AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
November 16, 2016
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

ROLL CALL

1. Minutes - October 19, 2016

2. Presentation of Plaques of Appreciation to Out-going Councilmembers

3. Swearing in of three new Councilmembers with terms effective November 16, 2016

PLEDGE OF ALLEGIANCE

UPCOMING MEETING ANNOUNCEMENTS

COUNCIL REPORTS
- **Spotlight on Youth**

DEPARTMENT REPORTS

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

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

INFORMATIONAL ITEMS

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. Presentation - Youth Art Program by the Arts and Culture Ambassadors

2. Proclamation - American Diabetes Month, November 2016

CONSENT AGENDA
(Consideration and/or possible action)

A. Fiscal Year 2016/17 Financial Update through September 2016

B. Resolution No. (R)16-51, authorizing and approving Grant Contract No. 2017-405d-022 between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding Impaired Driver/DUI Alcohol Enforcement overtime and employee-related expenses

C. Resolution No. (R)16-52, authorizing and approving Grant Contract No. 2017-AL-029 between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding DUI/Impaired Driving Enforcement-related equipment

D. Resolution No. (R)16-53, authorizing and approving Grant Contract No. 2017-PT-034 between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding of Selective Traffic Enforcement Program (STEP) equipment

E. Resolution No. (R)16-54, approving the donation of a scoreboard from CDO Little League to be installed on Field 3 at James D. Kriegh Park

F. Resolution No. (R)16-55, authorizing and approving amendment number 4 to addendum 1 of the intergovernmental agreement between the Town of Oro Valley and the City of Tucson relating to effluent and reclaimed water

REGULAR AGENDA

1. PUBLIC HEARING: AMENDING THE GENERAL PLAN LAND USE MAP AND RANCHO VISTOSO PLANNED AREA DEVELOPMENT FOR A PROPERTY LOCATED AT THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

   a. RESOLUTION NO. (R)16-48, AMENDING THE GENERAL PLAN FUTURE LAND USE MAP FROM NEIGHBORHOOD COMMERCIAL/OFFICE TO MEDIUM DENSITY RESIDENTIAL FOR A 17.8 ACRE PROPERTY, LOCATED AT THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

   b. ORDINANCE NO. (O)16-12, AMENDING THE RANCHO VISTOSO PLANNED AREA DEVELOPMENT FROM COMMERCIAL (C-1) TO MEDIUM DENSITY RESIDENTIAL AND ALLOWING THE USE OF AN ESL FLEXIBLE DESIGN OPTION FOR A MODIFIED REVIEW PROCESS FOR A 17.8 ACRE PROPERTY, LOCATED AT THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

2. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CONCEPTUAL SITE PLAN, LANDSCAPE PLAN AND MASTER RECREATION AREA PLAN FOR THE ALTERRA AT VISTOSO TRAILS SUBDIVISION, LOCATED APPROXIMATELY 1/2 MILE EAST OF THE INTERSECTION OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD ALONG THE FUTURE MOORE ROAD LOOP EXTENSION

3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED GRADING EXCEPTION FOR THE SANCTUARY AT SILVERHAWKE SUBDIVISION, LOCATED NEAR THE NORTHEAST CORNER OF 1ST AVENUE AND NARANJA DRIVE

EXECUTIVE SESSION AT OR AFTER 7:00 PM

EXECUTIVE SESSION - Pursuant to ARS 38-431.03(A)(1) and (A)(3) for discussion and consultation with its attorneys regarding the Town Manager recruitment/selection process

REGULAR SESSION AT OR AFTER 7:30 PM

CALL TO ORDER

ROLL CALL

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: 11/9/16 at 5:00 p.m. by pp

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: 11/16/2016

Requested by: Mike Standish **Submitted By:** Michelle Stine, Town Clerk's Office

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - October 19, 2016

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 October 19, 2016 minutes.

Attachments

10-19-16 Draft Minutes

MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
October 19, 2016
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 5:01 p.m.

ROLL CALL

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

ABSENT: Brendan Burns, Councilmember

1. Motion to remove the following item from the table to place the matter on the executive session agenda: Discussion and possible direction from the Town Attorney regarding the Town's involvement in the Overlook Restaurant located at 10555 N. La Canada Drive, including the possibility of contracting the services or closing the restaurant.

Councilmember Zinkin made a motion to remove item #1 from the table.

MOTION failed, due to lack of second.

EXECUTIVE SESSION

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to go into Executive Session at 5:03 p.m. pursuant to ARS 38-431.03 (A)(3) for discussion or consultation for legal advice with the Town Attorney regarding public access to the WAPA trailhead.

MOTION carried, 6-0.

Mayor Hiremath said the following staff members would join Council in Executive Session: Interim Town Manager Danny Sharp, Legal Services Director Tobin Sidles,

Town Attorney Gary Verburg, Parks and Recreation Director Kristy Diaz-Trahan, Planning Manager Bayer Vella and Town Clerk Mike Standish.

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

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

ROLL CALL

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

ABSENT: Brendan Burns, Councilmember

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

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

COUNCIL REPORT

Councilmember Zinkin reflected on his years of service as an elected official and thanked the Oro Valley citizens for allowing him to have represented them during his time as a Councilmember.

Councilmember Snider recognized Pranoy Solomon, a student from Copper Creek Elementary School, for his advocacy for inclusion in the community as well as acceptance and celebration of diverse individuals.

DEPARTMENT REPORTS

Parks and Recreation Director Kristy Diaz-Trahan gave an update regarding the WAPA easement gate installation by Honey Bee Ridge Estates Home Owners Association. Due to the WAPA easement gate installation, Town staff have met with various stakeholders to develop an alternative trailhead access point to State Trust Land. As a result of these meetings the Town and stakeholders were working to

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develop the Big Wash Trailhead easement located near the bridge on Vistoso Boulevard and Big Wash. The Big Wash trailhead easement is intended to be part of the proposed Pima County 180 mile Tribute Trail loop trail around Tucson.

ORDER OF BUSINESS

Mayor Hiremath reviewed the order of business and stated the order would stand as posted.

INFORMATIONAL ITEMS

1. Councilmember Zinkin - 2016 National League of Cities University Leadership Summit Trip Report

CALL TO AUDIENCE

Oro Valley resident Steve Solomon expressed his concerns regarding travel and training expenditures by an individual Councilmember.

PRESENTATIONS

1. Proclamation - National Cyber Security Awareness Month

Mayor Hiremath proclaimed the month of October, 2016 as National Cyber Security Awareness Month.

Information Technology Director, Chuck Boyer, accepted the proclamation.

CONSENT AGENDA

Councilmember Zinkin requested that item (B) be removed from the Consent Agenda for discussion.

Councilmember Hornat requested that item (F) be removed from the Consent Agenda for discussion.

A. Minutes - October 5, 2016

C. Reappointment to the Public Safety Personnel Retirement System (PSPRS) Local Board

D. Resolution No. (R)16-50, authorizing and approving an Intergovernmental Agreement between the Town of Oro Valley and Pima County for Election Services

E. Cancellation of the November 2, 2016 regular Town Council meeting

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

MOTION carried, 6-0.

B. Fiscal Year 2016/17 Financial Update through August 2016

Councilmember Zinkin asked for clarification regarding the Community Center Fund.

Finance Director Stacey Lemos clarified the Community Center Fund.

Discussion ensued amongst Council and staff regarding the Fiscal Year 2016/17 Financial Update through August 2016.

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

MOTION carried, 6-0.

F. Request for approval of a two year extension of the Big Horn Commerce Park Development Plan located at the Southeast corner of Rams Field Pass and Oracle Road

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to approve the request for a two year extension of the Big Horn Commerce Park Development Plan to September 19, 2018, subject to the condition that the Development Plan must be revised to meet all ordinances in effect prior to building permit issuance.

MOTION carried, 6-0.

REGULAR AGENDA

1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR GOYITA'S RESTAURANT, LOCATED AT 10420 N. LA CANADA DR. #170

Town Clerk Mike Standish presented item #1.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve the issuance of a Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for Jose Luis Meza for Goyita's, located at 10420 N. La Canada Dr. #170.

MOTION carried, 6-0.

2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR ROSATI'S PIZZA SPORTS PUB, LOCATED AT 12152 N. RANCHO VISTOSO BLVD. #C170

Mr. Standish presented item #2.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Garner to approve the issuance of a Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for Jeanette Bush for Rosati's Pizza Sports Pub, Located at 12152 N. Rancho Vistoso Blvd. #C170.

MOTION carried, 6-0.

Councilmember Hornat questioned the validity of agenda items (3 - 7) appearing on the current agenda and therefore requested a motion to adjourn the meeting.

3. DISCUSSION AND POSSIBLE DIRECTION REGARDING A BIKE SHARE PROGRAM

4. DISCUSSION AND POSSIBLE DIRECTION REGARDING TOWN CODE SECTION 10-1-5 NUISANCES

5. DISCUSSION AND POSSIBLE DIRECTION REGARDING BONDING OPTIONS FOR THE STORMWATER UTILITY

6. DISCUSSION AND POSSIBLE DIRECTION REGARDING ALLOWING ALCOHOL SALE AND CONSUMPTION IN ALL ORO VALLEY PARKS

7. DISCUSSION AND POSSIBLE DIRECTION TO INITIATE AN ORDINANCE AMENDING CHAPTER 31 OF THE ORO VALLEY ZONING CODE REGARDING DEFINITIONS FOR AUTOMOBILE AND TRUCK

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FUTURE AGENDA ITEMS

No future agenda items were requested.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to adjourn the meeting at 6:32 p.m.

MOTION carried, 4-2 with Councilmember Garner and Councilmember Zinkin opposed.

Prepared by:

_____
Michelle Stine, CMC
Deputy Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 19th day of October, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2016.

_____
Michael Standish, CMC
Town Clerk

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Town Council Regular Session **Item # 3.**

Meeting Date: 11/16/2016

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

Department: Town Clerk's Office

Information

SUBJECT:

Swearing in of three new Councilmembers with terms effective November 16, 2016

RECOMMENDATION:

At the regular meeting on September 21, 2016, Council adopted the Official Canvass of the Vote for the August 30, 2016 Primary Election, at which all three available Council seats were filled. The Oath of Office will be administered by the Town Clerk to the three newly elected Councilmembers: Rhonda Pina, Bill Rodman and Steve Solomon.

EXECUTIVE SUMMARY:

The new Councilmembers will serve four year terms effective November 16, 2016 to November 3, 2020.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

No file(s) attached.

Town Council Regular Session **Item # 1.**

Meeting Date: 11/16/2016

Presentation of the Youth Art Program

Information

Subject

Presentation - Youth Art Program by the Arts and Culture Ambassadors

Summary

Attachments

No file(s) attached.

Town Council Regular Session **Item # 2.**

Meeting Date: 11/16/2016

Proclamation - American Diabetes Month, November 2016

Information

Subject

Proclamation - American Diabetes Month, November 2016

Summary

Attachments

Proclamation

Office of the Mayor

Oro Valley, Arizona

Proclamation

AMERICAN DIABETES MONTH
NOVEMBER 2016

WHEREAS, in the United States, nearly 30 million people – including 1 in 9 in Arizona – have diabetes, a serious disease with potentially life-threatening complications including heart disease, stroke, blindness, kidney disease and amputation; and

WHEREAS, an additional 86 million people in the United States are at risk of developing type 2 diabetes; and

WHEREAS, approximately every 23 seconds, someone in the United States is diagnosed with diabetes; and

WHEREAS, an increase in community awareness is necessary to put a stop to the diabetes epidemic.

NOW, THEREFORE, I, Dr. Satish I. Hiremath, Mayor of Oro Valley, do hereby proclaim November 2016 to be American Diabetes Month in Oro Valley. I encourage all Americans to recognize American Diabetes Month and be part of the American Diabetes Association's movement to confront, fight and, most importantly, change the future of this deadly disease.

Dated this 16th day of November, 2016

Dr. Satish I. Hiremath, Mayor

ORO VALLEY, AZ FOUNDED 1974 INCORPORATED 1974 ARIZONA

ATTEST:

Michael Standish, Town Clerk

Town Council Regular Session **Item # A.**

Meeting Date: 11/16/2016

Requested by: Stacey Lemos **Submitted By:** Wendy Gomez, Finance

Department: Finance

Information

SUBJECT:

Fiscal Year 2016/17 Financial Update through September 2016

RECOMMENDATION:

This item is for information only.

EXECUTIVE SUMMARY:

In the General Fund (see Attachment A), revenues collected through September totaled $7.5 million or 22.8% of the budget amount of $33.1 million. Year-to-date expenditures through September totaled $6.6 million or 20.0% of the budget amount of $33.1 million.

In the Highway Fund (see Attachment B), revenues collected through September totaled $771,410 or 21.5% of the budget amount of $3.6 million. Year-to-date expenditures through September totaled $770,408 or 16.3% of the budget amount of $4.7 million.

In the Bed Tax Fund (see Attachment C), revenues collected through September totaled $192,625 or 17.6% of the budget amount of $1.1 million. Year-to-date expenditures through September totaled $304,874 or 25.5% of the budget amount of $1.2 million.

In the Community Center Fund (see Attachments D-1, D-2 and D-3), revenues collected through September totaled $1.2 million or 17.8% of the budget amount of $6.6 million. Year-to-date expenditures through September totaled $1.5 million or 22.4% of the budget amount of $6.9 million.

BACKGROUND OR DETAILED INFORMATION:

GENERAL FUND

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

Revenues	$33,357,947	
<u>Less:</u>		
Expenditures	($33,025,780)	
<u>Less:</u>		
Council-Approved Use of Contingency:		
-Town Manager Recruitment Process	($30,000)	Approved July 6, 2016
Estimated Increase in Fund Balance	**$ 302,167**	

General Fund Revenues

- Local sales tax collections in the General Fund total $3.4 million or 21.5% of the budget amount of $15.7 million. Please see Attachment F for a monthly, year-over-year tracking of General Fund local sales tax collections, including construction and utility sales tax.
- License and permit revenues total $474,381 or 29.4% of the budget amount of $1.6 million. These revenues are estimated to come in over budget by $49,000 or 3.0% based on trending actual collections through year-end.
- State shared revenues total $2.7 million or 24.9% of the budget amount of $10.8 million. These revenues are estimated to come in over budget by about $150,000 or 1.4% due to state-shared income taxes. This budget was set conservatively due to the unknown impact of special census efforts undertaken across numerous Phoenix Valley communities last year.
- Charges for Services revenues total $599,349 or 28.2% of the budget amount of $2.1 million. These revenues are estimated to come in over budget by about $19,000 or 0.9% based on trending actual collections through year-end.
- All other General Fund revenues are projected to come in on budget at this time. Please note that year-end estimates are subject to change.

General Fund Expenditures

- Expenditures are projected to come in under budget by about $81,000 or 0.2% due to estimated personnel savings. Please note these figures are subject to change.

HIGHWAY FUND

Highway Fund Revenues

- State shared highway user funds total $740,675 or 24.7% of the budget amount of $3.0 million.
- All Highway Fund revenues are projected to come in on budget at this time.

Highway Fund Expenditures

- Expenditures are projected to come in under budget by about $22,000 or 0.5% due to estimated personnel savings. Please note these figures are subject to change.

BED TAX FUND

Bed Tax Revenues

- Bed tax revenues total $189,770 or 17.5% of the budget amount of $1.1 million.
- Bed Tax Fund revenues are projected to come in over budget by $3,500 or 0.3% due to a donation for the Town's annual tree lighting event.

Bed Tax Fund Expenditures

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

COMMUNITY CENTER FUND

Attachment D-1 shows the consolidated financial status of the Community Center Fund with all revenues and expenditures from Troon and Town-managed operations.

Attachment D-2 shows the monthly line item detail for the Troon-managed operations, specifically revenues and expenditures associated with the golf, tennis, food and beverage and lifeguard operations. The totals in the revenue and expenditure categories in Attachment D-2 tie to the Contracted Operating Revenues and Expenditures in Attachment D-1.

Attachment D-3 shows the revenues and expenditures for the Troon-managed food and beverage operations only.

Community Center Fund Revenues

- Revenues in the Community Center Fund total $1,180,166 or 17.8% of the budget amount of $6.6 million. Contracted operating revenues from Troon total $507,039 and Town operating revenues total $183,216. Local sales tax revenues from the dedicated half-cent sales tax total $485,428 or 23.1% of the budget amount of $2.1 million.
- Local sales tax revenues from the dedicated half-cent sales tax are estimated to come in on budget at this time.
- Contracted operating revenues from Troon are estimated to come in under budget by about $115,000 or 3.1%, based on Troon's forecast through the remainder of the fiscal year.

- Town operating revenues are estimated to come in over budget by $8,000 or 1.1%, due to swim team and swim lesson revenues.

Community Center Expenditures

- Expenditures in the Community Center Fund total $1,543,204 or 22.4% of the budget amount of $6.9 million. Contracted operating expenditures from Troon total $1,267,108 and Town operating expenditures total $228,187. Capital outlay expenditures through September total $47,909 for the golf course cart path improvements.
- Contracted operating expenditures from Troon are estimated to come in under budget by about $110,000 or 2.1%, based on Troon's forecast through the remainder of the fiscal year.
- Town operating expenditures are projected to come in on budget at this time.
- Capital outlay is projected to come in under budget by $167,000 or 31.7%, due to the timing of the ADA improvements budgeted at the Community Center. Staff is awaiting completion of the Townwide ADA transition study before beginning construction on these improvements.

Please see Attachments A, B, and C for additional details on the General Fund, Highway Fund and Bed Tax Fund. See Attachments D-1, D-2 and D-3 for additional details on the Community Center Fund. See Attachment E for a fiscal year-to-date consolidated summary of all Town Funds. See Attachment F for a breakdown of monthly, year-over-year local sales tax collections for the General Fund.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

This item is for information only.

Attachments

Attachment A - General Fund
Attachment B - Highway Fund
Attachment C - Bed Tax Fund
Attachment D-1 Community Center Fund
Attachment D-2 Troon Cash Flow
Attachment D-3 Troon F&B
Attachment E - Summary All Funds
Attachment F - Gen Fund Local Sales Tax

ATTACHMENT A

September YTD Financial Status

FY 2016/2017

General Fund

% Budget Completion through September --- 25.0%

	Actuals thru 9/2016	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
LOCAL SALES TAX	3,361,042	15,653,000	21.5%	15,653,000	0.0%
LICENSES & PERMITS	474,381	1,615,500	29.4%	1,664,500	3.0%
FEDERAL GRANTS	88,914	478,284	18.6%	478,284	0.0%
STATE GRANTS	274,623	1,662,563	16.5%	1,662,563	0.0%
STATE/COUNTY SHARED	2,695,161	10,824,605	24.9%	10,973,271	1.4%
OTHER INTERGOVERNMENTAL	18,072	115,000	15.7%	115,000	0.0%
CHARGES FOR SERVICES	599,349	2,128,601	28.2%	2,147,129	0.9%
FINES	32,536	130,000	25.0%	130,000	0.0%
INTEREST INCOME	(2,478)	89,200	-2.8%	89,200	0.0%
MISCELLANEOUS	1,592	140,000	1.1%	140,000	0.0%
TRANSFERS IN	-	305,000	0.0%	305,000	0.0%
TOTAL REVENUES	**7,543,192**	**33,141,753**	**22.8%**	**33,357,947**	**0.7%**

	Actuals thru 9/2016	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
COUNCIL	82,498	220,559	37.4%	220,559	0.0%
CLERK	89,881	458,863	19.6%	403,211	-12.1%
MANAGER	154,272	801,540	19.2%	801,540	0.0%
HUMAN RESOURCES	64,735	368,605	17.6%	368,605	0.0%
FINANCE	164,592	773,591	21.3%	773,591	0.0%
INFORMATION TECHNOLOGY	358,373	1,691,676	21.2%	1,691,676	0.0%
GENERAL ADMINISTRATION	420,279	1,736,450	24.2%	1,736,450	0.0%
LEGAL	147,827	773,003	19.1%	773,003	0.0%
COURT	165,919	845,938	19.6%	845,938	0.0%
COMM. DEV. & PUBLIC WORKS	1,210,221	5,990,029	20.2%	5,964,957	-0.4%
PARKS & RECREATION	424,486	1,977,326	21.5%	1,977,326	0.0%
POLICE	3,130,420	15,643,620	20.0%	15,643,620	0.0%
TRANSFERS OUT	205,304	1,825,304	11.2%	1,825,304	0.0%
TOTAL EXPENDITURES	**6,618,806**	**33,106,504**	**20.0%**	**33,025,780**	**-0.2%**
SURPLUS / (DEFICIT)	**924,386**	**35,249**		**332,167**	

BEGINNING FUND BALANCE **	***10,524,552***
Plus: Surplus / (Deficit)	***332,167***
Less:	
Approved Use of Contingency Reserves during FY 16/17:	
Town Manager Recruitment Process	***(30,000)***
ENDING FUND BALANCE **	***10,826,719***

* Year-end estimates are subject to further revision

** Beginning and ending fund balance amounts are estimates and are subject to further revision

ATTACHMENT B

September YTD Financial Status *FY 2016/2017*

Highway Fund

% Budget Completion through September --- 25.0%

	Actuals thru 9/2016	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
LICENSES & PERMITS	24,918	52,500	47.5%	52,500	0.0%
STATE GRANTS	5,761	195,000	3.0%	195,000	0.0%
STATE/COUNTY SHARED	740,675	3,000,000	24.7%	3,000,000	0.0%
CHARGES FOR SERVICES	-	134,000	0.0%	134,000	0.0%
INTEREST INCOME	(91)	28,600	-0.3%	28,600	0.0%
MISCELLANEOUS	147	80,000	0.2%	80,000	0.0%
TRANSFERS IN	-	100,000	0.0%	100,000	0.0%
TOTAL REVENUES	**771,410**	**3,590,100**	**21.5%**	**3,590,100**	**0.0%**

	Actuals thru 9/2016	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
ADMINISTRATION	233,362	831,188	28.1%	820,512	-1.3%
TRANSPORTATION ENGINEERING	116,525	584,522	19.9%	584,522	0.0%
PAVEMENT MANAGEMENT	25,748	1,278,095	2.0%	1,278,095	0.0%
STREET MAINTENANCE	267,983	1,205,718	22.2%	1,199,509	-0.5%
TRAFFIC ENGINEERING	126,790	814,412	15.6%	809,596	-0.6%
TOTAL EXPENDITURES	**770,408**	**4,713,935**	**16.3%**	**4,692,234**	**-0.5%**
SURPLUS / (DEFICIT)	**1,002**	**(1,123,835)**		**(1,102,134)**	

BEGINNING FUND BALANCE **	***2,075,616***
Plus: Surplus / (Deficit)	***(1,102,134)***
ENDING FUND BALANCE **	***973,482***

* Year-end estimates are subject to further revision

** Beginning and ending fund balance amounts are estimates and are subject to further revision

September YTD Financial Status *FY 2016/2017*

Bed Tax Fund

% Budget Completion through September --- 25.0%

	Actuals thru 9/2016	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
BED TAXES	189,770	1,085,805	17.5%	1,085,805	0.0%
INTEREST INCOME	(645)	6,200	-10.4%	6,200	0.0%
MISCELLANEOUS	3,500	-	0.0%	3,500	0.0%
TOTAL REVENUES	**192,625**	**1,092,005**	**17.6%**	**1,095,505**	**0.3%**

	Actuals thru 9/2016	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
ECONOMIC DEVELOPMENT	79,680	684,689	11.6%	684,689	0.0%
TRANSFERS OUT	225,194	510,194	44.1%	510,194	0.0%
TOTAL EXPENDITURES	**304,874**	**1,194,883**	**25.5%**	**1,194,883**	**0.0%**
SURPLUS / (DEFICIT)	**(112,248)**	**(102,878)**		**(99,378)**	

BEGINNING FUND BALANCE **	***492,377***
Plus: Surplus / (Deficit)	***(99,378)***
ENDING FUND BALANCE **	***392,999***

* Year-end estimates are subject to further revision

** Beginning and ending fund balance amounts are estimates and are subject to further revision

September YTD Financial Status *FY 2016/2017*

Community Center Fund

% Budget Completion through September --- 25.0%

	Actuals thru 9/2016	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
CONTRACTED OPERATING REVENUES					
Golf Revenues	109,380	1,193,656	9.2%	1,156,874	-3.1%
Member Dues (Golf)	186,537	1,153,655	16.2%	1,055,948	-8.5%
Tennis Revenues	68,932	322,640	21.4%	332,232	3.0%
Food & Beverage	117,854	813,575	14.5%	832,029	2.3%
Merchandise & Other	24,336	261,489	9.3%	253,397	-3.1%
	507,039	**3,745,014**	**13.5%**	**3,630,480**	**-3.1%**
TOWN OPERATING REVENUES					
Daily Drop-Ins	6,247	25,000	25.0%	25,000	0.0%
Member Dues	159,256	606,000	26.3%	606,000	0.0%
Recreation Programs	15,200	101,500	15.0%	101,500	0.0%
Swim Team/Swim Lessons	1,593	-	0.0%	8,000	0.0%
Facility Rental Income	771	3,700	20.8%	3,700	0.0%
Concession Sales	149	1,000	14.9%	1,000	0.0%
	183,216	**737,200**	**24.9%**	**745,200**	**1.1%**
OTHER REVENUES					
Local Sales Tax	485,428	2,105,163	23.1%	2,105,163	0.0%
Real Property Rental Income	-	27,861	0.0%	27,861	0.0%
Miscellaneous	4,372	-	0.0%	4,372	0.0%
Sale of Assets	111	-	0.0%	111	0.0%
	489,911	**2,133,024**	**23.0%**	**2,137,507**	**0.2%**
TOTAL REVENUES	**1,180,166**	**6,615,238**	**17.8%**	**6,513,187**	**-1.5%**

	Actuals thru 9/2016	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
CONTRACTED OPERATING EXPENDITURES					
Personnel	468,581	2,110,584	22.2%	2,082,598	-1.3%
Operations & Maintenance	709,252	2,818,367	25.2%	2,735,992	-2.9%
Equipment Leases	89,275	350,568	25.5%	350,568	0.0%
	1,267,108	**5,279,519**	**24.0%**	**5,169,158**	**-2.1%**
TOWN OPERATING EXPENDITURES					
Personnel	178,969	736,944	24.3%	736,944	0.0%
Operations & Maintenance	49,218	223,740	22.0%	223,740	0.0%
	228,187	**960,684**	**23.8%**	**960,684**	**0.0%**
CAPITAL OUTLAY	**47,909**	**527,200**	**9.1%**	**360,200**	**-31.7%**
TRANSFER TO GENERAL FUND	**-**	**120,000**	**0.0%**	**120,000**	**0.0%**
TOTAL EXPENDITURES	**1,543,204**	**6,887,403**	**22.4%**	**6,610,042**	**-4.0%**
SURPLUS / (DEFICIT)	**(363,038)**	**(272,165)**		**(96,855)**	
BEGINNING FUND BALANCE **				***161,744***	
Plus: Surplus / (Deficit)				***(96,855)***	
ENDING FUND BALANCE **				***64,889***	

* Year-end estimates are subject to further revision

** Beginning and ending fund balance amounts are estimates and are subject to further revision

TROON
El Conquistador Cash Flow Statement

	Actual Jul-16	Actual Aug-16	Actual Sep-16	Actual TOTAL	Original Budget TOTAL	Forecast TOTAL
Revenues:						
Golf Fees, net of discounts	13,421	12,438	29,818	55,677	1,003,084	949,149
Trail Fees & Member Cart Fees	13,183	13,026	17,540	43,749	144,772	159,721
Golf - Group Services	-	-	366	366	825	641
Range, Rentals, Other Golf related	2,137	2,819	2,802	7,758	36,200	39,158
Golf Lessons	220	350	330	900	7,575	6,075
Income - Golf Schools	-	-	930	930	1,200	2,130
Total Member Dues	65,770	63,223	57,544	186,537	1,153,655	1,055,948
Swim/Tennis Revenues	28,760	16,054	24,118	68,932	322,640	332,232
Income - Other (non - golf)	15	4	-	19	-	19
Merchandise, net of discounts	8,602	6,399	9,316	24,317	261,489	253,378
Food and Beverage, net of discounts	38,616	32,146	47,092	117,854	813,575	832,029
Total Revenues	**170,724**	**146,459**	**189,856**	**507,039**	**3,745,014**	**3,630,480**
Cost of Sales:						
COS - Golf	-	-	-	-	660	-
COS - Group Services Golf	414	-	304	718	-	938
COS - Golf Lessons	100	299	-	399	6,818	5,057
COS - Service Commissions	15,157	13,664	21,884	50,705	185,460	198,645
COS - Merchandise, net of discounts	6,471	8,132	7,074	21,677	163,923	162,319
COS - Food & Beverage	18,423	14,376	18,247	51,046	273,305	291,399
Total Cost of Sales	**40,565**	**36,471**	**47,509**	**124,545**	**630,166**	**658,358**
Gross Profit	**130,159**	**109,988**	**142,347**	**382,494**	**3,114,849**	**2,972,122**
Operating Expenses:						
Payroll	122,653	120,370	134,959	377,982	1,667,026	1,655,071
Employee Benefits	28,945	26,612	27,453	83,010	394,021	383,713
Employee Related	2,203	2,964	2,422	7,589	49,537	43,814
Professional Fees	-	-	-	-	300	-
Advertising & Marketing	5,325	6,284	5,908	17,517	47,900	53,491
Repair & Maintenance	26,096	37,763	66,619	130,478	545,025	479,728
Operating Expenses	26,874	19,567	17,787	64,228	304,467	259,681
Total Operating Expenses	**212,096**	**213,560**	**255,148**	**680,804**	**3,008,275**	**2,875,498**
Operating Profit	**(81,937)**	**(103,572)**	**(112,801)**	**(298,310)**	**106,573**	**96,624**
Leases - Carts	8,250	-	16,500	24,750	99,000	99,000
Leases - Equipment	20,377	23,771	20,377	64,525	251,568	251,568
Utilities	112,444	111,463	111,776	335,683	1,144,898	1,135,071
Fixed Operating Expenses	**141,071**	**135,234**	**148,653**	**424,958**	**1,495,466**	**1,485,639**
Gross Operating Profit	**(223,008)**	**(238,806)**	**(261,454)**	**(723,268)**	**(1,388,892)**	**(1,389,015)**
Insurance	88	88	97	273	1,613	1,485
Property Taxes	-	-	-	-	-	3,650
Fees, Permits & Licenses	84	102	-	186	-	186
Base Management Fees	12,000	12,000	12,000	36,000	144,000	144,000
Bad Debt	300	-	42	342	-	342
Total Other Expenses	**12,472**	**12,190**	**12,139**	**36,801**	**145,613**	**149,663**
Net Operating Income (Loss)	**(235,480)**	**(250,996)**	**(273,593)**	**(760,069)**	**(1,534,505)**	**(1,538,678)**

ATTACHMENT D-3

EL CONQUISTADOR
INCOME STATEMENT CONSOLIDATED - RESTAURANT/GRILLE - SEPTEMBER 2016

	ACTUAL MONTH	BUDGET MONTH	ACTUAL Y-T-D	BUDGET Y-T-D
FOOD & BEVERAGE REVENUE	47,092	34,950	117,854	99,400
TOTAL REVENUES	47,092	34,950	117,854	99,400
COST OF SALES	18,247	11,408	51,039	32,952
PAYROLL & BENEFITS	36,014	33,352	100,604	100,057
OPERATING EXPENSES	4,575	10,050	15,113	21,400
NET INCOME (LOSS)	(11,744)	(19,860)	(48,902)	(55,009)

ATTACHMENT E

FY 2016/2017

Consolidated Year-to-Date Financial Report through September, 2016

Fund	FY 16/17 Begin Bal.	Revenue	Other Fin Sources/Tfrs	Total In	Capital Leases/ Transfer Out	Personnel	O&M	Capital	Contingency	Debt Service	Total Out	Left in Accounts Thru Sep 2016
General Fund - Unassigned	9,082,690	7,543,192	-	7,543,192	205,304	4,654,681	1,730,545	28,276	-	-	6,618,806	10,007,077
General Fund - Assigned	1,441,862										-	1,441,862
Highway Fund - Restricted	2,075,616	771,410	-	771,410	38,032	398,401	247,773	86,201	-	-	770,408	2,076,618
Seizure & Forfeiture - Justice/State	10,540	34,413	-	34,413	-	31,375	1,086	-	-	-	32,461	12,491
Bed Tax Fund - Committed	492,377	192,625	-	192,625	225,194	53,367	26,313	-	-	-	304,874	380,128
Impound Fee Fund	45,813	11,400	-	11,400	-	12,064	-	-	-	-	12,064	45,149
Community Center Fund	161,744	1,180,166	-	1,180,166	89,275	178,969	1,227,051	47,909	-	-	1,543,204	(201,293)
Municipal Debt Service Fund	62,486	62,514	471,472	533,986	-	-	3,300	-	-	478,889	482,189	114,282
Oracle Road Debt Service Fund	6,968	538	-	538	-	-	-	-	-	-	-	7,506
Alternative Water Resources Dev Impact Fee Fund	5,040,292	367,335	-	367,335	-	-	3,561	-	-	-	3,561	5,404,066
Potable Water System Dev Impact Fee Fund	5,068,238	181,372	-	181,372	-	-	-	-	-	247,510	247,510	5,002,100
Townwide Roadway Development Impact Fee Fund	3,167,824	132,523	-	132,523	-	-	-	-	-	-	-	3,300,347
Parks & Recreation Impact Fee Fund	322,358	82,764	-	82,764	-	-	-	-	-	-	-	405,122
Library Impact Fee Fund	49,680	150,000	-	150,000	-	-	-	178,030	-	-	178,030	21,651
Police Impact Fee Fund	333,541	60,366	-	60,366	-	-	-	-	-	-	-	393,906
General Government Impact Fee Fund	3,515	4	-	4	-	-	-	-	-	-	-	3,519
General Government CIP Fund	719,009	-	-	-	-	1,388	-	352,726	-	-	354,114	364,894
PAG/RTA Fund	621,982	187,450	-	187,450	-	13,692	-	181,969	-	-	195,661	613,772
Water Utility	14,138,749	4,431,804	-	4,431,804	2,942	603,912	1,794,881	221,156	-	3,500,676	6,123,567	12,446,986
Stormwater Utility	272,747	318,737	-	318,737	-	79,081	57,775	83,224	-	-	220,080	371,404
Fleet Fund	569,439	336,934	-	336,934	-	17,456	109,225	120,995	-	-	247,675	658,697
Benefit Self Insurance Fund	31,200	584,683	-	584,683	-	-	746,623	552	-	-	747,175	(131,292)
Recreation In-Lieu Fee Fund	15,718	-	-	-	-	-	-	-	-	-	-	15,718
Energy Efficiency Project Fund	-	-	-	-	-	-	-	-	-	-	-	-
Capital Project Bond Fund	-	-	-	-	-	-	-	-	-	-	-	-
Total	**43,734,388**	**16,630,229**	**471,472**	**17,101,701**	**560,747**	**6,044,385**	**5,948,134**	**1,301,038**	**-**	**4,227,075**	**18,081,378**	**42,754,710**

General Fund Local Sales Tax Collections

FY 2016/17

CATEGORY	JULY	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Construction Sales Tax	199,573	188,622	464,738										**852,933**
Utility Sales Tax	259,897	319,698	294,983										**874,578**
Retail Sales Tax	498,390	460,006	467,191										**1,425,588**
All Other Local Sales Tax *	191,490	170,598	181,484										**543,571**
TOTAL	**$ 1,149,350**	**$ 1,138,924**	**$ 1,408,396**										**$ 3,696,670**

FY 2015/16

CATEGORY	JULY	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Construction Sales Tax	193,497	160,759	190,812	234,763	222,548	254,307	260,568	107,429	263,734	235,835	109,928	173,567	**2,407,746**
Utility Sales Tax	257,552	312,494	304,666	286,667	243,827	195,345	242,200	268,984	222,718	193,630	196,712	205,330	**2,930,124**
Retail Sales Tax	441,557	415,209	393,690	403,193	413,231	525,645	688,527	426,418	433,139	511,289	472,688	411,589	**5,536,174**
All Other Local Sales Tax *	239,739	229,766	182,484	216,361	270,637	276,937	295,738	201,982	259,537	325,493	273,582	263,425	**3,035,681**
TOTAL	**$ 1,132,346**	**$ 1,118,228**	**$ 1,071,652**	**$ 1,140,984**	**$ 1,150,242**	**$ 1,252,234**	**$ 1,487,032**	**$1,004,813**	**$1,179,127**	**$ 1,266,247**	**$1,052,910**	**$1,053,911**	**$ 13,909,725**

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

Town Council Regular Session **Item # B.**

Meeting Date: 11/16/2016

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

Department: Police Department

Information

SUBJECT:

Resolution No. (R)16-51, authorizing and approving Grant Contract No. 2017-405d-022 between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding Impaired Driver/DUI Alcohol Enforcement overtime and employee-related expenses

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

On March 11, 2016, an application was submitted to the GOHS for DUI enforcement overtime and employee-related expenses.

BACKGROUND OR DETAILED INFORMATION:

The Police Department received two (2) originals of Contract No. 2017-405d-022, entitled "DUI/Impaired Driving Enforcement" awarding $30,000 in grant funding for overtime and employee-related expenses.

This contract funding can be utilized after October 1, 2016, which is the beginning of the 2017 federal fiscal year.

FISCAL IMPACT:

The approved FY 2016/17 budget includes the capacity, in the appropriate category, for this awarded funding.

SUGGESTED MOTION:

I MOVE to (adopt, adopt with conditions, or deny) Resolution No. (R)16-51, authorizing and approving Grant Contract No. 2017-405d-022 between the Oro Valley Police Department and the Governor's Office of Highway Safety for funding Impaired Driver/DUI Alcohol Enforcement overtime and employee-related expenses

Attachments

(R)16-51 DUI Enforcement Overtime Grant Agreement

RESOLUTION NO. (R)16-51

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A GRANT CONTRACT BETWEEN THE ORO VALLEY POLICE DEPARTMENT TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY (G.O.H.S.) FOR FUNDING DUI/IMPAIRED DRIVING ENFORCMENT OVERTIME AND EMPLOYEE RELATED EXPENSES

WHEREAS, Highway Safety Funds are used to support State and community programs to reduce deaths and injuries on the highways. Section 402 of the Highway Safety Act sets forth the minimum requirements with which each state's highway safety program must comply, and provides a minimum level of funding for local programs each fiscal year; and

WHEREAS, the Town applied for and was granted a G.O.H.S. grant contract from federal 405d funds to fund personnel services overtime and employee related expenses to enhance DUI/Impaired Driving Enforcement; and

WHEREAS, it is in the interest of the Town of Oro Valley approve the G.O.H.S. grant contract, attached hereto as Exhibit "A" and incorporated herein by this reference, for the purposes of furthering public safety within the Town of Oro Valley.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona, that the Town Manager is authorized to enter into and execute the attached Governor's Office of Highway Safety Highway Safety Grant Contract, attached hereto as Exhibit "A" and incorporated herein by this reference, on behalf of the Town of Oro Valley.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 16th day of November, 2016.

TOWN OF ORO VALLEY, ARIZONA

_____

Dr. Satish I. Hiremath, Mayor

ATTEST:

_____

Michael Standish, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____

Tobin Sidles, Legal Services Director

Date: _____

EXHIBIT “A”

GOVERNOR'S OFFICE OF HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

		CFDA 20.616
1.	**APPLICANT AGENCY** Oro Valley Police Department	**GOHS CONTRACT NUMBER:** **2017-405d-022**
	ADDRESS 11000 N. La Candra Dr, Oro Valley, AZ 85737	**PROGRAM AREA:** **405d**
2.	**GOVERNMENTAL UNIT** Town of Oro Valley	**AGENCY CONTACT:** Chris Olson
	ADDRESS 11000 N. La Candra Dr, Oro Valley, AZ 85737	**3. PROJECT TITLE:** DUI/Impaired Driving Enforcement
4.	**GUIDELINES:** 405d	

5. BRIEFLY STATE PURPOSE OF PROJECT:
Federal 405d funds will support Personnel Services (Overtime), and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement throughout the Town of Oro Valley.

6.	**BUDGET COST CATEGORY**	**Project Period FFY 2017**
I.	**Personnel Services**	$22,727.00
II.	**Employee Related Expenses**	$7,273.00
III.	**Professional and Outside Services**	$0.00
IV.	**Travel In-State**	$0.00
V.	**Travel Out-of-State**	$0.00
VI.	**Materials and Supplies**	$0.00
VII.	**Capital Outlay**	$0.00
	TOTAL ESTIMATED COSTS	**$30,000.00**

PROJECT PERIOD	**FROM:** Effective Date (*Date of GOHS Director Signature*)	**TO:** 09-30-2017
CURRENT GRANT PERIOD	**FROM:** 10-01-2016	**TO:** 09-30-2017

TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: $30,000.00

A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.

PROBLEM IDENTIFICATION AND RESOLUTION:

Agency Background:

The Oro Valley Police Department (OVPD) is a full service police organization consisting of 100 sworn officers and 31 civilian personnel. Their agency has the traditional rank and file structure. They have many special assignments in the organization designed to target crimes while providing additional support to patrol. These assignments include; K-9, School Resource Officer (SRO), DUI, Motor/Traffic, Community Action, and Joint Task Force operations. OVPD expanded its Motorcycle Unit to 8 motor officers. The expansion was completed to better address traffic safety concerns of the community and DUI detection and enforcement. The expansion allows OVPD to deploy motor coverage seven days a week for extended hours.

Oro Valley is located in northern Pima County, approximately three miles north of Tucson city limits. The valley itself was formed by the Santa Cruz River joining Gold Creek in the Catalina Mountains. The Town sits at an elevation of 2,620 feet, covering over 34 square miles and has a current population of 41,011. Oro Valley was incorporated in April 1974. State Route 77 is a major highway (one of only 2 routes from Tucson to Phoenix) which runs directly through the Town. This route is traveled, on average, by 50,000 vehicles per day. Tangerine Road (State Route 989) is also an ingress and egress thoroughfare to both Interstate 10 and State Route 77 and runs through the heart of Oro Valley. In all, Oro Valley has over 170 miles of paved roadways.

Agency Problem/Attempts to Solve Problem:

Personnel Services account for 89% of their budget. This leaves 9% for operations and maintenance and 2% for equipment. OVPD relies heavily upon GOHS funding to support their ability to participate with the Southern DUI Task Force. OVPD encourages all officers to participate in deployments and provides training assistance to officers wishing to become certified HGN Technicians, phlebotomists, drug recognition experts and advanced collision investigators. Each year OVPD spends 100% of the allocated grant funding. In 2015, OVPD participated in 12 Southern Arizona Task Force operations.

The Oro Valley Police Department has a historic reputation for aggressive traffic enforcement. Their community considers traffic safety a top concern, so they continue to look for innovative and aggressive ways to reduce collisions. OVPD has taken a data-driven approach to determine which intersections account for the most crashes. Their studies indicate that Oracle Road at the Suffolk Road and Magee Road intersections rank among the highest intersections for collisions.

Agency Funding:

Federal 405d funds will support Personnel Services (Overtime), and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement throughout the Town of Oro Valley.

How Agency Will Solve Problem With Funding:

Funding will be used to fund Marana PD's participation with the Southern Arizona DUI Task Force, Phlebotomy Van deployments, and sobriety checkpoints (if available). All task force operations and sobriety checkpoints are posted, allowing officers to sign-up and work the deployments they desire. All deployments are managed and monitored by the OVPD DUI supervisor.

OVPD's goal is to at least maintain 12 task force deployments and utilize the GOHS Phlebotomy van to its fullest potential. OVPD will continue to measure all enforcement activity through daily reporting measures that are already in place.

GOALS/OBJECTIVES:

Federal 405d funds will support Personnel Services (Overtime), and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement throughout the Town of Oro Valley.

Expenditures of funding pertaining to Impaired Driving Enforcement including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Impaired Driving Program goals provided by the Arizona Governor's Office of Highway Safety. The Impaired Driving Program goal is to reduce the incidences of alcohol and drug related driving fatalities and injuries through enforcement, education, and public awareness throughout the State of Arizona. Law enforcement personnel participating in Impaired Driving Enforcement/DUI activities including, DUI Task Force details under this program, shall be HGN/SFST certified.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. **The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of DUI/Impaired Driving in terms of money, criminal, and human consequences.**

The Oro Valley Police Department will maintain responsibility for **reporting sustained enforcement** activity in a timely manner. Additionally, it is the responsibility of the Oro Valley Police Department to report all holiday task force enforcement statistics to GOHS on-line at the GOHS website **no later than 10:00 a.m. the morning following each day of the event.**

The holidays and special events include but not limited to: Super Bowl Sunday, Valentine's Day, President's Day, St. Patrick's Day, Spring Break, Easter, Cinco de Mayo, Prom Night, Memorial Day, Graduation Day, Independence Day, Labor Day, Columbus Day, Halloween, and the Thanksgiving through New Year's details.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Oro Valley Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Personnel Services - To support Overtime for DUI/Impaired Driving Enforcement Activities

Employee Related Expenses - To support Employee Related Expenses for Agency Overtime

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

BAC TESTING AND REPORTING REQUIREMENTS:

Alcohol impairment is a major contributing factor in fatality and serious injury motor vehicle collisions. Accurate data on alcohol involvement is essential to understanding the full extent of the role of alcohol and to assess progress toward reducing impaired driving.

Each law enforcement agency that receives an enforcement-related grant is required to ensure that accurate data on all drivers involved is reported. Failure to comply may result in withholding funds and cancellation of the enforcement contract until this requirement is met.

PURSUIT POLICY:

All law enforcement agencies receiving Federal funds are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police (IACP) that are currently in effect.

METHOD OF PROCUREMENT:

The application of USDOT "Common Rule" and Circular A-102 requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Oro Valley Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each respective quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
  - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2016)	January 30, 2017
2nd Quarterly Report and RCI (January 1 to March 31, 2017)	April 20, 2017
3rd Quarterly Report and RCI (April 1 to June 30, 2017)	July 20, 2017
4th Quarterly Report and RCI (July 1 to September 30, 2017)	**October 15, 2017**
Final Statement of Accomplishments	**October 15, 2017**

The Quarterly Report **shall be completed on the form available on-line and submitted by mail** to the Governor's Office of Highway Safety.

***NOTE*: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.**

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Daniel Sharp, Chief, Oro Valley Police Department, shall serve as Project Director.

Chris Olson, Lieutenant, Oro Valley Police Department, shall serve as Project Administrator.

Shane Radford, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety, at a minimum, on a quarterly basis in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	**Type of Monitoring:**
Under $50,000	Desk Review/Phone Conference
$50,000 and over	In-House GOHS Review
$100,000+	On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs,

	inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to obstacles. Grantees that exhibit significantly poor performance will be placed on a performance plan as outlined by the Project Coordinator. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	$22,727.00
II.	Employee Related Expenses (ERE)	$7,273.00
III.	Professional and Outside Services	$0.00
IV.	Travel In-State	$0.00
V.	Travel Out-of-State	$0.00
VI.	Materials and Supplies	$0.00
VII.	Capital Outlay	$0.00
	TOTAL ESTIMATED COSTS	***$30,000.00**

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Oro Valley Police Department shall absorb any and all expenditures in excess of $30,000.00.

QUARTERLY ENFORCEMENT REPORT
(Submitted to GOHS)

_____
Reporting Period

DESCRIPTION	CONTRACT ACTIVITY	AGENCY ACTIVITY
Total Contacts (Traffic Stops)		
Total Sober Designated Drivers Contacted		
TOTAL DUI ARRESTS		
Total DUI Aggravated		
Total DUI Misdemeanor		
Total DUI Extreme (.15 or Above)		
Under 21 DUI Arrests		
Average BAC		
Minor Consumption / Possession Citations		
Total DUI Drug Arrests		
30-Day Vehicle Impounds		
Seat Belt Citations		
Child Restraint Citations		
Criminal Speed Citations		
Aggressive Driving Citations		
Civil Speed Citations		
Other Citations		
Other Arrests		
Participating Officer/Deputies (Cumulative)		

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.

B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.

C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.

D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.

C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.

B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.

C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.

D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.

E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.

B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. "Common Rule" and OMB Circular No. A-102 (Revised)

"Common Rule" (49 CFR Part 18): *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*

OMB Circular No. A-102 (Revised): *Grants and Cooperative Agreements with State and Local Governments*

The application of USDOT "Common Rule" and Circular A-102 requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;

C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;

D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

F. If AGENCY fails or refuses to comply with its undertaking as set forth in these provisions, STATE or the USDOT may take any or all of the following actions:

   1. Cancel, terminate, or suspend, in whole or in part, the agreement, contract, or other arrangement with respect to which the failure or refusal occurred; and

   2. Refrain from extending any further Federal financial assistance to AGENCY under the Highway Safety Program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from AGENCY.

G. Pursuant to the requirement of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), AGENCY must operate this Highway Safety Project so that it is accessible and otherwise non-discriminatory to handicapped persons.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.

B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not

complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.

B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.

D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.

E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron, and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

D. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

E. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverage sections of 2 CFR part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

F. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

G. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

A. The prospective primary participant certifies to the best of its knowledge and belief, that its principal:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its

certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS

1. **Agency Official preparing the Report of Costs Incurred:**

   Name: Daniel G. Sharp

   Title: Chief of Police

   Telephone Number: 520-229-4904 Fax Number: 520-229-4979

   E-mail Address: dsharp@orovalleyaz.gov

2. **Agency's Fiscal Contact:**

   Name: Colleen Muhr

   Title: Police Administrative Services Manager

   Telephone Number: 520-229-4904 Fax Number: 520-229-4979

   E-mail Address: cmuhr@orovalleyaz.gov

   Federal Identification Number: 86-0293039

3. ***REIMBURSEMENT INFORMATION:***

   Warrant/Check to be made payable to:

   Town of Oro Valley

   Warrant/Check to be mailed to:

   Town of Oro Valley Police Department
   (Agency)

   11000 N. La Cañada Drive
   (Address)

   Oro Valley, AZ 85737
   (City, State, Zip Code)

4. ***DUNS Number:***

   098039373
   (DUNS #)

   11000 N. La Cañada Drive, 85737
   (Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The undersigned will require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.

D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC §1352. Any person who fails to file the required certification will be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature of Project Director:

Daniel Sharp, Chief
Oro Valley Police Department

_____

_____
Date Telephone

Signature of Authorized Official of Governmental Unit:

Daniel Sharp, Interim Town Manager
Town of Oro Valley

_____

_____
Date Telephone

AUTHORITY & FUNDS

1. This Project is authorized by 23 U.S.C. §405 and regulations promulgated there under, more particularly Volume 102, and if State funds are involved, this project is authorized by ARS §28-602.

   The funds authorized for this Project have been appropriated and budgeted by the U.S. Department of Transportation. The expenses are reimbursable under Arizona's Highway Safety Plan Program Area 405d, as approved for by the National Highway Traffic Safety Administration.

2. **A. EFFECTIVE DATE:** — *Authorization to Proceed Date*

   B. FEDERAL FUNDS: — **$30,000.00**

3. **AGREEMENT AND AUTHORIZATION TO PROCEED**
   by State Official responsible to Governor for the administration of the State Highway Safety Agency

Alberto Gutier, Director Governor's Office of Highway Safety Governor's Highway Safety Representative	Approval Date

Town Council Regular Session **Item # C.**

Meeting Date: 11/16/2016

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

Department: Police Department

Information

SUBJECT:

Resolution No. (R)16-52, authorizing and approving Grant Contract No. 2017-AL-029 between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding DUI/Impaired Driving Enforcement-related equipment

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

On March 11, 2016, an application was submitted to the GOHS for DUI enforcement capital equipment to enhance DUI/impaired driving enforcement throughout the Town of Oro Valley.

BACKGROUND OR DETAILED INFORMATION:

The Police Department received two (2) originals of Contract No. 2017-AL-029, entitled "DUI/Impaired Driving Enforcement Related Equipment" awarding $3,000.00 in grant funding for six (6) preliminary breath testing devices.

This contract funding can be utilized after October 1, 2016, which is the beginning of the 2017 federal fiscal year.

FISCAL IMPACT:

The approved FY 2016/17 budget includes the capacity, in the appropriate category, for this awarded funding.

SUGGESTED MOTION:

I MOVE to (adopt, adopt with conditions, or deny) Resolution No. (R)16-52, authorizing and approving Grant Contract No. 2017-AL-029 between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding DUI/Impaired Driving Enforcement Related Equipment

Attachments

(R)16-52 Grant Contract DUI Equipment
Grant Agreement

RESOLUTION NO. (R)16-52

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A GRANT CONTRACT BETWEEN THE ORO VALLEY POLICE DEPARTMENT TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY (G.O.H.S.) FOR FUNDING SIX (6) PORTABLE BREATH TEST DEVICES TO ENHANCE DUI/ IMPAIRED DRIVING ENFORCEMENT

WHEREAS, Highway Safety Funds are used to support State and community programs to reduce deaths and injuries on the highways. Section 402 of the Highway Safety Act sets forth the minimum requirements with which each state's highway safety program must comply, and provides a minimum level of funding for local programs each fiscal year; and

WHEREAS, the Town applied for and was granted a G.O.H.S. grant contract from Section 402 funds to fund six (6) portable breath test devices to enhance DUI/Impaired Driving Enforcement; and

WHEREAS, it is in the interest of the Town of Oro Valley approve the G.O.H.S. grant contract, attached hereto as Exhibit "A" and incorporated herein by this reference, for the purposes of furthering public safety within the Town of Oro Valley.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona, that the Town Manager is authorized to enter into and execute the attached Governor's Office of Highway Safety Highway Safety Grant Contract, attached hereto as Exhibit "A" and incorporated herein by this reference, on behalf of the Town of Oro Valley.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 16th day of November, 2016.

TOWN OF ORO VALLEY, ARIZONA

_____

Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Michael Standish, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

Date: _____

EXHIBIT “A”

GOVERNOR'S OFFICE OF HIGHWAY SAFETY | **STATE OF ARIZONA**

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

		CFDA 20.600
1.	**APPLICANT AGENCY** Oro Valley Police Department	**GOHS CONTRACT NUMBER:** **2017-AL-029**
	ADDRESS 11000 N. La Candra Dr, Oro Valley, AZ 85737	**PROGRAM AREA:** **402-AL**
2.	**GOVERNMENTAL UNIT** Town of Oro Valley	**AGENCY CONTACT:** Chris Olson
	ADDRESS 11000 N. La Candra Dr, Oro Valley, AZ 85737	**3. PROJECT TITLE:** DUI/Impaired Driving Enforcement Related Equipment
4.	**GUIDELINES:** 402–Alcohol (AL)	

5. BRIEFLY STATE PURPOSE OF PROJECT:
Federal 402 funds will support Capital Outlay: Six (6) PBT's to enhance DUI/Impaired Driving Enforcement throughout the Town of Oro Valley.

6.	**BUDGET COST CATEGORY**	**Project Period FFY 2017**
I.	**Personnel Services**	$0.00
II.	**Employee Related Expenses**	$0.00
III.	**Professional and Outside Services**	$0.00
IV.	**Travel In-State**	$0.00
V.	**Travel Out-of-State**	$0.00
VI.	**Materials and Supplies**	$0.00
VII.	**Capital Outlay**	$3,000.00
	TOTAL ESTIMATED COSTS	**$3,000.00**

PROJECT PERIOD	**FROM:** Effective Date (*Date of GOHS Director Signature*)	**TO:** 09-30-2017
CURRENT GRANT PERIOD	**FROM:** 10-01-2016	**TO:** 09-30-2017

TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: $3,000.00

A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.

PROBLEM IDENTIFICATION AND RESOLUTION:

Agency Background:

The Oro Valley Police Department (OVPD) is a full service police organization consisting of 100 sworn officers and 31 civilian personnel. Their agency has the traditional rank and file structure. They have many special assignments in the organization designed to target crimes while providing additional support to patrol. These assignments include; K-9, School Resource Officer (SRO), DUI, Motor/Traffic, Community Action, and Joint Task Force operations. OVPD expanded its Motorcycle Unit to 8 motor officers. The expansion was completed to better address traffic safety concerns of the community and DUI detection and enforcement. The expansion allows OVPD to deploy motor coverage seven days a week for extended hours.

Oro Valley is located in northern Pima County, approximately three miles north of Tucson city limits. The valley itself was formed by the Santa Cruz River joining Gold Creek in the Catalina Mountains. The Town sits at an elevation of 2,620 feet, covering over 34 square miles and has a current population of 41,011. Oro Valley was incorporated in April 1974. State Route 77 is a major highway (one of only 2 routes from Tucson to Phoenix) which runs directly through the Town. This route is traveled, on average, by 50,000 vehicles per day. Tangerine Road (State Route 989) is also an ingress and egress thoroughfare to both Interstate 10 and State Route 77 and runs through the heart of Oro Valley. In all, Oro Valley has over 170 miles of paved roadways.

Agency Problem/Attempts to Solve Problem:

Personnel Services account for 89% of their budget. This leaves 9% for operations and maintenance and 2% for equipment. OVPD relies heavily upon GOHS funding to support their ability to participate with the Southern DUI Task Force. OVPD encourages all officers to participate in deployments and provides training assistance to officers wishing to become certified HGN Technicians, phlebotomists, drug recognition experts and advanced collision investigators. Each year OVPD spends 100% of the allocated grant funding. In 2015, OVPD participated in 12 Southern Arizona Task Force operations.

The Oro Valley Police Department has a historic reputation for aggressive traffic enforcement. Their community considers traffic safety a top concern, so they continue to look for innovative and aggressive ways to reduce collisions. OVPD has taken a data-driven approach to determine which intersections account for the most crashes. Their studies indicate that Oracle Road at the Suffolk Road and Magee Road intersections rank among the highest intersections for collisions.

Agency Funding:

Federal 402 funds will support Capital Outlay: Six (6) PBT's to enhance DUI/Impaired Driving Enforcement throughout the Town of Oro Valley.

How Agency Will Solve Problem With Funding:

Oro Valley Police Department will purchase 6 PBT's by the end of the 3rd quarter of the grant project period. These PBT's will be provided to patrol officers for regular use as well use by DUI Task Forces in an effort to enforce DUI laws in Oro Valley.

GOALS/OBJECTIVES:

Federal 402 funds will support Capital Outlay: Six (6) PBT's to enhance DUI/Impaired Driving Enforcement throughout the Town of Oro Valley.

Expenditures of funding pertaining to Impaired Driving Enforcement including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Impaired Driving Program goals provided by the Arizona Governor's Office of Highway Safety. The Impaired Driving Program goal is to reduce the incidences of alcohol and drug related driving fatalities and injuries through enforcement, education, and public awareness throughout the State of Arizona. Law enforcement personnel participating in Impaired Driving Enforcement/DUI activities including, DUI Task Force details under this program, shall be HGN/SFST certified.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. **The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of DUI/Impaired Driving in terms of money, criminal, and human consequences.**

The Oro Valley Police Department will maintain responsibility for **reporting sustained enforcement** activity in a timely manner. Additionally, it is the responsibility of the Oro Valley Police Department to report all holiday task force enforcement statistics to GOHS on-line at the GOHS website **no later than 10:00 a.m. the morning following each day of the event.**

The holidays and special events include but not limited to: Super Bowl Sunday, Valentine's Day, President's Day, St. Patrick's Day, Spring Break, Easter, Cinco de Mayo, Prom Night, Memorial Day, Graduation Day, Independence Day, Labor Day, Columbus Day, Halloween, and the Thanksgiving through New Year's details.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Oro Valley Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Capital Outlay - To purchase/procure the following Capital Outlay for DUI/Impaired Driving Enforcement Activities:

Six (6) PBT's

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

BAC TESTING AND REPORTING REQUIREMENTS:

Alcohol impairment is a major contributing factor in fatality and serious injury motor vehicle collisions. Accurate data on alcohol involvement is essential to understanding the full extent of the role of alcohol and to assess progress toward reducing impaired driving.

Each law enforcement agency that receives an enforcement-related grant is required to ensure that accurate data on all drivers involved is reported. Failure to comply may result in withholding funds and cancellation of the enforcement contract until this requirement is met.

PURSUIT POLICY:

All law enforcement agencies receiving Federal funds are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police (IACP) that are currently in effect.

EQUIPMENT:

Six (6) PBT's

Agencies receiving funding for Capital Outlay (major equipment) such as DUI processing vans, marked and unmarked enforcement sedans, and marked enforcement motorcycles shall schedule a press conference acknowledging the grant award from the Governor's Office of Highway Safety. The purpose of this press conference is for the Agency to present the equipment to their community.

The Oro Valley Police Department shall immediately notify GOHS if any equipment purchased under this Contract ceases to be used in the manner described in this Contract. In such event, the Oro Valley Police Department further agrees to dispose of this equipment using the Oro Valley Police Department's, city, town, or county ordinance, code, or rule regarding disposal of equipment.

In the absence of an ordinance, code, or rule regarding the disposal of the property, the Oro Valley Police Department may refer to that of the State. The Oro Valley Police Department shall maintain or cause to be maintained for its useful life, any equipment purchased under this Contract. The Oro Valley Police Department shall incorporate any equipment purchased under this Contract into its inventory records. The Oro Valley Police Department shall insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets this requirement.

Administrative and Maintenance Costs:

The Oro Valley Police Department shall be responsible for all administrative, maintenance, operational costs, and the costs of any damage relating to the Six (6) PBT's.

Decals:

The Governor's Office of Highway Safety shall provide the Oro Valley Police Department with decals depicting the Governor's Office of Highway Safety logo. These decals shall be affixed to the equipment before being placed in service.

Equipment Purchase:

The equipment purchased under this Contract shall be ordered, received, training completed, and placed in service prior to the end of the project period.

If the Agency cannot meet this requirement, the Agency must submit a letter of explanation signed by the Project Director on the Agency's letterhead via mail or hand delivered to the Director of the Governor's Office of Highway Safety within sixty (60) days before the end of the project period.

The application of USDOT "Common Rule" and Circular A-102 requires that:

Grantees and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurement procedures conform to applicable Federal and State laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency shall use the State procurement process.

Original Purpose of Equipment:

Pursuant to 23 CFR §1200.21, all equipment purchased under this Contract is to be used for the original purpose intended under this Contract. All equipment shall be used for the originally authorized grant purposes for as long as needed for those purposes. Neither the State nor the Agency (sub-grantees) or contractors shall encumber the title or interest while such need exists.

The Governor's Office of Highway Safety shall reserve the right to transfer title of equipment acquired under the Section 402 program to the Federal government or to a third party when such third party is otherwise eligible under existing statutes.

Furthermore, 49 CFR §18.32.c.1 states that equipment (acquired under this grant) shall be used by the grantee in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a Federal agency.

Insurance:

It is agreed that the Oro Valley Police Department shall adequately insure all capital equipment purchased under this Contract for repair or replacement.

SPECIFIC REQUIREMENTS:

BREATH TESTING DEVICES –

Requirements for Portable Breath Test Devices (PBTs):
The Oro Valley Police Department will be responsible for providing all personnel the appropriate training for using the Portable Breath Test Devices (PBTs) purchased under this Contract.

PBTs will be calibrated per the specifications outlined by the respective manufacturer. Written documentation will be maintained by the Agency and will be available upon request for review by GOHS.

EQUIPMENT –

Requirements for Equipment:
The Oro Valley Police Department shall provide a high quality color photograph of all equipment purchased under this Contract. The Oro Valley Police Department shall complete the attached **Capital Outlay Equipment** form for all individual equipment purchases of $5,000.00 or more. The form is to be attached and submitted with the next quarterly report subsequent to the delivery of the equipment.

METHOD OF PROCUREMENT:

The application of USDOT "Common Rule" and Circular A-102 requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Oro Valley Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each respective quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
  - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2016)	January 30, 2017
2nd Quarterly Report and RCI (January 1 to March 31, 2017)	April 20, 2017
3rd Quarterly Report and RCI (April 1 to June 30, 2017)	July 20, 2017
4th Quarterly Report and RCI (July 1 to September 30, 2017)	**October 15, 2017**
Final Statement of Accomplishments	**October 15, 2017**

The Quarterly Report **shall be completed on the form available on-line and submitted by mail** to the Governor's Office of Highway Safety.

***NOTE*: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.**

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Daniel Sharp, Chief, Oro Valley Police Department, shall serve as Project Director.

Chris Olson, Lieutenant, Oro Valley Police Department, shall serve as Project Administrator.

Shane Radford, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety, at a minimum, on a quarterly basis in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	**Type of Monitoring:**
Under $50,000	Desk Review/Phone Conference
$50,000 and over	In-House GOHS Review
$100,000+	On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs,

	inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to obstacles. Grantees that exhibit significantly poor performance will be placed on a performance plan as outlined by the Project Coordinator. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	$0.00
II.	Employee Related Expenses (ERE)	$0.00
III.	Professional and Outside Services	$0.00
IV.	Travel In-State	$0.00
V.	Travel Out-of-State	$0.00
VI.	Materials and Supplies	$0.00
VII.	Capital Outlay	$3,000.00
	Six (6) Alco-Sensor PBT's	
	TOTAL ESTIMATED COSTS	***$3,000.00**

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Oro Valley Police Department shall absorb any and all expenditures in excess of $3,000.00.

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.

B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.

C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.

D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.

C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.

B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.

C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.

D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.

E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.

B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. "Common Rule" and OMB Circular No. A-102 (Revised)

"Common Rule" (49 CFR Part 18): *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*

OMB Circular No. A-102 (Revised): *Grants and Cooperative Agreements with State and Local Governments*

The application of USDOT "Common Rule" and Circular A-102 requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;

C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;

D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

F. If AGENCY fails or refuses to comply with its undertaking as set forth in these provisions, STATE or the USDOT may take any or all of the following actions:

   1. Cancel, terminate, or suspend, in whole or in part, the agreement, contract, or other arrangement with respect to which the failure or refusal occurred; and

   2. Refrain from extending any further Federal financial assistance to AGENCY under the Highway Safety Program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from AGENCY.

G. Pursuant to the requirement of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), AGENCY must operate this Highway Safety Project so that it is accessible and otherwise non-discriminatory to handicapped persons.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors.* Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.

B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not

complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.

B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.

D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.

E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron, and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

D. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

E. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverage sections of 2 CFR part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

F. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

G. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

A. The prospective primary participant certifies to the best of its knowledge and belief, that its principal:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its

certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS

1. **Agency Official preparing the Report of Costs Incurred:**

   Name: Daniel G. Sharp

   Title: Chief of Police

   Telephone Number: 520-229-4904 Fax Number: 520-229-4979

   E-mail Address: dsharp@orovalleyaz.gov

2. **Agency's Fiscal Contact:**

   Name: Colleen Muhr

   Title: Police Administrative Services Manager

   Telephone Number: 520-229-4904 Fax Number: 520-229-4979

   E-mail Address: cmuhr@orovalleyaz.gov

   Federal Identification Number: 86-0293039

3. ***REIMBURSEMENT INFORMATION:***

   Warrant/Check to be made payable to:

   Town of Oro Valley

   Warrant/Check to be mailed to:

   Town of Oro Valley Police Department
   (Agency)

   11000 N. La Cañada Drive
   (Address)

   Oro Valley, AZ 85737
   (City, State, Zip Code)

4. ***DUNS Number:***

   098039373
   (DUNS #)

   11000 N. La Cañada Drive, 85737
   (Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The undersigned will require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.

D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC §1352. Any person who fails to file the required certification will be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature of Project Director:

Daniel Sharp, Chief
Oro Valley Police Department

_____

_____
Date Telephone

Signature of Authorized Official of Governmental Unit:

Daniel Sharp, Interim Town Manager
Town of Oro Valley

_____

_____
Date Telephone

AUTHORITY & FUNDS

1. This Project is authorized by 23 U.S.C. §402 and regulations promulgated there under, more particularly Volume 102, and if State funds are involved, this project is authorized by ARS §28-602.

   The funds authorized for this Project have been appropriated and budgeted by the U.S. Department of Transportation. The expenses are reimbursable under Arizona's Highway Safety Plan Program Area 402-AL, as approved for by the National Highway Traffic Safety Administration.

2. **A. EFFECTIVE DATE:** *Authorization to Proceed Date*

   B. FEDERAL FUNDS: **$3,000.00**

3. **AGREEMENT AND AUTHORIZATION TO PROCEED**
   by State Official responsible to Governor for the
   administration of the State Highway Safety Agency

Alberto Gutier, Director
Governor's Office of Highway Safety
Governor's Highway Safety Representative

Approval Date

Town Council Regular Session **Item # D.**

Meeting Date: 11/16/2016

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

Department: Police Department

Information

SUBJECT:

Resolution No. (R)16-53, authorizing and approving Grant Contract No. 2017-PT-034 between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding of Selective Traffic Enforcement Program (STEP) equipment

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

On March 11, 2016, an application was submitted to the GOHS for STEP equipment with the goal of reducing the incidence of traffic fatalities and injuries resulting from speeding, aggressive driving, red light running and other forms of risky driving behavior through enforcement, education and public awareness throughout the State of Arizona and the Town of Oro Valley.

BACKGROUND OR DETAILED INFORMATION:

The Police Department received two (2) originals of Contract No. 2017-PT-034, entitled "STEP Enforcement Related Equipment" awarding $17,000.00 in grant funding for four (4) Raptor RP-1 Radars to enhance STEP enforcement through the Town of Oro Valley.

This contract funding can be utilized after October 1, 2016, which is the beginning of the 2017 federal fiscal year.

FISCAL IMPACT:

The approved FY 2016/17 budget includes the capacity, in the appropriate category, for this awarded funding.

SUGGESTED MOTION:

I MOVE to (adopt, adopt with conditions, or deny) Resolution No. (R)16-53, authorizing and approving Grant Contract No. 2017-PT-034 between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding of Selective Traffic Enforcement Program (STEP) equipment

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Attachments

(R)16-53 STEP Grant

Grant Agreement

RESOLUTION NO. (R)16-53

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A GRANT CONTRACT BETWEEN THE TOWN OF ORO VALLEY POLICE DEPARTMENT AND THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY (G.O.H.S.) TO PURCHASE EQUIPMENT TO ENHANCE THE SPECIAL TRAFFIC ENFORCEMENT PROGRAM

WHEREAS, Highway Safety Funds are used to support State and community programs to reduce deaths and injuries on the highways. Section 402 of the Highway Safety Act sets forth the minimum requirements with which each state's highway safety program must comply, and provides a minimum level of funding for local programs each fiscal year; and

WHEREAS, the Town applied for and was granted a G.O.H.S. grant contract from Section 402 funds to purchase two (2) Lidars and four (4) radars to enhance the Special Traffic Enforcement Program: and

WHEREAS, it is in the interest of the Town of Oro Valley approve the G.O.H.S. grant contract, attached hereto as Exhibit "A" and incorporated herein by this reference, for the purposes of furthering public safety within the Town of Oro Valley.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona that, the Highway Safety Grant Contract between the Governor's Office of Highway Safety and the Town of Oro Valley, attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby authorized and approved.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 16th day of November, 2016.

TOWN OF ORO VALLEY, ARIZONA

_____

Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Michael Standish, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

Date: _____

EXHIBIT “A”

Received By:
OCT 05 2016
Oro Valley Police Dept.

DOUGLAS A. DUCEY
GOVERNOR

ALBERTO GUTIER
DIRECTOR
GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE

Chief Daniel Sharp
Oro Valley Police Department
11000 N. La Canada Dr.
Oro Valley, Arizona 85737

PROJECT REFERENCE:
Contract Number: 2017-PT-034
Total Estimated Costs: $17,000.00
Purpose of Project: Selective Traffic Enforcement Equipment

Dear Chief Sharp:

Enclosed are two (2) copies of the referenced Highway Safety Contract for your review and signature. This is ***not*** an authorization to proceed with the project.

Please complete the following steps:

1. Please review the entire contract as there have been **significant changes** throughout the contract;
2. Have your fiscal staff complete the Reimbursement Instructions (page 24) of both copies;
3. As Project Director, sign and date the signature page of both copies;
4. Obtain the signature of Daniel Sharp, Town Manager, Town of Oro Valley, as the Authorized Official of Governmental Unit, on the signature page of both copies;
5. Return all signed copies of the contract to Governor's Office of Highway Safety, 1700 W. Washington St., Suite 430, Phoenix, Arizona 85007

Please ***do not*** incur any costs at this time as it would nullify the contract. Once the signed copies are received, I will approve and sign the contract as the GOHS Director/Governor's Highway Safety Representative and an original executed contract with a letter of authorization to proceed will be forwarded to you.

Sincerely,

Alberto Gutier, Director
Governor's Highway Safety Representative

9-26-16.
Date

Enclosures
AG: SR

GOVERNOR'S OFFICE OF HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

		CFDA 20.600
1.	**APPLICANT AGENCY** Oro Valley Police Department	**GOHS CONTRACT NUMBER:** **2017-PT-034**
	ADDRESS 11000 N. La Candra Dr, Oro Valley, AZ 85737	**PROGRAM AREA:** **402-PT**
2.	**GOVERNMENTAL UNIT** Town of Oro Valley	**AGENCY CONTACT:** Chris Olson
	ADDRESS 11000 N. La Candra Dr, Oro Valley, AZ 85737	**3. PROJECT TITLE:** STEP Enforcement Related Equipment
4.	**GUIDELINES:** 402–Police Traffic (PT)	

5. BRIEFLY STATE PURPOSE OF PROJECT:
Federal 402 funds will support Capital Outlay: Two (2) Lidars & Four (4) Radars to enhance STEP Enforcement throughout the Town of Oro Valley.

6.	**BUDGET COST CATEGORY**	**Project Period FFY 2017**
I.	**Personnel Services**	$0.00
II.	**Employee Related Expenses**	$0.00
III.	**Professional and Outside Services**	$0.00
IV.	**Travel In-State**	$0.00
V.	**Travel Out-of-State**	$0.00
VI.	**Materials and Supplies**	$0.00
VII.	**Capital Outlay**	$17,000.00
	TOTAL ESTIMATED COSTS	**$17,000.00**

PROJECT PERIOD	**FROM:** Effective Date (*Date of GOHS Director Signature*)	**TO:** 09-30-2017
CURRENT GRANT PERIOD	**FROM:** 10-01-2016	**TO:** 09-30-2017

TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: $17,000.00

A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.

PROBLEM IDENTIFICATION AND RESOLUTION:

Agency Background:

The Oro Valley Police Department (OVPD) is a full service police organization consisting of 100 sworn officers and 31 civilian personnel. Their agency has the traditional rank and file structure. They have many special assignments in the organization designed to target crimes while providing additional support to patrol. These assignments include; K-9, School Resource Officer (SRO), DUI, Motor/Traffic, Community Action, and Joint Task Force operations. OVPD expanded its Motorcycle Unit to 8 motor officers. The expansion was completed to better address traffic safety concerns of the community and DUI detection and enforcement. The expansion allows OVPD to deploy motor coverage seven days a week for extended hours.

Oro Valley is located in northern Pima County, approximately three miles north of Tucson city limits. The valley itself was formed by the Santa Cruz River joining Gold Creek in the Catalina Mountains. The Town sits at an elevation of 2,620 feet, covering over 34 square miles and has a current population of 41,011. Oro Valley was incorporated in April 1974. State Route 77 is a major highway (one of only 2 routes from Tucson to Phoenix) which runs directly through the Town. This route is traveled, on average, by 50,000 vehicles per day. Tangerine Road (State Route 989) is also an ingress and egress thoroughfare to both Interstate 10 and State Route 77 and runs through the heart of Oro Valley. In all, Oro Valley has over 170 miles of paved roadways.

Agency Problem/Attempts to Solve Problem:

Personnel Services account for 89% of their budget. This leaves 9% for operations and maintenance and 2% for equipment. OVPD relies heavily upon GOHS funding to support their ability to participate with the Southern DUI Task Force. OVPD encourages all officers to participate in deployments and provides training assistance to officers wishing to become certified HGN Technicians, phlebotomists, drug recognition experts and advanced collision investigators. Each year OVPD spends 100% of the allocated grant funding. In 2015, OVPD participated in 12 Southern Arizona Task Force operations.

The Oro Valley Police Department has a historic reputation for aggressive traffic enforcement. Their community considers traffic safety a top concern, so they continue to look for innovative and aggressive ways to reduce collisions. OVPD has taken a data-driven approach to determine which intersections account for the most crashes. Their studies indicate that Oracle Road at the Suffolk Road and Magee Road intersections rank among the highest intersections for collisions.

Agency Funding:

Federal 402 funds will support Capital Outlay: Two (2) Lidars & Four (4) Radars to enhance STEP Enforcement throughout the Town of Oro Valley.

How Agency Will Solve Problem With Funding:

Oro Valley Police Department will procure/purchase the Capital Outlay: Two (2) Lidars & Four (4) Radars no later than the 3rd quarter of FFY2016. OVPD will continue to monitor their STEP enforcement program; and will continually report necessary enforcement statistical data to ensure accurate comparisons of DUI arrests, citations, and warnings that are issued. OVPD will continue to increase the public's awareness associated with the dangers of speeding and aggressive driving throughout the community of Oro Valley.

GOALS/OBJECTIVES:

Federal 402 funds will support Capital Outlay: Two (2) Lidars & Four (4) Radars to enhance STEP Enforcement throughout the Town of Oro Valley.

Expenditures of funding pertaining to the PT/Selective Traffic Enforcement Program including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the PT/Selective Traffic Enforcement Program goals provided by the Arizona Governor's Office of Highway Safety. The PT/Selective Traffic Enforcement Program goal is to reduce the incidences of traffic fatalities and injuries resulting from speeding, aggressive driving, red light running, and other forms of risky driving behavior through enforcement, education, and public awareness throughout the State of Arizona.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. **The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of Speeding in terms of money, criminal, and human consequences.**

The Oro Valley Police Department will maintain responsibility for **reporting sustained enforcement** activity in a timely manner. Additionally, it is the responsibility of the Oro Valley Police Department to report all holiday task force enforcement statistics to GOHS on-line at the GOHS website **no later than 10:00 a.m. the morning following each day of the event.**

The holidays and special events include but not limited to: Super Bowl Sunday, Valentine's Day, President's Day, St. Patrick's Day, Spring Break, Easter, Cinco de Mayo, Prom Night, Memorial Day, Graduation Day, Independence Day, Labor Day, Columbus Day, Halloween, and the Thanksgiving through New Year's details.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Oro Valley Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Capital Outlay - To purchase/procure the following Capital Outlay for STEP/Speed Enforcement Activities:
Two (2) Lidars & Four (4) Radars

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

BAC TESTING AND REPORTING REQUIREMENTS:

Alcohol impairment is a major contributing factor in fatality and serious injury motor vehicle collisions. Accurate data on alcohol involvement is essential to understanding the full extent of the role of alcohol and to assess progress toward reducing impaired driving.

Each law enforcement agency that receives an enforcement-related grant is required to ensure that accurate data on all drivers involved is reported. Failure to comply may result in withholding funds and cancellation of the enforcement contract until this requirement is met.

PURSUIT POLICY:

All law enforcement agencies receiving Federal funds are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police (IACP) that are currently in effect.

EQUIPMENT:

Two (2) Lidars & Four (4) Radars

Agencies receiving funding for Capital Outlay (major equipment) such as DUI processing vans, marked and unmarked enforcement sedans, and marked enforcement motorcycles shall schedule a press conference acknowledging the grant award from the Governor's Office of Highway Safety. The purpose of this press conference is for the Agency to present the equipment to their community.

The Oro Valley Police Department shall immediately notify GOHS if any equipment purchased under this Contract ceases to be used in the manner described in this Contract. In such event, the Oro Valley Police Department further agrees to dispose of this equipment using the Oro Valley Police Department's, city, town, or county ordinance, code, or rule regarding disposal of equipment.

In the absence of an ordinance, code, or rule regarding the disposal of the property, the Oro Valley Police Department may refer to that of the State. The Oro Valley Police Department shall maintain or cause to be maintained for its useful life, any equipment purchased under this Contract. The Oro Valley Police Department shall incorporate any equipment purchased under this Contract into its inventory records. The Oro Valley Police Department shall insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets this requirement.

Administrative and Maintenance Costs:

The Oro Valley Police Department shall be responsible for all administrative, maintenance, operational costs, and the costs of any damage relating to the Two (2) Lidars & Four (4) Radars.

Decals:

The Governor's Office of Highway Safety shall provide the Oro Valley Police Department with decals depicting the Governor's Office of Highway Safety logo. These decals shall be affixed to the equipment before being placed in service.

Equipment Purchase:

The equipment purchased under this Contract shall be ordered, received, training completed, and placed in service prior to the end of the project period.

If the Agency cannot meet this requirement, the Agency must submit a letter of explanation signed by the Project Director on the Agency's letterhead via mail or hand delivered to the Director of the Governor's Office of Highway Safety within sixty (60) days before the end of the project period.

The application of USDOT "Common Rule" and Circular A-102 requires that:

Grantees and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurement procedures conform to applicable Federal and State laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency shall use the State procurement process.

Original Purpose of Equipment:

Pursuant to 23 CFR §1200.21, all equipment purchased under this Contract is to be used for the original purpose intended under this Contract. All equipment shall be used for the originally authorized grant purposes for as long as needed for those purposes. Neither the State nor the Agency (sub-grantees) or contractors shall encumber the title or interest while such need exists.

The Governor's Office of Highway Safety shall reserve the right to transfer title of equipment acquired under the Section 402 program to the Federal government or to a third party when such third party is otherwise eligible under existing statutes.

Furthermore, 49 CFR §18.32.c.1 states that equipment (acquired under this grant) shall be used by the grantee in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a Federal agency.

Insurance:

It is agreed that the Oro Valley Police Department shall adequately insure all capital equipment purchased under this Contract for repair or replacement.

SPECIFIC REQUIREMENTS:

BREATH TESTING DEVICES –

Requirements for Portable Breath Test Devices (PBTs):
The Oro Valley Police Department will be responsible for providing all personnel the appropriate training for using the Portable Breath Test Devices (PBTs) purchased under this Contract.

PBTs will be calibrated per the specifications outlined by the respective manufacturer. Written documentation will be maintained by the Agency and will be available upon request for review by GOHS.

EQUIPMENT –

Requirements for Equipment:
The Oro Valley Police Department shall provide a high quality color photograph of all equipment purchased under this Contract. The Oro Valley Police Department shall complete the attached **Capital Outlay Equipment** form for all individual equipment purchases of $5,000.00 or more. The form is to be attached and submitted with the next quarterly report subsequent to the delivery of the equipment.

METHOD OF PROCUREMENT:

The application of USDOT "Common Rule" and Circular A-102 requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Oro Valley Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each respective quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
  - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2016)	January 30, 2017
2nd Quarterly Report and RCI (January 1 to March 31, 2017)	April 20, 2017
3rd Quarterly Report and RCI (April 1 to June 30, 2017)	July 20, 2017
4th Quarterly Report and RCI (July 1 to September 30, 2017)	**October 15, 2017**
Final Statement of Accomplishments	**October 15, 2017**

The Quarterly Report **shall be completed on the form available on-line and submitted by mail** to the Governor's Office of Highway Safety.

***NOTE*: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.**

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Daniel Sharp, Chief, Oro Valley Police Department, shall serve as Project Director.

Chris Olson, Lieutenant, Oro Valley Police Department, shall serve as Project Administrator.

Shane Radford, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety, at a minimum, on a quarterly basis in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	**Type of Monitoring:**
Under $50,000	Desk Review/Phone Conference
$50,000 and over	In-House GOHS Review
$100,000+	On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs,

	inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to obstacles. Grantees that exhibit significantly poor performance will be placed on a performance plan as outlined by the Project Coordinator. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	$0.00
II.	Employee Related Expenses (ERE)	$0.00
III.	Professional and Outside Services	$0.00
IV.	Travel In-State	$0.00
V.	Travel Out-of-State	$0.00
VI.	Materials and Supplies	$0.00
VII.	Capital Outlay	$17,000.00
	Two (2) Laser Technology Inc. Lidars Four (4) Kustom Signals Radars	
	TOTAL ESTIMATED COSTS	***$17,000.00**

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Oro Valley Police Department shall absorb any and all expenditures in excess of $17,000.00.

Arizona Governor's Office of Highway Safety
Capital Outlay Equipment Record
Equipment $5,000.00 or more

Equipment Description	Make/Model	Serial Number	Date Ordered	Date Received	Cost Per Unit

Note: Photographs of all Capital Outlay Equipment must be submitted with form

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.

B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.

C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.

D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.

C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.

B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.

C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.

D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.

E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.

B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. "Common Rule" and OMB Circular No. A-102 (Revised)

"Common Rule" (49 CFR Part 18): *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*

OMB Circular No. A-102 (Revised): *Grants and Cooperative Agreements with State and Local Governments*

The application of USDOT "Common Rule" and Circular A-102 requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;

C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;

D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

F. If AGENCY fails or refuses to comply with its undertaking as set forth in these provisions, STATE or the USDOT may take any or all of the following actions:

   1. Cancel, terminate, or suspend, in whole or in part, the agreement, contract, or other arrangement with respect to which the failure or refusal occurred; and

   2. Refrain from extending any further Federal financial assistance to AGENCY under the Highway Safety Program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from AGENCY.

