUND AUTOMATIC DRIP IRRIGATION SYSTEM.
20. HYDROSEED ALL AREAS DISTURBED BY GRADING OPERATIONS AROUND LOTS AND ALONG ROADS. DECOMPOSED GRANITE SHALL BE PLACED AT ENTRIES.

**CONCEPTUAL LANDSCAPE PLAN  
RANCHO VISTOSO  
NEIGHBORHOOD 10 PARCEL A  
LOTS 1 THROUGH 29 AND COMMON AREAS "A" & "B"  
OV1214-35**



**OWNER/DEVELOPER**  
AHMAD ZARFI  
3400 E. FINGER ROCK DR.  
TUCSON, AZ 85718  
520.298.0786  
ATTN: AHMAD ZARFI  
AHMAZARFI@GMAIL.COM

**LANDSCAPE ARCHITECT**  
THE WLB GROUP, INC.  
444 E. BROADWAY BLVD.  
TUCSON, AZ 85711  
(520) 881-7480  
ATTN: GARY GRIZZLE  
GGRIZZLE@WLBGROUP.COM

**SHEET INDEX**  
SHEET 1 COVER SHEET  
SHEETS 2-4 CONCEPTUAL LANDSCAPE PLAN

**OV1214-35  
CONCEPTUAL LANDSCAPE PLAN  
FOR  
RANCHO VISTOSO  
NEIGHBORHOOD 10 PARCEL A  
LOTS 1 THROUGH 29 AND COMMON AREAS "A" & "B"**



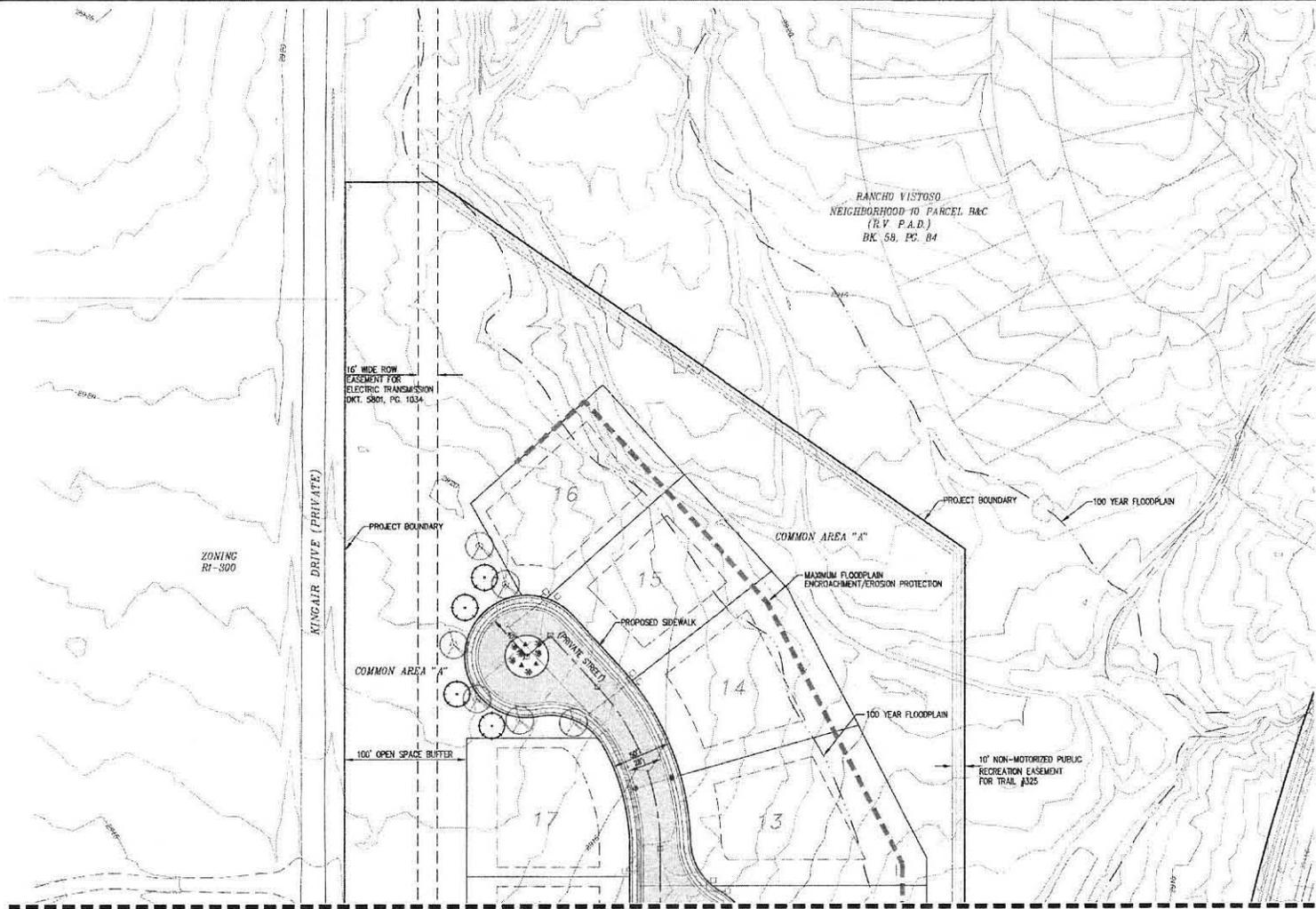
APRIL 2015  
WLB NO. 165050-2-A01  
CONTOUR INTERVAL 1' SCALE: AS SHOWN REF. CASE: # OV114-023  
SHEET 1 OF 4

**APPROVAL**  
ANY PLANT DEEMED SALVAGEABLE BY THE ZONING INSPECTOR SHALL BE SALVAGED. TOWN OF ORO VALLEY NATIVE PLANT SALVAGE PLAN APPROVED BY:  
PLANNING & ZONING ADMINISTRATOR \_\_\_\_\_ DATE \_\_\_\_\_

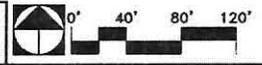
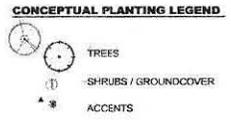
**The WLB Group**  
Engineering Planning Surveying  
Landscape Architecture Urban Design  
Interior Architecture  
444 E. Broadway Blvd.  
Tucson, Arizona (520) 881-7480

1-800-782-5145  
www.wlb.com

CONCEPTUAL LANDSCAPE PLAN - RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A



MATCHLINE SEE SHEET 3



The WLB Group  
 Engineering Planning Surveying  
 Landscape Architecture Urban Design  
 Civil Mechanical Electrical  
 Fire/Alarm, Acoustics  
 and Low Voltage, Nevada  
 4444 E. Camelback Road, Suite 100  
 Phoenix, Arizona 85018-3888  
 (602) 998-7400



APRIL 2015  
 WLB NO. 185050-Z-401  
 CONTOUR INTERVAL 1'

SCALE: 1" = 40'

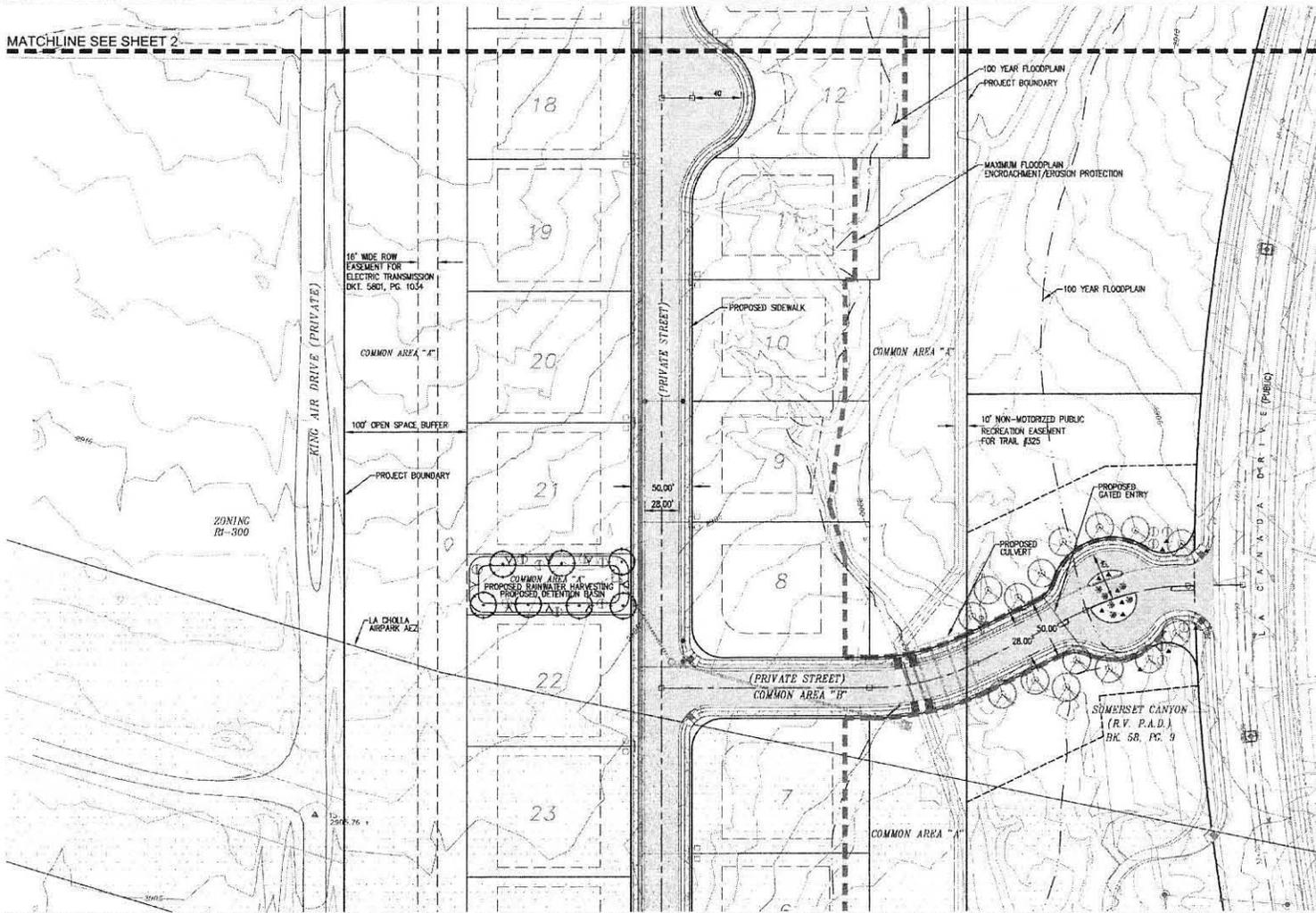
REF. CASE # OV114-023  
 SHEET 2 OF 4

**OV1214-35**  
 CONCEPTUAL LANDSCAPE PLAN  
 FOR  
**RANCHO VISTOSO**  
**NEIGHBORHOOD 10 PARCEL A**  
 LOTS 1 THROUGH 29 AND COMMON AREAS "A" & "B"

BEING A PORTION OF SECTION 26  
 TOWNSHIP 11 SOUTH, RANGE 13 EAST  
 GILA & SALT RIVER MERIDIAN  
 TOWN OF GRO VALLEY, PIMA COUNTY, ARIZONA

CONCEPTUAL LANDSCAPE PLAN - RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A  
 Project: Apr-21-2015 14:25:00  
 1:185050-Z-401

MATCHLINE SEE SHEET 2



MATCHLINE SEE SHEET 4

**CONCEPTUAL PLANTING LEGEND**

-  TREES
-  SHRUBS / GROUND COVER
-  ACCENTS

**OV1214-35**  
 CONCEPTUAL LANDSCAPE PLAN  
 FOR  
**RANCHO VISTOSO**  
**NEIGHBORHOOD 10 PARCEL A**  
 LOTS 1 THROUGH 29 AND COMMON AREAS "A" & "B"

BEING A PORTION OF SECTION 26  
 TOWNSHIP 11 SOUTH, RANGE 13 EAST  
 S1&A & S1&T RIVERS MERIDIAN  
 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

APRIL 2015  
 WLB NO. 185050-Z-A01  
 CONTOUR INTERVAL 1' SCALE: 1" = 40' REF. CASE: # OV114-023  
 SHEET 3 OF 4



Engineering Planning Surveying  
 Landscape Architecture Urban Design  
 Offices located in Tucson, Phoenix,  
 Flagstaff, Arizona,  
 and Las Vegas, Nevada  
 404 S. 4th Street, Suite 200  
 Tucson, Arizona (520) 681-7450

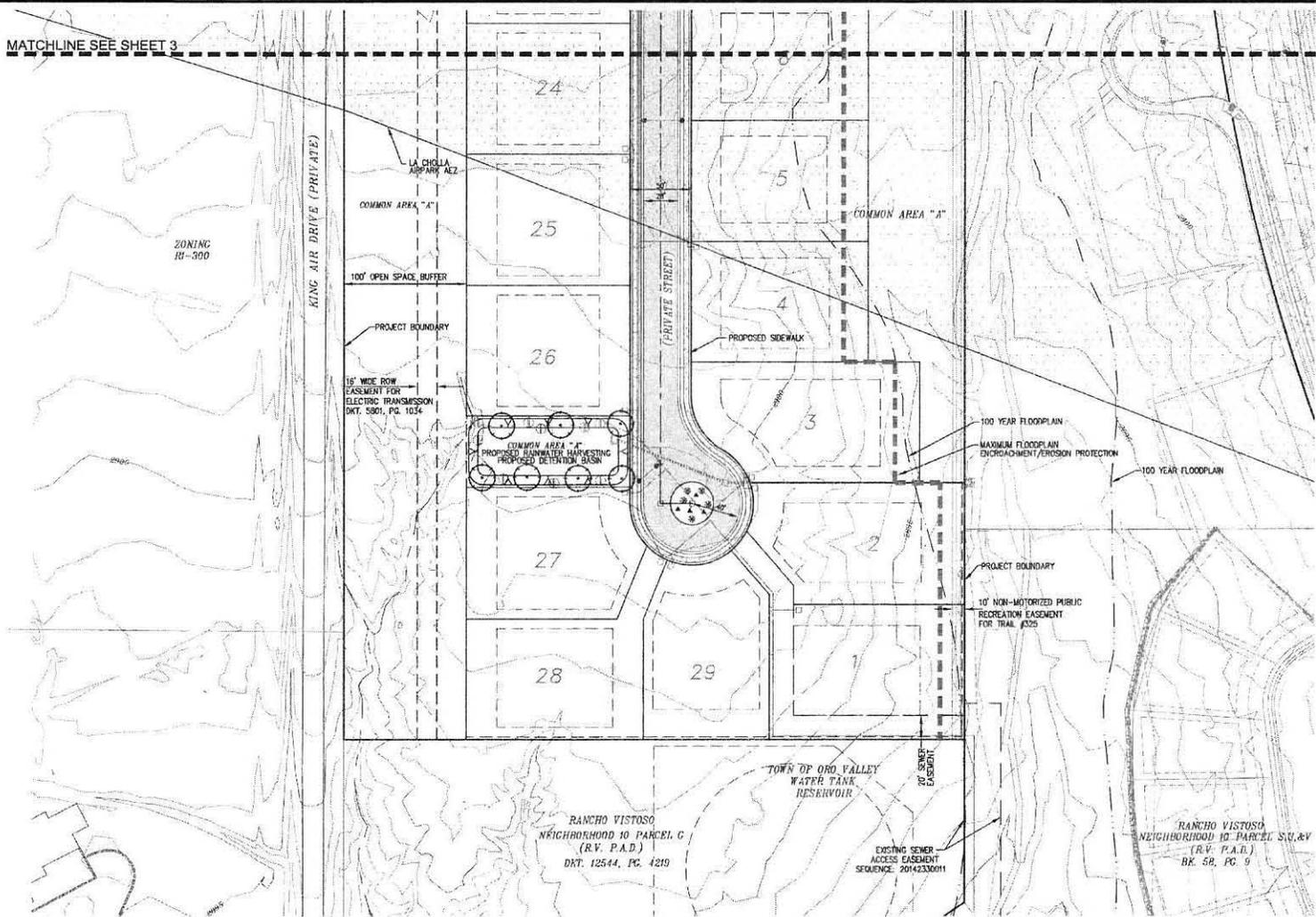


1-800-782-5346  
 (AZ) 520-626-1000



CONCEPTUAL LANDSCAPE PLAN (RANCHO VISTOSO NEIGHBORHOOD 10) PARCEL A  
 Project: April 07, 2015 11:35am  
 L:\185050\img\13-29-A\_Landscape-1p\185050-10-par-a-1p.dwg

MATCHLINE SEE SHEET 3



**CONCEPTUAL PLANTING LEGEND**

-  TREES
-  SHRUBS / GROUNDCOVER
-  ACCENTS

**OV1214-35**  
 CONCEPTUAL LANDSCAPE PLAN  
 FOR  
**RANCHO VISTOSO**  
**NEIGHBORHOOD 10 PARCEL A**  
 LOTS 1 THROUGH 29 AND COMMON AREAS "A" & "B"



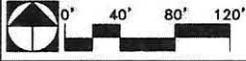
BEING A PORTION OF SECTION 26  
 TOWNSHIP 11 SOUTH, RANGE 13 EAST  
 GILA & SALT RIVER MERIDIAN  
 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

APRIL 2015  
 WLB NO. 185050-2-A01  
 CONTOUR INTERVAL 1' SCALE: 1" = 40'

REF. CASE # OV114-023  
 SHEET 4 OF 4

The WLB Group

Engineering Planning Surveying  
 Landscape Architecture Urban Design  
 Landscape Architecture Urban Design  
 Planning, Arizona  
 4444 East Pecos Road  
 Tucson, Arizona (520) 887-7400



1-800-762-5348  
 www.wlb.com

CONCEPTUAL LANDSCAPE PLAN - RANCHO VISTOSO NEIGHBORHOOD 10 PARCEL A  
 Printed: April 27, 2015 11:42 AM



**Conceptual Site Plan  
Conceptual Design Review Board Staff Report**

Attachment 3

---

**CASE NUMBER:** OV1214-35  
**MEETING DATE:** June 9, 2015  
**AGENDA ITEM:** 7  
**STAFF CONTACT:** Rosevelt Arellano, Planner  
[rarellano@orovalleyaz.gov](mailto:rarellano@orovalleyaz.gov) (520) 229-4817

---

**Applicant:** Paul Oland of WLB Group, Inc.  
**Request:** **Conceptual Site Plan and Landscape Plan for a 29 lot single-family residential development**  
**Location:** Near the northwest corner of La Cañada Drive and Moore Road  
**Recommendation:** Recommend approval of requested Conceptual Site Plan and Landscape Plan subject to the conditions listed in Attachment 1.

