**ORDINANCE NO. (O)15-14**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING AN AMENDMENT TO THE NAKOMA SKY PLANNED AREA DEVELOPMENT TO DEVELOP A 400-UNIT SENIOR LIVING AND CARE CAMPUS ON THE 77 ACRES LOCATED SOUTHEAST OF THE 1ST AVENUE AND NARANJA DRIVE INTERSECTION**

**WHEREAS,** the subject property is currently zoned as Nakoma Sky Planned Area Development; and

**WHEREAS**, the Applicant has requested a Planned Area Development amendment to adopt a revised Tentative Development Plan and revised architectural concept for the development, attached hereto as Exhibit "B"; and

**WHEREAS**, the Applicant's request for a PAD amendment complies with the Oro Valley Zoning Code Revised and is found to be in conformance with the Town's adopted General Plan including future land use designations; and

**WHEREAS,** the Planning and Zoning Commission held a duly noticed public hearing on September 1, 2015, and voted to recommend approval to the Town Council with conditions, attached hereto as Exhibit "A"; and

**WHEREAS**, the Town Council has duly considered the Applicant's proposal for the Nakoma Sky Planned Area Development amendment.

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

Section 1. The Planned Area Development amendment, attached hereto as Exhibit "B" for 77 acres southeast of the 1st Avenue and Naranja Drive intersection to develop a 400-unit senior living and care campus, with conditions 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parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.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 4th day of November, 2015.

**TOWN OF ORO VALLEY**

_____
Dr. Satish I. Hiremath, Mayor

**ATTEST**:

_____
Julie K. Bower, Town Clerk

Date: _____

**APPROVED AS TO FORM**:

_____
Tobin Sidles, Legal Services Director

Date: _____

**EXHIBIT "A"**

Planning

1. The PAD document shall be updated to incorporate the applicant's revised submittal dated August 14, 2015 prior to submittal of Conceptual Site Plan.

2. The building height of the apartment building in the campus core (Development Area C) shall step down in building height on the ends of the building to reduce the building mass and reduce the visual impact from the south and east to a greater extent as determined by the Conceptual Design Review Board and Town Council during the design phase of the development.

3. The visual impact of the bulk and mass of the apartment building in the campus core (Development Area C) shall be mitigated through the use of the following:

    a. Varied roof and wall planes, with a heightened emphasis on the roofline of the southern wing of the building.
    b. Differing building and roof materials and textures as shown in Appendix B.
    c. Landscaped terraces on multiple levels of the building shall be increased to provide a more uniform treatment of the building elevation.
    d. Low reflectivity windows.
    e. Several muted earth tone colors.
    f. Architectural features on the building to soften the building façade.
    g. Other measures approved by the Conceptual Design Review Board and Town Council which mitigate the visual impact of the building.

    The extent of mitigation shall be determined by the Conceptual Design Review Board and Town Council in conjunction with the Conceptual Design application.

4. The architectural character and theming of the project shown in Appendices A, B, and C will be enhanced and improved to reflect the design elements listed in Conditions 2, 3 and 5 to an extent determined by the Conceptual Design Review Board and Town Council during the design phase of the development.

5. Consistent roof plane variation, wall plane articulation and architectural treatment is required on all building elevations of every building within the PAD boundary as provided in Section 2.1.D. of Addendum A Design Standards.

6. Parking areas may be modified and added to the Tentative Development Plan, provided the number of underground/under building spaces are not reduced.

7. The recreational facilities and amenities contained within the community park and gardens will be open to the public and the theater, classrooms and other indoor facilities, as appropriate, will be made available for limited public use. An amended Public Access Agreement shall be approved the Town prior to the zoning becoming effective.

8. The last paragraph in Section II-A.7 Tentative Development Plan, shall be amended to read as follows: "Exhibit R Tentative Development Plan is the

hereby adopted as the approved tentative design for the project. Amendments to the Tentative Development Plan shall be subject to Section 22.3.D.2 of the Oro Valley Zoning Code Revised."

9. The use of water features for ornamental purposes in the PAD is prohibited.

10. This development shall comply with the requirements of Section 26.5.B, Section 26.5.C and Section 26.5.D of the Oro Valley Zoning Code. The term dwelling unit in Section 26.5.C. shall include beds, bedrooms and living units for the purpose of calculating the amount of recreational area. All park and recreation area plans shall be reviewed by the Parks Recreational Advisory Board (PRAB) in advance of the normal Conceptual Site Plan process.

11. Pocket parks/informal gathering spaces will be required in each housing node (Development Areas B, C, D, E and H). A shaded seating area including a ramada and associated amenities shall be provided in each park area.

12. A sufficient quantity of trees shall be provided along the shared use path alignments to create a continuous length of canopy that creates the opportunity for shade.

13. All plant materials shall be selected from the Oro Valley Native Plant List (Zoning Code Addendum C). Section II-A.9 shall be amended to reflect this condition.

14. All shared use paths shall be constructed in conformance with *Pima County Regional Trail System Master Plan* standards

15. A shared use path shall be constructed on the top of any constructed bank protection along the Canyon Del Oro Wash. In addition, a shaded seating area and pedestrian/bicycle connection shall be provided at 500-foot intervals along the path.

16. A revised Table of Permitted Uses shall be submitted showing Development Area A as an Independent Living District. The table shall reflect that no independent living uses are permitted in Development Areas F and G.