G. Pursuant to the requirement of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), AGENCY must operate this Highway Safety Project so that it is accessible and otherwise non-discriminatory to handicapped persons.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.

B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not

complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.

B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.

D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.

E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron, and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

D. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

E. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverage sections of 2 CFR part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

F. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

G. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

A. The prospective primary participant certifies to the best of its knowledge and belief, that its principal:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its

certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS

1. **Agency Official preparing the Report of Costs Incurred:**

Name: Daniel G. Sharp

Title: Chief of Police

Telephone Number: 520-229-4904 Fax Number: 520-229-4979

E-mail Address: dsharp@orovalleyaz.gov

2. **Agency's Fiscal Contact:**

Name: Colleen Muhr

Title: Police Administrative Services Manager

Telephone Number: 520-229-4904 Fax Number: 520-229-4979

E-mail Address: cmuhr@orovalleyaz.gov

Federal Identification Number: 86-0293039

3. ***REIMBURSEMENT INFORMATION:***

Warrant/Check to be made payable to:

Town of Oro Valley

Warrant/Check to be mailed to:

Town of Oro Valley Police Department
(Agency)

11000 N. La Cañada Drive
(Address)

Oro Valley, AZ 85737
(City, State, Zip Code)

4. ***DUNS Number:***

098039373
(DUNS #)

11000 N. La Cañada Drive, 85737
(Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The undersigned will require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.

D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC §1352. Any person who fails to file the required certification will be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature of Project Director:

Daniel Sharp, Chief
Oro Valley Police Department

10/12/16 520-229-4900
Date Telephone

Signature of Authorized Official of Governmental Unit:

Daniel Sharp, Interim Town Manager
Town of Oro Valley

10/12/16 520-229-4900
Date Telephone

AUTHORITY & FUNDS

1. This Project is authorized by 23 U.S.C. §402 and regulations promulgated there under, more particularly Volume 102, and if State funds are involved, this project is authorized by ARS §28-602.

   The funds authorized for this Project have been appropriated and budgeted by the U.S. Department of Transportation. The expenses are reimbursable under Arizona's Highway Safety Plan Program Area 402-PT, as approved for by the National Highway Traffic Safety Administration.

2. **A. EFFECTIVE DATE:** **B. FEDERAL FUNDS:**

   Authorization to Proceed Date **$17,000.00**

3. **AGREEMENT AND AUTHORIZATION TO PROCEED**
   by State Official responsible to Governor for the
   administration of the State Highway Safety Agency

Alberto Gutier, Director
Governor's Office of Highway Safety
Governor's Highway Safety Representative

Approval Date

Town Council Regular Session **Item # E.**

Meeting Date: 11/16/2016

Requested by: Kristy Diaz-Trahan

Submitted By: Kristy Diaz-Trahan, Parks and Recreation

Department: Parks and Recreation

Information

SUBJECT:

Resolution No. (R)16-54, approving the donation of a scoreboard from CDO Little League to be installed on Field 3 at James D. Kriegh Park

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

James D. Kriegh Park has been home to the Canyon Del Oro (CDO) Little League since 1975. The league has a long tradition of volunteerism and fundraising. Long time volunteer, Tracy Mitchell, was diagnosed with ALS on October 9, 2015, and as a result, the league wanted to recognize Tracy for his dedication by purchasing and installing a scoreboard in his honor.

BACKGROUND OR DETAILED INFORMATION:

The CDO Little League has been playing at JDK Park since 1975. Over the years, league volunteers have built the snack bar, announcers booth, and store room. They have raised funds for batting cages, field improvements, and have secured grants for scoreboards and uniforms. With these funds and "sweat equity" they consistently make facility improvements that benefit the Park, their league, and their volunteers.

Long-time volunteer, Tracy Mitchell, was diagnosed with ALS on October 9, 2015, who later passed away recently on October 19, 2016. The League wanted to recognize Tracy for his dedication by purchasing a scoreboard in his honor. This scoreboard will be placed on Field 3 at James D. Kriegh Park and will consist of the dimensions 10 ft. x 4 ft. x 8 in. Mr. Mitchell's wife, children, and CDO Little League family will be present to see the scoreboard go up.

FISCAL IMPACT:

The estimated operating cost is approximately $100 per year, which is based on one, five-month session at $20 per month.

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)16-54, approving the donation of a scoreboard from CDO Little League to be installed on Field 3 at James D. Kriegh Park.

Attachments

(R)16-54 JDK Park Scoreboard Donation

RESOLUTION NO. (R)16-54

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND ACCEPTING A DONATION FROM CDO LITTLE LEAGUE FOR A SCOREBOARD TO BE INSTALLED ON FIELD THREE AT JAMES D. KRIEGH PARK

WHEREAS, The Town of Oro Valley desires one electronic scoreboard to be installed on Field Three at James D. Kriegh Park; and

WHEREAS, The CDO Little League desires to donate one scoreboard as herein described to the Town as provided for in Exhibit A; and

WHEREAS, it is in the best interest of the Town of Oro Valley to accept the donation of one electronic scoreboard from CDO Little League to be installed on Field Three at James D. Kriegh Park.

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

1. The Park and Recreation Director and other administrative officials, or their designees, are hereby authorized to take such steps as necessary to accept the donation and installation of the electronic scoreboard from CDO Little League to be installed on Field Three of James D. Kriegh Park.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, this 16th day of November, 2016.

TOWN OF ORO VALLEY, ARIZONA

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Michael Standish, Town Clerk

_____
Date

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

_____
Date

EXHIBIT “A”

Town Council Regular Session **Item # F.**

Meeting Date: 11/16/2016

Requested by: Philip Saletta **Submitted By:** Peter Abraham, Water

Department: Water

Information

SUBJECT:

Resolution No. (R)16-55, authorizing and approving amendment number 4 to addendum 1 of the intergovernmental agreement between the Town of Oro Valley and the City of Tucson relating to effluent and reclaimed water

RECOMMENDATION:

The Water Utility Commission reviewed the amendment at their meeting on October 10, 2016, and unanimously recommended Town Council approval. Staff also recommends approval.

EXECUTIVE SUMMARY:

The Oro Valley Water Utility desires to make capital improvements to the Northwest reclaimed system in the form of installing a fourth pump at Tucson Water's Thornydale Reclaimed Water Pumping Station. Amendment 4 to addendum 1 will allow for the installation of a fourth pumping unit to increase operational flexibility and improve efficiency to ensure that the Town continues to receive reclaimed water deliveries.

BACKGROUND OR DETAILED INFORMATION:

Amendment Number 4 to Addendum 1 amends the existing Intergovernmental Agreement between the Town of Oro Valley and the City of Tucson relating to effluent and reclaimed water. It allows for the installation and operation of a fourth pumping unit.

The original design of the reclaimed booster pumping station contemplated and allowed for the addition of a fourth pumping unit as the facilities aged and pumps needed to be replaced in the future. Currently, the pump station is equipped with three booster pumps. Under high demand conditions, all three pumps are in operation. If there is a pump or motor failure, the Water Utility will not be able to meet the reclaimed demand without supplementing with potable water. A fourth pumping unit will provide pumping capacity redundancy when an existing older pump needs replacement. This will also increase operational flexibility for delivery of reclaimed water. Increased rotation of the pump operations can also extend the life of the pump and motor. Addition of another pump and motor will improve efficiency with the installation of a new and more efficient electric

motor.

FISCAL IMPACT:

This project is estimated to cost $200,000 and funds have been budgeted for fiscal year 2016/17.

SUGGESTED MOTION:

I MOVE to (approve or deny) resolution No. (R)16-55, authorizing and approving amendment number 4 to addendum 1 of the intergovernmental agreement between the Town of Oro Valley and the City of Tucson relating to effluent and reclaimed water.

Attachments

(R)16-55 Reclaimed Water IGA Amendment

RESOLUTION NO. (R)16-55

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING AMENDMENT NUMBER 4 TO ADDENDUM 1 OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE CITY OF TUCSON RELATING TO EFFLUENT AND TO RECLAIMED WATER

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 entered into Addendum 1 of the Intergovernmental Agreement (IGA) between the Town and the City of Tucson relating to the effluent and to reclaimed water on October 27, 2003; and

WHEREAS, the Town and the City of Tucson desire to enter into Amendment Number 4 to Addendum 1 of the IGA to install an additional pump and motor for efficient delivery of reclaimed water; and

WHEREAS, it is in the best interest of the Town to enter into Amendment Number 4 to Addendum 1 of the Intergovernmental Agreement with the City of Tucson, attached hereto as Exhibit "A" and incorporated herein by this reference, in order to set forth the terms and conditions of extending the terms of the Agreement another five (5) years.

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

1. Amendment Number 4 to Addendum 1 of the Intergovernmental Agreement between the Town of Oro Valley and the City of Tucson, attached hereto as Exhibit "A", allowing for the installation of an additional pump and motor for reclaimed water deliveries.

2. The Mayor and any other administrative officials of the Town of Oro Valley are hereby authorized to take such steps as necessary to execute and implement the terms of the Amendment.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 16th day of November, 2016.

TOWN OF ORO VALLEY

_____
Satish I. Hiremath, Mayor

ATTEST:

_____
Michael Standish, Town Clerk

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

EXHIBIT “A”

AMENDMENT NUMBER 4 TO ADDENDUM 1 TO THE CITY OF TUCSON – TOWN OF ORO VALLEY INTERGOVERNMENTAL AGREEMENTS RELATING TO EFFLUENT AND TO RECLAIMED WATER

Amendment Number 4

WHEREAS, the City of Tucson ("City") and the Town of Oro Valley ("Town") entered into Addendum 1 to an Intergovernmental Agreement ("IGA") relating to effluent and to reclaimed water on October 27, 2003, attached hereto as Exhibit "A," and recorded at Docket 12177, Page 442 through 449;

WHEREAS, the Town wishes to make Capital Improvements to the Northwest System in the form of installation of a fourth pump at the Thornydale Reclaimed Reservoir pump station; and

WHEREAS, Section 3.C. of the Addendum stipulates Capital Improvements to the Northwest System shall be memorialized in an addendum to the Effluent IGA;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein, set forth and for other good and valuable consideration, the parties agree to amend the IGA as follows:

3. Reservation of Capacity within Tucson's Reclaimed Water Distribution System.

C. *Capital Improvements for Interruptible rate:* Oro Valley may make improvements to the NW System in order to provide sufficient capacity to allow Oro Valley to continue to receive Oro Valley's Reclaimed Water at the Interruptible Rate. Tucson and Oro Valley shall memorialize the precise terms of such improvements in a subsequent addendum to the Effluent IGA.

1. Town shall provide the necessary equipment, pay City the established Tucson Water fees for design, and reimburse the City for the actual installation cost of a fourth pump at the Thornydale Reclaimed Reservoir pump station, which connects to Tucson's NW System at the Thornydale Reservoir. Oro Valley shall have the right to review and approve the cost proposal prior to Tucson Water commencing with the installation of the fourth pump. Following installation of the additional pump, City will maintain any infrastructure west of the interface point, defined as the west right-of-way line of Thornydale Road, and Town will maintain any infrastructure east of that point.

All other provisions of the IGA not specifically revised by this Amendment shall remain in effect and be binding upon the parties. This amendment may be adopted in counterparts with copies of each executed document provided to the other party subsequent to adoption by each respective elected body.

IN WITNESS WHEREOF, the parties do hereby affix their signatures and do hereby agree to carry out the terms of this amendment to the original IGA.

CITY OF TUCSON

_____
Jonathan Rothschild, Mayor

ATTEST:

_____
Roger Randolph, City Clerk

Date: _____

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Michael Standish, Oro Valley Town Clerk

Date: _____

Intergovernmental Determination

The foregoing Intergovernmental Agreement between the City of Tucson 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 those parties to the Intergovernmental Agreement represented by the undersigned.

_____
City Attorney

_____
Town Attorney

Town Council Regular Session **Item # 1. a.**

Meeting Date: 11/16/2016

Requested by: Rosevelt Arellano

Submitted By: Rosevelt Arellano
Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

RESOLUTION NO. (R)16-48, AMENDING THE GENERAL PLAN FUTURE LAND USE MAP FROM NEIGHBORHOOD COMMERCIAL/OFFICE TO MEDIUM DENSITY RESIDENTIAL FOR A 17.8 ACRE PROPERTY, LOCATED AT THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

RECOMMENDATION:

The Planning and Zoning Commission recommends approval.

EXECUTIVE SUMMARY:

The purpose of this request is to consider a Major General Plan Amendment application to change the existing land use designation from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR) (Attachment 1). The proposed residential development is on a 17.8-acre site located at the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive (Attachment 2).

This application (Attachment 3) is a second attempt to change the existing land use designation on the property from NCO to MDR. The first request was denied in 2013 on the basis that a neighborhood-level commercial use would better serve the community. As it appears today, a commercial use is no longer viable on this property because there is not enough homes or vehicular traffic to support a future commercial development.

Since the denial of the last amendment, several surrounding subdivisions have been approved or proposed with far fewer homes than the Rancho Vistoso Planned Area Development envisioned. The underdevelopment of these parcels is considered a significant change in the community since the last amendment.

On September 16, the Planning and Zoning Commission recommended approval based on the findings that the request meets the Zoning Code and the General Plan. The application was agendized for the September 21, 2016 Town Council meeting. At the

applicant's request, Council voted to continue this item and the accompanying PAD Amendment to their November 16 meeting.

BACKGROUND OR DETAILED INFORMATION:

Land Use Context

The property is vacant and has a General Plan designation of Neighborhood Commercial/Office. The existing land uses and General Plan designations for the surrounding area are provided in Attachments 2 and 4.

Site Conditions

- 17.8 acres
- Property is vacant with exception of an HOA monument sign
- Two existing curb cuts, each located on Vistoso Highlands Drive and Rancho Vistoso Boulevard

Approvals-to-date

- June 1987: Rancho Vistoso Planned Area Development, Commercial (C-1) zoning

Analysis of Request

The proposed amendment has been reviewed for conformance with the evaluation criteria found in the Zoning Code and the recently adopted General Plan. These criteria do not match. To align both documents and create a single set of provisions, the Planning and Zoning Commission has initiated a Zoning Code Amendment at their November 2, 2016, meeting. Until the Zoning Code is updated, the old criteria are still applicable.

Below is an analysis of the proposed amendment in regards to the evaluation criteria found in the Zoning Code. A more detailed analysis of the project's conformance with the Zoning Code and the *Your Voice Our Future General Plan* is provided in Attachments 5 and 6, respectively.

Amendment Criteria in the Zoning Code

The proposed amendment conforms with the evaluation criteria of the Zoning Code. These provisions deal with changes in the community, socio-economic betterment, market demand, and compatibility with the surrounding area. Below is a summary of the project's conformance with each of the criterion.

1. Changes in the Community

In 2013, the Town Council denied a similar request on the property on the basis that the retention of a neighborhood-level commercial use would better serve the community. Since the denial, there have been several surrounding subdivisions approved or proposed with far fewer homes than the Rancho Vistoso PAD envisioned. According to

staff's research, only one-third (888 out of 2,638) of the entitled homes will be developed. The underdevelopment of these parcels is considered a significant change since the last application.

It is readily apparent that a neighborhood-level commercial use is no longer viable on the property because there are not enough homes or vehicular traffic in the surrounding area to support a future commercial development. The locations and total number of dwelling units for the surrounding subdivisions are shown in Attachment 7.

It is worth noting that a commercial use on this property may detract from the success of other existing and future commercial developments in Rancho Vistoso (e.g., Mountain Vista Plaza on the northeast corner of Sun City and Rancho Vistoso Boulevards, Rancho Vistoso Center on the northwest corner Oracle Road and Rancho Vistoso Boulevard, and the vacant commercial parcel on the southeast corner of Ranch Vistoso Boulevard and Moore Road, etc.).

Although the proposed residential development is compatible with the surrounding area, careful consideration should be given to the proposed lower density (2.19 homes per acre) which can have a long-term negative impact on the viability of other commercial properties in Rancho Vistoso. Attachment 8 shows an inventory of developed and vacant commercial properties in this area.

2. Socio-Economic Betterment

The proposed amendment to MDR contributes to the betterment of the adjacent neighbors by allowing the construction of a residential development with lesser impacts than those uses permitted under the existing commercial zoning.

3. Market Demand

The applicant's request appears to be in response to the current market demand for single-family detached homes. This is evident by the total number of building permits issued for new homes and the recently approved subdivisions in the surrounding area.

4. Compatibility with the Surrounding Area

The above criterion is met on the basis that the impacts of the proposed subdivision will be mitigated through the Town's rezoning and design process. Specific mitigation measures have been proposed as part of the rezoning application, such as a one-story building height restriction.

<u>General Plan Conformance</u>

The proposed amendment is consistent with the Vision, Goals and Policies of both General Plans (former and current). The applicable Goals and Policies relate to compatibility, environmental protection and housing type. A more detailed analysis is provided in Attachments 5 and 6.

Planning and Zoning Commission Review

The proposed amendment was considered by the Planning and Zoning Commission (PZC) at their August 23 and September 6, 2016 meetings. The main topic discussed at the meetings included the viability of other vacant commercial properties in Rancho Vistoso.

At their September 6 meeting, the Commission recommended approval based on the finding that the proposed amendment is consistent with the General Plan (former and current) and conforms with the amendment criteria found in the Zoning Code and the *Your Voice Our Future General Plan*. The PZC staff reports and meeting minutes are included as Attachments 9 and 10.

Public Notification and Comments

The following public notification has been provided:

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

Two neighborhood meetings were held on April 25 and June 30, 2016, with approximately 40 residents at each meeting. The main topics discussed at the meetings included preserving the existing views to the east, traffic circulation, architecture and wall design.

In response to the neighbors' concerns for view preservation, the applicant has agreed to limit the proposed building height to 25', one-story for pitch roof homes and 22' one-story for flat roof homes. The applicant has also agreed to design a perimeter wall in conformance with the Rancho Vistoso HOA Design Guidelines. These agreements are included as conditions in the accompanying rezoning application.

A copy of the neighborhood meeting summary notes are provided as Attachment 11, and five letters of concern are included as Attachment 12.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to adopt Resolution No. (R)16-48, approving a Major General Plan Amendment from Neighborhood Commercial/Office (NCO) to Medium Density Residential for Parcel 10J, Rancho Vistoso, finding that the proposed amendment is consistent with the General Plan and conforms with the amendment criteria.

OR

I MOVE to deny the requested Major General Plan Amendment from Neighborhood Commercial/Office (NCO) to Medium Density Residential for Parcel 10J, Rancho Vistoso, finding that _____.

Attachments

(R)16-48 General Plan Future Land Use Map
Attachment 2 - Location Map
Attachment 3 - Application
Attachment 4 - General Plan Future Land Use Map
Attachment 5 - Old General Plan Amendment Criteria Analysis
Attachment 6 - New General Plan Amendment Criteria Analsysis
Attachment 7 - Map of Surrounding Subdivisions
Attachment 8 - Map of Commercial Properties
Attachment 9 - PZC Staff Report
Attachment 10 - PZC Meeting Minutes
Attachment 11 - Neighborhood Meeting Summary Notes
Attachment 12 - Correspondences

RESOLUTION NO. (R)16-48

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL/OFFICE (NCO) TO MEDIUM DENSITY RESIDENTIAL (MDR), FOR THE 17.8 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

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

WHEREAS, Paul Oland of WLB Group, Inc, ("applicant") is requesting a Major General Plan Amendment to change the land use designation from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR) for the 17.8 acre site located on the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive; and

WHEREAS, pursuant to A.R.S. § 9-461, *et seq*. and OVZCR, Section 22.2, the Planning and Zoning Commission held two (2) duly noticed public hearings, the first on August 23, 2016, and the second on September 6, 2016, at which the Planning and Zoning Commission recommended approval of the application requesting Major General Plan Amendment to change the land use designation from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR) for the 17.8 acre site located on the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive as depicted on Exhibit "A", attached hereto and incorporated herein by this reference; and

WHEREAS, pursuant to Oro Valley Zoning Code Revised, Section 22.2, General Plan Amendment Procedures, upon recommendation by the Planning and Zoning Commission of any amendment to the General Plan, a public hearing before the Mayor and Council shall be scheduled; and

WHEREAS, Mayor and Council duly considered the proposed Major General Plan Amendment to change the land use designation from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR) for the 17.8 acre site located on the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive; at a public hearing on November 16, 2016.

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

SECTION 1. The Mayor and Council hereby adopts the Major General Plan Amendment to change the land use designation from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR) for the 17.8 acre site located on the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive as depicted on Exhibit "A".

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

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 16th day of November, 2016.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Michael Standish, Town Clerk

Date: _____

APPROVED AS TO FORM:

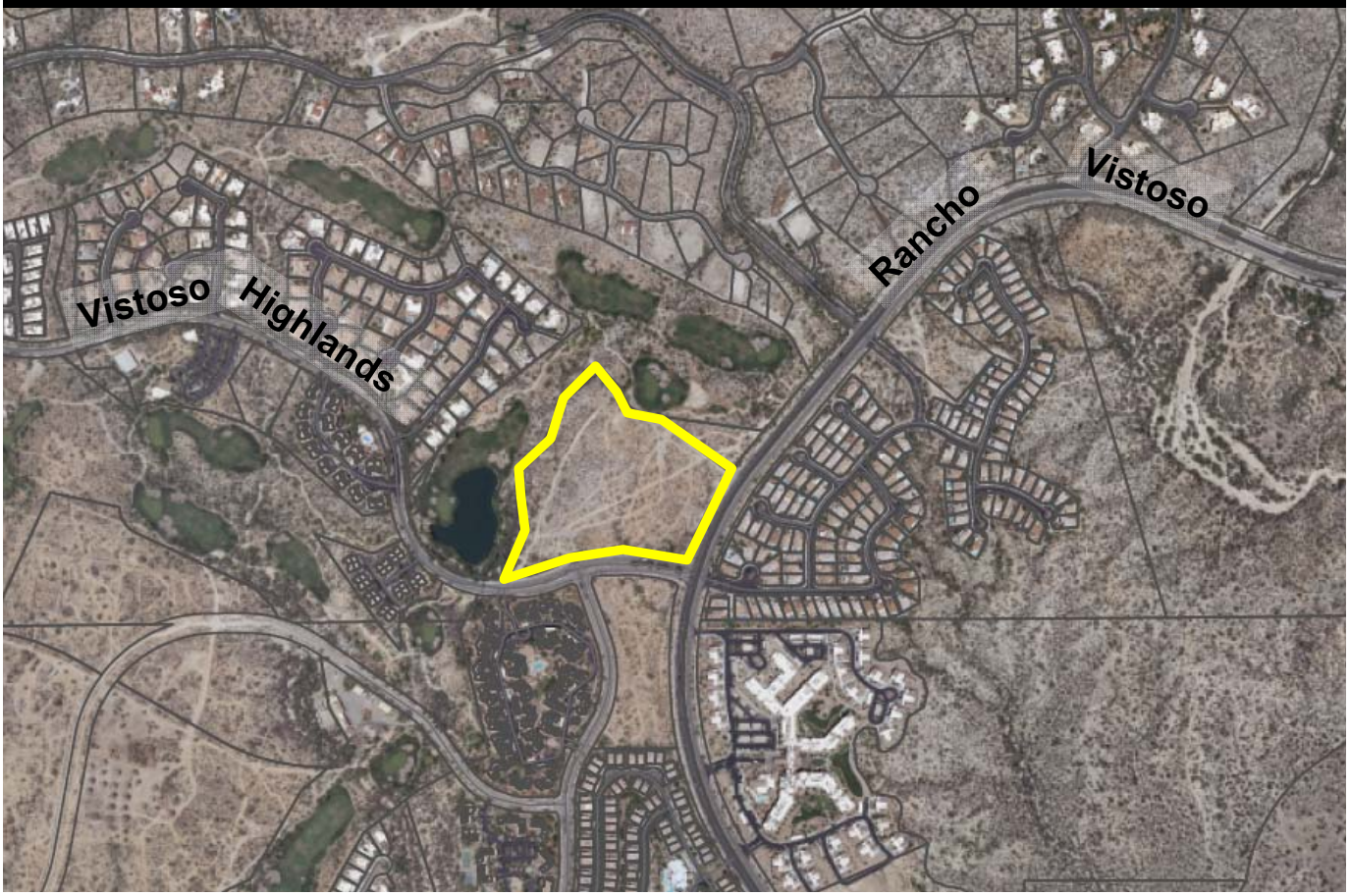
_____
Tobin Sidles, Legal Services Director

Date: _____

Exhibit "A"

LOCATION

LOCATION



LOCATION MAP

VISTOSO HIGHLANDS (OV1601094)

Attachment 2

Attachment 3

OV1601-094

Rancho Vistoso Parcel 10-J

Oro Valley, Arizona

Narrative for Major General Plan Amendment Application

2nd Submittal

July 21, 2016 Revised: 8.8.2016

Prepared For
Vistoso Highlands Property LLC
6420 E. Tanque Verde Road
Tucson, Arizona 85715

Prepared By
The WLB Group, Inc.
4444 East Broadway Blvd.
Tucson, Arizona 85711
Contact: Paul Oland
520.881.7480
gpoland@wlbgroup.com

WLB No. 185050-VH-01

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D. Your Voice, Our Future General Plan Amendment Criteria 4
E. General Plan Policy Conformance 6

Exhibits

- **Location Map**
- **Existing General Plan Land Use Designations**
- **Proposed General Plan Land Use Designations**

A. Project Summary

Rancho Vistoso Neighborhood 10 Parcel J is a proposed residential subdivision located at the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive. As a master planned community, Rancho Vistoso appropriately included abundant commercial land to meet the needs of its anticipated population. However, over the years Rancho Vistoso has developed at roughly two-thirds of its originally envisioned residential density. A commensurate drop in need for commercial land has resulted, which has caused this property to remain undeveloped. As Rancho Vistoso rapidly approaches build-out, the prospects grow dim that enough additional homes will be built in the area to support the development of the smaller, neighborhood-level commercial lands such as this one within the PAD. Of course, the General Plan's future land use designations reflect the original PAD design, and not the market reality that has manifested since then. This General Plan amendment request proposes to allow residential land uses to replace the current commercial entitlements due to the longstanding lack of commercial interest in this property's immediate vicinity.

The subject property is approximately 17.8± acres, and this amendment proposal is to change the designated land use from Neighborhood Commercial / Office (NCO) to Medium Density Residential (MDR). The proposed amendment in land uses is supported by several factors, including its proximity to existing commercial developments, compatibility with surrounding land uses, and adjacency to two arterial roadways. The anticipated overall gross density of Rancho Vistoso Parcel 10-J will be approximately 2.2 dwelling units per acre.

In order to make this project a reality, the appropriate land entitlements must be acquired for the property. The property owner is focused on acquiring the necessary entitlements in the Town of Oro Valley, and the first step in achieving these necessary land entitlements involves a major amendment to the Oro Valley General Plan. The current Oro Valley General Plan land use designation for this property is not consistent with historic, current, or anticipated market demand; as such, this application for a major amendment is being submitted.

B. Property Data

Location: The property is located at the northwest corner of the intersection of Rancho Vistoso Boulevard and Vistoso Highlands Drive.

Area of Property: 17.8± acres.

Area of General Plan Amendment: 17.8± acres.

Assessor Parcel Number: 219-20-004M and 219-20-0041L.

Legal Description: A portion of the SW ¼ of Section 24, Township 11 south, Range 13 east.

Existing Land Uses: The property is vacant.

Existing Zoning: The property is currently zoned as Rancho Vistoso PAD: C-1 Commercial.

Existing Oro Valley General Plan Designations: The property is designated as Neighborhood Commercial / Office due to the fact that the PAD's zoning pre-dates the General Plan. The General Plan's land uses are based on the PAD's original design.

Requested Oro Valley General Plan Designations: The requested land use designation for the property is Medium Density Residential (MDR) which is similar to surrounding developments.

C. General Plan 2020 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 2020, 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 language of this criterion presupposes that the General Plan's land uses pre-date and are the basis for the property's current entitlement when, in reality, it is entirely the opposite. It is therefore ironic that we must now provide evidence as to what conditions have changed since "the plan" was formed. This longstanding and unfortunate paradox could easily be rectified if the whole PAD were appropriately redesignated as Master Planned Community (MPC). If not for successful master plans such as Rancho Vistoso, for what then was the General Plan's MPC designation intended? Regardless this property has been zoned commercial since the mid-eighties when the Rancho Vistoso P.A.D. was adopted. The demand for commercial in this immediate area has not materialized since that time, and consequently the land sits un-utilized. Over the years Rancho Vistoso has developed at roughly two-thirds of its originally envisioned residential density, and as such there is less commercial demand than originally anticipated for this area.
- Rancho Vistoso started out with above average commercial entitlements. For example, the PAD included 4,020 square feet of commercial land per residential unit, whereas Oro Valley overall only has roughly 1,740 square feet of commercial land per residential unit. In the years since the General Plan was approved, and especially since the previous amendment request on this property, low to mid-density development is proceeding on the parcels representing the last opportunity for significant density to be achieved in the area (Maracay & Mattamy). With the relative underdevelopment of these parcels the last hope is lost for commercial viability in the area.

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

- This property has sat vacant since Rancho Vistoso's inception. If rezoned for residential land use, this property will be designed and constructed to the same high standards as the surrounding Rancho Vistoso neighborhoods. Public facilities and infrastructure already exist nearby, so this development will not place additional burden on public infrastructure. In fact, this 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 businesses.
- This proposed residential development will achieve community and environmental compatibility in several ways. This development will contain landscape buffers and provide open space along the wash to the west. In addition, this development will be tied into the nearby sidewalks and bicycle lanes, allowing residents to easily access Oro Valley's bicycle and pedestrian infrastructure.
- The guidelines of the Rancho Vistoso PAD will apply to this development. It will therefore look and feel very similar to the surrounding Rancho Vistoso neighborhoods. This includes similar landscaping, architectural themes, and open space treatment.

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

- As discussed above, changing the designated land use of the property from commercial to residential will result in utilization of this infill site. This is a viable residential land use that is similar to, and compatible with, the surrounding uses. The existing commercial designation has never been, is not, and now appears unlikely ever to be viable.

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

- This General Plan amendment request seeks to change the existing land use designation from commercial to residential. Currently, the site has been vacant since its creation. This proposal is to allow residential uses similar to the existing residential properties neighboring the site. Any impacts will be addressed during the P.A.D. amendment phase or during subsequent detailed development proposals.
- This sort of residential development as proposed is generally accepted to be less impactful to nearby homeowners than such commercial developments as could be built under the existing zoning.

- Demand for single-family detached housing is strong in Oro Valley. This property is ideal for residential use since residential land uses already border the site, and were developed according to the same PAD standards to which this project will be held.
- The accompanying rezoning application includes conditions of approval that were developed throughout the neighborhood meeting process including: restricting homes to single-story with a 25' height limit for pitched roofs and a 22' height limit for flat roofs; and that all perimeter walls will meet the Rancho Vistoso HOA Design Guidelines.

D. Your Voice, Our Future General Plan Amendment Criteria

In accordance with Section 7.4.2 of the Your Voice, Our Future General Plan, the disposition of the General Plan amendment proposed shall be consistent with the vision, guiding principles, goals and policies of the General Plan, and the request shall not:

1.a. Significantly alter existing development character and land use patterns without adequate and appropriate buffers and graduated transitions in density and land use.

- The guidelines of the Rancho Vistoso PAD will apply to this development. It will therefore look and feel very similar to the surrounding Rancho Vistoso neighborhoods. This includes similar landscaping, architectural themes, and open space treatment. This development will contain landscape buffers around the entirety of the project and will provide open space, including 100 percent preservation of the onsite Critical Resource Area. In addition, this development will be tied into the nearby sidewalks and bicycle lanes, allowing residents to easily access Oro Valley's bicycle and pedestrian infrastructure. The proposed density of 2.2 Du/Ac. is comparable with surrounding developments and will provide a nice density transition between the higher density developments to the south and east and the lower density developments to the north and west.

1.b. Impact existing uses with increased infrastructure without appropriate improvements to accommodate planned growth.

- With this development being on the corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive, utility infrastructure is already in place to accommodate this project. There are existing sewer and water stub-outs in place to serve this property, and the developer will pay for any required infrastructure extensions. As such, this development will have a net positive long-term fiscal impact to the Town and its taxpayers. The proposed ingress/egress points are located at existing curb cuts and are aligned with existing median cuts to allow for basic traffic movements into and out of the site. Impacts to existing infrastructure are expected to be minimal, especially considering that the roads and utilities in Rancho Vistoso were designed to accommodate significantly greater intensity development.

1.c. Impact other public services including police, fire, parks, water and drainage unless careful analysis and explanation of anticipated impacts is provided to the Town.

- The location of this development and the proposed home sites will not negatively impact public services such as police, fire and parks. Once developed the site will have several small detention basins that will retain storm water runoff and meter it out at pre-developed conditions. The site has also been designed to take full advantage of existing storm water culverts beneath Vistoso Highlands Drive which have the capacity to carry storm water runoff from this site.

1.d. Impact the natural beauty and environmental resources without suitable mitigation.

- Prior to development, this site will be inventoried for all significant vegetation. Plant material that meets the requirements of the Oro Valley Zoning Code will transplanted on site and be included within the buffer yards and other open spaces of the site. Plants that are not suitable for transplanting will be mitigated. The entire Critical Resource Area on the west side of site will be preserved in its natural condition.

In accordance with Section 7.4.2 of the Your Voice, Our Future General Plan, the disposition of the General Plan amendment proposed shall be consistent with the vision, guiding principles, goals and policies of the General Plan, with special emphasis on compliance with the following criteria:

2. **Implement effective public outreach efforts to help identify neighborhood concerns and respond by incorporating measures to avoid or minimize development impacts, and mitigate unavoidable adverse impacts.**

- Since the start of this project we have held several meetings with surrounding HOA boards in the project vicinity, including the Vistoso Highlands HOA, Monterey at Vistoso HOA, and the Stone Village HOA. These meetings were held prior to the required neighborhood meetings in order to increase public awareness of the proposal and identify any initial concerns that surrounding neighborhoods may have with the development of this property. Generally all the feedback received so far has been supportive of this project. It is generally accepted that a commercial corner in this area is no longer practical; and that by amending the General Plan to allow for medium density residential, this property will fit the character of the area very well.
- The first formal neighborhood meeting was held on April, 25th 2016, and a follow up neighborhood meeting was held on June, 30th 2016. These two neighborhood meetings were very productive and gave surrounding neighbors a chance to provide their input about the proposed project. Minor issues that arose during both neighborhood meetings included building heights in direct relation to viewsheds, perimeter wall designs and ingress/egress locations of the site. The accompanying rezoning application includes conditions of approval that were developed throughout the neighborhood

meeting process including: restricting homes to single-story with a 25' height limit for pitched roofs and a 22' height limit for flat roofs; and that all perimeter walls will meet the Rancho Vistoso HOA Design Guidelines.

E. General Plan Policy Conformance

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

1. Land Use

- This proposed residential development will have direct access to at least one of two arterial roads: Rancho Vistoso Boulevard and Vistoso Highlands Drive. (Policy 1.3.2)
- This development looks comprehensively at the subject property and all adjacent areas. The proposed residential use of this property will be completely compatible with the surrounding Rancho Vistoso neighborhoods. (Policy 1.3.5)
- There is a demand for single-family detached housing in Oro Valley. Conversely, the demand for commercial development in this immediate area is non-existent. (Policy 1.4.3)
- According to the General Plan, the Town shall ensure that areas appropriately zoned and planned for neighborhood commercial use are developed. This property has been zoned for commercial uses for over 30 years without achieving development. In addition, the General Plan states that the Town needs to consider the financial stability and infrastructure efficiency. As such, the subject property and the Town will benefit from the proposed high-quality residential development. (Policy 1.2.1 and Policy 1.5.4)

2. Community Design

- This development will be designed and constructed to the existing Rancho Vistoso PAD guidelines. This will be aesthetically pleasing and compatible with surroundings by using natural desert colors. (Policy 2.1.1)
- This development will conform to the landscape guidelines in the Rancho Vistoso PAD guidelines. This will provide and maintain landscaping that is consistent within the community. This will include similar entry monuments to the surrounding Rancho Vistoso neighborhoods. (Policy 2.1.9)
- This proposed development will use the existing architectural guidelines approved in the Rancho Vistoso P.A.D. This will provide a consistent architectural character in the community while encouraging creative architectural expression for the development. (Policy 2.1.11)
- To ensure the maintenance of dark skies in Oro Valley and the safety of all residents, this new residential development will meet the provisions listed in the requirements

of the Rancho Vistoso PAD in addition to the Town of Oro Valley Outdoor Lighting Code. (Policy 2.3.1)

- The PAD's architectural design guidelines are foundational to the Town's architectural character. (Policy 2.1.11)

3. Economic Sustainability

- The demand for single-family detached housing and the lack of commercial interest in this subject property since first zoned in the 1980's reflects the community's economic desires. The future population of this proposed development will also help attract and retain desirable business in the surrounding area. (Policy 3.1.1)

4. Cost of Development

- The infrastructure is already provided near the site, and the developer will pay for any required infrastructure extensions. As such, this development will have a net positive long-term fiscal impact on the Town and its taxpayers. (Policy 4.1.1 and Policy 4.1.4)

5. Public Facilities, Services, and Safety

- This proposed residential development is filling in a gap between existing residential developments. Municipal facilities are already located nearby, and therefore are cost effectively able to service this development. (Policy 6.1.1 and Policy TS.6)
    - Below are the driving distances to public facilities from the subject property:
        - Fire Stations
            - 1.5 miles northeast - Golder Ranch Fire Station 374
            - 2.0 miles south - Golder Ranch Fire Station 375
            - 4.3 miles southwest - Golder Ranch Fire Station 376
        - Police Stations
            - 3.5 miles southwest - Oro Valley Main Police Station
            - 1.5 miles northeast - Sun City Vistoso Police Station
        - Schools
            - 3.6 miles northeast - Coronado K-8 School
            - 1.3 miles south - Painted Sky Elementary School
            - 2.5 miles south - Copper Creek Elementary School
            - 3.5 miles southwest - Wilson K-8 School
            - 4.5 miles southwest - Ironwood Ridge High School
            - 3.7 miles southeast - Basis Oro Valley
        - Town Hall
            - 3.5 miles south
    - Additionally, utilities are already available to the property.

6. Housing

- This development will be a high quality neighborhood while simultaneously protecting the integrity and context of the existing neighborhoods. This proposed residential development will include a landscape buffer, and allow the same uses as the adjacent residential properties. In addition, this development will comply with the guidelines set forth in the Rancho Vistoso PAD. (Policy 7.1.1)
- This development provides safe vehicular access for residents at its ingress/egress point(s) as well as giving adequate distances between access drives. In addition to motor vehicles, this proposed development ties into the sidewalks and bicycle lanes on Rancho Vistoso Boulevard and Vistoso Highlands Drive. (Policy 7.1.5)
- This development will complement the diverse range of housing types and price ranges within the Oro Valley community. (Policy CC.7)
- This development provides existing and future Oro Valley businesses with nearby high quality housing for their employees and customers. (Policy 7.3.1 and Policy CC.8)

7. Parks and Recreation

- This proposed residential development contains sidewalks that will tie into the existing sidewalk system on Rancho Vistoso Boulevard and Vistoso Highlands Drive. In addition, the subject property also ties into the existing bicycle lanes on Rancho Vistoso Boulevard and Vistoso Highlands Drive. By providing this convenient connectivity, future residents of this development can easily access municipal and regional parks located along the pedestrian and bicycle network. (Policy 8.2.1 and Policy CC.3)

8. Open Space and Natural Resources Conservation

- This development will preserve 100% of the Critical Resource Area onsite in its natural condition. It will also set aside portions of the property for open space, in addition to approximately 50% open space already set aside in Rancho Vistoso. (Policy 11.1.11 and Policy SD.2)
- This proposed development will only use the landscape material approved in the Rancho Vistoso PAD. Drought-tolerant vegetation is included in the Rancho Vistoso Recommended Plant List, as well as prohibiting certain invasive, allergenic, and nuisance species in the development. (Policy 11.2.15)
- This development will meet the Native Plant Preservation Plan guidelines from the Town and conserve healthy native vegetation during the development process. (Policy 11.2.16 and Policy SD.4)
- This proposed development maintains the character of the scenic corridors and viewsheds along Rancho Vistoso Boulevard and Vistoso Highlands Drive by providing landscape buffers and underground utilities. (Policy 11.3.2 and Policy SD.6)

- To ensure this proposed development blends and/or enhances the natural environment, all utilities will be placed underground. This will help protect the views from surrounding properties and roads. (Policy 11.3.3)
- This development can supply workers to the nearby employment centers in Oro Valley, resulting in less automobile emissions. (Policy 11.3.4 and Policy CC.8)
- To protect the scenic night sky in the community, this proposed development will meet the stringent lighting requirements of the Oro Valley Outdoor Lighting Code. Restrictions will include minimizing wasted energy while not compromising the safety, security, and well-being of residents engaged in night-time activities. To control obtrusive aspects of outdoor lighting usage, this proposed development will have reduced and/or shielded lighting.

9. Water Resources

- This proposed development will utilize an alternative to groundwater by connecting to Oro Valley Water Utility, which participates in the Central Arizona Project (C.A.P.). (Policy 12.2.1 and Policy WR.3)
- This development will include water conservation features, including a water efficient irrigation system and drought tolerant vegetation. There will be two types of irrigation systems in this development: one system for the common areas, and individual irrigation systems on the lots. This project will meet the water conservation standards in the Rancho Vistoso P.A.D. as well as the water conservation standards in the Oro Valley Town Code, Chapter 15, Section 18. (Policy 12.3.2)
- This development will have a series of small first flush detention basins to help protect the public and environment from stromwater surges and contaminants from runoff. (Policy SD.10)

EXHIBITS

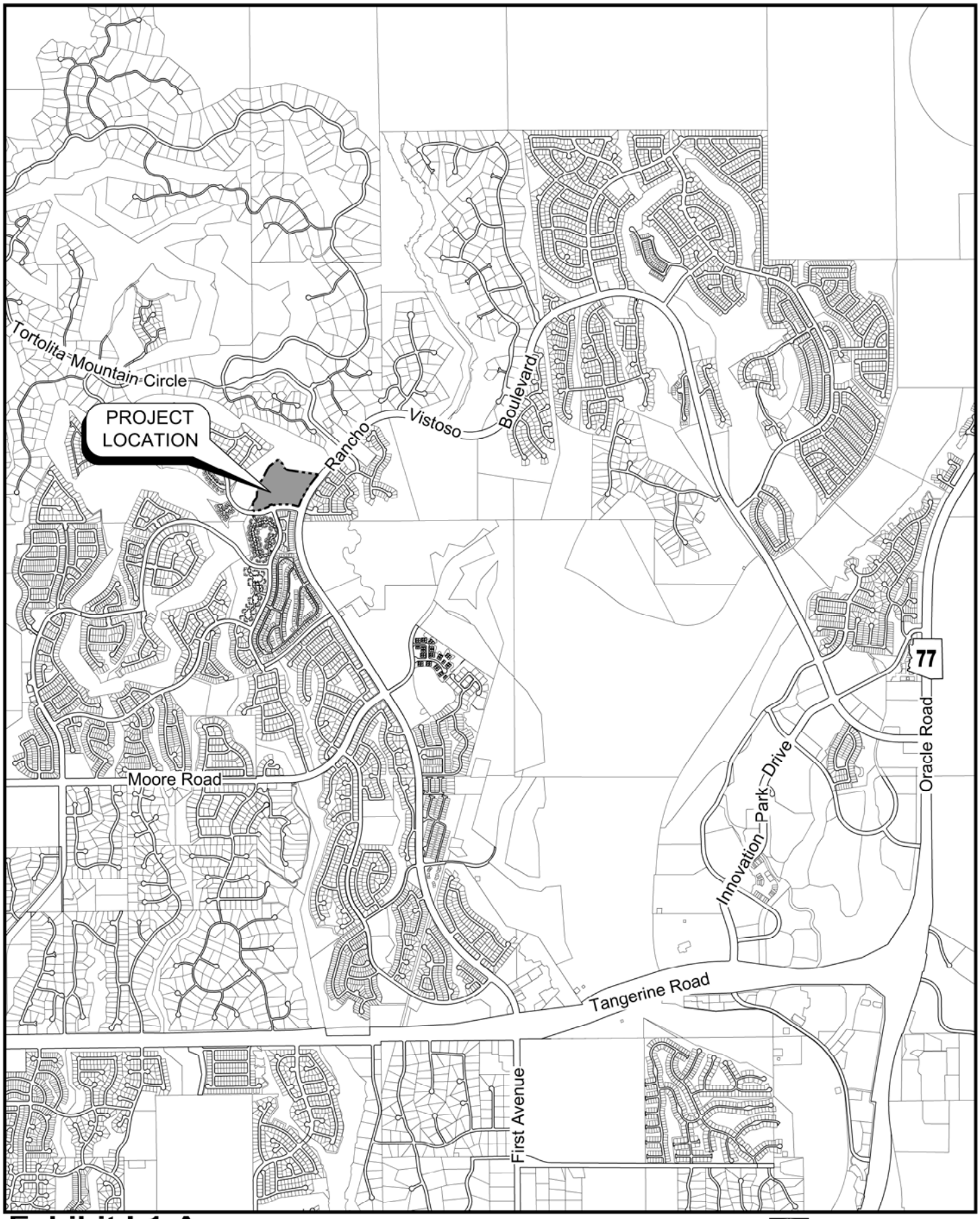

Exhibit I-1-A
Site Location Map

0' 1/2 Mile

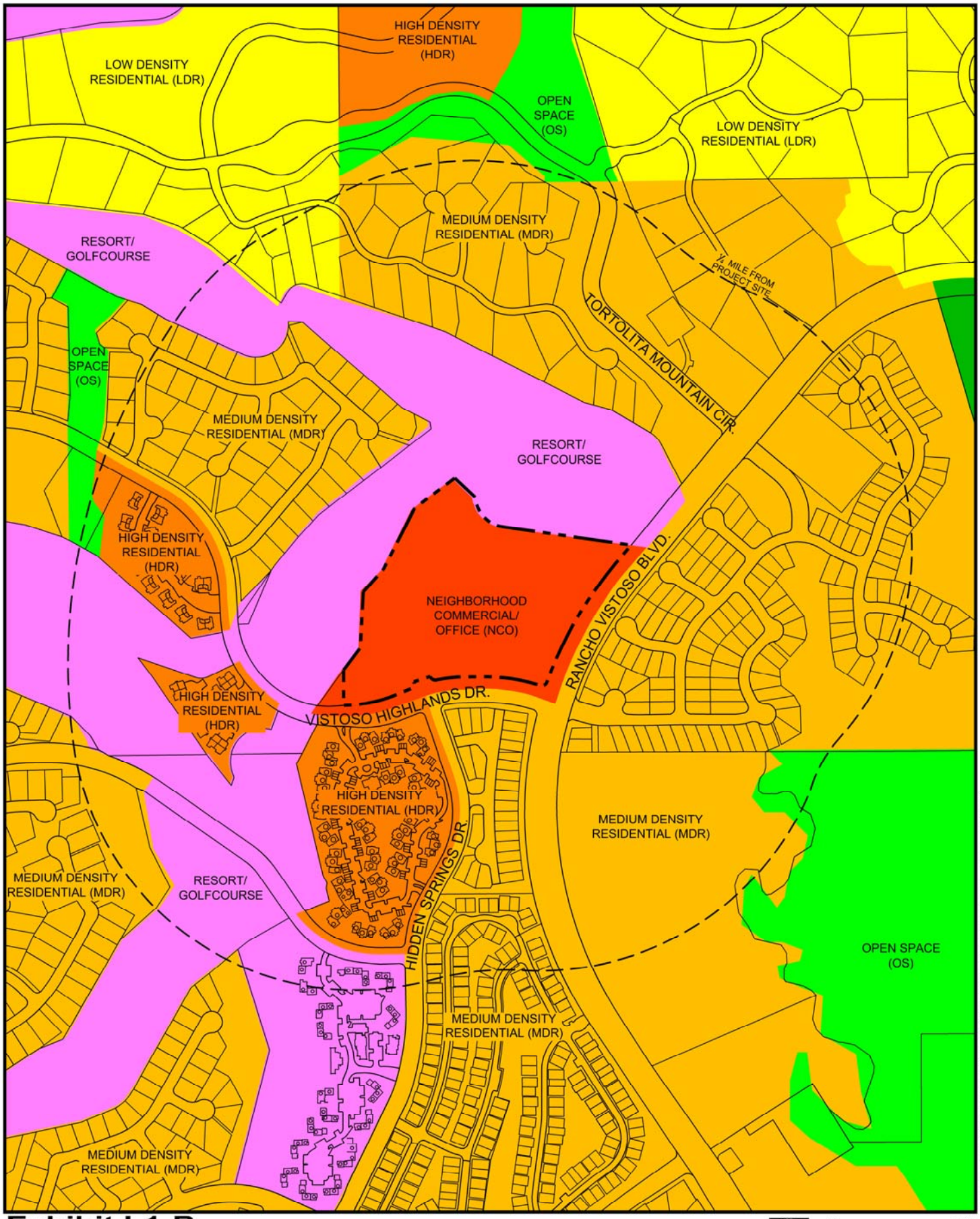

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Exhibit I-1-B
Existing General Plan Land Use Designations

0' 600'

The WLB Group WLB

Rancho Vistoso Parcel 10J - General Plan Amendment
WLB No. 185050-VH-01

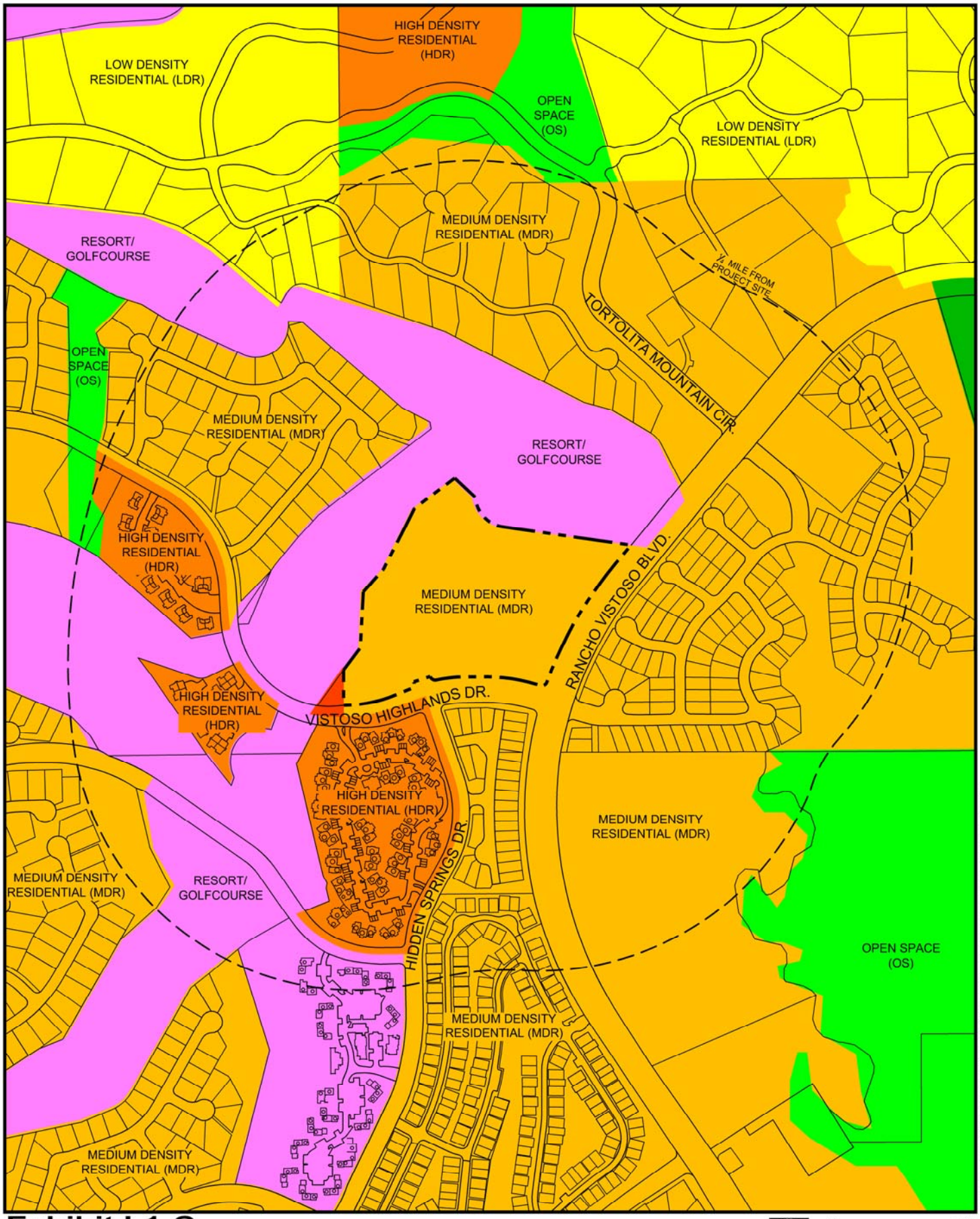

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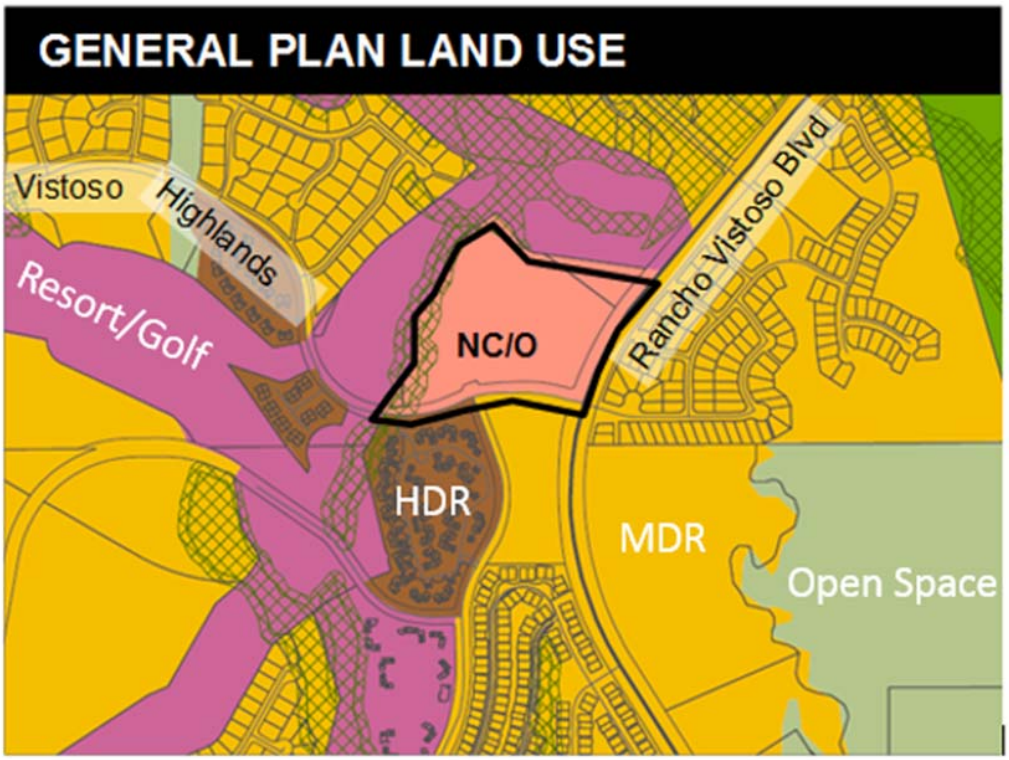
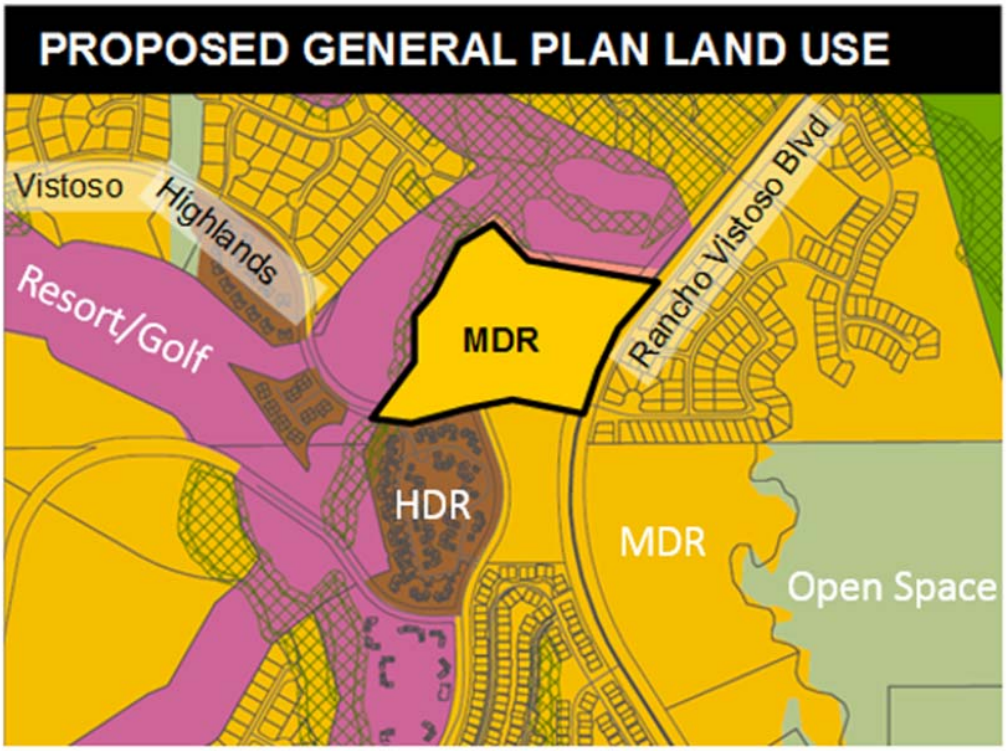
Exhibit I-1-C
Proposed General Plan Land Use Designations

0' 600'

The WLB Group WLB

Rancho Vistoso Parcel 10J - General Plan Amendment
WLB No. 185050-VH-01





EXISTING / PROPOSED GENERAL PLAN

VISTOSO HIGHLANDS (OV1601094)

Attachment 4

Attachment 5
Staff Analysis
Amendment Criteria of the Zoning Code
2005 General Plan

A. Amendment Criteria Analysis

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 their request. The applicant's full response to each of the criteria is included in Attachment 3. Below is a summary of the applicant's responses (*in italics*) followed by staff's analysis of each criterion:

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

Applicant's Response – See Page 2 of Attachment 3

…This property has been zoned commercial since the mid-eighties when the Rancho Vistoso Planned Area Development (PAD) was adopted. The demand for commercial in this immediate area has not materialized since that time, and consequently the land sits un-utilized. Over the years Rancho Vistoso has developed at roughly two-thirds of its originally envisioned residential density, and as such there is less commercial demand than originally anticipated for this area.

Rancho Vistoso started out with above average commercial entitlements. For example, the PAD included 4,020 square feet of commercial land per residential unit, whereas Oro Valley overall only has roughly 1,740 square feet of commercial land per residential unit. In the years since the General Plan was approved, and especially since the previous amendment request on this property, low to mid-density development is proceeding on the parcels representing the last opportunity for significant density to be achieved in the area (Maracay & Mattamy). With the relative underdevelopment of these parcels the last hope is lost for commercial viability in the area.

The Rancho Vistoso Planned Area Development (PAD) was adopted nearly 25 years ago with the vision that there would be a sufficient number of homes to support the planned commercial parcels within the community. The applicant's response indicates that the underdevelopment of the Rancho Vistoso PAD has created a decrease in commercial demand.

The following data is intended provide information regarding the total number of dwelling units and commercial properties in Rancho Vistoso. The data source is the Oro Valley Permitting System and the Rancho Vistoso PAD.

Dwelling units in Rancho Vistoso

The Rancho Vistoso PAD was approved for 13,862 dwelling units. To date, approximately 8,340 units have been constructed (60% of original entitlement).

Rancho Vistoso Residential Development		
Entitled Units	Developed Units	% Developed
13,862	8,340	60%

In 2013, the Town Council denied a similar amendment on this property on the basis that the existing commercial land use designation (NCO) would better serve the community. Since the denial, several surrounding subdivisions have or will be platted with far fewer lots than the PAD envisioned. The locations and total number of dwelling units for these subdivision are shown in Attachment 7.

The underdevelopment of the surrounding residential parcels is considered a significant change in conditions. This change in conditions results in a decrease in commercial demand based on the reduced number of homes.

Commercial properties in Rancho Vistoso

The Rancho Vistoso PAD planned 344 acres of commercial property. Since the PAD's adoption, approximately 239 acres have been rezoned or developed for a residential or commercial use. Approximately 30% of the planned commercial properties (105 acres) are remaining. Attachment 8 shows the inventory of developed and vacant commercial properties.

Rancho Vistoso Commercial Areas (in acres)		
Planned in Original PAD	Currently Zoned	% Remaining
344	105	30%

In general, the proposed amendment conforms with the above criterion on the basis that a commercial use doesn't appear to be viable on this property because it has sat vacant for over 30 years. The Town should consider a higher density based on the location of the property and future commercial properties in this area.

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 3

This property has sat vacant since Rancho Vistoso's inception. If rezoned for residential land use, this property will be designed and constructed to the same high standards as the surrounding Rancho Vistoso neighborhoods. Public facilities and infrastructure already exist nearby, so this development will not place additional burden on public infrastructure. In fact, this 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 businesses.

This proposed residential development will achieve community and environmental compatibility in several ways. This development will contain landscape buffers and provide open space along the wash to the west. In addition, this development will be tied into the nearby sidewalks and bicycle lanes, allowing residents to easily access Oro Valley's bicycle and pedestrian infrastructure.

The guidelines of the Rancho Vistoso PAD will apply to this development. It will therefore look and feel very similar to the surrounding Rancho Vistoso neighborhoods. This includes similar landscaping, architectural themes, and open space treatment.

The applicant indicates that the requested amendment contributes to the socio-economic betterment of the community by providing residential development for the Town's growing workforce. To ensure neighborhood compatibility, the narrative states that the proposed

development will contain a similar subdivision design (e.g., landscape bufferyards, open space, pedestrian connections, etc.) as the surrounding single-family neighborhoods.

To improve socio-economic betterment, consideration should be given to develop the property at a higher density to promote a balance between the total number of dwelling units and future commercial development. In the short term, market trends support the proposed amendment for lower density residential development. In the long term, however, Parcel 10J could be developed at a higher density because of its ideal location (e.g., two major roadways, existing infrastructure, similar uses (condominiums) and several commercial centers).

The proposed amendment conforms with the above criterion based on the fact that the proposed subdivision design is compatible with the surrounding area and will have a lesser impact than those uses permitted under the existing commercial zoning.

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

   Applicant's Response – See Page 3 of Attachment 3

   As discussed above, changing the designated land use of the property from commercial to residential will result in utilization of this infill site. This is a viable residential land use that is similar to, and compatible with, the surrounding uses. The existing commercial designation has never been, is not, and now appears unlikely ever to be viable.

   Staff agrees that the current market demand is for lower density residential housing. The proposed residential use of the property appears to be in response to the recent increase in detached single-family residential demand within Oro Valley. Attachment 7 shows the locations of the surrounding residential developments subdivisions approved or in process within the last three years.

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

   Applicant's Response – See Page 3 of Attachment 3

   This General Plan amendment request seeks to change the existing land use designation from commercial to residential. Currently, the site has been vacant since its creation. This proposal is to allow residential uses similar to the existing residential properties neighboring the site. Any impacts will be addressed during the P.A.D. amendment phase or during subsequent detailed development proposals.

   The sort of residential development as proposed is generally accepted to be less impactful to nearby homeowners than such commercial developments as could be built under the existing zoning.

   Demand for single-family detached housing is strong in Oro Valley. This property is ideal for residential use since residential land uses already border the site, and were developed according to the same PAD standards to which this project will be held.

   The accompanying rezoning application includes conditions of approval that were developed throughout the neighborhood meeting process including: restricting homes to single-story with

a 25' height limit for pitched roofs and a 22' height limit for flat roofs; and that all perimeter walls will meet the Rancho Vistoso HOA Design Guidelines.

Staff agrees that impacts associated with the proposed subdivision can be mitigated through the Town's rezoning and design process. The larger community impact of the amendment is the proposed lower residential density, which can have a long term negative impact on commercial viability. The above criterion has been met.

B. 2005 General Plan – Vision, Goals and Policies Analysis

1. Vision Statement

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

The vision statement from the General Plan emphasizes the need to carefully balance land use decisions which respond to current conditions, against the long term impact to the community. Although the proposed subdivision is compatible with the surrounding area, careful consideration should be given to the proposed lower density (2.19 homes per acre) which can reduce the viability of commercial development in the area.

2. Goals and Policies

The applicant has provided analysis of the amendments conformance with adopted General Plan policies, which is provided in Attachment 3. Staff has evaluated the amendment against all General Plan policies, with notable polices identified below.

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 intensive uses adjacent to residential areas.

The applicant's request would provide a compatible land use with the adjacent residential area. Impacts of the proposed use can be mitigated through the incorporation of buffer yards, landscaped areas and architectural features similar to the adjoining properties.

Policy 2.1.1 The Town shall continue to promote architectural themes and project site design that blends the built environment with natural surroundings.

Policy 7.1 To promote the development of sound, high quality neighborhoods that provide community amenities in an integrated manner.

The proposed subdivision will contain similar design features as surrounding single-family neighborhoods.

Goal 7.2 To encourage and maintain a range of housing opportunities.

Policy 7.2.1 The Town shall encourage the development of a variety of types of homes to accommodate the varied needs of residents, including single-family attached

and detached, townhomes, small apartments (3-4 units), condominiums, active retirement communities and congregate housing…

Policy 7.2.2 *The Town shall encourage a variety of residential building types consistent with the General Plan and in accordance with the Town's zoning and subdivision design standards.*

This goal and these policies support the development of a diverse range of housing opportunities. Additional medium density homes do not advance this goal; rather add to the lack of diversity in housing within this area. An alternative to the applicant's request may be consideration of a land use designation which allows a variety in housing (e.g., townhomes, casitas, and condominiums).

Goal 1.1: *To preserve Oro Valley's natural Sonoran Desert environment and the scenic resources that are an important part of the community's quality of life.*

The proposed residential development conforms with the Environmentally Sensitive Lands Ordinance related to open space, wash preservation and native plant species which exist on the property.

Attachment 6
Staff Analysis
Amendment Criteria of the *Your Voice Our Future General Plan*
***Your Voice Our Future* General Plan**

A. Amendment Criteria Analysis

The proposed amendment has been evaluated for consistency with the amendment criteria found in the *Your Voice Our Future General Plan*. It is the burden of the applicant to present facts and other materials to support these criteria. The applicant's full response to each of the criteria is included on Attachment 3. Below is a summary of the applicant's responses (in italics) followed by staff's analysis of each criterion:

1. On balance, the request is consistent with the vision, guiding principles, goals and policies of the General Plan as demonstrated by adherence to all the following criteria. The request shall not:

a. Significantly alter existing development character and land use patterns without adequate and appropriate buffers and graduated transitions in density and land use.

The guidelines of the Rancho Vistoso PAD will apply to this development. It will therefore look and feel very similar to the surrounding Rancho Vistoso neighborhoods. This includes similar landscaping, architectural themes, and open space treatment. This development will contain landscape buffers around the entirety of the project and will provide open space, including 100 percent preservation of the onsite Critical Resource Area. In addition, this development will be tied into the nearby sidewalks and bicycle lanes, allowing residents to easily access Oro Valley's bicycle and pedestrian infrastructure. The proposed density of 2.19 Du/Ac. is comparable with surrounding developments and will provide a nice density transition between the higher density developments to the south and east and the lower density developments to the north and west.

Staff agrees that the proposed amendment will not alter the existing character and land use patterns because the proposed subdivision will contain similar design features (e.g., lot configuration, landscape bufferyards, pedestrian connection, etc.) as the surrounding single-family neighborhoods.

b. Impact existing uses with increased infrastructure without appropriate improvements to accommodate planned growth.

With this development being on the corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive, utility infrastructure is already in place to accommodate this project. There are existing sewer and water stub-outs in place to serve this property, and the developer will pay for any required infrastructure extensions. As such, this development will have a net positive long-term fiscal impact to the Town and its taxpayers. The proposed ingress/egress points are located at existing curb cuts and are aligned with existing median cuts to allow for basic traffic movements into and out of the site. Impacts to existing infrastructure are expected to be minimal, especially considering that the roads and utilities in Rancho Vistoso were designed to accommodate significantly greater intensity development.

Staff agrees that the surrounding area contains existing infrastructure and improvements (e.g., water and sewer lines, curb cuts and other road improvements, etc.) to support the proposed residential development.

c. **Impact other public services including police, fire, parks, water and drainage unless careful analysis and explanation of anticipated impacts is provided to the Town for review.**

The location of this development and the 39 proposed home sites will not negatively impact detention basins that will retain storm water runoff and meter it out at pre-developed conditions. The site has also been designed to take full advantage of existing storm water culverts beneath Vistoso Highlands Drive which have the capacity to carry storm water runoff from this site.

There is sufficient public services and improvements to support the proposed residential development.

d. **Impact the natural beauty and environmental resources without suitable mitigation.**

Prior to development, this site will be inventoried for all significant vegetation. Plant material that meets the requirements of the Oro Valley Zoning Code will transplanted on site and be included within the buffer yards and other open spaces of the site. Plants that are not suitable for transplanting will be mitigated. The entire Critical Resource Area on the west side of site will be preserved in its natural condition.

The above criterion will be met as a result of the project being subject to all applicable zoning provisions related to plant mitigation, landscaping and environmental protection, and full compliance with the Environmentally Sensitive Lands Ordinance (ESLO).

2. **The applicant has implemented effective public outreach efforts to identify neighborhood concerns and has responded by incorporating measures to avoid or minimize development impacts to the extent reasonably possible, as well as to mitigate unavoidable adverse impacts.**

Since the start of this project we have held several meetings with surrounding HOA boards in the project vicinity, including the Vistoso Highlands HOA, Monterey at Vistoso HOA, and the Stone Gate HOA. These meetings were held prior to the required neighborhood meetings in order to increase public awareness of the proposal and identify any initial concerns that surrounding neighborhoods may have with the development of this property. Generally all the feedback received so far has been supportive of this project. It is generally accepted that a commercial corner in this area is no longer practical; and that by amending the General Plan to allow for medium density residential, this property will fit the character of the area very well.

The first formal neighborhood meeting was held on April, 25th 2016.

Two neighborhood meetings were held on April 25, 2016 and June 30, 2016 with approximately forty (40) residents at each meeting. The main topics discussed at the meetings included preserving the existing views to the east, traffic circulation, architecture and wall design.

As a result of neighborhood input, the applicant has agreed to help preserve the existing views to the east by limiting the proposed building height to one-story. The applicant has also agreed to design the perimeter walls in accordance with the Rancho Vistoso HOA Design Guidelines. These agreements are included as conditions in the accompanying rezoning application.

3. **All non-residential amendment requests will contribute positively to the long-term economic stability of the Town as demonstrated by consistency with goals and policies related to economic development and financial stability.**

   This criteria is not applicable because the proposed amendment is related to a residential development.

B. *Your Voice Our Future General Plan* – Vision, Goals and Policies Analysis

1. Vision Statement

Oro Valley strives to be a well-managed community that provides all residents with opportunities for quality living. Oro Valley will keep its friendly, small-town character, while increasing services, employment and recreation. The Town's lifestyle continues to be defined by a strong sense of community, a high regard for public safety and an extraordinary natural environment and scenic views.

The proposed vision statement emphasizes the need to be a well-managed community while promoting the existing quality of life. The proposed amendment is consistent with the vision statement because the proposal will not alter the existing character and/or land use patterns of the surrounding area.

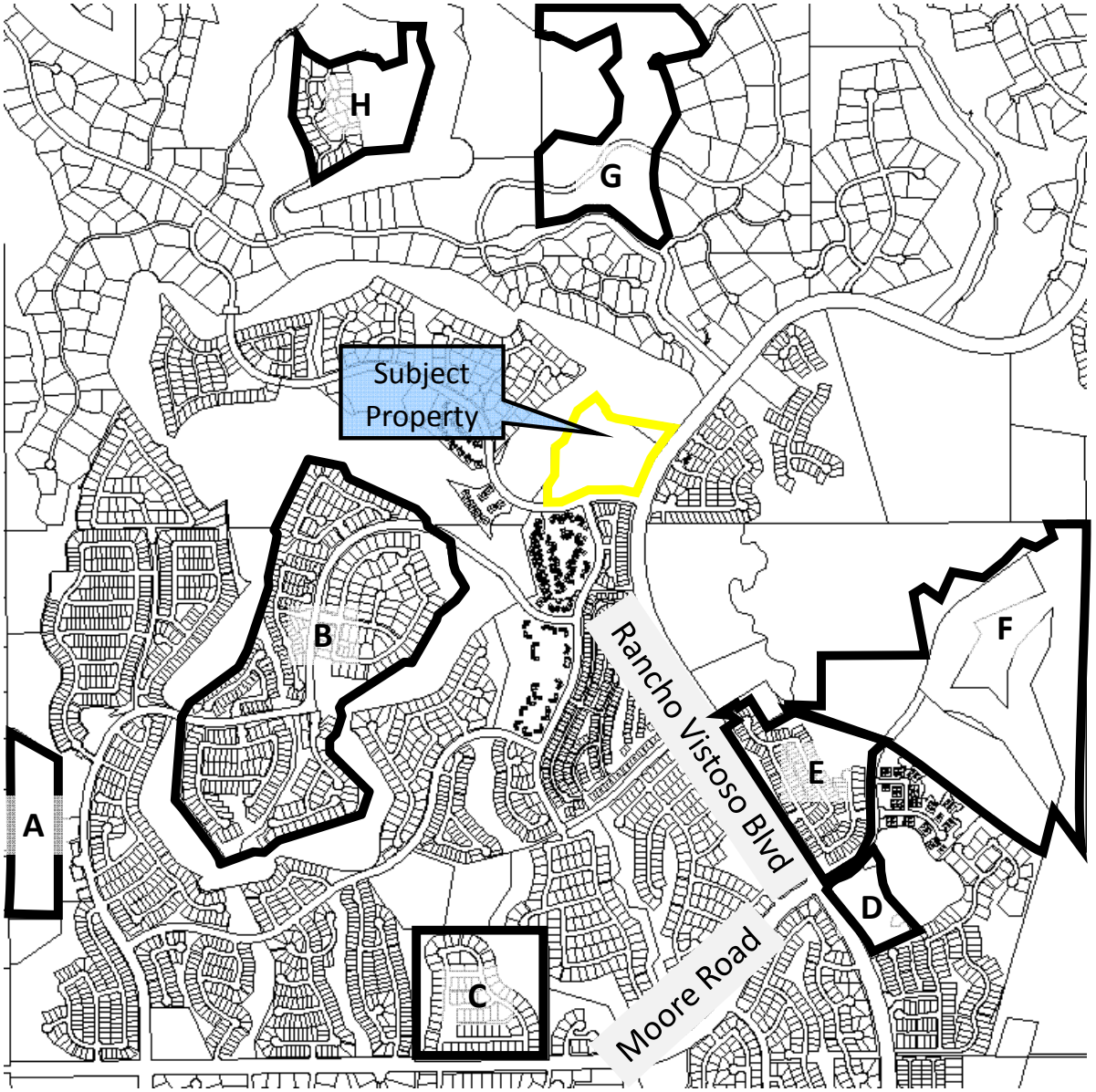
2. Goals and Policies

Goal A *The people of Oro Valley strive for long-term financial and economic stability and sustainability.*

The property should be developed at a higher density to support the existing commercial properties in and around Rancho Vistoso.

Policy LU.5 *Provide diverse land uses that meet the Town's overall needs and effectively transition in scale and density adjacent to neighborhoods.*

The proposed amendment could provide a compatible land use transition between the existing golf course and the surrounding single-family homes and condominiums to the south and east.



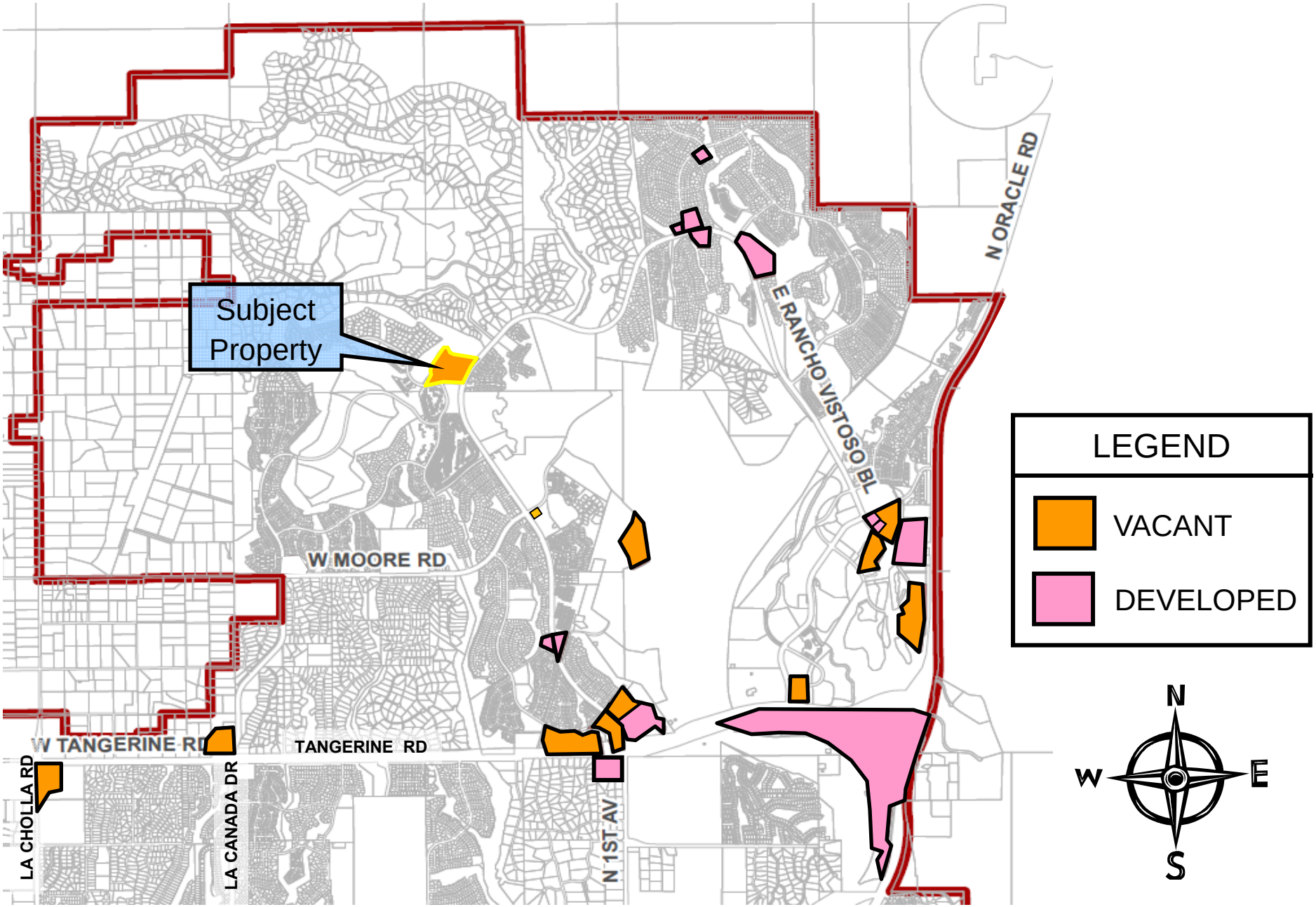
Map of Expected Dwelling Units Versus Actual Dwelling Units

Subdivision	Expected Dwelling Units (per RV PAD)	Actual Dwelling Units
A	62	19 (31%)
B	1,142	342 (30%)
C	234	75 (32%)
D	153	37 (24%)
E	273	116 (42%)
F	215	150 (70%)
G	337	38 (11%)
H	222	67 (30%)
Total	**2,638**	**888 (34%)**

Attachment 7

Map of Commercial Parcels Located North of Naranja Drive

Attachment 8



Major General Plan Amendment
Planning and Zoning Commission Staff Report

CASE NUMBER:	OV1601094 Vistoso Highlands
MEETING DATE:	August 23, 2016
AGENDA ITEM:	1A
STAFF CONTACT:	Rosevelt Arellano, Senior Planner rarellano@orovalleyaz.gov (520) 229-4817
Applicant:	Paul Oland of WLB Group
Requests:	Major General Plan Amendment from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR)
Location:	Northwest corner of Rancho Vistoso Blvd. and Vistoso Highlands Dr.
Recommendation:	Discussion only. Formal action scheduled for 9/6/2016 PZC Meeting

SUMMARY:

The purpose of this request is to consider a Major General Plan Amendment application to change the existing land use designation from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR) (Attachment 1). The proposed development is on a 17.8-acre site located on the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive (Attachment 2). The approval of this request will allow a residential subdivision with a lower density and similar design as the single-family neighborhoods to the south and east.

As a Major General Plan Amendment, two public hearings are required before the Planning and Zoning Commission. The purpose of this first public hearing is to provide information on the amendment and hear residents' and Commissioners' input, issues and concerns. As such, no vote will be taken by the Commission at the August 23rd meeting. A second public hearing will be held on September 6th where the Commission will again take public testimony, deliberate and formulate a recommendation on the amendment request to Town Council.

The Tentative Development Plan (Attachment 3) found in the accompanying rezoning case depicts 39 lots, one-story homes and a minimum lot size of 8,750 square feet.

The proposed amendment is a second attempt to change the existing land use designation on the property from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR). The first request was denied in 2013 on the basis that a commercial use would better serve the community. As it appears today, a commercial use is no longer viable on this property because there is not enough homes to support the existing commercial developments in Rancho Vistoso.

Since the denial of the last amendment, several subdivisions have been approved or proposed with far fewer homes than the PAD envisioned. The underdevelopment of these residential parcels is considered a significant change in the community since the last amendment. Although the proposed subdivision is compatible with the surrounding area, careful consideration should be given to the proposed lower density (2.19 homes per acre) which can have a long term negative impact on the viability of other commercial properties in Rancho Vistoso.

BACKGROUND:

Land Use Context

The existing land uses and General Plan designations for the property and the surrounding area are provided in Attachments 2 and 4.

Site Conditions

- 17.8 acres
- Property is vacant with exception of HOA monument sign
- Existing curb cuts on Vistoso Highlands Drive and Rancho Vistoso Boulevard

Approvals-to-date

- June 1987: Rancho Vistoso Planned Area Development, Commercial (C-1) zoning

Tentative Development Plan (Attachment 3)

The Tentative Development Plan depicts:

- 39 lots with a minimum lot size of 8,750 square feet
- Density: 2.19 homes per acre
- Use: Detached single-family homes
- Building height: 22', one-story (flat roof homes), 25', one-story (pitch roof homes)
- Two access points on Vistoso Highlands Drive (south) and Rancho Vistoso Blvd (east)
- Landscape bufferyards along the south and east property lines

Existing General Plan Designation

The Oro Valley General Plan designates the property as Neighborhood Commercial/Office (NCO), which is described as follows:

- *Neighborhood Commercial/Office (NCO): This designation denotes commercial and office areas located with good arterial access (i.e. at the intersections of arterial streets or along Oracle Road) that is close to residential areas. Within these areas, uses such as grocery stores, drugstores, and offices tend to serve the surrounding neighborhoods and are integrated with those neighborhoods. Offices include professional offices, tourism-related businesses, and services.*

Proposed General Plan Designation

The proposed amendment is to Medium Density Residential (MDR), which is described as follows:

- *Medium Density Residential (MDR; 2.1–5.0 du/ac): This designation is where single-family detached, townhouse, or patio home development is suitable, ranging from 2.1 to 5.0 dwelling units per acre. These areas should be located close to schools, shopping and employment.*

2013 Major General Plan Amendment

In 2013, the Town Council denied a similar request on this property on the basis that the retention of a commercial use would better serve the growing residential area. Since the denial, there has been

several surrounding subdivisions approved or proposed with far fewer homes than the Rancho Vistoso PAD envisioned. The underdevelopment of these residential projects is a significant change since the 2013 denial. It is readily apparent that a commercial use is no longer viable on this property because there is not enough homes in the area to support a commercial development.