---

**SUMMARY:**

The applicant's request (Attachments 2 and 3) is to develop an approximately 20-acre property into 29 single-family lots. The Conceptual Design Review Board's review is focused on the fundamental elements of the Conceptual Site Plan, including site layout, drainage/grading and landscape content.

The applicant's proposal includes:

- 29 lots with building heights up to thirty (30') feet, 2-stories
- Internal sidewalks and a pedestrian trail
- Conservation easements to preserve a natural wash and open space zoning
- 100' wide buffer yard along west property line abutting La Cholla Airpark
- One access point on La Cañada Drive (east)

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

---

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**BACKGROUND / DETAILED INFORMATION:**

Current Site Conditions

- Site is 20.38 acres
- Property is vacant

The existing land use and zoning for the property and the surrounding area is depicted in Attachments 4 and 5.

Approvals-to-Date

- RV PAD approved in 1987
- 

**DISCUSSION / ANALYSIS:**

Conceptual Site Plan and Landscape Plan

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

- 29 lots with a minimum lot size of 14,520 sq. ft.
- Density: 1.4 homes per acre
- Use: Detached single-family homes
- Building height: up to thirty (30') feet, 2-story
- Conservation easements to preserve a natural wash and open space zoning
- 100' wide buffer yard along west property line abutting La Cholla Airpark
- One access point on La Cañada Drive (east)
- Internal sidewalks and a 10' wide pedestrian/equestrian trail along east property line
- Landscaped entryways, basins and disturbed areas

The applicant's proposal conforms with the Rancho Vistoso Planned Area Development, Town of Oro Valley Zoning Code including the Conceptual Design Principles and Design Standards.

The proposed subdivision is located immediately east of the La Cholla Airpark's emergency runway. Due to its location, the project is subject to the zoning provisions of the Airport Environ Zone Overlay District. The applicant's proposal has been reviewed and deemed consistent with the overlay district.

Additional discussion and analysis of the projects conformance with the applicable zoning provisions is provided in Attachment 6.

---

Engineering Comments

*Traffic:*

The proposed development will be served by a single access from La Canada Drive. This access will be gated. This development is similar to the other developments in the area and will not generate traffic that is uncharacteristic of the area. The existing roadway network has existing capacity to accommodate the traffic volume.

*Drainage:*

Existing storm water runoff flows through the site in a southerly direction. The drainage system for the proposed development will be designed to meet the Town's Drainage Criteria Manual and Floodplain Ordinance requirements. Storm water runoff will be conveyed by drainage channels, storm drains, culverts, basins and natural water courses throughout the development. Post-developed discharges will be reduced to pre-developed discharges to mimic existing conditions.

*Grading:*

A Type 2 Grading Permit is required to construct the utilities, street, and any other structures requiring grading on the project site. The grading represented within the Conceptual Site Plan conforms to the requirements of the Rancho Vistoso PAD and applicable sections of the Town's Zoning Code (Section 27.9) as well as the Town's Subdivision Street Standards. Type 1 Grading Permits will be required for individual lot development.

---

**PUBLIC PARTICIPATION:**

Neighborhood Meetings

Two neighborhood meetings were held, the first on July 31, 2014, with eleven (11) residents and the second on April 30, 2015, with six (6) residents in attendance. The main topics discussed at the meetings included traffic and conformance with the Airport Environ Zone Overlay District. To address the neighbor's concerns with the overlay district, the applicant has agreed to add language on the Final Plat regarding the project's conformance with the AEZ zoning provisions. A copy of the neighborhood meeting summary notes is included as Attachment 7.

---

**RECOMMENDATION:**

Based on a review of relevant standards, staff finds that the Conceptual Site Plan is in conformance with the Rancho Vistoso Planned Area Development and the Zoning Code including Design Principles and applicable Design Standards.

---

It is recommended that the Conceptual Design Review Board take the following action:

**Recommend approval to the Town Council of the requested Conceptual Site Plan and Landscape Plan, subject to the conditions on Attachment 1.**

---

**SUGGESTED MOTIONS:**

I move to recommend approval of the Parcel 10A Rancho Vistoso Conceptual Site Plan and Landscape Plan, based on the findings in the staff report, subject to the conditions in Attachment 1.

OR

I move to recommend denial of the Parcel 10A Rancho Vistoso Conceptual Site Plan and Landscape Plan, based on the finding that \_\_\_\_\_.

---

**ATTACHMENTS:**

1. Conditions of approval
2. Conceptual Site Plan
3. Conceptual Landscape Plan
4. Vicinity Map
5. Zoning Map
6. Staff Analysis
7. Neighborhood Meeting Summary Notes

---

Bayer Vella AICP, Planning Manager

**DRAFT MINUTES  
ORO VALLEY CONCEPTUAL DESIGN REVIEW BOARD  
REGULAR SESSION  
JUNE 9, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CAÑADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Chairman Eggerding called the meeting to order at 6:00 pm.

**ROLL CALL**

**PRESENT:**

Sarah Chen, Member  
Kit Donley, Member  
Jacob Herrington, Member  
Harold Linton, Member  
Bruce Wyckoff, Vice Chair  
Nathan Basken, Member  
Dick Eggerding, Chairman

**ABSENT:**

None

**ALSO PRESENT:**

Chief Civil Deputy Attorney Joe Andrews  
Vice Mayor Lou Waters  
Permitting Manager David Laws  
Principal Planner Chad Daines

**PLEDGE OF ALLEGIANCE**

Chair Eggerding led the Board and members of the audience in the Pledge of Allegiance.

**CALL TO AUDIENCE - at this time, any member of the public is allowed to address the Board on any issue not listed on today's agenda. Pursuant to the Arizona Open Meeting law, individuals Board 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 Conceptual Design Review Board 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.**

## **COUNCIL LIAISON COMMENTS**

Vice-Mayor Lou Waters informed members of the Board that the previous recommendation made for Cathey's Sew and Vac was approved by the Town Council on June 3rd. The conceptual site plan and the architecture for the addition at 8700 N. Oracle Rd.

### **1. REVIEW AND/OR APPROVAL OF THE MAY 12, 2015 REGULAR/STUDY SESSION MEETING MINUTES**

**MOTION:** A motion was made by Bruce Wyckoff, Vice Chair and seconded by Jacob Herrington, Member to approve

**MOTION** carried, 7-0.

### **2. DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR AMENDED SIGN REGULATIONS FOR ORACLE AT LA RESERVE LOCATED ON THE NORTHWEST CORNER OF ORACLE ROAD AND LA RESERVE DRIVE, OV315-001**

Patty Hayes, Senior Planning Technician, presented the following information:

Proposal  
Location  
Existing Signs  
Proposed Monument Signs  
Nearby Properties  
Proposed Color Pallet  
Recommendation

Applicant, Robert Kulman, from Sign Magic, reiterated the purpose of the sign modification request. Mr. Kulman was also available to respond to questions from the Board members.

**MOTION:** A motion was made by Kit Donley, Member and seconded by Bruce Wyckoff, Vice Chair to approve

Member Chen proposed a Friendly Amendment, requesting the two front facades closest to Oracle Road (East and South) to be the locations for the illuminated signs, excluding the rear or other sides of the building.

Tom Tucker, owner, General Manager for the building, stated there are currently two tenants at this location. However, the building was initially designed to accommodate four tenants. Therefore, there could be a need at a future date to accommodate additional tenants and to therefore allow more illuminated signs.

The Friendly Amendment proposed by Member Chen was accepted by both Member Donley and Vice Chair Wyckoff.

**MOTION** carried, 6-1 with Harold Linton, Member opposed.

**Joe Andrews, recused himself from case 3**

**3. DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR CONCEPTUAL MODEL HOME ARCHITECTURE APPROVAL FOR MARACAY AT VISTOSO FOR NEW MODEL HOMES IN RANCHO VISTOSO NEIGHBORHOODS 10 AND 11, LOCATED AT THE NORTHERN TERMINUS OF LA CANADA DRIVE AT PEBBLE CREEK DRIVE, OV1315-08**

Patty Hayes, Senior Planning Technician, presented the following information:

Location  
Site Plan  
Previously Approved Plans  
Recommendation

Applicant representative, Steven Burs, Maracay Homes, stated he had no comments, but was looking forward to approval on the models proposed. Mr. Burns answered questions posed by Board members regarding clarification of maintenance of the cultured stone and the location of the proposed site.

**MOTION:** A motion was made by Bruce Wyckoff, Vice Chair and seconded by Sarah Chen, Member to approve

**MOTION** carried, 7-0.

**Joe Andrews, returned to the meeting.**

**4. DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN APPROVAL FOR A 119-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD, OV1214-31**

Chad Daines, Principal Planner, presented the following information:

Purpose  
Subject Property  
Conceptual Site Plan  
Conceptual Landscape plan  
Trails  
Public Participation  
Summary and Recommendation

Paul Oland, WLB, representing Mattamy Homes, reviewed the elements of the site plan, including the open space, buffers and common areas within the community. Mr. Oland provided clarification regarding the entries into the development and images of the proposed town homes and entry gate.

**MOTION:** A motion was made by Nathan Basken, Member and seconded by Kit Donley, Member to approve

**MOTION** carried, 7-0.

**5. DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR A 44-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF FIRST AVENUE AND NARANJA DRIVE, OV1214-07**

**Member Donley recused himself from this case.**

Chad Daines, Principal Planner, presented the following information:

Purpose  
Subject property  
Conceptual Site Plan  
Environmentally Sensitive Lands Images  
Conceptual Landscape Plan  
Public Participation  
Summary and Recommendation

Paul Oland, WLB, representing Meritage Homes, answered questions from the Board. Mr. Oland stated the developer has opted into the Environmentally Sensitive Lands regulations. The developer has worked hard to make sure the area is kept open and plenty of easements for access are maintained. This will be a gated area with openings or access at two locations. Being an ESL area, the applicant to will not have to salvage

plants, provided they have enough of the conservation land, which this applicant is doing. However, the applicant does intend to participate in the save - a - plant program.

**MOTION:** A motion was made by Sarah Chen, Member and seconded by Jacob Herrington, Member to approve

**MOTION** carried, 6-0.

**Member Donley returned to the meeting.**

**The meeting was adjourned for a brief recess at 7:15 and called back into session at 7:25 pm.**

**6. DISCUSSION AND POSSIBLE ACTION A REQUEST FOR CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN APPROVAL FOR A 38-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED NORTH OF TORTOLITA MOUNTAIN CIRCLE APPROXIMATELY 1/4-MILE WEST OF RANCHO VISTOSO BOULEVARD IN STONE CANYON VIII, RANCHO VISTOSO NEIGHBORHOOD 12, OV1214-21**

Chad Daines, Principal Planner, presented the following information:

Purpose  
Subject Property  
Conceptual Site Plan  
Tentative Development Plan  
Building Envelopes  
Rock Outcrops and areas of 25% slope  
Public Participation

Paul Oland, WLB, representing Meritage/Diamond Ventures, provided multiple images of the area of Stone Canyon and a summary of the proposed active adult development. Mr. Oland stated the developer is trying to keep the homes out of the most sensitive areas of vegetation and rock outcroppings. The saguaros in these areas will be transplanted and preserved.

Meritage representative, Jeff Grobstein, expressed his appreciation to staff with regard to the processing of this request.

**MOTION:** A motion was made by Kit Donley, Member and seconded by Nathan Basken, Member to approve

**MOTION** carried, 7-0.

**Member Chen recused herself from item 7.**

**7. DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN APPROVAL FOR A PROPOSED 29-LOT SINGLE-FAMILY SUBDIVISION ON PARCEL A, NEIGHBORHOOD 10, RANCHO VISTOSO, LOCATED NEAR THE NORTHWEST CORNER OF MOORE ROAD AND LA CAÑADA DRIVE, OV1214-35**

Rosevelt Arellano, Planner, presented the following information:

Applicant's Request  
Site Plan Features  
Airport Environ Zone - Height Provision  
Conservation Easements  
Summary and Recommendation

Gil Alexander, resident at La Cholla Air Park, responded to questions posed by the board regarding noise from the aircraft and the frequency in which the secondary landing strip is used by aircraft. Mr. Alexander requested the height restrictions be included in the property deeds as a tool to inform all potential homeowners of the restrictions in order to prevent future issues.

**MOTION:** A motion was made by Kit Donley, Member and seconded by Bruce Wyckoff, Vice Chair to approve

**MOTION** carried, 6-0.

**Member Chen returned to the meeting.**

**8. YOUR VOICE, OUR FUTURE PROJECT UPDATE**

Nora Campbell, Your Voice, Our Future Project Planner, presented the following information:

Continued Outreach  
The General Plan  
Oro Valley Vision  
Committee Challenges  
Committee Work  
Stakeholder Review  
What's in the Plan?  
What's in the Plan  
In the Plan: Design

In the Plan: Design (Land Use and Design Actions)  
Next Steps (Phase 2 and Phase 3)

### **PLANNING UPDATE (INFORMATIONAL ONLY)**

Chad Daines, Principal Planner, presented the following updates and information:

Town Council, on June 17th, will hear Maracay Vistoso Recreation Center, the Miller Ranch rezoning and the revised Final Plat for Lot 193 at Stone Canyon.

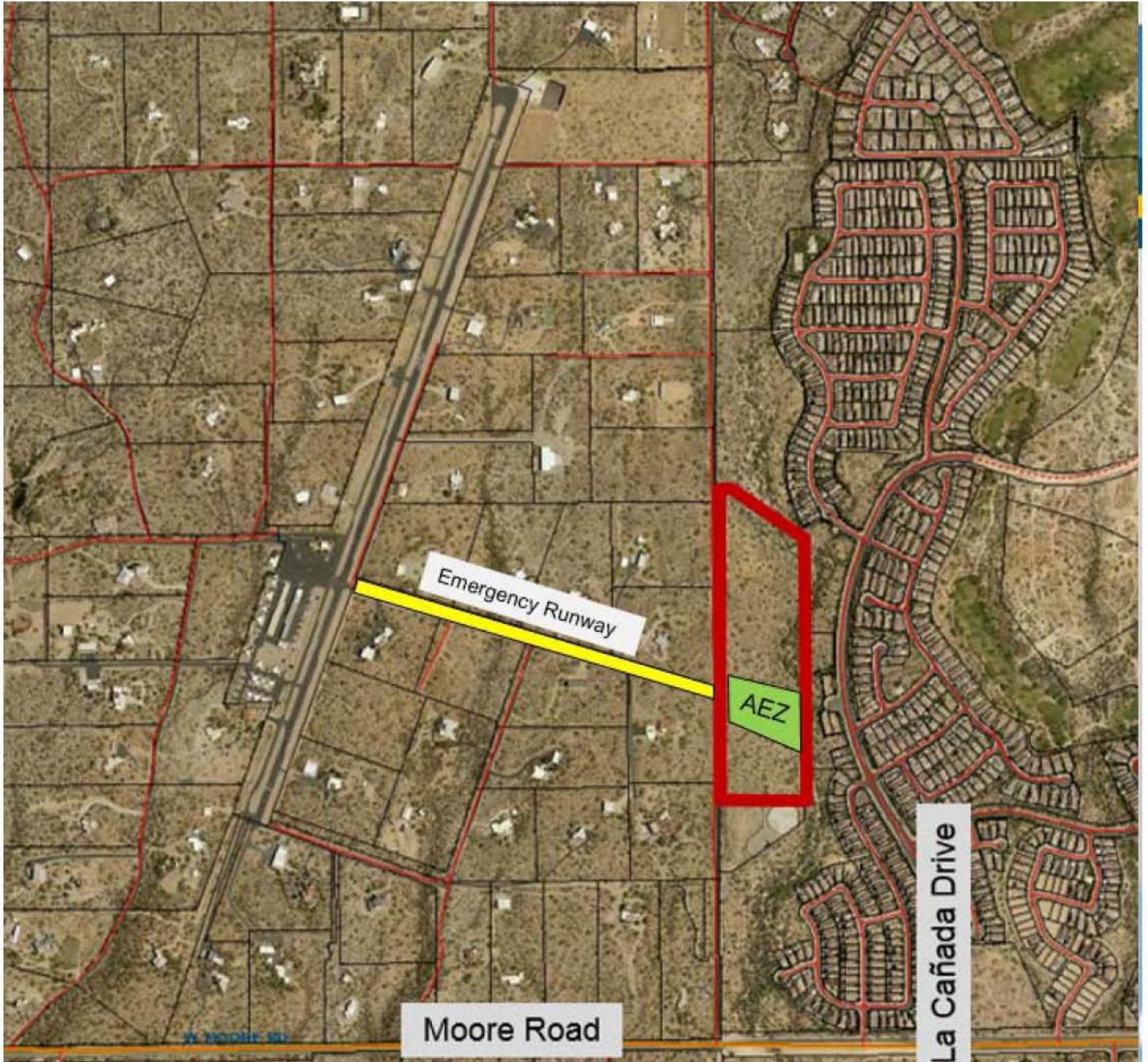
There are a number of items to be heard by Town Council on July 1st:

- Cox Communications CUP
- Mattamy Homes GPA, PAD amendment, CSP
- Kneaders CUP and PAD amendment
- Rancho Vistoso 10A
- Kai South
- Stone VIII
- St. Mark Church Revised Rezoning Conditions

There are no current plannings items currently scheduled for the July 14th CDRB meeting. A Your Voice, Our Future update is scheduled.