17. The planned trailhead south of the main campus core shall be expanded to incorporate publicly accessible amenities south of the community parking lot, including, but not limited to drinking fountain, additional public parking, ramadas and walking paths. The size of this community open space and specific amenities shall require Parks and Recreational Advisory Board (PRAB) review in advance of the normal Conceptual Site Plan process ~~approval~~ with the goal of providing community level amenities.

<u>Engineering</u>

1. Bank protection shall be constructed along the Canyon Del Oro Wash and a multi-use path that meets the requirements of the Town of Oro Valley and *Pima County Regional Trail System Master Plan* standards shall be provided. In addition, a 50' wide area shall be reserved along the top of the bank protection

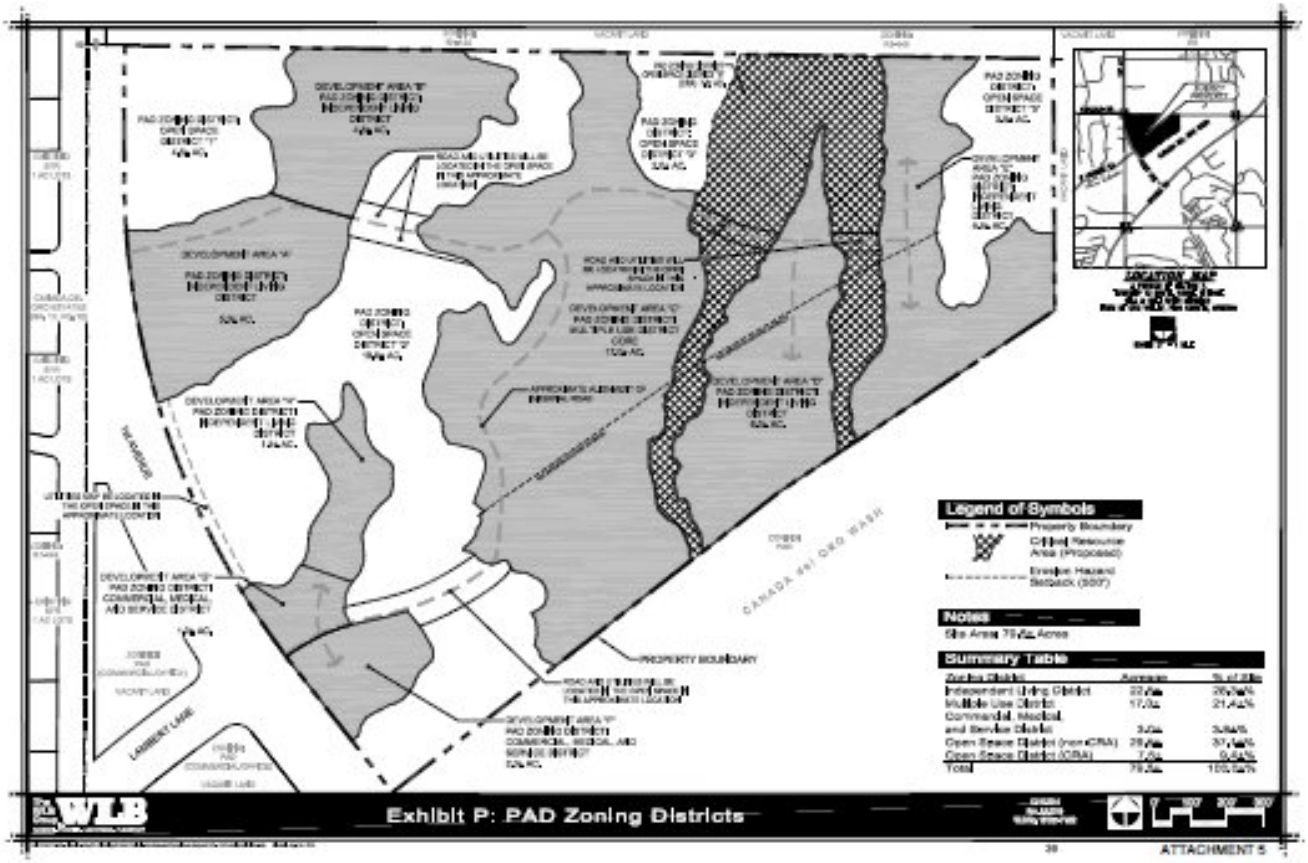
for the purpose of a future linear park. The timing of bank stabilization shall be determined by the Town Engineer based on specific phasing of the development plan.

Oro Valley Water Utility

1. A 100 foot by 100 foot site shall be dedicated to the Water Utility for a future well in a location approved by the Water Utility Director.

# EXHIBIT "B"

LEGEND
Site Area: +/- 80 Acres
SCALE 1" = 100'
14 AUGUST 2015
NAKOMA SKY
ORO VALLEY, ARIZONA
EXHIBIT R: TENTATIVE DEVELOPMENT PLAN
WLB
TalleyAssociates
ATTACHMENT 5


Legend of Symbols
Property Boundary
Critical Resource Area (Proposed)
Envelope Hazard Setback (3007)
Notes
Site Area 79.2± Acres
Summary Table
Exhibit P: PAD Zoning Districts
WLB
ATTACHMENT 5

Enlarged view of Commons and resort experience

ATTACHMENT 5

Enlarged view of residential wings

ATTACHMENT 5