DISCUSSION / ANALYSIS:

Major General Plan Amendments are reviewed for conformance with the amendment criteria, and the Vision, Goals and Policies of the General Plan. To ensure conformance, the proposed amendment has been evaluated using both the existing General Plan and the *Your Voice Our Future* Plan which is currently scheduled for consideration by the Planning and Zoning Commission and Town Council, with voter ratification occurring November 2016.

A. Existing General Plan Amendment Criteria and Policy Analysis

The applicant's request conforms with the amendment criteria and applicable General Plan policies. Below is a summary of the project's conformance with each criterion. A detailed analysis is provided in Attachment 5.

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

The purpose of this criterion is to identify the significant changes in the community that have occurred since the denial of the last amendment. Below is a summary of the staff analysis found in Attachment 5.

According to the Town's records the Rancho Vistoso PAD has been developed at approximately two-thirds of its planned density. Staff has researched the approved/proposed residential subdivisions in Rancho Vistoso since the 2013 denial of a similar request. This research revealed that only one-third (888 out of 2,638) of the homes entitled by zoning will be developed. As a result, the underdevelopment of the few remaining vacant residential parcels in Rancho Vistoso is considered a significant change in conditions since the last amendment request in 2013.

The Rancho Vistoso PAD planned 344 acres of commercial property. To date, there is 105 acres (30%) still remaining vacant, including the subject property. Staff has visited the commercial centers in the area, and has determined that most of these properties contain a large number of vacant building pads and/or tenant spaces. The commercial centers visited by staff include the Oro Valley Market Place, Walgreens Shopping Center and the commercial center in Sun City. Attachment 11 shows the locations of the vacant and developed commercial properties in and around Rancho Vistoso.

Given the underdevelopment of residential properties and the vacant commercial land and tenant space in this area, it is readily apparent that commercial use of this property is no longer viable.

Although the proposed residential development on the subject property is compatible with the surrounding area, careful consideration should be given to the proposed lower density because the lack of housing numbers directly impacts the commercial viability of other properties in Rancho Vistoso.

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

The proposed amendment contributes to the betterment of the adjacent neighbors by allowing the construction of a residential development with lesser impacts than those uses permitted under the existing commercial zoning.

An additional consideration is the reduction of land designated for future commercial uses and elimination of a potential revenue source for the Town. Careful judgment should be exercised when considering the reduction of commercial land and its resulting impact on revenues and the provision for convenient services to residential areas.

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

Staff agrees that there's a current market demand for single-family detached homes. This is evident by the total number of 1) building permits issued for new homes and 2) recently approved subdivisions in the surrounding 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 processes.**

The above criterion is met on the basis that the impacts of the proposed subdivision will be mitigated through the Town's rezoning and design process. Specific mitigation measures have been proposed as part of the rezoning application, such as a one-story building height restriction. As mentioned earlier in the report, careful consideration should be given to the proposed lower density which can have a long term negative impact on commercial properties in Rancho Vistoso.

B. Proposed *Your Voice Our Future* Amendment Criteria

Although the proposed amendment is subject to the adopted General Plan, the proposed amendment has also been reviewed for conformance with the Your Voice Our Future Plan. If the applicant's request is approved, it must be folded into the Your Voice Our Future Plan, which is scheduled for the same public hearings as the proposed amendment. This individual application process was desired by the Your Voice Our Future committee members because it allowed both the residents and Town staff to review the proposed amendment on its own merits.

The proposed Major General Plan Amendment to Medium Density Residential conforms with the *Your Voice Our Future* Amendment Criteria. Below is a summary of the amendment's conformance with each criterion. A more detailed analysis of the project's conformance with the Your Voice Our Future Amendment Criteria is provided in Attachment 6.

1. **On balance, the request is consistent with the vision, guiding principles, goals and policies of the General Plan as demonstrated by adherence to all the following criteria. The request shall not:**

a. **Significantly alter existing development character and land use patterns without adequate and appropriate buffers and graduated transitions in density and land use.**

The proposed subdivision design is similar to the surrounding single-family home neighborhoods, and therefore the proposed amendment will not alter the existing development character and land use transitions.

b. **Impact existing uses with increased infrastructure without appropriate improvements to accommodate planned growth.**

There is existing infrastructure to support the proposed residential subdivision.

c. Impact other public services including police, fire, parks, water and drainage unless careful analysis and explanation of anticipated impacts is provided to the Town for review.

There is sufficient public services and improvements to support the proposed residential development.

d. Impact the natural beauty and environmental resources without suitable mitigation.

The proposed subdivision will conform to all applicable zoning provisions related to plant mitigation, landscaping and environmental protection.

2. The applicant has implemented effective public outreach efforts to identify neighborhood concerns and has responded by incorporating measures to avoid or minimize development impacts to the extent reasonably possible, as well as to mitigate unavoidable adverse impacts.

Two neighborhood meetings were held with approximately forty (40) residents at each meeting. In response to neighborhood input, the applicant has agreed to limit the proposed building height to one-story and design a perimeter wall in accordance with the Rancho Vistoso HOA Design Guidelines. These agreements are included as a conditions of the accompanying rezoning application.

3. All non-residential amendment requests will contribute positively to the long-term economic stability of the Town as demonstrated by consistency with goals and policies related to economic development and financial stability.

This criteria is not applicable because the proposed amendment is related to a residential development. However, it is worth noting that a retaining a commercial use on this property would benefit the long term economy of the community.

C. Environmentally Sensitive Lands (ESL)

The proposed amendment is in conformance with the ESL provisions related to open space, plant mitigation and cultural resources. A detailed staff analysis of the amendment's conformance with the ESL section of the Zoning Code is provided in Attachment 7.

PUBLIC PARTICIPATION:

Summary of Public Notice

The following public notice has been provided:

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

Two neighborhood meetings were held on April 25, 2016 and June 30, 2016 with approximately forty (40) residents at each meeting. The main topics discussed at the meetings included preserving the existing views to the east, traffic circulation, architecture and wall design.

In response to the neighbors' concerns for view preservation, the applicant has agreed to limit the proposed building height to 25', one-story for pitch roof homes and 22' one-story for flat roof homes. The applicant has also agreed to design a perimeter wall in conformance with the Rancho Vistoso HOA Design Guidelines. These agreements are included as conditions in the accompanying rezoning application.

The proposed amendment was sent to several outside agencies for a 60-day review in accordance with state law. To date, no comments have been received.

A copy of the neighborhood meeting summary notes are provided as Attachment 8, and three letters of concern are included as Attachment 9.

SUMMARY:

The proposed amendment has been evaluated using the amendment criteria and the existing General Plan and the *Your Voice Our Future* Plan. Following is a summary of the factors for and against the proposal:

Factors For:

1. The proposal will provide continuity in residential land use and will be compatible with the surrounding area by having a lesser impact (e.g., lighting, noise, building height, etc.) on the adjacent residential properties than a commercial development as enabled by the existing zoning.

2. Due to the underdevelopment of Rancho Vistoso and vacant commercial properties and tenant space, a commercial use does not appear viable on this property.

3. The applicant's request appears to be supported by the current market demand for detached single-family residential development.

Factors Against:

1. The property should be developed at a higher density to support other commercial properties.

2. The site is one of a few properties in Rancho Vistoso that is well situated for a high density residential project.

RECOMMENDATION:

Despite the concern for commercial viability within this area, staff finds the proposed amendment acceptable.

The purpose of this first public hearing is to provide information on the amendment and hear residents' and Commissioners' input, issues and concerns. As such, no vote will be taken by the Commission at the August 23rd meeting. A second public hearing will be held on September 6th where the Commission will again take public testimony, deliberate and formulate a recommendation on the amendment request to Town Council.

ATTACHMENTS:

Attachment 1 – Application

Attachment 2 – Location Map
Attachment 3 – Tentative Development Plan
Attachment 4 – General Plan Future Land Use Map
Attachment 5 – Existing Criteria and General Plan Analysis
Attachment 6 – Proposed Criteria and *Your Voice* Our Future Plan Analysis
Attachment 7 – ESL Analysis
Attachment 8 – Neighborhood Meeting Summary Notes
Attachment 9 – Letters of Concern
Attachment 10 – Map of Recently Approved Subdivisions
Attachment 11 – Map of Commercial Properties

Bayer Vella, AICP, Planning Manager

Major General Plan Amendment
Planning and Zoning Commission Staff Report

CASE NUMBER:	OV1601094 Vistoso Highlands
MEETING DATE:	September 6, 2016
AGENDA ITEM:	2A
STAFF CONTACT:	Rosevelt Arellano, Senior Planner rarellano@orovalleyaz.gov (520) 229-4817
Applicant:	Paul Oland of WLB Group
Requests:	Major General Plan Amendment from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR)
Location:	Northwest corner of Rancho Vistoso Blvd. and Vistoso Highlands Dr.
Recommendation:	Recommend approval of the requested amendment

SUMMARY:

The purpose of this request is to consider a Major General Plan Amendment application to change the existing land use designation from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR) (Attachment 1). The approval of this amendment will allow a 39-lot residential subdivision on a 17.8-acre site located on the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive (Attachment 2).

Major General Plan Amendments require two public hearings before the Planning and Zoning Commission. The first public hearing was held on August 23rd. The purpose of this staff report is to address issues raised at the first public hearing (see Discussion and Analysis Section below). The original staff report (Attachment 3) contains the overall background and analysis related to this case.

The September 6th Planning and Zoning Commission meeting is the second of two required public hearings. The purpose of the second hearing is to allow the Commission to take additional public testimony and formulate a recommendation on the amendment request to Town Council.

BACKGROUND:

The August 23rd Planning and Zoning Commission staff report is provided as Attachment 3 for the background information and analysis related to the proposed amendment.

DISCUSSION / ANALYSIS:

At the August 23rd Planning and Zoning Commission meeting, the following key items were discussed (comments are in *italics*):

1. **Commissioner Comment:** *Based on the current growth trends, are the remaining commercial properties in Rancho Vistoso still viable?*

Staff response: The Rancho Vistoso Boulevard and Vistoso Highlands Drive intersection will not generate a sufficient level of traffic to support a commercial development on the subject property. However, there are other vacant commercial parcels in Rancho Vistoso located at major intersections which are viable for future commercial based on the amount of traffic and visibility from passing motorists.

Additional comments were received pertaining to the PAD Amendment request. These comments are addressed within the staff report for the associated rezoning for this parcel.

RECOMMENDATION:

Based on the analysis provided in Attachment 3, staff finds the proposed amendment is acceptable. It is recommended that the Planning and Zoning Commission take the following action:

Recommend approval to the Town Council of the requested Major General Plan Amendment, OV1601094.

SUGGESTED MOTION:

The Planning and Zoning Commission may wish to consider the following suggested motions:

I move to recommend approval of the Vistoso Highlands Major General Plan Amendment from Neighborhood Commercial/Office to Medium Density Residential (2.1 – 5 du/ac), based on the finding that the request complies with the amendment criteria and the General Plan.

OR

I move to recommend denial of the Vistoso Highlands Major General Plan Amendment from Neighborhood Commercial/Office to Medium Density Residential (2.1 – 5 du/ac), based on the finding that _____.

ATTACHMENTS:

Attachment 1 – Application
Attachment 2 – Location Map
Attachment 3 – August 23rd Planning and Zoning Commission Staff Report

Bayer Vella, AICP, Planning Manager

MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
SPECIAL SESSION
August 23, 2016
CHURCH OF THE NAZARENE
500 W CALLE CONCORDIA, ORO VALLEY, AZ 85704

STUDY SESSION AT OR AFTER 6:00 PM

CALL OR ORDER

Chairman Leedy called the August 20, 2016, Planning and Zoning Commission Special Session meeting to order at 6:00 PM.

ROLL CALL

PRESENT:	Bill Leedy, Chair Charlie Hurt, Vice Chair Bob Swope, Commissioner Melanie Barrett, Commissioner Tom Gribb, Commissioner Tom Drzazgowski, Commissioner
EXCUSED:	Greg Hitt, Commissioner

ALSO PRESENT:

Joe Andrews, Chief Civil Deputy Attorney
Council Member Joe Hornat

PLEDGE OF ALLEGIANCE

Chair Leedy led the audience and the Commission in the Pledge of Allegiance.

SPECIAL SESSION AGENDA

1. PUBLIC HEARING: REQUEST FOR APPROVAL OF A MAJOR GENERAL PLAN AMENDMENT AND PLANNED AREA DEVELOPMENT AMENDMENT FOR A DEVELOPMENT KNOWN AS VISTOSO HIGHLANDS REGARDING A PROPERTY LOCATED ON THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

This is the first of two public hearings scheduled for this agenda item. A formal vote will not be taken until the second public hearing on September 6, 2016

A. MAJOR GENERAL PLAN AMENDMENT FROM NEIGHBORHOOD COMMERCIAL/OFFICE (NC/O) TO MEDIUM DENSITY RESIDENTIAL (2.1 - 5.0 DU/AC), OV1601747

Rosevelt Arellano, Senior Planner, provided a presentation on the Major General Plan Amendment that included the following:

- Contents of the property
- Amendment Criteria
- Changes in the Community
- Residential Trends
- Commercial Trends
- Compatibility

Rosevelt Arellano, Senior Planner, provided a presentation on the Planned Area Development that included the following:

- Subdivision Design
- Compatibility
- Neighborhood Meeting Concerns
- Supported by the current market

Paul Oland, WLB Group, representing the applicant, provided a presentation that included the following:

- The Conditions have changed
- Undesirable Commercial Land
- Compatibility
- Market Demand

Chair Leedy opened the public hearing.

Ken Hustad, Non-resident Oro Valley resident, commented on the following:

- In support of the applicant request
- The conditions placed on project should be placed early in the process
- Building height is an issue and should be compatible to the homes in the area and should have the max height at 21 feet height

Dick Serway, Oro Valley resident, commented on the following:

- Numbers of houses being proposed
- Height of the homes

Chair Leedy closed the public hearing.

Mr. Oland responded to the questions

- The applicant is very comfortable with this site plan and the proposed 39 lots
- The applicant is very comfortable with the conditions of approval regarding the set backs and heights of the homes

Key topics raised by the Commission:

- Proposed plan be a gated community
- Access point to the property from Hidden Springs Drive
- Based on the current growth trends, are the remaining commercial properties in Rancho Vistoso still viable

B. PLANNED AREA DEVELOPMENT FOR A DEVEOLOPMENT FROM COMMERCIAL (C-1) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND APPROVE A ESL FLEXIBLE DESIGN OPTION FOR MODIFIED REVIEW PROCESS, OV1601747

2. PUBLIC HEARING: YOUR VOICE, OUR FUTURE GENERAL PLAN FINAL ADOPTION AND READINESS OF THE PLAN FOR THE PUBLIC VOTE

This is the first of two public hearings scheduled for this agenda item. A formal vote will not be taken until the second public hearing on September 6, 2016

Elisa Hamblin, Long Range Principal Planner, provided a presentation that included the following:

- Plan of Action
- The Public Participation Plan
- Project Schedule
- Contents of the Plan
- Revisions included in the Final Plan

Chair Leedy opened the public hearing.

Bill Sellers, Oro Valley resident, commented on the following:

- No mention in the document about broad band
- Very poor planning approach on the future service of broad band
- High capacity broad band should be referenced in the document
- An expectation of constant upgrades in broad band is critical for the future

Don Bristow, Oro Valley resident, comment on the following:

- Concern on a Type I Major General Plan Amendment, new threshold is 40 acres is such a big jump and should be reconsidered
- Term "small town" to "neighborly" and "unique", does not measure up
- Parks and recreation facilities and programs should be provided to all residents, regardless of their ability to pay

Diane Bristow, Oro Valley resident, commented on the following:

- Low attendance of residents at the first public hearing

Chair Leedy closed the public hearing.

ADJOURNMENT

MOTION: A motion was made by Vice Chair Hurt and seconded by Commissioner Swope to adjourn the Planning and Zoning Commission Special Session meeting at 7:13 PM

MOTION carried, 6-0.

MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
REGULAR SESSION
September 6, 2016
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Leedy called the September 6, 2016, Planning and Zoning Commission meeting to order at 6:00 PM.

ROLL CALL

PRESENT:	Bill Leedy, Chair Charlie Hurt, Vice Chair Bob Swope, Commissioner Melanie Barrett, Commissioner Tom Gribb, Commissioner Greg Hitt, Commissioner
EXCUSED:	Tom Drzazgowski, Commissioner

ALSO PRESENT:

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

PLEDGE OF ALLEGIANCE

Chair Leedy led the audience and the Commission in the Pledge of Allegiance.

CALL TO AUDIENCE

Jeff Jones, Oro Valley resident, commented on the following:

- Use of commercial land in the Sun City area is not viable
- Observation of commercial vacancies in the area

COUNCIL LIAISON COMMENTS

Council member Hornat had no comment.

REGULAR SESSION AGENDA

1. REVIEW AND/OR APPROVAL OF THE AUGUST 2, 2016 REGULAR SESSION MEETING MINUTES.

MOTION: A motion was made by Vice Chair Hurt and seconded by Commissioner Hitt to approve the August 2, 2016 Regular Session Meeting Minutes.

MOTION carried, 6-0.

2. PUBLIC HEARING: REQUEST FOR APPROVAL OF A MAJOR GENERAL PLAN AMENDMENT AND PLANNED AREA DEVELOPMENT AMENDMENT FOR A DEVELOPMENT KNOWN AS VISTOSO HIGHLANDS ON A PROPERTY LOCATED ON THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

A. MAJOR GENERAL PLAN AMENDMENT FROM NEIGHBORHOOD COMMERCIAL/OFFICE (NC/O) TO MEDIUM DENSITY RESIDENTIAL (2.1 - 5.0 DU/AC), OV1601094

B. PLANNED AREA DEVELOPMENT FOR A DEVELOPMENT FROM COMMERCIAL (C-1) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND CONSIDERATION OF AN ESL FLEXIBLE DESIGN OPTION FOR MODIFIED REVIEW PROCESS, OV1601747

- Rosevelt Arellano, Senior Planner, provided a presentation on the following:

- Issues raised at the last meeting
- Commercial Viability
- Building Height
- Public Participation
- Factors For and Against

Paul Oland, WLB Group, representing the applicant, provided a presentation that included the following:

- Lack of demand of commercial
- Undesirable Commercial Land and Vacant Properties
- Under development of residential property in the area and its impact on commercial viability
- Compatibility
- Market Demand

Key topics raised by the Commission:

- Average height limit for the surrounding homes in Rancho Vistoso
- Explanation of the Environmental Sensitive Lands flexible design options
- Minor design changes to a Modified Review Process
- What if the development never happens

Chair Leedy opened the public hearing.

No speaker request.

Chair Leedy closed the public hearing.

Questions raised by the Commission:

- Previous 24 homes design raised by the resident
- Applicant work with residents
- Conditions of approval
- Traffic numbers affected by the STEM school

MOTION: A motion was made by Vice Chair Hurt and seconded by Commissioner Barrett to recommend approval of the Vistoso Highlands Major General Plan Amendment from Neighborhood Commercial/Office to Medium Density Residential (2.1 - 5 du/ac), based on the finding that the request complies with the amendment criteria and the General Plan.

MOTION carried, 6-0.

MOTION: A motion was made by Commissioner Gribb and seconded by Vice Chair Hurt to recommend approval of the Vistoso Highlands PAD Amendment from Commercial (C-1) to Medium Density Residential (MDR), including the request for ESL's modified review process, based on the finding that the request complies with the Rancho Vistoso Planned Area Development and the General Plan.

Chair Leedy offered a friendly amendment to include, subject to the conditions in attachment 1.

The friendly amendment was accepted by Commissioner Gribb and Vice Chair Hurt.

MOTION carried, 6-0.

3. PUBLIC HEARING: YOUR VOICE, OUR FUTURE GENERAL PLAN FINAL ADOPTION AND READINESS OF THE PLAN FOR THE PUBLIC VOTE

Elisa Hamblin, Long Range Principal Planner, provided a presentation that included the following:

- Public Vote November 8
- Project Overview
- Project Phases
- Visions of the Community
- Executive Summary
- Changes to the Final Plan

Chair Leedy opened the public hearing.

Shirl Lamonna, Oro Valley resident, commented on the following:

- Impressed by the hard work done by staff
- Disappointed with the change in the term "small town character"

Diane Bristow, Oro Valley resident, commented on the following:

- Found the changes made in the final draft
- Strongly agrees that the Visions and Guiding Principles were formed out of extensive community research
- Very uncomfortable with the change of "small town" to "neighborly" or "unique"
- Change to the word "unique" in the Land Use Policy, pg. 41, back to "small-town"

Donald Bristow, Oro Valley resident, stated he support the comments made by the previous speakers.

Chair Leedy closed the public hearing.

Bayer Vella, Planning Manager, responded that the term "small town feeling" was being misinterpreted. Over the course of the last year staff has heard several remarks that "small town" really applies to geographic boundaries and growth and development. The term "small town" was not intended to reflect growth what so ever, but mainly a neighborly feeling. Staff came up with the idea of using the word "neighborly", not to change the input we got from the community, but to make it clear to represent that input.

Discussion ensued amongst the Commission regarding the terms "small-town" and "neighborly".

MOTION: A motion was made by Chair Leedy and seconded by Commissioner Hitt to recommend adoption of the document known as the "Your Voice, Our Future General Plan" as inspired and created by the residents of the Town of Oro Valley as attached hereto as Attachment 2, with a modification to
A). Amending the land use of the Vistoso Highlands property from Neighborhood Commercial/Office to Medium Density Residential,
B). Changing the words in the Vision Statement, Guiding Principles pg. 8 and the Land Use and Design Policy, pg. 41, from "small-town" to "small-town" and "neighborly".

MOTION carried, 6-0.

PLANNING UPDATE (INFORMATIONAL ONLY)

Bayer Vella, Planning Manager, presented the following Planning Update:

- September 7th Town Council meeting
- September 21st Town Council meeting
- October 4th Planning and Zoning Commission meeting

ADJOURNMENT

MOTION: A motion was made by Commissioner Hitt and seconded by Commissioner Swope to adjourn the Planning and Zoning Commission meeting at 7:42 PM.

MOTION carried, 6-0.

Neighborhood Meeting Summary
Rancho Vistoso Neighborhood 10 Parcel J
Proposed Major General Plan Amendment and Rezoning
April 25, 2016
6:00 – 7:30 PM
Rancho Vistoso HOA Building

1. Introductions and welcome

Meeting Facilitator Chad Daines, Principal Planner, introduced the Oro Valley staff Rosevelt Arellano, Senior Planner, as project manager. Approximately 50 residents and interested parties attended the meeting, including Councilmember Hornat and appointed officials Leedy, Hurt, Gribb and Swope.

2. Staff presentation

Rosevelt Arellano, Senior Planner, provided a presentation that included:

- Subject property
- Applicant's request
- Existing and proposed land use designation
- Existing and proposed zoning designation, including development standards
- Review tools
- Review processing, including modified review process
- Public participation opportunities

3. Applicant presentation

Paul Oland of the WLB Group, provided a presentation detailing the applicant's proposal, which included:

- Site plan design
- Background information for the Rancho Vistoso community

4. Public Questions and Comments

- What is the guarantee that the site will be developed with one-story homes?
    - To guarantee one-story homes, staff will place a condition of approval on the rezoning application.

- Neighbors expressed concerns with the traffic impacts on Hidden Springs Drive, and preferred to see this access point eliminated.

- In regards to the Major General Plan Amendment application, how many votes of the Town Council is required for an approval?
    - Five votes are required for a super majority.

- Due to visibility, neighbors expressed concerns with the orientation of the proposed homes located in the southwest portion of the site plan design.

- Will there be a homeowners association?

    - The applicant stated that the proposed subdivision would be under the Rancho Vistoso Master Homeowners Association.

- What is the listing price for the proposed homes?
    - The applicant stated that this information is not known at this time.

- What is the size of the proposed homes?
    - The applicant stated approximately 2,500 square feet and greater.

- The neighbors expressed a significant concern with the proposed building height of 28', one-story and preferred 25', one-story or less.

- What is the permitted building height of the existing commercial zoning designation?
    - 34', 3-stories.

- What is the timeline of development?
    - The applicant would like to break ground in approximately two years.

- Is public art required?
    - Public art is not required for residential developments.

- What is the open space requirement?
    - The Environmentally Sensitive Lands (ESL) map designates the following ESL categories on the property (Section 27.10 of the Zoning Code):
        - Critical Resource Area (CRA): 95% open space requirement
        - Resource Management Area (RMA) Tier 2: 25% open space requirement

- Neighbors expressed a concern with the proposed wall design being consistent with the surrounding walls in the area.

- Does the town have a sufficient water supply to support this development?
    - See attached handout from the Town of Oro Valley Water Department.

- Neighbors expressed a concern with the proposed model home design being consistent with the surrounding homes.

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

Neighborhood Meeting Summary
Rancho Vistoso Neighborhood 10 Parcel J
Proposed Major General Plan Amendment and Rezoning
June 30, 2016
6:00 – 7:30 PM
Rancho Vistoso HOA Building

1. Introductions and welcome

Meeting Facilitator Chad Daines, Principal Planner, introduced the Oro Valley staff Rosevelt Arellano, Senior Planner, as project manager. Approximately 30 residents and interested parties attended the meeting, including appointed officials Hurt, Gribb and Swope.

2. Staff presentation

Rosevelt Arellano, Senior Planner, provided a presentation that included:

- Subject property
- Applicant's request
- Concerns raised at 1st neighborhood meeting
    - Traffic and circulation
    - View preservation
    - Architecture and wall design
- Next steps
    - 8/23/16 Planning and Zoning Commission hearing (Tentative)
    - 9/6/16 Planning and Zoning Commission hearing (Tentative)
    - 9/21/16 Town Council hearing (Tentative)

3. Applicant presentation

Paul Oland of the WLB Group, provided a presentation detailing the applicant's proposal, which included:

- Revised site plan design
- Perimeter wall treatment
- Building height and view preservations

4. Public Questions and Comments

- How tall are the proposed homes?
    - The applicant has agreed to restrict homes with a flat roof to 1-story, 22' and homes with a pitch roof to 1-story, 25'.

- What is the size of the proposed homes?
    - The applicant stated approximately 2,400 square feet and greater.

- Will the existing plants be salvaged?
    - The project must meet the plant mitigation requirements of the Oro Valley Zoning Code.

- How many homes were initially planned in the Rancho Vistoso Community?
    - 13,862 units

- What is the proposed lot width?
    - 70’

- Why are the subdivision walls around the Lennar Homes project (southwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive) different from the surrounding walls?
    - The Rancho Vistoso HOA Design Review Board approved a different style wall.
    - The applicant also stated that the proposed walls will be consistent with the other walls in the surrounding area and will meet the HOA’s design guidelines.

- Neighbors expressed concerns with access into the proposed flag lots.

- Will the project use swinging or rolling entry gates?
    - The applicant stated that the information is not known at this time?

- Who will maintain the internal streets?
    - The proposed streets are private and therefore will be privately maintained.

- What is the proposed traffic circulation for construction vehicles?
    - The applicant stated that the information is not known at this time?

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

Arellano, Rosevelt

From: ehamley@frontier.com
Sent: Tuesday, September 06, 2016 4:43 PM
To: Arellano, Rosevelt
Subject: September 6, 2016, 6pm NOTICE OF PUBLIC HEARING

Re: PLANNING AND ZONING COMMISSION
COMMENTS FOR HEARING

Dear Planning Commission:

I am unable to attend this evening's hearing but do want my comments to be considered along with those being heard from attendees at the meeting. I am a resident and property owner in Oro Valley. My address is below my signature.

I understand that the property owner has the right to sell his property, but if it was zoned Commercial at the time of his purchase, he should have understood that that was the property's zoning when he purchased it. We have gone through a series of hearings in 2015 and had a county commissioner vote on this issue and the commissioners vote was that the property remain zoned commercial. Now it is up again, this time during the summer when most of the residents are away. Is it the intention of the property owner to bring this matter up for consideration every few months until he gets his way on a rezone?

I for one hope for commercial development, not as another strip mall, but built as a community commercial center within walking distance of many of the Rancho Vistoso residents. Right now we all have to have cars to truly enjoy the offerings of our community. It is a four mile round trip walk from my house to either shopping center on Rancho Vistoso Blvd. Public transportation is virtually nonexistent. Some days the car may be used by another person, or be at the repair shop. Some nice little business in the commercial zoning would be very welcome.

The water hazard on the golf course, is a popular attraction. Families are always gathering there after golf hours for picnics, weddings, pictures, and such. How about a nice public area in that commercial zone also facing the "lake" as it is called. A delicatessen with take out and outside tables, an ice cream store that serves not only cones but ice cream specialties such as root beer floats, and a specialty take out restaurant. Then those of us that are car less could also just walk over to get something we need to make dinner. I'm not looking for another Walgreen's to mess up my prescriptions, but a small mom and pop compounding pharmacy would be great. More people would enjoy the view as well as have services provided. the fronts of these business could front the view to the water and parking could be behind the businesses. How about a drop off/ pick up for dry cleaning, a book and newspaper store? We've all seen neighborhood and town centers recently and know how nice these small stores can be for a neighborhood.

Thank you so much for accepting my input and offering it up to the comments for consideration in this zoning request.

Sincerely,
Elaine R. Hamley
13764 N. Keystone Springs Drive.

Oro Valley, AZ 85755

Arellano, Rosevelt

From: Hynd, Jessica
Sent: Tuesday, September 06, 2016 10:23 AM
To: Arellano, Rosevelt
Subject: concern

Here ya go ☺

Regarding this rezoning, I have 2 questions;

1. a bit over 2 years ago the town turned down, at the recommendation of the Planning and Zoning commission, a rezoning of this corner due to "insufficient commercial land" in Rancho Vistoso. The owner of the land worked together with the residents to come up with a satisfactory plan with 24 homes. Now the new owner has not worked closely with the owners and there are 60% more homes. What was the average housing density 2 1/2 years ago and today to merit this change as this was given as the reason for this recommendation?

2. The current owner was able to provide a plan on the effect on views for homes along the Vistoso golf course to the west, yet is there any analysis that the town required of the owner for the Stone Canyon homes and the effect on their city lights views?

Jessica Hynd
Constituent Services Coordinator/ Management Assistant
Town of Oro Valley
11000 N. La Canada Drive
Oro Valley, Arizona 85737
Office: 520.229.4711
Jhynd@orovalleyaz.gov

Arellano, Rosevelt

From: John Beamish <john_beamish@telus.net>
Sent: Tuesday, April 26, 2016 5:06 PM
To: Arellano, Rosevelt
Subject: Parcel 10-J

Hi Rosevelt. I was in the audience for last night's meeting and found it to be very useful. I think that the Town and owner's rep did a good job in explaining the process and proposal.

You probably noticed that a number of people referenced the nearby Lennar project in their questions & comments. That's because most of the people in the neighborhood think that it's ugly, doesn't reflect the home styles in the area and the nearby homeowners weren't involved enough in the vetting process. All of us were surprised to find out that the homes were going to be crammed so tightly together and that there were going to be a number of two storey buildings which would block views. I'm not saying that the developers did anything sneaky here, but I do think that a much better disclosure process should have been in place so that we didn't end up being surprised at what ended up being built. The Town's job is to make sure that there are no surprises.

Anyway, the process seems to be unfolding in a much more transparent way for 10-J and, as a result, I'm pretty sure that you'll find a broad-based support from neighboring homes.

Thanks.

John Beamish
Treasurer - Monterey HOA

Virus-free. www.avast.com

Arellano, Rosevelt

From: mary braunger <marybraunger@gmail.com>
Sent: Thursday, June 16, 2016 6:21 AM
To: Arellano, Rosevelt
Subject: 2nd neighborhood meeting for vistoso highlands--Letter of 6/10/16

Sir:
My husband and I will not be attending the meeting on 6/30 but would like to make you aware that we are VERY much against this development. We did not purchase our winter retirement condo to be across the street from a strip mall.

There are plenty of places available on Rancho Vistoso Blvd. without going onto Highlands Dr.

I hope other residents will agree with us.

Mary Braunger

Arellano, Rosevelt

From: khhustad@gmail.com
Sent: Friday, June 24, 2016 10:27 AM
To: gpoland@wlbgroup.com
Cc: T
Subject: 10J area gabled roof examples

Hi Paul

Thanks again for meeting with Carol and me on June 9th about the Parcel 10J rezoning and preliminary development proposal. We are looking forward to the neighborhood meeting next week.

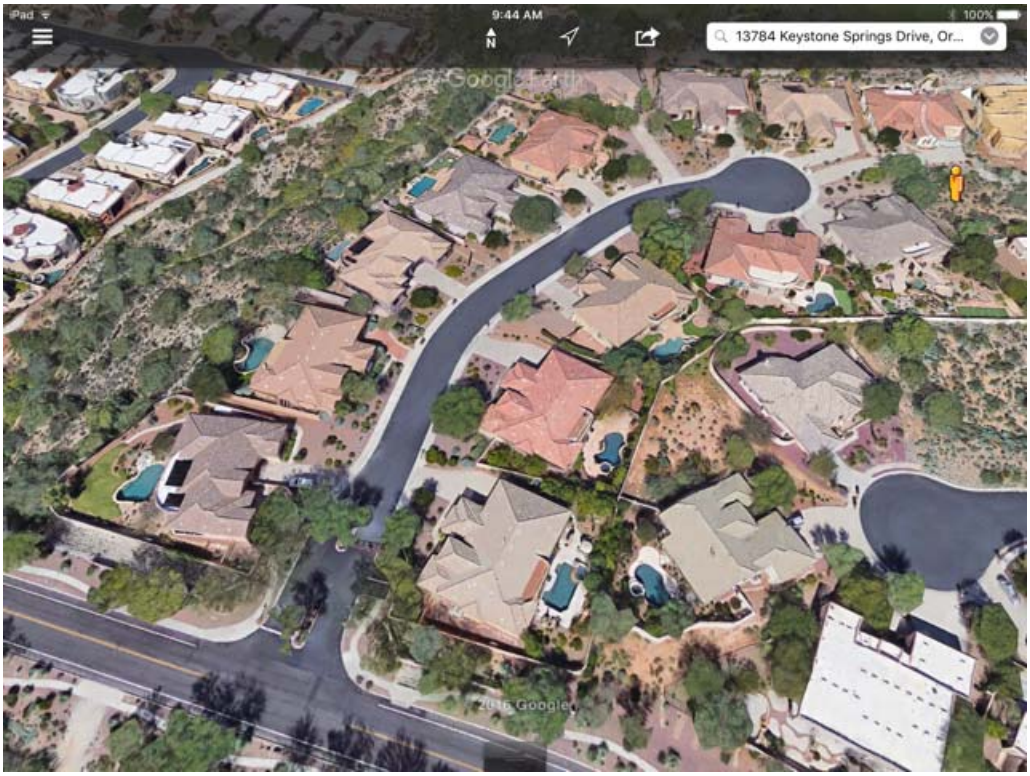
When we discussed building height limits you indicated that your likely gabled roof designs require more height than flat roofs which makes sense. However, I have since taken a quick look on Google Earth (samples below) at existing roofs in our W Vistoso Highlands neighborhoods. I was actually surprised to see that there are many gabled roofs that have been built to comply with our 21' maximum height. While some are more complicated than may be planned for 10J, these designers have apparently limited the roof pitches, wall heights and truss spans to meet our requirements. It seems that the roof designs in 10J could also be done in a lower profile with these types of adjustments as needed.

If I am missing something please let me know. As we said when Carol and I met with you on the 9th, we simply want the 10J project to blend with the character of our neighborhoods.

Thanks again for meeting with Carol and me at your office on the 9th.

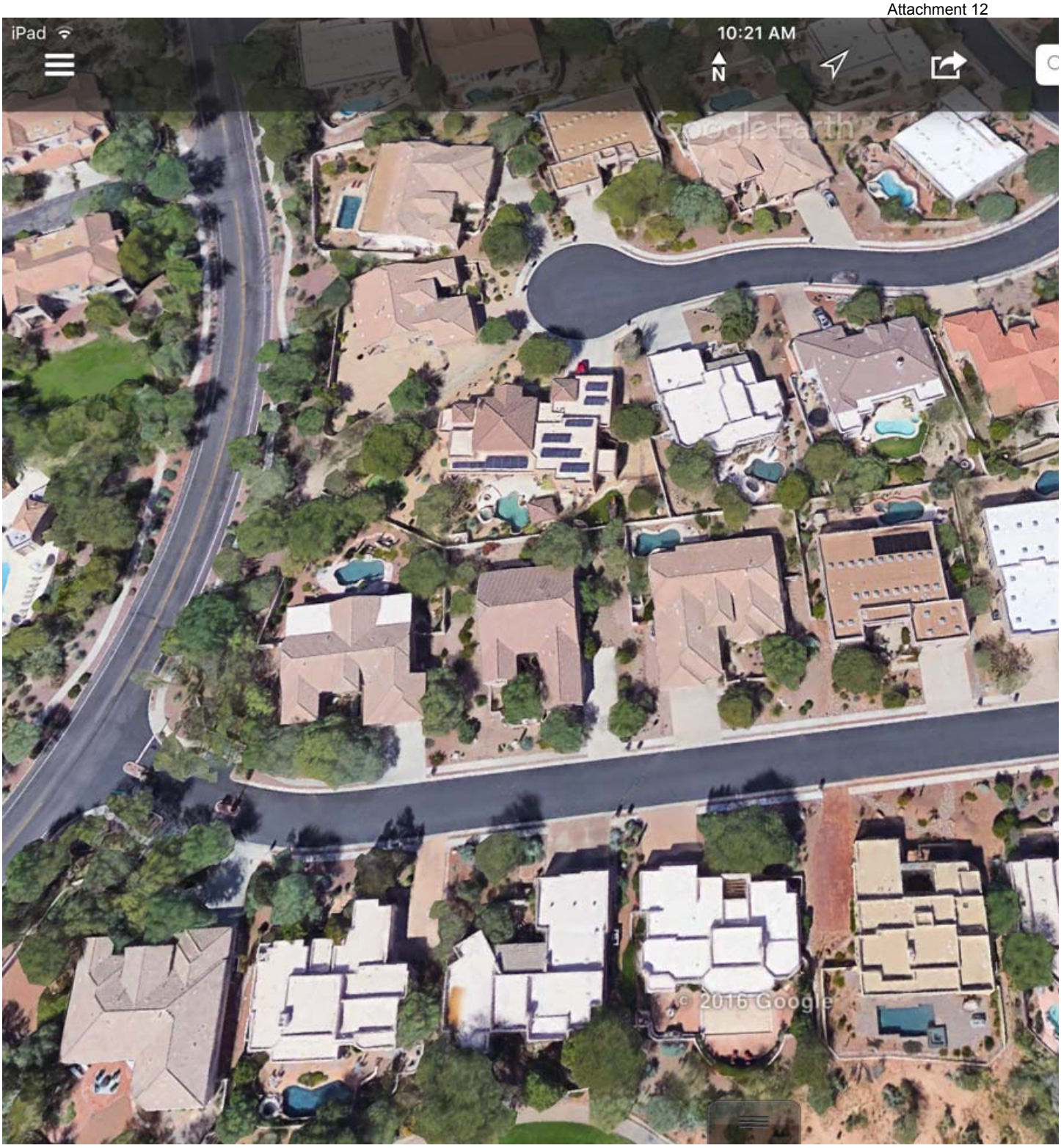
Ken
509-954-1600

Here is Steprock Canyon Pl.



Bowcreek Springs

Keystone Springs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Google Earth
© 2016 Google

Town Council Regular Session **Item # 1. b.**

Meeting Date: 11/16/2016

Requested by: Rosevelt Arellano

Submitted By: Rosevelt Arellano
Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

ORDINANCE NO. (O)16-12, AMENDING THE RANCHO VISTOSO PLANNED AREA DEVELOPMENT FROM COMMERCIAL (C-1) TO MEDIUM DENSITY RESIDENTIAL AND ALLOWING THE USE OF AN ESL FLEXIBLE DESIGN OPTION FOR A MODIFIED REVIEW PROCESS FOR A 17.8 ACRE PROPERTY, LOCATED AT THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

RECOMMENDATION:

The Planning and Zoning Commission recommends approval, subject to the conditions in Attachment 1.

EXECUTIVE SUMMARY:

The purpose of this request is to consider a Planned Area Development (PAD) Amendment from Commercial (C-1) to Medium Density Residential (MDR) for an approximate 17.8-acre property located on the northwest corner of Vistoso Highlands Drive and Rancho Vistoso Boulevard (Attachment 2). The location map (Attachment 3) provides context of the site in relation to the surrounding area.

The Tentative Development Plan, included in Attachment 4, proposes:

- A gated subdivision with 39 lots
- Minimum lot size of 8,750 square feet
- Two points of ingress/egress with access to Vistoso Highlands Drive and Rancho Vistoso Boulevard
- 28% open space

The proposed subdivision design is compatible with the surrounding area because 1) it is similar to the nearby single-family neighborhoods 2) has a lesser impact than those uses permitted under the existing commercial zoning (e.g., building height, traffic, noise, etc.) and 3) the applicant has agreed to limit the proposed building height to one-story

and design the perimeter wall in accordance with the Rancho Vistoso HOA Design Guidelines.

On September 16, the Planning and Zoning Commission recommended approval based on the findings that the request is compatible with the surrounding area and conforms with the former and current General Plans. The application was agendized for the September 21, 2016 Town Council meeting. At the applicant's request, Council voted to continue this item and the accompanying Major General Plan Amendment to their November 16 meeting.

BACKGROUND OR DETAILED INFORMATION:

Land Use Context

The property is vacant and is zoned Commercial (C-1) per the Rancho Vistoso PAD. The existing land uses and zoning for the surrounding area are provided in Attachments 3 and 5.

Site Conditions

- 17.8 acres
- Property is vacant with exception of an HOA monument sign
- Two existing curb cuts, each located on Vistoso Highlands Drive and Rancho Vistoso Boulevard

Approvals-to-date

- June 1987: Rancho Vistoso Planned Area Development, Commercial (C-1) zoning

Request

The applicant proposes to rezone a 17.8 acre property from Commercial (C-1) to Medium Density Residential (MDR) to develop a residential subdivision. The Tentative Development Plan (Attachment 4) depicts:

- 39 lots with a minimum lot size of 8,750 square feet
- Density: 2.19 homes per acre
- Detached single-family homes
- Building height: 22', one-story (flat roof homes), 25', one-story (pitch roof homes)
- Two access points on Vistoso Highlands Drive (south) and Rancho Vistoso Blvd (east)
- Landscape bufferyards along the south and east property lines
- 28% open space

Zoning Analysis

The proposed PAD Amendment to MDR conforms with the Rancho Vistoso Planned Area Development and the Zoning Code. The table below shows the project's conformance with the proposed residential (MDR) standards as enabled by the Rancho Vistoso Planned Area Development.

Development Standards	Allowed/Required	Proposed
Density (dwelling units per acre)	3-6 du/ac or 106 units	2.19 du/ac or 39 units
Building Heights	30', two-story (MDR) 34, three-story (C-1)	22' to 25', one-story
Minimum Lot Size	5,000 sq. ft.	8,750 sq. ft.
Building Setbacks	Front: 20', Sides: 5' or 0, Rear: 10'	Front: 15', Sides: 5', Rear: 10'

Compatibility

The proposed subdivision design is compatible with the surrounding area because 1) it is similar to the nearby single-family neighborhoods 2) has a lesser impact than those uses permitted under the existing commercial zoning (e.g., building height, traffic, noise, etc.) and 3) the applicant has agreed to limit the proposed building height to one-story and design the perimeter wall in accordance with the Rancho Vistoso HOA Design Guidelines.

To improve the project's compatibility with the surrounding area, three conditions have been added in Attachment 1. The conditions relate to building height and preserving the existing views, designing a subdivision wall in accordance with the Rancho Vistoso HOA Design Guidelines, and maintaining sight visibility for motorists.

Golf Course Overlay Zone

The Golf Course Overlay District of the Zoning Code requires minimum setbacks between golf courses and residential property lines to protect property owners from errant golf balls and nuisances. The proposed Tentative Development Plan meets the golf course setback requirements by providing the minimum distance between the proposed lots and the existing golf course.

Environmentally Sensitive Lands (ESL) Conformance

The proposed development is required to provide 4.9 acres of Environmentally Sensitive Open Space (ESOS). The project conserves 5-acres of ESOS on the property.

ESL Flexible Design Option

The Environmentally Sensitive Lands requirements enable the use of incentives, or flexible design options, subject to Town Council approval. The flexible design options are available to a developer when ESOS is applied to 25% or more of the property.

The applicant proposes 25% ESOS and has requested use of the modified review process. A modified review process would allow the proposed subdivision design to undergo an administrative review, provided that it closely matches the approved Tentative Development Plan.

The applicant's request is reasonable because the proposed Tentative Development Plan was adequately reviewed by the neighbors and the Planning and Zoning

Commission at two neighborhood and two Planning and Zoning Commission meetings. It is not apparent that the community would benefit from additional reviews at public meetings.

General Plan Conformance

As part of this PAD Amendment, the applicant is proposing a Major General Plan Amendment from Neighborhood Commercial Office to Medium Density Residential. The Major General Plan Amendment, if approved, will support the requested PAD Amendment for the property.

The proposed PAD Amendment is consistent with the Vision, Goals and Policies of both the former and current General Plans. The applicable Goals and Policies relate to compatibility, environmental protection and housing type. A more detailed analysis is provided in Attachment 6.

Planning and Zoning Commission

The applicant's request was heard by the Planning and Zoning Commission (PZC) on August 23 and September 6, 2016. The main topics discussed at the meeting included view preservation and traffic.

At the conclusion of the September 6 meeting, the Commission voted to approve the PAD Amendment and the use of ESL's Modified Review Process, based on the finding that the request complies with the Rancho Vistoso PAD and the General Plan. The PZC staff report is included as Attachment 7 and the PZC draft meeting minutes are included as Attachment 8.

Public Notification and Comment

The following public notice has been provided:

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

Two neighborhood meetings were held on April 25, 2016, and June 30, 2016, with approximately 40 residents at each meeting. The main topics discussed at the meetings included preserving the existing views to the east, traffic circulation, architecture and wall design.

In response to the neighbors' concerns for view preservation, the applicant has agreed to limit the proposed building height to 25', one-story for pitch roof homes and 22' one-story for flat roof homes. The applicant has also agreed to design a perimeter wall in

conformance with the Rancho Vistoso HOA Design Guidelines. These agreements are included as conditions in Attachment 1.

A copy of the neighborhood meeting summary notes are provided as Attachment 9, and five letters of concern are included as Attachment 10.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to adopt Ordinance No. (O)16-12, approving the proposed PAD Amendment and the use of ESL's Modified Review Process, subject to the conditions in Attachment 1, finding that the requests are consistent with the General Plan.

OR

I MOVE to deny Ordinance No. (O)16-12, approving the proposed PAD Amendment, based on a finding that _____.

Attachments

(O)16-12 Rancho Vistoso PAD Amendment
Attachment 2 - Application
Attachment 3 - Location Map
Attachment 4 - Tentative Development Plan
Attachment 5 - Zoning Map
Attachment 6 - General Plan Analysis
Attachment 6 - General Plan Analysis
Attachment 7 - PZC Staff Reports
Attachment 8 - PZC Minutes
Attachment 9 - Neighborhood Meeting Summary Notes
Attachment 10 - Letters of Concern

ORDINANCE NO. (O)16-12

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE RANCHO VISTOSO PLANNED AREA DEVELOPMENT FROM COMMERCIAL (C-1) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND ONE ESL FLEXIBLE DESIGN OPTION FOR A MODIFIED REVIEW PROCESS ON A 17.8 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF VISTOSO HIGHLANDS DRIVE AND RANCHO VISTOSO BOULEVARD

WHEREAS, the Applicant has requested an amendment to the Rancho Vistoso Planned Area Development (PAD) from Commercial (C-1) to Medium Density Residential (MDR) and one ESL flexible design option for a modified review process on a 17.8 acre site located on the northwest corner of Vistoso Highlands Drive and Rancho Vistoso Boulevard, attached hereto as Exhibit "A"; and

WHEREAS, the amendment to the PAD will provide continuity in residential land use and is compatible with the surrounding area; and

WHEREAS, the Applicant agrees to limit the proposed building height to one-story and design the perimeter wall in accordance with the Rancho Vistoso HOA Design Guidelines; and

WHEREAS, the Planning and Zoning Commission held duly noticed public hearings on August 23, 2016, and September 6, 2016, 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 Rancho Vistoso Planned Area Development (PAD) from Commercial (C-1) to Medium Density Residential (MDR) and one ESL flexible design option for a modified review process on a 17.8 acre site located on the northwest corner of Vistoso Highlands Drive and Rancho Vistoso Boulevard.

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 from Commercial (C-1) to Medium Density Residential (MDR) and one ESL flexible design option for a modified review process on a 17.8 acre site located on the northwest corner of Vistoso Highlands Drive and Rancho Vistoso Boulevard is hereby approved, subject to the conditions in Exhibit "B."

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 16th day of November, 2016.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Michael Standish, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

Date: _____

EXHIBIT "A"

LOCATION

EXHIBIT "B"

1. Flat roof homes shall be limited to 22', one-story and pitch roof homes shall be limited to 25', one-story.

2. The perimeter subdivision wall shall be designed in conformance with the Rancho Vistoso HOA Design Guidelines.

3. Existing vegetation shall be maintained and/or removed to provide adequate sight visibility distance for access onto Vistoso Highlands Drive.

Attachment 2

Rancho Vistoso Parcel 10-J

PAD Amendment Site Analysis

OV1601747 (REF. OV1600602)

8.8.2016

The WLB Group Inc. WLB

Engineering · Landscape Architecture
Planning · Surveying · Urban Design

PREPARED FOR:

Vistoso Highlands Property LLC.
6420 E. Tanque Verde Rd.
Tucson, Arizona 85715

PREPARED BY:

The WLB Group, Inc.
Attn: Paul Oland
4444 East Broadway
Tucson, Arizona 85711

WLB No. 185050-VH-01

August 8, 2016

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Introduction

This site analysis has been prepared in support of a proposed rezoning of Neighborhood 10 Parcel J (Parcel 10-J) in the Rancho Vistoso Planned Area Development. This project is a proposed residential subdivision located at the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive. (Please refer to *Exhibit A: Location Map.)* As a master planned community, Rancho Vistoso appropriately included sufficient commercial land to meet the needs of its anticipated population. However, over the years Rancho Vistoso has developed at roughly two-thirds of its originally envisioned residential density. A commensurate drop in need for commercial land has resulted, which has caused this commercially zoned property to remain undeveloped. As Rancho Vistoso rapidly approaches build-out, the prospects grow dim that enough additional homes will be built in the area to support the development of the smaller, neighborhood-level commercial lands such as this one within the PAD. Of course, the General Plan's future land use designations reflect the original PAD design, and not the market reality that has manifested since then. A General Plan amendment application was submitted to the Town of Oro Valley in April 2016 to allow residential land uses to replace the current neighborhood commercial entitlements due to the non-viability of commercial interest in this property's immediate vicinity.

This proposal is to request a rezoning of the approximately 17.8-acre site from Community Commercial (C-1) to Medium Density Residential (MDR) within the Rancho Vistoso Planned Area Development (PAD). The proposed rezoning is supported by several factors, including its proximity to existing commercial developments and other undeveloped commercial property, compatibility with surrounding residential land uses, and adjacency to two significant roadways. The anticipated overall gross density of Parcel 10-J is approximately 2.2 dwelling units per acre, which is similar to existing neighborhoods on adjacent parcels.

In order to make this project a reality, the appropriate land entitlements must be acquired for the property. The current land entitlements are not consistent with historic, current, or anticipated market demand; as such, the property owner is focused on acquiring the necessary entitlements in the Town of Oro Valley.

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Part I – Inventory & Analysis

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1. Existing Land Uses

A. Regional Context

The property subject to this rezoning request consists of 17.8± acres located in the Town of Oro Valley in Section 24, Township 11S, Range 13E, Pima County Arizona. The site sits at the northwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive. It is near the geographic center of the Rancho Vistoso Planned Area Development. The Pima County tax assessor designates the subject property as parcel numbers 219-20-004M and 219-20-004L.

Please refer to Exhibit I-1-A: Site Location Map and Exhibit I-1-B: Aerial Photograph.

B. Onsite Uses

The subject property is currently undeveloped and vacant. The subject property is currently zoned Community Commercial (C-1) within the Rancho Vistoso Planned Area Development (PAD). The Town of Oro Valley is currently reviewing a General Plan Amendment request on the subject property to redesignate the property from Neighborhood Commercial/Office (NCO) to Medium Density Residential (MDR) on the General Plan land use map.

Please refer to Exhibit I-1-C: Existing General Plan Future Land Use Designations.

C. Project Vicinity

Please refer to Exhibit I-1-D: Existing Zoning and Exhibit I-1-E: Existing Land Uses. The subject property is surrounded by the following existing zonings and land uses:

a/b: Existing Zoning and Land Uses

North:	Existing zoning:	MDR (Medium Density Residential – PAD) LDR (Low Density Residential – PAD) Resort / Golf Course (Golf Course – PAD) Open Space (Open Space – PAD)
	Existing land use:	Single-Family Residential and Stone Canyon Golf Course.
East:	Existing zoning:	MDR (Medium Density Residential – PAD)
	Existing land use:	Single-Family Residential.
South-East:	Existing zoning:	MDR (Medium Density Residential – PAD) Open Space (Open Space –PAD)
	Existing land use:	Assisted Living Residential.
South:	Existing zoning:	MDR (Medium Density Residential – PAD) HDR (High Density Residential –PAD) Resort / Golf Course (Golf Course – PAD)
	Existing land use:	Single-Family and Multi-Family Residential.

West:	Existing zoning:	MDR (Medium Density Residential – PAD) Resort / Golf Course (Golf Course – PAD) HDR (High Density Residential – PAD) Open Space (Open Space – PAD)
	Existing land use:	Single-Family and Multi-Family Residential and Stone Canyon Golf Course.
North-West:	Existing zoning:	MDR (Medium Density Residential – PAD) LDR (Low Density Residential – PAD) Resort / Golf Course (Golf Course –PAD)
	Existing land use:	Single-Family Residential and Stone Canyon Golf Course.

C: Number of Stories of Surrounding Structures

Adjacent structures within a quarter mile of the subject property include both one and two-story single-family detached homes, two-story multi-family attached homes, and a three-story assisted living facility.

d: Pending Rezonings

There are no pending rezonings within a quarter mile of the subject property.

e: Conditionally Approved Zonings

There are no conditionally approved zonings within a quarter mile of the subject property.

f: Subdivisions and/or Development Plans Approved

Center Pointe by Maracay, Parcel 10-N by Lennar, and Ridgeview at Vistoso Trails by Mattamy are all under construction within a quarter mile of the subject property.

g: Architectural Styles Used in Adjacent Projects

The architectural styles used in adjacent projects are mainly wood frame or block homes that utilize a stucco and/or stone veneer and have either a flat or tiled roof.

2. Environmentally Sensitive Lands

A. ESL Categories Onsite

The subject property consists of two Environmentally Sensitive Land categories. Approximately 96% or 17.1± acres of the property is within the Resource Management Area Tier 2. The remaining portion of the site is within in the Critical Resource Area, which is along the western boundary of the property and which is completely encompassed by PAD Open Space. The vegetation community on the property is typical of the Sonoran Desertscrub Paloverde-Mixed Cacti, which includes Palo Verde, Mesquite, Cholla, Prickly pear, Ocotillo, and Barrel Cactus.

B. Additional ESL Characteristics

No regulated rock outcrops occur on site.

Please refer to Exhibit I-2-A: Environmentally Sensitive Lands.

C. *Total acreage present on-site for each Conservation Category.*

Conservation Category	Acreage
Major Wildlife Linkage	0
Critical Resource Area	0.7±
Core Resource Area	0
RMA Tier 1	0
RMA Tier 2	17.1±
RMA Tier 3	0

3. Topography

A. Topographic Character & Features

The topography of the subject property is characterized by relatively flat terrain and some undulating areas adjacent to the small wash that runs along the western boundary of the site. The property generally slopes downward from northeast to southwest towards Vistoso Highlands Drive. Elevations range from approximately 2,968 feet at the highest point on the northeast side to 2,945 feet at the lowest point on the southwest side of the property. The site contains no areas of regulated slopes greater than 15%. The site does not contain any restricted peaks, ridgelines or other significant topographic features. No areas of this development are subject to the ESL Hillside Area Category.

Please refer to Exhibit I-3-A: Topography.

Topographic Feature Category	Acreage
15% to less than 18%	0
18% to less than 20%	0
20% to less than 25%	0
25% to less than 33%	0
33% or greater	0
Ridgelines	0
Rock Outcrops & Boulders	0

4. Cultural / Archaeological / Historic Resources

A. Archaeological Survey Status / Results

The subject property was intensively surveyed in 1986 by professional archaeologists, as part of the "Rancho Vistoso Survey" (see Prehistoric Settlement in the Canada Del Oro Valley, Arizona: The Rancho Vistoso Survey Project by D.B. Craig and H.D. Wallace 1987). One site has been identified within the project area (AZ BB:9:177 [ASM]) and another has been identified approximately 60 yards east of the project area (AZ BB:9:87 [ASM]). Forty-four archaeological sites have been identified within a 1-mile radius of the project area. Both sites have been studied and cleared for development.

The Arizona State Museum Archaeological Records Search Results Letter recommends, that a qualified archaeological contractor be consulted before any ground disturbance begins. If any human remains or funerary objects are discovered during the construction of this project, all work will stop within the area of the remains and Dr. Tod Pitezel, ASM assistant curator of archaeology, will be contacted immediately. An updated Cultural Resource Survey for the property is currently being conducted and will be completed before the Town Council meeting.

Please refer to Appendix B: Archaeological Report.

5. Hydrology

A. Offsite Watersheds

The off-site watershed impacting the project site is a minor watershed of approximately 60 acres, which contributes to an unnamed wash that follows a southwesterly route along the western property boundary. The entire property area is designated as being within a Clear Zone 'X' per the FEMA Flood Insurance Rate Map (FIRM), Panel 04019C1080L, revised June 16, 2011. The off-site terrain of the upstream watersheds is mostly native desert vegetation and some golf greens and fairways, several roadway crossings and some lower density residential development. The development in the upstream area appears to provide some modest detention.

Please refer to Exhibit I-5-A: Offsite Watersheds.

B. Balanced / Critical Basins

Per Town decree, the entire Town is classified as a critical basin.

C. Offsite Features Affecting or Affected by the Property

Upstream of the site, the low density nature of existing development allows most drainage to flow naturally. The extreme western side of the project site is impacted by approximately 300 cfs from the unnamed wash.

D. Area of Upstream Watersheds Greater than 100 CFS

The portion of the off-site watershed that impacts the site is of approximately 60 acres.

Please refer to Exhibit I-5-B: Onsite Hydrology Characteristics.

E. Location / Ownership of Well Sites within 100' of Site

According to the Arizona Department of Water Resources, there are no wells located within 100 feet of the project site.

F. Onsite Hydrology Characteristics

A shallow, braided wash runs along the western edge of the project site. The entire site is typical of the upland desert biome, featuring a mix of cactus, mesquites, palo verde, and other species. Pima County GIS data describes the soils as a mixed hydrological soil group. Onsite hydrologic analysis has been performed with the Rational Method. The runoff coefficients were prepared using the Town of Oro Valley Drainage Criteria Manual, and are based on soil types noted in the National Resource Conservation Service soils study. The hydrologic soil type within the project boundary is comprised of 71% 'D' / 29% 'C'. The vegetative cover and density have been determined using recent aerial photographs and field reconnaissance. The rainfall data was determined using the Generalized I-D-F Curves as found within Figure 3-3 of the TOV Drainage Criteria Manual.

Please refer to Exhibit I-5-B: Onsite Hydrology Characteristics

i. Approximate 100-year floodplains with discharges equal to or greater than 50 cfs.

The project site contains a single sub-basin with greater than 50 cfs discharge. The western boundary of the site is an unnamed wash that contributes approximately 300 cfs at the downstream outlet.

ii. Areas of sheet flooding, with average depths

The project site is not subject to sheet flooding.

iii. Federally mapped floodways and floodplains

The site is free of any federally mapped floodways and floodplains as illustrated with the FEMA FIRM Panel: 04019C1080L

iv. Calculation of all 100-year peak discharges exceeding 50 cfs

There are no on-site sub-basins with 100-year peak discharges exceeding 50 cfs.

G. Existing Drainage Conditions along the Downstream Property Boundary

Existing drainage conditions along the downstream property boundary have been considered and handled appropriately by the Rancho Vistoso master developer. Grading, culverts and channelization have been implemented to adequately protect the downstream property from a 100-year storm event.

6. Wildlife

A. Arizona Game & Fish Dept. Letter

Arizona Environmental Online Review Tool Report

Arizona Game and Fish Department Mission
To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:
Rancho Vistoso - 10J

User Project Number:
185050-VH-01

Project Description:
38 single family residential lots

Project Type:
Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

Contact Person:
Clay Goodwin

Organization:
The WLB Group Inc.

On Behalf Of:
PIMA

Project ID:
HGIS-03536

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

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Arizona Game & Fish Dept. Letter (cont'd)

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HabiMap Arizona data, specifically Species of Greatest Conservation Need (SGCN) under our State Wildlife Action Plan (SWAP) and Species of Economic and Recreational Importance (SERI), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

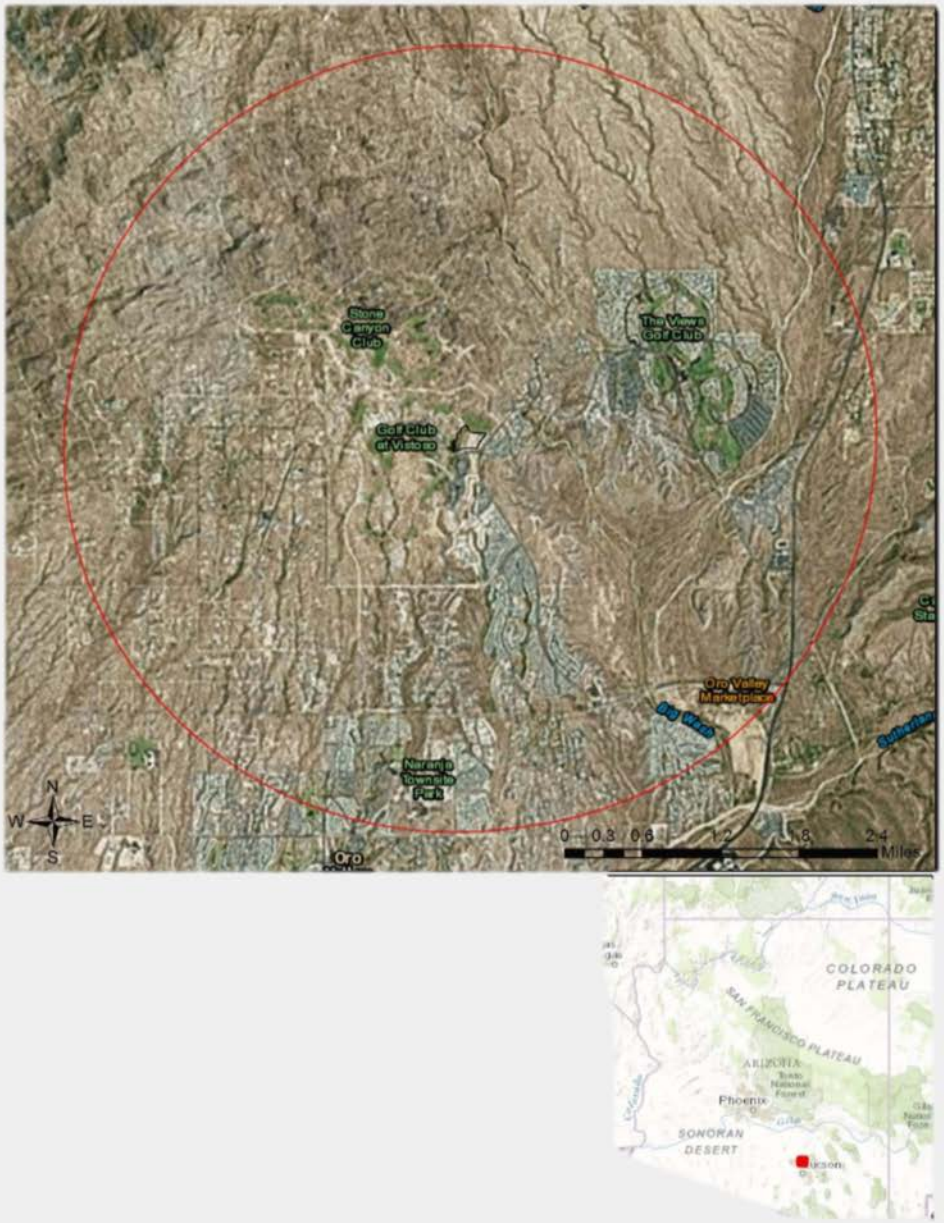
Locations Accuracy Disclaimer:
Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

Arizona Game & Fish Dept. Letter (cont'd)

Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
   Project Evaluation Program, Habitat Branch
   Arizona Game and Fish Department
   5000 West Carefree Highway
   Phoenix, Arizona 85086-5000
   Phone Number: (623) 236-7600
   Fax Number: (623) 236-7366
   Or
   PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

Arizona Game & Fish Dept. Letter (cont'd)



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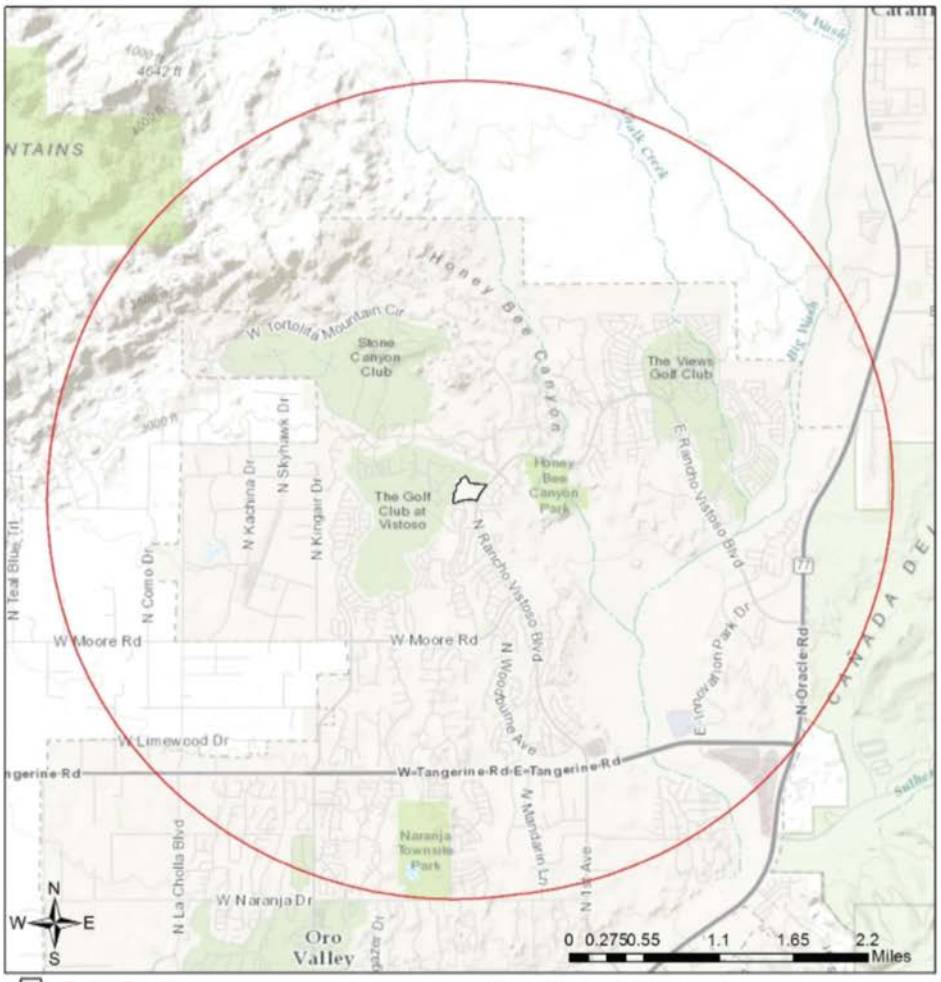
Rancho Vistoso - 10J

Web Map As Submitted By User



Project Boundary

Buffered Project Boundary

Project Size (acres): 17.87

Lat/Long (DD): 32.4549 / -110.9763

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T11S, R13E

USGS Quad(s): ORO VALLEY

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

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Rancho Vistoso - 10J

Topo Basemap With Township/Ranges and Land Ownership

Project Boundary	Mixed/Other	Project Size (acres): 17.87
Buffered Project Boundary	National Park/Mon.	Lat/Long (DD): 32.4549 / -110.9763
Township/Ranges	Private	County(s): Pima
AZ Game and Fish Dept.	State and Regional Parks	AGFD Region(s): Tucson
BLM	State Trust	Township/Range(s): T11S, R13E
BOR	US Forest Service	USGS Quad(s): ORO VALLEY
Indian Res.	Wildlife Area/Refuge	
Military		

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

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Special Status Species and Special Areas Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Aquila chrysaetos	Golden Eagle	BGA		S		1B
Glaucidium brasilianum cactorum	Cactus Ferruginous Pygmy-owl	SC	S	S		1B
Gopherus morafkai	Sonoran Desert Tortoise	CCA	S			1A
Heloderma suspectum suspectum	Reticulate Gila Monster					1A
Tucson - Tortolita - Santa Catalina Mountains Linkage Design	Wildlife Corridor					

Note: Status code definitions can be found at http://www.azgfd.gov/w_c/edits/hdms_status_definitions.shtml.

Species of Greatest Conservation Need
Predicted within Project Vicinity based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Aix sponsa	Wood Duck					1B
Ammodramus savannarum perpallidus	Western Grasshopper Sparrow					1B
Ammospermophilus harrisii	Harris' Antelope Squirrel					1B
Anthus spragueii	Sprague's Pipit	C*				1A
Antrostomus ridgwayi	Buff-collared Nightjar		S			1B
Aquila chrysaetos	Golden Eagle	BGA		S		1B
Aspidoscelis flagellicauda	Gila Spotted Whiptail					1B
Aspidoscelis stictogramma	Giant Spotted Whiptail	SC	S			1B
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		1B
Botaurus lentiginosus	American Bittern					1B
Buteo regalis	Ferruginous Hawk	SC		S		1B
Chilomeniscus stramineus	Variable Sandsnake					1B
Colaptes chrysoides	Gilded Flicker			S		1B
Coluber bilineatus	Sonoran Whipsnake					1B
Corynorhinus townsendii pallescens	Pale Townsend's Big-eared Bat	SC	S	S		1B
Crotalus cerberus	Arizona Black Rattlesnake					1B
Crotalus tigris	Tiger Rattlesnake					1B
Cynanthus latirostris	Broad-billed Hummingbird		S			1B
Dipodomys spectabilis	Banner-tailed Kangaroo Rat			S		1B
Euderma maculatum	Spotted Bat	SC	S	S		1B
Eumops perotis californicus	Greater Western Bonneted Bat	SC		S		1B
Falco peregrinus anatum	American Peregrine Falcon	SC	S	S		1A
Glaucidium brasilianum cactorum	Cactus Ferruginous Pygmy-owl	SC	S	S		1B
Glaucidium gnoma gnoma	Northern Pygmy-owl					1B
Gopherus morafkai	Sonoran Desert Tortoise	C*	S			1A
Haliaeetus leucocephalus	Bald Eagle	SC, BGA	S	S		1A
Heloderma suspectum	Gila Monster					1A

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Species of Greatest Conservation Need
Predicted within Project Vicinity based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Hypsiglena sp. nov.	Hooded Nightsnake					1B
Incilius alvarius	Sonoran Desert Toad					1B
Kinosternon sonoriense sonoriense	Desert Mud Turtle			S		1B
Lasiurus blossevillii	Western Red Bat		S			1B
Lasiurus xanthinus	Western Yellow Bat		S			1B
Leopardus pardalis	Ocelot	LE				1A
Leptonycteris curasoae yerbabuenae	Lesser Long-nosed Bat	LE				1A
Lepus alleni	Antelope Jackrabbit					1B
Macrotus californicus	California Leaf-nosed Bat	SC		S		1B
Melanerpes uropygialis	Gila Woodpecker					1B
Meleagris gallopavo mexicana	Gould's Turkey		S			1B
Melospiza lincolnii	Lincoln's Sparrow					1B
Melozone aberti	Abert's Towhee		S			1B
Micruroides euryxanthus	Sonoran Coralsnake					1B
Myotis occultus	Arizona Myotis	SC		S		1B
Myotis velifer	Cave Myotis	SC		S		1B
Myotis yumanensis	Yuma Myotis	SC				1B
Nyctinomops femorosaccus	Pocketed Free-tailed Bat					1B
Odocoileus virginianus	White-tailed Deer					1B
Ovis canadensis nelsoni	Desert Bighorn Sheep					1B
Panthera onca	Jaguar	LE				1A
Passerculus sandwichensis	Savannah Sparrow					1B
Perognathus amplus	Arizona Pocket Mouse					1B
Perognathus longimembris	Little Pocket Mouse					1B
Peucaea botterii arizonae	Arizona Botteri's Sparrow			S		1B
Peucaea carpalis	Rufous-winged Sparrow					1B
Phrynosoma solare	Regal Horned Lizard					1B
Phyllorhynchus browni	Saddled Leaf-nosed Snake					1B
Progne subis hesperia	Desert Purple Martin			S		1B
Setophaga petechia	Yellow Warbler					1B
Sonorella eremita	San Xavier Talussnail	SC				1A
Sonorella papagorum	Black Mountain Talussnail					1B
Tadarida brasiliensis	Brazilian Free-tailed Bat					1B
Thomomys umbrinus intermedius	Southern Pocket Gopher					1B
Troglodytes pacificus	Pacific Wren					1B
Vireo bellii arizonae	Arizona Bell's Vireo					1B
Vulpes macrotis	Kit Fox					1B

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Species of Economic and Recreation Importance Predicted within Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Callipepla gambelii	Gambel's Quail					
Odocoileus hemionus	Mule Deer					
Odocoileus virginianus	White-tailed Deer					1B
Patagioenas fasciata	Band-tailed Pigeon					1C
Pecari tajacu	Javelina					
Puma concolor	Mountain Lion					
Zenaida asiatica	White-winged Dove					
Zenaida macroura	Mourning Dove					

Project Type: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

Project Type Recommendations:

Fence recommendations will be dependant upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barbless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 16". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on the home page of this application at http://www.azgfd.gov/hgis/guidelines.aspx.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, cantered, or cut to ensure that light reaches only areas needing illumination.

Minimize potential introduction or spread of exotic invasive species. Invasive species can be plants, animals (exotic snails), and other organisms (e.g., microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g., livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before leaving the site. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants, https://agriculture.az.gov/. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control, http://www.usda.gov/wps/portal/usdahome. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information http://www.azgfd.gov/h_f/hunting_rules.shtml

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The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g., bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (http://azstateparks.com/SHPO/index.html).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herptefauna (snakes, lizards, tortoise) from entering ditches.

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found on the home page of this application at http://www.azgfd.gov/hgis/guidelines.aspx.

Design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Reduce/minimize barriers to allow movement of amphibians or fish (e.g., eliminate falls). Also for terrestrial wildlife, washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found on the home page of this application at http://www.azgfd.gov/hgis/guidelines.aspx.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (http://www.azdeq.gov/).

Based on the project type entered, coordination with Arizona Department of Water Resources may be required (http://www.azwater.gov/azdwr/default.aspx).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (http://www.usace.army.mil/)

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Based on the project type entered, coordination with County Flood Control district(s) may be required.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife.

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly. PEP@azgfd.gov

Project Location and/or Species Recommendations:

HDMS records indicate that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at http://www.fws.gov/southwest/es/arizona/ or:

Phoenix Main Office	Tucson Sub-Office	Flagstaff Sub-Office
2321 W. Royal Palm Rd, Suite 103	201 N. Bonita Suite 141	SW Forest Science Complex
Phoenix, AZ 85021	Tucson, AZ 85745	2500 S. Pine Knoll Dr.
Phone: 602-242-0210	Phone: 520-670-6144	Flagstaff, AZ 86001
Fax: 602-242-2513	Fax: 520-670-6155	Phone: 928-556-2157
		Fax: 928-556-2121

HDMS records indicate that Sonoran Desert Tortoise have been documented within the vicinity of your project area. Please review the Tortoise Handling Guidelines found at: http://www.azgfd.gov/hgis/pdfs/Tortoisehandlingguidelines.pdf

Analysis indicates that your project is located in the vicinity of an identified wildlife habitat linkage corridor. Project planning and implementation efforts should focus on maintaining adequate opportunities for wildlife permeability. For information pertaining to the linkage assessment and wildlife species that may be affected, please refer to: http://www.corridordesign.org/arizona. Please contact your local Arizona Game and Fish Department Regional Office for specific project recommendations: http://www.azgfd.gov/inside_azgfd/agency_directory.shtml.

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7. Viewsheds

Due to the relatively flat character of the project site, the perimeter areas are the only locations of high visibility from adjacent roadways and properties. The areas of higher vegetation densities in and near the western and south-eastern portions of the site perimeter reduce visibility into and across the property.

A. *For proposals within the Tangerine Road Corridor Overlay District and/or Oracle Road Scenic Corridor Overlay District, provide a Viewshed Analysis as defined in Section 27.10.D.3.f.iv.a.1.*

   The subject property does not fall within either Overlay district.

B. *For proposals within the Tangerine Road Corridor Overlay District and/or Oracle Road Scenic Corridor Overlay District, provide a View Preservation Plan (VPP) for nonresidential developments that meet the criteria defined in Section 27.10.D.3.f.iv.2.*

   Not Applicable

C. *For proposals within the Tangerine Road Corridor Overlay District and/or Oracle Road Scenic Corridor Overlay District, map and identify all Core Character Vegetation (CCV), in accordance with Section 27.10.D.3.f.iv.b.*

   Not Applicable

8. Traffic

A. Connection to Arterial Roadway Network

Access to the subject property will be from Rancho Visotos Boulevard and Vistoso Highlands Drive. These ingress/egress points will be aligned with existing curb and median cuts on the adjacent arterial and collector roadways.

B. Arterial Roadways within One Mile of the Property

i. *Existing and proposed right-of-way widths.* See tables below.
ii. *Whether or not said widths conform to Oro Valley minimum requirements.* See tables below.
iii. *Ownership (public or private).* See tables below.
iv. *Whether or not rights-of-way jog or are continuous.* See tables below.
v. *Number of travel lanes, theoretical capacity and design speed for existing streets.* See tables below.
vi. *Present Average Daily Traffic (ADT) for existing streets.* See tables below.
vii. *Describe surface conditions on existing streets providing access to the site.* See tables below.
viii. *Program for completion of roadway and intersection improvements.* See tables below.

Rancho Vistoso Blvd.		
Road Segment:	Moore Rd. to Del Webb Blvd.	Del Webb Blvd. to Oracle Rd.
Existing ROW:	150’	150’
Ultimate ROW:	150’	150’
Travel Lanes:	4	4
Capacity:	40,000	40,000
ADT (PAG):	3,471	12,893
Speed Limit:	45	45
Condition:	Paved	Paved
Scheduled Improvements:	None Scheduled	None scheduled

Moore Road		
Road Segment:	Thornydale Rd. to La Cholla Blvd.	La Cholla Blvd. to Rancho Vistoso Blvd.
Existing ROW:	60'	60'-150’
Ultimate ROW:	150’	150'
Travel Lanes:	2	2-4
Capacity:	17,000	17,000
ADT (PAG):	2,031	3,914
Speed Limit:	45	35-45
Condition:	Paved	Paved
Scheduled Improvements:	None Scheduled	Completed in early 2016

Please refer to Exhibit I-8-A: Transportation.

ix. *Existing and proposed intersections on arterials within 1 mile of the site most likely to be used by traffic from the site.*

Arterial intersections within one mile of the site that will likely carry traffic generated by this development include Rancho Vistoso Boulevard and Vistoso Highlands Drive, and Rancho Vistoso Boulevard and Moore Road.

x. *Existing bicycle and pedestrian ways adjacent to the site and their connections with arterial streets, parks and schools.*

There is a signed bike route with on street bike lane that extends the entire length of Rancho Vistoso Boulevard from Tangerine Road to Oracle Road. There is also a signed bike route with on street bike lane along Vistoso Highlands Drive. These routes provide connectivity to Painted Sky Elementary School, Copper Creek Elementary School, Honey Bee Park, the Woodshade Linear Park, Sunset Park, Hohokam Park and the greater Oro Valley/Pima County bicycle-pedestrian path system.

Refer to Exhibit I-8-A: Transportation.

9. Recreation / Trails

A. Trails, Parks and Recreation Areas within One Mile of the Property

There are several smaller neighborhood parks within one mile of the subject property, including Moticello Park, Cortona Park, Somerset Park, Torreno Park, Hohokam Park, Sunset Park, the Woodshade Linear Park, and the Honey Bee Canyon Park. The Golf Club at Vistoso is a public, par 72 course that is located approximately one half mile to the west of the project site. Multi-use pathways are located within the Woodshade Linear Park and along the east side of La Canada Drive. There is also a series of natural trails that weave their way through and around the surrounding neighborhoods. These trails connect neighborhoods to one another and to the active recreation areas scattered throughout Rancho Vistoso.

Surrounding Recreation Areas		
Park Name:	Park Size (in Acres)	Park Type (Active of Passive)
Moticello Park	1.2±	Passive
Cortona Park	0.5±	Passive
Somerset Park	1.2±	Passive
Torreno Park	0.2±	Passive
Hohokam Park	8.8±	Active & Passive
Sunset Park	3.5±	Passive
Woodshade Linear Park	3.1±	Passive
Honey Bee Canyon Park	77.9±	Passive
Golf Club at Vistoso	202±	Active

Refer to Exhibit I-9-A: Trails, Parks & Recreation.

10. Schools

A. Schools within One Mile of the Property

The Amphitheater School District owns a 10± acre parcel approximately 1-mile southwest of the subject property. The parcel is currently vacant, but will eventually become an Elementary School site. There is also a future Middle School Site that is designated within the Rancho Vistoso PAD approximately 2-miles southeast of the subject property.

Refer to Exhibit I-10-A: Existing & Proposed Schools.

B. Schools Expected to Serve the Project

Rancho Vistoso 10J is located within the Amphitheater Public School District. Existing schools in the District that may serve this project include:

- Painted Sky Elementary School is located to the south of the project site and Moore Road. The school accommodates kindergarten through fifth grades.
- Copper Creek Elementary School is located to the south of the project site and Tangerine Road. The school accommodates Kindergarten through fifth grades.
- Ironwood Ridge High School is located to the southwest of the project site and Naranja Drive and La Cholla Blvd. The school accommodated ninth through twelfth grades.
- Basis Oro Valley, a charter school, is located to the southeast of the project site and Tangerine Road and Oracle Road. The school accommodates kindergarten through twelfth grades.

11. Water

A. Water Service Provider

This project will be served by the Oro Valley water Utility. The exact nature of offsite improvements will be determined during the platting process, although none are anticipated. There is a 12" PVC water line that exists within the Rancho Vistoso Boulevard R.O.W., and within the Vistoso Highlands Drive R.O.W. The water line within Vistoso Highlands Drive has an 8" stub out to serve this property. Contact information: Mark Moore – Oro Valley Water Utility, 11000 N. La Canada Drive, Oro Valley AZ 85737

12. Wastewater

A. Sewer Service Connection

There is an existing 8" sewer line within the Rancho Vistoso Boulevard R.O.W. and an existing 10" sewer line within the Vistoso Highlands Drive R.O.W. There is an 8" sewer stub out coming from Vistoso Highlands Drive to service the subject property. Capacity is currently available for this project in the public sewer G-95-143, downstream from manhole 6987-05.

Refer to Exhibit I-12-A: Sewer Service.