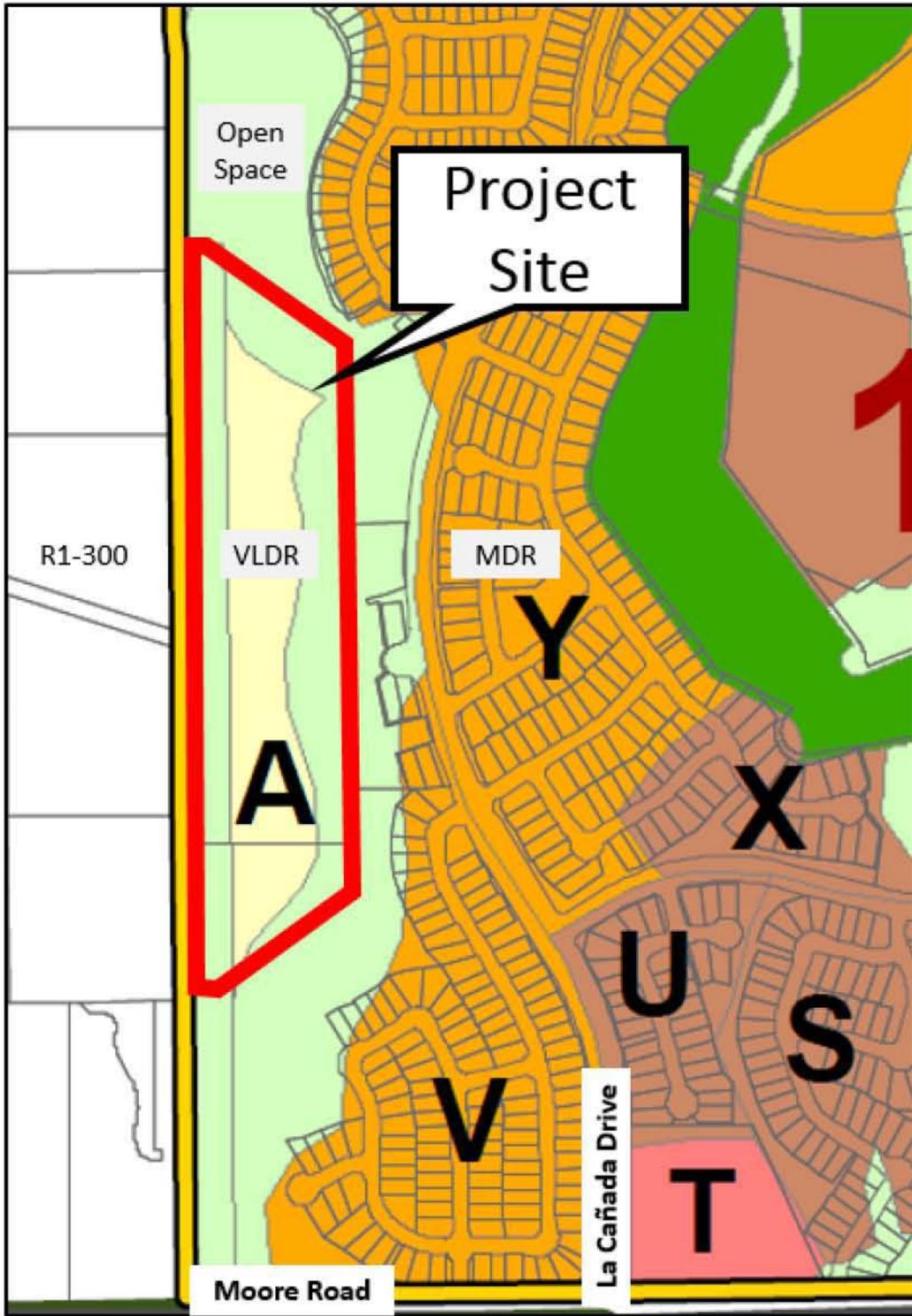
One neighborhood meeting is planned for June 23rd for the Kai North project, in the Council Chambers.

### **ADJOURNMENT**



# VICINITY MAP

PARCEL 10A RV (OV1214-35)



# ZONING MAP

PARCEL 10A RV (OV1214-35)

Parcel 10A Rancho Vistoso  
Conceptual Site Plan and Landscape Plan  
Staff Analysis  
Attachment 7

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

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

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

Staff Commentary: The zoning permits two-story homes up to 30' in height. Residents of the La Cholla Airpark have expressed concerns with the proposed building heights affecting the flight paths to the emergency runway. To address the neighbors' concern, the project has been designed to meet the building height requirements of the Airport Environ Zone Overlay District of the Zoning Code. The overlay district provides the flight path location and limits the building heights in these areas.

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

Staff Commentary: There is a wash corridor traversing the west property line in a general north to south direction. The wash is proposed to be located inside the rear property lines of the northern and eastern lots. To protect the wash, the applicant has proposed to plat conservation easements over the wash corridor. The proposed conservation easements will allow the wash to enter, flow through and leave the site, while remaining relatively undisturbed.

Development of this parcel will increase runoff due to the addition of non-permeable surfaces associated with residential structures and subdivision streets. To help offset this increase, detention basins have been included in the design.

A full drainage report will be required as part of the Final Design review submittal. All post-development flow shall be mitigated and released in the same manner and quantity as the existing conditions.

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

Staff Commentary: The internal sidewalks for this project are intended to connect residents to the existing sidewalks on La Cañada Drive. These existing sidewalks will provide safe travel paths to nearby recreation areas, bicycle lanes and other neighboring communities.

To enhance pedestrian connectivity, the Conceptual Site Plan proposes a 10' wide non-motorized trail easement along the north and east property lines. The proposed trail will link to the existing and future trails in the area. The proposed trail is currently a non-platted easement, and is recognized as Trail No. 325 in the Oro Valley Trails Task Force Report and the Eastern Pima County Trails Plan.

## B. Addendum "A" Design Standards

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

### 1. *Section 3.1.D.4: Pedestrian connections shall be provided between neighborhoods*

Staff Commentary: As noted above, the proposed subdivision will incorporate a 10' wide pedestrian trail easement. The trail easement will provide access to other neighborhoods to the north.

### 2. *Section 3.1.G.1: Natural features...shall be preserved to the greatest extent possible.*

### 3. *Section 3.1.G.1.a: Significant environmental features, shall be identified and conserved as open space on the development plan or plat.*

Staff Commentary: The proposed subdivision meets the above standards by incorporating conservation easements on areas zoned open space. The proposed conservation easements are located inside the rear property lines of the northern and eastern lots, and will also protect an existing wash corridor. To ensure open space protection, a condition has been added requiring a barrier wall be installed along the edges of the open space boundaries located within the northern and eastern lots.

### 4. Section 3.1.A.1, Open Space shall be used to enhance and organize the community through use of one or more of the following design strategies: a. Place open space elements visible from roadways within residential areas, b. Clustering of lots to preserve open space, c. Provide open space at project entries.

Staff Commentary: The Conceptual Site Plan conforms to this standard by utilizing the following design features:

- 100' wide buffer yards along the west property line facing King Air Drive
- Conservation easements along the east property line facing La Cañada Drive
- Open space on both sides of the project entry.

## C. Airport Environ Zone Overlay District

### 1. *The Airport Environ Zone (AEZ) Overlay District of the Zoning Code contains special development standards for projects located in close proximity to the La Cholla Airpark. The purpose of the overlay district is to promote the health, safety and welfare of pilots and residents. The applicable zoning provisions relate to building heights, open space and pilots' visual obstruction.*

Staff Commentary: The project’s conformance with the AEZ zoning provisions is summarized below and is depicted in the “Allowable Building Heights Table” on Sheet 2 and in the “Runway Centerline Section Diagram” on Sheet 3 of the Conceptual Site Plan (Attachment 2).

	<b>Allowed / Required</b>	<b>Proposed</b>
<b>Building height</b>	Lot 5: 24’, Lot 6: 22’, Lot 7: 21’, Lot 22: 15’, Lot 23: 17’, Lot 24: 19’ and Lot 25: 19’	Lot 5: 24’, Lot 6: 22’, Lot 7: 21’, Lot 22: 15’, Lot 23: 17’, Lot 24: 19’ and Lot 25: 19’
<b>Open space</b>	30%	35%
<b>Pilots’ visual obstruction</b>	No high reflective surfaces, large areas of standing water, smoke or steam generating devices, or other visual obstructions	No high reflective surfaces, large areas of standing water, smoke or steam generating devices, or other visual obstructions

To ensure the project is in conformance with the AEZ zoning provisions, a condition has been added requiring that the following information is included on the Final Plat:

- Runway Centerline Section Diagram (See Sheet 2 of the Conceptual Site Plan)
- Allowable Building Height Table (See Sheet 3 of the Conceptual Site Plan)
- The following General Notes:
  - No high reflective surfaces, large areas of standing water, smoke or steam generating devices, or other visual obstructions shall be placed in any areas of the property located within the Airport Environ Zone Overlay District.
  - All prospective buyers of lots within this subdivision shall be informed of the presence and activity of the La Cholla Airpark, a private airport located west of the project. All perspective buyers shall be informed that low flying aircrafts may be a nuisance.

*2. Landscape Plan Provisions*

Staff Commentary: The Conceptual Landscape Plan (Attachment 3) is in conformance with the Zoning Code requirements, specifically with buffer yards and landscape design.

**D. RV PAD Analysis**

The Rancho Vistoso Planned Area Development permits development at lower intensity zoning standards. The applicant is exercising this PAD allowance and the project has been designed to meet the Low Density Residential (LDR) development standards. The below table summarizes the project data associated with the request.

*1. Development Standards*

	<b>Allowed / Required</b>	<b>Proposed</b>
<b>Density (dwelling units/acre)</b>	3 homes per acre	1.4 homes per acre
<b>Building height</b>	30’, 2-story	Up to 30’, 2-story
<b>Minimum lot size</b>	14,520 sq. ft.	14,520 sq. ft.
<b>Building setbacks</b>	Front: 20’, 25’ average	Front: 20’, 25’ average

	Side: 8' Rear: 25'	Side: 8' Rear: 25'
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The Conceptual Site Plan is in conformance with the Rancho Vistoso LDR (Low Density Residential) development standards, specifically the provisions for density, building heights and setbacks, lot sizes and density transfer.

*2. Recreation*

Staff Commentary: *No formal recreation area is required as the Rancho Vistoso PAD designates recreation areas for the entire development.*

Neighborhood Meeting Summary  
Parcel 10A Conceptual Site Plan  
July 31, 2014  
6:00 – 7:30

## 1. Introductions and Welcome

Meeting Facilitator Chad Daines, Principal Planner, introduced the Oro Valley Staff Rosevelt Arellano, Project Manager. Eleven residents and interested parties attended the meeting, including Council Member Zinkin.

## 2. Staff Presentation

Rosevelt Arellano, Project Manager, provided a presentation that included:

- Conceptual Site Plan process
- Review tools
- Public participation opportunities
- Next steps

## 3. Applicant Presentation

Paul Oland, WLB Group, provided a presentation that included:

- Site plan design
  - Lot and street layout
  - Access
  - Open space
  - Bufferyards
  - Airport Environs Zone

## 4. Public Questions and Comments

- Neighbors have concerns with the traffic capacity on La Canada Drive.
- Does the Town of Oro Valley have enough water to supply the proposed development?
- Neighbors would like to see the proposed development accessed from Kingair Drive and not La Canada Drive.
- Will the applicant preserve the existing pedestrian trail?
  - The applicant expects to relocate the existing pedestrian trail to a new location on the property.
- What is the permitted density (i.e. number of homes per acre)?
- How much open space is required?
- To mitigate traffic concerns, the neighbors would like a traffic light installed on the La Canada Drive and Moore Road intersection.
- What are the opportunities for public engagement?
  - There are currently three opportunities for public engagement: 2<sup>nd</sup> neighborhood meeting, Planning and Zoning Commission and Town Council.

- When will the applicant begin grading?
  - The applicant responded with approximately one (1) year from the date of this neighborhood meeting.
- What is the market price for the proposed custom homes?
  - The applicant has not determined the market price at this time.
- What is the proposed building heights?
  - The proposed build heights is 30', two-stories. One-story homes will be built in the area designated as Compatible Use Zone "C".
- Neighbors would like the proposed entrance to be aligned with the La Cholla Airpark's emergency runway.
- Who requires a Traffic Impact Analysis Report? Who pays for it?
  - The Town of Oro Valley requires the applicant to submit and pay for a Traffic Impact Analysis Report.
- Will the proposed Traffic Impact Analysis Report account for residents who live part time in Oro Valley (i.e. snowbirds)?

## 5. Next Steps

- The next steps include:
  - 2<sup>nd</sup> Neighborhood Meeting
  - Formal application
  - Staff review
  - Planning and Zoning Commission Public Hearing
  - Town Council Public Hearing

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

For more information, please contact Rosevelt Arellano, Planner, at (520) 229-4817 or [rarellano@orovalleyaz.gov](mailto:rarellano@orovalleyaz.gov).

Neighborhood Meeting Summary  
Parcel 10A Rancho Vistoso  
April 30, 2015  
6:00 – 7:30

## 1. Introduction and Welcome

A neighborhood meeting was held in the Council Chambers with approximately six (6) residents in attendance. Councilmember Hornat and Vice Mayor Waters attended the meeting.

## 2. Staff Presentation

Rosevelt Arellano, Project Manager, provided a presentation that included:

- Conceptual Design Review Process – Site plan
  - Conceptual Design Review Board meeting (recommendation)
  - Town Council meeting (decision)
- Review tools for Conceptual Design applications

## 3. Applicant Presentation

The applicant's representative, Paul Oland, of the WLB Group provided a presentation that included:

- Site plan design
  - Lot layout
  - Access
  - Building height
  - Conformance with the Airport Environ Zone Overlay District

## 4. Meeting Discussion

The following questions and comments were provided at the meeting.

- What is the development schedule?
  - The applicant expects to begin development in April of 2016.
- How much will the proposed homes cost?
  - This applicant stated that this information is not known at this time.
- Where is the 100' buffer yard on the project site?
  - The 100' buffer yard is located along the west property line.
- Can the applicant add language on the Final Plat regarding the project's conformance with the Airport Environ Zone (AEZ) Overlay District?
  - The applicant agreed to add this language on the Final Plat.
- Which lots are restricted to one-story homes?
  - The following lots are required to have a one-story home (per the Zoning Code):
    - Corner lots
    - Lots located within AEZ Compatible Use Zone C as shown on the proposed site plan

## 5. Next Steps

The next steps include:

- Staff review
- Conceptual Design Review Board Public Hearing
- Town Council Public Hearing

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

For more information, please contact Rosevelt Arellano, Senior Planner, at (520) 229-4817 or [rarellano@orovalleyaz.gov](mailto:rarellano@orovalleyaz.gov).



## Town Council Regular Session

Item # **14.**

**Meeting Date:** 07/01/2015  
**Requested by:** Bayer Vella  
**Submitted By:** Michael Spaeth, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN FOR STONE CANYON VIII, A 38-LOT SINGLE-FAMILY SUBDIVISION ON 51 ACRES LOCATED NORTH OF TORTOLITA MOUNTAIN CIRCLE, 1/4-MILE WEST OF RANCHO VISTOSO BOULEVARD

#### **RECOMMENDATION:**

The Conceptual Design Review Board recommends approval, subject to the conditions listed in Attachment 1.

#### **EXECUTIVE SUMMARY:**

The applicant's request (Attachment 2) is to develop a 51-acre property into a 38 single-family subdivision. The proposed development preserves a majority of the natural rock outcroppings and other environmentally sensitive areas.

The subject property was part of a previous rezoning application and pre-annexation development agreement that established maximum building envelopes and required a minimum amount of open space preservation. The proposed Conceptual Site Plan conforms with the applicable building envelope and open space requirements.

The case was considered by the Conceptual Design Review Board (CDRB), which recommended approval on June 9, 2015, based on the finding the request was consistent with the Rancho Vistoso Planned Area Development and the Design Principles and Design Standards of the Zoning Code, subject to the conditions listed in Attachment 1. The CDRB staff report is included in Attachment 3 and the draft minutes are included in Attachment 4.

#### **BACKGROUND OR DETAILED INFORMATION:**

##### Current Site Conditions

- The property encompasses approximately 51 acres
- Currently vacant
- Property has numerous rock outcroppings

##### Land Use Context

The Existing Land Use, General Plan and Zoning for the property and the surrounding area is depicted in Attachments 5, 6 and 7 respectively.

## Approvals to Date

2001: Pima County rezoned property to CR-1 and CR-5  
2002: Pima County and Stone Canyon Development Agreement  
2002: Property annexed into the Town of Oro Valley  
2004: Translational zoning to R-6 and R1-36.  
2008: Stone Canyon VIII, Rancho Vistoso Neighborhood 12 Subdivision Plat

Prior to annexation of this area, Pima County approved a rezoning that set the stage for the development of the Rancho Vistoso Neighborhood 12. The rezoning and subsequent Pre-annexation Development Agreement established a number of development standards for the area, including:

- Minimum required natural open space for the entire Stone Canyon VIII area (70%)
- Building envelopes (maximum 16,000 sq. ft.)
- Use of the Rancho Vistoso Design Standards, including the Hillside Development Standards

The intent of the standards was to preserve the natural rock outcroppings and environmentally sensitive areas in Neighborhood 12. As part of the applicant's request, sufficient open space will be preserved to meet the minimum open space requirement, preserving 83% of the Stone Canyon VIII area as open space. The Conceptual Site Plan incorporates maximum building envelopes and is consistent with the Rancho Vistoso Design standards, including the Hillside Development Standards.

## Conceptual Site Plan and Landscape Plan

The applicant's proposal is for 38 single-family residential lots on 51 acres. The arrangement of lots avoids encroachment into the natural rock outcroppings and areas of 25% slope or greater in accordance with the Rancho Vistoso Hillside Development Standards. Additional discussion of the proposed Conceptual Site Plan is provided in Attachment 8.

## Rancho Vistoso PAD, Zoning Code Design Principles and Design Standards Analysis

The applicant's proposal conforms with the Rancho Vistoso PAD Design Standards and the Town of Oro Valley Zoning Code including the Conceptual Design Principles and Design Standards. The subdivision will maintain the high quality design of the Stone Canyon area and avoids encroachment into the sensitive rock outcroppings. Several conditions were added to Attachment 1 to add specific general notes to further define the preservation of these sensitive areas. A discussion and analysis of the projects conformance with each is provided in Attachment 9.