13. Exhibits

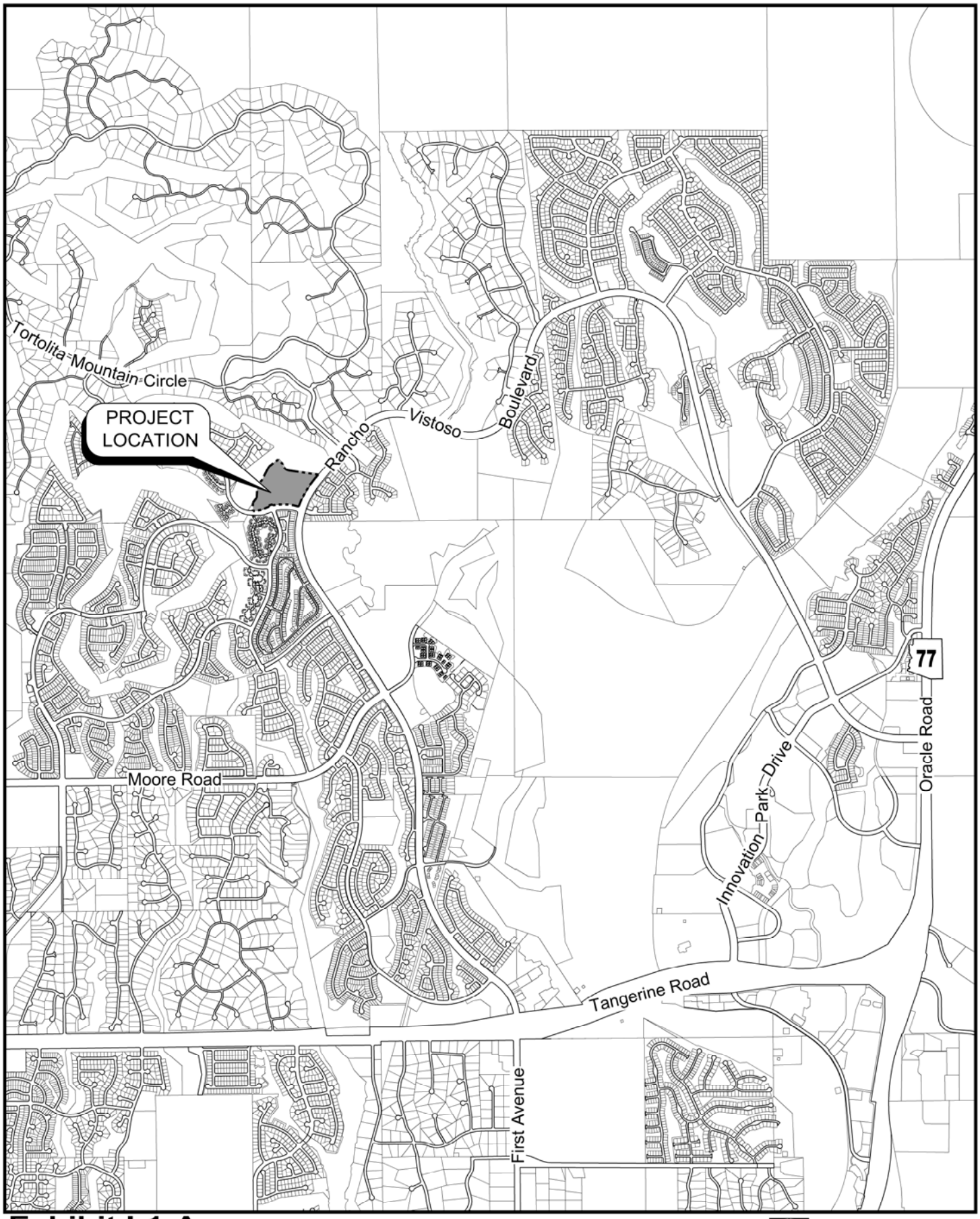


Exhibit I-1-A
Site Location Map

0' 1/2 Mile

Q:\185050\VH-01 - RV Neigh 10J\01 Planning\04 Rezone\Site Analysis\Exhibits\Exh 1-1-B - Aerial Photo.dwg Plotted: Jul. 08, 2016

Exhibit I-1-B
Aerial Photograph

Aerial Photo Date = 2015

0' 300'

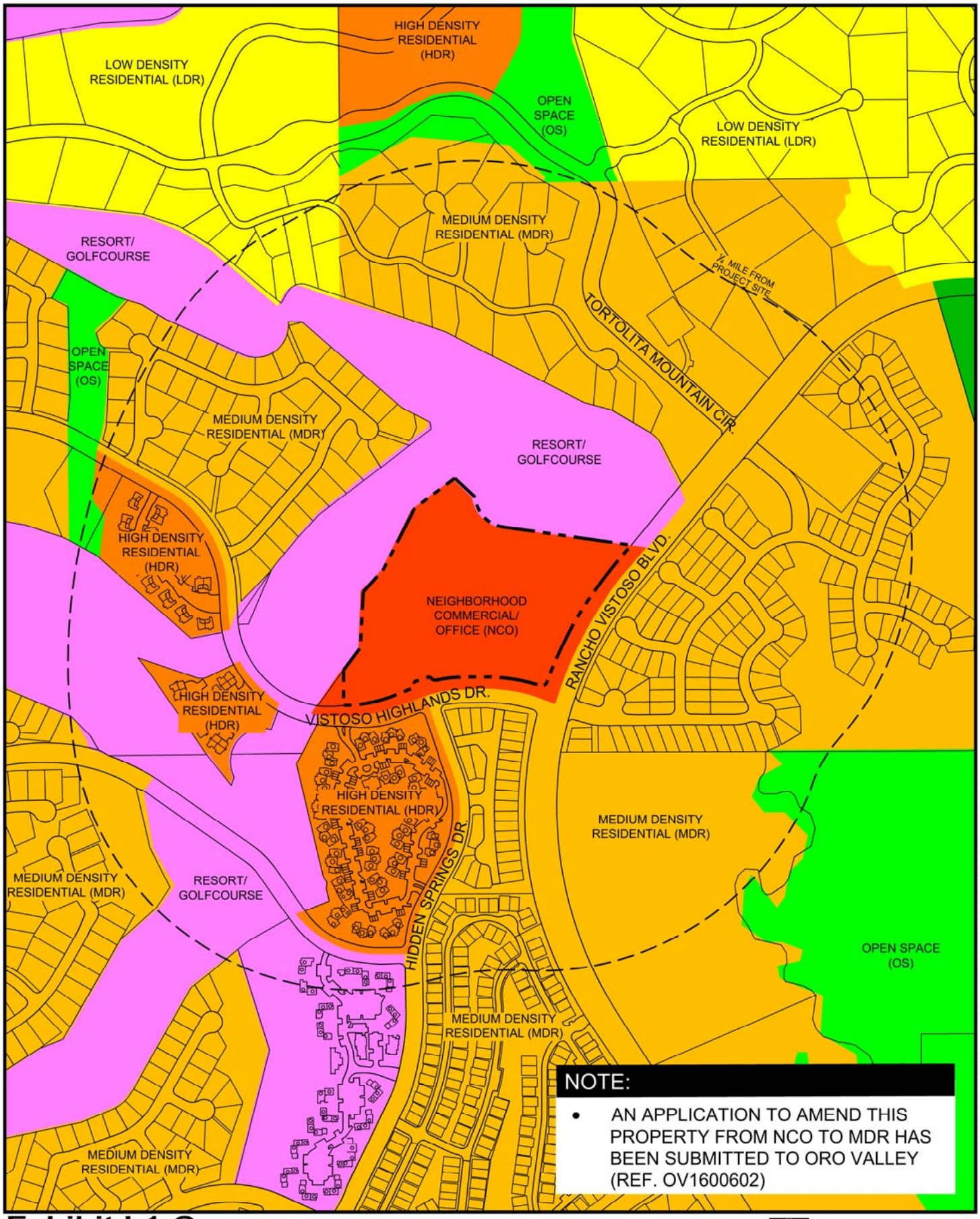
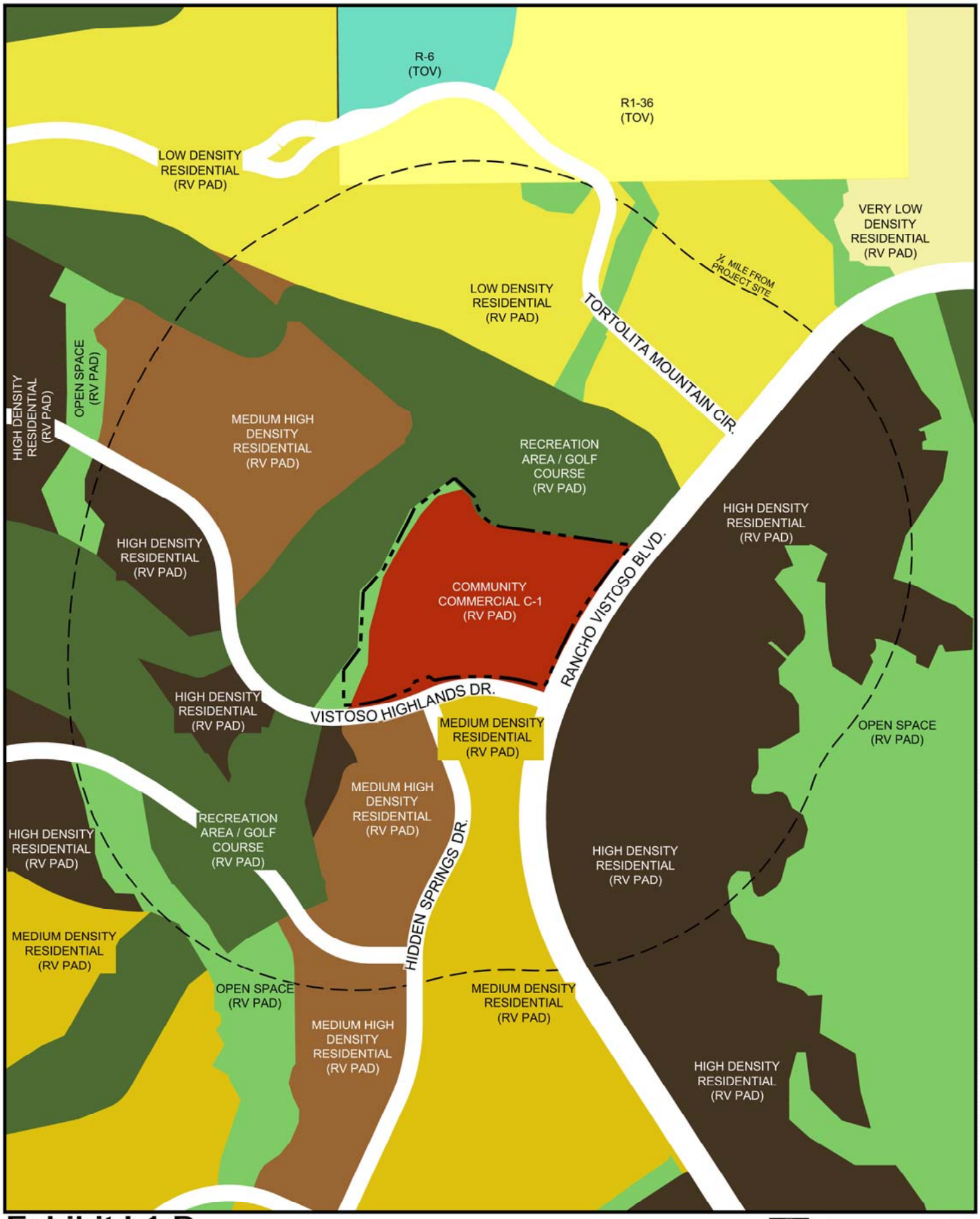


Exhibit I-1-C
Existing General Plan Land Use Designations



O:\185050\VH-01 - RV Neigh 10J\01 Planning\04 Rezone\Site Analysis\Exhibits\Exh 1-1-D - X Zoning.dwg Plotted: Jul. 08, 2016

Exhibit I-1-D
Existing Zoning

0' 600'

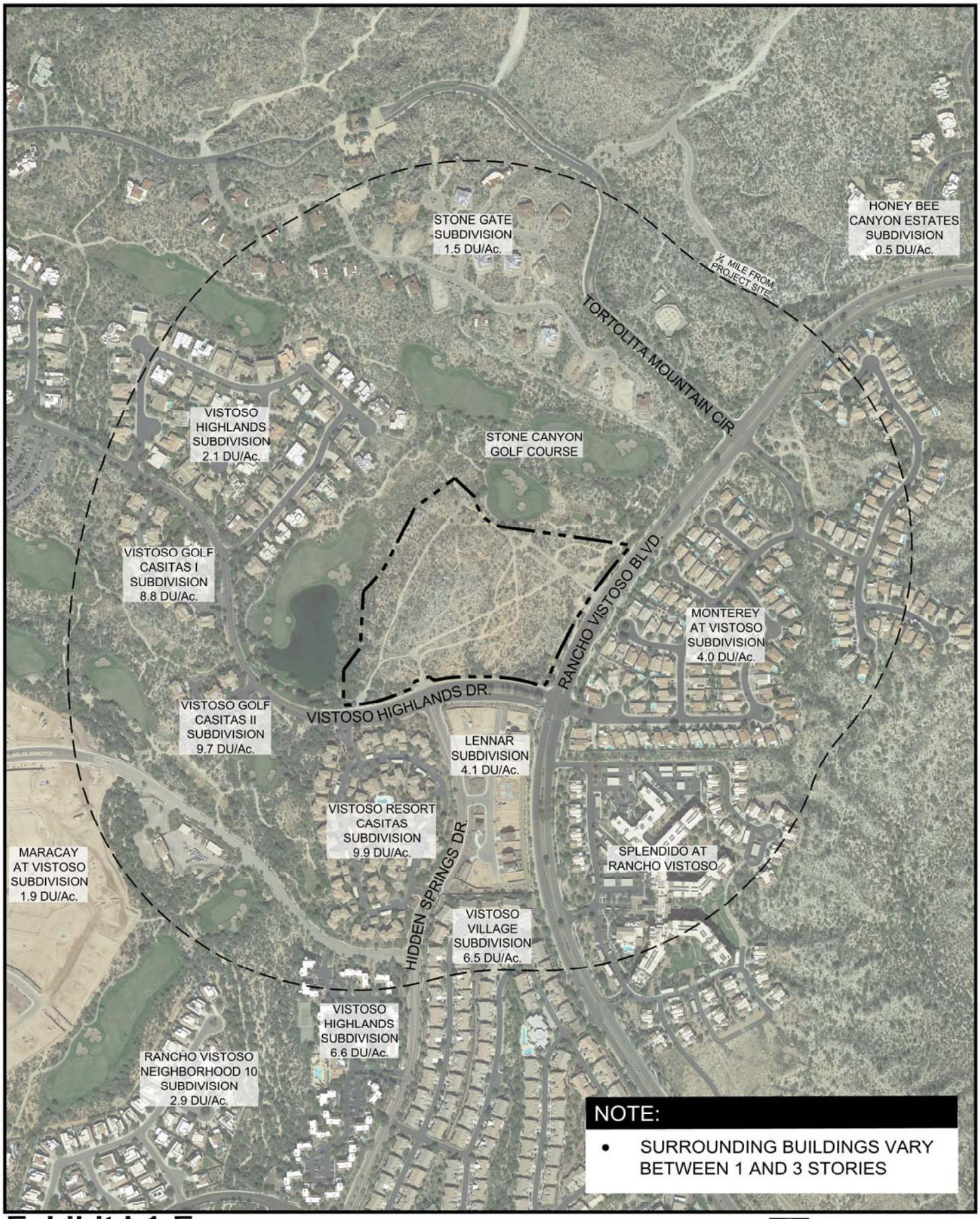


Exhibit I-1-E
Existing Land Uses

Aerial Photo Date = 2015

0' 600'

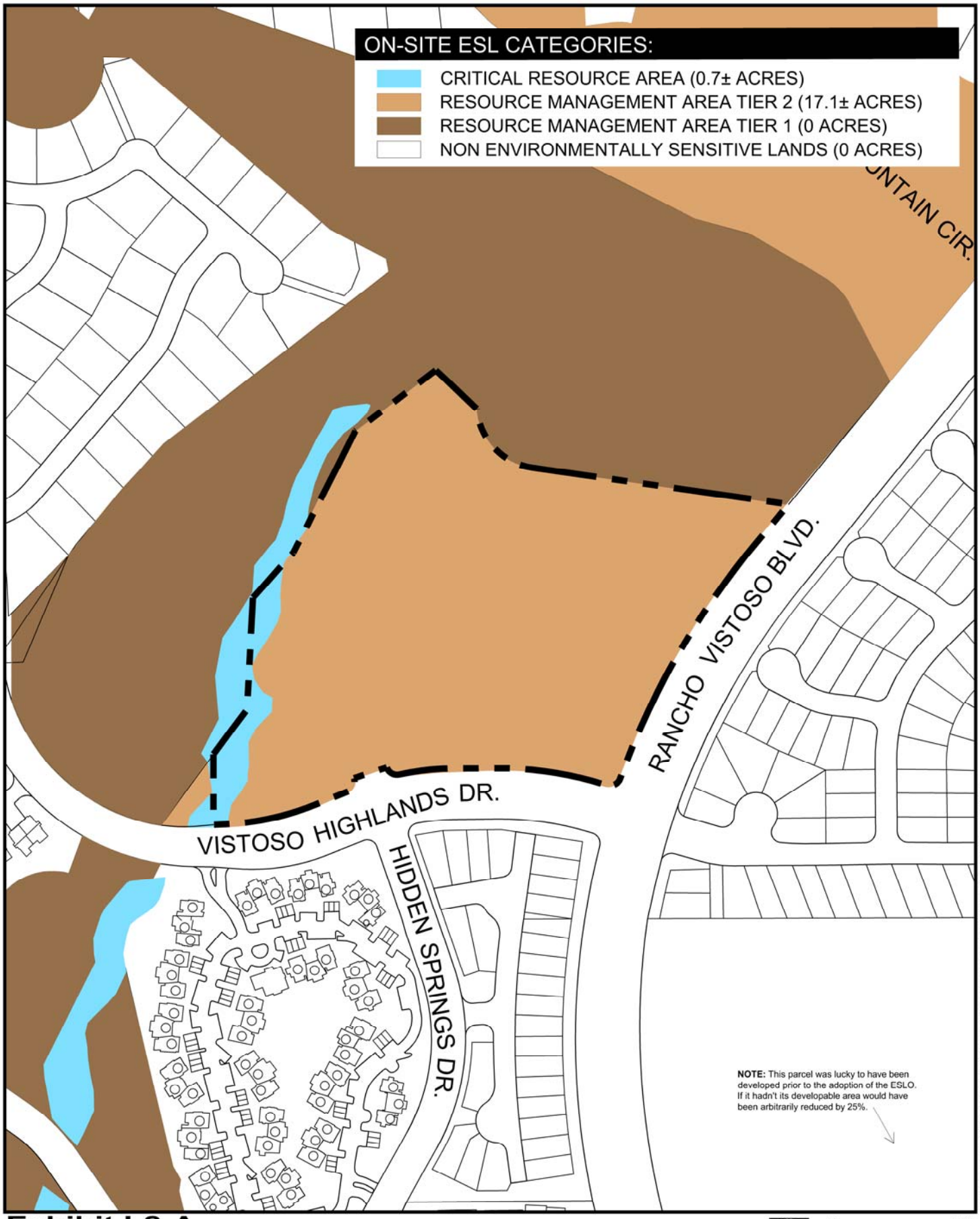
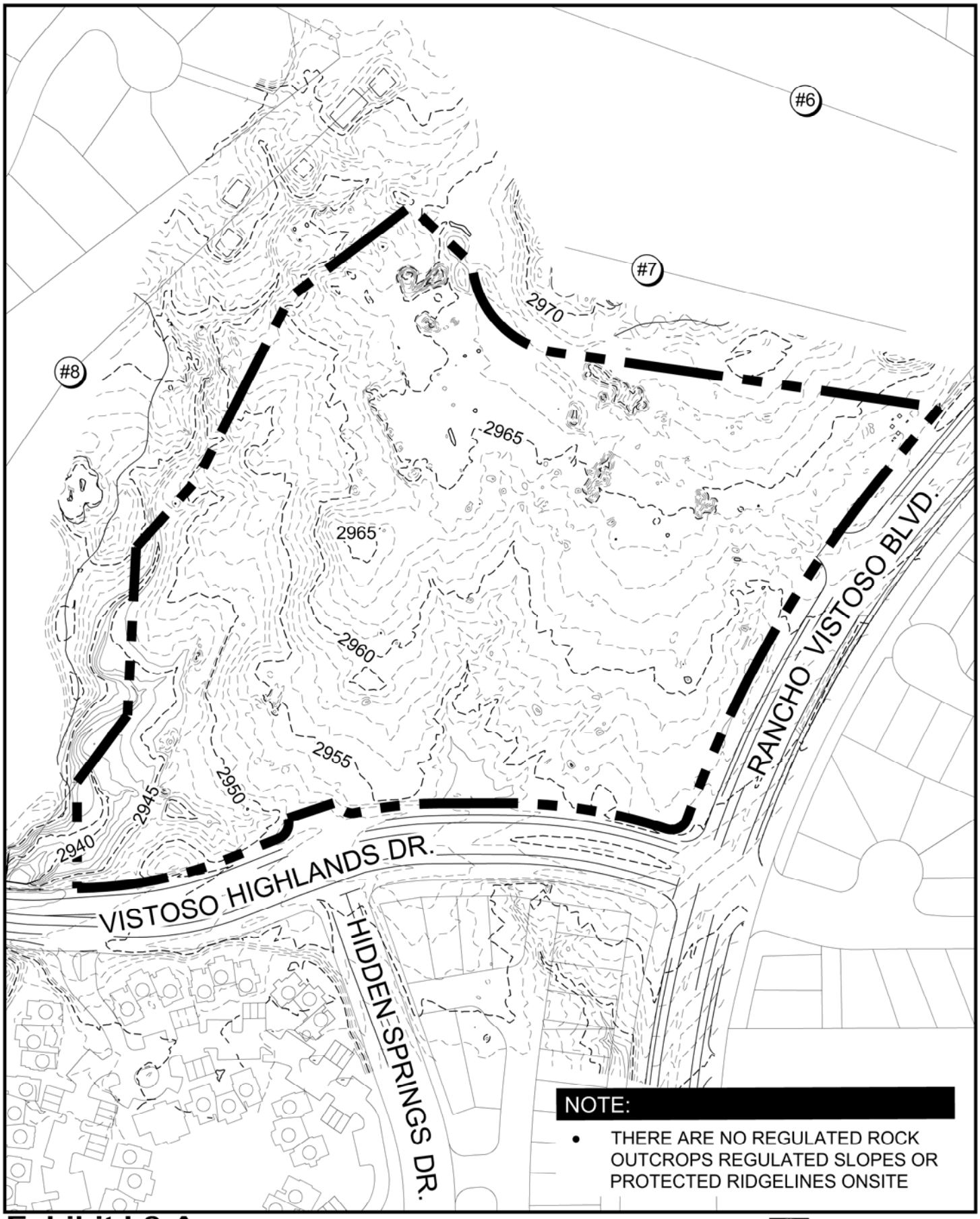


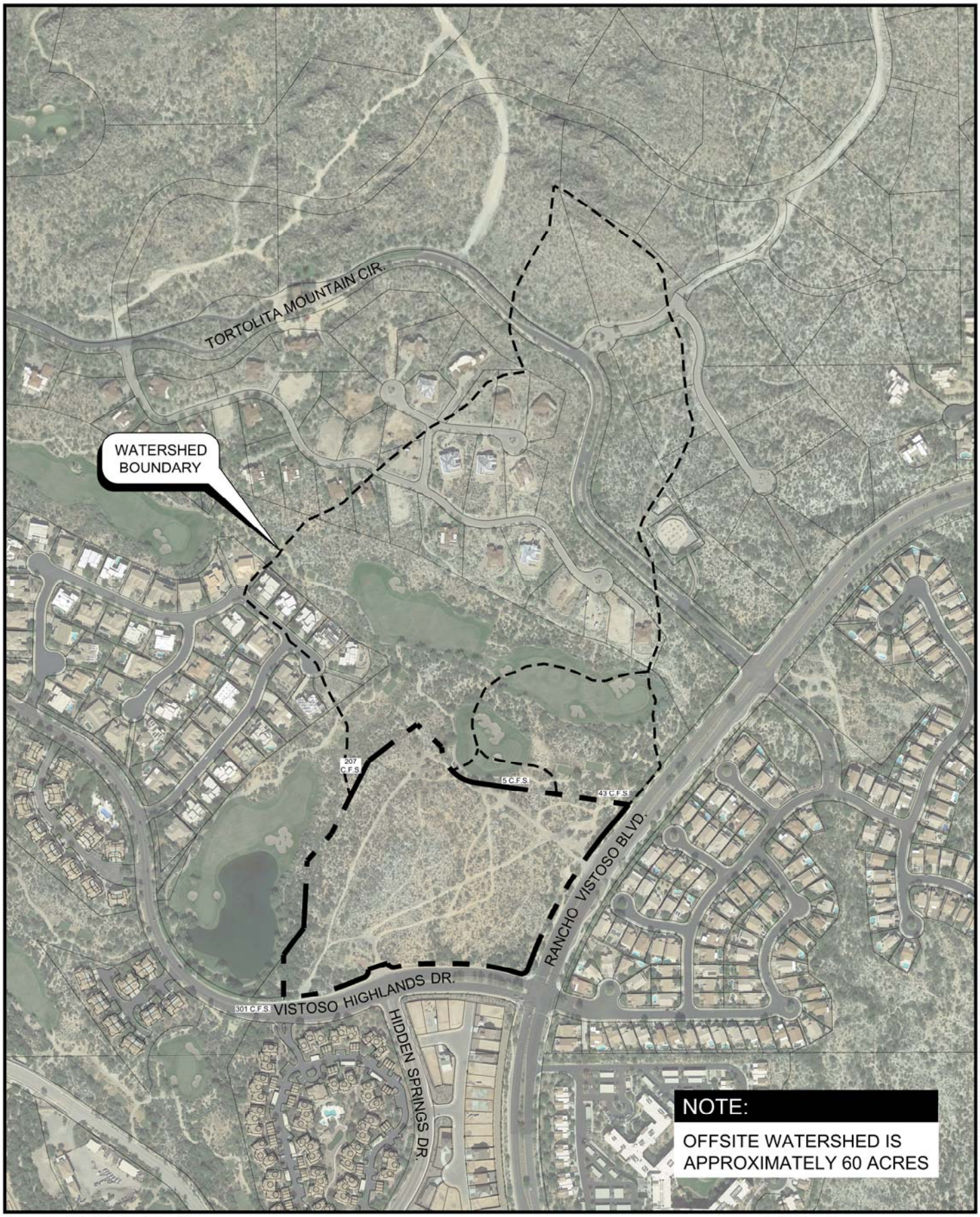
Exhibit I-2-A
Environmentally Sensitive Lands

0' 300'



O:\185050\VH-01 - RV Neigh 10J\01 Planning\04 Rezone\Site Analysis\Exhibits\Exh 1-3-A - Topography.dwg Plotted: Jul. 08, 2016

Exhibit I-3-A
Topography



Q:\185050\VH-01 - RV Neigh 10J\01 Planning\04 Rezone\Site Analysis\Exhibits\Exh 1-5-A - Offsite Hydro.dwg Plotted: Jul. 08, 2016

Exhibit I-5-A
Offsite Watersheds

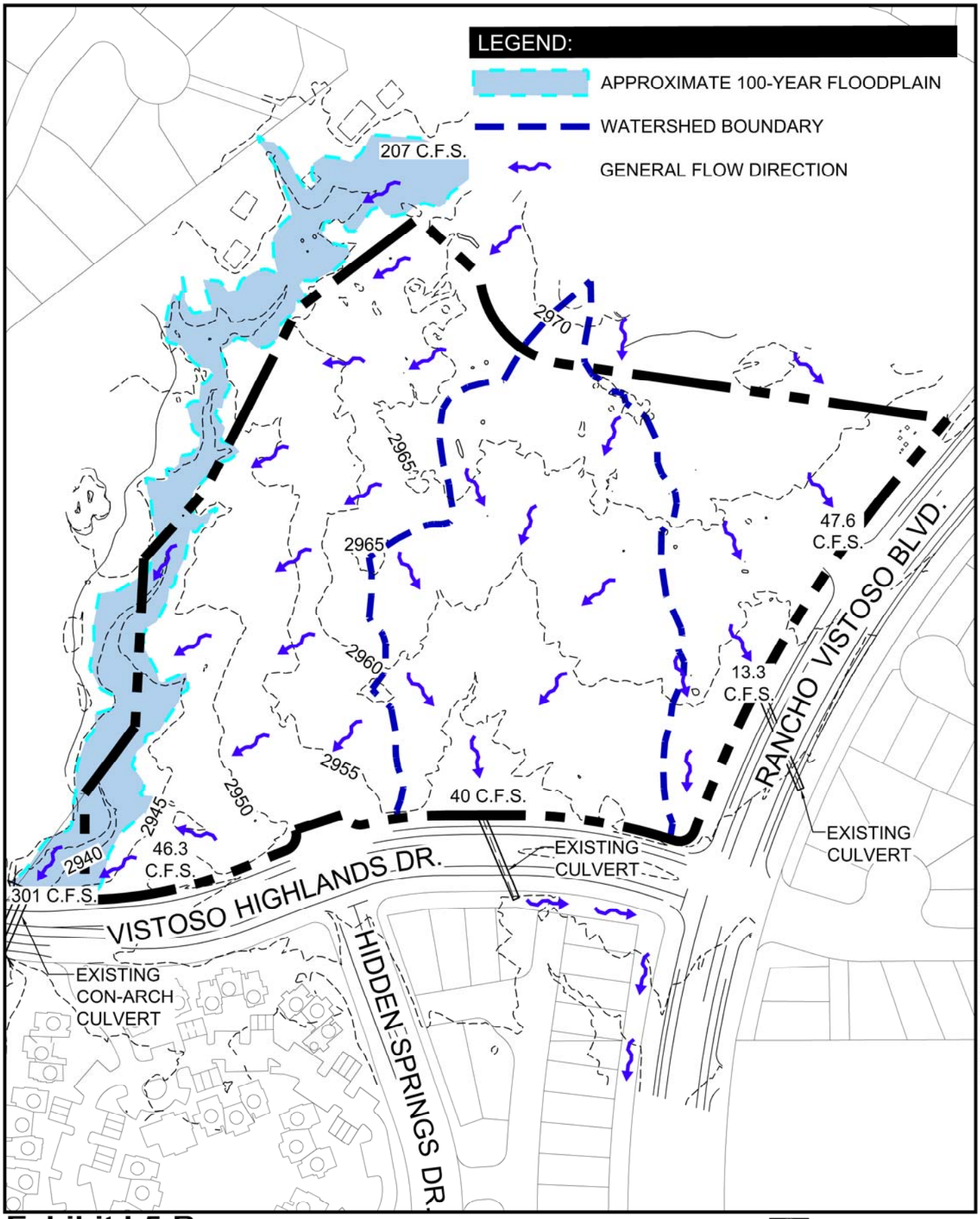


Exhibit I-5-B
Onsite Hydrology Characteristics

Contour Interval = 5 Ft.

0' 200'

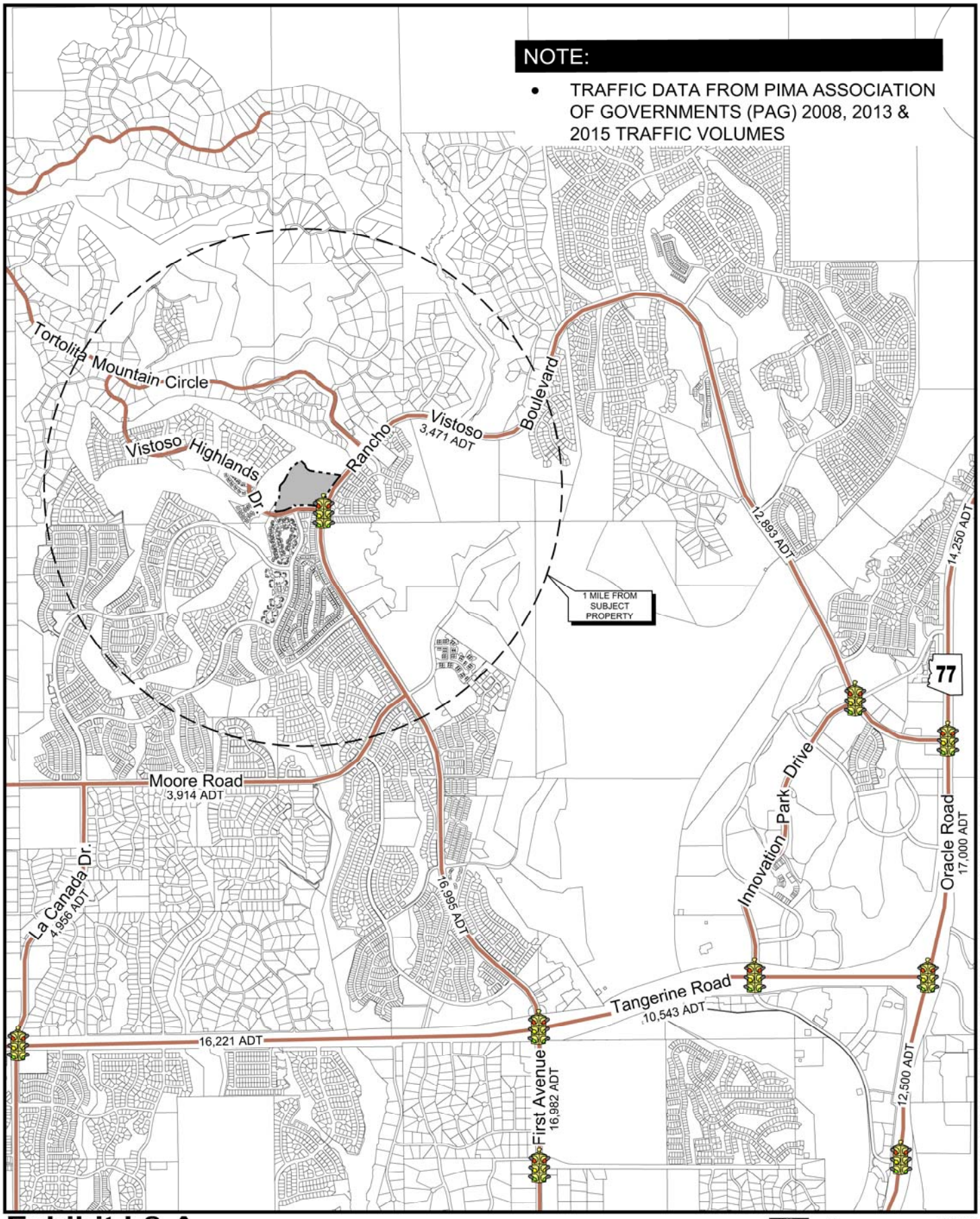


Exhibit I-8-A
Transportation

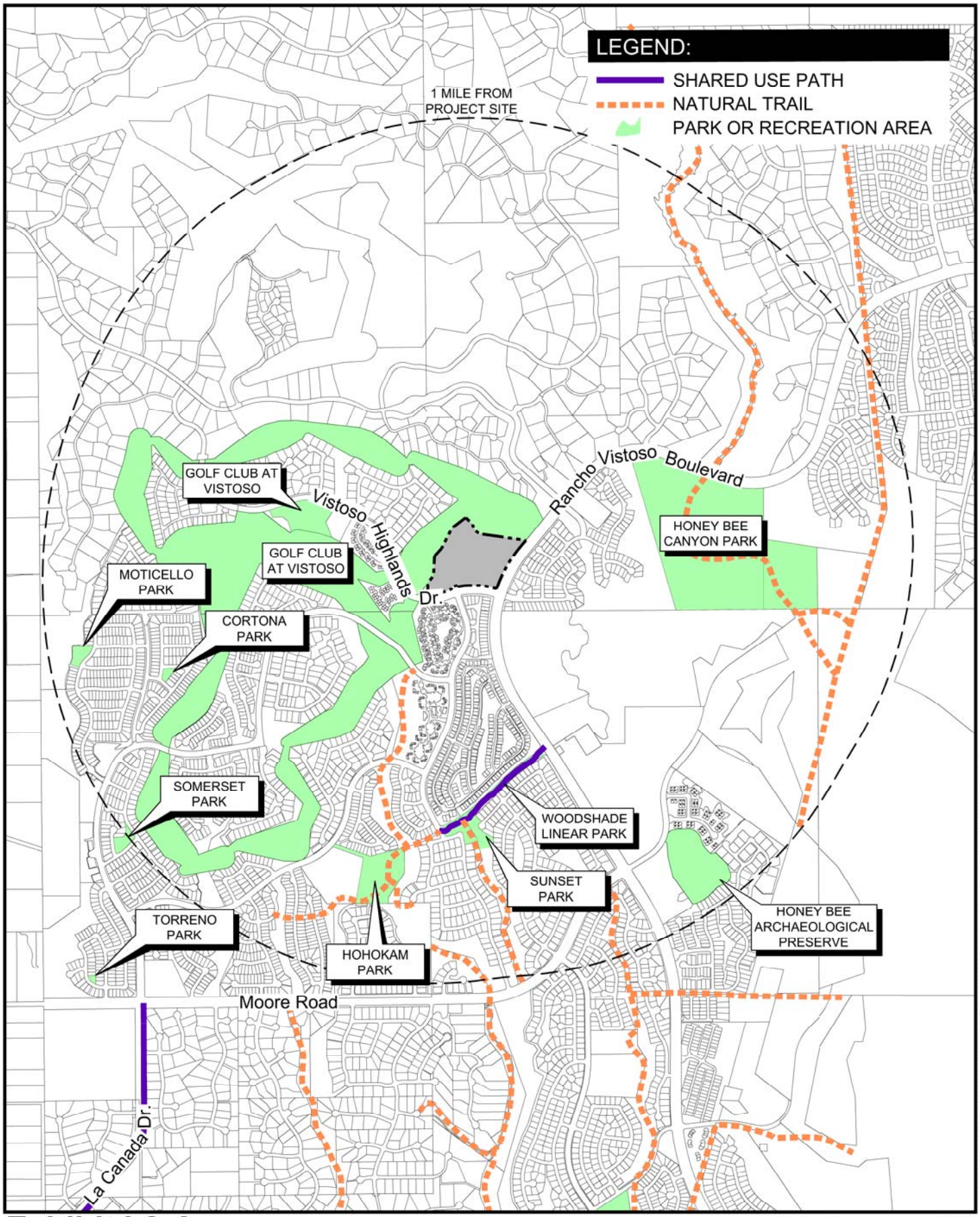


Exhibit I-9-A
Trails, Parks & Recreation

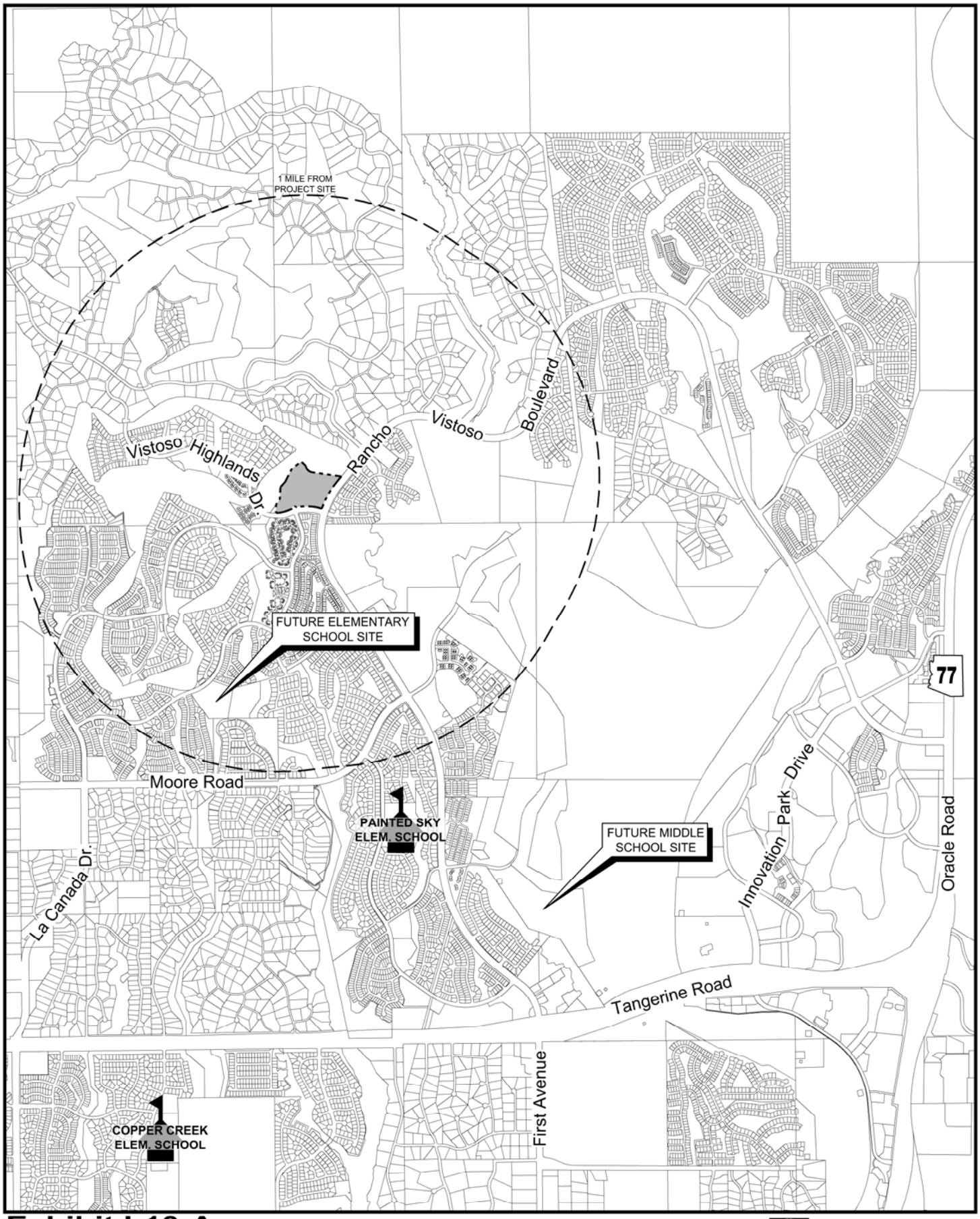


Exhibit I-10-A
Existing & Proposed Schools

0' 1/2 Mile

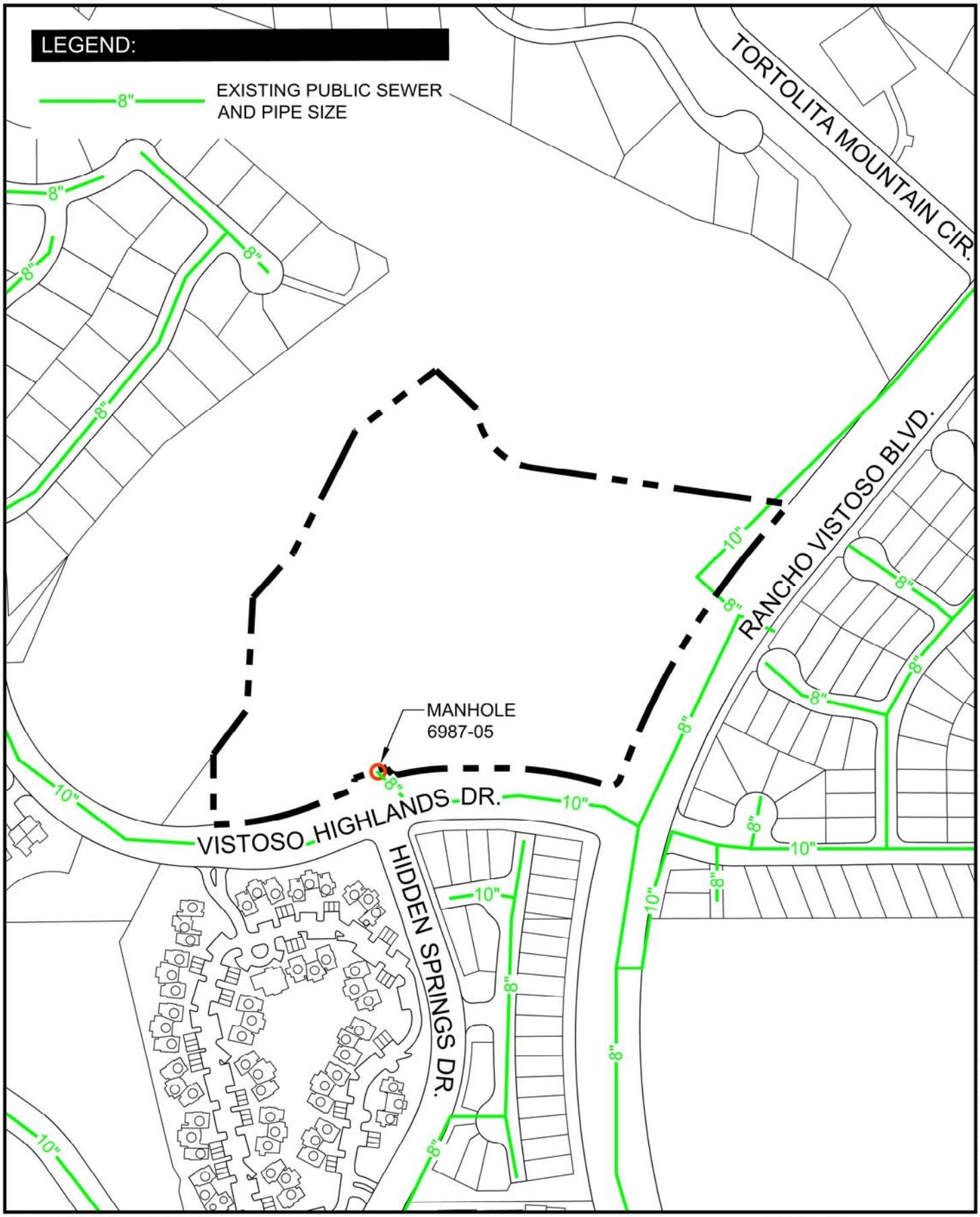


Exhibit I-12-A
Sewer Service

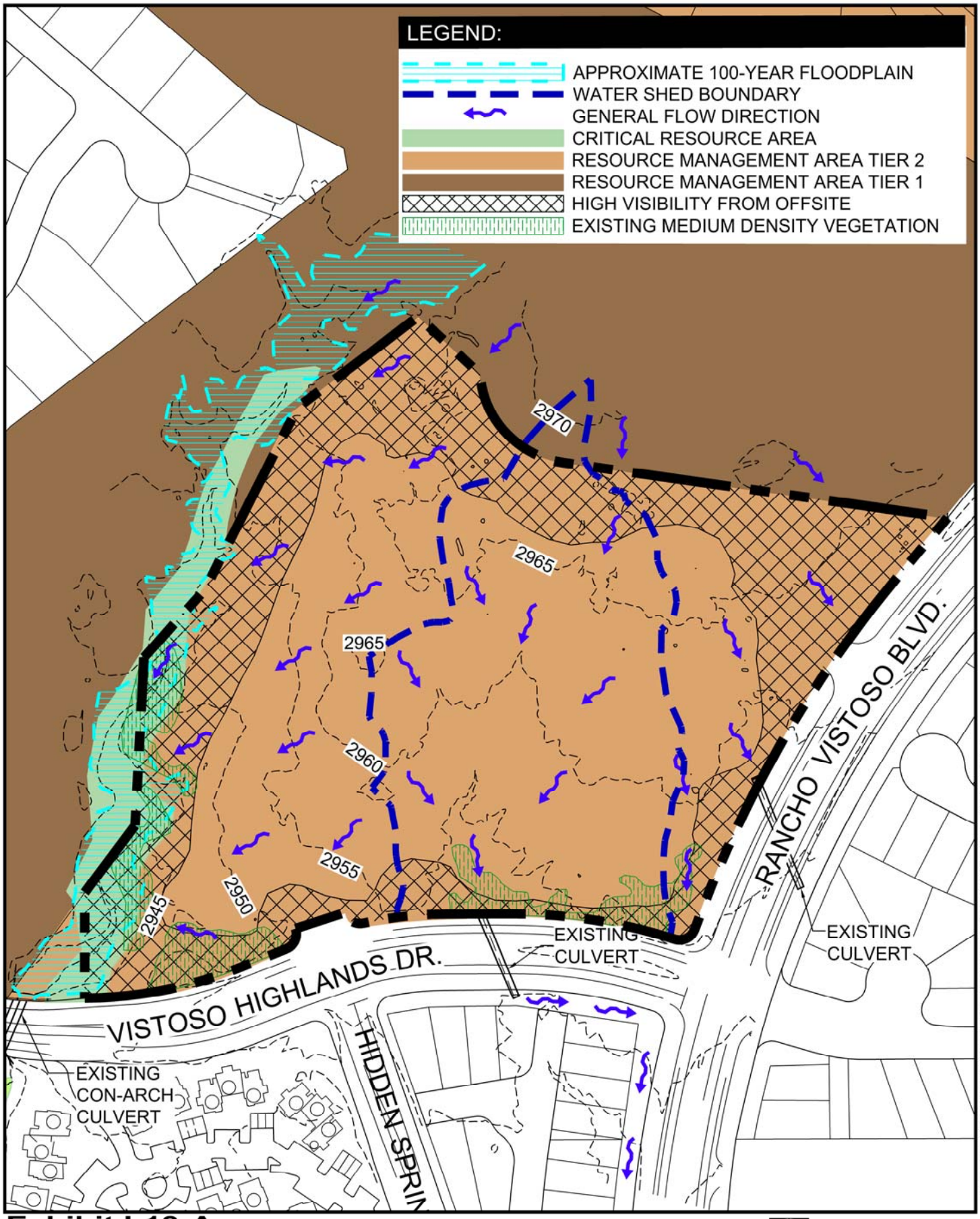


Exhibit I-13-A
McHarg Composite Map

Contour Interval = 5 Ft.

0' 200'

Part II – Land Use Plan

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1. Land Uses

A. Project Description

This project proposes a residential subdivision with a density of 2.2 dwelling units per acre, consisting of 39 single-family detached homes on ~17.8-acres. All 39 homes will be semi-custom site built homes with a 25 foot, one-story height limit for gabled roofs and a 22 foot, one-story height limit for flat roofs. All of the lots will have a minimum size of 70' x 125' (8,750 sq. ft.), though the home sizes will vary. The architectural design of these homes will be consistent with surrounding residential developments and will adhere to the Rancho Vistoso PAD Design Guidelines. They will be constructed out of materials such as stucco, adobe, and wood frame, and will have either a gabled, tiled or flat roof. Perimeter walls will meet the Rancho Vistoso Design Guidelines, and landscape treatments and design will be similar to the existing landscapes of the surrounding neighborhoods within the Rancho Vistoso Planned Area Development (PAD).

Refer to Exhibit II-1-A: Conceptual Land Use Plan.

B. General Plan Conformance

As mentioned before, actual residential densities in Rancho Vistoso are significantly lower than envisioned at the time the Rancho Vistoso PAD was originally designed over 30 years ago. A commensurate drop in demand for commercial land has resulted, which has caused this property to remain undeveloped. Little potential exists for significant residential densities to develop anywhere near the subject property, meaning that the chances of this property being developed for a commercial use is very unlikely. Significant demand exists for additional medium-density residential development, which is more compatible with surrounding land uses than the existing commercial entitlements.

C. Flexible Design Options / Conservation Subdivision Design

This proposed residential neighborhood conserves 100% of the Critical Resource Area that exists along the western boundary of the project site.

D. Effect on Existing Land Uses

Since the subject property is currently vacant, there will be no negative impact to existing land uses. Developing this property as single-family residential will unify existing neighborhoods, increase the sense of community, and eliminate any negative visual impacts to surrounding viewsheds that may have been created by a commercial development.

2. Environmentally Sensitive Lands

A. ESOS Selection & Preservation Methods

This project will be in conformance with the ESL guidelines of the Zoning Code. The site plan provide 5.0± acres of ESOS (28% of the site) and it avoids the minor wash and the vegetation in the wash area along the western boundary of the site. The designated Critical Resource Area (CRA) along the western boundary of the project site will be preserved in its entirety. This onsite ESOS area maintains open space connectivity within and beyond the project site, and will allow for uninterrupted wildlife movement. This ESOS area will be permanently protected within as open space tract or easement. Additionally, any vegetation that is disturbed will meet the mitigation requirements as set forth in the Town of Oro Valley Zoning Code.

3. Topography

A. Design Response to Site Topography

Due to the relatively flat character of the subject property and the lack of challenging topographic constraints, the development of this property can proceed within out special grading considerations.

B. Slope Encroachment

The subject property does not contain any regulated 15% or greater slopes, and as such there are no areas of encroachment.

C. Hillside Conservation Areas

There are no Hillside Conservation Areas on the subject property.

D. Quantified Site Disturbance

Approximately 15.4± acres (86.5%) of the site will be graded, and 2.4± acres (13.5%) of the site will be left in its natural condition. Approximately 20% of the graded areas of the site will be revegetated with native vegetation and will become landscaped common area, bringing the effective open space area to approximately 5.7± acres (32%) of the site.

4. Cultural / Archaeological / Historic Resources

A. Resource Protection

If any cultural resources are discovered during construction, State and local rules will be followed regarding the handling and treatment of such cultural resources.

B. Treatment Plan

The entire Rancho Vistoso PAD has been surveyed for archaeological resources (see Prehistoric Settlement in the Canada Del Oro Valley, Arizona: The Rancho Vistoso Survey Project by D.B. Craig and H.D. Wallace 1987). One site has been identified within the project area (AZ BB:9:177 [ASM]). An updated Cultural Resource Survey for the property is currently being conducted and will be completed before the Town Council meeting. In the unlikely event that cultural resources are uncovered during construction a professional archaeologist will evaluate the exposed material before any work continues in the area of the discovery. If any human remains or funerary objects are discovered during the construction of this project, all work will stop within the area of the remains and Dr. Tod Pitezel, ASM assistant curator of archaeology, will be contacted immediately.

Rancho Vistoso Survey Project Cover Page

PREHISTORIC SETTLEMENT
IN THE CAÑADA DEL ORO VALLEY, ARIZONA:
THE RANCHO VISTOSO SURVEY PROJECT

By

Douglas B. Craig

and

Henry D. Wallace

Contributions by:

Lisa G. Eppley
James Heidke
James P. Holmlund
James P. Lombard
Cristine R. Szuter

INSTITUTE FOR AMERICAN RESEARCH
ANTHROPOLOGICAL PAPERS NO. 8
1987

5. Hydrology

A. Design Response to Site Hydrology

The low density nature of this development will have a less than significant impact on the hydrological characteristics of the site, compared to that of a commercial development. Additionally this project will incorporate appropriate mitigation measures in accordance with the Town of Oro Valley Floodplain Management Code and the Drainage Criteria Manual.

B. Modifications of Drainage Patterns

The site has no sub-basins with discharges greater than 50 cfs and is free of any federally mapped floodplains. Minimal encroachment into the existing drainage patterns on site will occur. The low density nature of the existing offsite upstream development allows most drainage to flow in its natural state. Offsite flows from upstream watersheds will be collected in detention basins, channels and/or culverts directing the runoff through the project site.

C. Mitigation

Drainage design within the proposed development will convey offsite and onsite flows using constructed channels, storm drain pipes, onsite detention basins in accordance with the Town of Oro Valley Floodplain Management Code and the Drainage Criteria Manual. Channel and basin geometry and construction will follow accepted standards regarding erosion and flow velocity control. Horizontal elements constructed within the project will be set at or near existing grade so as to minimize impacts to existing drainage patterns. Finished floor elevations will be set to one foot above the established base flood elevations of adjacent floodplains. Individual lots will be graded according to Town standards, which will provide adequate room and grades to handle stormwater runoff.

D. Town Policy Conformance

The post-developed 100-year discharges exiting the site will be maintained in their current condition or reduced by a maximum of 10% in accordance with Town policy. Which requires all development to conform to “critical basin” requirements and not result in any adverse impacts for adjacent or downstream property owners.

6. Wildlife

A. Mitigation

This development will preserve 100% of the onsite Critical Resource Area (CRA) along the western portion of the site. This entire area along the western boundary of the site will be designated as open space and will maintain open space connectivity within and beyond the project site, which will allow for uninterrupted wildlife movement.

7. Viewsheds

A. Design Response to Site Viewsheds

This proposed residential development will restrict building heights to a maximum of 25 feet, for one-story gabled roofs, and 22 feet for one-story flat roofs. This will lessen the viewshed impact for neighboring developments to the surrounding views and vistas off-site compared to the height of structures currently allowed under the existing commercial zoning.

With the subject property being relatively flat, the projects internal roadway network and homesites will minimally disturb viewsheds. Bufferyards will be provided around the perimeter of the property to help mitigate views into the site.

B. ORSCOD / TRCOD Conformance

This property does not fall within the Tangerine Road Corridor Overlay District (TRCOD) and/or Oracle Road Scenic Corridor Overlay District (ORSCOD).

The architectural design of these homes will be consistent with surrounding residential developments and will adhere to the Rancho Vistoso PAD's design guidelines. They will be constructed out of materials such as stucco, adobe, and wood frame, and will have either a gabled, tiled or flat roof.

8. Traffic

A. Traffic Impact Analysis

Provide a traffic analysis report to include:

i. The proposed internal circulation and access to/from arterial streets, explaining location and rationale for placement.

The subject property will have two ingress/egress points that will connect this neighborhood directly to Rancho Vistoso Boulevard and Vistoso Highlands Drive. These ingress/egress points are located at existing curb and median cuts on the adjacent arterail and collector roadways, which have been located at a safe distance from the arterial intersection of Rancho Vistoso Boulevard and Vistoso Highlands Drive.

ii. If off-site road improvements are required, indicate which roads and time frame for improvements.

Roadways adjacent to and within one-mile distance from the subject property are in good condition and will not require any additional improvements.

iii. Projected ADT for internal circulation system at build out and level of service to all streets. Include a projection of traffic volumes and capacity analysis for intersections.

With and average daily trip (ADT) of 8-10 trips per household, the 39 residential lots proposed within this development will generate approximately 312-390 ADT. The local private streets inside this development and the abutting arterial roadways, which are operating below capacity, will be able to accommodate traffic generated from this project.

iv. Impact to existing development abutting off-site streets.

Rezoning the subject property from Community Commercial (C-1) to Medium Density Residential (MDR) will significantly reduce the traffic impact to surrounding developments and off-site streets, compared to the existing commercial entitlements.

v. Capacity analyses for proposed internal and off-site streets, including right-of-way and pavement widths, geometrics, design speeds and traffic control improvements needed.

Rancho Vistoso Boulevard

Rancho Vistoso Boulevard is a four-lane (two in each direction) paved arterial road with a divided landscaped median and left turn lanes, with a posted speed limit of 45 mph. The existing and ultimate right-of-way is 150 feet, which is continuous. According to the Pima Association of Governments (PAG) 2010 Traffic Volumes, the average daily trip volume (ADT) for this arterial roadway ranges from 3,471 to 16,995 ADT.

Vistoso Highlands Drive

Vistoso Highlands Drive is a four-lane (two in each direction), that merges to a two-lane paved collector road as you travel west from the intersection of Vistoso Highlands Drive and Rancho

Vistoso Boulevard. The posted speed limit of Vistoso Highlands Drive is 30 mph. The existing and ultimate right-of-way width is 80 feet.

vi. A description of improvements required for those streets described in sub-paragraph v. above.

Rancho Vistoso Boulevard and Vistoso Highlands Drive are in good condition and will not require any improvements to accommodate by this low density development.

vii. The party/agency that the applicant believes to be responsible for making necessary improvements.

Not applicable.

viii. Evidence that proposed turning movements will meet safety standards in relationship to traffic volumes.

The proposed ingress/egress point on Vistoso Highlands Drive is aligned with Hidden Springs Drive to the south and is located a safe distance from the intersection of Rancho Vistoso Boulevard and Vistoso Highlands Drive. Both of the projects proposed ingress/egress points are located at existing curb and median cuts on the adjacent arterial and collector roadways. Vegetation adjacent to these ingress/egress points will be maintained to provide safe site visibility for vehicles exiting the site and will allow safe turning movements to and from the site. The proposed residential roadways meet the Town of Oro Valley Minimum Design Standards.

B. Proposed Rights-of-Way

The proposed roadways within this development will have a right-of-way width of 50 feet and will meet the Town of Oro Valley Minimum Design Standards. The internal roads of this development will be private streets because they are proposed to be gated, and will be owned and maintained by the HOA.

C. Proposed Pedestrian / Bicycle Circulation

The proposed residential development will make pedestrian and bicycle connections to Rancho Vistoso Boulevard and Vistoso Highlands Drive. According to the Oro Valley Bikeways Map Existing Routes 2016, there is a signed bicycle-route with an on-street bike lane that runs along Rancho Vistoso Boulevard and Vistoso Highlands Drive. Sidewalks will be constructed on both sides of the private streets within the project site, and will connect to the existing sidewalks along Rancho Visotos Boulevard and Vistoso Highlands Drive.

9. Recreation / Trails

A. Offsite Trail Access

There are eight public and neighborhood parks, totaling almost 100 acres, located within one mile of the subject property. Additionally there are approximately 4.6± miles of offsite trails and walking paths that exist within one mile of the site. The nearby parks provide amenities such as dog parks, children's playground equipment, ramadas, barbeques, restroom facilities, turf areas, tennis courts, volleyball courts, and basketball courts. The Golf Club at Vistoso also provides recreational facilities, which is open to the public.

B. Open Space Ownership

The future HOA of this proposed development will own and maintain the open space within this project.

10. Schools

A. Student Generation

This proposed development is expected to generate approximately 8 elementary students, 9 middle school students, and 5 high school students (using the accepted standard student multiplier of 0.2075 elementary school students per home, 0.2197 middle school students per home, and 0.1282 high school students per home).

B. School Capacity

According to the letter supplied by the Amphitheater School District, there is available capacity for this proposed development.

Amphitheater Capacity Letter

Jun. 15. 2016 3:26PM No. 0147 P. 1

OFFICE OF LEGAL COUNSEL
Todd A. Jaeger, J.D.
Associate to the Superintendent
(520) 696-5156
FAX (520) 696-5074

AMPHITHEATER
Public Schools

701 W. Wetmore Road • Tucson, AZ 85705 • (520) 696-5000 • TDD (520) 696-5055

GOVERNING BOARD MEMBERS Deanna M. Day, M.Ed. President; Jo Grant Vice President; Kent Paul Barrabee, Ph.D.; Julie Cozad, M.Ed.; Scott A. Leska

SUPERINTENDENT
Patrick Nelson

June 15, 2016

Via fax to 520.881.7492

Linda Thompson
Subdivision Coordinator
The WLB Group
4444 E Broadway
Tucson AZ 85711

RE: Proposed Development of 38± single family homes on approximately 18± acres within the Amphitheater District Rancho Vistoso Boulevard and Vistoso Highlands Drive

Dear Ms. Thompson:

I am responding to your request for information regarding the capacity of Amphitheater schools impacted by your proposed development.

Using 2000 demographic multipliers developed by the U.S. Department of Census, Bureau of Census, and adjusted for Amphitheater District's school organizational patterns, we project the following student populations to result from this project when built:

Academic Level	38 Single Family Homes
Elementary	8
Middle	8
High School	5

The census multipliers we use to obtain these projections are 0.2075 elementary students per household, 0.2197 middle school students per household and 0.1282 high school students per household.

The capacity of our schools noted below is based on our last confirmed enrollment calculations. The schools which would be impacted by this population are listed below, along with the physical capacity available at each school *presently*. Please note that these schools will also be impacted by other developments in this area which may have already been approved by the County but which are not yet built.

Amphitheater High • Canyon del Oro High • Ironwood Ridge High
Amphitheater Middle School • Coronado K-8 School • Cross Middle School • La Cima Middle School • Wilson K-8 School
Copper Creek Elementary • Donaldson Elementary • Harelson Elementary • Holaway Elementary • Keeling Elementary • Mesa Verde Elementary
Nash Elementary • Painted Sky Elementary • Prince Elementary • Rio Vista Elementary • Walker Elementary • Rillito Center

Amphitheater Capacity Letter (cont'd)

Jun. 15. 2016 3:26PM No. 0147 P. 2

Developer Letter
January 14, 2016
Page 2

School Name	School Capacity	Spaces Currently Available
Painted Sky Elementary	800	347
Coronado K-8 [Middle]	800	325
Ironwood Ridge High	2290	473

If I can provide any additional information, please feel free to contact me.

Sincerely,

CMcFarland

Connie R. McFarland
Legal Assistant to Todd A. Jaeger, J.D.

11. Water

A. Water Demand

A good estimate for domestic water usage is 230 gallons per day per lot dry weather flow. With 39 lots being proposed in this development, the total domestic water use is projected at 8,970 gallons per day.

B. Water Service Provider & Capacity

Oro Valley Water has the capacity and infrastructure available to serve this project. This project will connect to the existing water main lines within the rights-of-way of Rancho Vistoso Boulevard and Vistoso Highlands Drive.

12. Wastewater

A. Sewer Service Method

Pima County Regional Wastewater Reclamation Department will provide sewer service to this development. Capacity is currently available for this project in the public sewer G—95-143, downstream from manhole 6987-05.

Wastewater Service Provider Letter

PIMA COUNTY

REGIONAL WASTEWATER RECLAMATION DEPARTMENT
201 NORTH STONE AVENUE
TUCSON, ARIZONA 85701-1207

JACKSON JENKINS
DIRECTOR

PH: (520) 724-6500
FAX: (520) 724-9635

March 16, 2016

Linda Thompson
The WLB Group, Inc.
4444 E Broadway Blvd
Tucson, AZ 85711

Sewerage Capacity Investigation No. 2016-64 Type I

RE: **Rancho Vistoso Neighborhood 10 Parcel J, Parcel 21920004M, 21920004L**
Estimated Flow 8,208 gpd (ADWF).
P16WC00066

Greetings:

The above referenced project is tributary to the Ina Road / Tres Rios Wastewater Reclamation Facility via the Cañada Del Oro Interceptor.

Capacity is currently available for this project in the public sewer G-95-143, downstream from manhole 6987-05.

This letter is not a reservation or commitment of treatment or conveyance capacity for this project. It is not an approval of point and method of connection. It is an analysis of the system as of this date and valid for one year. Allocation of capacity is made by the Type III Capacity Response.

If further information is needed, please feel free to contact us at (520) 724-6642.

Reviewed by: Kurt Stemm, CEA Sr.

13. Bufferyards

A. Mitigation (if applicable)

A landscape bufferyard will be provided around the entire perimeter of the project site to help soften any visual impacts to surrounding landowners. The bufferyards will be composed from a variety of native vegetation and will help blend this residential neighborhood with the surrounding developments. They will be a minimum of 15-25 feet wide and will be in accordance with the Bufferyard "A" and "B" criteria in the Town of Oro Valley Zoning Code.

14. Exhibits

SITE DATA:

- PARCEL SIZE: 17.8± AC.
- EXISTING ZONING: COMMERCIAL (C-1)
- PROPOSED ZONING: MEDIUM DENSITY RESIDENTIAL (MDR)
- PROPOSED MINIMUM LOT SIZE: 70' x 125'
- PROPOSED DENSITY: 2.2 D.U./Ac.
- PROPOSED BUILDING HEIGHT: SINGLE-STORY (22' FLAT ROOF / 25' GABLED ROOF)
- PROPOSED SETBACKS: FRONT - 20' *EXCEPT AS NOTED BELOW
  SIDE - 5'
  REAR - 10'
  *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
- PROPOSED OPEN SPACE: 5.0± AC. (28% OF THE SITE)
- AREA WITHIN 15' ESOS SETBACK TO BE REVEGETATED AND COUNTED AS RMA TIER 2 ESOS
- ONSITE ESOS WILL BE OWNED AND MAINTAINED BY THE HOA
- THE GOLF COURSE OVERLAY SETBACK IS A COMPOSITE LINE CREATED FROM THE GOLF COURSE ENVELOPES FOUND IN SECTION 24.6.C.3 OF THE ZONING CODE

The WLB Group
TUCSON - PHOENIX - LAS VEGAS - FLAGSTAFF
520.881.7480 - tucson@wlbgroup.com

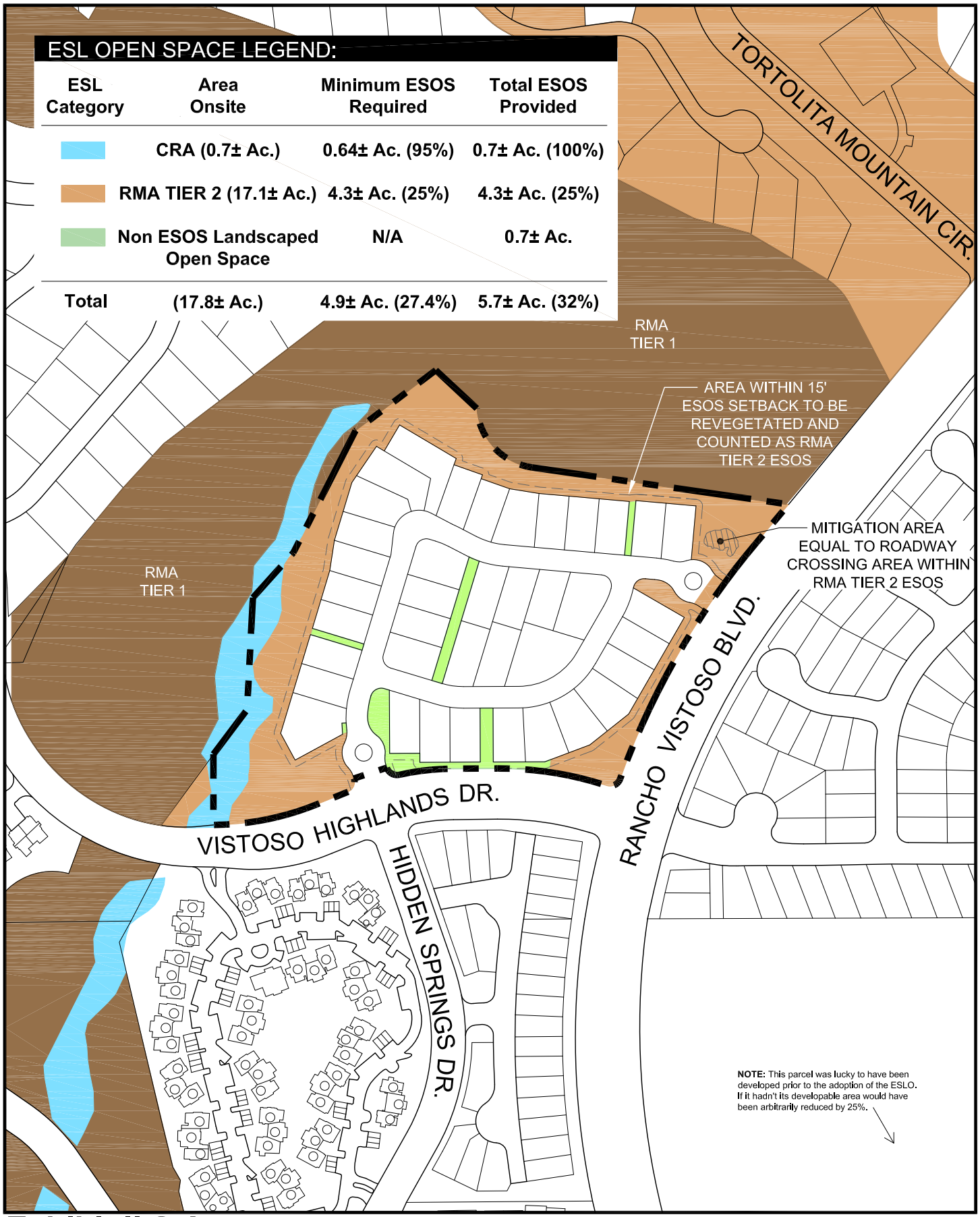
RANCHO VISTOSO - 10J
EXHIBIT II-1-A: TENTATIVE DEVELOPMENT PLAN

2016.08.05
Aerial Photo Date = 2015
WLB No. 185050-VH-01

0' 80' 160' 240'

Q:\185050\VH-01 - RV Ileigh 10J\01 Planning\04 Rezone\Site Analysis\Exhibits\Exh 2-1-A - TJP 08042016.dwg Plotted: Aug. 05, 2016

Insert pocket for 24”x36” Tentative Development Plan



Q:\185050\VH-01 - RV Neigh 10J\01 Planning\04 Rezone\Site Analysis\Exhibits\Exh 2-2-A - Proposed ESL.dwg Plotted: Aug. 05, 2016

Exhibit II-2-A
Proposed ESOS Map

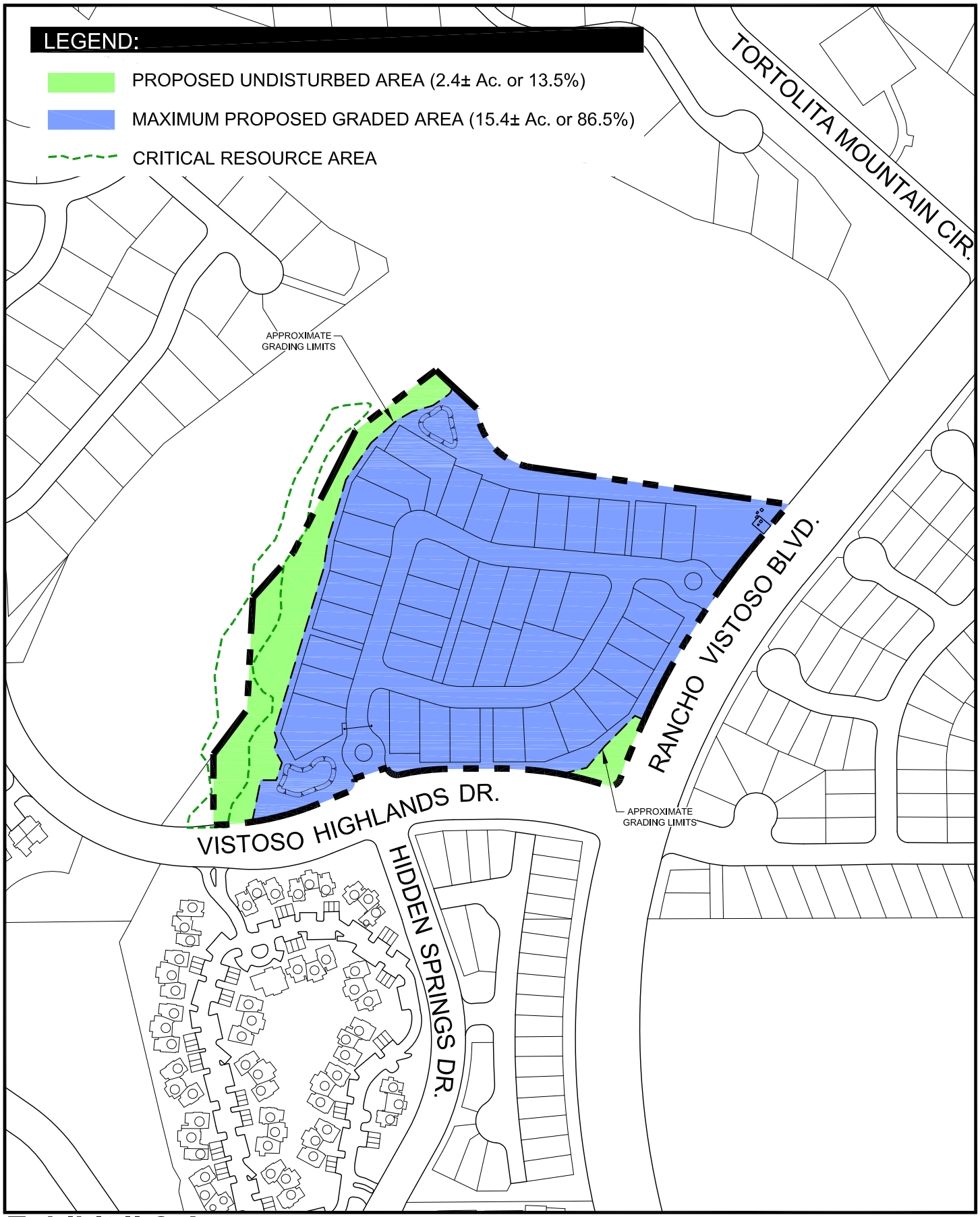
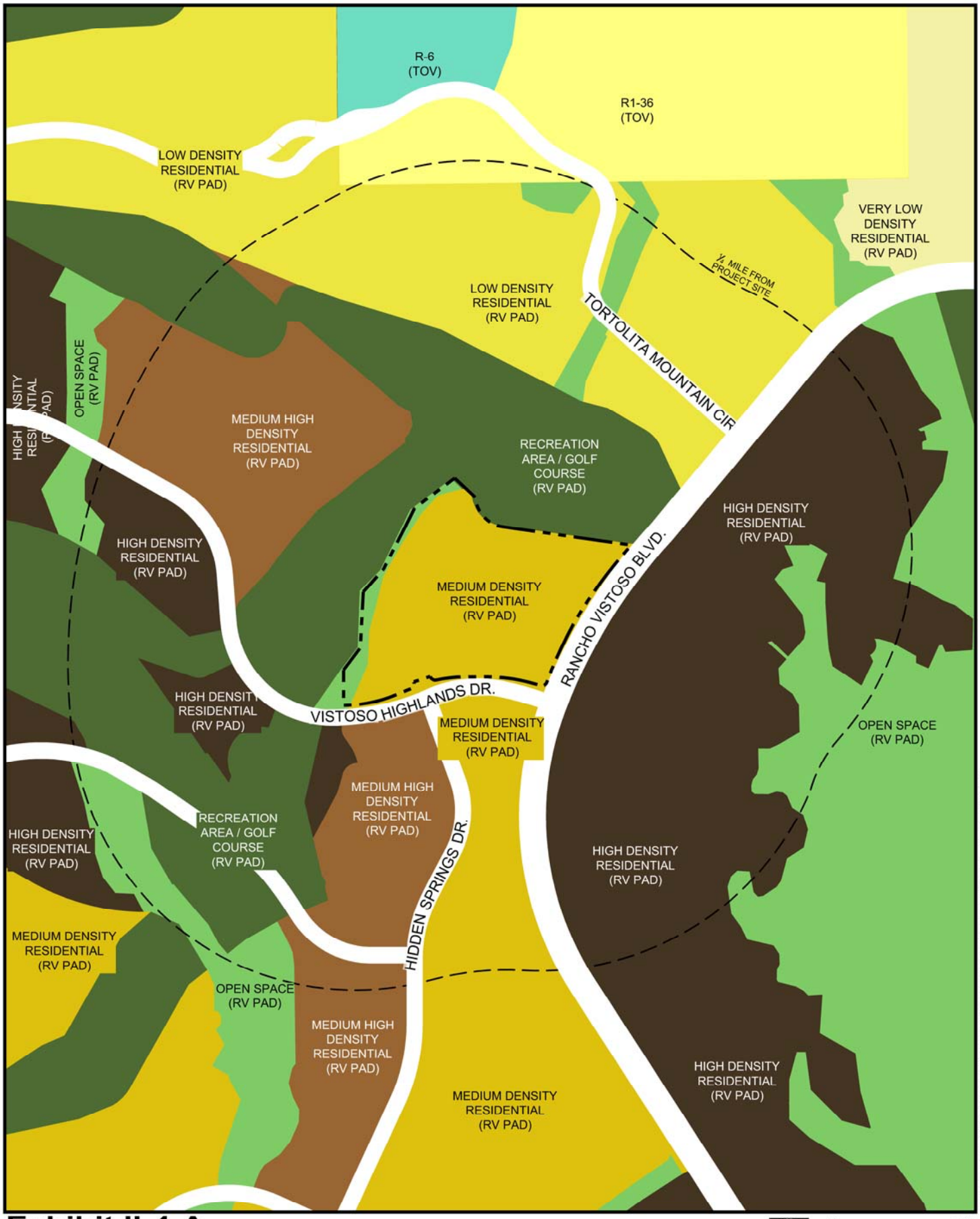


Exhibit II-3-A
Proposed Grading Limits

0' 300'



O:\185050\VH-01 - RV Neigh 10J\01 Planning\04 Rezone\Site Analysis\Exhibits\Exh 2-4-A - P Zoning.dwg Plotted: Jul. 29, 2016

Exhibit II-4-A
Proposed Zoning

0' 600'

Part III – Appendices

Appendix A: Traffic Report

SOUTHWEST TRAFFIC
ENGINEERING, LLC

13 July 2016

David Laws, PE
Division Manager - Permitting
Town of Oro Valley
11000 N. La Cañada Drive
Oro Valley, AZ 85787

SUBJECT: RV 10J
VISTOSO HIGHLANDS DRIVE/RANCHO VISTOSO BOULEVARD
TRAFFIC IMPACT STATEMENT

Dear Mr. Laws,

Please find enclosed a brief traffic impact statement (TIS) regarding the proposed RV 10J project located in Oro Valley, Arizona on the northwest corner of Vistoso Highlands Drive/Rancho Vistoso Boulevard. The site vicinity is located as shown in **Figure 1**. The project will consist of a forty (40) home residential development served by two proposed access points as shown in **Figure 2**.

The purpose of this TIS is to calculate the estimated amount of vehicular traffic that could be generated by the new development and identify the possible impacts of the additional traffic on the existing site and the immediate project area. A vehicle speed and traffic volume analysis on Vistoso Highlands Drive and a multi-way STOP analysis at the intersection of Hidden Springs Drive/Vistoso Highlands Drive were also completed.

The author of this TIS is a registered professional engineer (civil) in the State of Arizona having specific expertise and experience in the preparation of Traffic Impact Analyses.

Existing Conditions

Rancho Vistoso Boulevard has a north/south alignment and provides two lanes in each direction separated by a raised concrete median. The posted speed limit is 45 miles per hour (MPH). Sidewalk, curb, gutter, and overhead lighting exist all along both sides of the roadway. Bike lanes are in place on both sides of the road. Rancho Vistoso Boulevard is the primary route for vehicles traveling within Oro Valley's master planned communities north of Tangerine Road and west of Oracle Road.

Figure 1 – Vicinity Map

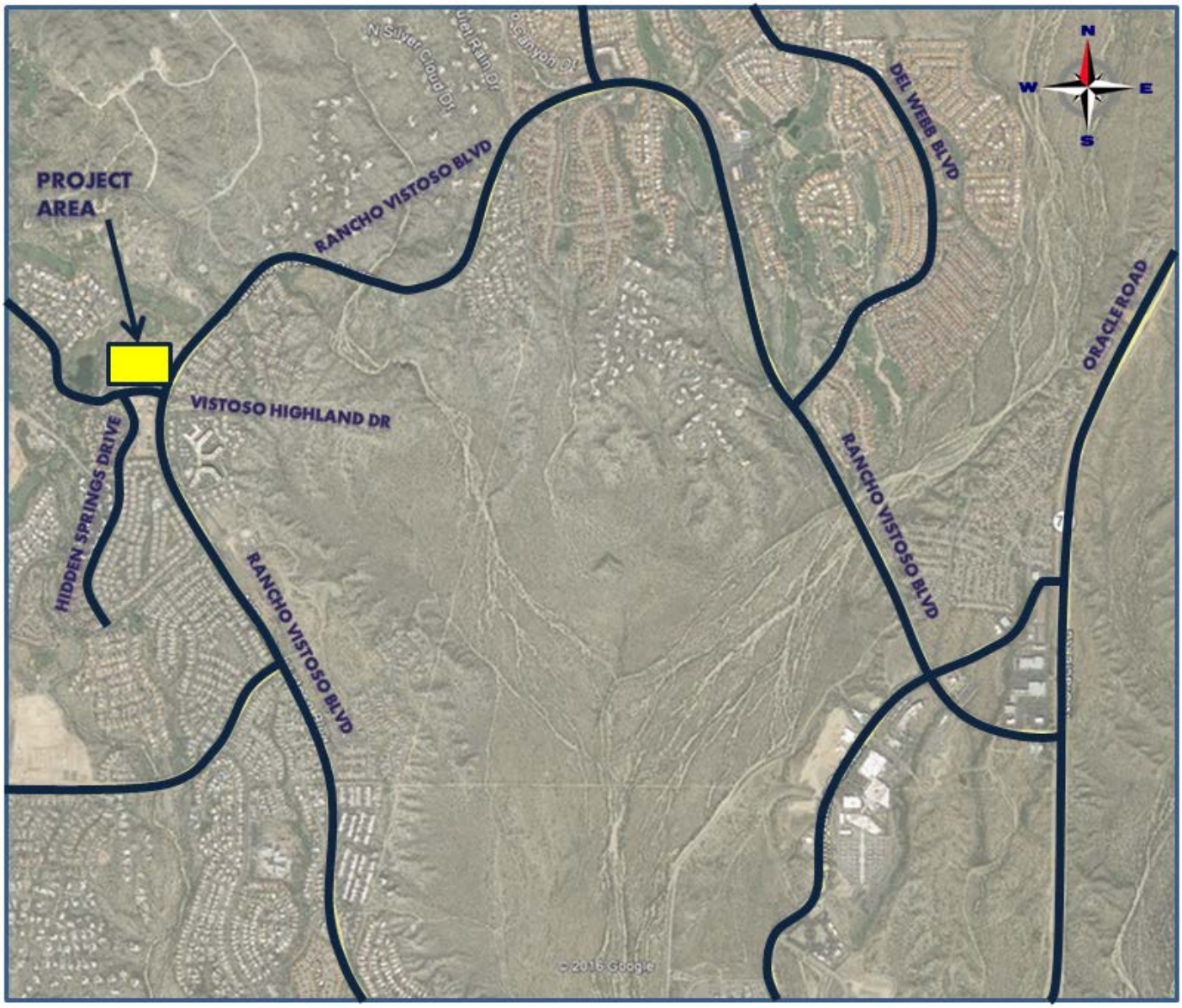


Figure 2 – Site Plan

With a posted speed limit of 30 MPH, Vistoso Highlands Drive has an east/west alignment. Adjacent to the project, Vistoso Highlands Drive offers two lanes in each direction separated by a concrete median. Sidewalk, curb, and gutter facilities exist on both sides of the roadway. Bike lanes are also provided on both sides of the road. Vistoso Highlands Drive provides access to residential homes northwest of Rancho Vistoso Boulevard.