## Public Participation

A neighborhood meeting was held on June 25, 2013, with approximately 4 residents attending who expressed concerns about the impact to existing Stone Canyon neighborhoods. The applicant incorporated an additional landscape buffer yard along Torotlita Mountain Circle to address some of the neighbors' concerns. A copy of the neighborhood meeting summary has been provided in Attachment 10.

No additional correspondence has been received by staff.

## Conceptual Design Review Board

The applicant's request was considered by the Conceptual Design Review Board on June 9, 2015. The CDRB recommends approval of the proposed Conceptual Site Plan and Landscape Plan, subject to the conditions listed in Attachment 1. The CDRB staff report and meeting minutes are provided in Attachments 3 and 4 respectively.

## **FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to approve the Conceptual Site Plan and Landscape Plan for the proposed subdivision located in Stone Canyon VIII, based on the finding the request is consistent with the Rancho Vistoso PAD Design Standards and the Conceptual Design Principles and Design Standards of the Zoning Code, subject to the conditions listed in Attachment 1.

OR

I MOVE to deny the Conceptual Site Plan and Landscape Plan, based on the finding that  
\_\_\_\_\_.

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**Attachments**

ATTACHMENT 1 - CONDITIONS OF APPROVAL

ATTACHMENT 2 - CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN

ATTACHMENT 3 - CDRB STAFF REPORT

ATTACHMENT 4 - JUNE 9, 2015 CDRB MEETING MINUTES

ATTACHMENT 5 - LOCATION MAP

ATTACHMENT 6 - GENERAL PLAN LAND USE MAP

ATTACHMENT 7 - ZONING MAP

ATTACHMENT 8 - CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN SUMMARY

ATTACHMENT 9 - RANCHO VISTOSO PAD, DESIGN PRINCIPLES AND DESIGN STANDARDS ANALYSIS

ATTACHMENT 10 - NEIGHBORHOOD MEETING SUMMARY

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**Attachment 1  
Stone Canyon VIII  
Conditions of Approval**

*Planning Conditions*

1. Revise Engineering General Note 4 to read

“Grading on lots shall be limited to 16,000 sq. ft. for house pads and accessory uses, excluding driveways and utilities; otherwise grading shall be limited to roadways, driveways, and utility installation. Areas outside the building envelope shall be recorded as permanent open space. The building envelope shall be staked and inspected by the senior zoning inspector prior to grading”

2. Remove Engineering General Note 5.

3. Add the following General Note

“All buyers of lots with ‘no-build’ areas shall be informed of such areas. Buyers will acknowledge receipt of these information items by signing acknowledgement forms provided and maintained by the developer”.

4. Add the following General Note

“No construction, clearing of vegetation, ground disturbance and alteration of topography regardless of amount shall take place on recorded conservation easements“

*Engineering Conditions*

1. Access for adjacent properties (Lots 591-596, Bk. 65, Pg 25.) through the 32' Common Area “A” from the 36' Public Utility and Common Access Easement and Private Sewer Easement shall be maintained.
2. Provide a temporary cul-de-sac per Town of Oro Valley Subdivision Street Standards on Tortolita Mountain Circle at the project boundary.

**GENERAL NOTES**

1. THE GROSS AREA OF THIS DEVELOPMENT IS 50.94 ACRES.
2. THE PROPOSED NUMBER OF RESIDENTIAL UNITS IS 38 (0.75 UNITS PER ACRE)
3. TOTAL LENGTH OF NEW PRIVATE STREET IS 0.53 MILES.
4. NO PUBLIC STREETS ARE PROPOSED WITH THIS DEVELOPMENT.
5. ASSURANCES FOR WATER SERVICE, SITE STABILIZATION AND LANDSCAPING MUST BE POSTED PRIOR TO THE ISSUANCE OF GRADING PERMITS.
6. ALL PROSPECTIVE BUYERS OF LOTS WITHIN STONE CANYON VIII SHALL BE INFORMED OF THE PRESENCE AND ACTIVITY OF THE LA CHOLLA AIRPARK.
7. GROSS AREA OF ALL IMPERVIOUS SURFACES = 89,176 S.F.

**PLANNING GENERAL NOTES**

1. MAXIMUM BUILDING HEIGHT ALLOWED IS PER STONE CANYON DESIGN GUIDELINES: 19' FOR 2/3 OF RESIDENCE, AND 22' FOR REMAINING 1/3.
2. TOTAL AMOUNT OF OPEN SPACE PROVIDED = 26.71 ACRES
3. TOTAL AMOUNT OF LANDSCAPED COMMON AREAS = 0.65 ACRES
4. INTERIOR LOT SETBACKS PROVIDED: FRONT = 20' PER ZONING CODE; SIDE = 5' PER BUILDING CODE FOR BLDG. SEPARATION; REAR = 0'.
5. PERIMETER SETBACKS REQUIRED/PROVIDED: FRONT = 30'; SIDE = 20'; REAR = 20'.
6. MINIMUM BUILDING SETBACK FROM R/W IS 20'. MINIMUM FRONT SETBACK FOR GARAGE DOORS IS 30'.
7. BUFFERYARD TYPES: BUFFERYARD 'B' IS REQUIRED PER TABLE 27-8. BUFFERYARD 'A' HAS BEEN PROVIDED ALONG TORTOLITA MOUNTAIN CIRCLE
8. COMMON AREAS SHALL BE OWNED AND MAINTAINED BY THE H.O.A.
9. EXISTING ZONING IS R-6, R1-36.
10. ALL SIGNAGE AND LIGHTING TO BE ADDRESSED AS PART OF SEPARATE REVIEW AND APPROVAL PROCESS.
11. THIS PROJECT IS SUBJECT TO ORDINANCE # 02-24.
12. BUILDING PAD AND DRIVEWAY LOCATIONS SHOWN ARE SCHEMATIC, AND SUBJECT TO ADJUSTMENT DURING THE GRADING DESIGN AND PERMITTING PHASE.

**ENGINEERING GENERAL NOTES**

1. THE DESIGN VEHICLE FOR THIS PROJECT IS A SU-30. THE DESIGN SPEED FOR THIS PROJECT IS 25 MPH.
2. ALL NEW ROADS WITHIN AND ADJACENT TO THIS PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS. SEPARATE PUBLIC IMPROVEMENT AND CONSTRUCTION PLANS WILL BE SUBMITTED TO THE TOWN ENGINEER'S OFFICE FOR REVIEW AND APPROVAL.
3. ANY RELOCATION OR MODIFICATION OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS NECESSITATED BY THE PROPOSED DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.
4. GRADING ON LOTS SHALL BE LIMITED TO 16,000 SQUARE FEET FOR HOUSE PADS AND ACCESSORY USES, EXCLUDING DRIVEWAYS AND UTILITIES.
5. AREAS OUTSIDE THE ACCEPTABLE GRADING LIMITS SHALL BE RECORDED AS PERMANENT OPEN SPACE.
6. THE AVERAGE LOT SIZE IS APPROXIMATELY 23,934 SQUARE FEET.

**DRAINAGE GENERAL NOTES**

1. DEVELOPER WILL COVENANT TO HOLD THE TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, HARMLESS IN THE EVENT OF FLOODING.
2. DRAINAGE WILL NOT BE ALTERED, DISTURBED, OR OBSTRUCTED WITHOUT THE APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
3. DRAINAGE STRUCTURES MUST BE CONSTRUCTED AND INSTALLED ACCORDING TO TOWN STANDARDS AND PAID FOR BY THE DEVELOPER.
4. ALL DRAINAGE STRUCTURES MUST BE DESIGNED TO CONVEY A 100 YR FLOW.
5. ALL DRAINAGE FACILITIES WILL BE CONSTRUCTED ACCORDING TO APPROVED PLANS PRIOR TO THE ISSUANCE OF ANY CERTIFICATES OF OCCUPANCY FROM THE BUILDING OFFICIAL FOR ALL AFFECTED BUILDINGS.
6. THE DEVELOPER AND/OR HOA WILL ACCEPT RESPONSIBILITY FOR MAINTENANCE, CONTROL, SAFETY AND LIABILITY OF PRIVATE DRAINAGEWAYS, DRAINAGE EASEMENTS, AND COMMON AREAS.

**ORO VALLEY WATER GENERAL NOTES**

1. THIS DEVELOPMENT MUST COMPLY WITH THE ORO VALLEY WATER UTILITY SPECIFICATIONS MANUAL DURING ALL PHASES OF CONSTRUCTION.
2. THE TOWN OF ORO VALLEY HAS BEEN DESIGNATED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES AS HAVING AN ASSURED WATER SUPPLY, PURSUANT TO A.R.S. 45-576, AND WILL SERVE THIS DEVELOPMENT.
3. A LINE EXTENSION AGREEMENT FOR THIS PROJECT MUST BE IN PLACE PRIOR TO ANY WORK ON THE WATER INFRASTRUCTURE.
4. WATER INFRASTRUCTURE SHOWN IS NOT NECESSARILY THE FINAL DESIGN. A SEPARATE WATER IMPROVEMENT PLAN MUST BE SUBMITTED TO ORO VALLEY WATER UTILITY FOR REVIEW AND APPROVAL.

**WASTEWATER GENERAL NOTES**

1. PROJECT IS IN CONFORMANCE WITH SECTION J, WASTEWATER, OF THE PIMA COUNTY DEVELOPMENT PLAN REQUIREMENTS AS REFERENCED IN 18.71.030.A.

**GENERAL UTILITY NOTES**

1. SHOULD AN EASEMENT BE IN CONFLICT WITH ANY PROPOSED BUILDING LOCATION, VACATION OF THE EASEMENT IS TO OCCUR PRIOR TO OF ISSUANCE BUILDING PERMITS.

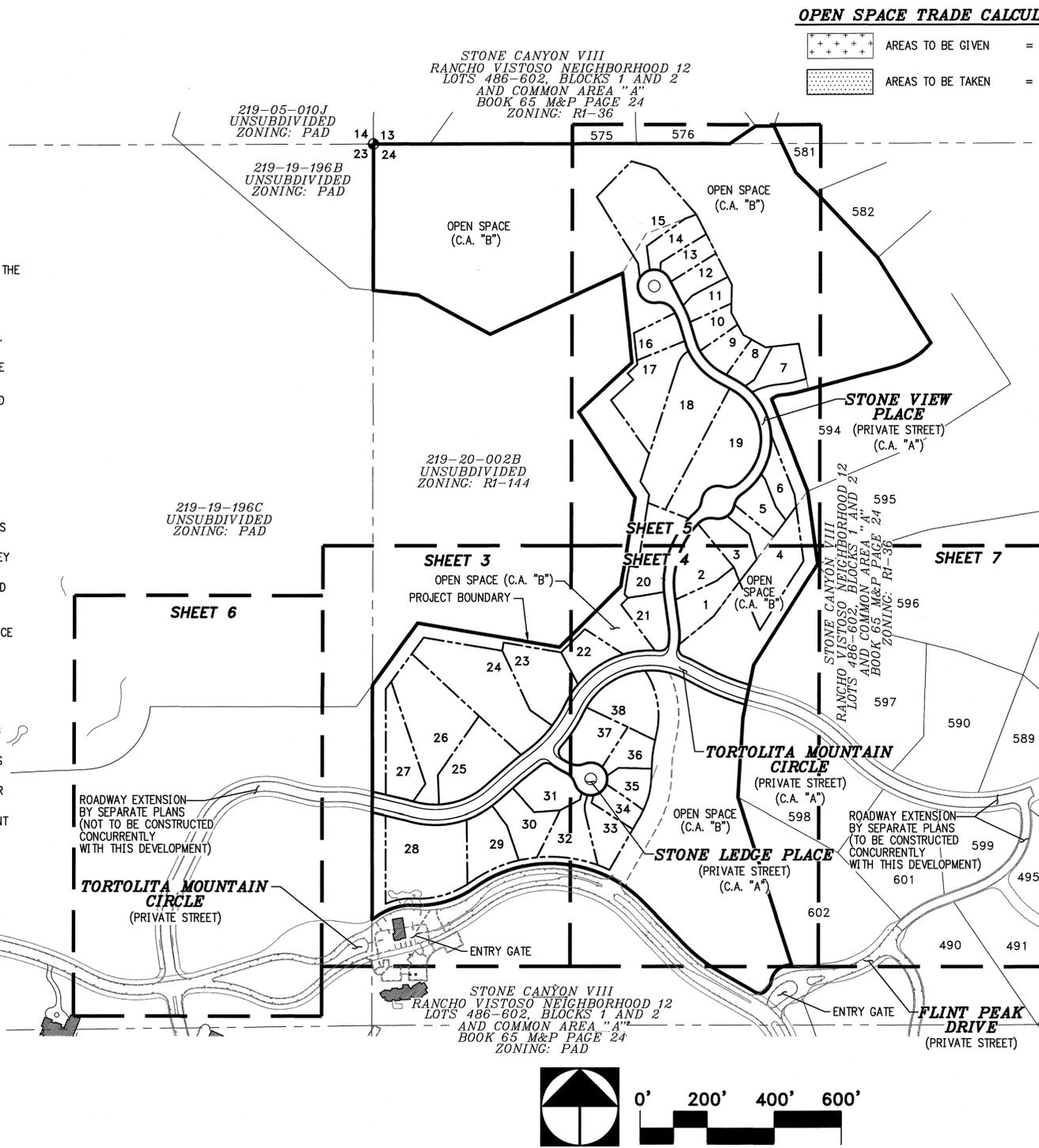
**COLDER RANCH FIRE GENERAL NOTES**

1. FIRE HYDRANTS CONNECTED TO AN APPROVED WATER SUPPLY OF 1000 GPM FOR FIRE PROTECTION MUST BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE. TEMPORARY CONSTRUCTION OFFICE TRAILERS ARE CONSIDERED COMBUSTIBLE MATERIAL.
2. APPROVED FIRE APPARATUS ACCESS ROADS MUST BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE.
3. APPROVED AUTOMATIC SPRINKLER SYSTEMS SHALL BE PROVIDED THROUGHOUT ALL ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES WHICH EXCEED 3,600 SQUARE FEET IN FIRE-FLOW CALCULATION AREA. APPROVED AUTOMATIC SPRINKLER SYSTEMS SHALL BE PROVIDED THROUGHOUT ALL ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES USED AS MODEL HOMES WITH SALES OR CONSTRUCTION OFFICES.
4. TEMPORARY STREET SIGNS MUST BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE OF VEHICLES. ALL STRUCTURES UNDER CONSTRUCTION MUST BE CLEARLY IDENTIFIED WITH AN APPROVED ADDRESS.

# CONCEPTUAL SITE PLAN

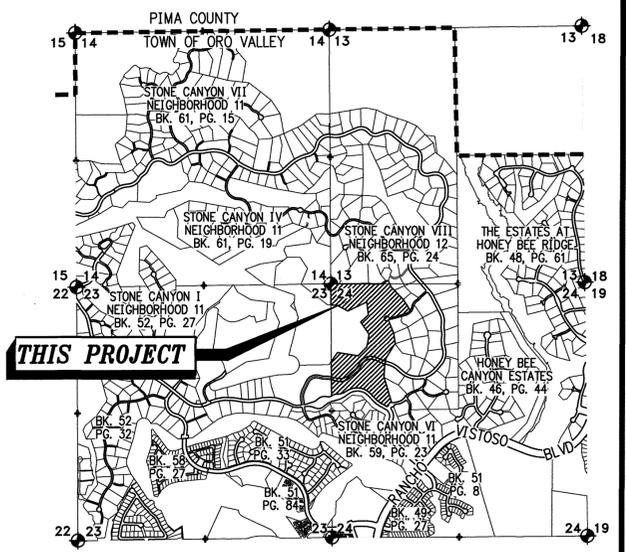
## MERITAGE AT STONE CANYON VIII

### LOTS 1 THROUGH 38 AND COMMON AREAS "A" & "B" OV1214-21



**OPEN SPACE TRADE CALCULATIONS**

AREAS TO BE GIVEN	=	23,840 S.F.
AREAS TO BE TAKEN	=	23,840 S.F.



**LOCATION MAP**

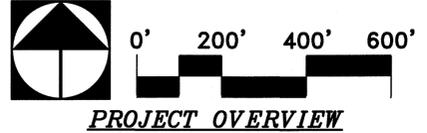
A PORTION OF SECTION 24  
T11S, R13E, G & S.R.M., TOWN OF ORO VALLEY,  
PIMA COUNTY, ARIZONA

**LEGEND**

EXIST. MAJOR CONTOUR	EX	EXISTING
EXIST. MINOR CONTOUR		ASPHALT PAVEMENT
PROJECT BOUNDARY		TOP OF SLOPE
PROPOSED RIGHT-OF-WAY		BOTTOM OF SLOPE
PROPOSED LOT LINE		(SLOPES IN CUT= 1:1, SLOPES IN FILL= 2:1, SLOPES OFF DRIVEWAYS= 3:1)
EXIST. PAVEMENT		SIGHT VISIBILITY TRIANGLE (SVT)
PROPOSED CURB		EXIST. 100 YR FLOOD PLAIN (PLATTED AS NOTED)
EXIST. SEWER LINE & MANHOLE		EXIST. 100 YR FLOOD PLAIN
EXIST. PUBLIC WATERLINE & VALVE		EXIST. EROSION HAZARD SETBACK
EXISTING EASEMENT LINE		PROPOSED 100 YR FLOOD PLAIN
LOT SETBACKS (TYP.)		PROPOSED EROSION HAZARD SETBACK
SECTION LINE		
PROPOSED SPOT ELEVATION		PROPOSED RIPRAP
DIRECTION OF FLOW		OPEN SPACE TRADE AREA (TAKE AREA)
SECTION CORNER OR 1/4 SECTION CORNER		OPEN SPACE TRADE AREA (GIVE AREA)
FINISHED FLOOR ELEVATION		REGULATED ROCK OUTCROP
FINISHED PAD ELEVATION		
GRADE BREAK (GB/HP/LP)		
PROPOSED CULVERT		
PROPOSED BANK PROTECTION		
ZONING BOUNDARY LINE		

**PERMITTING DIVISION-BUILDING CODES**

- THE FOLLOWING CODES AND STANDARDS SHALL BE APPLICABLE TO THIS DEVELOPMENT:
- 2012 INTERNATIONAL CODES WITH LOCAL AMENDMENTS
  - 2011 NATIONAL ELECTRIC CODE
  - 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN
  - 2012 INTERNATIONAL FIRE CODE AND LATEST NFPA STANDARDS
  - 2008 ORO VALLEY POOL CODE
  - 2003 PC/COT STANDARD SPECIFICATIONS AND DETAILS FOR PUBLIC IMPROVEMENTS
  - 2010 TOWN OF ORO VALLEY DRAINAGE CRITERIA MANUAL
  - 2004 TOWN OF ORO VALLEY SUBDIVISION STREET STANDARDS AND POLICIES MANUAL
  - TOWN OF ORO VALLEY ZONING CODE, CURRENT REVISED
  - ORO VALLEY TOWN CODE, CURRENT REVISED.



**PROJECT OVERVIEW**

**DEVELOPER**

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MWEINBERG@DIAMONDVEN.COM

**ENGINEER**

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(520) 881-7480  
ATTN: COREY THOMPSON  
CTHOMPSON@WLBGROUP.COM

**SHEET INDEX**

SHEET 1..... COVER SHEET  
SHEETS 2..... OVERALL SITE PLAN  
SHEETS 3-5.... SITE PLAN SHEETS  
SHEETS 6-7.... OFFSITE PLAN SHEETS



**OV1214-21**  
**CONCEPTUAL SITE PLAN**  
FOR  
**MERITAGE AT STONE CANYON VIII**  
**LOTS 1 THROUGH 38 & COMMON AREA "A"**  
**(PRIVATE STREETS) & COMMON AREA "B" (OPEN SPACE)**

BEING A PORTION OF SECTION 24  
TOWNSHIP 11 NORTH, RANGE 13 EAST, G & S.R.M.  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

MARCH 2015  
WLB NO. 185050-MB-09  
CONTOUR INTERVAL: 1' SCALE: 1"=AS SHOWN

REF. CASE #OV114-007  
CO9-01-42  
ORD. 02-24  
OV12-07-15

**SHEET 1 OF 7**

The WLB Group  
**WLB**  
Engineering • Planning • Surveying  
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Offices located in: Tucson, Phoenix, and Flagstaff, Arizona and Las Vegas, Nevada.  
4444 E. Broadway Tucson, AZ. 85711  
(520) 881-7480

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STONE CANYON COMMUNITY ASSOCIATION INC  
UNSUBDIVIDED  
ZONING: PAD

STONE CANYON LLC  
UNSUBDIVIDED  
ZONING: PAD

CLIFTON, PAUL & SUSAN  
UNSUBDIVIDED  
ZONING: PAD

CLIFTON, PAUL & SUSAN  
UNSUBDIVIDED  
ZONING: R1-144

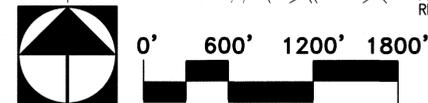
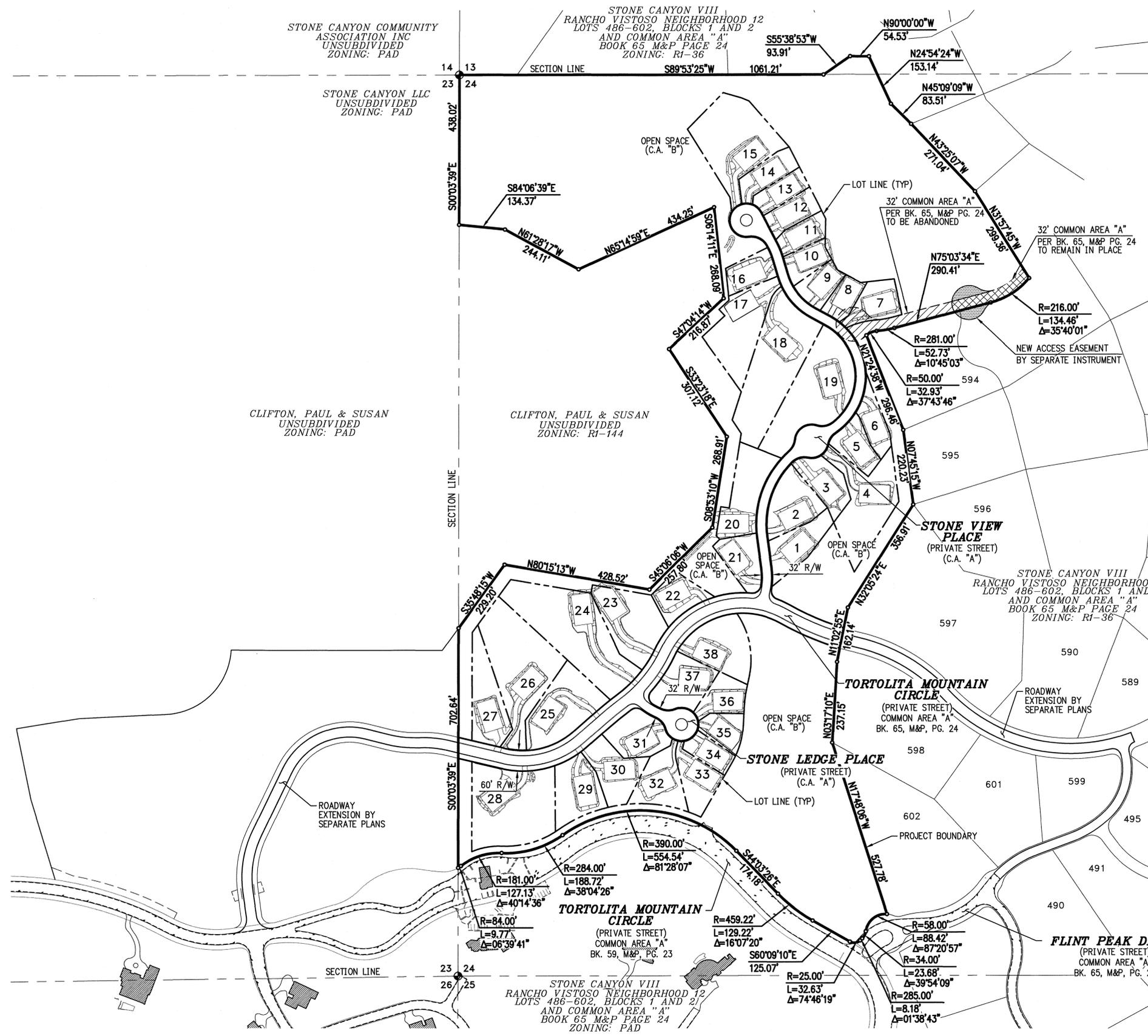
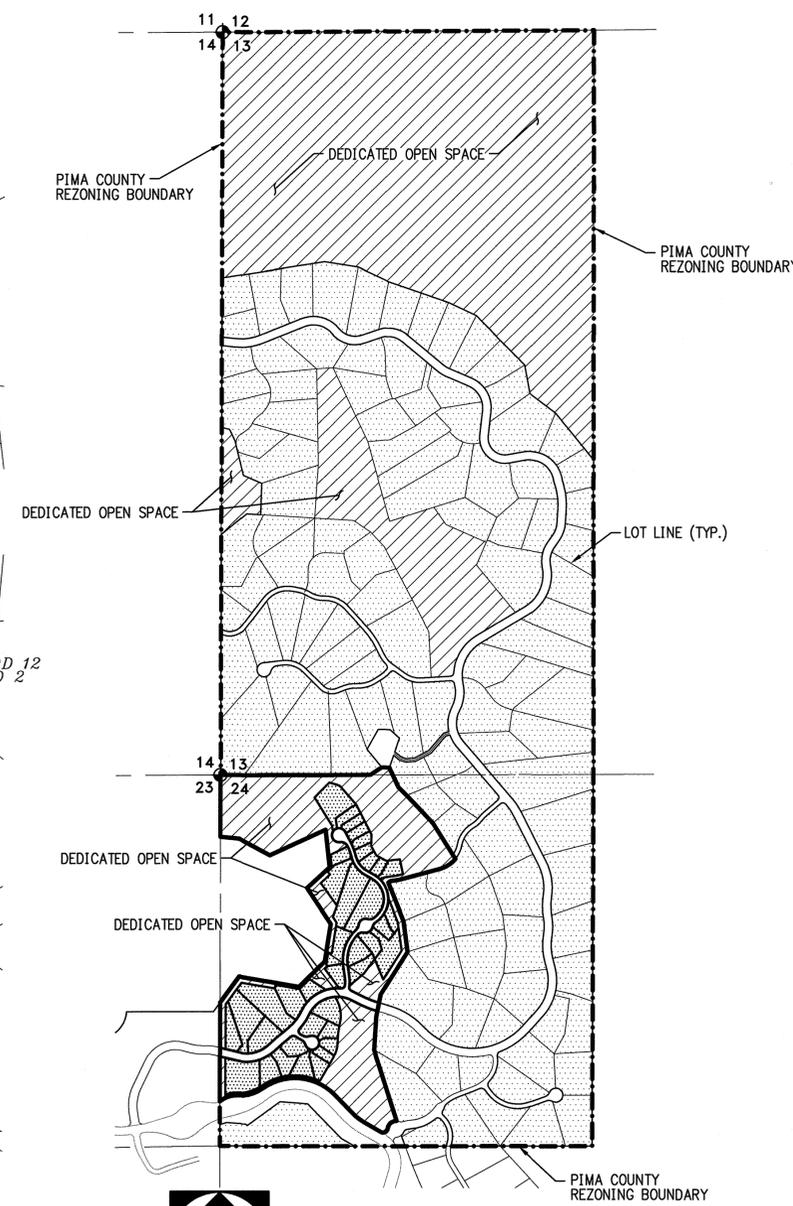
STONE CANYON VIII  
RANCHO VISTOSO NEIGHBORHOOD 12  
LOTS 486-602, BLOCKS 1 AND 2  
AND COMMON AREA "A"  
BOOK 65 M&P PAGE 24  
ZONING: R1-36

STONE CANYON VIII  
RANCHO VISTOSO NEIGHBORHOOD 12  
LOTS 486-602, BLOCKS 1 AND 2  
AND COMMON AREA "A"  
BOOK 65 M&P PAGE 24  
ZONING: R1-36

STONE CANYON VIII  
RANCHO VISTOSO NEIGHBORHOOD 12  
LOTS 486-602, BLOCKS 1 AND 2  
AND COMMON AREA "A"  
BOOK 65 M&P PAGE 24  
ZONING: PAD

**OPEN SPACE CALCULATIONS**

	PIMA COUNTY REZONING BOUNDARY	=	461.7 AC.
	DEDICATED OPEN SPACE	=	171.8 AC.
	LARGE LOT LOTTED AREA (116 LOTS)	=	243.3 AC.
	MIN. OPEN SPACE WITHIN LARGE LOT LOTTED AREA	=	200.7 AC.
	SUBJECT PROPERTY LOTTED AREA (38 LOTS)	=	21.0 AC.
	MIN. OPEN SPACE WITHIN SUBJECT LOTTED AREA	=	14.0 AC.
	TOTAL OPEN SPACE	=	386.5 AC. (83.7%)



**OVERALL SITE PLAN**

**OV1214-21  
CONCEPTUAL SITE PLAN**

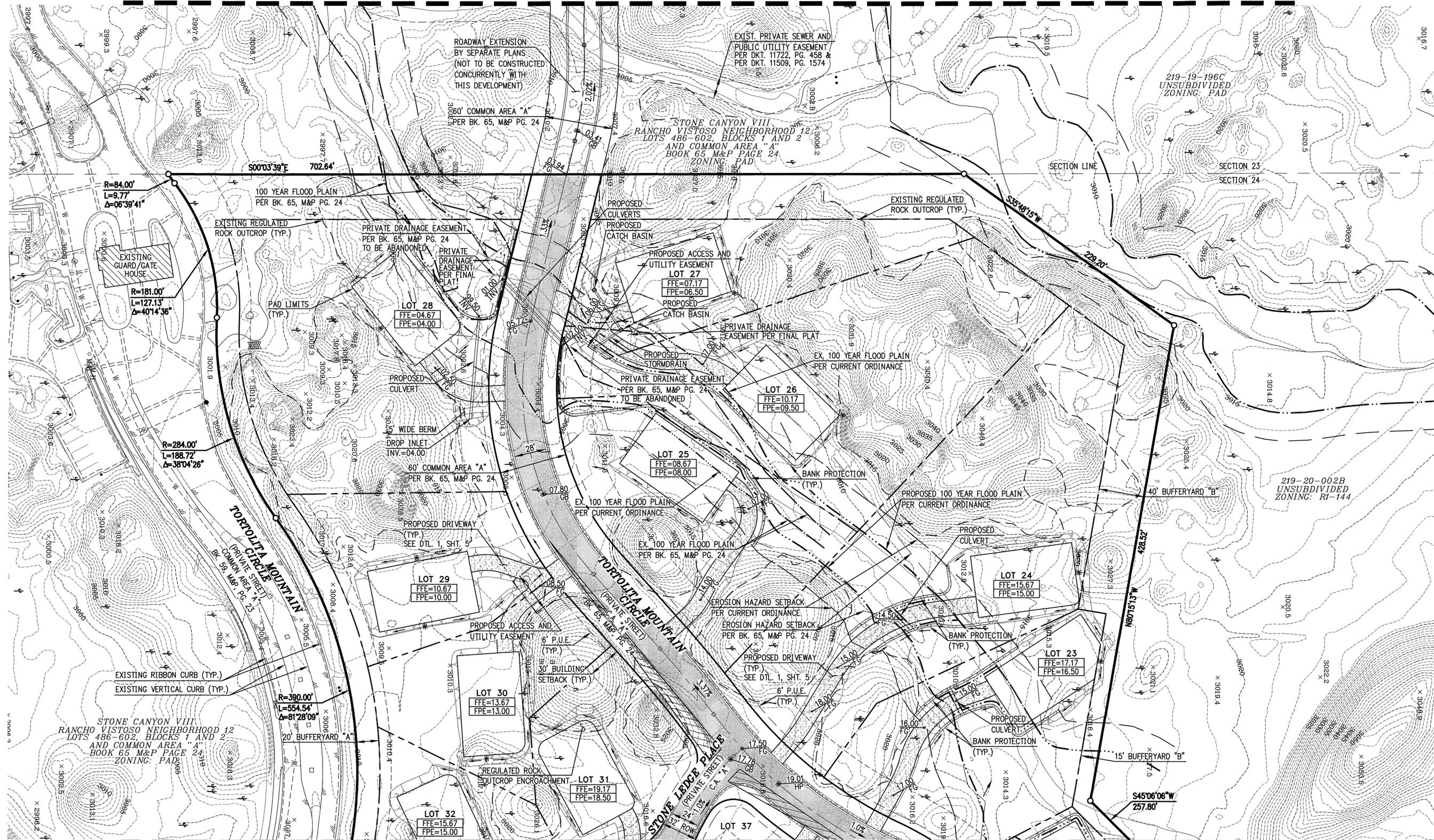
**FOR  
MERITAGE AT STONE CANYON VIII  
LOTS 1 THROUGH 38 & COMMON AREA "A"  
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BEING A PORTION OF SECTION 24  
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA



MARCH 2015  
WLB NO. 185050-MB-09  
CONTOUR INTERVAL: 1' 5" SCALE: 1"=150'  
REF. CASE #0V114-007  
C09-01-42  
ORD. 02-24  
OV12-07-15

MATCHLINE SEE SHEET 6



MATCHLINE SEE SHEET 4

OV1214-21  
CONCEPTUAL SITE PLAN  
FOR

**MERITAGE AT STONE CANYON VIII**  
LOTS 1 THROUGH 38 & COMMON AREA "A"  
(PRIVATE STREETS) & COMMON AREA "B" (OPEN SPACE)

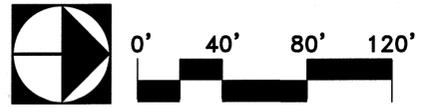
BEING A PORTION OF SECTION 24  
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

MARCH 2015  
WLB NO. 185050-MB-09  
CONTOUR INTERVAL: 1' SCALE: 1"=40'

REF. CASE #0V114-007  
C09-01-42  
ORD. 02-24  
OV12-07-15

SHEET 3 OF 7

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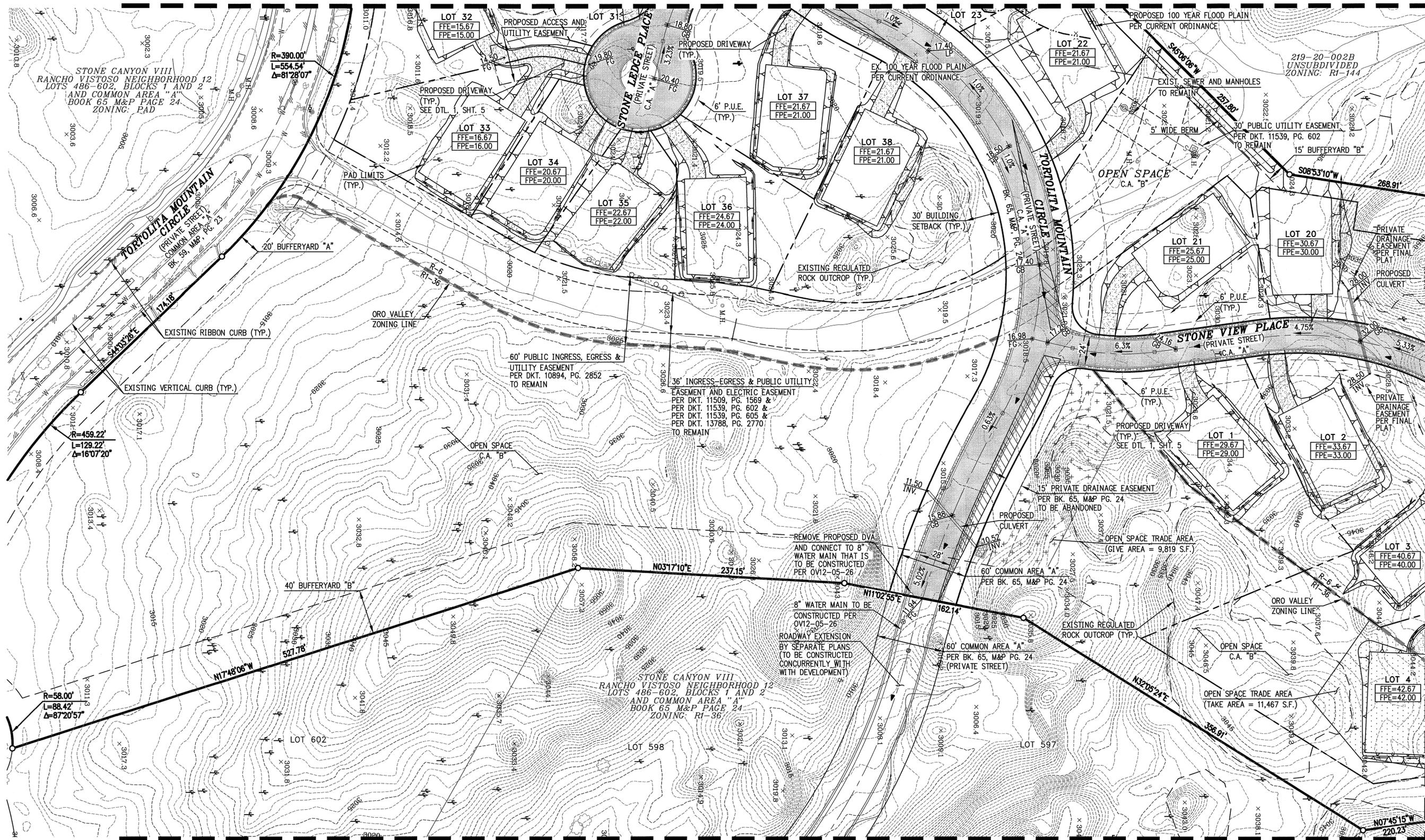