Hidden Springs Drive has north/south alignment and provides access into several residential areas. With a posted speed limit of 30 MPH, the roadway is undivided and offers one lane in each direction. Curb, gutter, sidewalk facilities, and bike lanes are present on both sides of the road. The roadway currently spans between Klinger Canyon Place and Vistoso Highlands Drive.

The intersection of Vistoso Highland Drive and Rancho Vistoso Boulevard is a signalized, four-way intersection. Eastbound and westbound traffic is provided with an exclusive left turn lane and a shared through/right turn lane. Both the northbound and southbound legs provide an exclusive left turn lane, a through lane, and a shared through/right turn lane. The left turn phasing for the northbound and southbound movements is protected-permitted, while the left turn phasing for the eastbound and westbound directions is permitted only. Crosswalks, pedestrian ramps, and push buttons are offered on all four approaches to the intersection.

Hidden Springs Drive/Vistoso Highland Drive is an un-signalized 'T' intersection. Eastbound and westbound traffic is free flow, while northbound traffic is STOP sign controlled. Northbound vehicles are offered an exclusive left turn lane and an exclusive right turn lane. Westbound traffic is provided with an exclusive left turn lane and two through lanes. Eastbound vehicles are offered a left turn lane, which has been constructed for the future project, in addition to a through lane, and a shared through/right turn lane. East of Hidden Springs Drive, existing landscaping exists within the median of Vistoso Highland Drive.

Existing Traffic Data

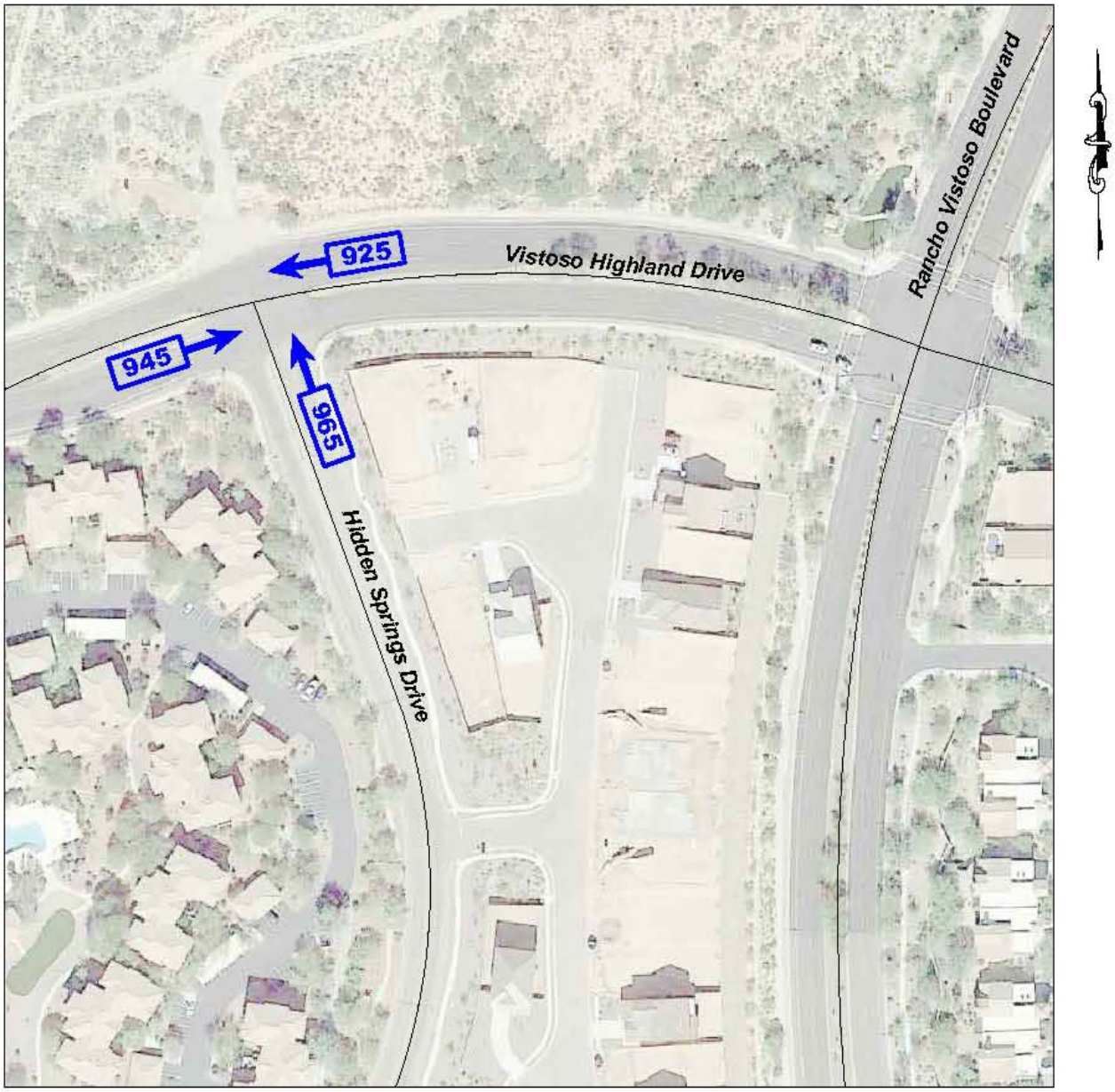
In order to form a basis for analysis of the project impacts, weekday 24-hour intersection approach counts were conducted at the intersection of Hidden Springs Drive/Vistoso Highlands Drive.

In addition, weekday 24-hour bi-directional vehicle speed counts were taken on Vistoso Highlands Drive between Hidden Springs Drive and Vistoso Resorts Casitas Drive.

Both the intersection approach counts and bi-directional vehicle speed counts were taken in July 2016.

The existing weekday intersection approach volumes are shown in **Figure 3**.

Figure 3 – Existing Weekday Intersection Approach Traffic Volumes



LEGEND:

EXISTING ROAD

XXX → Daily Traffic Volumes

Trip Generation

Trip generation for the project was developed utilizing nationally agreed upon data contained in the Institute of Transportation Engineers (ITE) publication *Trip Generation, 9th Edition*, 2012.

The project trip generation was estimated for the construction of 40 single family homes based on ITE Land Use Code 210, Single-Family Detached Housing. The result is the expected weekday trip generation for the proposed project as shown in **Table 1**. The complete trip generation calculations can be found in the Appendix.

Table 1 – Weekday Project Site Generated Trips

Time Period	Total
Average Daily, Inbound (vtpd)	191
Average Daily, Outbound (vtpd)	191
Total Daily	**382**
AM Peak Hour, Inbound (vtph)	8
AM Peak Hour, Outbound (vtph)	23
Total AM Peak	**31**
PM Peak Hour, Inbound (vtph)	25
PM Peak Hour, Outbound (vtph)	15
Total PM Peak	**40**

vtpd - vehicle trips per day, vtph - vehicle trips per hour

Access

Access to the proposed project will be provided via two new access points.

The first access point will be constructed on Vistoso Highlands Drive. This access point will form the new north leg of the intersection of Hidden Springs Drive/Vistoso Highlands Drive. Northbound and southbound traffic at this intersection will make use of a left turn lane and a through/right turn lane while eastbound and westbound traffic will be provided with a left turn lane, a through lane and a through/right turn lane. Vehicles exiting the project via South Access will be STOP controlled.

East Access will be located on Rancho Vistoso Boulevard approximately 450 feet north of Vistoso Highlands Drive. A curb cut, median break and a northbound left turn lane have already been constructed on Rancho Vistoso Boulevard in anticipation of this future access. An unused southbound left turn lane also exists, however, the residential development east of Rancho Vistoso Boulevard has been constructed and currently no access point was provided at this location. Northbound traffic at this intersection will be provided with a left turn lane and two through lanes while southbound traffic makes use of a through lane and a shared through/right turn lane. Eastbound traffic exiting the site via the East Access will be STOP controlled and provided with a shared left turn/right turn lane.

Multi-Way Stop Analysis

The intersection of Hidden Springs Drive/Vistoso Highlands Drive was evaluated for multi-way STOP control as part of this TIS. The existing geometrics were used in the analysis.

The MUTCD includes guidelines for the installation of STOP signs and multi-way STOPs. The MUTCD clearly states that STOP signs should not be used for speed control, but instead are to be used to assign right of way. STOP signs, when installed, are usually installed to stop the street with the lower traffic level. The MUTCD provides for the use of multi-way STOPS at locations as a safety measure to reduce crashes, or when traffic is so concentrated on the more heavily traveled street that it prevents side-street traffic from entering or crossing the intersection. Multi-way STOP control is typically used where the volume of traffic on the intersecting roads is approximately equal.

The MUTCD (Section 2B.07) contains warrants, which if met, indicate that a multi-way STOP may improve traffic conditions. The Traffic Signal warrant (Warrant A), Correctable Crash warrant (Warrant B) and the Minimum Volumes warrant (Warrant C) were used to evaluate the need to sign the intersection as a multi-way STOP. Warrant D applies only if Warrants B and C are within 80% of being met.

Warrant A states that a multi-way STOP may be justified as an interim measure in the case that a traffic signal is currently warranted but is not able to be installed. The intersection of Hidden Springs Drive/Vistoso Highlands Drive is too close to the signalized intersection of Vistoso Highlands Drive/Rancho Vistoso Boulevard and would be an inappropriate location for a traffic signal.

Warrant B (Crashes) is satisfied when five or more reported crashes occur in a twelve (12) month period and are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions. This warrant was not included in the analysis due to a lack of crash data in the area.

Warrant C (Minimum Volumes) is satisfied when for at least eight (8) hours of an average day, specific traffic volume levels are met for both the major and minor streets. The MUTCD states these volumes to be 300 vehicles per hour (VPH) combined on the major street approaches and 200 units of VPH, pedestrians, and bicyclists on the minor street approaches, in addition to a 30-second per vehicle delay to vehicular traffic during the maximum hour. If the 85th percentile approach speed of the major street exceeds 40 MPH, the minimum vehicular volume warrants mentioned above are reduced to 70% of the total stated.

Warrant D is satisfied when no single criteria is satisfied for Warrant A, Warrant B or Warrant C but where 80% of Warrant B and Warrant C are satisfied. Intersections with traffic levels lower than these warrants tend to operate best with no STOP signs, or STOP signs only on the lesser traveled street.

In order to determine the necessity of a multi-way stop the existing condition, 2017 without the project, and 2017 with the project, scenarios were evaluated based on MUTCD guidelines. A conservative background traffic growth rate of 3% was assumed. **Table 2** shows the results of the multi-way STOP analysis for the three scenarios described above at the intersection of Hidden Springs Drive/Vistoso Highlands Drive. Complete warrant calculations are included in the Appendix.

Table 2 – Multi-Way STOP Warrant Analysis–Hidden Springs Drive/Vistoso Highlands Drive

Conditions	Warrant Number				Minor Road Volume/Major Road Volume Ratio
	A	B	C	D	
Existing	No	N/A	No	No	0.52
2017 Without Project	No	N/A	No	No	0.52
2017 With Project	No	N/A	No	No	0.52

N/A – Warrant not available for analysis due to lack of crash history data.

As shown in **Table 2,** warrants for a multi-way STOP at the intersection of Hidden Springs Drive/Vistoso Highlands Drive are not met for existing conditions, 2017 without the project or 2017 with the project.

Traffic Volume and Vehicle Speed

Results of the traffic counts show that there are 1,864 vehicles per day (vpd) on Vistoso Highlands Drive west of Hidden Springs Drive. Traffic levels on Vistoso Highlands Drive were relatively even for eastbound and westbound traffic. A review of the traffic volumes shows that they do not follow a typical morning and evening commuter travel patter. Morning and evening peak hours fell between 11:00 AM to 12:00 PM and 12:00-1:00 PM. Peak hour patterns were relatively close to a 50/50 split. This street acts as minor collector roadway and connects local streets and residences to Rancho Vistoso Boulevard. A minor collector roadway regularly carries between 500 and 8,000 vehicles per day. The traffic levels on both Vistoso Highland Drive and Hidden Springs Drive are well within this range.

The speed limit on Vistoso Highlands is set at 30 MPH. Ideally, it is desirable to have motorists traveling at the speed limit. However, a survey of various cities in Arizona that perform vehicle speed studies in neighborhoods indicates that drivers tend to select speeds somewhat higher than the posted speed limit. They generally travel at an average of 3 to 7 mph over the posted speed limit. Furthermore, it has been found that about ten to fifteen percent of motorists on residential streets exceed the speed limit by more than ten mph.

Speed counts were taken on Vistoso Highland Drive between Rancho Vistoso Boulevard and Hidden Springs Drive. A summary of this data is provided in **Table 3**.

Table 3 – Vistoso Highland Drive - Vehicle Speed Summary

Location	Posted Speed Limit (MPH)	Average Speed (MPH)	% over 35 MPH	% over 40 MPH
Vistoso Highlands Drive				
Eastbound	30	32	33.8	7.6
Westbound	30	33	32.7	5.4
Average		33	33.3	6.5

MPH - Miles Per Hour

As shown in **Table 3,** vehicle speeds on Vistoso Highland Drive between Rancho Vistoso Boulevard and Hidden Springs Drive appear to be within the normal ranges typically found on comparable collector streets in Arizona with an average eastbound speed of 32 MPH and average westbound speed of 33 MPH. This is within two (2) mph of the posted speed limit. The percentage of vehicles traveling over 10 mph above the speed limit is less than 8% in both directions.

Conclusion

The proposed RV 10J development is projected to generate less than 50 new vehicle trips during the weekday AM/PM peak hours. This limited number of trips is not expected to have any significant impact on the surrounding roadway network.

Results of the multi-way STOP warrant analysis at the intersection of Hidden Springs Drive/Vistoso Highlands Drive show that multi-way STOP warrants are not met under existing conditions, 2017 without the project, or 2017 with the project.

Traffic volume and speed data collected on Vistoso Highland Drive and Hidden Springs Drive show that the daily measured traffic volumes and vehicle speeds are within the expected ranges for these types of roadways in residential areas.

Existing landscaping within the median on Vistoso Highland Drive, east of Hidden Springs Drive, should be maintained in order to provide adequate sight distance at the intersection of Hidden Springs Drive/Vistoso Highland Drive.

Based on existing and future projected traffic volumes, no other changes in traffic control are recommended at the intersection of Hidden Springs Drive/Vistoso Highland Drive. Thank you again for your time and review of this TIS. If you have any questions regarding the TIS, please feel free to contact me at 602.266.7983.

Respectfully Submitted,

Christopher Williams, PE, PTOE
Southwest Traffic Engineering LLC
Senior Traffic Engineer

Registered Professional Engineer (Civil)
CERTIFICATE NO.
42636
CHRISTOPHER
B. WILLIAMS
Date Signed 7/13/16
ARIZONA, U.S.A.
Expires 6-30-17

cc: Paul Oland, WLB Group

Attachments: Traffic/Speed Data
Trip Generation
Muti-way STOP Analysis

Prepared by: Field Data Services of Arizona/Veracity Traffic Group (520) 316-6745

Volumes for: Wednesday, June 22, 2016 City: Oro Valley Project #: 16-1232-002

Location: Hidden Springs Dr. & Vistoso Highlands Dr.

AM Period	NB		SB		EB		WB			PM Period	NB		SB		EB		WB		
00:00	1				0		0			12:00	16				19		17		
00:15	2				0		0			12:15	13				24		23		
00:30	0				0		0			12:30	28				15		17		
00:45	0	3			0	0	0	0	3	12:45	12	69			16	74	19	76	219
01:00	0				0		0			13:00	15				30		10		
01:15	0				0		0			13:15	19				22		14		
01:30	1				0		0			13:30	15				12		12		
01:45	0	1			0	0	1	1	2	13:45	13	62			36	100	13	49	211
02:00	0				1		0			14:00	13				20		9		
02:15	0				0		0			14:15	18				19		12		
02:30	0				0		0			14:30	11				14		10		
02:45	0	0			0	1	0	0	1	14:45	10	52			16	69	11	42	163
03:00	0				0		0			15:00	17				11		13		
03:15	0				1		0			15:15	15				11		11		
03:30	1				1		3			15:30	16				14		15		
03:45	1	2			4	6	2	5	13	15:45	6	54			12	48	12	51	153
04:00	1				0		1			16:00	13				18		8		
04:15	1				0		2			16:15	12				19		17		
04:30	5				2		3			16:30	11				11		11		
04:45	3	10			3	5	8	14	29	16:45	16	52			8	56	7	43	151
05:00	5				3		4			17:00	17				10		20		
05:15	7				5		28			17:15	14				7		9		
05:30	13				11		13			17:30	11				5		14		
05:45	22	47			6	25	12	57	129	17:45	10	52			6	28	6	49	129
06:00	12				11		17			18:00	16				6		3		
06:15	9				17		20			18:15	6				5		6		
06:30	14				10		14			18:30	2				11		6		
06:45	16	51			12	50	15	66	167	18:45	10	34			6	28	8	23	85
07:00	18				10		13			19:00	11				4		7		
07:15	25				16		19			19:15	13				8		4		
07:30	14				19		16			19:30	4				2		2		
07:45	22	79			26	71	19	67	217	19:45	7	35			1	15	7	20	70
08:00	21				25		25			20:00	4				3		7		
08:15	23				23		16			20:15	5				4		9		
08:30	24				17		20			20:30	6				0		3		
08:45	16	84			18	83	21	82	249	20:45	4	19			0	7	6	25	51
09:00	19				19		16			21:00	5				2		6		
09:15	13				17		15			21:15	4				3		0		
09:30	23				30		12			21:30	0				2		1		
09:45	15	70			21	87	19	62	219	21:45	3	12			2	9	0	7	28
10:00	18				24		20			22:00	4				1		2		
10:15	14				15		30			22:15	4				0		2		
10:30	20				22		18			22:30	2				0		0		
10:45	15	67			23	84	16	84	235	22:45	1	11			0	1	0	4	16
11:00	18				18		22			23:00	0				0		1		
11:15	26				24		31			23:15	0				0		0		
11:30	22				26		24			23:30	4				0		0		
11:45	25	91			28	96	15	92	279	23:45	0	4			0	0	1	2	6
Total Vol.		505				508		530	**1543**			456				435		391	**1282**

GPS Coordinates:

Daily Totals

NB	SB	EB	WB	Combined
961		943	921	**2825**

	AM				PM			
Split %	32.7%	32.9%	34.3%	**54.6%**	35.6%	33.9%	30.5%	**45.4%**
Peak Hour	11:00	11:15	10:45	**11:00**	12:30	13:00	12:00	**12:15**
Volume	91	97	93	**279**	74	100	76	**222**
P.H.F.	0.88	0.87	0.75	**0.86**	0.66	0.69	0.83	**0.93**

Field Data Services of Arizona

21636 N. Dietz Dr.
Maricopa, AZ 85138
520.316.6745

Site Code: 16-1232-001
Station ID: Wed 06/22/2016
Vistoso Highlands Dr. btwn. Hidden Springs Dr. & Vistoso Resorts Casitas Dr
Latitude: 0' 0.000 Undefined

Eastbound

Start Time	0 10	11 15	16 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 71	Total	Average (Mean)	85th Percent
6/22/16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	*
01:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	*
02:00	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	41	41
03:00	0	0	0	2	1	1	2	0	0	0	0	0	0	0	6	30	36
04:00	0	0	1	1	0	3	0	0	0	0	0	0	0	0	5	27	32
05:00	0	0	1	9	2	4	6	3	0	0	0	0	0	0	25	31	39
06:00	0	0	3	10	10	13	10	4	0	0	0	0	0	0	50	31	38
07:00	0	**1**	5	9	14	20	16	**5**	0	**1**	0	0	0	0	71	32	39
08:00	0	1	1	13	8	25	28	5	**2**	0	0	0	0	0	83	33	39
09:00	0	0	1	9	12	**33**	**29**	2	1	0	0	0	0	0	87	33	39
10:00	0	0	3	14	7	29	24	5	2	0	0	0	0	0	84	33	39
11:00	0	0	**9**	**16**	**17**	28	22	2	1	1	0	0	0	0	**96**	31	38
12 PM	0	0	4	13	11	21	19	6	0	0	0	0	0	0	74	32	39
13:00	0	0	**5**	**21**	**14**	**39**	14	**7**	0	0	0	0	0	0	**100**	31	37
14:00	0	0	2	11	7	22	**24**	3	0	0	0	0	0	0	69	33	39
15:00	**1**	0	0	9	9	13	14	2	0	0	0	0	0	0	48	31	38
16:00	0	0	3	12	5	15	18	1	**2**	0	0	0	0	0	56	32	39
17:00	0	0	0	10	3	5	4	5	1	0	0	0	0	0	28	32	42
18:00	0	0	2	5	5	5	8	3	0	0	0	0	0	0	28	32	39
19:00	0	0	1	2	1	4	3	3	1	0	0	0	0	0	15	34	42
20:00	0	0	1	0	0	0	6	0	0	0	0	0	0	0	7	35	39
21:00	0	**1**	2	0	2	2	0	2	0	0	0	0	0	0	9	28	41
22:00	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	21	21
23:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	*
Total	1	3	44	167	128	282	247	59	10	2	0	0	0	0	943		
Percent	0.1%	0.3%	4.7%	17.7%	13.6%	29.9%	26.2%	6.3%	1.1%	0.2%	0.0%	0.0%	0.0%	0.0%			
AM Peak		07:00	11:00	11:00	11:00	09:00	09:00	07:00	08:00	07:00					11:00		
Vol.		1	9	16	17	33	29	5	2	1					96		
PM Peak	15:00	21:00	13:00	13:00	13:00	13:00	14:00	13:00	16:00						13:00		
Vol.	1	1	5	21	14	39	24	7	2						100		
Total	1	3	44	167	128	282	247	59	10	2	0	0	0	0	943		
Percent	0.1%	0.3%	4.7%	17.7%	13.6%	29.9%	26.2%	6.3%	1.1%	0.2%	0.0%	0.0%	0.0%	0.0%			

15th Percentile :	23 MPH
50th Percentile :	33 MPH
85th Percentile :	39 MPH
95th Percentile :	42 MPH

Statistics

10 MPH Pace Speed :	31-40 MPH
Number in Pace :	529
Percent in Pace :	56.1%
Number of Vehicles > 30 MPH :	600
Percent of Vehicles > 30 MPH :	63.6%
Mean Speed(Average) :	32 MPH

Field Data Services of Arizona

21636 N. Dietz Dr.
Maricopa, AZ 85138
520.316.6745

Site Code: 16-1232-001
Station ID: Wed 06/22/2016
Vistoso Highlands Dr. btwn. Hidden Springs Dr. & Vistoso Resorts Casitas Dr
Latitude: 0' 0.000 Undefined

Westbound

Start Time	0 10	11 15	16 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 71	Total	Average (Mean)	85th Percent
6/22/16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	*
01:00	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	36	36
02:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	*
03:00	0	0	0	0	2	3	0	0	0	0	0	0	0	0	5	31	32
04:00	0	0	0	1	7	4	2	0	0	0	0	0	0	0	14	30	34
05:00	0	2	2	4	**22**	18	9	0	0	0	0	0	0	0	57	30	35
06:00	0	2	**3**	1	20	25	13	2	0	0	0	0	0	0	66	31	37
07:00	0	**3**	1	2	12	27	20	2	0	0	0	0	0	0	67	32	38
08:00	0	3	0	**5**	19	30	21	4	0	0	0	0	0	0	82	32	38
09:00	0	1	0	2	11	24	22	2	0	0	0	0	0	0	62	33	39
10:00	0	0	3	3	9	39	**26**	4	0	0	0	0	0	0	84	34	39
11:00	0	0	1	3	16	**42**	20	**7**	**3**	0	0	0	0	0	**92**	34	39
12 PM	0	0	0	**5**	**11**	**35**	**20**	**5**	0	0	0	0	0	0	**76**	34	39
13:00	0	0	0	2	9	18	15	4	**1**	0	0	0	0	0	49	34	40
14:00	0	0	0	0	7	17	17	1	0	0	0	0	0	0	42	34	39
15:00	0	0	0	2	8	21	16	3	1	0	0	0	0	0	51	34	39
16:00	0	0	0	0	5	17	18	3	0	0	0	0	0	0	43	35	39
17:00	0	0	0	3	8	19	15	4	0	0	0	0	0	0	49	34	39
18:00	0	0	0	1	9	10	2	1	0	0	0	0	0	0	23	31	35
19:00	0	0	0	2	6	6	5	1	0	0	0	0	0	0	20	32	38
20:00	0	0	0	0	6	11	7	1	0	0	0	0	0	0	25	33	37
21:00	0	**1**	0	1	0	3	2	0	0	0	0	0	0	0	7	29	36
22:00	0	0	0	0	0	3	0	1	0	0	0	0	0	0	4	34	33
23:00	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2	32	32
Total	0	12	10	37	187	374	251	45	5	0	0	0	0	0	921		
Percent	0.0%	1.3%	1.1%	4.0%	20.3%	40.6%	27.3%	4.9%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%			
AM Peak		07:00	06:00	08:00	05:00	11:00	10:00	11:00	11:00						11:00		
Vol.		3	3	5	22	42	26	7	3						92		
PM Peak		21:00		12:00	12:00	12:00	12:00	12:00	13:00						12:00		
Vol.		1		5	11	35	20	5	1						76		
Total	0	12	10	37	187	374	251	45	5	0	0	0	0	0	921		
Percent	0.0%	1.3%	1.1%	4.0%	20.3%	40.6%	27.3%	4.9%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%			

15th Percentile :	28 MPH
50th Percentile :	33 MPH
85th Percentile :	39 MPH
95th Percentile :	41 MPH

Statistics

10 MPH Pace Speed :	31-40 MPH
Number in Pace :	625
Percent in Pace :	67.9%
Number of Vehicles > 30 MPH :	675
Percent of Vehicles > 30 MPH :	73.3%
Mean Speed(Average) :	33 MPH

Field Data Services of Arizona

21636 N. Dietz Dr.
Maricopa, AZ 85138
520.316.6745

Site Code: 16-1232-001
Station ID: Wed 06/22/2016
Vistoso Highlands Dr. btwn. Hidden Springs Dr. & Vistoso Resorts Casitas Dr
Latitude: 0' 0.000 Undefined

Eastbound, Westbound

Start Time	0 10	11 15	16 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 71	Total	Average (Mean)	85th Percent
6/22/16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	*
01:00	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	36	36
02:00	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	41	41
03:00	0	0	0	2	3	4	2	0	0	0	0	0	0	0	11	31	34
04:00	0	0	1	2	7	7	2	0	0	0	0	0	0	0	19	30	34
05:00	0	2	3	13	24	22	15	3	0	0	0	0	0	0	82	30	37
06:00	0	2	6	11	30	38	23	6	0	0	0	0	0	0	116	31	38
07:00	0	**4**	6	11	26	47	36	7	0	**1**	0	0	0	0	138	32	39
08:00	0	4	1	18	27	55	49	**9**	2	0	0	0	0	0	165	33	39
09:00	0	1	1	11	23	57	**51**	4	1	0	0	0	0	0	149	33	39
10:00	0	0	6	17	16	68	50	9	2	0	0	0	0	0	168	33	39
11:00	0	0	**10**	**19**	**33**	**70**	42	9	**4**	1	0	0	0	0	**188**	32	39
12 PM	0	0	4	18	22	56	39	**11**	0	0	0	0	0	0	**150**	33	39
13:00	0	0	**5**	**23**	**23**	**57**	29	11	1	0	0	0	0	0	149	32	39
14:00	0	0	2	11	14	39	**41**	4	0	0	0	0	0	0	111	33	39
15:00	**1**	0	0	11	17	34	30	5	1	0	0	0	0	0	99	33	39
16:00	0	0	3	12	10	32	36	4	**2**	0	0	0	0	0	99	33	39
17:00	0	0	0	13	11	24	19	9	1	0	0	0	0	0	77	33	40
18:00	0	0	2	6	14	15	10	4	0	0	0	0	0	0	51	32	38
19:00	0	0	1	4	7	10	8	4	1	0	0	0	0	0	35	33	40
20:00	0	0	1	0	6	11	13	1	0	0	0	0	0	0	32	34	38
21:00	0	**2**	2	1	2	5	2	2	0	0	0	0	0	0	16	30	40
22:00	0	0	0	1	0	3	0	1	0	0	0	0	0	0	5	32	33
23:00	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2	32	32
Total	1	15	54	204	315	656	498	104	15	2	0	0	0	0	1864		
Percent	0.1%	0.8%	2.9%	10.9%	16.9%	35.2%	26.7%	5.6%	0.8%	0.1%	0.0%	0.0%	0.0%	0.0%			
AM Peak		07:00	11:00	11:00	11:00	11:00	09:00	08:00	11:00	07:00					11:00		
Vol.		4	10	19	33	70	51	9	4	1					188		
PM Peak	15:00	21:00	13:00	13:00	13:00	13:00	14:00	12:00	16:00						12:00		
Vol.	1	2	5	23	23	57	41	11	2						150		
Total	1	15	54	204	315	656	498	104	15	2	0	0	0	0	1864		
Percent	0.1%	0.8%	2.9%	10.9%	16.9%	35.2%	26.7%	5.6%	0.8%	0.1%	0.0%	0.0%	0.0%	0.0%			

15th Percentile :	26 MPH
50th Percentile :	33 MPH
85th Percentile :	39 MPH
95th Percentile :	42 MPH

Statistics

10 MPH Pace Speed :	31-40 MPH
Number in Pace :	1154
Percent in Pace :	61.9%
Number of Vehicles > 30 MPH :	1275
Percent of Vehicles > 30 MPH :	68.4%
Mean Speed(Average) :	32 MPH

ALL-WAY STOP ANALYSIS

LOCATION: Hidden Springs Drive/Vistoso Highlands Drive **Existing**

COUNT DATE: 22-Jun-16

	Hidden Springs Drive (Minor)			Vistoso Highlands Drive (Major)					
	NB	SB	TOTAL	EB	WB	TOTAL	INT TOTAL	Warrant #3	rank
12 - 1 AM	3		3	0	0	0	3	No	22
1 - 2 AM	1		1	0	1	1	2	No	23
2 - 3 AM	0		0	1	0	1	1	No	24
3 - 4 AM	2		2	6	5	11	13	No	20
4 - 5 AM	10		10	5	14	19	29	No	17
5 - 6 AM	47		47	25	57	82	129	No	13
6 - 7 AM	51		51	50	66	116	167	No	8
7 - 8 AM	79		79	71	67	138	217	No	6
8 - 9 AM	84		84	83	82	165	249	No	2
9 - 10 AM	70		70	87	62	149	219	No	5
10 - 11 AM	67		67	84	84	168	235	No	3
11 AM - 12 PM	91		91	96	92	188	279	No	1
12 - 1 PM	69		69	74	76	150	219	No	5
1 - 2 PM	62		62	100	49	149	211	No	7
2 - 3 PM	52		52	69	42	111	163	No	9
3 - 4 PM	54		54	48	51	99	153	No	10
4 - 5 PM	52		52	56	43	99	151	No	11
5 - 6 PM	52		52	28	49	77	129	No	13
6 - 7 PM	34		34	28	23	51	85	No	14
7 - 8 PM	35		35	15	20	35	70	No	15
8 - 9 PM	19		19	7	25	32	51	No	16
9 - 10 PM	12		12	9	7	16	28	No	18
10 - 11 PM	11		11	1	4	5	16	No	19
11 - 12 PM	4		4	0	2	2	6	No	21
TOTALS	**961**	**0**	**961**	**943**	**921**	**1864**	**2825**		

WARRANT LEVEL (VEHICLES PER HOUR) =		200	300
AVERAGE 8 HIGHEST HOURS	=	72	153
MINOR/MAJOR RATIO	=	0.52	

WARRANT MET FOR 0 OF EIGHT REQUIRED HOURS

ALL-WAY STOP ANALYSIS

LOCATION: Hidden Springs Drive/Vistoso Highlands Drive **2017 Without**

COUNT DATE: 22-Jun-16

		Hidden Springs Drive (Minor)			Vistoso Highlands Drive (Major)					
Growth Rate	1.03							INT		
		NB	SB	TOTAL	EB	WB	TOTAL	TOTAL	Warrant #3	rank
	12 - 1 AM	4		4	0	0	0	4	No	23
	1 - 2 AM	2		2	0	2	2	4	No	23
	2 - 3 AM	0		0	2	0	2	2	No	24
	3 - 4 AM	3		3	7	6	13	16	No	20
	4 - 5 AM	11		11	6	15	21	32	No	17
	5 - 6 AM	49		49	26	59	85	134	No	13
	6 - 7 AM	53		53	52	68	120	173	No	8
	7 - 8 AM	82		82	74	70	144	226	No	6
	8 - 9 AM	87		87	86	85	171	258	No	2
	9 - 10 AM	73		73	90	64	154	227	No	5
	10 - 11 AM	70		70	87	87	174	244	No	3
	11 AM - 12 PM	94		94	99	95	194	288	No	1
	12 - 1 PM	72		72	77	79	156	228	No	4
	1 - 2 PM	64		64	103	51	154	218	No	7
	2 - 3 PM	54		54	72	44	116	170	No	9
	3 - 4 PM	56		56	50	53	103	159	No	10
	4 - 5 PM	54		54	58	45	103	157	No	11
	5 - 6 PM	54		54	29	51	80	134	No	13
	6 - 7 PM	36		36	29	24	53	89	No	14
	7 - 8 PM	37		37	16	21	37	74	No	15
	8 - 9 PM	20		20	8	26	34	54	No	16
	9 - 10 PM	13		13	10	8	18	31	No	18
	10 - 11 PM	12		12	2	5	7	19	No	19
	11 - 12 PM	5		5	0	3	3	8	No	21
	TOTALS	**1005**	**0**	**1005**	**983**	**961**	**1944**	**2949**		

WARRANT LEVEL (VEHICLES PER HOUR) =		200	300
AVERAGE 8 HIGHEST HOURS	=	74	158

MINOR/MAJOR RATIO = 0.52

WARRANT MET FOR 0 OF EIGHT REQUIRED HOURS

ALL-WAY STOP ANALYSIS

LOCATION: Hidden Springs Drive/Vistoso Highlands Drive **2017 With**

COUNT DATE: 22-Jun-16

		Hidden Springs Drive (Minor)			Vistoso Highlands Drive (Major)					
Growth Rate	1.03							INT		
		NB	SB	TOTAL	EB	WB	TOTAL	TOTAL	Warrant #3	rank
	12 - 1 AM	4	1	5	1	1	2	7	No	22
	1 - 2 AM	2	0	2	0	2	2	4	No	23
	2 - 3 AM	0	0	0	2	0	2	2	No	24
	3 - 4 AM	3	0	3	7	6	13	16	No	20
	4 - 5 AM	11	1	12	7	16	23	35	No	18
	5 - 6 AM	49	5	54	31	64	95	149	No	13
	6 - 7 AM	53	5	58	57	73	130	188	No	8
	7 - 8 AM	82	8	90	82	78	160	250	No	4
	8 - 9 AM	87	8	95	94	93	187	282	No	2
	9 - 10 AM	73	7	80	97	71	168	248	No	6
	10 - 11 AM	70	7	77	94	94	188	265	No	3
	11 AM - 12 PM	94	9	103	108	104	212	315	No	1
	12 - 1 PM	72	7	79	84	86	170	249	No	5
	1 - 2 PM	64	6	70	109	57	166	236	No	7
	2 - 3 PM	54	5	59	77	49	126	185	No	9
	3 - 4 PM	56	5	61	55	58	113	174	No	10
	4 - 5 PM	54	5	59	63	50	113	172	No	11
	5 - 6 PM	54	5	59	34	56	90	149	No	13
	6 - 7 PM	36	3	39	32	27	59	98	No	14
	7 - 8 PM	37	4	41	20	25	45	86	No	15
	8 - 9 PM	20	2	22	10	28	38	60	No	16
	9 - 10 PM	13	2	15	12	10	22	37	No	17
	10 - 11 PM	12	1	13	3	6	9	22	No	19
	11 - 12 PM	5	0	5	0	3	3	8	No	21
					0					
	TOTALS	**1005**	**96**	**1101**	**1079**	**1057**	**2136**	**3237**		

WARRANT LEVEL (VEHICLES PER HOUR) =		200	300
AVERAGE 8 HIGHEST HOURS	=	82	173
MINOR/MAJOR RATIO	=	0.52	

WARRANT MET FOR 0 OF EIGHT REQUIRED HOURS

Appendix B: Archaeological Report

Arizona State Museum
THE UNIVERSITY OF ARIZONA
1013 E. UNIVERSITY BLVD.
TUCSON, AZ 85721

ARCHAEOLOGICAL SUMMARY LETTER

This report documents the results of an archaeological site-records check.
It does not constitute a cultural resources clearance.

Date: 5/26/2016 **Requester Name:** Clay Goodwin
Company: The WLB Group, Inc. **Address:** 4444 E. Broadway Blvd., Tucson, AZ 85711
Phone: 520-881-7480 **Email:** cgoodwin@wlbgroup.com
Legal Description: T11S, R13E, S24 **Project Area Location:** Parcel 219-20-004M, 219-20-004L
Project Name / Number: Rancho Vistoso – 10J
Project Description: Rezoning from C-1 to MDR to allow for single-family residential development

Search Results:

According to a search of the archaeological records retained at the Arizona State Museum (ASM), nine survey projects have been conducted within a one-mile radius of the project area between 1978 and 2015. Previous survey work was conducted primarily in support of residential development; and archaeological research; and the installation of water reservoir and transmission lines. The project area was surveyed in 1986 as part of the "Rancho Vistoso Survey" (ASM Accession No. 1986-220; Craig and Wallace 1987).

The surrounding area is dense with archaeological sites. Forty-four archaeological sites have been identified within a 1-mile radius of the project area. One site, AZ BB:9:177(ASM), is crossed by the project area. This site was recorded in 1986 (Craig and Wallace 1987). A second site, AZ BB:9:87(ASM), was identified approximately 60 yards east of the project area. This site was identified in 1978 and has been revisited several times since (Craig and Wallace 1987; Hewitt 1978; Wegener 2005). Excavations were conducted at this site in 1998 (Wellman 1999).

Sites in Project Area:

One site has been identified within the project area (AZ BB:9:177[ASM]) and another has been identified approximately 60 yards outside the project area boundary (AZ BB:9:87[ASM]).

Recommendations:

1. Although the entire project area has been previously surveyed, the work was conducted 30 years ago. It is standard archaeological practice for a property to be re-surveyed if the previous survey was conducted 10 or more years ago. Due to the date of the previous archaeological survey and the presence of archaeological sites within the project area and its immediate vicinity, the ASM recommends, but it is not required by ASM, that a qualified archaeological contractor be consulted before any ground disturbance begins. A list of archaeological contractors is available on the ASM website at: http://www.statemuseum.arizona.edu/crservices/permits/index.shtml.

2. Pursuant to *Arizona Revised Statutes* §41-865 *et seq*., if any human remains or funerary objects are discovered during your project work, all work will stop within the area of the remains and Dr. Todd Pitezel, ASM assistant curator of archaeology, will be contacted immediately at (520) 621-4795.

3. City, county, or municipal governments may have requirements, therefore ASM recommends that the relevant jurisdiction(s) be consulted.

If you have any questions about the results of this records search, please contact me.

Sincerely,

Shannon D. Twilling, M.A.

Research Specialist
Archaeological Permits Office
Arizona State Museum
(520) 621-2096
twilling@email.arizona.edu

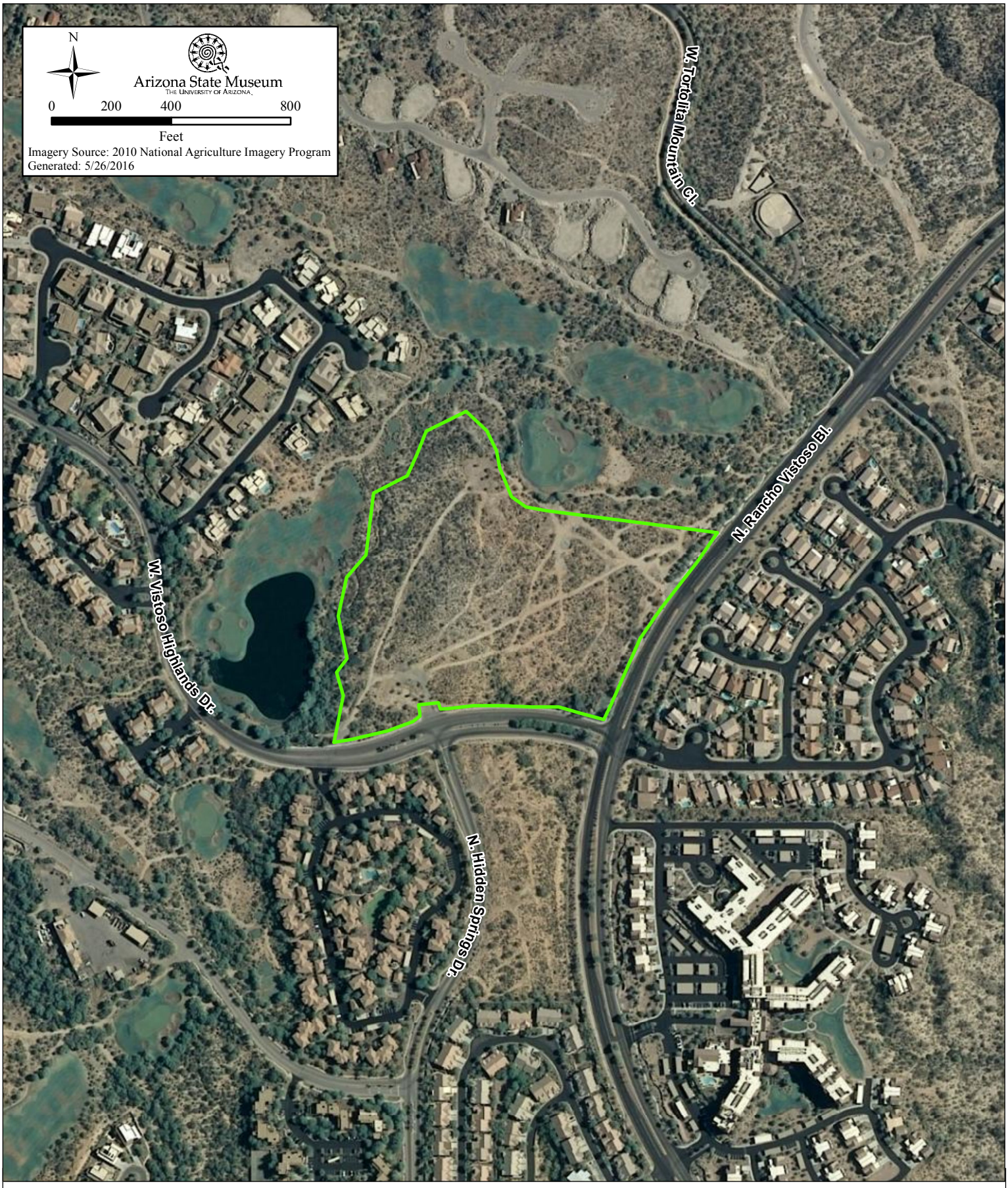
References:

Craig, Douglas B. and Henry D. Wallace
1987 *Prehistoric Settlement in the Cañada del Oro Valley, Arizona : The Rancho Vistoso Survey Project.* Anthropological paper #8. Institute for American Research, Tucson.

Hewitt, James M.
1978 *Tortolita Mountains Archaeological Project: Field Report, 1978.* Pima Community College, Tucson.

Wellman, Kevin, editor
1987 *The Tortolita Phase in the Tortolita Foothills : Investigations at the Triangle Road Site (AZ BB:9:87 (ASM)), Oro Valley, Arizona.* Report No. 97-161. SWCA, Tucson.

Wegener, Robert M.
2005 *Class III Cultural Resources Surveys of a Proposed Effluent Water Pipeline in the Canada del Oro Valley, Pima County, Arizona.* Report No. 03-48. Statistical Research, Inc., Tucson.



Company:
The WLB Group, Inc.

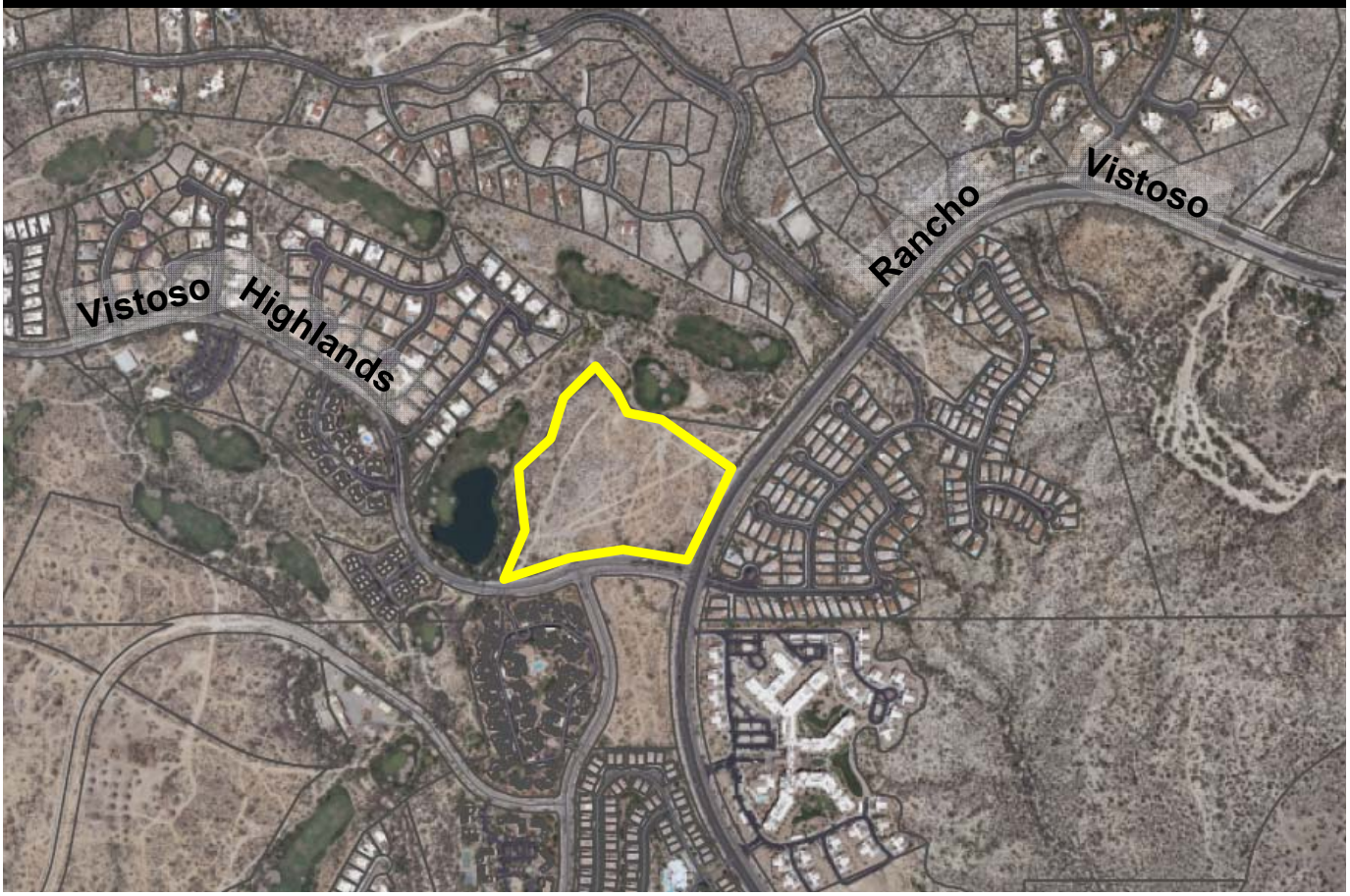
Project:
Rancho Vistoso - 10J

Location:
Parcels #219-20-004M, 219-20-004L
T11S, R13E, S24

Proposed Project Area

Location of proposed project area.

LOCATION



LOCATION MAP

VISTOSO HIGHLANDS (OV1601747)

Attachment 3

SITE DATA:

- PARCEL SIZE: 17.8± AC.
- EXISTING ZONING: COMMERCIAL (C-1)
- PROPOSED ZONING: MEDIUM DENSITY RESIDENTIAL (MDR)
- PROPOSED MINIMUM LOT SIZE: 70' x 125'
- PROPOSED DENSITY: 2.2 D.U./Ac.
- PROPOSED BUILDING HEIGHT: SINGLE-STORY (22' FLAT ROOF / 25' GABLED ROOF)
- PROPOSED SETBACKS: FRONT - 20' *EXCEPT AS NOTED BELOW
  SIDE - 5'
  REAR - 10'
  *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
- PROPOSED OPEN SPACE: 5.0± AC. (28% OF THE SITE)
- AREA WITHIN 15' ESOS SETBACK TO BE REVEGETATED AND COUNTED AS RMA TIER 2 ESOS
- ONSITE ESOS WILL BE OWNED AND MAINTAINED BY THE HOA
- THE GOLF COURSE OVERLAY SETBACK IS A COMPOSITE LINE CREATED FROM THE GOLF COURSE ENVELOPES FOUND IN SECTION 24.6.C.3 OF THE ZONING CODE

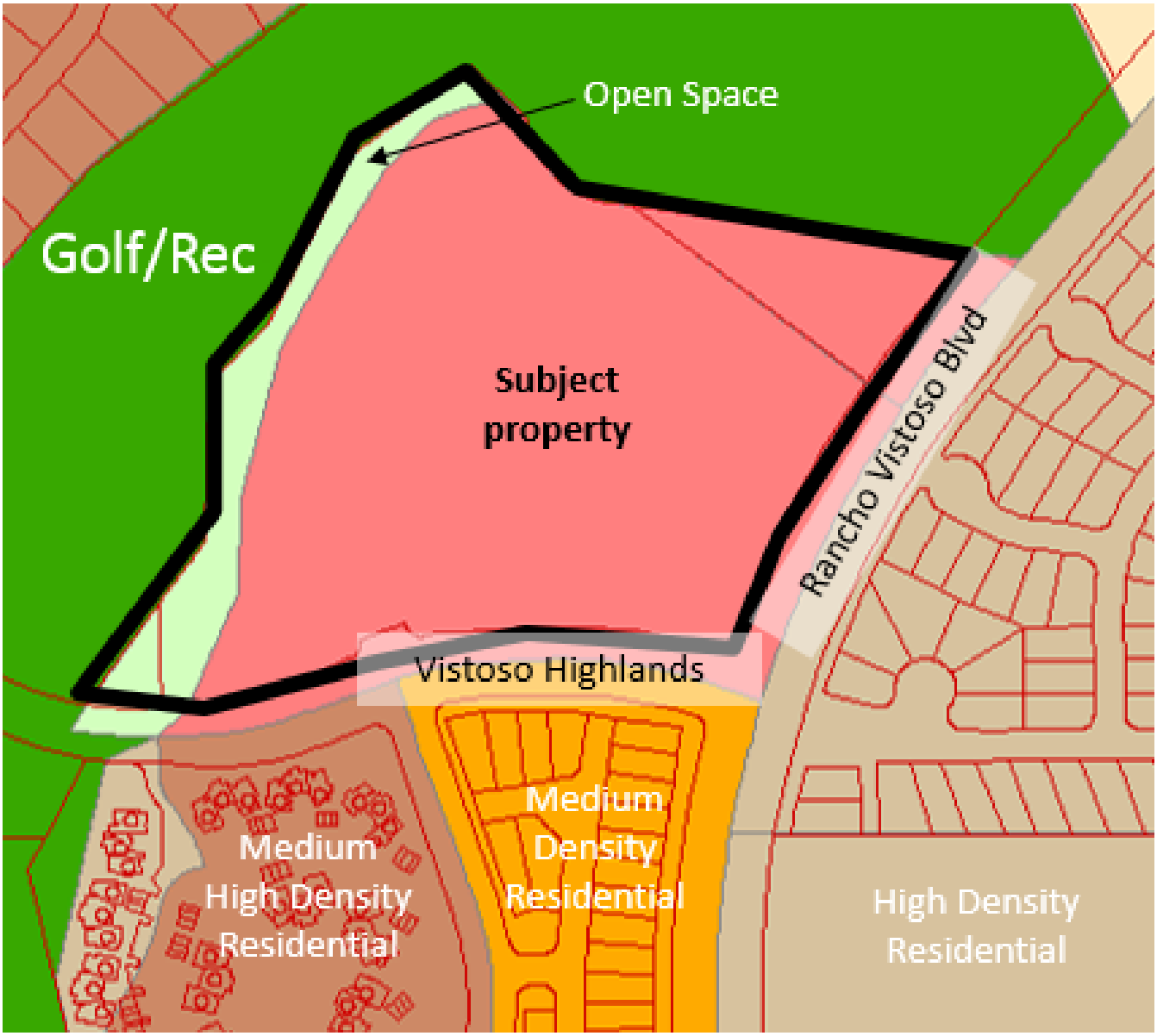
The WLB Group
WLB
TUCSON - PHOENIX - LAS VEGAS - FLAGSTAFF
520.881.7480 - tucson@wlbgroup.com

RANCHO VISTOSO - 10J
EXHIBIT II-1-A: TENTATIVE DEVELOPMENT PLAN

2016.08.05
Aerial Photo Date = 2015
WLB No. 185050-VH-01

0' 80' 160' 240'

Q:\185050-VH-01 - RV Neigh 16/C1 Planning\04 Rezone\Site Analysis\Exhibits\Exh 2.1.A - TDP 080403\11.dwg Plotted: Aug 03, 2016



ZONING MAP

VISTOSO HIGHLANDS (OV1601747)

Attachment 5

Attachment 6
General Plan Analysis

2. General Plan Analysis

PAD Amendments are reviewed for conformance with the Vision, Goals and Policies of the General Plan. To ensure conformance, the proposed PAD Amendment has been evaluated using the former and current General Plans.

A. General Plan Map

The proposed density of 2.19 homes per acre is below the density maximum of 5.0 homes per acre under the accompanying Major General Plan Amendment application.

B. Vision Statement (2005 General Plan)

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

The vision statement from the General Plan emphasizes the need to carefully balance land use decisions which respond to current conditions, against the long term impact to the community. Although the proposed subdivision is compatible with the surrounding area, careful consideration should be given to the proposed lower density (2.19 homes per acre) which can reduce the viability of commercial development in the area.

C. Goals and Policies (2005 General Plan)

The applicant has provided analysis of the amendments conformance with adopted General Plan policies, which is provided in Attachment 2. Staff has evaluated the amendment against all General Plan policies, with notable policies identified below.

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 intensive uses adjacent to residential areas.*

The applicant's request would provide a compatible land use with the adjacent residential area. Impacts of the proposed use can be mitigated through the incorporation of buffer yards, landscaped areas and architectural features similar to the adjoining properties.

Policy 2.1.1 *The Town shall continue to promote architectural themes and project site design that blends the built environment with natural surroundings.*

Policy 7.1 *To promote the development of sound, high quality neighborhoods that provide community amenities in an integrated manner.*

The proposed subdivision will contain similar design features as surrounding single-family neighborhoods.

Goal 7.2 *To encourage and maintain a range of housing opportunities.*

Policy 7.2.1 *The Town shall encourage the development of a variety of types of homes to accommodate the varied needs of residents, including single-family attached and detached, townhomes, small apartments (3-4 units), condominiums, active retirement communities and congregate housing…*

Policy 7.2.2 *The Town shall encourage a variety of residential building types consistent with the General Plan and in accordance with the Town's zoning and subdivision design standards*

This goal and these policies support the development of a diverse range of housing opportunities. Additional medium density homes do not advance this goal; rather add to the lack of diversity in housing within this area. An alternative to the applicant's request may be consideration of a land use designation which allows a variety in housing (e.g., townhomes, casitas, and condominiums).

Goal 1.1 *To preserve Oro Valley's natural Sonoran Desert environment and the scenic resources that are an important part of the community's quality of life.*

The proposed residential development conforms with the Environmentally Sensitive Lands Ordinance related to open space, wash preservation and native plant species which exist on the property.

D. Current Vision Statement (*Your Voice Our Future* General Plan)

Oro Valley strives to be a well-managed community that provides all residents with opportunities for quality living. Oro Valley will keep its friendly, neighborly character, while increasing services, employment and recreation. The Town's lifestyle continues to be defined by a strong sense of community, a high regard for public safety and an extraordinary natural environment and scenic views.

The proposed vision statement emphasizes the need to be a well-managed community while promoting the existing quality of life. The proposed amendment is consistent with the vision statement because the proposal will not alter the existing character and/or land use patterns of the surrounding area.

E. Current Goals and Policies (*Your Voice Our Future* General Plan)

Goal A *The people of Oro Valley strive for long-term financial and economic stability and sustainability.*

The property should be developed at a higher density to support the existing commercial properties in and around Rancho Vistoso.

Policy LU.5 *Provide diverse land uses that meet the Town's overall needs and effectively transition in scale and density adjacent to neighborhoods.*

The proposed amendment will provide a compatible land use transition between the existing golf course and the surrounding single-family homes and condominiums to the south and east.

Attachment 6
General Plan Analysis

2. General Plan Analysis

PAD Amendments are reviewed for conformance with the Vision, Goals and Policies of the General Plan. To ensure conformance, the proposed PAD Amendment has been evaluated using the former and current General Plans.

A. General Plan Map

The proposed density of 2.19 homes per acre is below the density maximum of 5.0 homes per acre under the accompanying Major General Plan Amendment application.

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

The vision statement from the General Plan emphasizes the need to carefully balance land use decisions which respond to current conditions, against the long term impact to the community. Although the proposed subdivision is compatible with the surrounding area, careful consideration should be given to the proposed lower density (2.19 homes per acre) which can reduce the viability of commercial development in the area.

C. Goals and Policies (2005 General Plan)

The applicant has provided analysis of the amendments conformance with adopted General Plan policies, which is provided in Attachment 2. Staff has evaluated the amendment against all General Plan policies, with notable policies identified below.

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 intensive uses adjacent to residential areas.*

The applicant's request would provide a compatible land use with the adjacent residential area. Impacts of the proposed use can be mitigated through the incorporation of buffer yards, landscaped areas and architectural features similar to the adjoining properties.

Policy 2.1.1 *The Town shall continue to promote architectural themes and project site design that blends the built environment with natural surroundings.*

Policy 7.1 *To promote the development of sound, high quality neighborhoods that provide community amenities in an integrated manner.*

The proposed subdivision will contain similar design features as surrounding single-family neighborhoods.

Goal 7.2 *To encourage and maintain a range of housing opportunities.*

Policy 7.2.1 *The Town shall encourage the development of a variety of types of homes to accommodate the varied needs of residents, including single-family attached and detached, townhomes, small apartments (3-4 units), condominiums, active retirement communities and congregate housing…*

Policy 7.2.2 *The Town shall encourage a variety of residential building types consistent with the General Plan and in accordance with the Town's zoning and subdivision design standards*

This goal and these policies support the development of a diverse range of housing opportunities. Additional medium density homes do not advance this goal; rather add to the lack of diversity in housing within this area. An alternative to the applicant's request may be consideration of a land use designation which allows a variety in housing (e.g., townhomes, casitas, and condominiums).

Goal 1.1 *To preserve Oro Valley's natural Sonoran Desert environment and the scenic resources that are an important part of the community's quality of life.*

The proposed residential development conforms with the Environmentally Sensitive Lands Ordinance related to open space, wash preservation and native plant species which exist on the property.

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The proposed vision statement emphasizes the need to be a well-managed community while promoting the existing quality of life. The proposed amendment is consistent with the vision statement because the proposal will not alter the existing character and/or land use patterns of the surrounding area.

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Goal A *The people of Oro Valley strive for long-term financial and economic stability and sustainability.*

The property should be developed at a higher density to support the existing commercial properties in and around Rancho Vistoso.

Policy LU.5 *Provide diverse land uses that meet the Town's overall needs and effectively transition in scale and density adjacent to neighborhoods.*

The proposed amendment will provide a compatible land use transition between the existing golf course and the surrounding single-family homes and condominiums to the south and east.

PAD Amendment
Planning and Zoning Commission Staff Report

CASE NUMBER:	OV1601747 Vistoso Highlands
MEETING DATE:	August 23, 2016
AGENDA ITEM:	1B
STAFF CONTACT:	Rosevelt Arellano, Senior Planner rarellano@orovalleyaz.gov (520) 229-4817

Applicant:	Paul Oland, WLB Group
Request:	Amend the Rancho Vistoso Planned Area Development from Commercial (C-1) to Medium Density Residential (MDR) and one ESL flexible design option to allow a modified review process
Location:	Northwest corner of Vistoso Highlands Drive and Rancho Vistoso Blvd.
Recommendation:	Discussion only. Formal action scheduled for 9/6/2016 PZC Meeting

SUMMARY:

The purpose of this request is to consider a PAD Amendment for the Vistoso Highlands project. The applicant proposes an amendment to the Rancho Vistoso Planned Area Development from Commercial (C-1) to Medium Density Residential (MDR) on a 17.8 acre site located on the northwest corner of Vistoso Highlands Drive and Rancho Vistoso Boulevard (Attachment 1). The location map (Attachment 2) provides context of the site in relation to the surrounding area.

PAD Amendments require only one public hearing before the Planning and Zoning Commission. However, because this request is associated with a Major General Plan Amendment, the proposed PAD amendment will be considered at the same two Planning and Zoning Commission meetings. The second public hearing will be held on September 6th where the Commission will again take public testimony, deliberate and formulate a recommendation on the PAD Amendment request to Town Council.

The Tentative Development Plan (Attachment 3) depicts 39 lots, one-story homes and a minimum lot size of 8,750 square feet.

All issues relative to conversion of this property from commercial to residential are detailed in the staff report for case OV1601094.

To summarize, the proposed PAD Amendment will provide continuity in residential land use and is compatible with the surrounding area. To address the neighbors' concerns, the applicant has agreed to limit the proposed building height to one-story and design the perimeter wall in accordance with the Rancho Vistoso HOA Design Guidelines. It worth noting that the proposed subdivision design is similar to the surrounding subdivisions, and therefore is expected to have a lesser impact (e.g., lighting, noise, building height, etc.) on the adjacent residential properties than a commercial development which is enabled by the existing zoning.

BACKGROUND:

Land Use Context

The existing land uses and zoning for the property and the surrounding area are provided in Attachments 2 and 4.

Site Conditions

- 17.8 acres
- Property is vacant with exception of HOA monument sign
- Existing curb cuts on Vistoso Highlands Drive and Rancho Vistoso Boulevard

Approvals-to-date

- June 1987: Rancho Vistoso Planned Area Development, Commercial (C-1) zoning

Existing Zoning District

The Rancho Vistoso Planned Area Development defines the existing zoning district as follows:

- *Commercial (C-1): This district is intended to provide both for neighborhood and community shopping. The district provides for retail and service establishments which supply commodities or perform services to meet the daily needs of the neighborhood and shall be in locations where analysis of residential population demonstrates that such facilities are justified. In addition, this district is intended to provide commercial activities designed to serve the community. It may include uses associated with the central business district.*

Proposed Zoning District

The Rancho Vistoso Planned Area Development defines the proposed zoning district as follows:

- *Medium Density Residential (MDR): This district is intended to provide detached and attached single-family homes in areas containing fewer natural constraints than Very Low and Low Density Residential zoning districts. Significant vegetation or topography and minor washes should be preserved as common open space whenever possible.*

C-1 and MDR Development Standards

The table below summarizes the existing and proposed development standards.

Standard	Existing C-1	Proposed MDR
Minimum lot size	n/a	8,750 sq. ft.
Building height	34', three-stories	22' - 25', one-story
Building setbacks	Front: 20', Sides: 0', Rear: 25'	Front: 15' - 20', Sides: 5', Rear: 10'

DISCUSSION / ANALYSIS:

The applicant proposes to rezone a 17.8 acre property from Commercial (C-1) to Medium Density Residential (MDR) to develop a residential subdivision. The Tentative Development Plan (Attachment 3) depicts:

- 39 lots with a minimum lot size of 8,750 square feet
- Density: 2.19 homes per acre

- Use: Detached single-family homes
- Building height: 22', one-story (flat roof homes), 25', one-story (pitch roof homes)
- Two access points on Vistoso Highlands Drive (south) and Rancho Vistoso Blvd (east)
- Landscape bufferyards along the south and east property lines

PAD Amendment applications are reviewed for conformance with zoning and the General Plan.

1. Zoning Analysis

The applicant requests an amendment to the Rancho Vistoso Planned Area Development from Commercial (C-1) to Medium Density Residential (MDR) on a 17.8 acre site located on the northwest corner of Vistoso Highlands Drive and Rancho Vistoso Boulevard (Attachment 2).

The proposed PAD Amendment has been reviewed for conformance with the Town of Oro Valley Zoning Code and the Rancho Vistoso Planned Area Development. A discussion of the application's conformance with the proposed zoning district is provided below.

A. Tentative Development Plan

The Tentative Development Plan (Attachment 3) depicts 39 lots with a minimum lot size of 8,750 square feet, a perimeter landscape bufferyard, open space, drainage basins and two access points.

- *Access and Circulation:* The Tentative Development Plan has two points of ingress/egress providing access to both Vistoso Highlands Drive (south) and Rancho Vistoso Boulevard (east). These access points use existing curb cuts and have been approved by the Town Engineer.

- *Building Height*: To preserve the existing views to the east, the applicant has agreed to limit the proposed building height for flat roof homes to 22', one-story and pitch roof homes to 25', one-story.

- *Neighborhood Compatibility*: The proposed subdivision design (e.g., lot size, street configuration, access, etc.) is compatible with the surrounding area because 1) it is similar in design to the nearby single-family neighborhoods and 2) has a lesser impact (e.g., building height, traffic, noise, etc.) than the existing commercial zoning.

To improve compatibility, the applicant will design the perimeter walls in accordance with the Rancho Vistoso HOA Design Guidelines.

B. Golf Course Overlay Analysis

The Golf Course Overlay District of the Zoning Code requires minimum setbacks between golf courses and residential property lines to protect property owners from errant golf balls and nuisances. As shown in the table below, the proposed site plan meets the golf course setback requirements by providing the minimum distance between the proposed lots and the existing golf course.

Setback From	Required	Proposed
Tee Boxes	100'	100'
Landing Areas	200'	200'
Greens	150'	150'

C. Flexible Design Options

The Environmentally Sensitive Lands requirements enable the use of incentives, or flexible design options, subject to Town Council approval. The flexible design options are available to property when open space is applied to twenty-five (25%) or more of the property, which has been provided
The applicant has requested use of the Modified Review Process. Staff is supportive of this request because the proposed site plan design has been adequately reviewed by the neighbors. 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.

D. Environmentally Sensitive Lands (ESL)

The property contains and conserves the following ESL conservation categories:

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

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

<u>Conservation Categories (Biologically Based)</u>

The proposed development conserves the following ESL Conservation Categories:

- Critical Resource Area (CRA): 95% open space requirement

- Resource Management Area (RMA) Tier 2: 25% open space requirement

These Conservation Categories require the proposed development to provide 4.9 acres of Environmentally Sensitive Open Space (ESOS). In combination with onsite mitigation, the project conserves 5.7 acres of ESOS on the property.

<u>Conservation Categories (Non-biologically Based)</u>

The applicant has submitted a letter from the Arizona State Museum (ASM) indicating that the property needs to be surveyed. As of the date this report, the applicant has hired a cultural resource professional to survey the site and determine whether a treatment plan is required for the mitigation of any cultural resources. The cultural resource survey and treatment plan, if recommended, must be submitted prior to Town Council consideration of this rezoning case.

E. Engineering Comments

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

The Site Analysis addresses issues related to drainage and traffic. For drainage, the proposed rezoning request acknowledges that the proposed residential development will not change the existing drainage conditions.

The drainage system for the project shall be designed to ensure, among other requirements, that all habitable structures adjacent to washes will be protected from flooding and erosion.

One natural drainage courses affect the subject property, flowing in a southerly direction and generally paralleling the western development boundary. Increased run-off from the development will be mitigated by use of detention basins which will ultimately discharge to existing culverts under Vistoso Highlands Drive along the southern boundary of the project.

For traffic, two ingress/egress access points are proposed. One access is on Vistoso Highlands Drive at an existing paved turnout. The access point is directly across from Hidden Springs Drive, providing full access into/out of the development. Hidden Springs Drive is classified as a local collector, with a large amount of available capacity at this location.

A traffic signal was recently constructed by the Town of Oro Valley at the intersection of Rancho Vistoso Boulevard and Vistoso Highlands Drive, directly east of the proposed access for this development. The traffic signal provides full access to Rancho Vistoso Boulevard, an arterial street, from Vistoso Highlands Drive.

The second access is along Rancho Vistoso Boulevard at an existing paved turnout. There is an existing left turn lane and median break at the proposed access point on Rancho Vistoso Boulevard. The anticipated volume of traffic generated by this development is low and therefore will not have a noticeable impact on the surrounding roadway network.

F. Rancho Vistoso Planned Area Development

The table below summarizes the project's conformance with the proposed residential (MDR) standards.

Development Standards	MDR	Proposed
Home type	Detached or attached homes	Detached single-family
Minimum lot size	5000 sq. ft.	8750 sq. ft.
Building height	30', two-story	22' - 25', one-story
Setback	Front: 20, Sides: 5' or 0 Rear: 10'	Front: 15', Sides: 5', Rear: 10'

2. General Plan Analysis

As part of this PAD Amendment, the applicant is proposing a Major General Plan Amendment from Neighborhood Commercial Office (NCO) to Medium Density Residential (MDR, 2.1-5.0 dwelling units per acre). The Major General Plan Amendment, if approved, will allow action to rezone the property.

All issues relative to conversion of this property from commercial to residential are detailed in the staff report for case OV1601094.

The proposed PAD Amendment is consistent with the Vision, Goals and Policies of both the General Plan and the *Your Voice Our Future* Plan. The applicable Goals and Policies relate to compatibility, environmental protection and housing type. A detailed analysis is provided in Attachment 5.

PUBLIC PARTICIPATION:

Summary of Public Notice

The following public notice has been provided:

- Notification of all property owners within 1,000 feet

- Homeowners Association mailing
- Advertisement in The Daily Territorial newspaper
- Post on property
- Post at Town Hall and on website

Two neighborhood meetings were held on April 25, 2016 and June 30, 2016 with approximately forty (40) residents at each meeting. The main topics discussed at the meetings included preserving the existing views to the east, traffic circulation, architecture and wall design.
In response to the neighbors' concerns for view preservation, the applicant has agreed to limit the proposed building height to 25', one-story for pitch roof homes and 22' one-story for flat roof homes. The applicant has also agreed to design a perimeter wall in conformance with the Rancho Vistoso HOA Design Guidelines. These agreements will be included as conditions in the recommendation provided on September 6th.

A copy of the neighborhood meeting summary notes are provided as Attachment 6, and three letters of concern are included as Attachment 7.

RECOMMENDATION:

The proposed PAD amendment is compatible with the surrounding area and therefore staff recommends approval, subject to the conditions in the September 6th Planning and Zoning Commission staff report.

PAD Amendments require only one public hearing before the Planning and Zoning Commission. However, because this request is associated with a Major General Plan Amendment, the propose PAD amendment will be considered at the two Planning and Zoning Commission Meetings. The second public hearing will be held on September 6th where the Commission will again take public testimony, deliberate and formulate a recommendation on the PAD Amendment request to Town Council.

ATTACHMENTS:

1. Application
2. Location Map
3. Tentative Development Plan
4. Zoning Map
5. General Plan Analysis
6. Neighborhood Meeting Summary Notes
7. Letters of Concern

Bayer Vella, AICP, Planning Manager

PAD Amendment
Planning and Zoning Commission Staff Report

CASE NUMBER:	OV1601747 Vistoso Highlands
MEETING DATE:	September 6, 2016
AGENDA ITEM:	2B
STAFF CONTACT:	Rosevelt Arellano, Senior Planner rarellano@orovalleyaz.gov (520) 229-4817
Applicant:	Paul Oland of WLB Group
Requests:	Amend the Rancho Vistoso Planned Area Development from Commercial (C-1) to Medium Density Residential (MDR) and one ESL flexible design option to allow a modified review process
Location:	Northwest corner of Rancho Vistoso Blvd. and Vistoso Highlands Dr.
Recommendation:	Recommend approval of the requested amendment subject to the conditions in Attachment 1

SUMMARY:

The purpose of this request is to consider a PAD Amendment for the Vistoso Highlands project. The applicant proposes an amendment to the Rancho Vistoso Planned Area Development from Commercial (C-1) to Medium Density Residential (MDR) on a 17.8 acre site located on the northwest corner of Vistoso Highlands Drive and Rancho Vistoso Boulevard (Attachment 2). The location map (Attachment 3) provides context of the site in relation to the surrounding area.

PAD Amendments require only one public hearing before the Planning and Zoning Commission. However, because this request is associated with a Major General Plan Amendment, the proposed PAD amendment will be considered at the same two Planning and Zoning Commission meetings. The first public hearing was held on August 23rd. The purpose of this request is to address issues raised at the first public hearing (see Discussion and Analysis Section below). The original staff report (Attachment 4) contains the overall background and analysis related to this case.

The September 6th Planning and Zoning Commission meeting is the second of two public hearings. At the second hearing, the Commission will take public testimony and formulate a recommendation on the PAD Amendment request to Town Council.

BACKGROUND:

The August 23rd Planning and Zoning Commission staff report is provided as Attachment 4 for the background information and analysis related to the proposed amendment.

DISCUSSION / ANALYSIS:

At the August 23rd Planning and Zoning Commission meeting, the following key items were discussed (comments are in *italics*):

1. **Resident's Comment:** *What is the guarantee that the site will be developed as represented in the accompanying PAD Amendment application?*

   Staff response: The proposed site plan design and development standards are reflected on the Tentative Development Plan, which is formally adopted as part of the PAD Amendment approval. The final design of the subdivision must conform with the approved Tentative Development Plan.

   To improve the project's compatibility with the surrounding area, three conditions have been added in Attachment 1. The conditions relate to building height and preserving the existing views, designing a subdivision wall in accordance with the Rancho Vistoso HOA Design Guidelines, and maintaining sight visibility for motorists.

2. **Resident's Comment:** *One resident felt that the proposed homes should not be taller than 21'.*

   Staff response: The proposed zoning designation of Medium Density Residential allows building heights up to 30', two-story. To preserve the existing views to the east and based on the input at the neighborhood meetings, the applicant has agreed to limit the proposed building height for flat roof homes to 22', one-story and pitch roof homes to 25', one-story. A condition reflecting the proposed building heights is included in Attachment 1.

   The suggested building height of 21' will hardly improve the existing views to the east, because the nearest homes are at least 400' away from the proposed residential subdivision.

3. **Resident's Comment:** *When can the neighbors expect the proposed number of lots to be finalized?*

   Staff response: The proposed Tentative Development Plan will establish the maximum number of lots for this subdivision at 39 lots. As stated previously, the final design must conform to the Tentative Development Plan.

RECOMMENDATION:

Based on the analysis provided in Attachment 4, staff finds the proposed PAD Amendment to be acceptable. It is recommended that the Planning and Zoning Commission take the following action: Recommend to Town Council approval of the PAD Amendment, including the use of ESL's modified review process, subject to the conditions in Attachment 1.

SUGGESTED MOTION:

The Planning and Zoning Commission may wish to consider the following suggested motions:

I move to recommend approval of the Vistoso Highlands PAD Amendment from Commercial (C-1) to Medium Density Residential (MDR), including the request for ESL's modified review process, based on the finding that the request complies with the Rancho Vistoso Planned Area Development and the General Plan, subject to the conditions in Attachment 1.

OR

I move to recommend denial of the Vistoso Highlands PAD Amendment from Commercial (C-1) to Medium Density Residential (MDR), including the request for ESL's modified review process, based on the finding that _____.

ATTACHMENTS:

Attachment 1 – Conditions of approval
Attachment 2 – Application
Attachment 3 – Location Map
Attachment 4 – August 23rd Planning and Zoning Commission Staff Report

Bayer Vella, AICP, Planning Manager

MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
SPECIAL SESSION
August 23, 2016
CHURCH OF THE NAZARENE
500 W CALLE CONCORDIA, ORO VALLEY, AZ 85704

STUDY SESSION AT OR AFTER 6:00 PM

CALL OR ORDER

Chairman Leedy called the August 20, 2016, Planning and Zoning Commission Special Session meeting to order at 6:00 PM.

ROLL CALL

PRESENT:	Bill Leedy, Chair Charlie Hurt, Vice Chair Bob Swope, Commissioner Melanie Barrett, Commissioner Tom Gribb, Commissioner Tom Drzazgowski, Commissioner
EXCUSED:	Greg Hitt, Commissioner

ALSO PRESENT:

Joe Andrews, Chief Civil Deputy Attorney
Council Member Joe Hornat

PLEDGE OF ALLEGIANCE

Chair Leedy led the audience and the Commission in the Pledge of Allegiance.

SPECIAL SESSION AGENDA

1. PUBLIC HEARING: REQUEST FOR APPROVAL OF A MAJOR GENERAL PLAN AMENDMENT AND PLANNED AREA DEVELOPMENT AMENDMENT FOR A DEVELOPMENT KNOWN AS VISTOSO HIGHLANDS REGARDING A PROPERTY LOCATED ON THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

This is the first of two public hearings scheduled for this agenda item. A formal vote will not be taken until the second public hearing on September 6, 2016

A. MAJOR GENERAL PLAN AMENDMENT FROM NEIGHBORHOOD COMMERCIAL/OFFICE (NC/O) TO MEDIUM DENSITY RESIDENTIAL (2.1 - 5.0 DU/AC), OV1601747

Rosevelt Arellano, Senior Planner, provided a presentation on the Major General Plan Amendment that included the following:

- Contents of the property
- Amendment Criteria
- Changes in the Community
- Residential Trends
- Commercial Trends
- Compatibility

Rosevelt Arellano, Senior Planner, provided a presentation on the Planned Area Development that included the following:

- Subdivision Design
- Compatibility
- Neighborhood Meeting Concerns
- Supported by the current market

Paul Oland, WLB Group, representing the applicant, provided a presentation that included the following:

- The Conditions have changed
- Undesirable Commercial Land
- Compatibility
- Market Demand

Chair Leedy opened the public hearing.

Ken Hustad, Non-resident Oro Valley resident, commented on the following:

- In support of the applicant request
- The conditions placed on project should be placed early in the process
- Building height is an issue and should be compatible to the homes in the area and should have the max height at 21 feet height

Dick Serway, Oro Valley resident, commented on the following:

- Numbers of houses being proposed
- Height of the homes

Chair Leedy closed the public hearing.

Mr. Oland responded to the questions

- The applicant is very comfortable with this site plan and the proposed 39 lots
- The applicant is very comfortable with the conditions of approval regarding the set backs and heights of the homes

Key topics raised by the Commission:

- Proposed plan be a gated community
- Access point to the property from Hidden Springs Drive
- Based on the current growth trends, are the remaining commercial properties in Rancho Vistoso still viable

B. PLANNED AREA DEVELOPMENT FOR A DEVEOLOPMENT FROM COMMERCIAL (C-1) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND APPROVE A ESL FLEXIBLE DESIGN OPTION FOR MODIFIED REVIEW PROCESS, OV1601747

2. PUBLIC HEARING: YOUR VOICE, OUR FUTURE GENERAL PLAN FINAL ADOPTION AND READINESS OF THE PLAN FOR THE PUBLIC VOTE

This is the first of two public hearings scheduled for this agenda item. A formal vote will not be taken until the second public hearing on September 6, 2016

Elisa Hamblin, Long Range Principal Planner, provided a presentation that included the following:

- Plan of Action
- The Public Participation Plan
- Project Schedule
- Contents of the Plan
- Revisions included in the Final Plan

Chair Leedy opened the public hearing.

Bill Sellers, Oro Valley resident, commented on the following:

- No mention in the document about broad band
- Very poor planning approach on the future service of broad band
- High capacity broad band should be referenced in the document
- An expectation of constant upgrades in broad band is critical for the future

Don Bristow, Oro Valley resident, comment on the following:

- Concern on a Type I Major General Plan Amendment, new threshold is 40 acres is such a big jump and should be reconsidered
- Term "small town" to "neighborly" and "unique", does not measure up
- Parks and recreation facilities and programs should be provided to all residents, regardless of their ability to pay

Diane Bristow, Oro Valley resident, commented on the following:

- Low attendance of residents at the first public hearing

Chair Leedy closed the public hearing.

ADJOURNMENT

MOTION: A motion was made by Vice Chair Hurt and seconded by Commissioner Swope to adjourn the Planning and Zoning Commission Special Session meeting at 7:13 PM

MOTION carried, 6-0.

MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
REGULAR SESSION
September 6, 2016
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Leedy called the September 6, 2016, Planning and Zoning Commission meeting to order at 6:00 PM.

ROLL CALL

PRESENT:	Bill Leedy, Chair Charlie Hurt, Vice Chair Bob Swope, Commissioner Melanie Barrett, Commissioner Tom Gribb, Commissioner Greg Hitt, Commissioner
EXCUSED:	Tom Drzazgowski, Commissioner

ALSO PRESENT:

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

PLEDGE OF ALLEGIANCE

Chair Leedy led the audience and the Commission in the Pledge of Allegiance.

CALL TO AUDIENCE

Jeff Jones, Oro Valley resident, commented on the following:

- Use of commercial land in the Sun City area is not viable
- Observation of commercial vacancies in the area

COUNCIL LIAISON COMMENTS

Council member Hornat had no comment.

REGULAR SESSION AGENDA

1. REVIEW AND/OR APPROVAL OF THE AUGUST 2, 2016 REGULAR SESSION MEETING MINUTES.

MOTION: A motion was made by Vice Chair Hurt and seconded by Commissioner Hitt to approve the August 2, 2016 Regular Session Meeting Minutes.

MOTION carried, 6-0.

2. PUBLIC HEARING: REQUEST FOR APPROVAL OF A MAJOR GENERAL PLAN AMENDMENT AND PLANNED AREA DEVELOPMENT AMENDMENT FOR A DEVELOPMENT KNOWN AS VISTOSO HIGHLANDS ON A PROPERTY LOCATED ON THE NORTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

A. MAJOR GENERAL PLAN AMENDMENT FROM NEIGHBORHOOD COMMERCIAL/OFFICE (NC/O) TO MEDIUM DENSITY RESIDENTIAL (2.1 - 5.0 DU/AC), OV1601094

B. PLANNED AREA DEVELOPMENT FOR A DEVELOPMENT FROM COMMERCIAL (C-1) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND CONSIDERATION OF AN ESL FLEXIBLE DESIGN OPTION FOR MODIFIED REVIEW PROCESS, OV1601747

- Rosevelt Arellano, Senior Planner, provided a presentation on the following:

- Issues raised at the last meeting
- Commercial Viability
- Building Height
- Public Participation
- Factors For and Against

Paul Oland, WLB Group, representing the applicant, provided a presentation that included the following:

- Lack of demand of commercial
- Undesirable Commercial Land and Vacant Properties
- Under development of residential property in the area and its impact on commercial viability
- Compatibility
- Market Demand

Key topics raised by the Commission:

- Average height limit for the surrounding homes in Rancho Vistoso
- Explanation of the Environmental Sensitive Lands flexible design options
- Minor design changes to a Modified Review Process
- What if the development never happens

Chair Leedy opened the public hearing.

No speaker request.

Chair Leedy closed the public hearing.

Questions raised by the Commission:

- Previous 24 homes design raised by the resident
- Applicant work with residents
- Conditions of approval
- Traffic numbers affected by the STEM school

MOTION: A motion was made by Vice Chair Hurt and seconded by Commissioner Barrett to recommend approval of the Vistoso Highlands Major General Plan Amendment from Neighborhood Commercial/Office to Medium Density Residential (2.1 - 5 du/ac), based on the finding that the request complies with the amendment criteria and the General Plan.

MOTION carried, 6-0.

MOTION: A motion was made by Commissioner Gribb and seconded by Vice Chair Hurt to recommend approval of the Vistoso Highlands PAD Amendment from Commercial (C-1) to Medium Density Residential (MDR), including the request for ESL's modified review process, based on the finding that the request complies with the Rancho Vistoso Planned Area Development and the General Plan.