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MATCHLINE SEE SHEET 3

MATCHLINE SEE SHEET 5

MATCHLINE SEE SHEET 7



0V1214-21  
CONCEPTUAL SITE PLAN

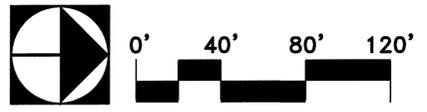
FOR  
**MERITAGE AT STONE CANYON VIII**  
LOTS 1 THROUGH 38 & COMMON AREA "A"  
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TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

MARCH 2015  
WB NO. 185050-MB-09  
CONTOUR INTERVAL: 1' SCALE: 1"=40'  
REF. CASE #0V114-007  
C09-01-42  
ORD. 02-24  
OV12-07-15  
SHEET 4 OF 7



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MATCHLINE SEE SHEET 3

OV1214-21  
CONCEPTUAL SITE PLAN

FOR  
**MERITAGE AT STONE CANYON VIII**  
LOTS 1 THROUGH 38 & COMMON AREA "A"  
(PRIVATE STREETS) & COMMON AREA "B" (OPEN SPACE)

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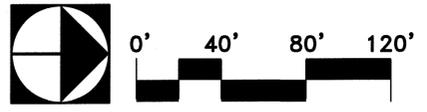


MARCH 2015  
WLB NO. 185050-MB-09  
CONTOUR INTERVAL: 1' SCALE: 1"=40'

REF. CASE #OV114-007  
C09-01-42  
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OV12-07-15

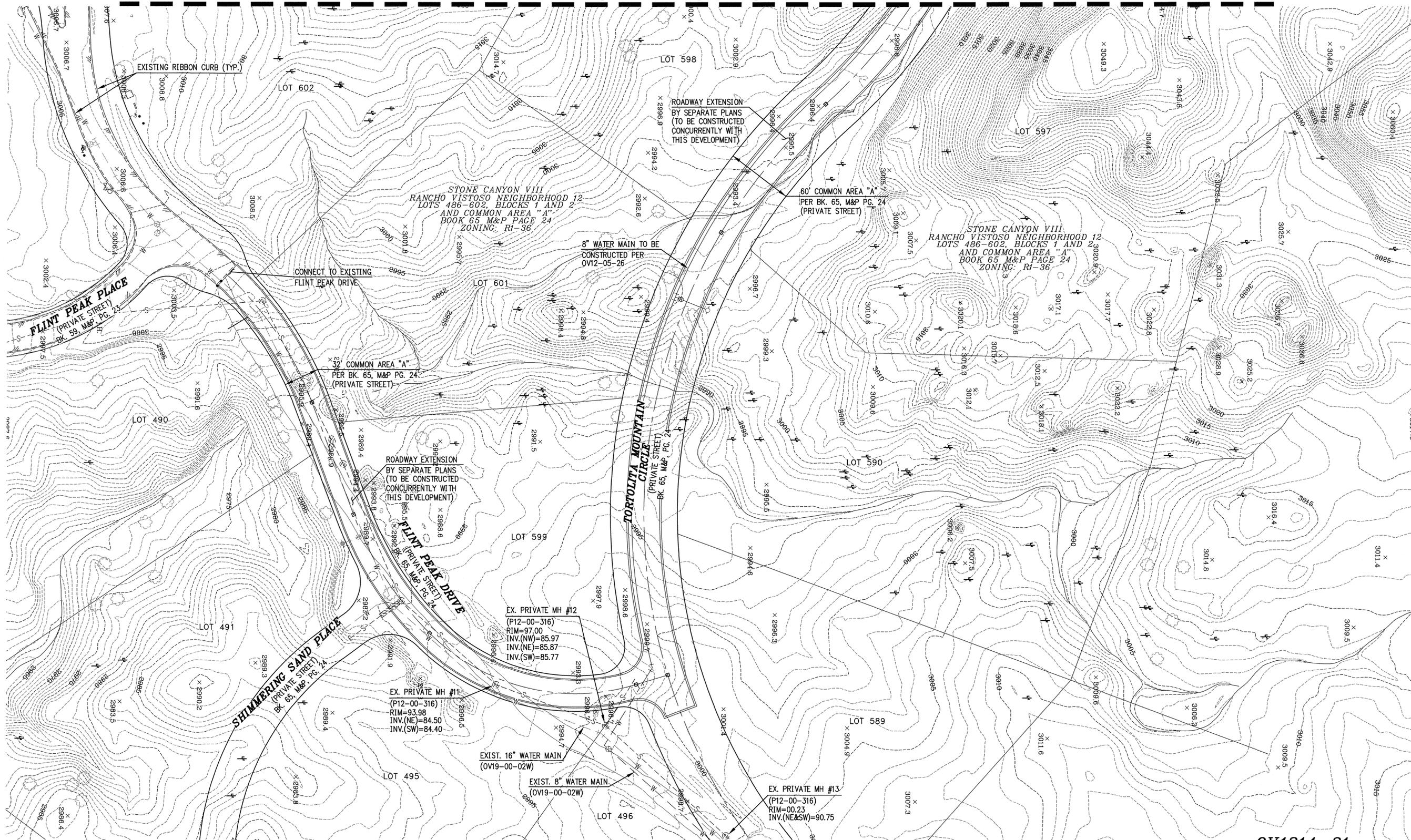
SHEET 6 OF 7

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MATCHLINE SEE SHEET 4



**OV1214-21**  
**CONCEPTUAL SITE PLAN**  
 FOR  
**MERITAGE AT STONE CANYON VIII**  
**LOTS 1 THROUGH 38 & COMMON AREA "A"**  
**(PRIVATE STREETS) & COMMON AREA "B" (OPEN SPACE)**

BEING A PORTION OF SECTION 24  
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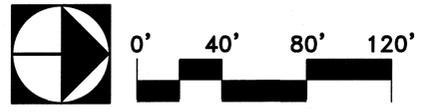
MARCH 2015  
 WLB NO. 185050-MB-09  
 CONTOUR INTERVAL: 1' SCALE: 1"=40'

REF. CASE #OV114-007  
 C09-01-42  
 ORD. 02-24  
 OV12-07-15



EXPIRES 9/30/2016

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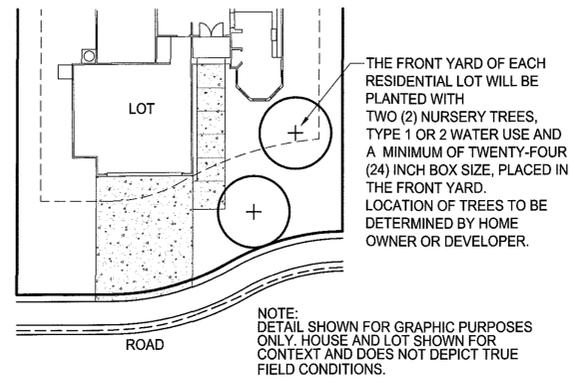


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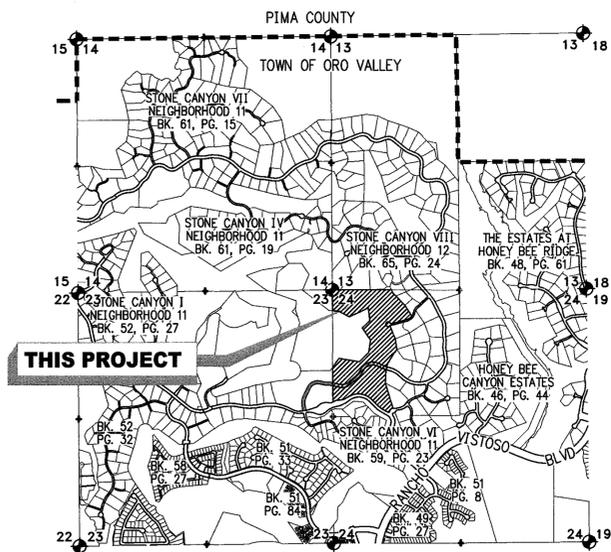
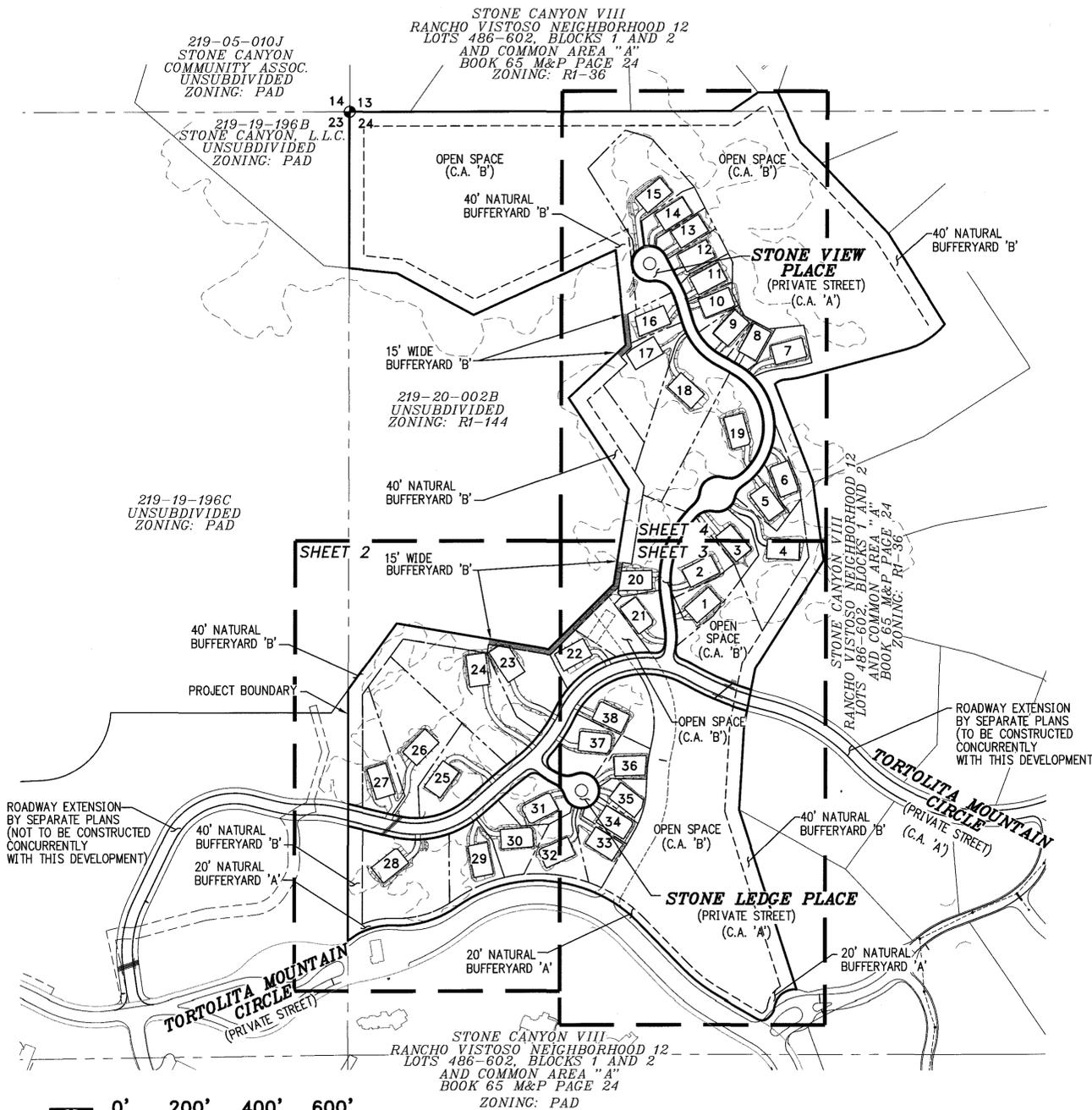
# CONCEPTUAL LANDSCAPE PLAN MERITAGE AT STONE CANYON VIII LOTS 1 THROUGH 38 AND COMMON AREAS "A" & "B" OV1214-21

## GENERAL NOTES

1. THE GROSS AREA OF THIS DEVELOPMENT IS 50.94 ACRES
2. TOTAL GRADED AREA IS 26± ACRES
3. TOTAL AREA OF SITE LANDSCAPED = 1.3% (0.65ACRES).
4. INTERIOR LOT SETBACKS PROVIDED: FRONT=20' PER ZONING CODE; SIDE=5'; REAR=0' PER BUILDING CODE.
5. PERIMETER SETBACKS REQUIRED/PROVIDED: FRONT=30'; SIDE=20'; REAR=20'.
6. MINIMUM BUILDING SETBACK FROM R/W IS 20'. MINIMUM FRONT SETBACK FOR GARAGE DOORS IS 30'
7. COMMON AREAS / OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE H.O.A.
8. EXISTING ZONING IS R-6, R1-36.
9. BUFFERYARD TYPES : BUFFERYARD 'B' IS REQUIRED PER TABLE 27-8. BUFFERYARD 'A' HAS BEEN PROVIDED ALONG TORTOLITA MOUNTAIN CIRCLE.
10. ASSURANCES FOR LANDSCAPING AND RE-VEGETATION BONDS MUST BE POSTED PRIOR TO ISSUANCE OF GRADING PERMITS.
11. PROPERTY OWNER SHALL MAINTAIN BUFFERYARD PLANTINGS TO ENSURE UNOBSTRUCTED VISIBILITY TO MOTORISTS. ALL SHRUBS, ACCENTS, AND GROUNDCOVERS SHALL NOT EXCEED THIRTY (30) INCHES IN HEIGHT WITHIN SITE VISIBILITY TRIANGLES. TREES WITHIN SITE VISIBILITY TRIANGLES WILL BE MAINTAINED TO ENSURE THAT BRANCHES / FOLIAGE IS NOT BELOW A HEIGHT OF SIX (6) FEET.
12. IN THE EVENT OF ABANDONMENT OF THE SITE AFTER GRADING / DISTURBANCE OF NATURAL AREAS, DISTURBED AREAS SHALL BE RE-VEGETATED WITH A NON-IRRIGATED HYDRO SEED MIX FROM OVZCR ADDENDUM D: APPROVED REVEGETATION SEED MIX.
13. ALL PLANT MATERIAL SHALL MEET THE MINIMUM STANDARDS CONTAINED IN THE CURRENT EDITIONS OF THE ARIZONA NURSERY ASSOCIATION'S GROWERS COMMITTEE RECOMMENDED TREE SPECIFICATIONS AND THE AMERICAN ASSOCIATION OF NURSERYMEN AS TO SIZE, CONDITION AND APPEARANCE.
14. PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING THE TEMPORARY IRRIGATION SYSTEM AS LONG AS NECESSARY IN ORDER TO TRANSITION PLANTS OVER TO NATURAL SOURCES. ANY PLANT MATERIALS THAT DIE IN TRANSITION, FOR ANY REASONS, SHALL BE REPLACED IN ACCORDANCE WITH SECTION 27.6.E.4., MAINTENANCE.
15. MATERIALS WITHIN SIGHT VISIBILITY TRIANGLES MUST BE PLACED SO AS NOT TO INTERFERE WITH A VISIBILITY PLANE DESCRIBED BY TWO HORIZONTAL LINES LOCATED THIRTY (30) INCHES AND SEVENTY TWO (72) INCHES ABOVE FINISHED GRADE OF THE ROADWAY SURFACE. TREES IN SIGHT VISIBILITY TRIANGLES SHALL COMPLY WITH THE RESTRICTIONS OF THE SIGHT VISIBILITY TRIANGLES AT THE TIME OF PLANTING.
16. LANDSCAPE SHALL CONFORM TO ORO VALLEY LANDSCAPE CODE.
17. MITIGATION OF SURVEYED PLANTS IN THE NATIVE PLANT PRESERVATION PLAN WILL BE INCORPORATED INTO THE LANDSCAPE DESIGN.
18. TREE AND SHRUB LOCATIONS ARE PRELIMINARY.
19. ALL PLANTS TO BE IRRIGATED WITH AN UNDERGROUND AUTOMATIC DRIP IRRIGATION SYSTEM.
20. HYDROSEED ALL AREAS DISTURBED BY GRADING OPERATIONS AROUND LOTS AND ALONG ROADS. DECOMPOSED GRANITE SHALL BE PLACED AT ENTRIES.
21. NO TREES TO BE PLANTED WITHIN THE MINIMUM DISTANCE OF 7 FEET 6 INCHES OF AN UNDERGROUND WATER BEARING LINE. IF NEEDED TREES CAN BE PLANTED A MINIMUM OF 4 FEET OF WATER BEARING LINES, BUT A ROOT BARRIER MUST BE INSTALLED BETWEEN THE TREE ROOT BALL AND THE UNDERGROUND WATER BEARING LINE.
22. LANDSCAPE DESIGN ENABLES ADEQUATE PLANT SPACING TO ENSURE SURVIVABILITY AT PLANT MATURITY, PER SECTION 27.6.C.2.i.i.