Chair Leedy offered a friendly amendment to include, subject to the conditions in attachment 1.

The friendly amendment was accepted by Commissioner Gribb and Vice Chair Hurt.

MOTION carried, 6-0.

3. PUBLIC HEARING: YOUR VOICE, OUR FUTURE GENERAL PLAN FINAL ADOPTION AND READINESS OF THE PLAN FOR THE PUBLIC VOTE

Elisa Hamblin, Long Range Principal Planner, provided a presentation that included the following:

- Public Vote November 8
- Project Overview
- Project Phases
- Visions of the Community
- Executive Summary
- Changes to the Final Plan

Chair Leedy opened the public hearing.

Shirl Lamonna, Oro Valley resident, commented on the following:

- Impressed by the hard work done by staff
- Disappointed with the change in the term "small town character"

Diane Bristow, Oro Valley resident, commented on the following:

- Found the changes made in the final draft
- Strongly agrees that the Visions and Guiding Principles were formed out of extensive community research
- Very uncomfortable with the change of "small town" to "neighborly" or "unique"
- Change to the word "unique" in the Land Use Policy, pg. 41, back to "small-town"

Donald Bristow, Oro Valley resident, stated he support the comments made by the previous speakers.

Chair Leedy closed the public hearing.

Bayer Vella, Planning Manager, responded that the term "small town feeling" was being misinterpreted. Over the course of the last year staff has heard several remarks that "small town" really applies to geographic boundaries and growth and development. The term "small town" was not intended to reflect growth what so ever, but mainly a neighborly feeling. Staff came up with the idea of using the word "neighborly", not to change the input we got from the community, but to make it clear to represent that input.

Discussion ensued amongst the Commission regarding the terms "small-town" and "neighborly".

MOTION: A motion was made by Chair Leedy and seconded by Commissioner Hitt to recommend adoption of the document known as the "Your Voice, Our Future General Plan" as inspired and created by the residents of the Town of Oro Valley as attached hereto as Attachment 2, with a modification to
A). Amending the land use of the Vistoso Highlands property from Neighborhood Commercial/Office to Medium Density Residential,
B). Changing the words in the Vision Statement, Guiding Principles pg. 8 and the Land Use and Design Policy, pg. 41, from "small-town" to "small-town" and "neighborly".

MOTION carried, 6-0.

PLANNING UPDATE (INFORMATIONAL ONLY)

Bayer Vella, Planning Manager, presented the following Planning Update:

- September 7th Town Council meeting
- September 21st Town Council meeting
- October 4th Planning and Zoning Commission meeting

ADJOURNMENT

MOTION: A motion was made by Commissioner Hitt and seconded by Commissioner Swope to adjourn the Planning and Zoning Commission meeting at 7:42 PM.

MOTION carried, 6-0.

Neighborhood Meeting Summary
Rancho Vistoso Neighborhood 10 Parcel J
Proposed Major General Plan Amendment and Rezoning
April 25, 2016
6:00 – 7:30 PM
Rancho Vistoso HOA Building

1. Introductions and welcome

Meeting Facilitator Chad Daines, Principal Planner, introduced the Oro Valley staff Rosevelt Arellano, Senior Planner, as project manager. Approximately 50 residents and interested parties attended the meeting, including Councilmember Hornat and appointed officials Leedy, Hurt, Gribb and Swope.

2. Staff presentation

Rosevelt Arellano, Senior Planner, provided a presentation that included:

- Subject property
- Applicant's request
- Existing and proposed land use designation
- Existing and proposed zoning designation, including development standards
- Review tools
- Review processing, including modified review process
- Public participation opportunities

3. Applicant presentation

Paul Oland of the WLB Group, provided a presentation detailing the applicant's proposal, which included:

- Site plan design
- Background information for the Rancho Vistoso community

4. Public Questions and Comments

- What is the guarantee that the site will be developed with one-story homes?
    - To guarantee one-story homes, staff will place a condition of approval on the rezoning application.

- Neighbors expressed concerns with the traffic impacts on Hidden Springs Drive, and preferred to see this access point eliminated.

- In regards to the Major General Plan Amendment application, how many votes of the Town Council is required for an approval?
    - Five votes are required for a super majority.

- Due to visibility, neighbors expressed concerns with the orientation of the proposed homes located in the southwest portion of the site plan design.

- Will there be a homeowners association?

- The applicant stated that the proposed subdivision would be under the Rancho Vistoso Master Homeowners Association.

- What is the listing price for the proposed homes?
  - The applicant stated that this information is not known at this time.

- What is the size of the proposed homes?
  - The applicant stated approximately 2,500 square feet and greater.

- The neighbors expressed a significant concern with the proposed building height of 28', one-story and preferred 25', one-story or less.

- What is the permitted building height of the existing commercial zoning designation?
  - 34', 3-stories.

- What is the timeline of development?
  - The applicant would like to break ground in approximately two years.

- Is public art required?
  - Public art is not required for residential developments.

- What is the open space requirement?
  - The Environmentally Sensitive Lands (ESL) map designates the following ESL categories on the property (Section 27.10 of the Zoning Code):
    - Critical Resource Area (CRA): 95% open space requirement
    - Resource Management Area (RMA) Tier 2: 25% open space requirement

- Neighbors expressed a concern with the proposed wall design being consistent with the surrounding walls in the area.

- Does the town have a sufficient water supply to support this development?
  - See attached handout from the Town of Oro Valley Water Department.

- Neighbors expressed a concern with the proposed model home design being consistent with the surrounding homes.

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

Neighborhood Meeting Summary
Rancho Vistoso Neighborhood 10 Parcel J
Proposed Major General Plan Amendment and Rezoning
June 30, 2016
6:00 – 7:30 PM
Rancho Vistoso HOA Building

1. Introductions and welcome

Meeting Facilitator Chad Daines, Principal Planner, introduced the Oro Valley staff Rosevelt Arellano, Senior Planner, as project manager. Approximately 30 residents and interested parties attended the meeting, including appointed officials Hurt, Gribb and Swope.

2. Staff presentation

Rosevelt Arellano, Senior Planner, provided a presentation that included:

- Subject property
- Applicant's request
- Concerns raised at 1st neighborhood meeting
    - Traffic and circulation
    - View preservation
    - Architecture and wall design
- Next steps
    - 8/23/16 Planning and Zoning Commission hearing (Tentative)
    - 9/6/16 Planning and Zoning Commission hearing (Tentative)
    - 9/21/16 Town Council hearing (Tentative)

3. Applicant presentation

Paul Oland of the WLB Group, provided a presentation detailing the applicant's proposal, which included:

- Revised site plan design
- Perimeter wall treatment
- Building height and view preservations

4. Public Questions and Comments

- How tall are the proposed homes?
    - The applicant has agreed to restrict homes with a flat roof to 1-story, 22' and homes with a pitch roof to 1-story, 25'.

- What is the size of the proposed homes?
    - The applicant stated approximately 2,400 square feet and greater.

- Will the existing plants be salvaged?
    - The project must meet the plant mitigation requirements of the Oro Valley Zoning Code.

- How many homes were initially planned in the Rancho Vistoso Community?
    - 13,862 units

- What is the proposed lot width?
    - 70’

- Why are the subdivision walls around the Lennar Homes project (southwest corner of Rancho Vistoso Boulevard and Vistoso Highlands Drive) different from the surrounding walls?
    - The Rancho Vistoso HOA Design Review Board approved a different style wall.
    - The applicant also stated that the proposed walls will be consistent with the other walls in the surrounding area and will meet the HOA’s design guidelines.

- Neighbors expressed concerns with access into the proposed flag lots.

- Will the project use swinging or rolling entry gates?
    - The applicant stated that the information is not known at this time?

- Who will maintain the internal streets?
    - The proposed streets are private and therefore will be privately maintained.

- What is the proposed traffic circulation for construction vehicles?
    - The applicant stated that the information is not known at this time?

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

Arellano, Rosevelt

From: [redacted]
Sent: Tuesday, September 06, 2016 4:43 PM
To: Arellano, Rosevelt
Subject: September 6, 2016, 6pm NOTICE OF PUBLIC HEARING

Re: PLANNING AND ZONING COMMISSION
COMMENTS FOR HEARING

Dear Planning Commission:

I am unable to attend this evening's hearing but do want my comments to be considered along with those being heard from attendees at the meeting. I am a resident and property owner in Oro Valley. My address is below my signature.

I understand that the property owner has the right to sell his property, but if it was zoned Commercial at the time of his purchase, he should have understood that that was the property's zoning when he purchased it. We have gone through a series of hearings in 2015 and had a county commissioner vote on this issue and the commissioners vote was that the property remain zoned commercial. Now it is up again, this time during the summer when most of the residents are away. Is it the intention of the property owner to bring this matter up for consideration every few months until he gets his way on a rezone?

I for one hope for commercial development, not as another strip mall, but built as a community commercial center within walking distance of many of the Rancho Vistoso residents. Right now we all have to have cars to truly enjoy the offerings of our community. It is a four mile round trip walk from my house to either shopping center on Rancho Vistoso Blvd. Public transportation is virtually nonexistent. Some days the car may be used by another person, or be at the repair shop. Some nice little business in the commercial zoning would be very welcome.

The water hazard on the golf course, is a popular attraction. Families are always gathering there after golf hours for picnics, weddings, pictures, and such. How about a nice public area in that commercial zone also facing the "lake" as it is called. A delicatessen with take out and outside tables, an ice cream store that serves not only cones but ice cream specialties such as root beer floats, and a specialty take out restaurant. Then those of us that are car less could also just walk over to get something we need to make dinner. I'm not looking for another Walgreen's to mess up my prescriptions, but a small mom and pop compounding pharmacy would be great. More people would enjoy the view as well as have services provided. the fronts of these business could front the view to the water and parking could be behind the businesses. How about a drop off/ pick up for dry cleaning, a book and newspaper store? We've all seen neighborhood and town centers recently and know how nice these small stores can be for a neighborhood.

Thank you so much for accepting my input and offering it up to the comments for consideration in this zoning request.

Sincerely,
Elaine R. Hamley
13764 N. Keystone Springs Drive.

Oro Valley, AZ 85755

Arellano, Rosevelt

From: Hynd, Jessica
Sent: Tuesday, September 06, 2016 10:23 AM
To: Arellano, Rosevelt
Subject: concern

Here ya go ☺

Regarding this rezoning, I have 2 questions;

1. a bit over 2 years ago the town turned down, at the recommendation of the Planning and Zoning commission, a rezoning of this corner due to "insufficient commercial land" in Rancho Vistoso. The owner of the land worked together with the residents to come up with a satisfactory plan with 24 homes. Now the new owner has not worked closely with the owners and there are 60% more homes. What was the average housing density 2 1/2 years ago and today to merit this change as this was given as the reason for this recommendation?

2. The current owner was able to provide a plan on the effect on views for homes along the Vistoso golf course to the west, yet is there any analysis that the town required of the owner for the Stone Canyon homes and the effect on their city lights views?

-Heldge Carson

Jessica Hynd
Constituent Services Coordinator/ Management Assistant
Town of Oro Valley
11000 N. La Canada Drive
Oro Valley, Arizona 85737
Office: 520.229.4711
Jhynd@orovalleyaz.gov

Arellano, Rosevelt

From: John Beamish [redacted]
Sent: Tuesday, April 26, 2016 5:06 PM
To: Arellano, Rosevelt
Subject: Parcel 10-J

Hi Rosevelt. I was in the audience for last night's meeting and found it to be very useful. I think that the Town and owner's rep did a good job in explaining the process and proposal.

You probably noticed that a number of people referenced the nearby Lennar project in their questions & comments. That's because most of the people in the neighborhood think that it's ugly, doesn't reflect the home styles in the area and the nearby homeowners weren't involved enough in the vetting process. All of us were surprised to find out that the homes were going to be crammed so tightly together and that there were going to be a number of two storey buildings which would block views. I'm not saying that the developers did anything sneaky here, but I do think that a much better disclosure process should have been in place so that we didn't end up being surprised at what ended up being built. The Town's job is to make sure that there are no surprises.

Anyway, the process seems to be unfolding in a much more transparent way for 10-J and, as a result, I'm pretty sure that you'll find a broad-based support from neighboring homes.

Thanks.

John Beamish
Treasurer - Monterey HOA

Virus-free. www.avast.com

Arellano, Rosevelt

From: mary braunger [redacted]
Sent: Thursday, June 16, 2016 6:21 AM
To: Arellano, Rosevelt
Subject: 2nd neighborhood meeting for vistoso highlands--Letter of 6/10/16

Sir:
My husband and I will not be attending the meeting on 6/30 but would like to make you aware that we are VERY much against this development. We did not purchase our winter retirement condo to be across the street from a strip mall.

There are plenty of places available on Rancho Vistoso Blvd. without going onto Highlands Dr.

I hope other residents will agree with us.

Mary Braunger

Arellano, Rosevelt

From: [redacted]
Sent: Friday, June 24, 2016 10:27 AM
To: gpoland@wlbgroup.com
Cc: T
Subject: 10J area gabled roof examples

Hi Paul

Thanks again for meeting with Carol and me on June 9th about the Parcel 10J rezoning and preliminary development proposal. We are looking forward to the neighborhood meeting next week.

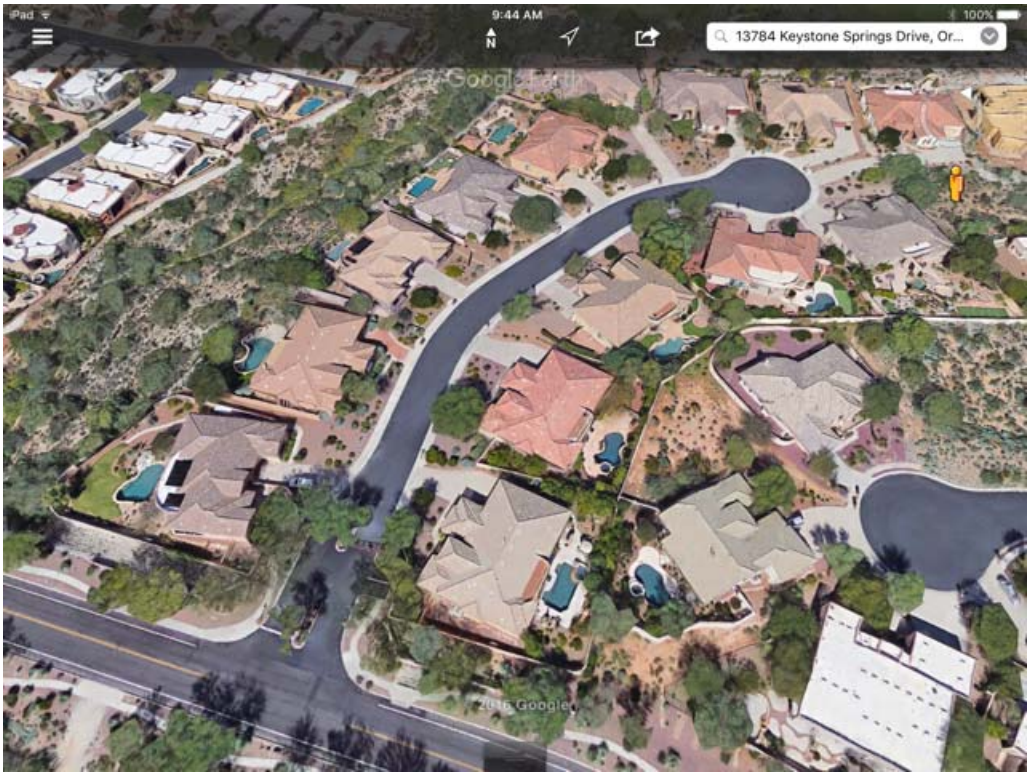
When we discussed building height limits you indicated that your likely gabled roof designs require more height than flat roofs which makes sense. However, I have since taken a quick look on Google Earth (samples below) at existing roofs in our W Vistoso Highlands neighborhoods. I was actually surprised to see that there are many gabled roofs that have been built to comply with our 21' maximum height. While some are more complicated than may be planned for 10J, these designers have apparently limited the roof pitches, wall heights and truss spans to meet our requirements. It seems that the roof designs in 10J could also be done in a lower profile with these types of adjustments as needed.

If I am missing something please let me know. As we said when Carol and I met with you on the 9th, we simply want the 10J project to blend with the character of our neighborhoods.

Thanks again for meeting with Carol and me at your office on the 9th.

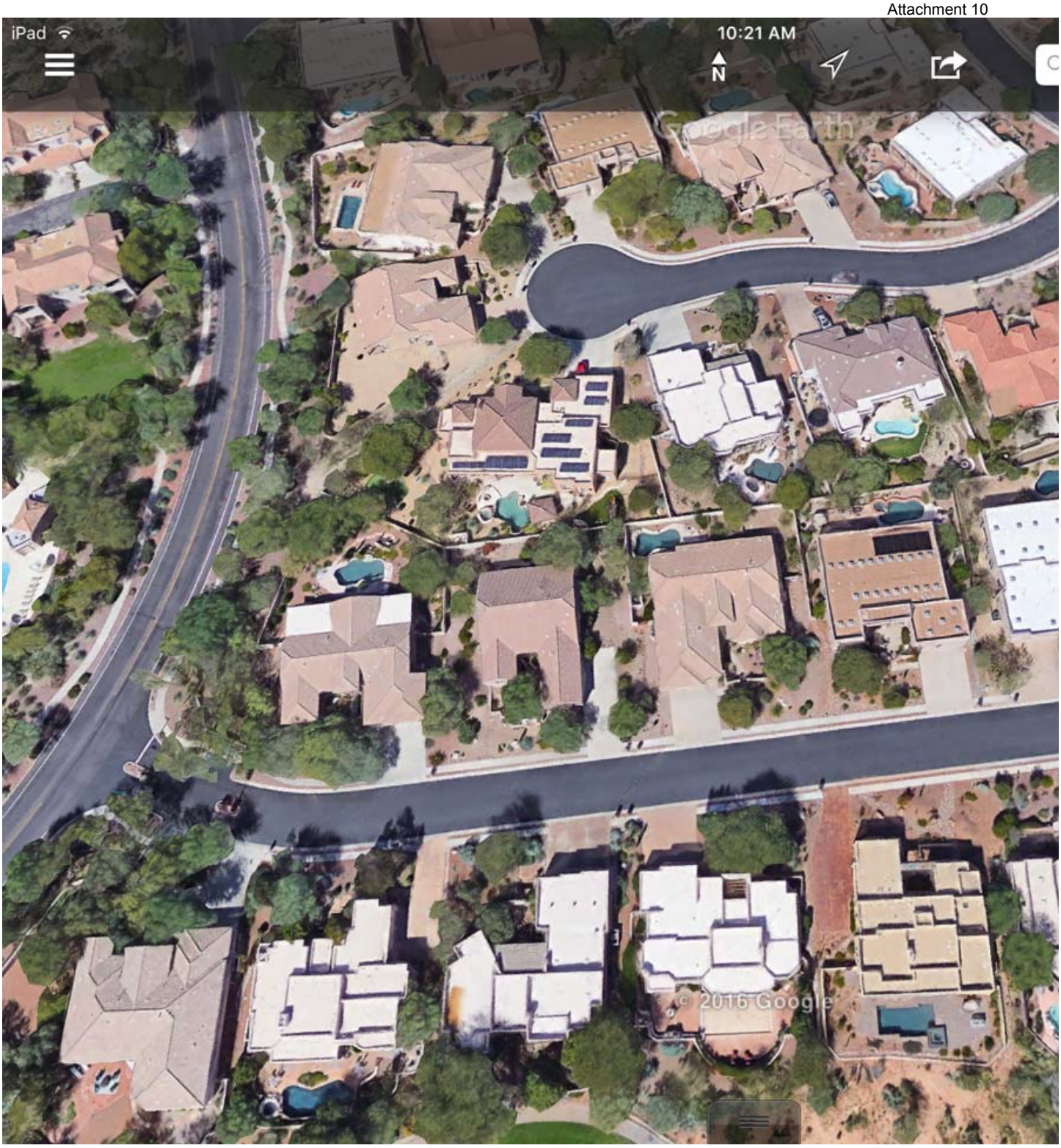
Ken
[redacted]

Here is Steprock Canyon Pl.



Bowcreek Springs

Keystone Springs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Town Council Regular Session **Item # 2.**

Meeting Date: 11/16/2016

Requested by: Bayer Vella

Submitted By: Michael Spaeth, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CONCEPTUAL SITE PLAN, LANDSCAPE PLAN AND MASTER RECREATION AREA PLAN FOR THE ALTERRA AT VISTOSO TRAILS SUBDIVISION, LOCATED APPROXIMATELY 1/2 MILE EAST OF THE INTERSECTION OF RANCHO VISTOSO BOULEVARD AND MOORE ROAD ALONG THE FUTURE MOORE ROAD LOOP EXTENSION

RECOMMENDATION:

The Conceptual Design Review Board recommends approval of the Conceptual Site Plan, Landscape Plan and Master Recreation Area Plan, subject to the conditions listed in Attachment 1.

The Parks and Recreation Advisory Committee recommends approval of the Master Recreation Area Plan, subject to the conditions listed in Attachment 1.

EXECUTIVE SUMMARY:

The applicant's request (Attachments 2 and 3) is to develop the approximately 115-acre property as follows:

- 150 detached single-family lots
- New traffic light at the Rancho Vistoso Boulevard and Moore Road intersection
- Two points of vehicular ingress/egress
- Master Recreation Area Plan for a 6.9-acre neighborhood park

The subject property is located approximately ½-mile east of the intersection of Rancho Vistoso Boulevard and Moore Road along the future Moore Road Loop extension (Attachment 4).

The applicant is required to install a traffic signal at the intersection of Rancho Vistoso Boulevard and Moore Road at no expense to the Town. A condition has been included in Attachment 1 which requires the light to be installed and operational prior to the release of any lots within the subdivision.

The Conceptual Site Plan and Landscape Plan conform with the Conceptual Design Principles and Design Standards of the Zoning Code and the Rancho Vistoso Planned Area Development.

A key focus of the review involved addressing several remaining conditions of approval from a 2009 General Plan Amendment for Rancho Vistoso Neighborhood 5, most notably a planned neighborhood park to serve the area. The condition required development of an approximately 6.9-acre neighborhood park. Staff has worked with the applicant, the Ranch Vistoso Home Owners Association and the Town's Parks and Recreation Advisory Board to create a Master Recreation Area Plan (see Attachment 3) for the future park site. The applicant is responsible for developing half of the park acreage, including all associated amenities.

The Conceptual Design Review Board considered the applicant's proposal on September 21, 2016 and recommends approval, subject to conditions, of the Conceptual Site Plan, Landscape Plan and Master Recreation Area Plan.

The Parks and Recreation Advisory Board considered the request on November 17, 2015 and recommends approval, subject to conditions, of the Master Recreation Area Plan.

BACKGROUND OR DETAILED INFORMATION:

Current Site Conditions

- The property encompasses approximately 115-acres
- Vacant

The subject property is designated as Medium-High Density Residential, High Density Residential and Resort/Golf Course on the General Plan Future Land Use Map. The site is zoned Medium-High Density Residential and Golf/Recreation in the Rancho Vistoso PAD. The General Plan and zoning designations for the property and the surrounding area are depicted in Attachment 5.

Approvals to Date

- 1987: The property was part of the original Rancho Vistoso PAD.
- 2009: A Major General Plan and Planned Area Development Amendments were approved for Rancho Vistoso Neighborhood 5

The 2009 Major General Plan Amendment for Rancho Vistoso Neighborhood 5 shifted a number of land uses and involved three noteworthy changes which directly affect the subject property. A summary of those changes is provided below and a more detailed discussion is provided in Attachment 6:

1. Rancho Vistoso Neighborhood 5 Community Park

   The original Rancho Vistoso PAD included specific areas where the development of park space was to occur. Currently, Neighborhood 5 is the only residential neighborhood within Rancho Vistoso which has not developed this required park

space.

As part of the 2009 Major General Plan Amendment, the following condition was included regarding the need to develop the park:

"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 in 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 the PRAB".

The condition required development of an approximately 6.9-acre community park in an isolated area bordered by Big Wash and Honey Bee Wash.

Details regarding the proposed park are summarized below:

- The park was relocated as the original location became significantly more isolated as the alignment of Moore Road was changed.
- Town staff (including Planning and Parks and Recreation) worked with the applicant, the Rancho Vistoso Home Owners Association and the Parks and Recreation Advisory Board (PRAB) to relocate the park space to a property adjacent to the applicant's proposed subdivision along the new Moore Road Loop. This new location is conveniently located near the future school site and provides much better access for the majority of residents within Neighborhood 5.
- Staff and the developer have worked with the Rancho Vistoso HOA and the Town's Parks and Recreation Advisory Board to develop the required Master Recreation Area Plan (Attachment 3), which provides details regarding the entire 6.9-acre community Park.
- The applicant is required to provide a portion of the overall acreage with this development. The remainder of the park will be completed as part of future residential development within Neighborhood 5.
- The Rancho Vistoso HOA supports the proposed park project and the Parks and Recreation Advisory Board has recommended approval of the proposal.

The relocation of the park and Master Recreation Area Plan proposed by the applicant meets the original intent of the General Plan condition.

2. Rancho Vistoso Neighborhood 5 Sewer infrastructure

A second condition that was part of both the 2009 Major General Plan Amendment and PAD Amendment addressed future sewer infrastructure needs within Rancho Vistoso Neighborhood 5. The condition:

"Vistoso Partners will install a new gravity sewer line from a connection point on Tangerine Road north to the existing lift station serving Sun City Vistoso, Units 9 & 10. In addition, a sewer stub-out shall be provided to the boundary of Parcel 5-B in order to provide a connection opportunity to relieve the Parcel 5-B lift station should

that HOA elect to construct such a connection in the future.

The sewer main connection to the existing Sun City lift station shall be constructed according to the other timelines set forth in the existing agreement with the Amphitheater School District or at the time another development within this amendment area generates the need for sewer, as determined by the Town Engineer, whichever is required first. The location of the sewer line will be along the west bank of Big Wash and will continue by gravity to the closest connection point on Tangerine Road, as dictate by Pima County Wastewater Management."

The intent of the condition was to transition from private to public lift stations because of the ongoing maintenance and upkeep costs. Town staff (Planning and Engineering) and the applicant met multiple times with representatives of Pima County Waste water and Sun City to develop an effective and efficient sewer concept moving forward.

Moving forward, no new private lift stations will be permitted for future development. Furthermore, to meet the intent of the condition the sewer concept was developed with three phases which are outlined below.

Phase 1 – provide a stub-out to serve Parcel 5-B

The Home Owners Association for Parcel 5-B (Monterrey Homes) was contacted and has declined the stub-out specified in the condition.

Phase 2 – west side of Big Wash (this development)

A temporary public lift station maintained by Pima County Wastewater will serve the applicant's subdivision until future development occurs along the Moore Road loop to the south, including the future Amphitheater school site. When the school is constructed, a permanent public lift station will be constructed at the school site to handle wastewater for the developments along the Moore Road loop, connecting to the existing infrastructure in the Rancho Vistoso right-of-way.

Phase 3 – east side of Big Wash (future)

The future development of Parcel 5-H (east of Big Wash) will construct a public lift station connecting to the existing infrastructure in Rancho Vistoso Boulevard on the east side of Neighborhood 5. This is not action that the Town can legally trigger with this development proposal. We anticipate a development proposal for 5-H in the next two years.

To accommodate the aging system in Sun Vistoso, the condition envisioned a gravity feed sewer system which required a significant crossing of Big Wash, something Pima County Wastewater representatives did not support. As a result, Pima County is considering taking over responsibility for the maintenance and upkeep of the aging lift stations.

The proposed concept addresses wastewater needs throughout Neighborhood 5 and provides a solution for addressing wastewater infrastructure needs for future residential developments. Staff feels the concept meets the original intent of the sewer condition.

3. Moore Road realignment

   As part of the original Rancho Vistoso PAD approved in 1987, Moore Road extended across Big Wash connecting to both sides of the Rancho Vistoso Boulevard loop. As part of the amendment, Moore Road was realigned to its current configuration as a loop road connecting on the north with Rancho Vistoso Boulevard and on the south with Arrowsmith Drive (see Attachment 7).

   There were a number of benefits of realigning the road, however, the two primary justifications for the new alignment were:

   - It would serve the future Amphitheater school site which was moved as part of the amendment to a parcel northeast of the existing Safeway shopping center; and
   - The new alignment would have significantly less environmental impact by no longer crossing Big Wash.

The applicant's proposal is the first development application along the new Moore Road loop extension not located near the intersection with Rancho Vistoso Boulevard and represents a significant step for the area. When the loop road is completed, the area will see a significant increase in the amount of daily traffic as there are additional vacant residential and commercial properties adjoining either side of the road as it extends south. Lastly, the loop road will be the sole access to the future Amphitheater school site discussed previously.

<u>Conceptual Site Plan</u>

A summary of the Conceptual Site Plan's, Landscape Plan's and Master Recreation Area Plan's is provided below and a detailed analysis can be found in Attachment 8.

The applicant's request (Attachments 2 and 3) has the following components:

- The proposal includes 150 detached single-family lots on approximately 115-acres. Lot sizes range from a minimum of 7,200 sq. ft. to 8,400 sq. ft.
- Two points of vehicular ingress/egress
- Buffer yards and landscaped common areas
- Continuation of the planned multi-use path along Moore Road
- Bicycle and pedestrian connections

Staff has worked extensively with the applicant to improve the vehicular and pedestrian network along Moore Road. The two points of ingress/egress will significantly improve connectivity within the area, specifically for the future school site south of the subject property.

Additionally, the applicant is required to install a traffic signal at the intersection of

Rancho Vistoso Boulevard and Moore Road at no expense to the Town. A condition has been included in Attachment 1 which requires the light to be installed and operational prior to the release of any lots within the subdivision.

Conceptual Landscape Plan

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, as well as landscaping in all common areas. The landscape plan preserves a majority of a riparian wash that bisects the property as natural open space. The Landscape Plan meets all applicable Rancho Vistoso PAD and Zoning Code requirements.

Master Recreation Area Plan

Staff has worked with the applicant, the Parks and Recreation Advisory Board and the Rancho Vistoso HOA to develop a Master Recreation Area Plan (see Attachment 3) for the future park site. As discussed previously, the applicant is required to provide a portion of the park in conjunction with this development. The park plan encompasses approximately 6.9-acres adjacent to the future Moore Road Loop extension and includes the following:

Both the Rancho Vistoso HOA and Parks and Recreation Advisory Board (PRAB) have reviewed and support the proposed plan. Furthermore, PRAB has recommended approval of the proposed Master Recreation Area Plan.

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 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 9.

PUBLIC PARTICIPATION:

Neighborhood Meetings

One neighborhood meeting was held on September 15, 2014 regarding the applicant's proposal. Approximately 20 residents attended the meeting. The primary topics discussed during the meeting included:

- Neighbors voiced concern about the increased level of traffic at the intersection of Moore Road and Rancho Vistoso Boulevard. Staff discussed the future signal to be located at the intersection and its eventual impact on current traffic conditions.
- Neighbors were concerned about the potential impacts from light pollution from the Community Park. Staff discussed the need to meet the existing lighting code

requirements.

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 September 20, 2016. The Board has recommended approval of the applicant's proposal. The Conceptual Design Review Board staff report and minutes are provided as Attachments 11 & 12 respectively.

Parks and Recreation Advisory Board

The Parks and Recreation Advisory Board considered the applicant's Master Recreation Area Concept Plan on November 17, 2015 and has recommended approval. The staff report and minutes are provided as Attachments 13 & 14 respectively.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to approve the Alterra at Vistoso Trails Conceptual Site Plan, Landscape Plan and Master Recreation Area Plan, subject to the conditions in Attachment 1, based on the findings in the staff report.

OR

I MOVE to deny the Alterra at Vistoso Trails Conceptual Site Plan, Landscape Plan and Master Recreation Area Plan finding that _____.

Attachments

ATTACHMENT 1 - CONDITIONS OF APPROVAL

ATTACHMENT 2 - CONCEPTUAL SITE PLAN AND LANDSCAPE PLAN

ATTACHMENT 3 - MASTER RECREATION AREA PLAN

ATTACHMENT 4 - LOCATION MAP

ATTACHMENT 5 - GENERAL PLAN AND ZONING MAPS

ATTACHMENT 6 - NEIGHBORHOOD 5 HISTORY

ATTACHMENT 7 - 2009 MGPA MAP

ATTACHMENT 8 - CONCEPTUAL SITE PLAN, LANDSCAPE PLAN AND MASTER RECREATION AREA PLAN ANALYSIS

ATTACHMENT 9 - RANCHO VISTOSO PAD ANALYSIS

ATTACHMENT 10 - NEIGHBORHOOD MEETING SUMMARY

ATTACHMENT 11 - CDRB STAFF REPORT
ATTACHMENT 12 - DRAFT CDRB MEETING MINUTES
ATTACHMENT 13 - PRAB STAFF REPORT
ATTACHMENT 14 - PRAB MEETING MINUTES

ATTACHMENT 1
MATTAMY HOMES – ALTERRA AT VISTOSO TRAILS
CONDITIONS OF APPROVAL

Planning Conditions

1. The Covenants, Conditions and Restrictions (CC&R's) for this subdivision shall contain notification of the presence of public access trail easements, trails, trailheads and other public recreational uses which are open to the public in the general vicinity.
2. Add the following General Notes:
   a. Trails, trailheads and other public recreational uses are open to the public in the general vicinity.
   b. This subdivision shall only be served by public lift stations.
   c. This subdivision shall be responsible for the development of Phase 1 of the neighborhood park shown in Attachment 3 – Master Recreation Area Plan, including all Phase 1 amenities included therein.

Engineering Conditions

1. A traffic signal shall be installed by the developer at the intersection of Rancho Vistoso Boulevard and Moore Road at no expense to the Town. The signal shall be installed and operational prior to any lot releases for the Alterra at Vistoso Trails subdivision.
2. Add the following General Note
   a. A traffic signal shall be installed by the developer at the intersection of Rancho Vistoso Boulevard and Moore Road at no expense to the Town. The signal shall be installed and operational prior to any lot releases for the Alterra at Vistoso Trails subdivision.

CONCEPTUAL SITE PLAN
ALTERRA AT VISTOSO TRAILS
OV1215-14

GENERAL NOTES

1. THE GROSS AREA OF THIS DEVELOPMENT IS 115.85 ACRES.
2. THE PROPOSED NUMBER OF RESIDENTIAL UNITS IS 150 (0.77 UNITS PER ACRE)
3. TOTAL LENGTH OF NEW PUBLIC STREET IS 0.50 MILES.
4. TOTAL LENGTH OF NEW PRIVATE STREET IS 1.51 MILES.
5. ASSURANCES FOR SITE IMPROVEMENTS (e.g. WATER SERVICE, SITE STABILIZATION), LANDSCAPING, AND REVEGETATION BONDS MUST BE POSTED PRIOR TO THE ISSUANCE OF GRADING PERMITS.
6. GROSS AREA OF ALL IMPERVIOUS SURFACES = 504,468 S.F. (11.58 ACRES) (ASPHALT AND SIDEWALK HATCHES ONLY – NO BUILDING OR PAD).
7. TOTAL RECREATION AREA PARKING REQUIRED/PROVIDED = 3 PARKING SPACES PER ACRE OF PARK AREA.
8. AVERAGE LOT SIZE – 7,800 S.F., MINIMUM LOT SIZE = 7,200 S.F., MAXIMUM LOT SIZE = 14,346 S.F.
9. PROVISION OF RECREATION AREA SHALL BE IN CONFORMANCE WITH CONDITIONS OF APPROVAL FOR OV1114–004
10. BLOCK 1 IS 17.55 ACRES AND IS TO BE INCLUDED AS A PART OF THIS DEVELOPMENT. AREA TO BE PLATTED AS PART OF 5F DUE TO EXISTING PARCELIZATION, AND THEN SUBSEQUENTLY COMBINED WITH PARCELS 5G, 5K, AND 5V.

PLANNING GENERAL NOTES

1. MAXIMUM BUILDING HEIGHT ALLOWED AND PROPOSED = 30' / TWO–STORY.
2. TOTAL AMOUNT OF OPEN SPACE REQUIRED = 11.6 AC. (10% OF SITE).
3. TOTAL AMOUNT OF COMMON AREAS = 72.30 AC.
   - COMMON AREA "A" = 9.70 AC. (PRIVATE STREETS, SEWER & UTILITIES)
   - COMMON AREA "B" = 53.64 AC. (OPEN SPACE) 46%
   - COMMON AREA "C" = 5.96 AC. (DRAINAGE, LANDSCAPE, UTILITIES)
   - COMMON AREA "D" = 3.00 (RECREATION, SEWER & UTILITIES)
4. SETBACKS REQUIRED/PROVIDED (PER P.A.D. M.H.D.R. STANDARDS): FRONT = 20'; SIDE = 5' OR 0' FOR COMMON WALL ON ZERO LOT LINE; REAR = 5'.
5. COMMON AREAS SHALL BE OWNED AND MAINTAINED BY THE H.O.A.
6. EXISTING ZONING IS RANCHO VISTOSO P.A.D. M.H.D.R. AND RANCHO VISTOSO P.A.D. OPEN SPACE.
7. ALL SIGNAGE AND LIGHTING TO BE ADDRESSED AS PART OF SEPARATE REVIEW AND APPROVAL PROCESS.
8. TYPICAL LOT SIZES: 70' x 120' = 73 LOTS
   60' x 120' = 77 LOTS
9. TO MEET THE REQUIREMENTS OF CRIME PREVENTION THRU ENVIRONMENTAL DESIGN (CPTED) THE FOLLOWING LOTS WILL REQUIRE VIEW FENCING. LOTS 17–26, 96–151

ENGINEERING GENERAL NOTES

1. THE DESIGN VEHICLE FOR THIS PROJECT IS A SU–30. THE DESIGN SPEED FOR PUBLIC 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.
4. ALL NEW RIGHTS OF WAY WILL BE DEDICATED BY FINAL PLAT.

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 Q_{100} 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

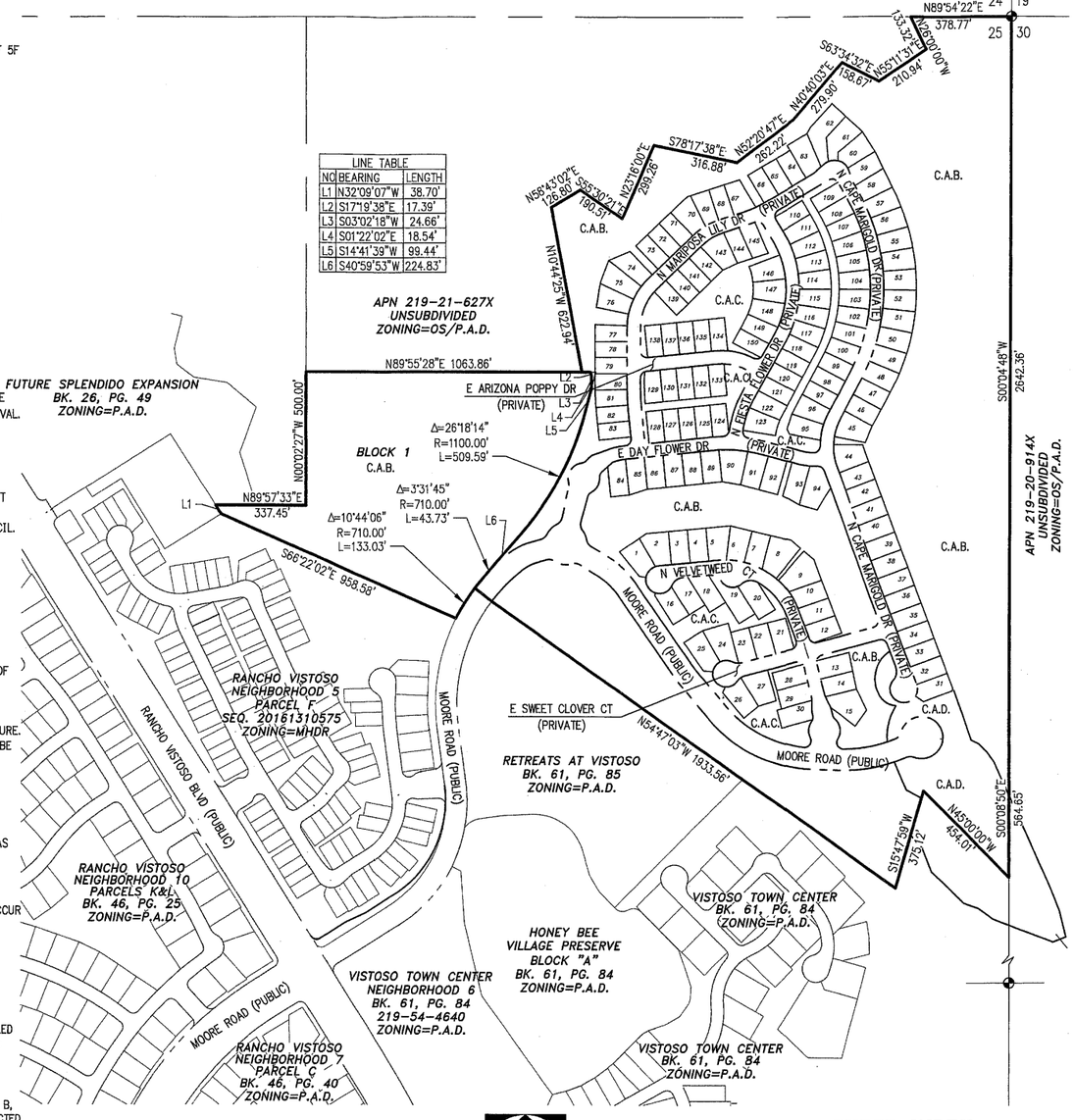
1. SHOULD AN EASEMENT BE IN CONFLICT WITH ANY PROPOSED BUILDING LOCATION, VACATION OF THE EASEMENT IS TO OCCUR PRIOR TO ISSUANCE OF BUILDING PERMITS.

RECREATION AREA GENERAL NOTES

1. PROVISION OF RECREATION AREA SHALL BE IN CONFORMANCE WITH CONDITIONS OF APPROVAL FOR OV1114–004.

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.



LOCATION MAP

A PORTION OF SECTION 25
T11S, R13E, G & S.R.M., TOWN OF ORO VALLEY,
PIMA COUNTY, ARIZONA

LEGEND

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- DEVELOPMENT BOUNDARY
- PROPOSED LOT LINE
- EXISTING PAVEMENT
- PROPOSED CURB
- EXISTING EASEMENT LINE
- LOT SETBACKS (TYPICAL)
- EASEMENT LINE
- 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)
- RIPRAP OUTLET PROTECTION
- STORMDRAIN WITH RIPRAP SPLASH PAD
- EXISTING CULVERT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED PAVEMENT
- EXISTING
- CATCH BASIN
- LOT ACCESS LOCATION
- PROPOSED SURVEY MONUMENT
- SIGHT VISIBILITY TRIANGLE
- SLOPE DIRECTION SYMBOL & GRADING LIMIT (SLOPES ≤ 3:1 UNLESS NOTED)
- PROPOSED TRAFFIC CONTROL SIGNAGE
- EXISTING FENCE
- COMMON AREA A
- ZONING BOUNDARY
- 404 LIMITS
- PROPOSED FLOODPLAIN LINE
- EXISTING FLOODPLAIN LINE
- PROPOSED DIVERSION CHANNEL AGAINST WASH

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 3–12..... SITE PLAN
SHEET 13..... ROUND–ABOUT DETAILS

OWNER/DEVELOPER

MATTAMY TUCSON, LLC
6640 N. ORACLE ROAD
TUCSON, AZ 85704
(520) 297–6846
ATTN: RYAN HUFFMAN
RYAN.HUFFMAN@MATTAMYHOMES.COM

ENGINEER

THE WLB GROUP, INC.
4444 E. BROADWAY BLVD.
TUCSON, AZ. 85711
(520) 881–7480
ATTN: DAVID LITTLE
DLITTLE@WLBGROUP.COM

REGISTERED PROFESSIONAL ENGINEER (CIVIL) 61771 KYLE J MARQUEZ Date Signed 03-30-16 ARIZONA U.S.A.
EXPIRES 3/31/2019

The WLB Group WLB
Engineering Planning Surveying
Landscape Architecture Urban Design
Offices located in Tucson, Phoenix
Flagstaff, AZ and Las Vegas, NV
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Tucson, Arizona (520) 881–7480

OV1215–14
CONCEPTUAL SITE PLAN
FOR
ALTERRA AT VISTOSO TRAILS
LOTS 1–150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

AUGUST 2016
WLB NO. 185050–MT03
CONTOUR INTERVAL: 1'
REF. CASE #OV909–001
REF. CASE #OV114–010

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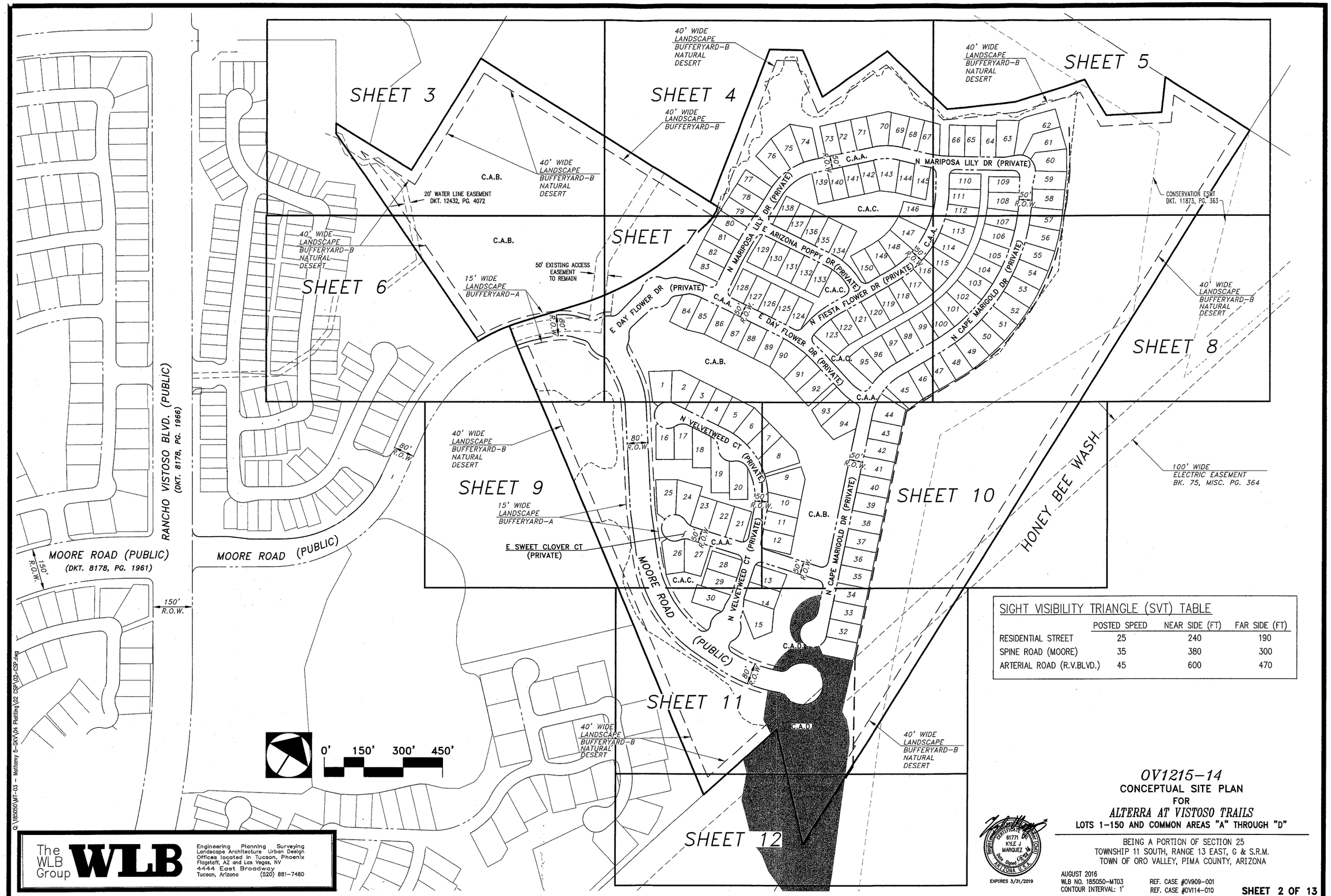

SIGHT VISIBILITY TRIANGLE (SVT) TABLE			
	POSTED SPEED	NEAR SIDE (FT)	FAR SIDE (FT)
RESIDENTIAL STREET	25	240	190
SPINE ROAD (MOORE)	35	380	300
ARTERIAL ROAD (R.V.BLVD.)	45	600	470

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Offices located in Tucson, Phoenix
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Tucson, Arizona (520) 881-7480

CERTIFICATE NO. 61771 KYLE J. MARQUEZ Date Signed 08-22-16 ARIZONA, U.S.A.

EXPIRES 3/31/2019

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TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

AUGUST 2016
WLB NO. 185050-MT03
CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 2 OF 13

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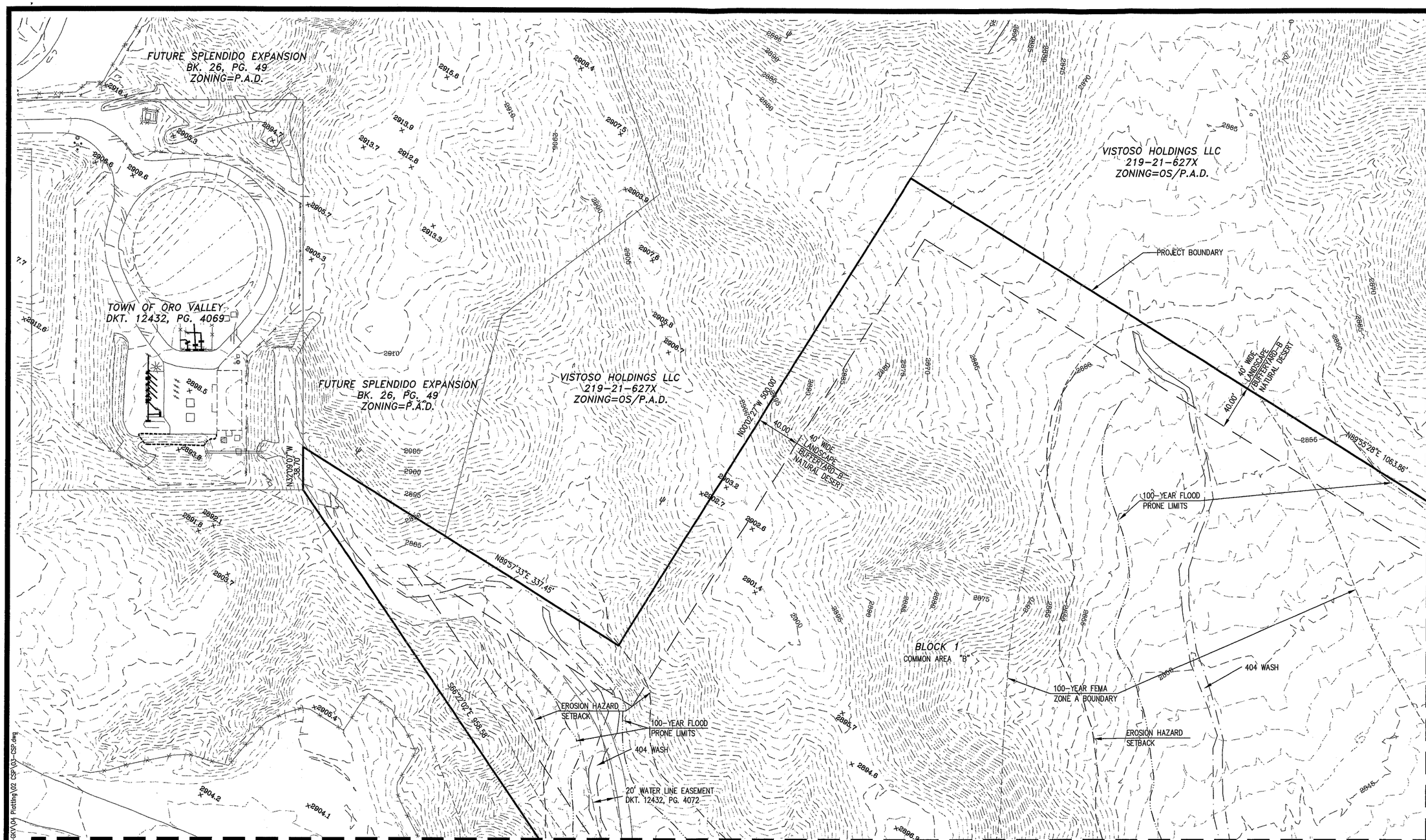

MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 6

OV1215-14

CONCEPTUAL SITE PLAN
FOR
ALTERRA AT VISTOSO TRAILS
LOTS 1-150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

0' 40' 80' 120'

Registered Land Surveyor
Certificate No. 61771
KYLE J MARQUEZ
Date Signed 08-24-16
ARIZONA U.S.A.
EXPIRES 3/31/2019

AUGUST 2016
WLB NO. 185050-MT03
CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 3 OF 13

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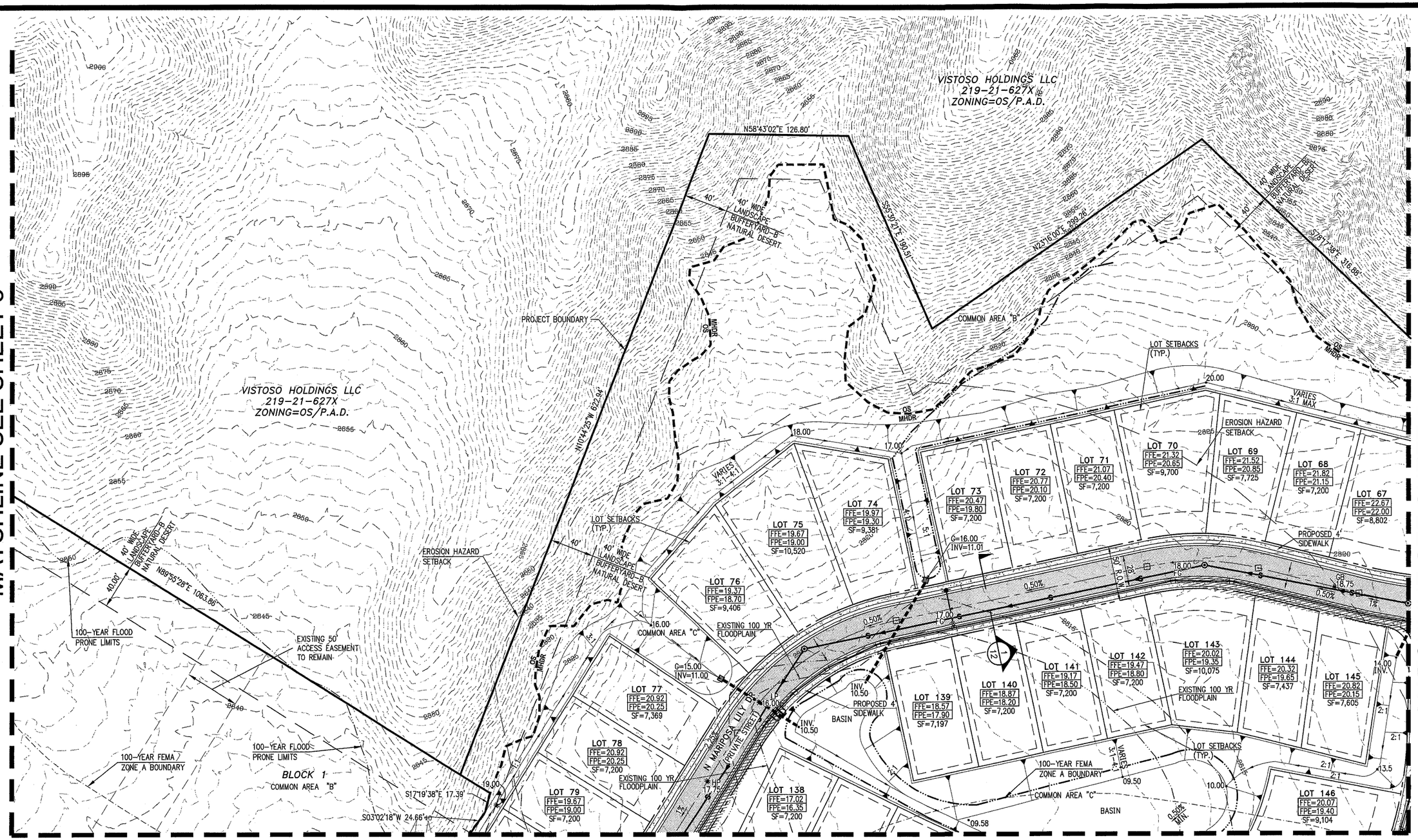
MATCHLINE SEE SHEET 3

MATCHLINE SEE SHEET 5



MATCHLINE SEE SHEET 7

OV1215-14

CONCEPTUAL SITE PLAN
FOR
ALTERRA AT VISTOSO TRAILS
LOTS 1-150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SCALE: 1" = 40'
0' 40' 80' 120'

REGISTERED LAND SURVEYOR CERTIFICATE NO. 51771 KYLE J MARQUEZ Date Signed 08-24-16 ARIZONA U.S.A.
EXPIRES 3/31/2019

AUGUST 2016
WLB NO. 185050-MT03
CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 4 OF 13

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MATCHLINE SEE SHEET 4

VISTOSO HOLDINGS LLC
219-21-627X
ZONING=OS/P.A.D.

CONSERVATION ESMT
DKT. 11873, PG. 363

100-YEAR FEMA
ZONE A BOUNDARY

EXISTING 100 YR
FLOODPLAIN

EROSION HAZARD
SETBACK

40' WIDE
LANDSCAPE
BUFFERYARD-B
NATURAL DESERT

PROJECT BOUNDARY

N40°40'03"E 279.90'

N52°20'47"E 262.22'

S63°34'32"E 158.67'

N26°00'00"W 133.32'

N89°54'22"E 378.77'

N55°11'31"E 210.94'

S00°04'45"W 2642.36'

4' WIDE TRAIL
TREATMENT PER CLP

COMMON AREA "B"

LOT SETBACKS
(TYP.)

OS
MHDR

LOT 62
FFE=36.67
FPE=36.00
SF=14,346

LOT 61
FFE=35.67
FPE=35.00
SF=11,291

LOT 60
FFE=34.67
FPE=34.00
SF=9,939

LOT 59
FFE=33.52
FPE=32.85
SF=8,566

LOT 58
FFE=32.12
FPE=31.45
SF=8,885

LOT 66
FFE=25.27
FPE=24.60
SF=7,200

LOT 65
FFE=27.07
FPE=26.40
SF=7,200

LOT 64
FFE=28.87
FPE=28.20
SF=7,200

LOT 63
FFE=30.67
FPE=30.00
SF=10,915

LOT 110
FFE=22.57
FPE=21.90
SF=7,193

LOT 109
FFE=31.37
FPE=30.70
SF=7,200

LOT 111
FFE=22.37
FPE=21.70
SF=7,729

LOT 108
FFE=29.87
FPE=29.20
SF=7,935

LOT 112
FFE=21.77
FPE=21.10
SF=7,892

N MARIPOSA LILY DR
(PRIVATE STREET)

N FIESTA FLOWER DR
(PRIVATE STREET)

N CAPE MARIGOLD DR
(PRIVATE STREET)

50' R.O.W.

PROPOSED 4'
SIDEWALK

COMMON AREA "C"

EROSION HAZARD
SETBACK

LOT SETBACKS
(TYP.)

TBP
33.50

PROPOSED BANK
PROTECTION AND
MAINTENANCE ACCESS
ROAD (TYP.)

ZONING
BOUNDARY

EXISTING
TRAIL

404 WASH

OPEN SPACE

24 19 25 30

MATCHLINE SEE SHEET 8

0' 40' 80' 120'

The WLB Group **WLB**

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61771
KYLE J
MARQUEZ
ARIZONA U.S.A.
EXPIRES 3/31/2019

OV1215-14

CONCEPTUAL SITE PLAN
FOR
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LOTS 1-150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.
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AUGUST 2016
WLB NO. 185050-MT03
CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 5 OF 13

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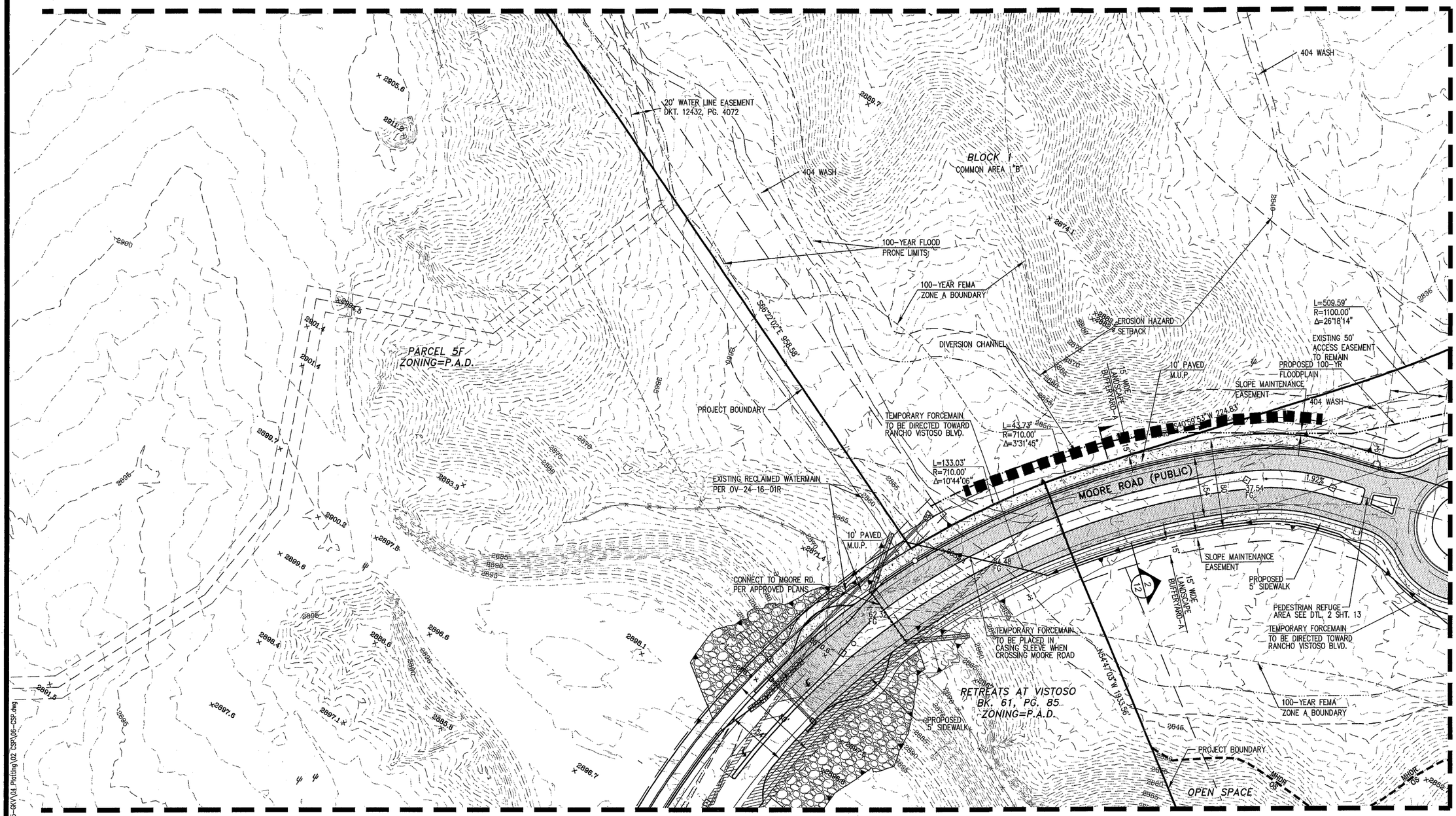
MATCHLINE SEE SHEET 3



MATCHLINE SEE SHEET 7

MATCHLINE SEE SHEET 9

OV1215-14

CONCEPTUAL SITE PLAN

FOR

ALTERRA AT VISTOSO TRAILS

LOTS 1-150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

AUGUST 2016
WLB NO. 185050-MT03
CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 6 OF 13

0' 40' 80' 120'

REGISTERED PROFESSIONAL ENGINEER (CIVIL)
CERTIFICATE NO. 61771
KYLE J. MARQUEZ
Date Signed 08.22.16
ARIZONA U.S.A.
EXPIRES 3/31/2019

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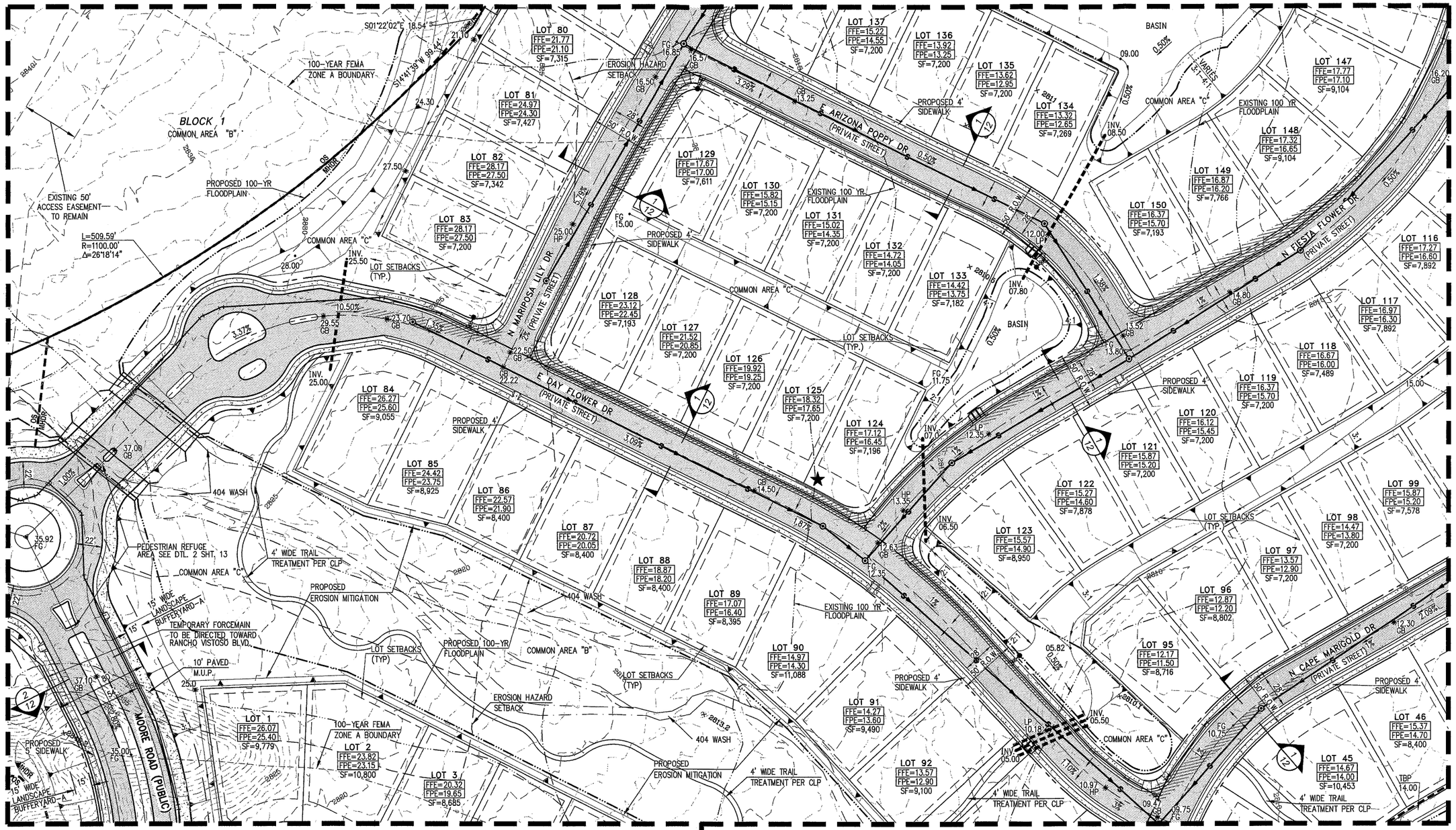
MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 6



MATCHLINE SEE SHEET 8

MATCHLINE SEE SHEET 9

MATCHLINE SEE SHEET 10

OV1215-14

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0' 40' 80' 120'

REGISTERED PROFESSIONAL ENGINEER (CIVIL) CERTIFICATE NO. 61771 KYLE J. MARQUEZ Date Signed 08-02-16 ARIZONA U.S.A.
EXPIRES 3/31/2019

AUGUST 2016
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SHEET 7 OF 13

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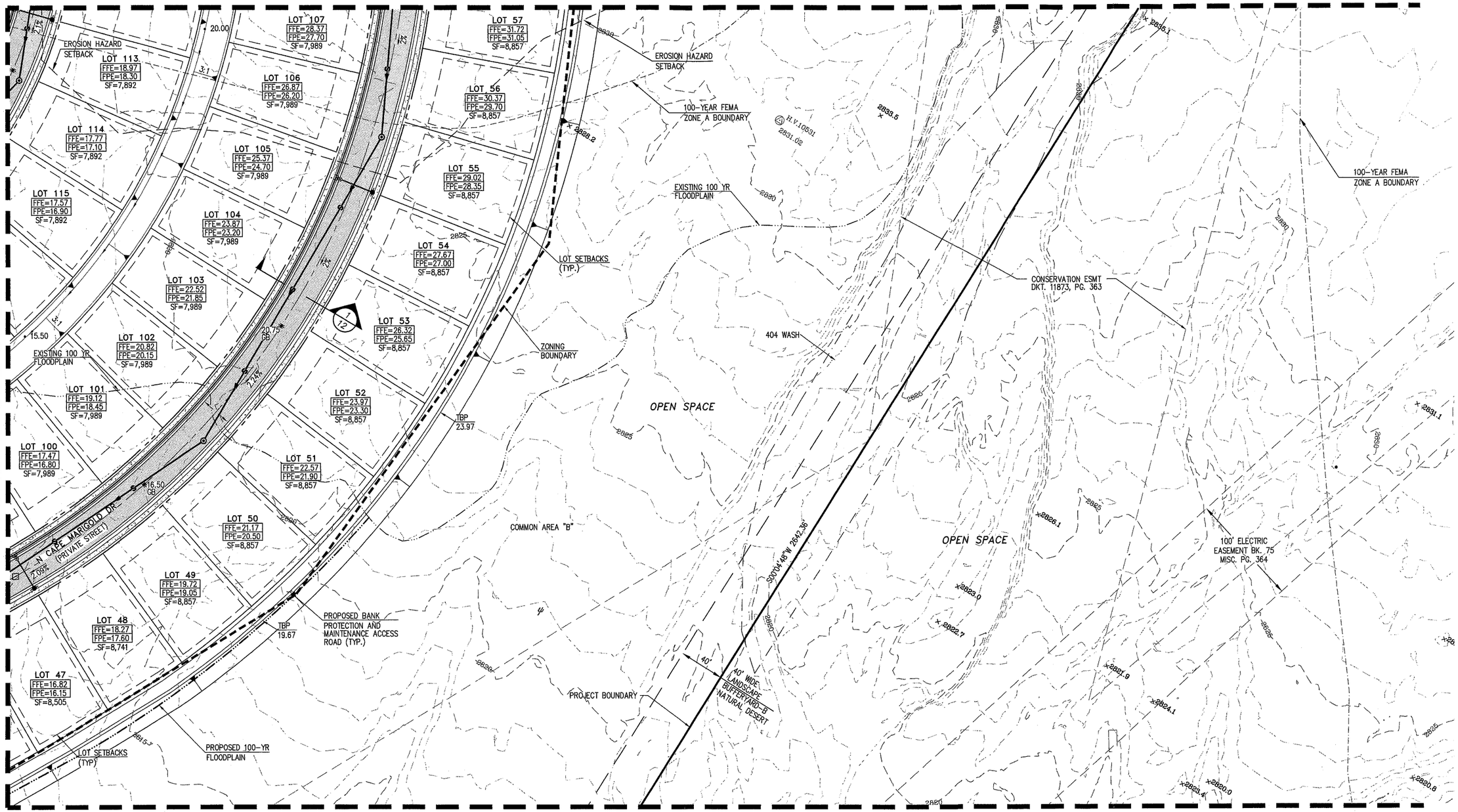
MATCHLINE SEE SHEET 5



MATCHLINE SEE SHEET 10

OV1215-14

CONCEPTUAL SITE PLAN

FOR

ALTERRA AT VISTOSO TRAILS

LOTS 1-150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

AUGUST 2016
WLB NO. 185050-MT03
CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 8 OF 13

REGISTERED PROFESSIONAL ENGINEER (CIVIL) CERTIFICATE NO. 61771 KYLE J MARQUEZ Date Signed 8-8-16 ARIZONA U.S.A.
EXPIRES 3/31/2019

0' 40' 80' 120'

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) 881-7480

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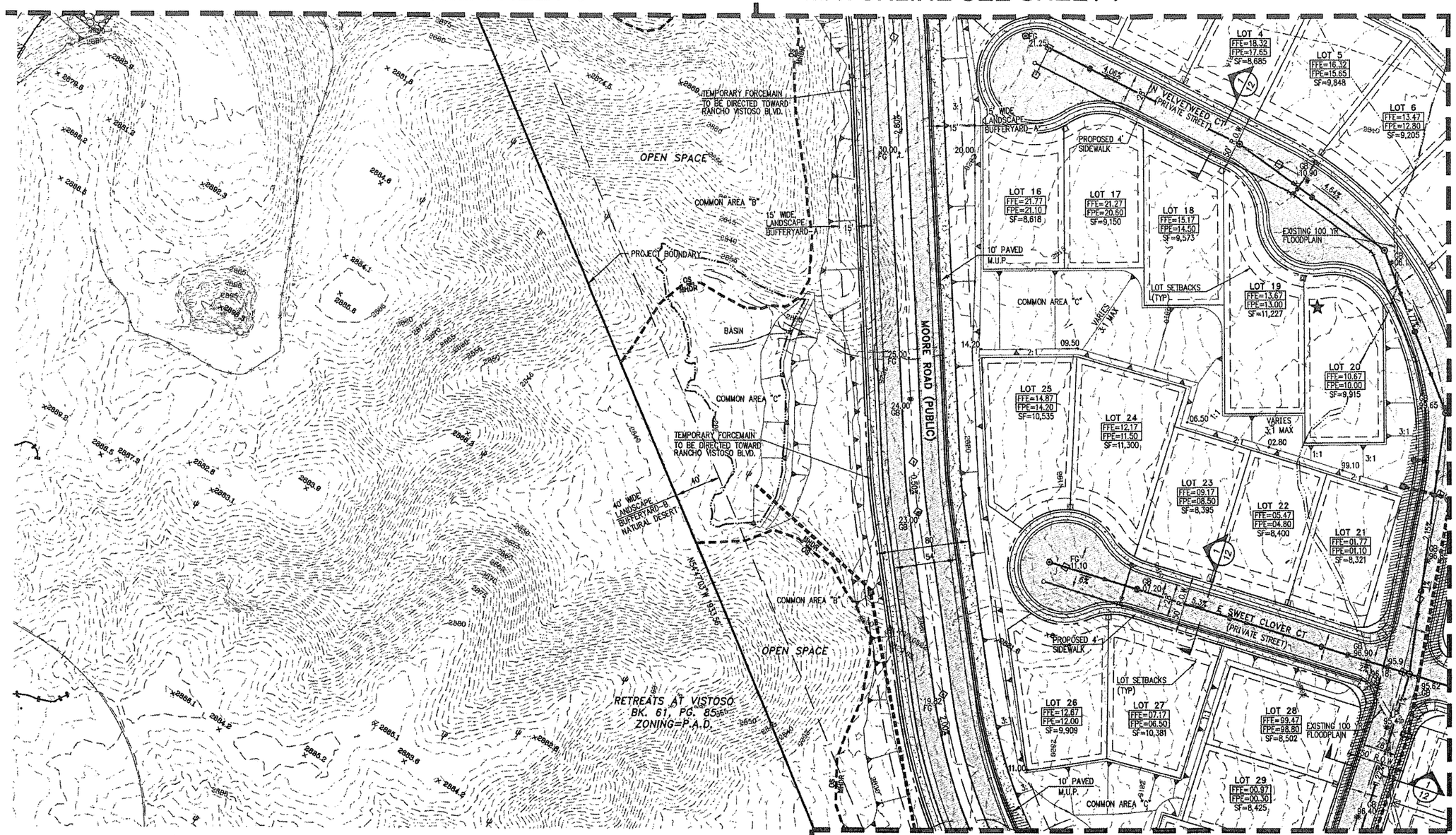
MATCHLINE SEE SHEET 6

MATCHLINE SEE SHEET 7

MATCHLINE SEE SHEET 10

MATCHLINE SEE SHEET 11



OV1215–14

CONCEPTUAL SITE PLAN
FOR
ALTERRA AT VISTOSO TRAILS
LOTS 1–150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
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0' 40' 80' 120'

61771 KYLE J MARQUEZ
Date Signed 08-24-16
ARIZONA U.S.A.
EXPIRES 3/31/2019

AUGUST 2016
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CONTOUR INTERVAL: 1'

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REF. CASE #OV14–010

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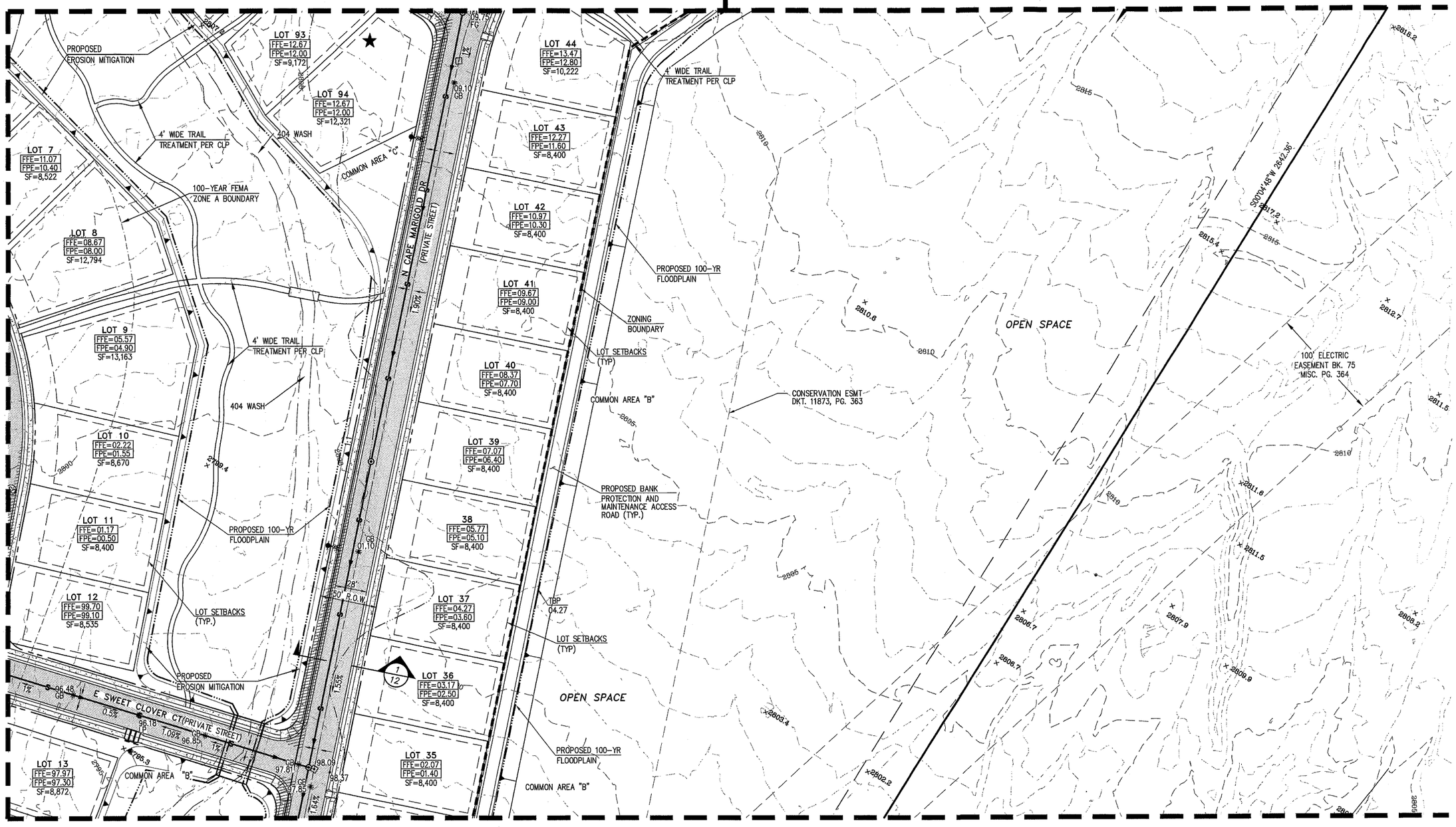
MATCHLINE SEE SHEET 7

MATCHLINE SEE SHEET 8

MATCHLINE SEE SHEET 9



MATCHLINE SEE SHEET 11

OV1215-14

CONCEPTUAL SITE PLAN

FOR

ALTERRA AT VISTOSO TRAILS

LOTS 1-150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

0' 40' 80' 120'

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EXPIRES 3/31/2019

AUGUST 2016
WLB NO. 185050-MT03
CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 10 OF 13

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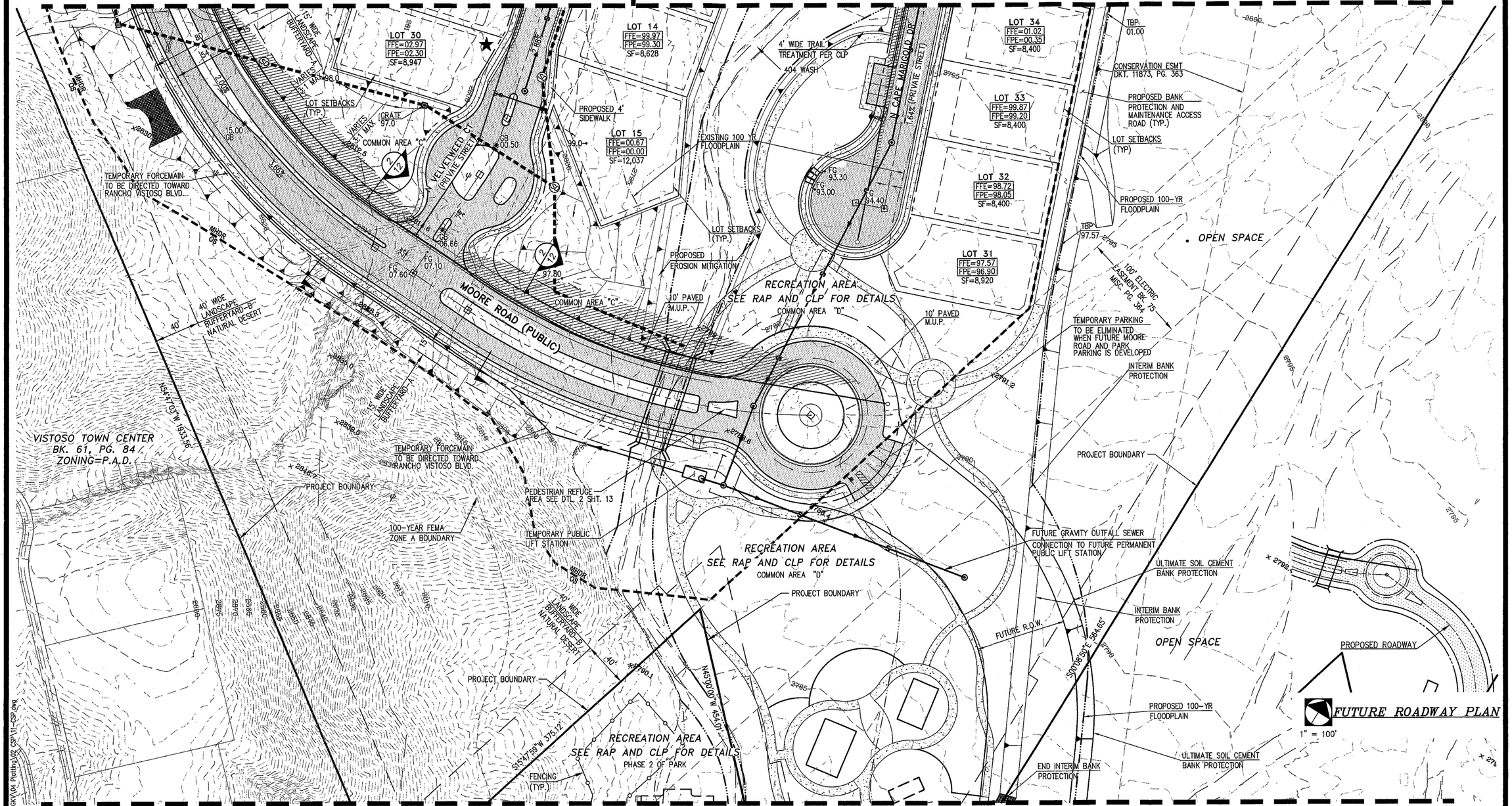
MATCHLINE SEE SHEET 10



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OV1215-14

CONCEPTUAL SITE PLAN
FOR
ALTERRA AT VISTOSO TRAILS
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BEING A PORTION OF SECTION 25
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

0' 40' 80' 120'

REGISTERED PROFESSIONAL ENGINEER (CIVIL) CERTIFICATE NO. 61771 KYLE J. MARQUEZ Date Signed 8-2-16 ARIZONA U.S.A.
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AUGUST 2016
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CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 11 OF 13

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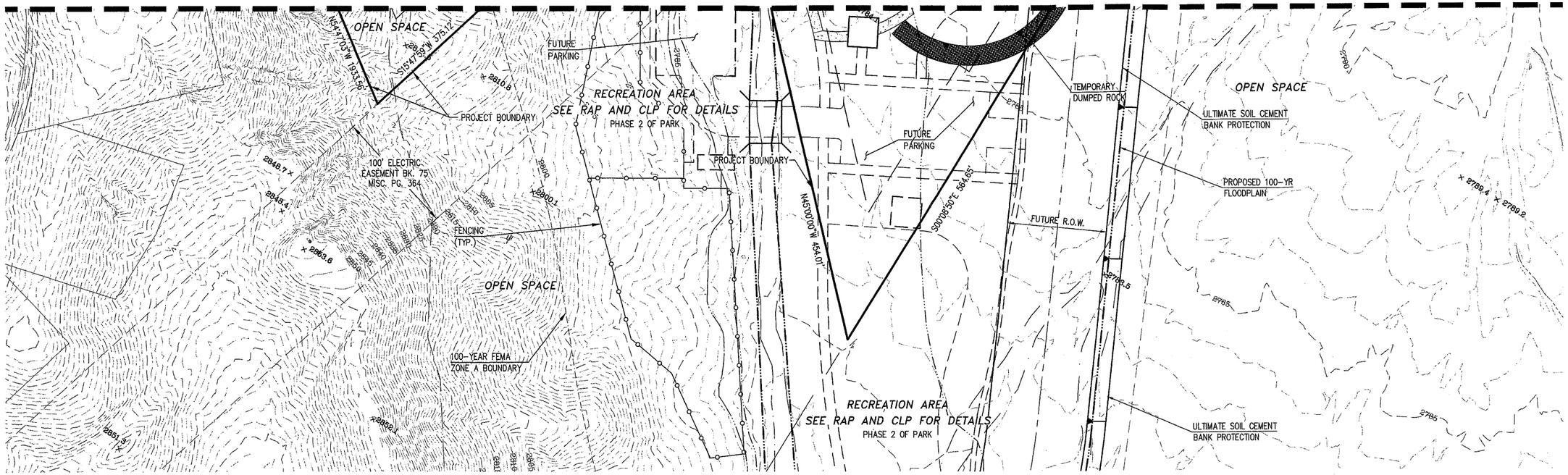
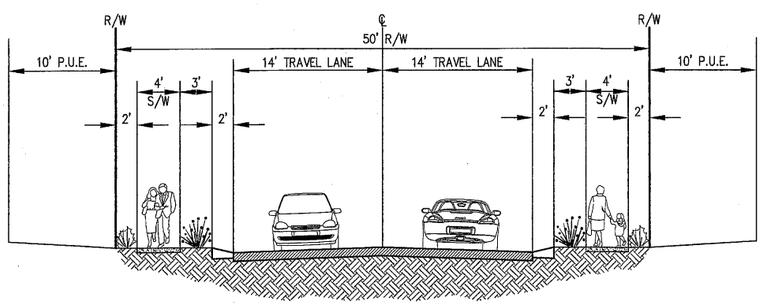
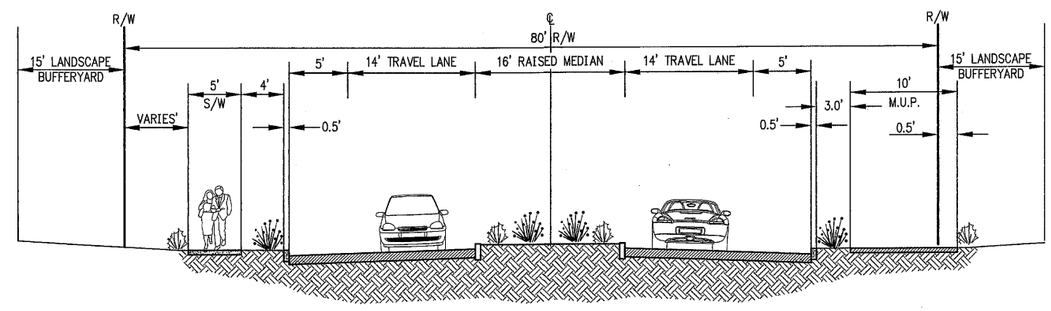
MATCHLINE SEE SHEET 11





1 RESIDENTIAL STREET (PRIVATE)

NTS



2 MOORE ROAD (PUBLIC)

NTS

0' 40' 80' 120'

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REGISTERED PROFESSIONAL ENGINEER (CIVIL)
61771
KYLE J
MARQUEZ
Date Signed 08-12-16
ARIZONA U.S.A.

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OV1215-14

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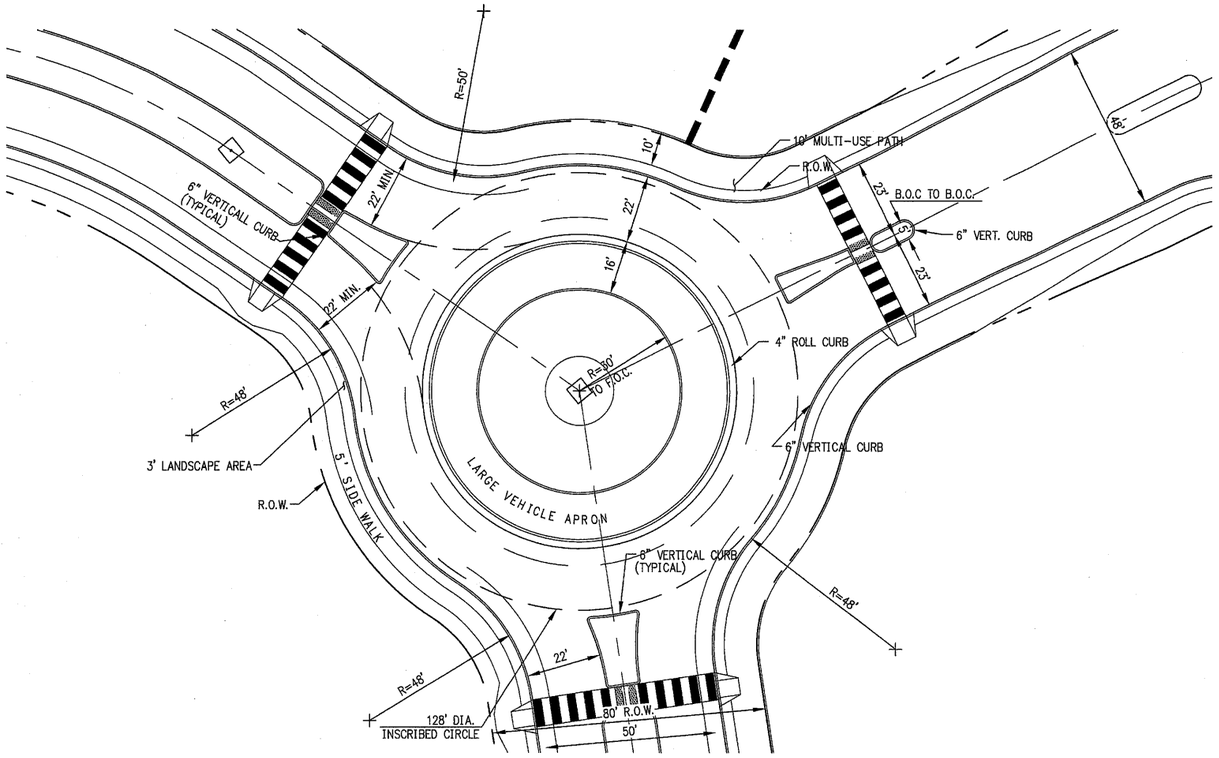
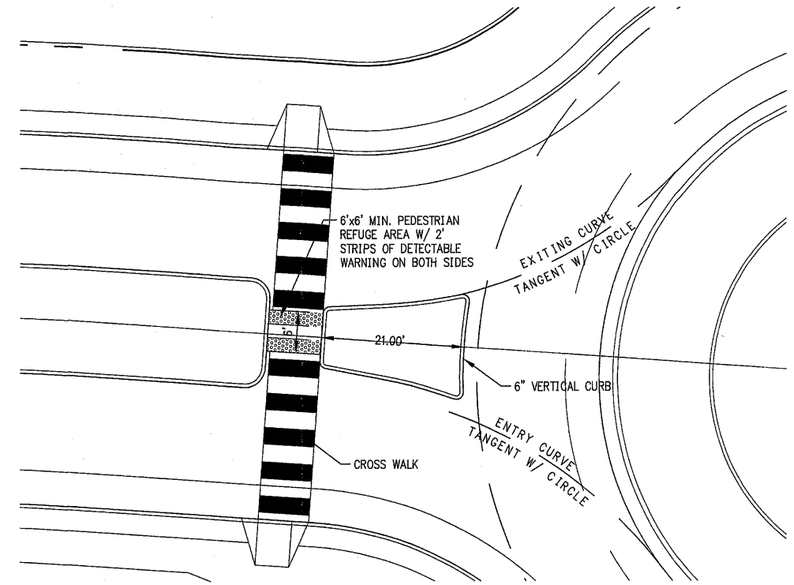


1 ROUND-ABOUT DETAIL (TYP.)

1"=20'



2 PEDESTRIAN REFUGE AREA DETAIL (TYP.)

1"=10'

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Registered Land Surveyor
Certificate No.
61771
KYLE J MARQUEZ
Date Signed 08-26-16
ARIZONA U.S.A.

EXPIRES 3/31/2019

OV1215-14

CONCEPTUAL SITE PLAN
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ALTERRA AT VISTOSO TRAILS
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TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

AUGUST 2016
WLB NO. 185050-MT03
CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

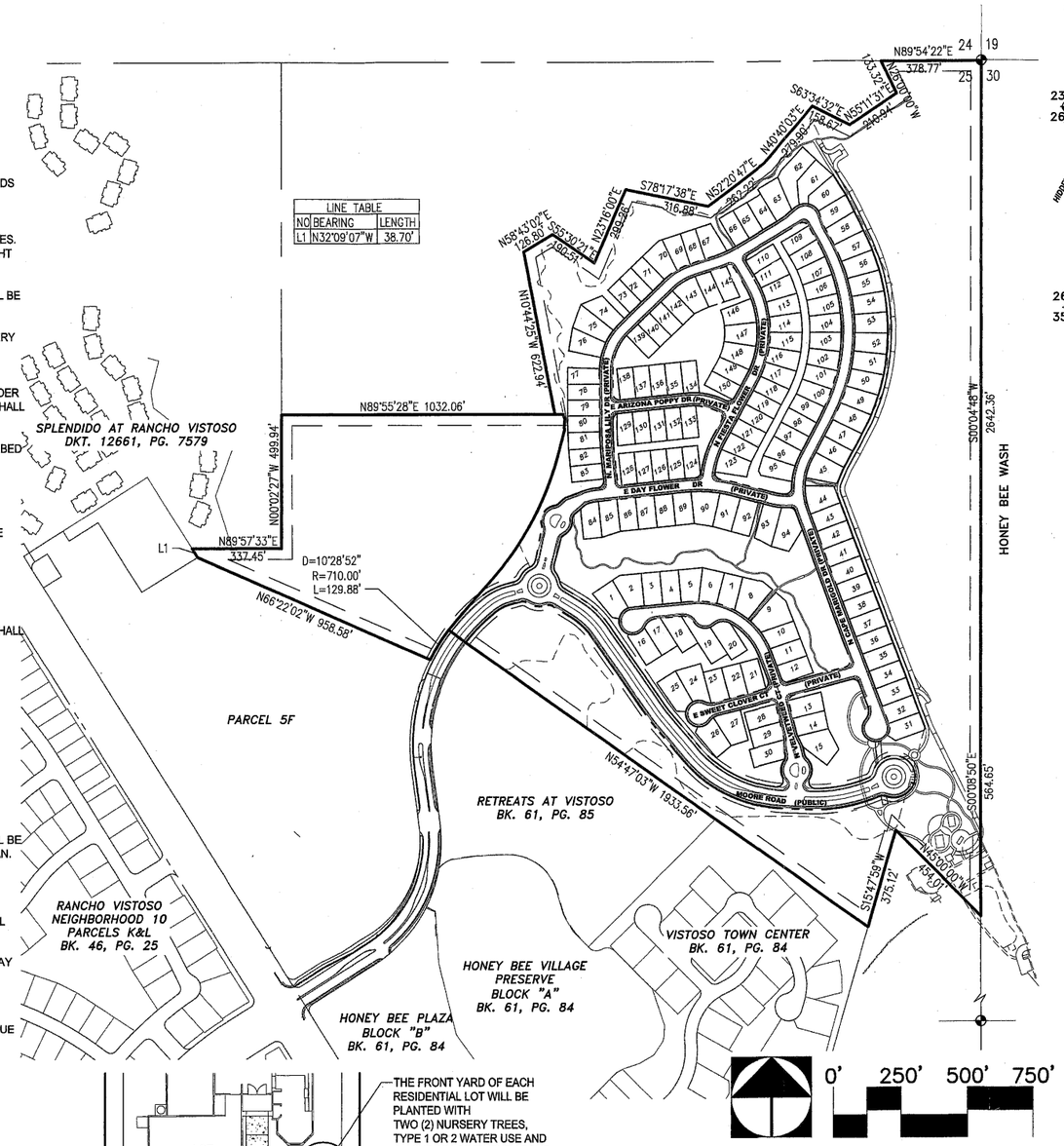
CONCEPTUAL LANDSCAPE PLAN
ALTERRA AT VISTOSO TRAILS
OV 1215-14

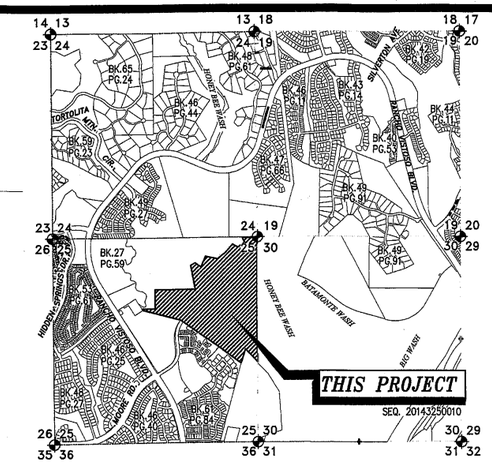
GENERAL NOTES

1. THE GROSS AREA OF THIS DEVELOPMENT IS 115.85 ACRES
2. TOTAL GRADED AREA IS 62.21 ACRES
3. TOTAL UNDISTURBED AREA = 53.64 ACRES
4. TOTAL AREA OF OPEN SPACE REQUIRED = 11.6 ACRES (10%), TOTAL AREA OF OPEN SPACE REQUIRED = 53.64 ACRES (46%)
5. TOTAL AREA OF LANDSCAPED COMMON AREA = 8.96 ACRES
6. SETBACKS REQUIRED/PROVIDED (PER P.A.D. M.H.D.R. STANDARDS):
   FRONT = 20'; SIDE = 5' OR 0' FOR COMMON WALL ON ZERO LOT LINE; REAR = 5'.
7. COMMON AREAS / OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE.H.O.A.
8. EXISTING ZONING IS RANCHO VISTOSO PAD MEDIUM DENSITY RESIDENTIAL & RANCHO VISTOSO PAD OPEN SPACE
9. LANDSCAPE BUFFERYARD: BUFFERYARD "B" REQUIRED-SEE SHEET 2.
10. ASSURANCES FOR SITE IMPROVEMENTS (E.G, WATER SERVICE, SITE STABILIZATION) 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 VISIBILTY 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. LANDSCAPED AREAS THAT ARE SUSCEPTIBLE TO DAMAGE BY PEDESTRIAN OR AUTO TRAFFIC SHALL BE PROTECTED BY APPRORIATE CURBS, TREE GUARDS OR OTHER DEVICES.
22. LANDSCAPE SHALL BE DESIGNED TO MINIMIZE SEDIMENT, SAND AND GRAVEL BEING CARRIED INTO THE STREETS BYSTORM WATER OR OTHER RUNOFF.
23. LANDSCAPE DESIGN ENABLES ADEQUATE PLANT SPACING TO ENSURE SURVIVABILITY AT PLANT MATURITY.
24. ALL LANDSCAPED AREAS 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.
30. PROVISION OF RECREATION AREA SHALL BE IN CONFORMANCE WITH CONDITIONS OF APPROVAL FOR OV1114-004.
31. BLOCK 1 IS 17.55 ACRES AND IS TO BE INCLUDED AS A PART OF THIS DEVELOPMENT. AREA TO BE PLATTED AS PART OF 5F DUE TO EXISTING PARCELIZATION, AND THEN SUBSEQUENTLY COMBINED WITH PARCELS 5G, 5K, AND 5V.

NATIVE PLANT SUMMARY

BOTANICAL NAME	COMMON NAME	BLUE RIBBON TRANSPLANT	RED RIBBON REMOVE	WHITE RIBBON PRESERVE IN PLACE	TOTAL PER PLANT
ACACIA CONSTRICTA	WHITETHORN ACACIA	100	736	0	836
ACACIA GREGGII	CAT CLAW ACACIA	34	161	0	195
CARNEGIEA GIGANTEA	SAGAURO	43	2	0	45
CELTIS PALLIDA	DESERT HACKBERRY	32	125	0	157
CERCIDIUM FLORIDUM	BLUE PALO VERDE	4	90	0	94
CERCIDIUM MICROPHYLLUM	FOOTHILL PALO VERDE	34	137	0	171
FEROCACTUS WISLIZENII	FISH-HOOK BARREL	373	1	0	374
OLNEYA TESOTA	IRONWOOD	18	1	0	19
PENIOCEREUS GREGGII	DESERT NIGHT-BLOOMING CEREUS	1	0	0	1
PROSOPIS VELUTINA	MESQUITE	23	282	0	305
ZIZYPHUS OBTUSIFOLIA	GREY THORN	21	14	0	35
YUCCA ELATA	SOAP TREE YUCCA	2	0	0	2
TOTAL		685	1549	0	2234





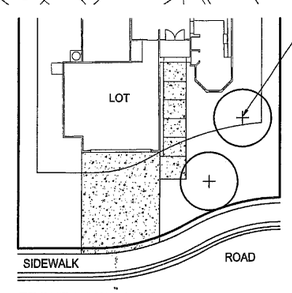
3" = 1 MILE

LOCATION MAP

A PORTION OF SECTION 25
T11S, R13E, G & S.R.M., TOWN OF ORO VALLEY,
PIMA COUNTY, ARIZONA

LEGEND

- EXISTING MAJOR CONTOUR (2850)
- EXISTING MINOR CONTOUR (2849)
- DEVELOPMENT BOUNDARY
- PROPOSED LOT LINE
- EXISTING PAVEMENT
- PROPOSED CURB
- EXISTING EASEMENT LINE
- LOT SETBACKS (TYPICAL)
- EASEMENT LINE
- SECTION CORNER OR 1/4 SECTION CORNER
- RIPRAP OUTLET PROTECTION
- STORMDRAIN WITH RIPRAP SPLASH PAD
- EXISTING CULVERT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED PAVEMENT
- EXISTING TRAIL
- PROPOSED EARTHEN TRAIL
- PROPOSED SEWER LINE (S)
- PROPOSED WATER LINE
- PROPOSED FORCE MAIN
- SIGHT VISIBILITY TRIANGLE
- SLOPE DIRECTION SYMBOL & GRADING LIMIT (SLOPES ≤ 3:1 UNLESS NOTED)
- ZONING BOUNDARY
- 404 LIMITS
- PROPOSED FLOODPLAIN LINE
- EXISTING FLOODPLAIN LINE
- FEMA ZONE A
- EROSION HAZARD SETBACK
- DIVERSION CHANNEL
- EXISTING VEGETATION



FRONT YARD DETAIL
SCALE: NTS

THE FRONT YARD OF EACH RESIDENTIAL LOT WILL BE PLANTED WITH TWO (2) NURSERY TREES, TYPE 1 OR 2 WATER USE AND A MINIMUM OF TWENTY-FOUR (24) INCH BOX SIZE, PLACED IN THE FRONT YARD. LOCATION OF TREES TO BE DETERMINED BY HOME OWNER OR DEVELOPER.

NOTE: DETAIL SHOWN FOR GRAPHIC PURPOSES ONLY. HOUSE AND LOT SHOWN FOR CONTEXT AND DOES NOT DEPICT TRUE FIELD CONDITIONS.

SHEET INDEX

SHEET 1..... COVER SHEET/NOTES
SHEET 2..... SITE PLAN KEYMAP
SHEETS 3–12..... CONCEPTUAL LANDSCAPE PLAN

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: GGRIZZLE
GGRIZZLE@WLBGROUP.COM

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 25621 GARY L. GRIZZLE DATE SIGNED 8-22-16 ARIZONA U.S.A. EXPIRES 12/31/17

OV1215–14
CONCEPTUAL LANDSCAPE PLAN
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AUGUST 2016
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SHEET 1 OF 12

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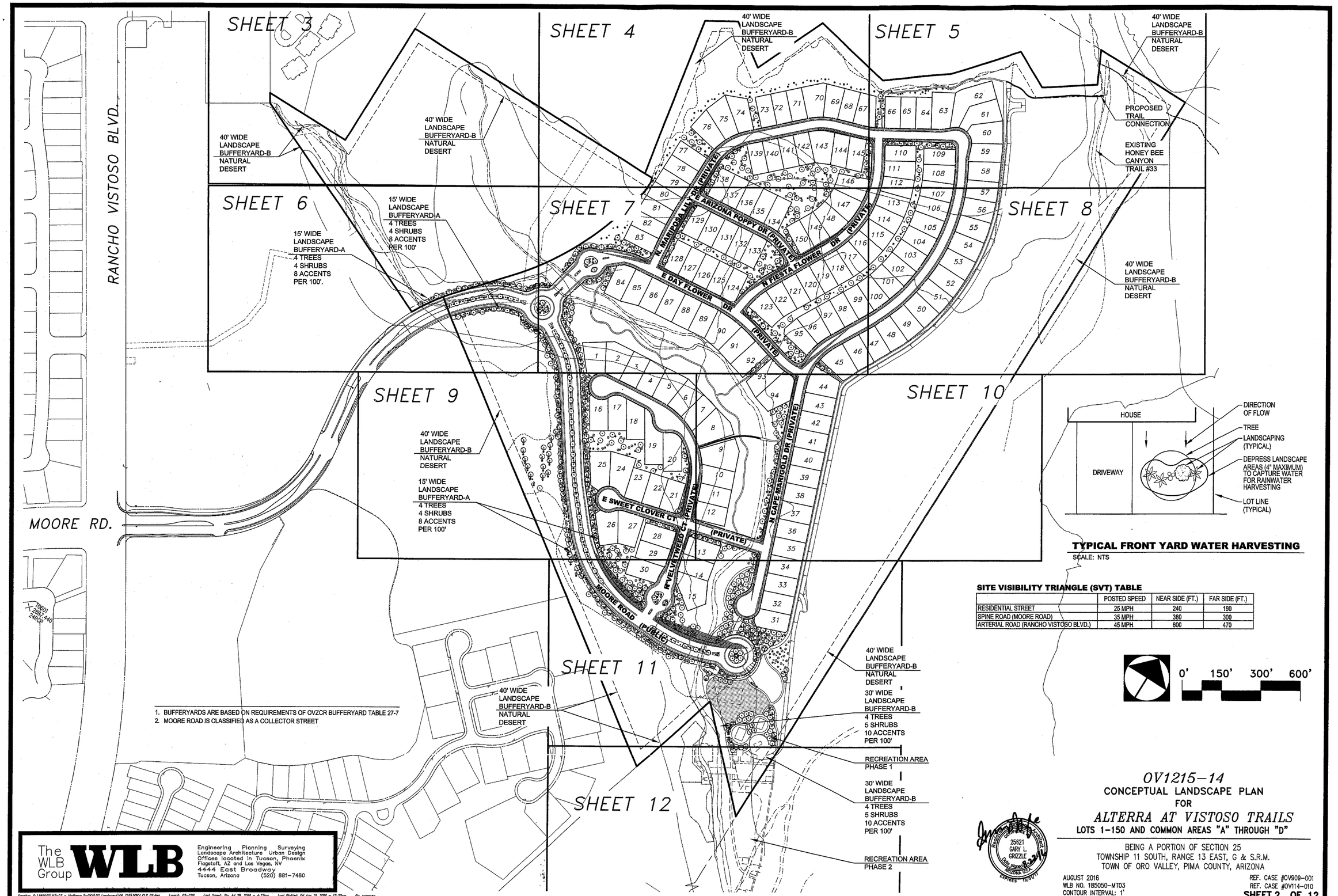

1. BUFFERYARDS ARE BASED ON REQUIREMENTS OF OVZCR BUFFERYARD TABLE 27-7
2. MOORE ROAD IS CLASSIFIED AS A COLLECTOR STREET

TYPICAL FRONT YARD WATER HARVESTING

SCALE: NTS

SITE VISIBILITY TRIANGLE (SVT) TABLE

	POSTED SPEED	NEAR SIDE (FT.)	FAR SIDE (FT.)
RESIDENTIAL STREET	25 MPH	240	190
SPINE ROAD (MOORE ROAD)	35 MPH	380	300
ARTERIAL ROAD (RANCHO VISTOSO BLVD.)	45 MPH	600	470

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Registered Landscape Architect
25621
GARY L. GRIZZLE
Date signed 8-2-18
ARIZONA U.S.A.
EXPIRES 12/31/19

OV1215-14

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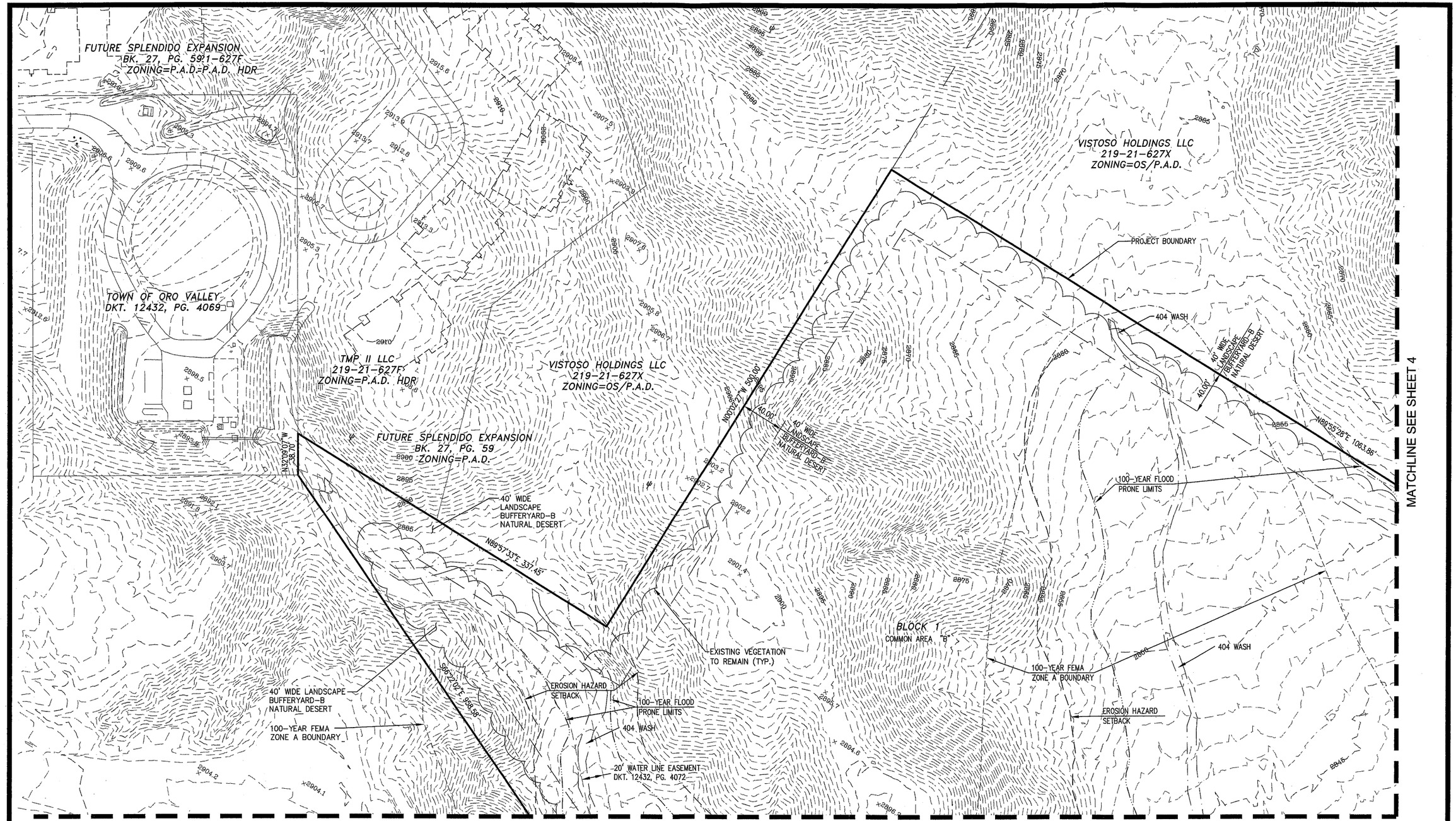
SHEET 2 OF 12



CONCEPTUAL PLANTING LEGEND

- TREES
- SHRUBS / GROUNDCOVER
- ACCENTS

0' 40' 80' 120'

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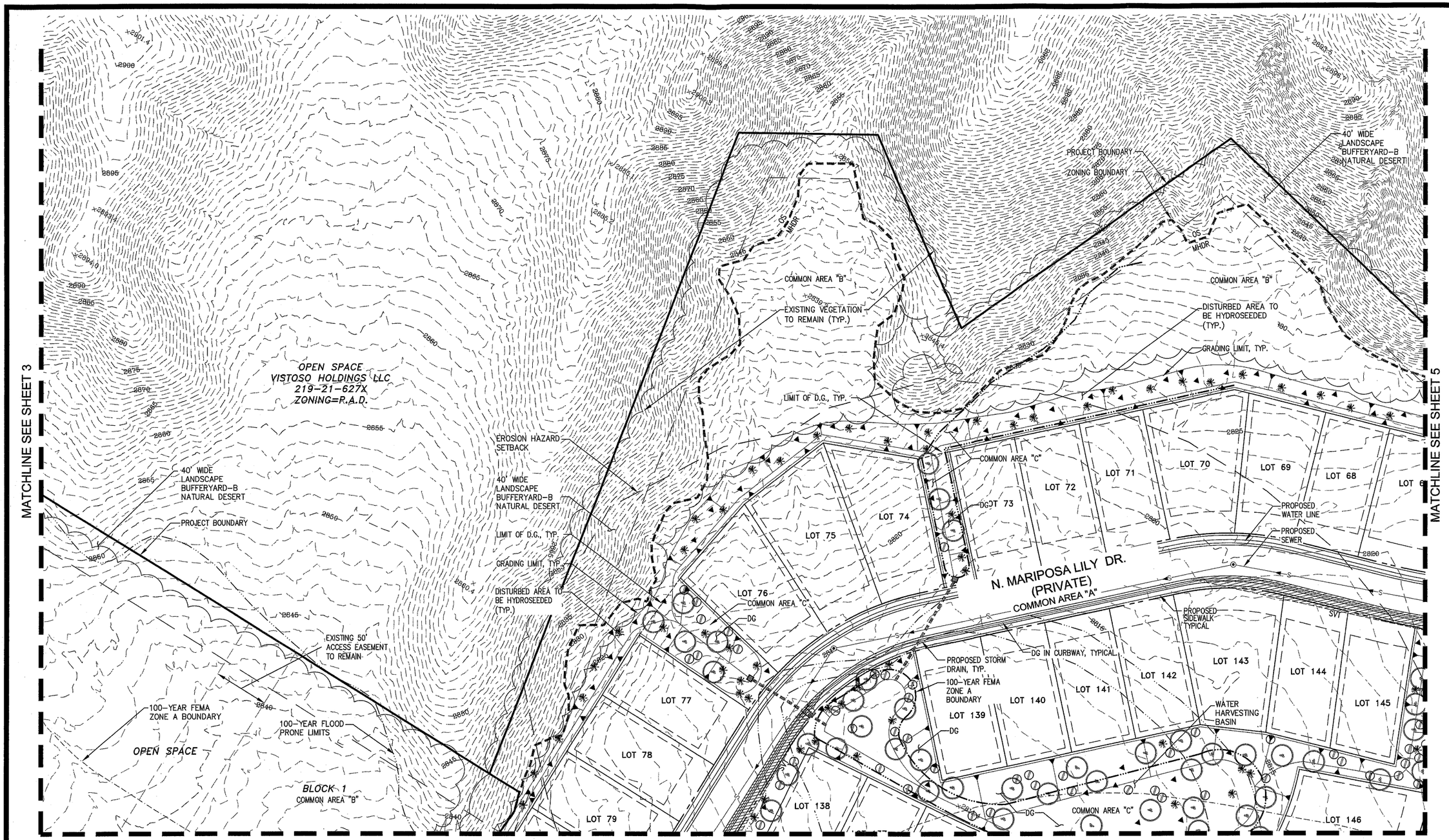
SHEET 3 OF 12



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- SHRUBS / GROUNDCOVER
- ACCENTS

0' 40' 80' 120'

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Tucson, Arizona (520) 881-7480

Registered Professional Engineer (Civil)
CA 25621
GARY L. GRIZZLE
Date signed 10/24/16
ARIZONA U.S.A.
EXPIRES 12/31/17

OV1215-14

CONCEPTUAL LANDSCAPE PLAN
FOR

ALTERRA AT VISTOSO TRAILS

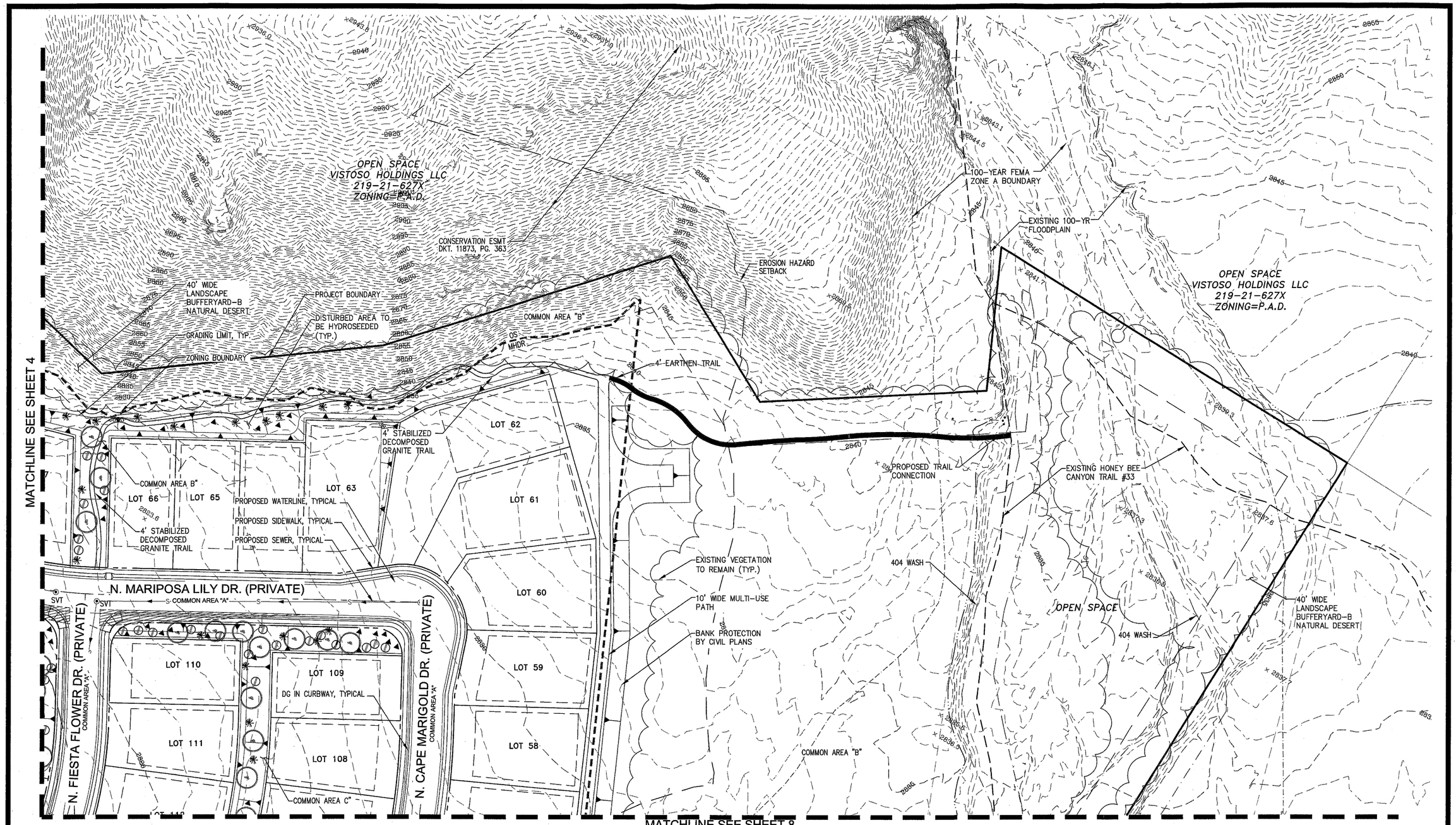
LOTS 1-150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

AUGUST 2016
WLB NO. 185050-MT03
CONTOUR INTERVAL: 1'

REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 4 OF 12



CONCEPTUAL PLANTING LEGEND

- TREES
- SHRUBS / GROUNDCOVER
- ACCENTS

0' 40' 80' 120'

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Landscape Architecture Urban Design
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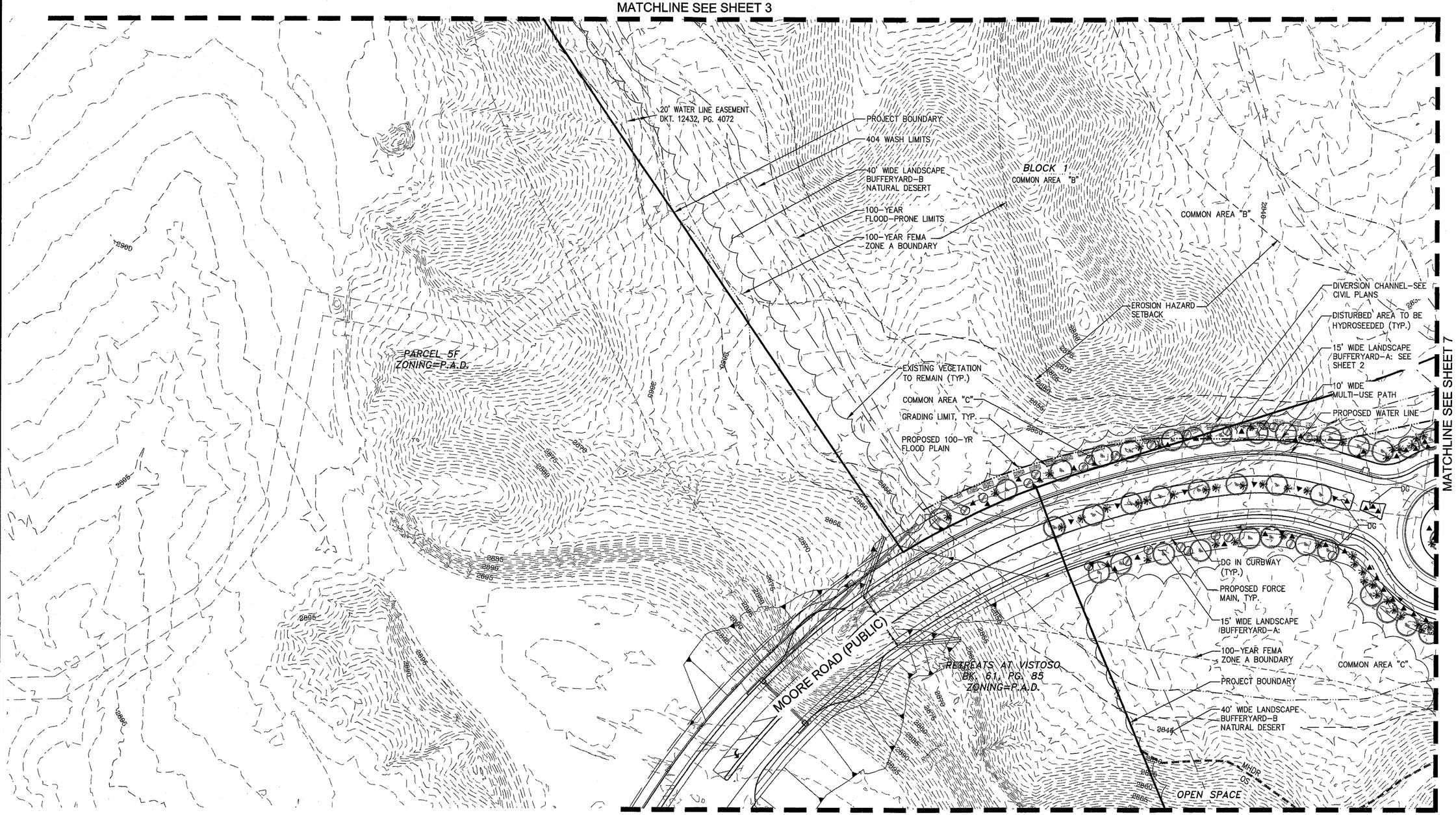
SHEET 5 OF 12

MATCHLINE SEE SHEET 3



MATCHLINE SEE SHEET 9

CONCEPTUAL PLANTING LEGEND

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- ACCENTS

0' 40' 80' 120'

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AUGUST 2016
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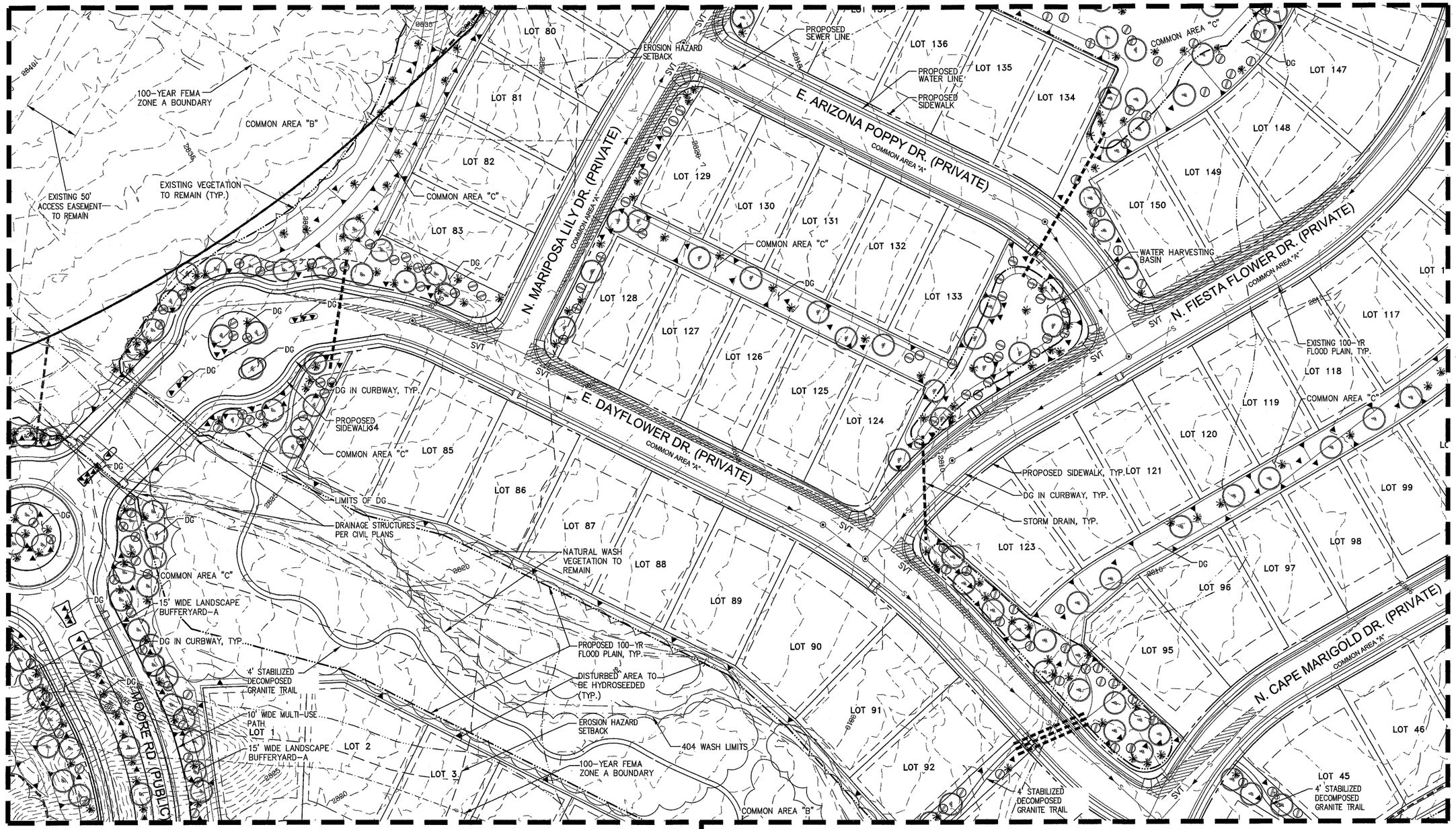
SHEET 6 OF 12

MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 6

MATCHLINE SEE SHEET 8



MATCHLINE SEE SHEET 9

MATCHLINE SEE SHEET 10

CONCEPTUAL PLANTING LEGEND

- TREES
- SHRUBS / GROUNDCOVER
- ACCENTS

0' 40' 80' 120'

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SHEET 7 OF 12

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MATCHLINE SEE SHEET 5

MATCHLINE SEE SHEET 7

LOT 107
LOT 57
LOT 113
LOT 106
LOT 56
LOT 114
LOT 105
LOT 115
LOT 104
COMMON AREA "C"
DG
LOT 54
LOT 103
LOT 53
LOT 102
LOT 101
LOT 52
LOT 100
LOT 51
LOT 50
LOT 49
LOT 48
LOT 47

N. CAPE MARIGOLD DR. (PRIVATE)
COMMON AREA "A"

PROPOSED SEWER LINE
PROPOSED WATER LINE
DG IN CURBWAY, TYP.
EROSION HAZARD SETBACK
100-YEAR FEMA ZONE A BOUNDARY
EXISTING 100-YEAR FLOOD PLAIN
OPEN SPACE
CONSERVATION ESMT DKT. 11873, PG. 363
404 WASH
EXISTING VEGETATION TO REMAIN (TYP.)
BANK PROTECTION BY CIVIL PLANS
MULTI-USE PATH
EXISTING HONEY BEE CANYON TRAIL #33
COMMON AREA "B"
100' ELECTRIC EASEMENT BK. 75 MISC. PG. 364
OPEN SPACE
PROPOSED 100-YEAR FLOOD PLAIN
40' WIDE LANDSCAPE BUFFERYARD-B NATURAL DESERT
PROJECT BOUNDARY

MATCHLINE SEE SHEET 10

CONCEPTUAL PLANTING LEGEND

- TREES
- SHRUBS / GROUNDCOVER
- ACCENTS

0' 40' 80' 120'

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Certificate No. 25621
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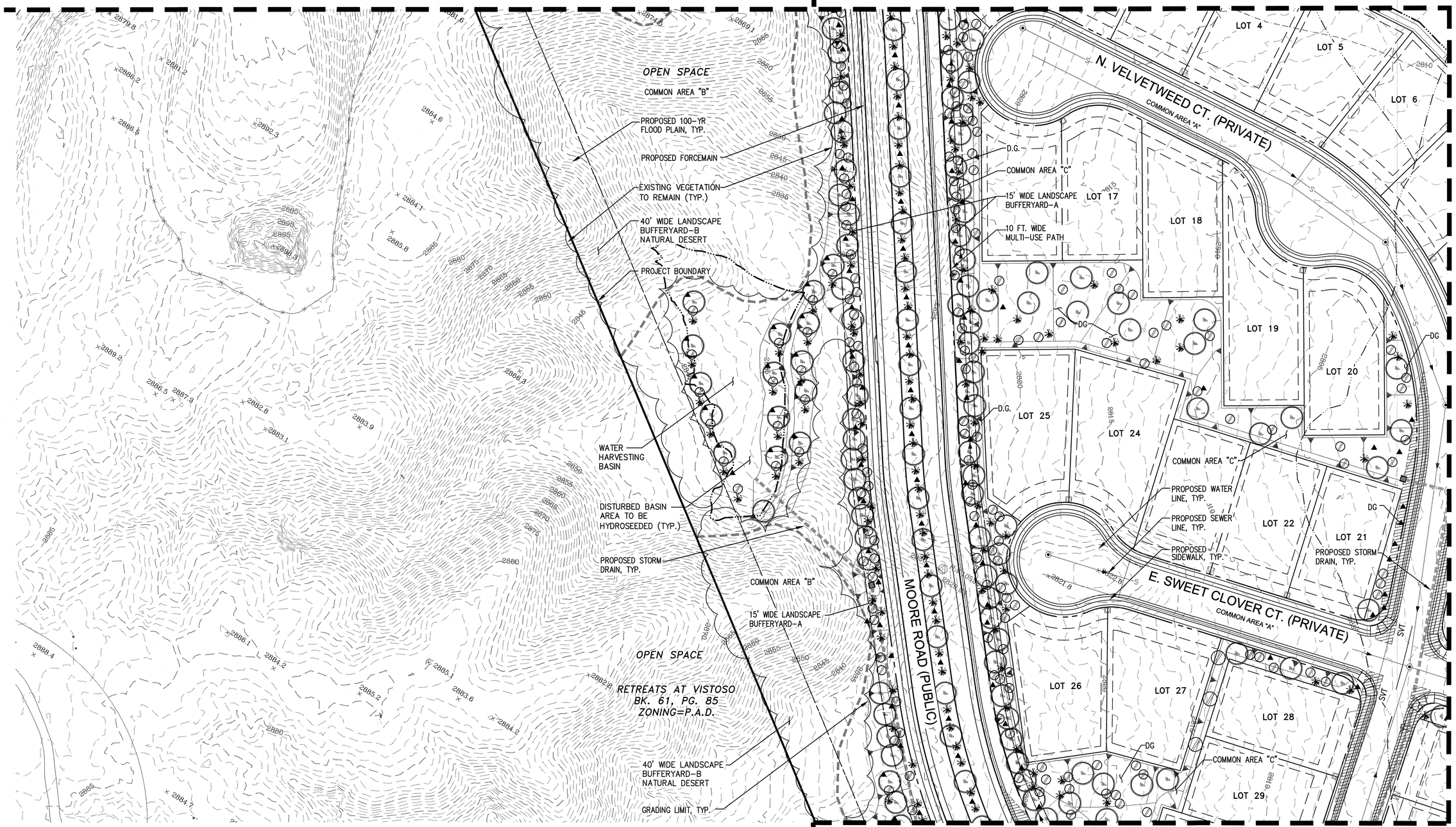
SHEET 8 OF 12

MATCHLINE SEE SHEET 6 | MATCHLINE SEE SHEET 7



MATCHLINE SEE SHEET 10

MATCHLINE SEE SHEET 11

0' 40' 80' 120'

CONCEPTUAL PLANTING LEGEND

- TREES
- SHRUBS / GROUNDCOVER
- ACCENTS

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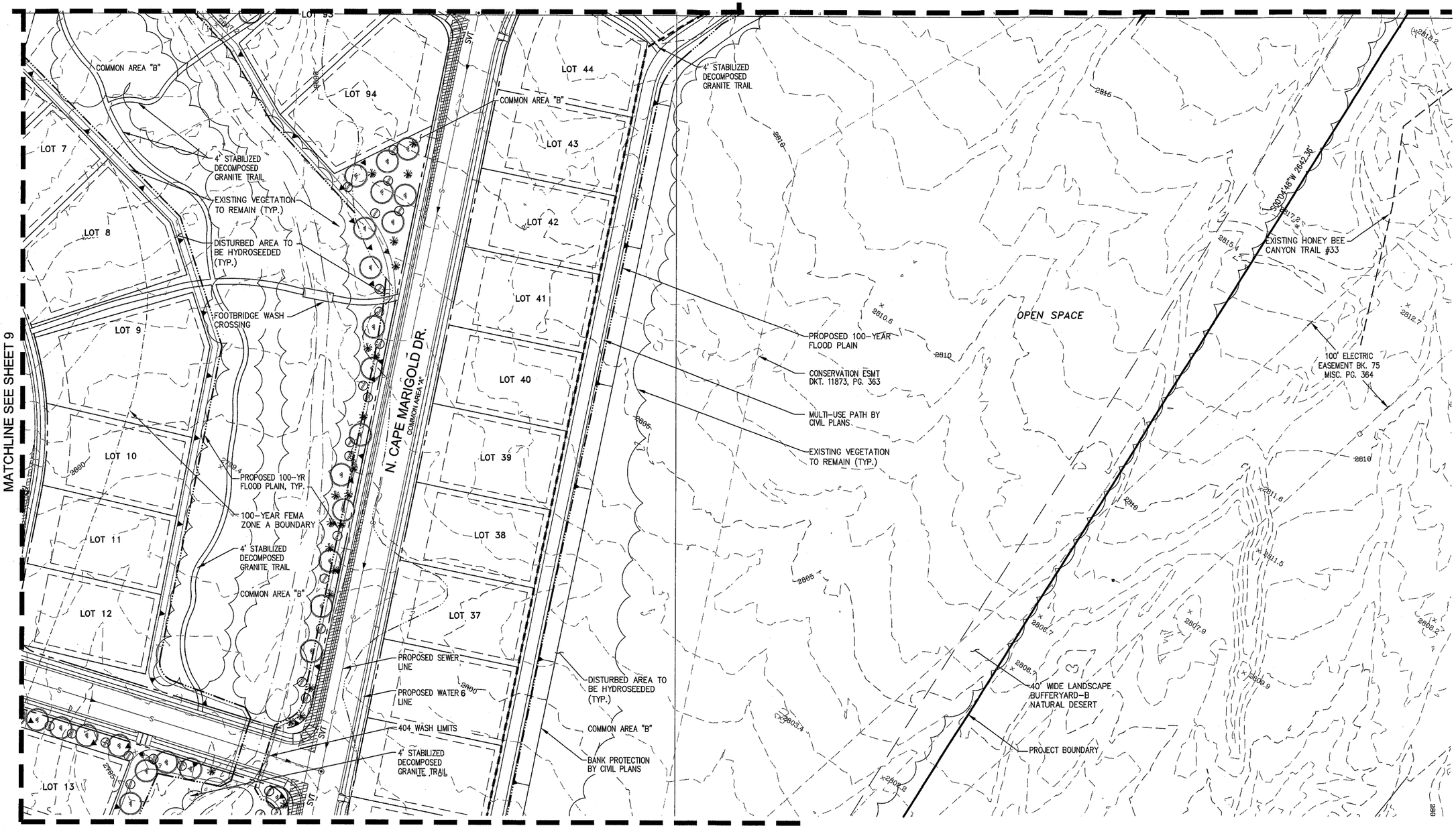
MATCHLINE SEE SHEET 8

MATCHLINE SEE SHEET 9



MATCHLINE SEE SHEET 11

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CONCEPTUAL PLANTING LEGEND

- TREES
- SHRUBS / GROUNDCOVER
- ACCENTS

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Registered Professional Engineer (Civil) CERTIFICATE NO. 25621 GARY L. GRIZZLE Date signed 8-2-16 ARIZONA, U.S.A. EXPIRES 12/31/17

OV1215-14

CONCEPTUAL LANDSCAPE PLAN FOR *ALTERRA AT VISTOSO TRAILS*

LOTS 1-150 AND COMMON AREAS "A" THROUGH "D"

BEING A PORTION OF SECTION 25
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TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

AUGUST 2016
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REF. CASE #OV909-001
REF. CASE #OV114-010

SHEET 10 OF 12

MATCHLINE SEE SHEET 9

MATCHLINE SEE SHEET 10

COMMON AREA "C"
LOT 30
15' WIDE LANDSCAPE BUFFERYARD-A
404 WASH LIMITS
LOT 14
PROPOSED 100-YR FLOOD PLAIN, (TYP.)
EXISTING VEGETATION TO REMAIN (TYP.)
COMMON AREA "A"
LOT 15
COMMON AREA "B"
RECREATION AREA PARKING
N. CAPE MARIGOLD DR. (PRIVATE)
LOT 34
LOT 33
LOT 32
LOT 31
PROPOSED WATER LINE, TYP.
PROPOSED SIDEWALK, TYP.
DG IN CURBWAY, TYP.
PROPOSED SEWER LINE, TYP.
COMMON AREA "B"
CONSERVATION ESMT DKT. 11873, PG. 363
MULTI-USE PATH
PROPOSED 100-YEAR FLOOD PLAIN
ZONING BOUNDARY
EXISTING POWER POLE, TYP.
MOORE ROAD (PUBLIC)
STORM DRAIN, TYP.
COMMON AREA "C"
10' WIDE MULTI-USE PATH
100' ELECTRIC EASEMENT BK. 75 MISC. PG. 364
OPEN SPACE
EXISTING VEGETATION TO REMAIN (TYP.)
40' WIDE LANDSCAPE BUFFERYARD-B NATURAL DESERT
PROJECT BOUNDARY
15' WIDE LANDSCAPE BUFFERYARD-A
GRADING LIMIT
DISTURBED AREA TO BE HYDROSEEDED (TYP.)
ULTIMATE BANK PROTECTION BY CIVIL PLANS
RECREATION AREA PARKING
VISTOSO TOWN CENTER
BK. 61, PG. 84
ZONING=P.A.D.
COMMON AREA "D"
100-YEAR FEMA ZONE A BOUNDARY
EXISTING 100-YEAR FLOOD PLAIN
OPEN SPACE
SOCCER FIELD
COMMON AREA "B"
404 WASH LIMITS
40' WIDE LANDSCAPE BUFFERYARD-B NATURAL DESERT
PROJECT BOUNDARY
PHASE 1
PHASE 2
FUTURE R.O.W.
PLAY GROUND
TEMPORARY BANK PROTECTION BY CIVIL PLANS
30' WIDE LANDSCAPE BUFFERYARD-B
30' WIDE LANDSCAPE BUFFERYARD-B MET BY EXISTING PLANTS
RECREATION AREA PHASE 2
RECREATION AREA PHASE 2
TRAIL CONNECTION TO RECREATION AREA PHASE 2

SEE MASTER RECREATION PLAN FOR DETAILS OF PARK FACILITIES

MATCHLINE SEE SHEET 12

CONCEPTUAL PLANTING LEGEND

- TREES
- SHRUBS / GROUNDCOVER
- ACCENTS

0' 40' 80' 120'

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CERTIFICATE NO. 25621
GARY L. GRIZZLE
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OV1215-14

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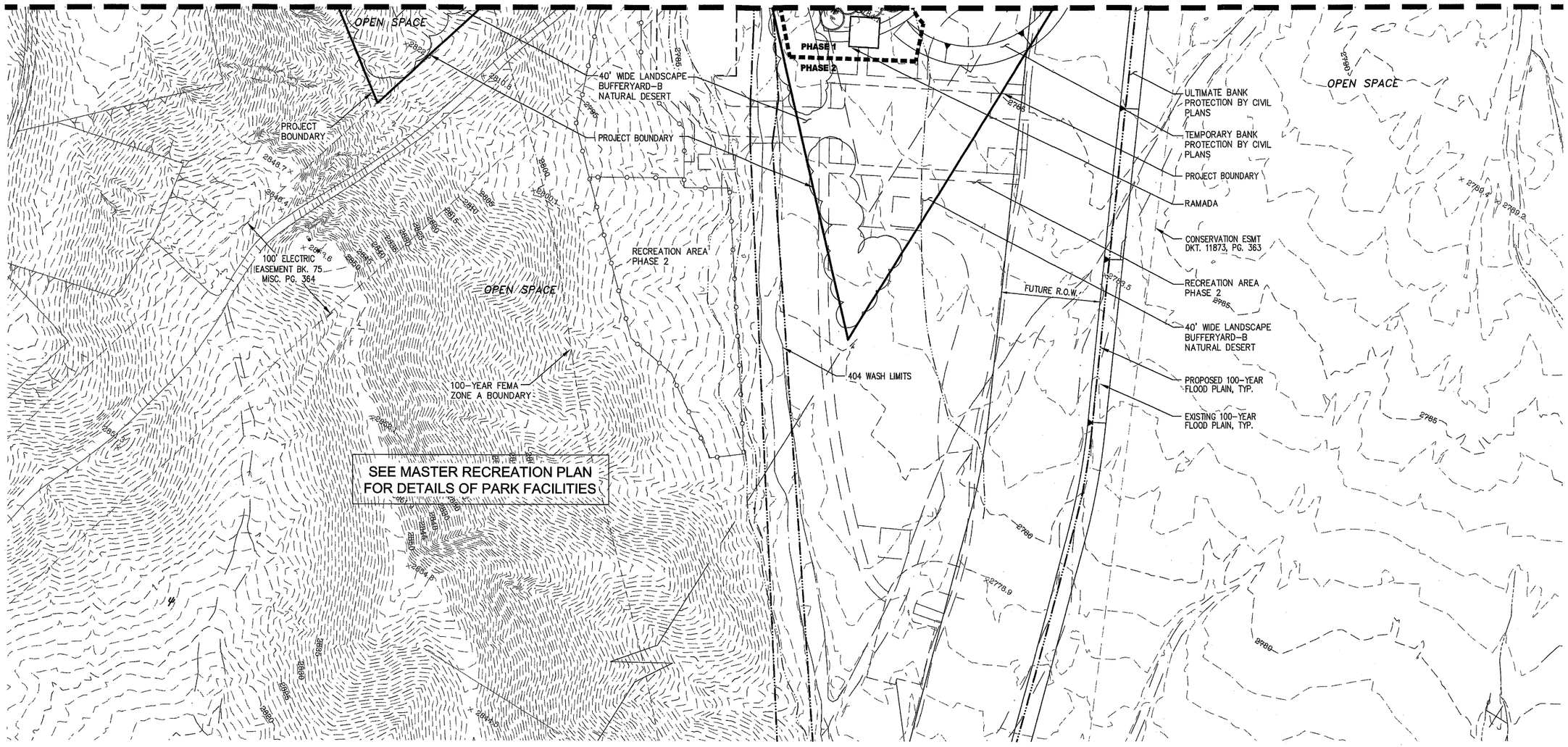
MATCHLINE SEE SHEET 11



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GARY L. GRIZZLE
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CONCEPTUAL LANDSCAPE PLAN
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SHEET 12 OF 12

MASTER RECREATION AREA PLAN
ALTERRA AT VISTOSO TRAILS
OV 1215-14

GENERAL NOTES

1. THE GROSS AREA OF THIS DEVELOPMENT = 115.85 ACRES.
2. TOTAL AMOUNT OF LANDSCAPED COMMON AREAS = 8.96 ACRES
3. COMMON AREAS SHALL BE OWNED AND MAINTAINED BY THE H.O.A.
4. ALL RECREATION EQUIPMENT WILL COMPLY WITH CURRENT ADA REQUIREMENTS.
5. A MINIMUM OF 50% OF PLAY EQUIPMENT OR APPARATUS TO BE FULLY SHADED WITH A UV RESISTANT SUN SHADE.
6. PHASE 2 IMPROVEMENTS WILL BE DESIGNED AND CONSTRUCTED BY OTHERS
7. ALL EQUIPMENT AND FURNISHINGS IN PHASE 2 SHALL MATCH CLOSELY THOSE IN PHASE 1 IN TERMS OF CHARACTER, QUALITY, COLOR AND FINISH.
8. MASTER RECREATION PLAN SUBJECT TO THE CONDITIONS OF APPROVAL OF OV1114-004

RECREATION AREA PARKING CALCULATIONS

TOTAL AMOUNT OF PARKING REQUIRED = ONE SPACE per 20 DWELLING UNITS FOR THE FIRST HUNDRED DWELLINGS.
100 DWELLINGS / 20 = 5 SPACES
+ ONE ADDITIONAL SPACE per 40 DWELLINGS OR PART THEREOF OVER 100 DWELLINGS
20 DWELLINGS / 40 = 2 ADDITIONAL SPACES REQUIRED.
TOTAL PARKING SPACES REQUIRED = 7
TOTAL PARKING SPACES PROVIDED:

PHASE 1 = 9 INCLUDING 1 ACCESSIBLE SPACE PER OVZCR 27.7.E TABLE 27-15

PHASE 2 = 38 INCLUDING ACCESSIBLE SPACES PER OVZCR 27.7.E TABLE 27-15

RECREATION AREA CALCULATIONS (PHASE 1)

1. REQUIRED = 151 LOTS / 85 = 1.78 ACRES (77,383 S.F.)
PROVIDED = 3.0 ACRES (130680 S.F.)

RECREATION PROVISIONS

1. REQUIRED RECREATION PROVISIONS = 3 ACTIVE AND 4 PASSIVE (BASED ON REQUIRED 1.78 ACRES)
PROVIDED = 3 x ACTIVE RECREATION:
- SOCCER
- FREE-PLAY
- PLAYGROUND

4 x PASSIVE RECREATION:
- PICNIC TABLES
- SHADE STRUCTURE
- TRAIL
- BENCHES

2. TOT-LOT RECREATION REQUIREMENT (OVZC 26.5.D.3)
SEATING FACING PLAY AREA
DRINKING FOUNTAIN
COVERED PLAY EQUIPMENT
SAFETY SURFACE
BIKE PARKING (4)
REFUSE RECEPTACLE
TURF
PICNIC TABLE

3. TURF ALLOWANCE = 15% TOTAL REC. AREA:
130,680 S.F. X 15% = 19,602 S.F.
TURF PROVIDED = 26,600 S.F. AS APPROVED BY P.R.A.B.

TOTAL RECREATION AREA PROVIDED:

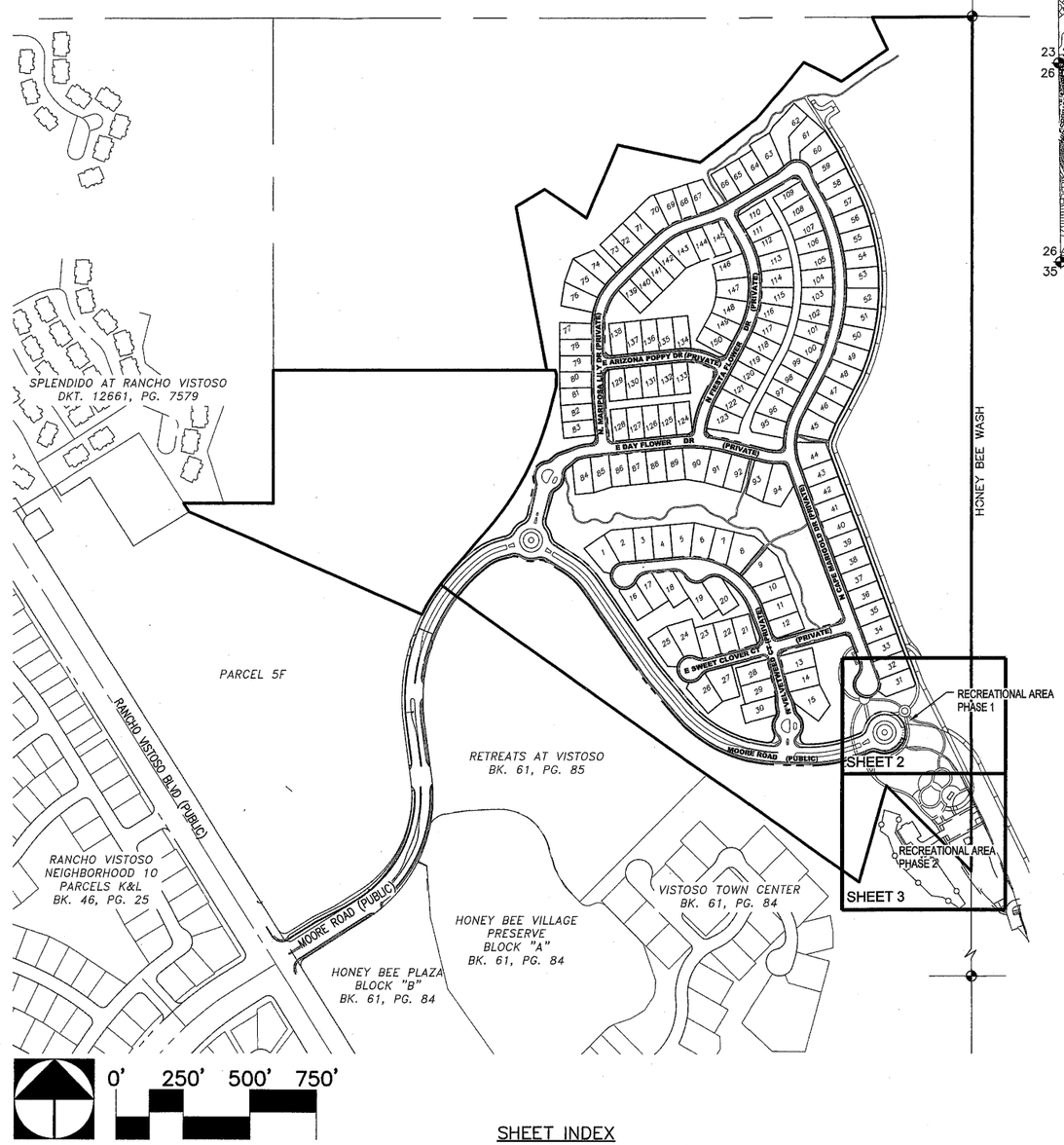
PHASE 1: 3.0 ACRES
PHASE 2: 3.9 ACRES
TOTAL = 6.9 ACRES

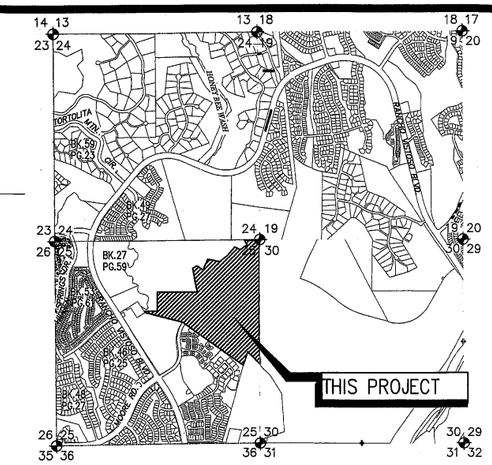
A SCHEDULE OF RECREATION FACILITIES TO BE PROVIDED IN PHASE 2 IS SHOWN ON SHEET 3.

APPROVAL

PLANNING & ZONING ADMINISTRATOR

DATE





3" = 1 MILE

LOCATION MAP

A PORTION OF SECTION 25
T11S, R13E, G & S.R.M., TOWN OF ORO VALLEY,
PIMA COUNTY, ARIZONA

LEGEND

- EXIST. MAJOR CONTOUR
- EXIST. MINOR CONTOUR
- DEVELOPMENT BOUNDARY
- PROPOSED LOT LINE
- PROPOSED CURB
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- SECTION CORNER OR 1/4 SECTION CORNER
- RIPRAP
- STORMDRAIN
- CATCH BASIN
- SIGHT VISIBILITY TRIANGLE
- C.A.A. COMMON AREA DESIGNATION
- SLOPE DIRECTION SYMBOL & GRADING LIMIT
- 404 LIMITS

SHEET INDEX

SHEET 1..... COVER SHEET/NOTES
SHEET 2..... RECREATION AREA PLAN
SHEET 3..... RECREATION AREA PLAN

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: GGRIZZLE
GGRIZZLE@WLBGROUP.COM

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 25621 GARY L. GRIZZLE Date Signed 8-24-16 ARIZONA, U.S.A. EXPIRES 12/31/17

OV1215-14
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SHEET 1 OF 3

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PHASE 1 RECREATION AREA LAYOUT

PHASE 1 RECREATION EQUIPMENT KEYNOTES

1. RAMADA AND PICNIC TABLES WITH TRASH RECEPTACLE
2. PICNIC TABLES
3. PLAY EQUIPMENT 2-5 YRS WITH PLAY SAFETY SURFACE AND SHADE STRUCTURE. PLAY EQUIPMENT TO MEET IPEMA AND ASTMA CURRENT STANDARDS.
4. PLAY EQUIPMENT 5-12 YRS WITH PLAY SAFETY SURFACE AND SHADE STRUCTURE. PLAY EQUIPMENT TO MEET IPEMA AND ASTMA CURRENT STANDARDS.
5. BENCHES
6. PEDESTRIAN PATHWAY
7. TEMPORARY PARKING
8. U-8 SOCCER FIELD AREA (NO GOALS OR STRIPE BY THIS PROJECT)
9. FREE PLAY LAWN
10. MULTI-USE PATH / ACCESS ROAD BY CIVIL PLANS
11. DRINKING FOUNTAIN
12. BICYCLE PARKING
13. LANDSCAPING BY LANDSCAPE PLANS
14. BANK PROTECTION BY CIVILPLANS
15. PRIMARY TRAILHEAD
16. SECONDARY TRAILHEAD
17. MULTI-USE PATH BY CIVIL PLANS
18. PEDESTRIAN UNDERPASS UNDER MOORE RD.

0' 40' 80' 120'

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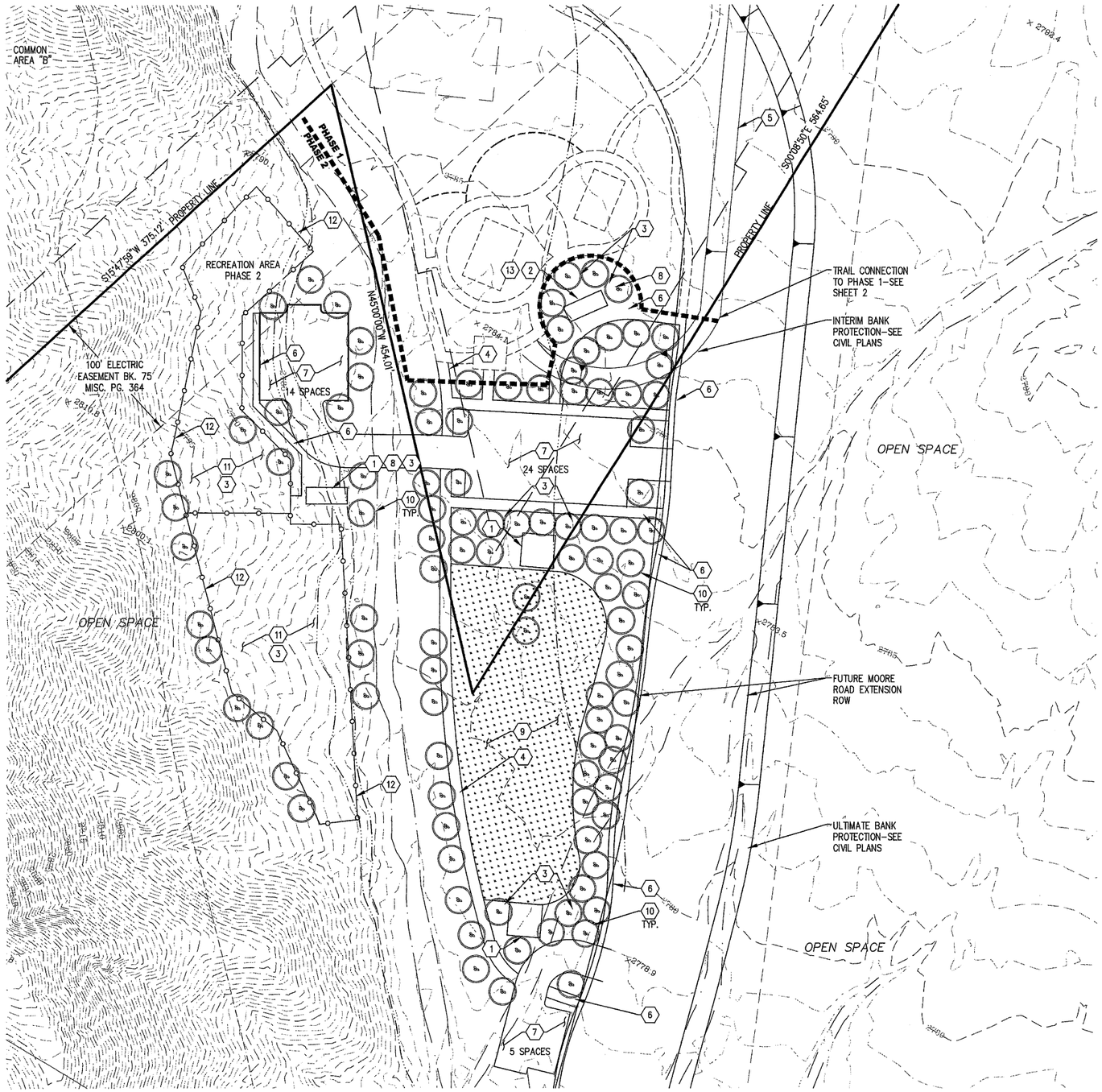

PHASE 2 RECREATION AREA LAYOUT

PHASE 2 RECREATION EQUIPMENT KEYNOTES

1. RAMADA AND PICNIC TABLES WITH TRASH RECEPTACLE
2. RESTROOM BUILDING BY SEPARATE PERMIT
3. BENCHES
4. MULTI-USE PATH
5. PHASE 1 BANK PROTECTION BY CIVIL PLANS
6. PEDESTRIAN PATHWAY
7. PARKING
8. BICYCLE PARKING
9. FREE PLAY LAWN
10. LANDSCAPING BY FUTURE LANDSCAPE PLANS-FOR ILLUSTRATIVE PURPOSES ONLY
11. DOG PARK
12. DOG PARK FENCE
13. DRINKING FOUNTAIN

0' 40' 80' 120'

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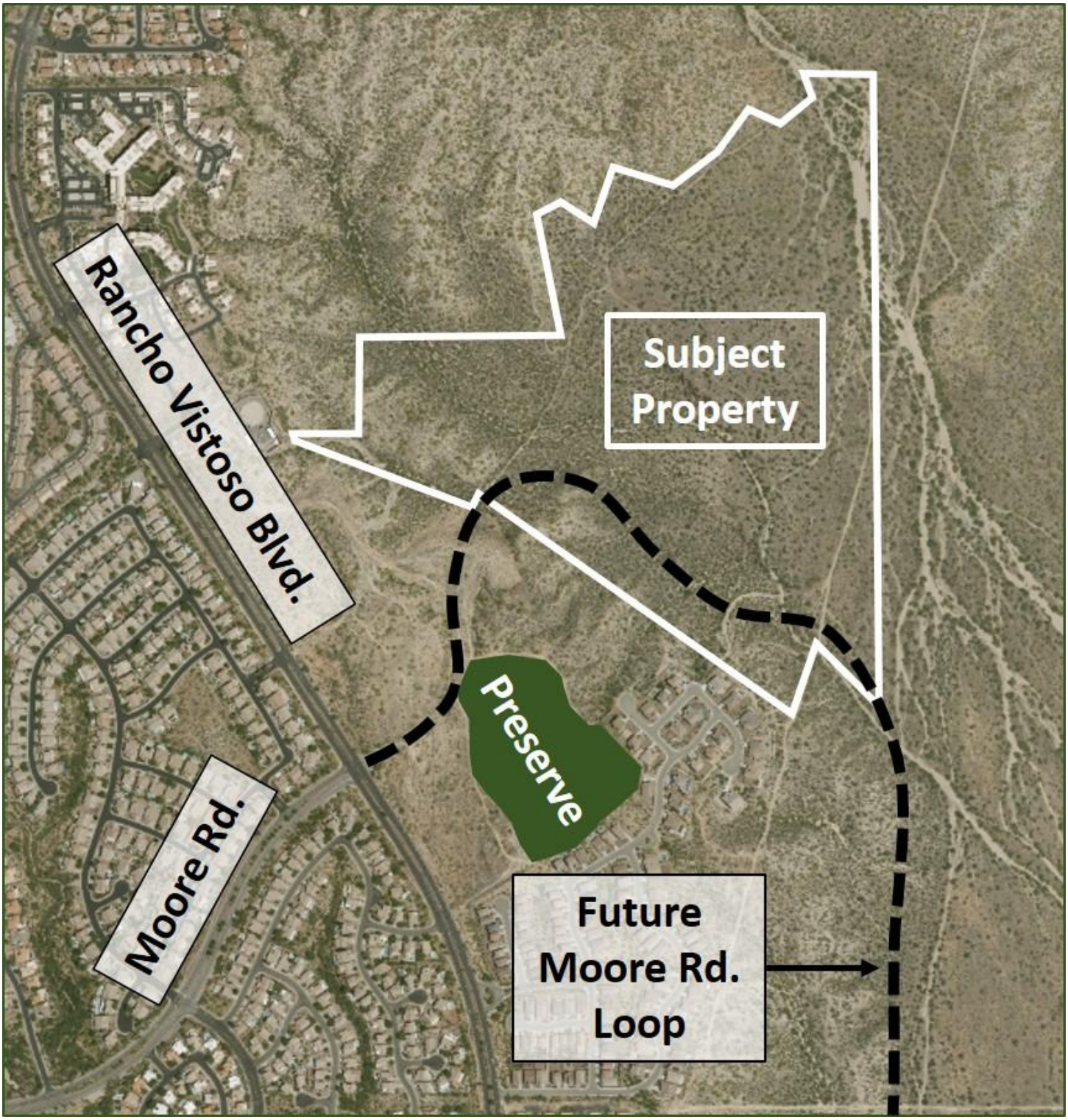


LOCATION MAP

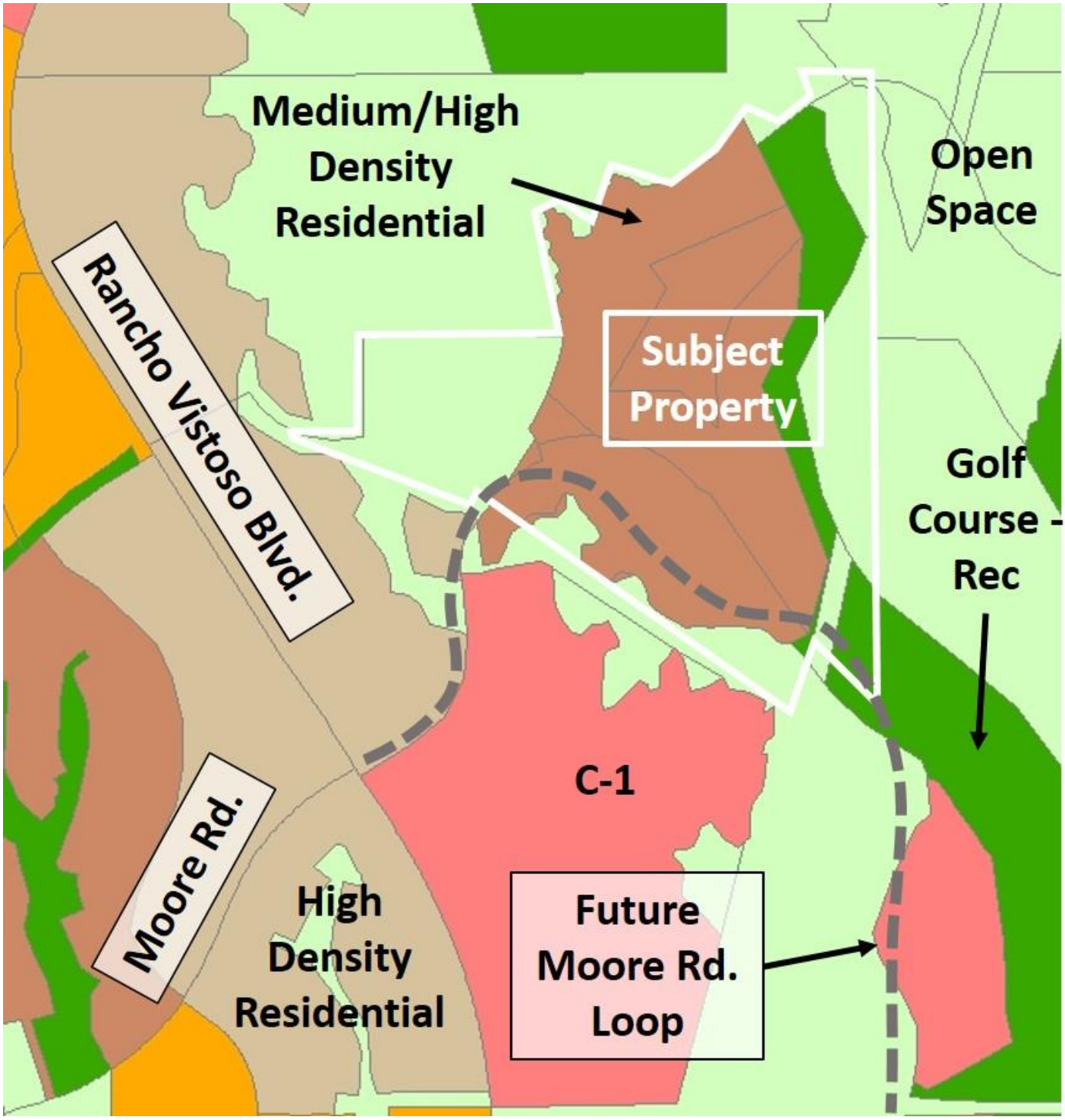
MATTAMY HOMES - ALTERRA AT VISTOSO TRAILS
(OV1215-14)

Attachment 4

GENERAL PLAN MAP

MATTAMY HOMES - ALTERRA AT VISTOSO TRAILS (OV1215-14)

Attachment 5



ZONING MAP

MATTAMY HOMES - ALTERRA AT VISTOSO TRAILS
(OV1215-14)

Attachment 5

ATTACHMENT 6
MATTAMY HOMES - ALTERRA AT VISTOSO TRAILS
NEIGHBORHOOD 5 HISTORY

1. Rancho Vistoso Neighborhood 5 Community Park

   The original Rancho Vistoso PAD included specific areas where the development of park space was to occur. Currently, Neighborhood 5 is the only residential neighborhood within Rancho Vistoso which has not developed this required park space.