FRONT YARD DETAIL  
SCALE: NTS



LOCATION MAP  
BEING A PORTION OF SECTIONS 24  
TOWNSHIP 11 SOUTH, RANGE 13 EAST  
GILA & SALT RIVER MERIDIAN  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

3" = 1 MILE

### LEGEND

	EXIST. MAJOR CONTOUR		TOP OF SLOPE
	EXIST. MINOR CONTOUR		BOTTOM OF SLOPE
	PROJECT BOUNDARY		SIGHT VISIBILITY TRIANGLE (SVT)
	PROPOSED RIGHT-OF-WAY		EXIST. 100 YR FLOOD PLAIN
	PROPOSED LOT LINE		EXIST. EROSION HAZARD SETBACK
	EXIST. PAVEMENT		PROPOSED RIPRAP
	PROPOSED CURB		REGULATED ROCK OUTCROP
	EXIST. PUBLIC SEWER LINE & MANHOLE		TEMPORARY FIRE ACCESS LANE
	EXIST. PUBLIC WATERLINE & VALVE		
	EXISTING EASEMENT LINE		
	SECTION LINE		
	PROPOSED CULVERT		
	PROPOSED BANK PROTECTION		

**APPROVAL**  
ANY PLANT DEEMED SALVAGEABLE BY THE ZONING INSPECTOR SHALL BE SALVAGED. TOWN OF ORO VALLEY NATIVE PLANT SALVAGE PLAN APPROVED BY:

PLANNING & ZONING MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

OV1214-21  
CONCEPTUAL LANDSCAPE PLAN  
FOR  
**MERITAGE AT STONE CANYON VIII**  
LOTS 1 THROUGH 38 & COMMON AREA "A" (PRIVATE STREETS)  
& COMMON AREA "B" (OPEN SPACE)

BEING A PORTION OF SECTION 24  
TOWNSHIP 11 SOUTH, RANGE 13 EAST  
GILA & SALT RIVER MERIDIAN  
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA REF. #OV114-007  
MARCH 2015  
WLB NO. 185050-MB09  
CONTOUR INTERVAL 1' SCALE: AS SHOWN SHEET 1 OF 4

The WLB Group Inc. **WLB**  
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**DEVELOPER**  
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(520) 225-6800  
ATTN: JEFF GROBSTEIN  
JEFF.GROBSTEIN@MERITAGEHOMES.COM

**OWNER**  
FIDELITY NATIONAL TITLE TR 60415  
ATTN: SOUTHWEST DVI PROPERTY LLC  
2200 E. RIVER ROAD, SUITE 115  
TUCSON, AZ 86718-6587  
(520) 577-0200  
ATTN: MARK WEINBERG  
MWEINBERG@DIAMONDVEN.COM

**LANDSCAPE ARCHITECT**  
THE WLB GROUP, INC.  
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GGRIZZLE@WLBGROUP.COM

**SHEET INDEX**  
SHEET 1 COVER SHEET  
SHEET 2 PLANTING CONCEPT  
SHEET 3 PLANTING CONCEPT  
SHEET 4 PLANTING CONCEPT

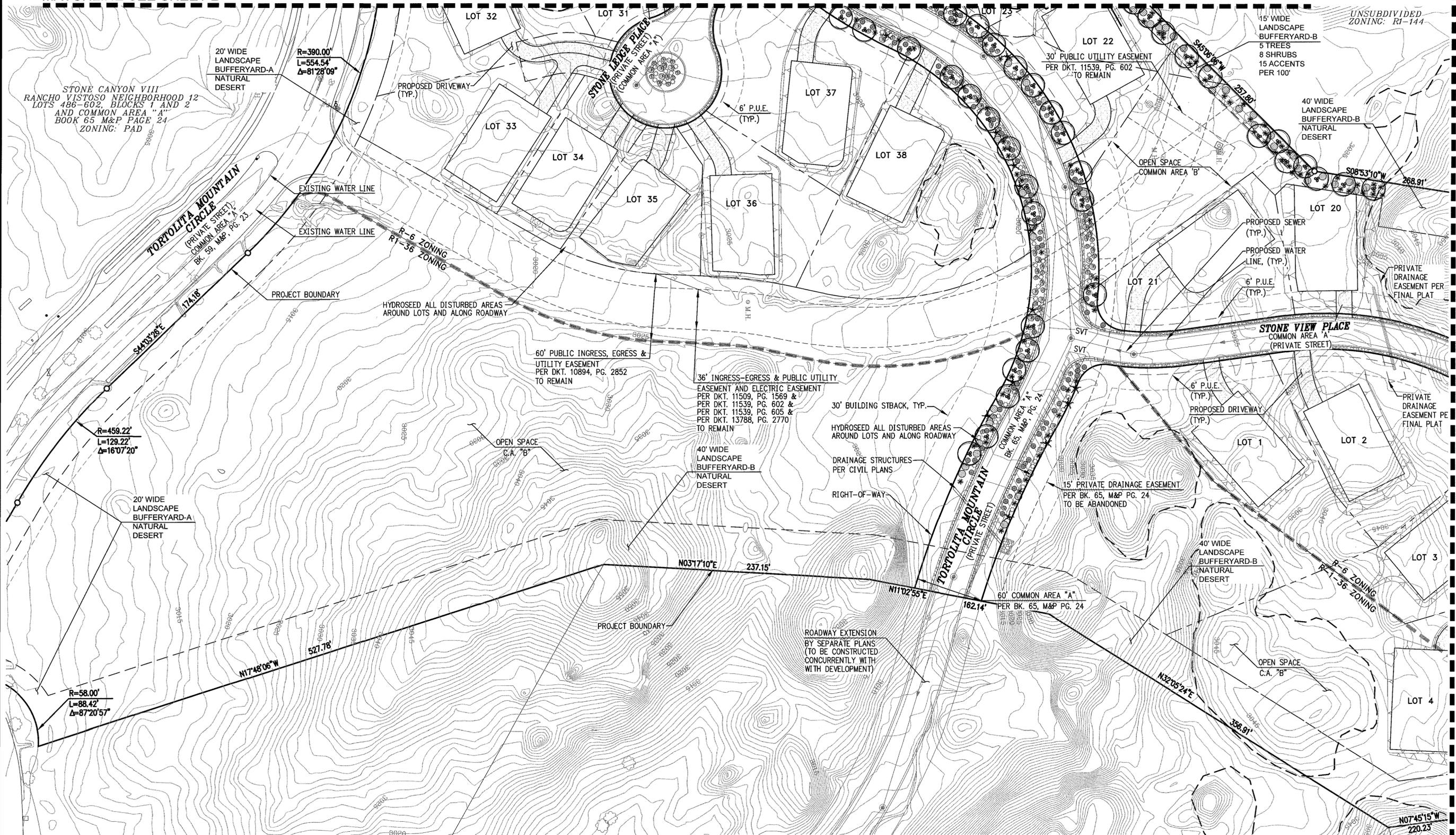
1-800-782-5348  
Blue Stake Center



CLIP - RANCHO VISTOSO NEIGHBORHOOD 12 - STONE CANYON VIII  
Plotted: Mar. 12, 2015 - 3:25pm



MATCHLINE SEE SHEET 2



MATCHLINE SEE SHEET 4

- PLANT LEGEND**
- TREE
  - SHRUBS
  - ACCENTS
  - CACTI
  - BOULDERS



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OV1214-21  
 CONCEPTUAL LANDSCAPE PLAN  
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**MERITAGE AT STONE CANYON VIII**  
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 TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA REF. #OV114-007  
 MARCH 2015  
 WLB NO. 185050-MB09  
 CONTOUR INTERVAL 1' SCALE: 1" = 40' SHEET 3 OF 4

CLP - RANCHO VISTOSO NEIGHBORHOOD 12 - STONE CANYON VIII  
 Plotted: Mar. 12, 2015 - 3:27pm  
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## Conceptual Site Plan Conceptual Design Review Board Staff Report

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**CASE NUMBER:** OV1214-21 Meritage at Stone Canyon VIII  
**MEETING DATE:** June 9, 2015  
**AGENDA ITEM:** 6  
**STAFF CONTACT:** Michael Spaeth, Senior Planner  
[mspaeth@orovalleyaz.gov](mailto:mspaeth@orovalleyaz.gov) (520) 229-4812

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**Applicant:** Paul Oland, The WLB Group Inc  
**Request:** **Conceptual Site Plan and Landscape Plan for 38-lot single family residential development**  
**Location:** North of Tortolita Mountain Circle approximately ¼-mile west of Rancho Vistoso Boulevard in Stone Canyon.  
**Recommendation:** Recommend approval of requested Conceptual Site Plan and Landscape Plan subject to the conditions listed in Attachment 1.

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### **SUMMARY:**

The applicant's request (Attachment 2) is to develop an approximately 51 acre property into a 38 single-family lots. The Conceptual Design Review Board review is focused on the fundamental elements of the Conceptual Site Plan and Landscape Plan, including site layout, drainage/grading and pedestrian and vehicular connectivity.

The Conceptual Site Plan and Landscape Plan conforms with the Rancho Vistoso Planned Area Development and, where applicable, the Design Principles and Design Standards of the Zoning Code, subject to the conditions listed in Attachment 1.

### **BACKGROUND/DETAILED INFORMATION:**

#### Current Site Conditions

- The property encompasses approximately 51 acres
- Currently vacant
- Located in Stone Canyon VIII, Rancho Vistoso Neighborhood 12
- Property has numerous rock outcrops

The Existing Land Use, General Plan and Zoning for the property and the surrounding area is depicted in Attachments 3, 4 and 5 respectively.

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Approvals to Date

- 2001: Pima County rezoned property to CR-1 and CR-5
- 2002: Pima County and Stone Canyon Development Agreement
- 2002: Property annexed into the Town of Oro Valley
- 2004: Translational zoning to R-6 and R1-36.
- 2008: Stone Canyon VIII, Rancho Vistoso Neighborhood 12 Subdivision Plat

Prior to annexation of this area, Pima County approved a rezoning that set the stage for the development of the Rancho Vistoso Neighborhood 12. The rezoning and subsequent Pre-annexation Development Agreement established a number of development standards for the area including minimum required natural open space (70%), building envelopes and use of the Rancho Vistoso Design Standards, including the Hillside Development Standards. The intent of both the standards established through the rezoning and the Development Agreement was to preserve the natural rock outcroppings and environmentally sensitive areas in Neighborhood 12. Therefore, the Rancho Vistoso PAD design standards are the principal criteria regarding development in the area, specifically the Hillside Development Standards.

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**DISCUSSION / ANALYSIS:**

Conceptual Site Plan and Landscape Plan

The applicant's proposal is for 38 single-family residential lots on approximately 51 acres. The arrangement of lots respects the natural rock outcroppings and areas of 25% slope or greater in accordance with the Rancho Vistoso Hillside Development Standards. Additional discussion of the proposed Conceptual Site plan is provided in Attachment 6.

Rancho Vistoso PAD, Zoning Code Design Principles and Design Standards Analysis

The applicant's proposal conforms with the Rancho Vistoso PAD Design Standards and the Town of Oro Valley Zoning Code including the Conceptual Design Principles and Design Standards. The Rancho Vistoso Design Standards and Conceptual Design Principles of the Zoning Code are utilized as primary guidance for staff and CDRB evaluation of the application. The Addendum "A" Design Standards are used as secondary guidance, as appropriate. A discussion and analysis of the projects conformance with each is provided in Attachment 7.

Engineering Comments

*Traffic*

The proposed development will be served by an extension of Tortolita Mountain Circle from Flint Peak Drive. This development is similar to the other developed areas of Stone Canyon and will not generate traffic that is uncharacteristic of the area. The existing roadway network within Stone Canyon and the remainder of Rancho Vistoso has existing capacity to accommodate the traffic volume generated by this development without degrading current

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levels of service. All proposed access and improvements will be designed to meet minimum Town and Golder Ranch Fire District standards.

*Drainage*

Existing storm water runoff flows through the site in a southerly direction. The drainage system for the proposed development will be designed to meet the Town's Drainage Criteria Manual and Floodplain Ordinance requirements. Storm water runoff will be conveyed by drainage channels, culverts, roadside swales, and existing washes throughout the development.

*Grading*

A Type 2 Grading Permit is required to construct the utilities, street, and any other structures requiring grading on the project site. The grading represented within the Conceptual Site Plan conforms to the requirements of the Rancho Vistoso PAD and applicable sections of the Town's Zoning Code (Section 27.9) as well as the Town's Subdivision Street Standards. Type 1 Grading Permits will be required for individual lot development. A grading exception (OV12-07-15) has been approved for Stone Canyon to allow grading across property lines.

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**PUBLIC PARTICIPATION:**

Neighborhood Meeting

A neighborhood meeting was held on June 25, 2013. Approximately 4 residents attended the meeting and had concerns about the impact to existing Stone Canyon neighborhoods. The applicant incorporated an additional landscape buffer yard along Torotlita Mountain Circle to address the neighbor's concerns. A copy of the neighborhood meeting minutes has been provided in Attachment 8.

No additional correspondence has been received by staff.

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**CONCLUSION/RECOMMENDATION:**

Based on the following findings:

- The request is in conformance with the Rancho Vistoso Planned Area Development
- The request is consistent with the Oro Valley Design Principles and applicable Design Standards,
- The arrangement of lots respects the natural rock outcroppings and slopes greater than 25%.

**Recommend approval to Town Council of the Meritage at Stone Canyon VIII Conceptual Site Plan and Landscape Plan, subject to the conditions on Attachment 1.**

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**SUGGESTED MOTIONS:**

I move to recommend approval of the Meritage at Stone Canyon VIII Conceptual Site Plan and Landscape Plan, based on the findings that in the staff report, subject to the conditions on Attachment 1.

OR

I move to recommend denial of the Meritage at Stone Canyon VIII Conceptual Site Plan and Landscape Plan finding that it is not in conformance with the Rancho Vistoso Planned Area Development and the Oro Valley Design Principles and applicable Design Standards, specifically

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**ATTACHMENTS:**

1. Conditions of Approval
2. Conceptual Site Plan and Landscape Plan
3. Location Map
4. General Plan Map
5. Zoning Map
6. Conceptual Site Plan and Landscape Plan Summary
7. Rancho Vistoso PAD, Design Principles and Design Standards Analysis
8. Neighborhood Meeting Summary

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Bayer Vella, Planning Manager

**DRAFT MINUTES  
ORO VALLEY CONCEPTUAL DESIGN REVIEW BOARD  
REGULAR SESSION  
JUNE 9, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CAÑADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Chairman Eggerding called the meeting to order at 6:00 pm.

**ROLL CALL**

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

**ABSENT:** None

**ALSO PRESENT:**

Chief Civil Deputy Attorney Joe Andrews  
Vice Mayor Lou Waters  
Permitting Manager David Laws  
Principal Planner Chad Daines

**6. DISCUSSION AND POSSIBLE ACTION A REQUEST FOR CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN APPROVAL FOR A 38-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED NORTH OF TORTOLITA MOUNTAIN CIRCLE APPROXIMATELY 1/4-MILE WEST OF RANCHO VISTOSO BOULEVARD IN STONE CANYON VIII, RANCHO VISTOSO NEIGHBORHOOD 12, OV1214-21**

Chad Daines, Principal Planner, presented the following information:

Purpose  
Subject Property

Conceptual Site Plan  
Tentative Development Plan  
Building Envelopes  
Rock Outcrops and areas of 25% slope  
Public Participation

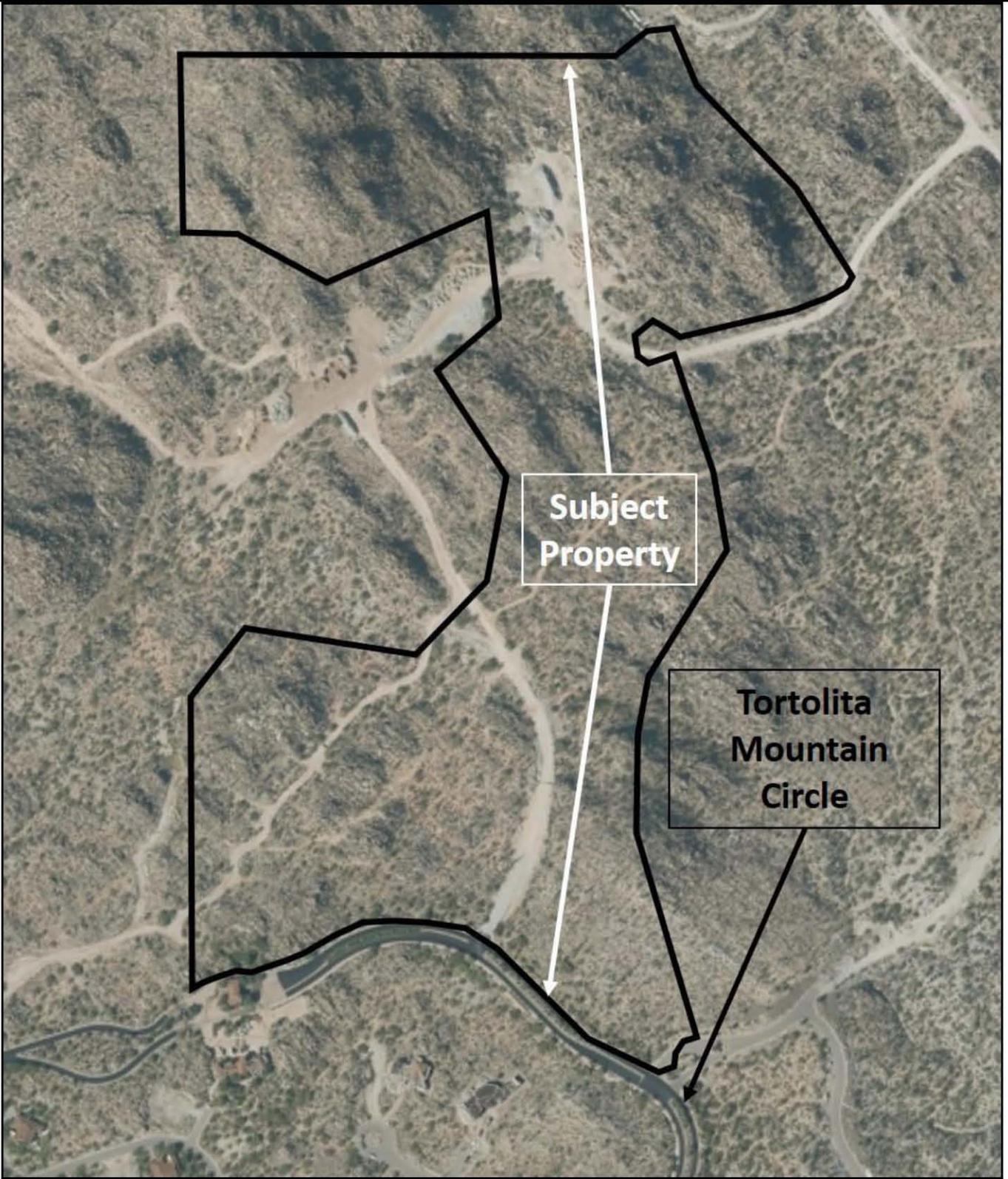
Paul Oland, WLB, representing Meritage/Diamond Ventures, provided multiple images of the area of Stone Canyon and a summary of the proposed active adult development. Mr. Oland stated the developer is trying to keep the homes out of the most sensitive areas of vegetation and rock outcroppings. The saguaros in these areas will be transplanted and preserved.

Meritage representative, Jeff Grobstein, expressed his appreciation to staff with regard to the processing of this request.

**MOTION:** A motion was made by Kit Donley, Member and seconded by Nathan Basken, Member to approve

**MOTION** carried, 7-0.

**ADJOURNMENT**

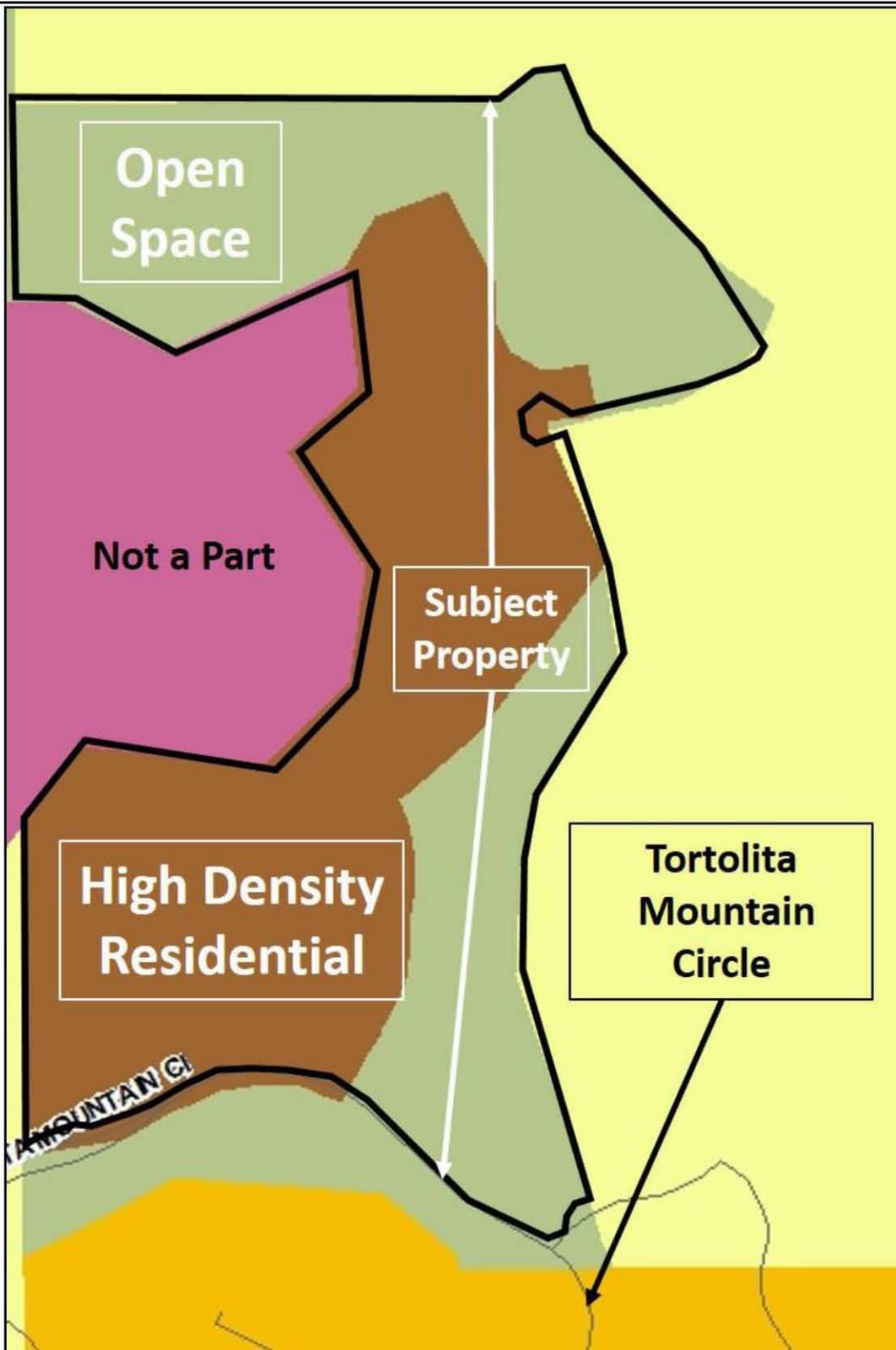


**Subject  
Property**

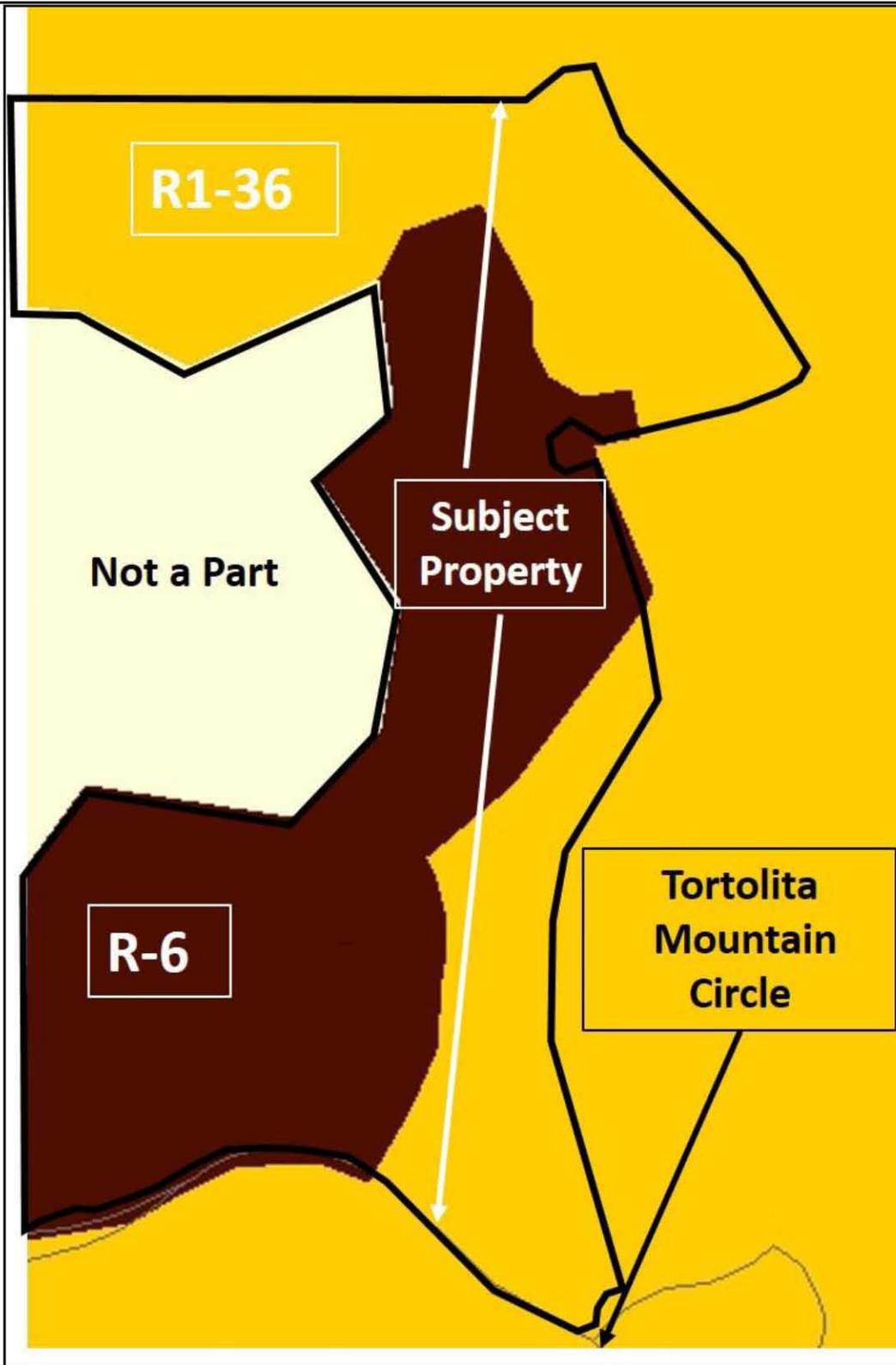
**Tortolita  
Mountain  
Circle**



**LOCATION MAP**  
MERITAGE AT STONE CANYON VIII  
CONCEPTUAL SITE PLAN (OV1214-21)



**GENERAL PLAN MAP**  
 MERITAGE AT STONE CANYON VIII  
 CONCEPTUAL SITE PLAN (OV1214-21)



# ZONING MAP

MERITAGE AT STONE CANYON VIII  
CONCEPTUAL SITE PLAN (OV1214-21)

**Attachment 8  
Stone Canyon VIII  
Conceptual Site Plan and Landscape Plan Summary**

The subject property is zoned R-6: multi-family residential (minimum lot size 5,450 sq. ft.) and R1-36: Large lot Single-family residential (minimum lot size 36,000 sq. ft.) as indicated in Attachment 5. The R-6 zoning district permits detached single-family dwelling units.

Prior to annexation of this area, Pima County approved a rezoning that set the stage for the development of Rancho Vistoso Neighborhood 12, including use of the Rancho Vistoso Design Standards. As such, the Rancho Vistoso PAD development standards are used as the primary evaluative tool for determining compliance. However, where the Rancho Vistoso development standards are silent, several development standards are derived from the applicable zoning district and the Stone Canyon design guidelines.

The applicant's request is to develop 38 detached single-family lots on approximately 51 acres. The project details have been provided in the table below:

<b>Total Lots</b>	38
<b>Density (du/ac)</b>	0.75 du/ac
<b>Building Heights</b>	19' for 2/3; 22' for 1/3
<b>Average Lot Size</b>	23,934 sq. ft.
<b>Open Space</b>	21 acres (41%)

As discussed previously, the subject property has numerous rock outcroppings and other sensitive areas that must be protected. Approximate building envelopes (maximum grading limits of 16,000 sq. ft.) are proposed for each lot that are consistent with the Rancho Vistoso Hillside Development Standards and will minimize encroachment into these areas. Where limited encroachment does occur, mitigation will be required in accordance with the Hillside Development Standards. Conditions have been added to Attachment 1 to ensure building envelopes are staked in the field and those areas outside the accepted grading limits are protected as permanent open space.

Furthermore, the rezoning of the property approved in 2001 required a minimum of 70% of the entire Rancho Vistoso Neighborhood 12 (approximately 461 acres) to be preserved as natural open space. The subject property and the previously platted natural open space will preserve approximately 83% of the original rezoning area as natural open space by platting all area outside building envelopes as permanent natural open space.

There are two points of ingress/egress; one at the eastern end of the property off Flint Peak Drive, and a second at the western end of the property off Tortolita Mountain

Circle. The Conceptual Site Plan proposes building heights consistent with the Stone Canyon design guidelines which require a building height of 19' for 2/3 of the residence and 22' for the remaining 1/3. The perimeter building setbacks are consistent with the R-6 zoning district which are summarized below:

<b>Front</b>	30'
<b>Side</b>	20'
<b>Rear</b>	20'

### Conceptual Landscape Plan

The Conceptual Landscape Plan (Attachment 2) depicts the general design concept within the proposed common areas and traffic circles. The Landscape meets all applicable sections of the Rancho Vistoso PAD and Zoning Code.

### *Proposed Recreation Area*

The applicant is not required to provide recreation area as the subject property is located within Stone Canyon. Stone Canyon requires residents to be members of the Stone Canyon Home Owners Association which includes the Stone Canyon Clubhouse and Recreation Center that will provide recreational opportunities for neighborhood residents.

**Attachment 9**  
**Stone Canyon VIII**  
**Rancho Vistoso PAD, Design Principles and Design Standards Analysis**

Rancho Vistoso PAD conformance

The applicant's request is in conformance with the Rancho Vistoso PAD Design Standards. The natural topography of the site contains slopes of greater than 25% and large protected natural rock outcroppings. The arrangement of lots in the applicant's proposal limits encroachment into both areas and is consistent with the Rancho Vistoso PAD Hillside Development Standards.

Oro Valley Zoning Code Conceptual Site Design Principles, Section 22.9.D.5.a

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

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

Staff Commentary: Surrounding lots in Stone Canyon are generally larger lots. The property is predominantly separated from larger platted Stone Canyon lots by open space that will be platted as permanent natural open space ensuring adequate separation is provided.

Additionally, the established building envelopes will limit encroachment into rock outcroppings and other sensitive areas. The orientation of building envelopes on each lot will not only preserve the protected resources, but will also minimize the impacts on adjoining properties.

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

Staff Commentary: Lots will be custom graded and will not require major cuts or fills. The establishment of building envelopes (maximum grading limits) consistent with the Rancho Vistoso Hillside Development Standards will further ensure lot placement will avoid, to the maximum extent feasible, encroachment into rock outcrops and other sensitive areas that may require excessive cut and fill. Any encroachment into protected areas will have to be mitigated in accordance with the Hillside Development Standards.

A full drainage report will be required as part of the Final Design review submittal to verify conformance with the Town's Drainage Criteria Manual. All post-development flow

shall be mitigated and released in the same manner and quantity as the existing conditions.

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

Staff Commentary: The proposed development will be accessible from both Flint Peak Drive on the east and Tortolita Mountain Circle on the west. This project does not incorporate sidewalks, which is consistent with other Stone Canyon neighborhoods. The low level of service anticipated will allow for pedestrian, bicycle and vehicle traffic on the roadway without generating traffic impacts.

### Design Standards Analysis

The proposed Conceptual Site Plan has been reviewed for conformance with the Conceptual Site Design Standards, where the Rancho Vistoso PAD is silent. Following are key Design Standards (*in italics*), followed by staff's commentary.

1. *Section 3.1.A.1.b: clustering of lots to preserve open space.*
2. *Section 3.1.G.1: Natural features...shall be preserved to the greatest extent possible.*
3. *Section 3.1.G.1.a: Significant environmental features, shall be identified and conserved as open space on the development plan or plat.*

Staff Commentary: The prior rezoning established a minimum 70% open space requirement for the entire Rancho Vistoso Neighborhood 12 area. To accomplish this, all lots were required to incorporate building envelopes not to exceed 16,000 sq. ft. with the remainder platted as permanent natural open space. The proposed subdivision, in conjunction with the previously approved lots throughout Neighborhood 12, preserves approximately 84% of the original rezoning area as open space. A condition has been added to Attachment 1 requiring all regulated rock outcrops to be identified as conservation easements and other areas of 25% slope to be identified as "no-build" areas on the Final Plat, consistent with other Stone Canyon neighborhoods.

4. *Section 3.1.B.2: Street trees, landscape themes, varied setbacks or architectural treatments shall be used to provide individual street character.*

Staff Commentary: Due to the numerous rock outcroppings located on the subject property, a range of lot sizes and the variety of building envelope orientation is proposed that will provide a unique street character. Furthermore, the conceptual landscape plan incorporates street trees along much of the roadway adding additional character the streetscape.

### Recreation Area

No formal recreation area is provided within the development. The site is located near the Stone Canyon Fitness Center, located approximately ¼ mile from the subject property, which will provide recreational opportunities. Residents will be required to be members of the Stone Canyon Fitness Center and will therefore have adequate access to recreational opportunities.

This approach to providing recreation amenities has been consistently applied to other Stone Canyon neighborhoods.

**Attachment 10  
Stone Canyon VIII  
Neighborhood Meeting Summary**

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**Rancho Vistoso  
Stone Canyon Neighborhood VIII  
Neighborhood Meeting Summary  
April 30, 2014**

Approximately 3 neighbors were in attendance, including Council Member Joe Hornat.

Senior Planner Matt Michels facilitated the event that included a brief presentation by Town Staff discussing the Conceptual Design Review process, followed by a presentation by the applicant. A question and answer session followed the applicant's presentation, which is outlined below.

**Process**

1. What does the Conceptual Design Review Process Review?
2. Does the proposed use need to match the existing zoning designation?
3. What are the Conceptual Design Review Principles?
4. What plans will the Conceptual Design Review Board see?

**Environmental Constraints**

5. What topographical features exist on the site?
6. What size, if any, boulders are being removed/moved?

**Proposed Site Development**

7. What are the proposed lot sizes?
8. Will there be building envelopes established?
9. What are the building setbacks?
  - o Need to maintain a "sense of arrival" along Tortolita Mountain Circle.
10. Any plans in the future for a resort?
11. Are the proposed lots staked in the field?
12. Will homes be single-story?