   As part of the 2009 Major General Plan Amendment, the following condition was included regarding the need to develop the park:

   "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 in 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 the PRAB".

   The condition required development of an approximately 6.9-acre community park which would serve the needs of the residents within Neighborhood 5 and the greater Rancho Vistoso area.

   The Rancho Vistoso PAD identifies an area in the middle of Big Wash as the original location for the recreation area. Following the 2009 Major General Plan Amendment, this location became significantly more isolated as the alignment of Moore Road was changed. As a result, the area became much less viable and useful as a location for a community park as a majority of the population within Neighborhood 5 will be on the west side of Big Wash, completely disconnected from the park site.

   The relocation of the park and Master Recreation Area Plan proposed by the applicant meets the original intent of the General Plan condition.

   As such, Town staff (including Planning and Parks and Recreation) worked with the applicant, the Rancho Vistoso Home Owners Association and the Parks and Recreation Advisory Board (PRAB) to relocate the park space to a property adjacent to the applicant's proposed subdivision along the new Moore Road Loop. This new location is conveniently located near the future school site and provides much better access for the majority of residents within Neighborhood 5.

   The new location for the community park similarly has a zoning designation of Rancho Vistoso PAD – Golf/Rec which supports the use of the land as a recreation area. This new location was originally intended to be more passive recreation, while the original park site

in the middle of the wash was intended for active recreation. The applicant is requesting to switch the parks location to meet the intent of the General Plan condition and PAD.

Furthermore, a Master Recreation Area Plan (Attachment 3) was required for the park. In developing this plan, staff and the developer have worked with the Rancho Vistoso HOA and the Town's Parks and Recreation Advisory Board. The Master Recreation Area Plan provides details regarding the entire 6.9-acre community Park and the applicant is required to provide a portion of the overall acreage and with this development. The remainder of the park will be completed as part of future residential development within Neighborhood 5.

The Rancho Vistoso HOA supports the proposed park project and the Parks and Recreation Advisory Board has recommended approval of the proposal.

2. Rancho Vistoso Neighborhood 5 Sewer infrastructure

A second condition that was part of both the 2009 Major General Plan Amendment and PAD Amendment addressed future sewer infrastructure needs within Rancho Vistoso Neighborhood 5. The condition:

"Vistoso Partners will install a new gravity sewer line from a connection point on Tangerine Road north to the existing lift station serving Sun City Vistoso, Units 9 & 10. In addition, a sewer stub-out shall be provided to the boundary of Parcel 5-B in order to provide a connection opportunity to relieve the Parcel 5-B lift station should that HOA elect to construct such a connection in the future.

The sewer main connection to the existing Sun City lift station shall be constructed according to the other timelines set forth in the existing agreement with the Amphitheater School District or at the time another development within this amendment area generates the need for sewer, as determined by the Town Engineer, whichever is required first. The location of the sewer line will be along the west bank of Big Wash and will continue by gravity to the closest connection point on Tangerine Road, as dictate by Pima County Wastewater Management."

The intent of the condition was to transition from private to public lift stations because of the ongoing costs of maintenance and upkeep. Moving forward, no new private lift stations will be permitted for future development.

Town Staff (Planning and Engineering) and the applicant met multiple times with representatives of Pima County Wastewater and Sun City to develop an effective and efficient sewer concept moving forward.

The bulk of the condition specified use of a gravity feed sewer system connecting Sun City with future developments in Neighborhood 5, ultimately connecting south to existing infrastructure in Tangerine Road. Pima County Wastewater representatives expressly stated public sewer infrastructure would not be permitted to cross Big Wash, effectively

making this option unfeasible. As such, to meet the intent of the condition, the sewer concept was developed with three phases which are outlined below.

Phase 1 – provide a stub-out to serve Parcel 5-B

The Home Owners Association for Parcel 5-B (Monterrey Homes) was contacted and has declined the stub-out specified in the condition.

Phase 2 – west side of Big Wash (this development)

A temporary public lift station maintained by Pima County Wastewater will serve the applicant's subdivision until future development occurs along the Moore Road loop to the south, including the future Amphitheater school site. When the school is constructed, a permanent public lift station will be constructed at the school site to handle wastewater for the developments along the Moore Road loop, connecting to the existing infrastructure in the Rancho Vistoso right-of-way.

Phase 3 – east side of Big Wash (future)

The future development of Parcel 5-H (east of Big Wash) will construct a public lift station connecting to the existing infrastructure in Rancho Vistoso Boulevard on the east side of Neighborhood 5.

To accommodate the aging system in Sun Vistoso, Pima County Wastewater is considering taking over responsibility for the maintenance and upkeep of the aging lift stations.

The proposed concept addresses wastewater needs throughout Neighborhood 5 and provides a solution for addressing wastewater infrastructure needs for future residential developments. Staff feels the concept meets the original intent of the sewer condition.

3. Moore Road realignment

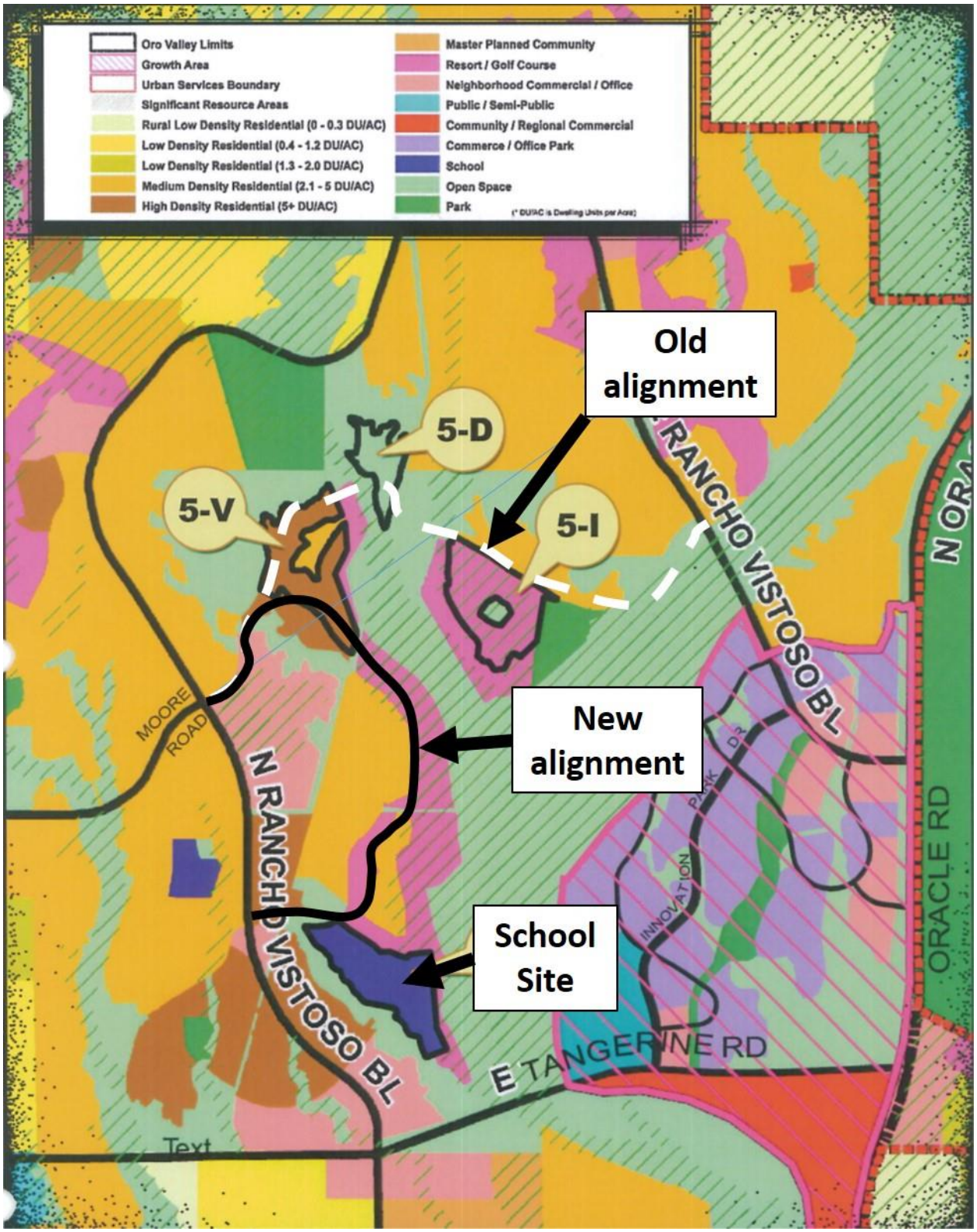
As part of the original Rancho Vistoso PAD approved in 1987, Moore Road extended across Big Wash connecting to both sides of the Rancho Vistoso Boulevard loop. As part of the amendment, Moore Road was realigned to its current configuration as a loop road connecting on the north with Rancho Vistoso Boulevard and on the south with Arrowsmith Drive (see Attachment 5).

There were a number of benefits of realigning the road, however, the two primary justifications for the new alignment were:

- It would serve the future Amphitheater school site which was moved as part of the amendment to a parcel northeast of the existing Safeway shopping center; and

- The new alignment would have significantly less environmental impact by no longer crossing Big Wash.

The applicant's proposal is the first development application along the new Moore Road loop extension and represents a significant step for the area. When the loop road is completed, the area will see a significant increase in the amount of daily traffic as there are additional vacant residential and commercial properties adjoining either side of the road as it extends south. Lastly, the loop road will be the sole access to the future Amphitheater school site discussed previously.



2009 RANCHO VISTOSO NEIGHBORHOOD 5 MAJOR GPA AMENDMENT AREA

MATTAMY HOMES - ALTERRA AT VISTOSO TRAILS (OV1215-14)

Attachment 7

ATTACHMENT 8
MATTAMY HOMES - ALTERRA AT VISTOSO TRAILS CONCEPTUAL SITE PLAN, LANDSCAPE PLAN AND MASTER RECREATION AREA PLAN ANALYSIS

Project details are provided in the table below:

Total lots	150
Density (du/ac)	0.77 du/ac
Maximum Building height	30 ft
Minimum lot size	7,200 sq. ft.
Average lot size	7,800 sq. ft.
Open space	46%

Staff has worked extensively with the applicant to improve the vehicular and pedestrian network along Moore Road. As noted above, the subdivision incorporates two points of ingress/egress and a number of pedestrian connections, including continuation of the planned multi-use path along Moore Road. These connections will significantly improve connectivity within the area, specifically for the future school site south of the subject property.

Conceptual Landscape Plan

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, as well as landscaping in all common areas. The landscape plan preserves a majority of a riparian wash that bisects the property as natural open space. The Landscape Plan meets all applicable Rancho Vistoso PAD and Zoning Code requirements.

Master Recreation Area Plan

Staff has worked with the applicant, the Parks and Recreation Advisory Board and the Rancho Vistoso HOA to develop a Master Recreation Area Plan (see Attachment 3) for the future park site. As discussed previously, the applicant is required to provide a portion of the park in conjunction with this development. The park plan encompasses approximately 6.9-acres adjacent to the future Moore Road Loop extension and includes the following:

Phase 1 (3.0-acres constructed with this development)

- Ramada w/picnic tables
- 2 play structures (1 tot-lot, 1 older age play structure)
- Turf area including U-8 soccer field
- Trailhead connections
- Drinking fountain

Phase 1 also incorporates a pedestrian underpass between the park space and the residential to the north to provide more convenient and safe access to the park.

Phase 2 (3.9-acres constructed with future development)

- Ramada w/picnic table
- Restroom facilities
- Free play lawn
- 2 dog parks (1 small dog, 1 large dog)
- Trailhead connections
- Drinking fountain

Both the Rancho Vistoso HOA and Parks and Recreation Advisory Board (PRAB) have reviewed and support the proposed plan. Furthermore, PRAB has recommended approval of the proposed Master Recreation Area Plan.

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 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 6.

Attachment 9
Mattamy Homes – Alterra at Vistoso Trails
Rancho Vistoso PAD, Design Principles and Design Standards Analysis

Rancho Vistoso PAD conformance

The applicant's proposed design, with conditions, will be consistent with the development standards of the Town Center zoning district and Medium-High Density Residential development standards.

Oro Valley Zoning Code Conceptual Site Design Principles, Section 22.9.D.5.a

The Conceptual Site Plan, with conditions, will be 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 and higher density condominiums. The proposed subdivision incorporates the required landscape buffers along Moore Road further visually separating the proposed residences from the roadway. Furthermore, the property sits substantially lower than adjacent residences to the west. 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.

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.

Development will primarily avoid encroachment, other than road crossings, into the riparian area that bisects the property. The applicant is required to work with the Army Corps of Engineers to obtain the necessary permits for encroachment and any remediation.

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. The subdivision incorporates sidewalks throughout and will continue the planned multi-use path along Moore Road.

A pedestrian underpass will be incorporated into the design to maintain a safe and convenient access between the community park and the residential neighborhood.

The design also includes a number of trails and trail head connections to the existing trail network within the area.

Traffic circles have been incorporated to ensure safe, efficient movement of traffic along Moore Road. Required crosswalks and pedestrian refuge areas have been incorporated into the traffic circles to minimize pedestrian/vehicle conflicts.

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 and entries, including side entry garages, which 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 sidewalks providing access to the multi-use path along Moore Road and trail connections to the larger trail network within the area.

Attachment 10
Mattamy Homes – Alterra at Vistoso Trails
Neighborhood Meeting Summary

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.

Conceptual Site Plan - Mattamy Homes Alterra at Vistoso Trails
Conceptual Design Review Board Staff Report

CASE NUMBER: OV1215-14

MEETING DATE: September 20, 2016

AGENDA ITEM: **3**

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

Applicant: Paul Oland, The WLB Group Inc. on behalf of Mattamy Homes

Request: A 150-lot single family residential development on 115-acres involving the following development applications:

- Conceptual Site Plan
- Conceptual Landscape Plan
- Master Recreation Area Plan

Location: North of the future Moore Road loop extension, approximately ½-mile east of the intersection Rancho Vistoso Boulevard and Moore Road.

Recommendation: Recommend approval of the applicant's proposal.

SUMMARY:

The applicant's request (Attachment 1 and 2) is to develop the approximately 115-acre property as follows:

- 150 detached single-family lots
- Two points of vehicular ingress/egress
- Master Recreation Area Plan for a 6.9-acre neighborhood park

The subject property is located approximately ½-mile east of the intersection of Rancho Vistoso Boulevard and Moore Road along the future Moore Road Loop extension (Attachment 3). The site is currently zoned Rancho Vistoso PAD Medium High Density Residential and Open Space.

The Conceptual Site Plan and Landscape Plan conform with the Rancho Vistoso Planned Area Development and Conceptual Design Principles and Design Standards of the Zoning Code.

A key focus of the review involved addressing several remaining conditions of approval from a 2009 General Plan Amendment for Rancho Vistoso Neighborhood 5, most notably a planned

neighborhood park to serve the area. The park condition required development of an approximately 6.9-acre neighborhood park within Neighborhood 5. Staff has worked with the applicant, the Ranch Vistoso Home Owners Association and the Town's Parks and Recreation Advisory Board to create a Master Recreation Area Plan (see Attachment 3) for the future park site. The applicant is responsible for developing half of the park acreage, including all associated amenities.

BACKGROUND/DETAILED INFORMATION:

Current Site Conditions

- The property encompasses approximately 115-acres
- Vacant
- Located in Rancho Vistoso Neighborhood 5

The subject property is designated as Medium-High Density Residential, High Density Residential and Resort/Golf Course on the General Plan Future Land Use Map. The site is zoned Medium-High Density Residential and Golf/Recreation in the Rancho Vistoso PAD. The General Plan and zoning designations for the property and the surrounding area are depicted in Attachment 4.

Approvals to Date

- 1987: The property was part of the original Rancho Vistoso PAD.
- 2009: A Major General Plan and Planned Area Development Amendments were approved for Rancho Vistoso Neighborhood 5

The 2009 Major General Plan Amendment for Rancho Vistoso Neighborhood 5 shifted a number of land uses and involved three noteworthy changes which directly affect the subject property. A detailed discussion of those changes is provided below:

1. Rancho Vistoso Neighborhood 5 Community Park

The original Rancho Vistoso PAD included specific areas where the development of park space was to occur. Currently, Neighborhood 5 is the only residential neighborhood within Rancho Vistoso which has not developed this required park space.

As part of the 2009 Major General Plan Amendment, the following condition was included regarding the need to develop the park:

> *"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 in 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 the PRAB".

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The relocation of the park and Master Recreation Area Plan proposed by the applicant meets the original intent of the General Plan condition.

As such, Town staff (including Planning and Parks and Recreation) worked with the applicant, the Rancho Vistoso Home Owners Association and the Parks and Recreation Advisory Board (PRAB) to relocate the park space to a property adjacent to the applicant's proposed subdivision along the new Moore Road Loop. This new location is conveniently located near the future school site and provides much better access for the majority of residents within Neighborhood 5.

The new location for the community park similarly has a zoning designation of Rancho Vistoso PAD – Golf/Rec which supports the use of the land as a recreation area. This new location was originally intended to be more passive recreation, while the original park site in the middle of the wash was intended for active recreation. The applicant is requesting to switch the parks location to meet the intent of the General Plan condition and PAD.

Furthermore, a Master Recreation Area Plan (Attachment 3) was required for the park. In developing this plan, staff and the developer have worked with the Rancho Vistoso HOA and the Town's Parks and Recreation Advisory Board. The Master Recreation Area Plan provides details regarding the entire 6.9-acre community Park and the applicant is required to provide a portion of the overall acreage and with this development. The remainder of the park will be completed as part of future residential development within Neighborhood 5.

The Rancho Vistoso HOA supports the proposed park project and the Parks and Recreation Advisory Board has recommended approval of the proposal.

2. Rancho Vistoso Neighborhood 5 Sewer infrastructure

A second condition that was part of both the 2009 Major General Plan Amendment and PAD Amendment addressed future sewer infrastructure needs within Rancho Vistoso Neighborhood 5. The condition:

"Vistoso Partners will install a new gravity sewer line from a connection point on Tangerine Road north to the existing lift station serving Sun City Vistoso, Units 9 & 10.

> *In addition, a sewer stub-out shall be provided to the boundary of Parcel 5-B in order to provide a connection opportunity to relieve the Parcel 5-B lift station should that HOA elect to construct such a connection in the future.*
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> *The sewer main connection to the existing Sun City lift station shall be constructed according to the other timelines set forth in the existing agreement with the Amphitheater School District or at the time another development within this amendment area generates the need for sewer, as determined by the Town Engineer, whichever is required first. The location of the sewer line will be along the west bank of Big Wash and will continue by gravity to the closest connection point on Tangerine Road, as dictate by Pima County Wastewater Management."*

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Phase 1 – provide a stub-out to serve Parcel 5-B

The Home Owners Association for Parcel 5-B (Monterrey Homes) was contacted and has declined the stub-out specified in the condition.

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A temporary public lift station maintained by Pima County Wastewater will serve the applicant's subdivision until future development occurs along the Moore Road loop to the south, including the future Amphitheater school site. When the school is constructed, a permanent public lift station will be constructed at the school site to handle wastewater for the developments along the Moore Road loop, connecting to the existing infrastructure in the Rancho Vistoso right-of-way.

Phase 3 – east side of Big Wash (future)

The future development of Parcel 5-H (east of Big Wash) will construct a public lift station connecting to the existing infrastructure in Rancho Vistoso Boulevard on the east side of Neighborhood 5.

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The proposed concept addresses wastewater needs throughout Neighborhood 5 and provides a solution for addressing wastewater infrastructure needs for future residential developments. Staff feels the concept meets the original intent of the sewer condition.

3. Moore Road realignment

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1) It would serve the future Amphitheater school site which was moved as part of the amendment to a parcel northeast of the existing Safeway shopping center; and

2) The new alignment would have significantly less environmental impact by no longer crossing Big Wash.

The applicant's proposal is the first development application along the new Moore Road loop extension and represents a significant step for the area. When the loop road is completed, the area will see a significant increase in the amount of daily traffic as there are additional vacant residential and commercial properties adjoining either side of the road as it extends south. Lastly, the loop road will be the sole access to the future Amphitheater school site discussed previously.

DISCUSSION / ANALYSIS:

A detailed analysis of the Conceptual Site Plan's, Landscape Plan's and Master Recreation Area Plan's conformance is provided below.

<u>Conceptual Site Plan</u>

The applicant's request (Attachment 1 and 2) has the following components:

- The proposal includes 150 detached single-family lots on approximately 115-acres. Lot sizes range from a minimum of 7,200 sq. ft. to 8,400 sq. ft.
- Two points of vehicular ingress/egress
- Buffer yards and landscaped common areas

- Continuation of the planned multi-use path along Moore Road
- Bicycle and pedestrian connections

Project details are provided in the table below:

Total lots	150
Density (du/ac)	0.77 du/ac
Maximum Building height	30 ft
Minimum lot size	7,200 sq. ft.
Average lot size	7,800 sq. ft.
Open space	46%

Staff has worked extensively with the applicant to improve the vehicular and pedestrian network along Moore Road. As noted above, the subdivision incorporates two points of ingress/egress and a number of pedestrian connections, including continuation of the planned multi-use path along Moore Road. These connections will significantly improve connectivity within the area, specifically for the future school site south of the subject property.

Conceptual Landscape Plan

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, as well as landscaping in all common areas. The landscape plan preserves a majority of a riparian wash that bisects the property as natural open space. The Landscape Plan meets all applicable Rancho Vistoso PAD and Zoning Code requirements.

Master Recreation Area Plan

Staff has worked with the applicant, the Parks and Recreation Advisory Board and the Rancho Vistoso HOA to develop a Master Recreation Area Plan (see Attachment 3) for the future park site. As discussed previously, the applicant is required to provide a portion of the park in conjunction with this development. The park plan encompasses approximately 6.9-acres adjacent to the future Moore Road Loop extension and includes the following:

Phase 1 (3.0-acres constructed with this development)

- Ramada w/picnic tables
- 2 play structures (1 tot-lot, 1 older age play structure)
- Turf area including U-8 soccer field
- Trailhead connections
- Drinking fountain

Phase 1 also incorporates a pedestrian underpass between the park space and the residential to the north to provide more convenient and safe access to the park.

Phase 2 (3.9-acres constructed with future development)

- Ramada w/picnic table
- Restroom facilities
- Free play lawn
- 2 dog parks (1 small dog, 1 large dog)
- Trailhead connections
- Drinking fountain

Both the Rancho Vistoso HOA and Parks and Recreation Advisory Board (PRAB) have reviewed and support the proposed plan. Furthermore, PRAB has recommended approval of the proposed Master Recreation Area Plan.

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 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 6.

Engineering

Traffic

The proposed development includes two access points providing ingress/egress from the neighborhood onto the Moore Road loop extension. Moore Road will consist of one travel lane in each direction separated by a raised median. The road will also incorporate dedicated left turn lanes, bike lanes, sidewalks and a multi-use path. The northern access will incorporate a traffic circle while the southern access will be a conventional "T" style intersection.

This development is similar to the other developed areas of 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 southeasterly 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. The development is required to mimic existing conditions by not increasing or decreasing the amount of post-developed runoff.

The development encroaches into a Federal Emergency Management Agency (FEMA) Flood Zone, which will require an official map revision to be filed with the Agency.

The development is required to elevate structures above the regulatory floodplain and will incorporate appropriate bank stabilization and erosion mitigation.

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 as well as the Town's Subdivision Street Standards.

PUBLIC PARTICIPATION:

Neighborhood Meetings

One neighborhood meeting was held on September 15, 2014 regarding the applicant's proposal. Approximately 20 residents attended the meeting. The primary topics discussed during the meeting included:

- Traffic: Neighbors voiced concern about the increased level of traffic at the intersection of Moore Road and Rancho Vistoso Boulevard. Staff discussed the future signal to be located at the intersection and its eventual impact on current traffic conditions.

- Lighting: Neighbors were concerned about the potential impacts from light pollution from the Community Park. Staff discussed the need to meet the existing lighting code requirements.

A copy of the neighborhood meeting minutes have been provided in Attachment 7.

No additional correspondence has been received by staff.

CONCLUSION/RECOMMENDATION:

Based on the following findings:

- The request is in conformance with the Rancho Vistoso Planned Area Development and Town of Oro Valley Zoning Code

- The Parks and Recreation Advisory Board has recommended approval of the Master Recreation Area Plan.

Recommend approval to Town Council of the Mattamy Homes Conceptual Site Plan, Landscape Plan and Master Recreation Area Plan.

SUGGESTED MOTIONS:

I MOVE to recommend approval of the Mattamy Homes Conceptual Site Plan, Landscape Plan and Master Recreation Area Plan, based on the findings in the staff report.

OR

I MOVE to recommend denial of the Mattamy Homes Conceptual Site Plan, Landscape Plan and Master Recreation Area Plan finding that _____.

ATTACHMENTS:

1. Conceptual Site Plan and Landscape Plan
2. Master Recreation Area Plan
3. Location Map
4. General Plan and Zoning Maps
5. 2009 General Plan Amendment summary
6. Rancho Vistoso PAD, Design Principles and Design Standards Analysis
7. Neighborhood Meeting Summary

_____
Bayer Vella AICP, Planning Manager

MINUTES
ORO VALLEY CONCEPTUAL DESIGN REVIEW BOARD
SPECIAL SESSION
September 20, 2016
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

SPECIAL SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chair Eggerding called the September 20, 2016, Special Session of the Oro Valley Conceptual Design Review Board to order at 6:00 pm.

PLEDGE OF ALLEGIANCE

Chair Eggerding led the members of the Board and Audience in the Pledge of Allegiance.

ROLL CALL

PRESENT: Dick Eggerding, Chair
Bruce Wyckoff, Vice Chair
Sarah Chen, Member
Nathan Basken, Member
Hal Linton, Member
Jacob Herrington, Member
Kit Donley, Member

ABSENT: None

ALSO PRESENT: Vice Mayor Waters
Council Member Hornat
Joe Andrews, Chief Civil Deputy Attorney

CALL TO AUDIENCE

There were no speaker requests.

COUNCIL LIAISON COMMENTS

There were no Council comments for this meeting.

1. REVIEW AND/OR APPROVAL OF THE AUGUST 9, 2016 REGULAR SESSION MEETING MINUTES

Member Linton requested a change to the August 9, 2016 minutes noting he abstained from Item 4.

MOTION: A motion was made by Vice Chair Wyckoff and seconded by Member Herrington to approve the August 9, 2016 regular session meeting minutes.

MOTION carried, 7-0.

2. DISCUSSION AND POSSIBLE ACTION ON REQUESTS RELATED TO A PROPOSED ASSISTED LIVING AND MEMORY CARE FACILITY LOCATED AT 9005 N ORACLE ROAD, OV1601387

Robert Kirschman, Senior Planner, provided a presentation that included the following:

- Purpose
- Parking Space Deviation
- Conceptual Site Plan
- Alternative Parking Ratio
- Conceptual Landscape Plan
- Senior Care Requirements
- Surrounding Development
- Neighborhood Meeting Information

Matt Booma, Senior Vice President of Development of CA Ventures, representing the developer and owner, provided a presentation that included the following:

- Zoning Within Base Standards
- Building Elevations
- Technical Site Plan
- Roof Mounted Elevations

Key topics raised by the Board:

- Roof mounted air conditioning units
- Proposed parking numbers and how to manage on special days
- Follow up question on shuttle buses if parking full
- Window treatments on second floor in regards to afternoon sun
- Concern or compromise of parking ratio and how to know that clients will not be driving
- Traffic flow for emergency vehicles
- Total occupancy at peak capacity is 104 residents
- Significant vegetation relocation
- Internal garbage enclosure clarification and trash pickup
- One way counter clockwise traffic
- Concern of parking and people needing to park offsite.

- Where is the nearest bus stop?
- Likelihood of public transportation higher in other cities and needing a plan for better parking management
- Questioned on if ratio between Memory Care and Assisted Living clients absolute
- Breakdown of caregivers to service personnel

Chairman Eggerding opened the Public Hearing.

There were no speaker requests.

Chairman Eggerding closed the Public Hearing.

Member Linton suggested an additional condition be added requiring the owner to monitor the parking situation.

Chad Daines, Principal Planner, recommended that the Board take action on alternative parking ratio, without the suggested condition.

MOTION: A motion was made by Vice Chair Wyckoff and seconded by Member Chen to recommend approval to Town Council of the Oro Valley Senior Living Facility Conceptual Site Plan (including alternative parking ratio, waiver from separate pedestrian access ways and significant vegetation reduction), Landscape Plan and Recreation Area Plan subject to the condition in Attachment 1.

MOTION carried, 7-0.

MOTION: A motion was made by Vice Chair Wyckoff and seconded by Member Herrington to recommend approval to Town Council of the Oro Valley Senior Care Facility Conceptual Architecture.

MOTION carried, 7-0.

3. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CONCEPTUAL SITE PLAN, LANDSCAPE PLAN AND MASTER RECREATION AREA PLAN FOR THE ALTERRA AT VISTOSO TRAILS SUBDIVISION, LOCATED HALF MILE EAST OF MOORE ROAD AND RANCHO VISTOSO BOULEVARD, OV1215-14

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

- Conceptual Site Plan
- General Plan Conditions
- Park Amenities
- Neighborhood Meetings
- Moore Road
- Park broken into 2 phases

Key Topics raised by the Board:

- Inquiry on length of time since the neighborhood meeting
- Moore Road Alignment
- Rational of dividing the park into two phases
- Traffic Circle
- Continuation of Moore Road as a future Right of Way
- Assurance of Moore Road continuing to Arrowsmith Drive, whether public or private

Paul Oland, The WLB Group, representing the property owner, Mattamy Homes, provided a presentation that included the following:

- Vistoso Trails
- Additional Neighborhood Meetings
- Second Part of Moore Rd is Separate Ownership

Key Topics Raised by the Board:

- Wash flow direction and question whether water needed pumping
- Sewer versus Lift Station
- Sewage pump stations back up generators
- Park Share Agreement with the three different phases
- Park amenities that Mattamy Homes are responsible for in Phase One
- Question on shaded play areas
- Comment on open space conservation

Chair Eggerding opened the Public Hearing

Paul Loomis, Oro Valley Resident, spoke regarding the following issues:

- Main concern regarding notification to homebuyers of public trails
- Partial Park Concern

The Board questioned public access to trail systems.

- Chad Daines, Principal Planner, stated the Board could recommend a condition be added to the CC&R's notifying residents of nearby public trail systems and activities.

Board inquired about the possibility of the park being built in one phase.

MOTION: A motion was made by Vice Chair Wyckoff and seconded by Member Herrington recommend approval of the Mattamy Homes Conceptual Site Plan, Landscape Plan, and Master Recreation Area Plan, based on the findings in the staff report, and condition be added to the CC&R's notifying owners of the nearby public access to trails in the area.

MOTION carried, 7-0.

4. PUBLIC HEARING ON REQUESTS RELATED TO THE NAKOMA SKY SENIOR LIVING FACILITY LOCATED AT THE SOUTHEAST CORNER OF 1ST AVENUE AND NARANJA DRIVE, OV1601351

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

- Site Plan / Landscape Plan
- Tentative Development Plan
- Grading Exception
- Interconnected Paths and Trails
- Senior Care Requirements
- Separated Pedestrian Access Ways
- Recreation Plan
- Rezoning Architectural Concept
- Architectural Concept

Keri Silvyn, Esq., with Lazarus, Silvyn, & Bangs, representing Nakoma Sky, provided information regarding the following:

- Height
- Grading Waiver
- Cut and Fill Strategy

Member Linton questioned if there are any special requirements in regards to building on filled land.

Member Wyckoff suggested presenting each item separately.

Chairman Eggerding opened the Public Hearing.

Paul Loomis, Oro Valley Resident, voiced concern regarding Water Detention Retention Waiver.

Key Topics raised by the Board regarding grading exception:

- Had a drainage report had been completed?
- Were any problems and/or remedies with the drainage waiver?

Chairman Eggerding Closed the Public Hearing.

MOTION: A motion was made by Member Donley and seconded by Vice Chair Wyckoff recommend approval to Town Council of the Nakoma Sky Senior Living Facility Grading Exception, subject to the conditions in Attachment 1.

MOTION carried, 7-0.

Jeff Grobstein, Oro Valley Resident, stated his full support of the development.

Member Linton questioned whether a bridge could be built across the wash to Oracle Road.

MOTION: A motion was made by Vice Chair Wyckoff and seconded by Member Basken to approve recommendation to Town Council of the Nakoma Sky Senior Living Facility Conceptual Site Plan (including waiver of separated pedestrian access ways), Landscape Plan, and Recreation Area Plan, subject to the conditions in Attachment 1.

MOTION carried, 7-0.

Gary Koerner, President, Three Living Architects, provided a presentation addressing color palette issues and other minor changes since the August 9, 2016 meeting..

MOTION: A motion was made by Member Chen and seconded by Vice Chair Wyckoff recommend approval to Town Council of the Nakoma Sky Senior Living Facility Architecture.

MOTION carried, 7-0.

PLANNING UPDATE (INFORMATIONAL ONLY)

Chad Daines, Principal Planner, presented the Planning Update:

- Conceptual Design Review Board, October 11 may be cancelled
- September 21 Town Council Meeting three upcoming items
- October 5 Town Council Meeting two upcoming items
- No Upcoming Neighborhood Meetings

ADJOURNMENT

MOTION: A motion was made by Vice Chair Wyckoff and seconded by Member Herrington adjourn was made by Bruce Wyckoff, Vice Chair and seconded by Jacob Herrington, Member to adjourn the Conceptual Design Review Board at 7:58 pm.

PARKS AND RECREATION ADVISORY BOARD REPORT

DATE: November 9, 2015

TO: Parks and Recreation Advisory Board (PRAB)

FROM: Bayer Vella, Planning Manager
Michael Spaeth, Senior Planner

SUBJECT: Rancho Vistoso Neighborhood 5 Community Park

This purpose of this agenda item is for the Parks and Recreation Advisory Board (PRAB) to review and provide a recommendation to Town Council regarding a proposed Conceptual Master Recreation Area Plan in Rancho Vistoso Neighborhood 5.

A projected timeline of the remaining steps required for park approval is provided at the end of this memo.

DISCUSSION

Staff and the applicant, Mattamy Homes, met with the Parks and Recreation Advisory Board (PRAB) on May 26, 2015 regarding a proposed community park to be constructed in Rancho Vistoso Neighborhood 5 along the future Moore Road loop. During the meeting, staff outlined the code requirements for development of the park and committed to return to PRAB to present a concept plan for the park.

Following the PRAB meeting in May, staff and the applicant met with board members from the Rancho Vistoso Homeowners Association to discuss design and programming for the park. Subsequently, the applicant has met individually with the Homeowners Association on several occasions to continue discussions regarding the desired design and programming. The concept master recreation area plan developed as a result of these meetings is provided in Attachment 1.

The proposed park will be located along the future Moore Road loop (Attachment 2) and will incorporate numerous amenities, including:

- Dog park
- Grass fields
- Ramada's with picnic tables
- Shaded play structures
  (1 tot-lot and 1 elementary school age)
- Restroom facilities
- Multiple trailheads
- Parking

In July, Town Council approved two applications, a Minor General Plan and Planned Area Development Amendment, which established the conditions of approval (Attachment 3) for development of the park. The conditions specify the review, timing of development and

general location of the proposed park. The park will be constructed in conjunction with a future proposed subdivision (on Rancho Vistoso Neighborhood 5 parcels G, K and V) immediately adjacent to the proposed park.

The conditions of approval require PRAB approval of the master recreation area plan in conjunction with Town Council consideration of the conceptual site plan for the proposed subdivision. A projected timeline for key dates regarding the proposed park and correlating conceptual site plan is provided below.

Timeline

- November 17, 2015: Consideration of concept plan for recommendation
- February 9, 2016: Conceptual Design Review Board consideration of the conceptual site plan.
- March 16, 2016: Town Council consideration of the conceptual site plan, including the proposed master recreation area plan.

RECOMMENDATION / CONCLUSION: Recommend approval of the Concept Master Recreation Area Plan.

ATTACHMENTS:

1. Concept Master Recreation Area Plan
2. Proposed park location
3. Conditions of Approval for the associated Conceptual Site Plan

MINUTES
ORO VALLEY PARKS & RECREATION ADVISORY BOARD
REGULAR SESSION
Hopi Conference Room
11000 N. La Canada Drive
ORO VALLEY, ARIZONA 85737

Tuesday, November 17, 2015

CALL TO ORDER AT OR AFTER 6:00 PM

Chair Wade called the meeting to order at 6:00 p.m.

ROLL CALL

PRESENT: Adam Wade, Chair
Sue Bishop, Member
Betty Danker, Member
Alison Sutton-Ryan, Member

EXCUSED: Sarah Corning, Member
Thomas Carle, Member

Staff Present: Kristy Diaz-Trahan, Parks and Recreation Director
Mary Snider, Councilmember
Michael Spaeth, Senior Planner
Jeanna Ancona, Senior Office Specialist

CALL TO AUDIENCE - At this time, any member of the public is allowed to address the Parks & Recreation Advisory Board on any issue not listed on today's agenda. Pursuant to the Arizona Open Meeting Law, individual 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 Parks & Recreation Advisory 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.

2. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PROPOSED RANCHO VISTOSO NEIGHBORHOOD 5 COMMUNITY PARK, LOCATED NEAR THE FUTURE MOORE ROAD LOOP EXTENSION, APPROXIMATELY ¼-MILE EAST OF RANCHO VISTOSO BOULEVARD

Click here for report

Michael Spaeth, Senior Planner for the Department of Development and Infrastructure Services, presented an overview of the historical background, recreation uses and project timeline for the proposed park. Gary Grizzle of The WLB Group, representing Mattamy Homes, presented slides of plans for the 6.9 acre park developed in conjunction with the Rancho Vistoso HOA. Residents' top five amenities desired: dog park, open play turf area, tot lot, hiking/walking trails and ramadas/picnic tables. Developed master plan based on resident feedback. Work will be completed in two phases. Restrooms will be completed in Phase Two. Concerns were raised regarding the restrooms being needed sooner. Pat Straney, president of the Ranch Vistoso HOA explained the cost of building and maintaining the restrooms versus the beginning slower use of this private community park. Dennis Ottley, Rancho Vistoso HOA Treasurer stated that homeowner dues would increase in order to pay for cost of building and maintaining. Kristy Diaz-Trahan, Parks and Recreation Director stated that building a restroom in Phase One would take away some of the amenities to offset the cost.

MOTION: A motion was made by Member Bishop and seconded by Member Danker approve the master plan as presented.

MOTION carried, 4-0.

ADJOURNMENT

Chair Wade adjourned the meeting at 8:29 p.m.

Town Council Regular Session **Item # 3.**

Meeting Date: 11/16/2016

Requested by: Bayer Vella

Submitted By: Michael Spaeth, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED GRADING EXCEPTION FOR THE SANCTUARY AT SILVERHAWKE SUBDIVISION, LOCATED NEAR THE NORTHEAST CORNER OF 1ST AVENUE AND NARANJA DRIVE

RECOMMENDATION:

The Conceptual Design Review Board will consider the applicant's request during the November 10, 2016 meeting. The Board's recommendation will be forwarded to Town Council following the meeting.

EXECUTIVE SUMMARY:

The applicant's request (Attachment 2) is for a grading exception for parts of the proposed subdivision, to allow cuts in excess of the 6 feet currently allowed by the zoning code. The subject property (Attachment 3) is located near the northeast corner of 1st Avenue and Naranja Drive. An application to develop 44 single-family homes on the property is currently under final review by staff.

The existing intersection at 1st Avenue and Naranja Drive established where access would be provided for any future subdivision on the property. As such, there is a substantial grade difference between the existing intersection and the surrounding grade where the access point is to be located. The applicant's request to exceed the cut limitations will permit the roadway to be designed in a safe and efficient manner as required by the Town's Subdivision Street Standards.

The applicant's proposal is consistent with the grading exception review criteria of the Zoning Code and is supported by staff, subject to the condition listed in Attachment 1.

The Conceptual Design Review Board will consider the applicant's request on November 10, 2016. The Board's recommendation will be forwarded to Town Council following the meeting.

BACKGROUND OR DETAILED INFORMATION:

Current Site Conditions

- The property encompasses approximately 131 acres
- Currently vacant

The General Plan and Zoning designations for the property are Master Planned Community and R1-144 respectively. Maps of the subject property and the surrounding area are provided in Attachments 4 and 5.

Approvals to Date

- 1994: Property annexed into the Town
- 2015: Conceptual Site Plan and Landscape Plan approved by Town Council

DISCUSSION / ANALYSIS:

Grading Exception:

A Final Site Plan is currently under final review for a 44-lot single-family residential subdivision (Attachment 6). Subdivision access is provided by a connection to the existing intersection at 1st Avenue and Naranja Drive. This existing intersection was designed to serve a future subdivision on the subject property.

This entry is one of two access points for the subdivision, the other serving two lots located off Palisades Road, and will serve as the primary access for a majority of the subdivision. The 1st Avenue access will also serve as the sole entry point for the future Lofts at Oro Valley development located east of the subject property.

The Zoning Code establishes limitations on the heights of cuts and fills permitted within a development. The maximum height of any cut or fill cannot exceed 6 feet, unless a grading exception is granted by Town Council, following recommendation of the Conceptual Design Review Board. The applicant has submitted a grading exception application, which is provided as Attachment 2.

The grading exception is necessary for the following reasons:

- There is a substantial grade difference (approximately 12 to 15 feet) between the existing road profile for the intersection and the area of the proposed access point (Exhibit “C” in Attachment 2).
- Without the grading exception, a less safe and desirable road design would be built.

The Zoning Code provides evaluative criteria for the review of a grading exception. The applicant's request, with conditions, is consistent with the review criteria. A summary of the proposals conformance with the criteria is provided in Attachment 7.

PUBLIC PARTICIPATION:

Neighborhood Meeting

A neighborhood meeting is not required by the Zoning Code. Public notice was provided to surrounding property owners and all Home Owners Associations. To date, no public comment has been provided.

Conceptual Design Review Board

The Conceptual Design Review Board (CDRB) will consider the applicant's request on November 10, 2016. The Board's recommendation will be forwarded to Town Council following the meeting. The CDRB staff report is included as Attachments 8.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to approve the grading exception for the Sanctuary at Silverhawke subdivision, subject to the conditions in Attachment 1.

OR

I MOVE to deny the grading exception for the Sanctuary at Silverhawke subdivision finding _____.

Attachments

ATTACHMENT 1 - CONDITIONS OF APPROVAL
ATTACHMENT 2 - APPLICANT'S PROPOSAL
ATTACHMENT 3 - LOCATION MAP
ATTACHMENT 4 - GENERAL PLAN LAND USE MAP
ATTACHMENT 5 - ZONING MAP
ATTACHMENT 6 - FINAL SITE PLAN
ATTACHMENT 7 - GRADING EXCEPTION ANALYSIS
ATTACHMENT 8 - CDRB STAFF REPORT

ATTACHMENT 1
SANCTUARY AT SILVERHAWKE – GRADING EXCEPTION
CONDITIONS OF APPROVAL

Planning Conditions

1. The grading exception is limited as described and depicted in Attachment 2. The site shall conform to all other requirements relating to grading provided in the Zoning Code.

2. All cut slopes shall be treated with a restorative agent and revegetated to reflect existing native vegetation. All areas of disturbance shall be recontoured to mimic existing grades.

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Engineering • Planning
Surveying • Urban Design
Landscape Architecture

October 18, 2016

Bayer Vella, AICP
Planning Administrator
Town of Oro Valley
11000 N. La Canada Dr.
Oro Valley, AZ 85755

Subject: **Sanctuary at Silverhawke**
Narrative to Accompany Grading Exception Application
WLB No. 182053-J-002

Dear Bayer:

This narrative accompanies an application requesting a Grading Exception for the Sanctuary at Silverhawke project. Please refer to the attached Exhibit A showing the location of the property subject to this Grading Exception Request. This narrative serves to summarize this request and provide responses to the five required findings per the Oro Valley Zoning Code, Section 22.10.E Exceptions and Interpretation Review.

Request

This request for Grading Exception is to seek relief from the maximum cut and fill requirements of the Oro Valley Zoning Code at the project entrance located on 1st Ave. Section 27.9.E.1.a of the Oro Valley Zoning Code states the following:

> *The maximum depth of a cut or fill shall not exceed six (6) feet measured vertically from the existing grade to the finished elevation. The depth of a cut or fill slope may be increased to eight (8) feet when terracing is utilized in conformance with Illustration 27.9 - 3. The terraces shall be landscaped to the satisfaction of the Town. For any construction, the height of exposed, constructed slopes shall not exceed 12 feet in vertical dimension.*

Section 27.10.D.3.g.v.g.2.B: of the Oro Valley Zoning Code further states the following:

> *Cut and Fill Limits. The maximum cut or fill restrictions in Section 27.9 may be increased and shall not exceed twelve (12) feet measured vertically from existing grade to finished grade elevation.*

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The Town's design of 1st Avenue necessitates this request and the exception is essential to providing proper access to the development. We request a Grading Exception for this property in order to allow additional cuts and fills beyond the 12 feet in certain areas of the site that are permitted by 27.10.D.3.g.v.g.2.B of the Oro Valley Zoning Code.

Areas on Site Subject to the Grading Exception

This Grading Exception would apply to the area of the area near the intersection of 1st Avenue and Naranja. The existing curb return for the future entrance road at 1st and Naranja is built in such a way that requires a significant amount of cut to meet the grade of the proposed entry road. This area would receive between approximately 12 to 15 feet of cut to meet the grade of the existing intersection curb return. Please see Exhibit B.

Findings and Responses to the Five Findings for a Grading Exception

1. The exception meets the intent and purpose of this code:

As is stated in Section 27.9 Grading of the Oro Valley Zoning Code, "The purpose of this ordinance (grading) is to provide for the public health, safety and general welfare and to protect and preserve aesthetics of the natural environment through regulation of all types of excavation and earthwork on private and/or public land."

The grading on this site will be in conformance with the regulations and development standards of the Oro Valley Zoning Code (with the exception of the requested revisions herein) and the Design Guidelines for the Town of Oro Valley. All of these documents will act to provide for the public health, safety and general welfare as it relates to this property and this Grading Exception will not detract from these items.

The Design Guidelines of the Town of Oro Valley contain regulations that protect and preserve the aesthetics of the natural environment. Those regulations include the following items:

- The general idea of the grading concept is to utilize contour grading and landscaping techniques in the creation of cut slopes to achieve appearances that emulate natural, undisturbed slopes.
- All exposed disturbed areas will be re-vegetated with plant material and treated to create a natural appearance.
- Long slopes may be designed to include bench terraces.

The WLB Group Inc.

- Tops and toes of slopes shall be rounded to smoothly transition with the natural grades.
- Cut slopes will be sculpted and re-vegetated to emulate naturally existing slopes.
- Seeding and erosion control techniques will be employed.
- Constructed slopes will be built using materials and colors such that they will blended in to the natural environment to the greatest degree possible.
- Slopes will be landscaped in accordance with the Design Guidelines of the Town of Oro Valley.

2. Granting the exception constitutes the minimum to allow the proposed improvement.

   The project as designed cannot be constructed as planned and as currently shown on the approved Conceptual Site Plan without this requested Grading Exception.

3. The conditions on the property area unique such that strict adherence to this section would cause an unnecessary hardship which substantially limits the preservation and enjoyment of property rights.

   This property is located in a unique area and has unique conditions that necessitate this Grading Exception. The existing curb return for the future entrance road at 1st and Naranja was built in such a way that requires a significant amount of cut to meet the grade of the proposed entry road. This area would receive between approximately 12 to 15 feet of cut to meet the grade of the existing intersection curb return. As such, in order to develop the property adjacent to 1st Avenue and construct a street on the site that would connect with 1st Avenue, the area of the entry must be cut in excess of 12 feet.

4. The exception imposes conditions so as not to constitute a granting of a special privilege.

   The Grading Exception, if approved, will allow a unique project with high quality development standards to be constructed. The following conditions would be applicable to this Grading Exception:

   - With the exception of the requirements, grading would be in compliance with the grading standards in the Oro Valley Zoning Code.

The WLB Group Inc

- Slope treatments would be constructed in full compliance with the high quality standards and development regulations of the town of Oro Valley.

5. The exception will not be materially detrimental to persons residing in the vicinity, to adjacent property and to the neighborhood or the public welfare in general.

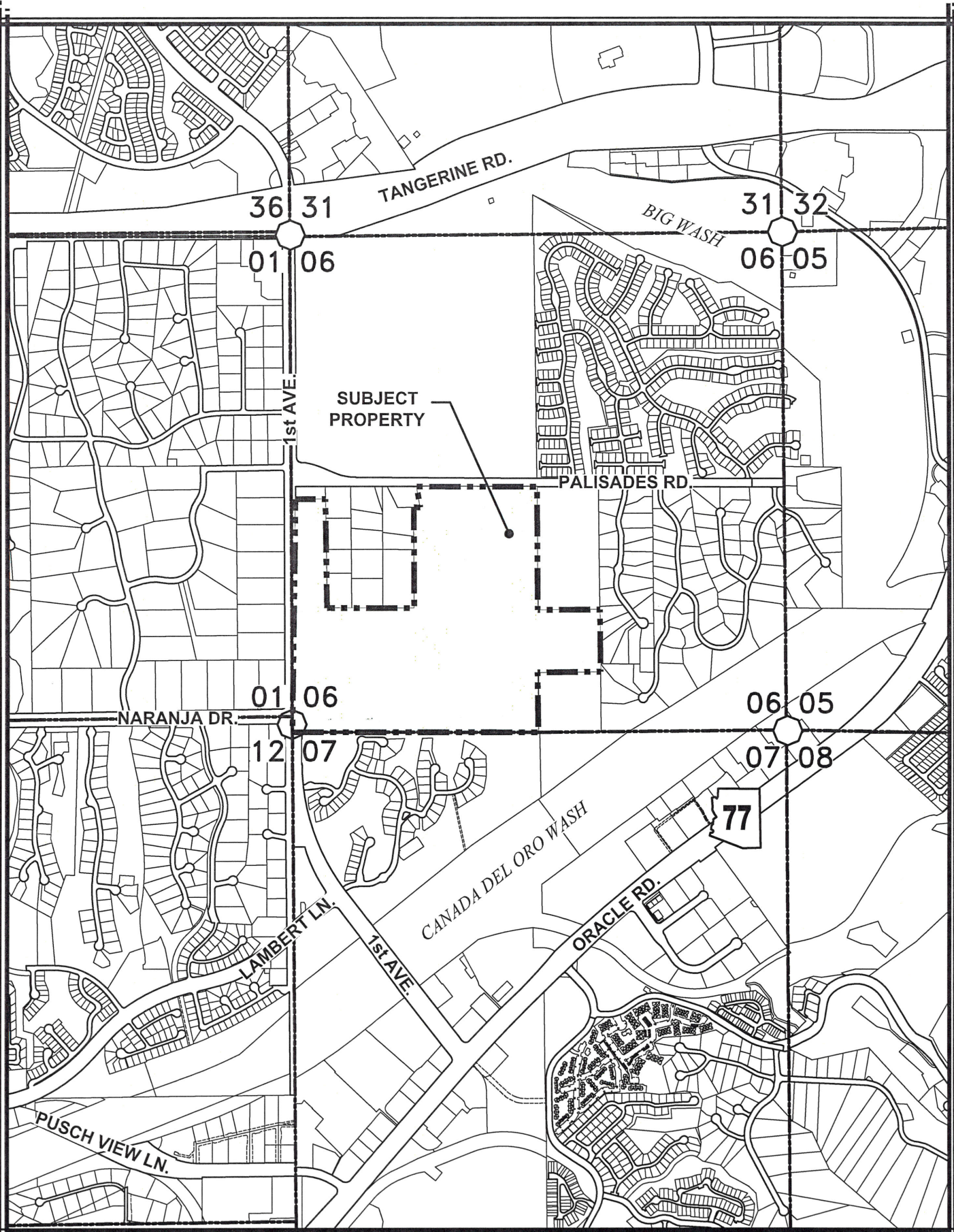
    - The existing curb return for the future entrance was built in such a way that requires a signification amount of cut to meet the grade of any proposed entry road. This exception is essential to providing proper access to the development.

    - The location of the entry site will not be materially detrimental to persons residing in the vicinity. Because this exception is for a cut, views will be limited by the intervening topography on either side of the proposed road. The work will only be visible by higher speed traffic traveling on 1st Avenue and would not be materially detrimental to the passing traffic.

We appreciate the opportunity to submit this application. Please do not hesitate to contact me with any questions.

Sincerely,
THE WLB GROUP, INC.

Paul Oland
Sr. Project Manager



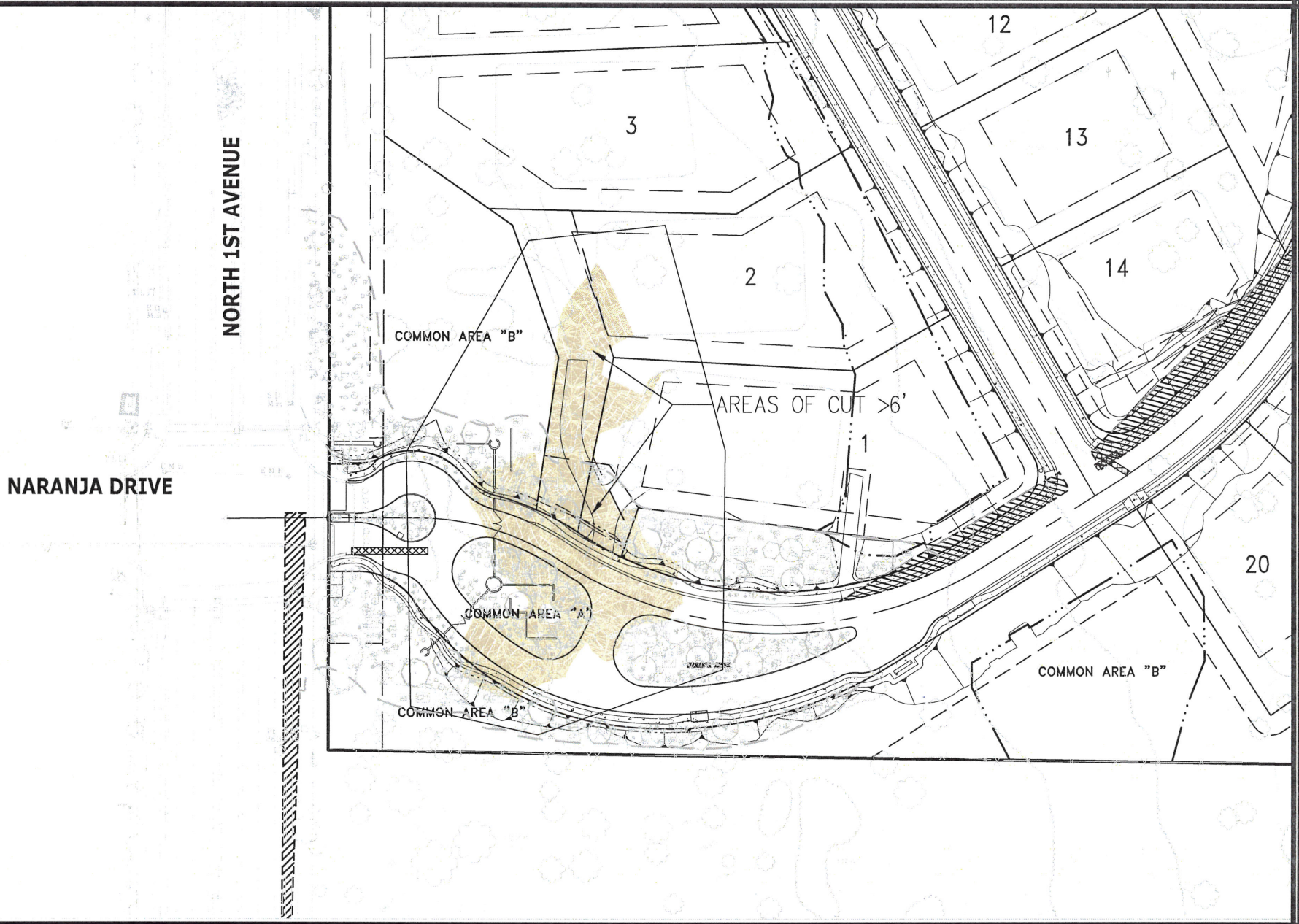
The WLB Group Inc. **WLB**

EXHIBIT A
SITE LOCATION MAP

10.04.2016
WLB No. 182053-J-002

0 Miles 1/4

Q:\182053\J-002 - The Sanctuary at Silverhawke\04 Platting\Grading Exception\A - Site Lo Oct. 13, 2016



The WLB Group Inc.
TUCSON - PHOENIX - LAS VEGAS - FLAGSTAFF
520.881.7480 - tucson@wlbgroup.com

THE SANCTUARY at SILVERHAWKE
EXHIBIT 'B'

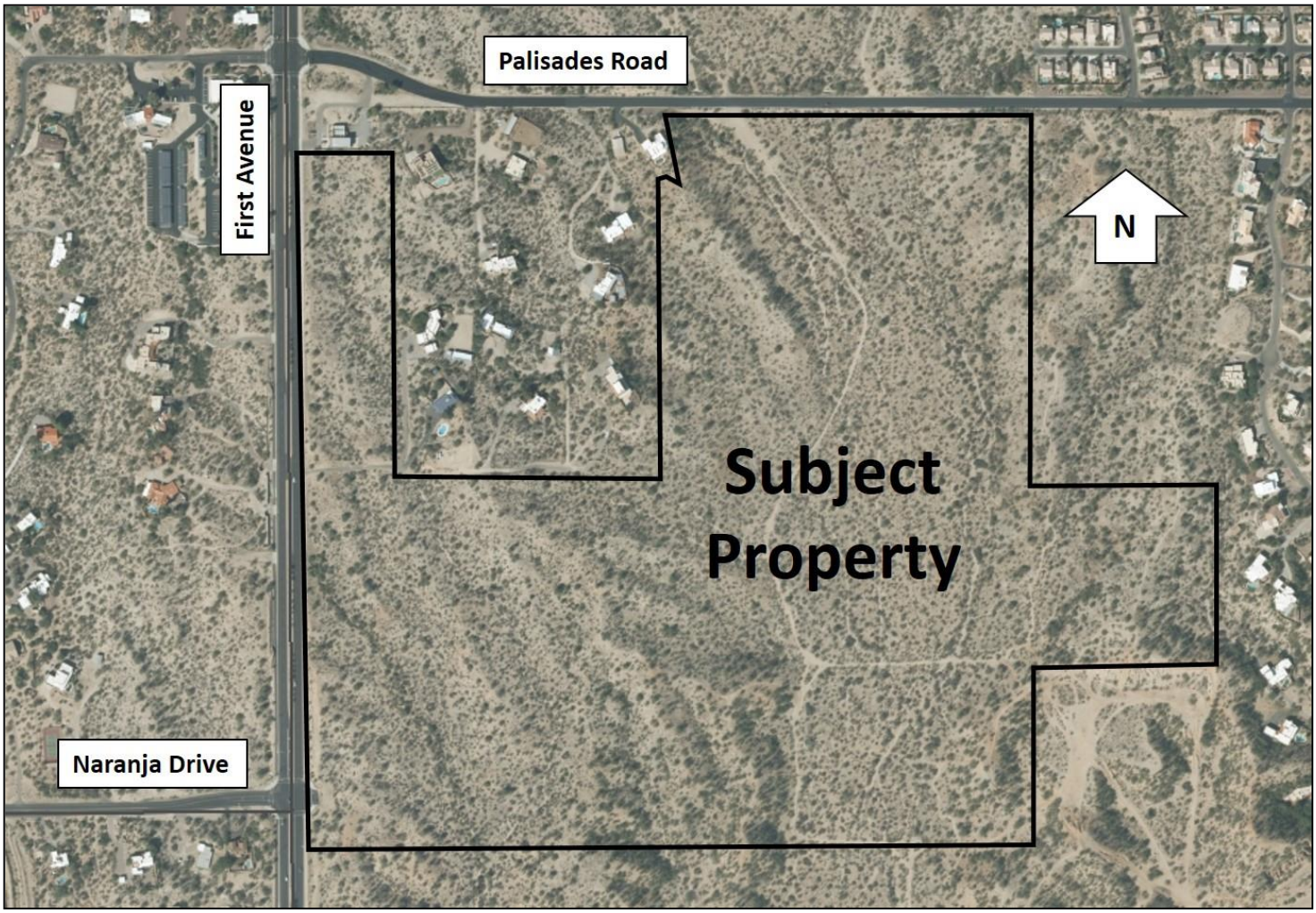
2016.10.18
WLB No. 182053-J-002

0' 100'

Q:\182053\J-002 - The Sanctuary at Silverhawke\Exhibits\CUT-FILL-Over 6Feet.dwg Plotted: Nov. 07, 2016

The WLB Group
WLB
TUCSON – PHOENIX – LAS VEGAS – FLAGSTAFF
520.881.7480 – tucson@wlbgroup.com

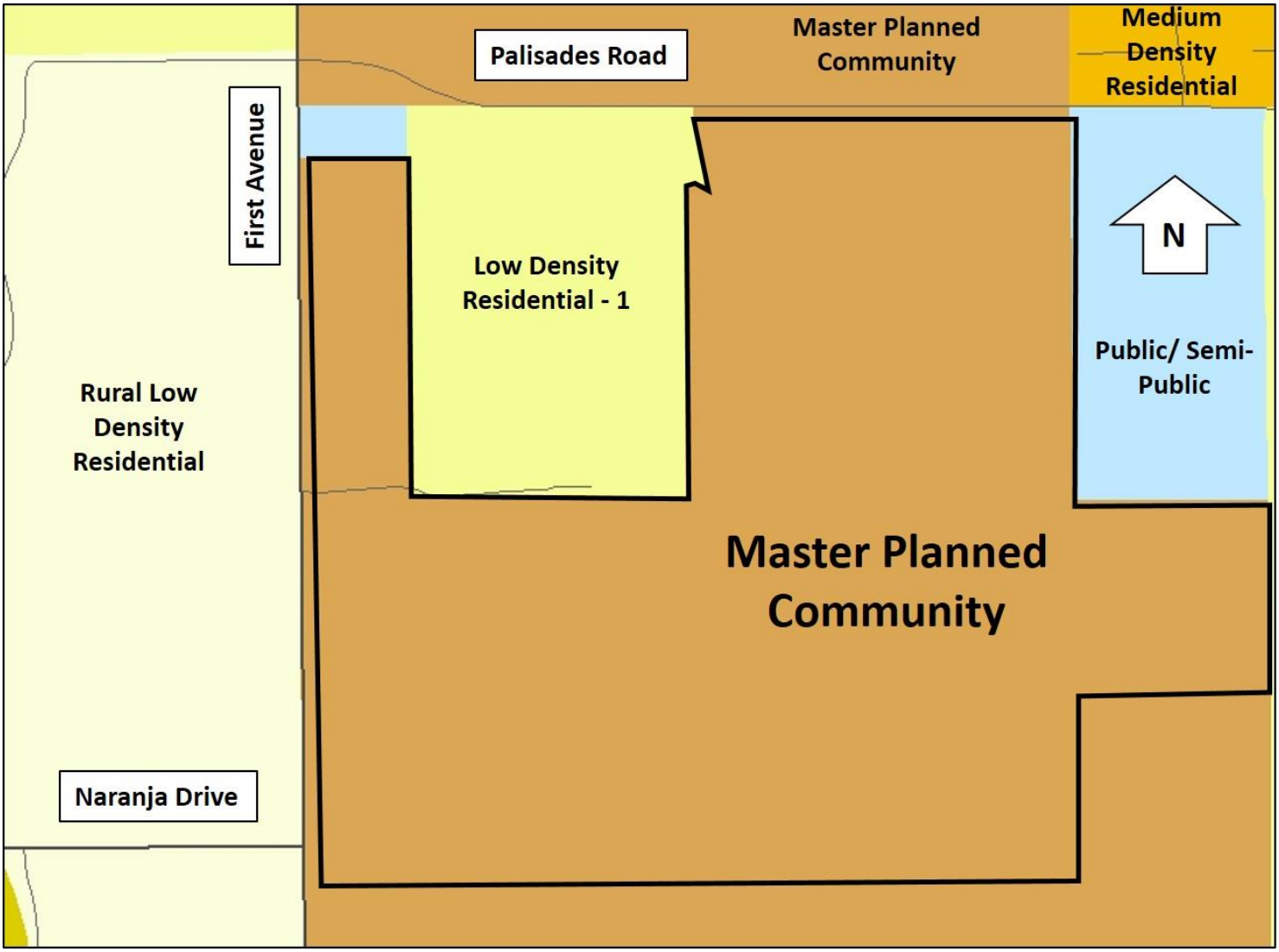
THE SANCTUARY at SILVERHAWKE
EXHIBIT 'C'



SUBJECT PROPERTY MAP

SANCTUARY AT SILVERHAWKE
(OV1602831)

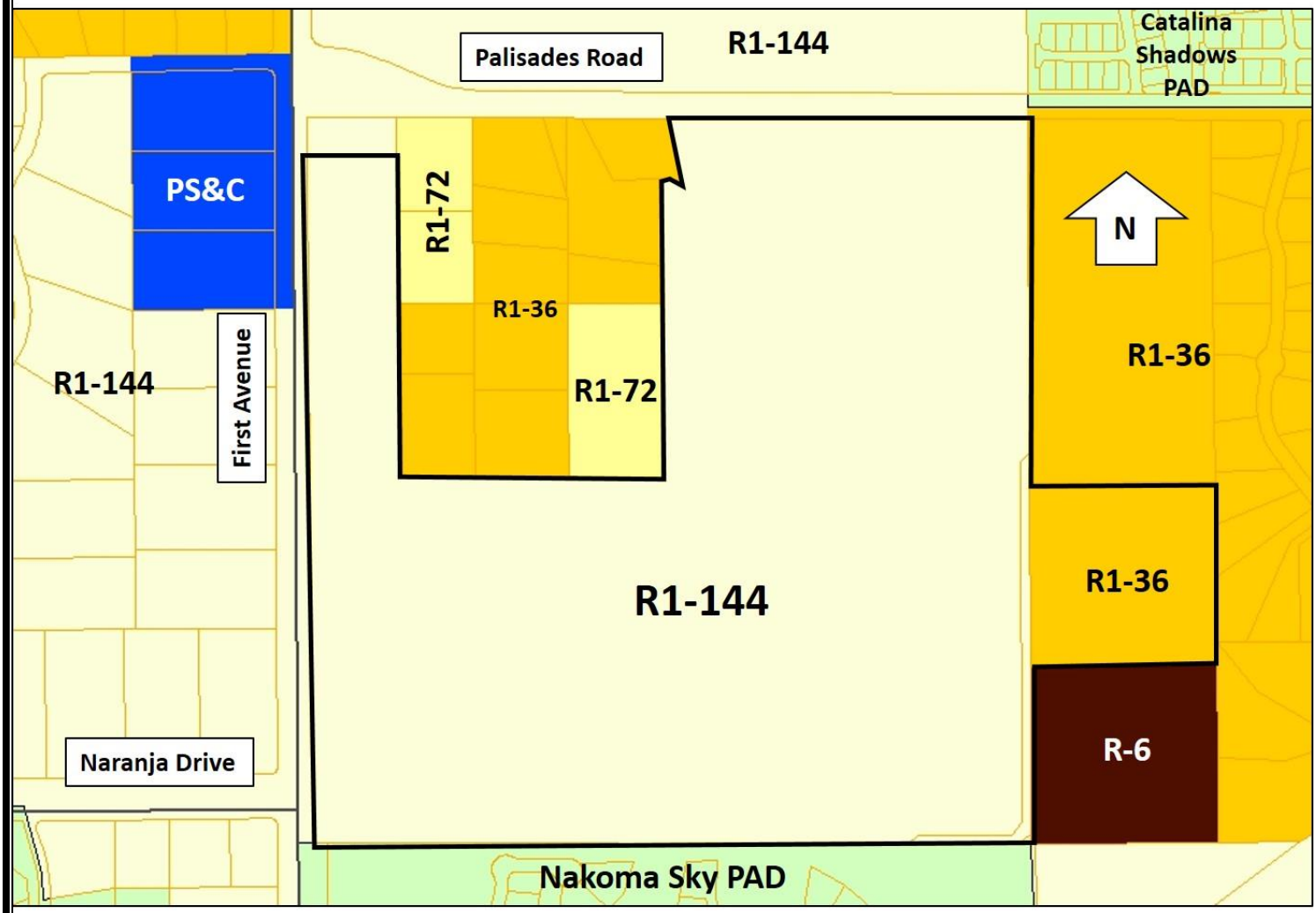
Attachment 3



GENERAL PLAN MAP

SANCTUARY AT SILVERHAWKE
(OV1602831)

Attachment 4



ZONING MAP

SANCTUARY AT SILVERHAWKE
(OV1602831)

Attachment 5

FINAL SITE PLAN
SANCTUARY AT SILVERHAWKE
OV1214-07

GENERAL NOTES

1. THE GROSS AREA OF THIS DEVELOPMENT IS 132.24 ACRES.
   TOTAL UNDISTURBED AREA IS 88.06 ACRES.
2. THE PROPOSED NUMBER OF RESIDENTIAL UNITS IS 44 (0.33 UNITS PER ACRE)
3. TOTAL LENGTH OF NEW PRIVATE STREET IS 0.80 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. GROSS AREA OF ALL IMPERVIOUS SURFACES = 175,896 S.F.
7. MULTI-USE PATH TO BE CONSTRUCTED WITH THIS "SANCTUARY AT SILVERHAWKE" PROJECT IF THIS PROJECT IS DEVELOPED PRIOR TO THE PROJECT NORTH OF EAST PALISADES ROAD.

PLANNING GENERAL NOTES

1. MAXIMUM ALLOWED BUILDING HEIGHT = 18', EXCEPT THAT MAXIMUM BUILDING HEIGHT FOR PITCHED ROOF HOMES = 23'. (PER ESLO FLEXIBLE DEVELOPMENT OPTION –BUILDING HEIGHT) OR WITHIN 150 FT. OF PALISADES RD. SHALL BE LIMITED TO 20 FT. HEIGHT FOR PITCHED ROOF HOMES OR 18 FT. FOR FLAT ROOF HOMES.
2. TOTAL AMOUNT OF OPEN SPACE REQUIRED = 54.20 ACRES
   TOTAL AMOUNT OF OPEN SPACE PROVIDED = 86.85 ACRES
3. TOTAL AMOUNT OF LANDSCAPED COMMON AREAS = 1.40 ACRES
4. SETBACKS REQUIRED FOR R1-144 ZONING DISRICT: 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 AREAS ARE AS FOLLOWS:
   C.A. "A"=PRIVATE STREETS AND PUBLIC AND PRIVATE UTILTIIES, C.A. "B"=LANDSCAPE/OPEN SPACE), C.A. "C"=FUTURE PRIVATE STREET.
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 = 20,202 (PER ESLO FLEXIBLE DEVELOPMENT OPTION – CONSERVATION SUBDIVISION DESIGN – LOT SIZE REDUCTION)
   LOT SIZE RANGE SHOWN = 20,202 S.F. TO 41,862 S.F. AVERAGE LOT SIZE = 28,702± 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.
11. BUILDING PAD AND DRIVEWAY LOCATIONS SHOWN ARE SCHEMATIC, AND SUBJECT TO ADJUSTMENT DURING THE GRADING DESIGN AND PERMITTING PHASE.
12. IN ACCORDANCE WITH SECTION 27.10.F.2.f.vii, 2.80 ACRES OF ESOS (RMA TIER 2) ARE BEING PROVIDED AS OFF-SITE MITIGATION FOR THE VILLAGES AT SILVERHAWKE SUBDIVISION.

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. BASIS OF ELEVATION FOR THIS PROJECT IS A BRASS CAP SURVEY MONUMENT BEING THE INTERSECTION OF EAST NARANJA DRIVE AND NORTH FIRST AVENUE. SAID ELEVATION BEING 2647.46 (NGVD 29).
5. MATERIALS WITHIN SIGHT VISIBILITY TRIANGLES MUST BE PLACED SO AS TO NOT INTERFERE WITH A VISIBILITY PLANE DESCRIBED BY TWO HORIZONTAL LINES LOCATED THIRTY (30) INCHES AND SEVENTY TWO (72) INCHES ABOVE FINISHED GRADE OF ROADWAY SURFACE.
6. ALL WEATHER ACCESS MUST BE PROVIDED TO ALL LOTS WITHIN THE SUBDIVISION.
7. INDIVIDUAL TYPE 1 GRADING PERMITS WILL BE REQUIRED FOR EACH LOT.
8. THE MAXIMUM ALLOWABLE CUT/FILL SLOPE IS 12' PER SECTION 27.10.D.3.g.v.g.2.B.
9. CULVERTS CROSSING UNDERNEATH THE PRIVATE STREETS WITHIN THIS DEVELOPMENT SHALL BE MAINTAINED BY THE H.O.A.

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.
7. ALL DRAINAGE WAYS WILL BE CONSTRUCTED ACCORDING TO APPROVED PLANS PRIOR TO THE ISSUANCE OF ANY PERMITS FROM THE TOWN ENGINEER AND/OR BUILDING OFFICIAL FOR ALL PARCELS WITHIN THIS DEVELOPMENT.
8. DRAINAGE MUST BE COLLECTED AND RELEASED FROM A PROPOSED DEVELOPMENT AT THE LOCATIONS AND IN THE MANNER EXISTING PRIOR TO DEVELOPMENT.
9. DRAINAGE WAYS MUST BE PROVIDED WHERE NECESSARY TO CARRY DRAINAGE FLOWS THROUGH OR FROM THE DEVELOPMENT AND SUCH DRAINAGE WAYS MUST BE DEDICATED AND MAINTAINED BY PROPERTY OWNERS OR PROPERTY OWNERS ASSOCIATION.
10. DRAINAGE WAYS MUST BE DESIGNED TO NOT DISCHARGE ONTO PAVED STREETS, EASEMENTS OR PARKING AREAS.
11. PARKING AREAS MUST NOT BE USED AS DETENTION BASINS.
12. A FLOODPLAIN USE PERMIT AND/OR FINISHED FLOOR ELEVATION CERTIFICATES ARE REQUIRED FOR THE FOLLOWING LOTS: LOTS 1–6, 20, 31–32, 38, 43–44.
13. ALL DRAINAGE DESIGN NOT COMPLIANT WITH THE FINAL DRAINAGE REPORT WILL REQUIRE A DRAINAGE ANALYSIS UNDER SEPARATE COVER.
14. THE FOLLOWING LOTS ARE AFFECTED BY THE TOWN OF ORO VALLEY FLOODPLAIN REGULATIONS: 1–6, 20, 31–32, 38, 43–44.
15. DUE TO CUSTOM LOT GRADING, LOT TO LOT DRAINAGE WILL BE PERMITTED WITHIN THE SANCTUARY AT SILVERHAWKE DEVELOPOMENT PROJECT.
16. DRAINAGE CALCULATIONS WILL BE SUBMITTED FOR ANY CULVERT INSTALLATION UNDERNEATH DRIVEWAY ENTRANCES TO CUSTOM LOTS TO VERIFY ALL WEATHER ACCESS REQUIREMENTS.

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.

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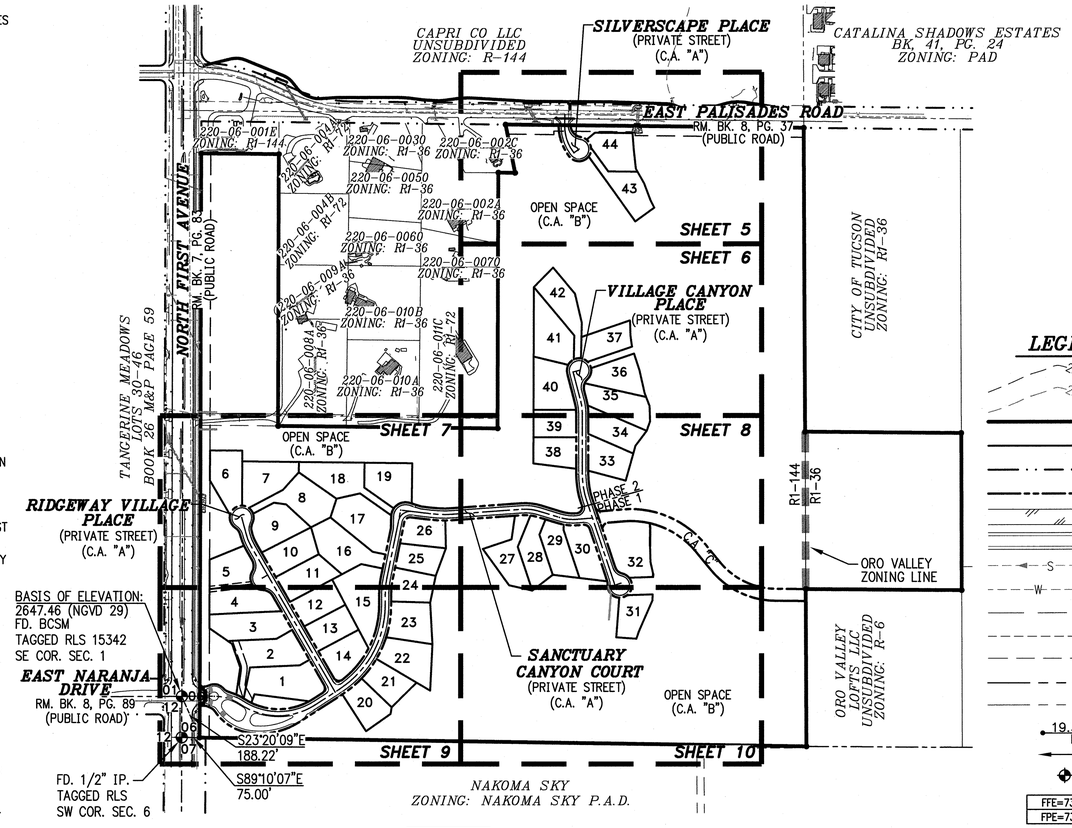
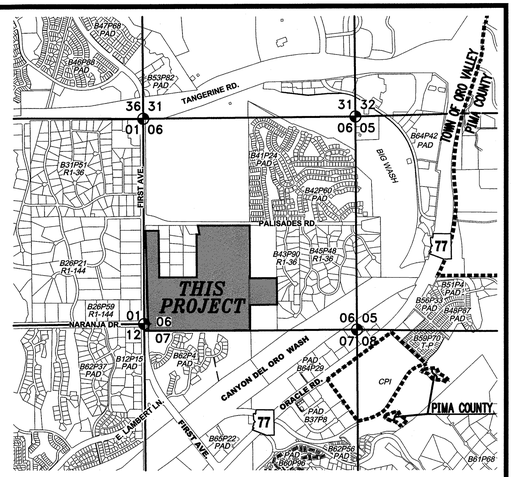


OFF-SITE IMPROVEMENT PLANS PER SEPARATE SUBMITTAL REQUIRED FOR NARANJA DRIVE & 1ST AVENUE TRAFFIC IMPROVEMENTS (STRIPING, & TRAFFIC LIGHT INSTALLATION) & PALISADES ROAD PATHWAY IMPROVEMENT.

0' 300' 600' 900'

PROJECT OVERVIEW



3" = 1 MILE

LOCATION MAP

A PORTION OF SECTION 6
T12S, R14E, G & S.R.M., TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

LEGEND

2850	EXIST. MAJOR CONTOUR	EX	EXISTING
2849	EXIST. MINOR CONTOUR		ASPHALT PAVEMENT
	PROJECT BOUNDARY		TOP OF SLOPE (SLOPES ≤ 3:1 UNLESS NOTED) BOTTOM OF SLOPE
	PROPOSED LOT LINE		
	EXISTING RIGHT-OF-WAY LINE		SIGHT VISIBILITY TRIANGLE (SVT)
	PROPOSED RIGHT-OF-WAY LINE		
	EXIST. PAVEMENT		15% SLOPE AREAS
	PROPOSED CURB		25% SLOPE AREAS
S	EXIST. PUBLIC SEWER LINE & MANHOLE		EXIST. 100 YR FLOOD PLAIN
W	EXIST. PUBLIC WATERLINE & VALVE		PROPOSED 100 YR FLOOD PLAIN
	EXISTING EASEMENT LINE		EROSION HAZARD SETBACK
	PROPOSED EASEMENT LINE		CRITICAL RESOURCE AREA
	LOT SETBACKS (TYP.)		EXISTING RIPRAP
	SECTION LINE		PROPOSED RIPRAP
	QUARTER SECTION LINE		PROPOSED EROSION MITIGATION
19.35 FG	PROPOSED SPOT ELEVATION		EXISTING ZONING BOUNDARY LINE
	DIRECTION OF FLOW		PROPOSED DRIVEWAY LOCATION (CORNER DOUBLE SIDED LOTS)
	SECTION CORNER OR 1/4 SECTION CORNER		STABILIZED SURFACE PER RWRD 111
FFE=73.67 / FPE=73.00	FINISHED FLOOR ELEVATION / FINISHED PAD ELEVATION		EXIST. CULVERT
	GRADE BREAK (GB/HP/LP)		PROPOSED CULVERT
	PROPOSED WATER METER		PROPOSED CONCRETE SIDEWALK
	SHEET MATCHLINES		
	WATERSHED BOUNDARY		

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 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.

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

MERITAGE HOMES
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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.
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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..... RESTRICTED HILLSIDES
SHEETS 5–10.... SITE PLAN
SHEETS 11–12.. DETAIL SHEETS

Registered Professional Engineer (Civil) CERTIFICATE NO. 22217 COREY THOMPSON 6-8-16 Date Signed ARIZONA U.S.A.
EXPIRES 9/30/2016

APPROVAL

BY: _____ _____
TOWN CLERK — DATE

BY: _____ _____
PLANNING AND ZONING ADMINISTRATOR — DATE

BY: _____ _____
TOWN ENGINEER — DATE

BY: _____ _____
ORO VALLEY WATER UTILITY DIRECTOR — DATE

OV1214–07
FINAL SITE PLAN
FOR
SANCTUARY AT SILVERHAWKE
LOTS 1 THROUGH 44 AND COMMON AREAS "A" (PRIVATE STREETS), COMMON AREA "B" (OPEN SPACE/ LANDSCAPING/DRAINAGE/UTILITIES/TRAILS) AND COMMON AREA "C" (FUTURE PRIVATE STREET)

BEING A PORTION OF SECTION 6
TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

JANUARY 2016
WLB NO. 182053–J–002
CONTOUR INTERVAL: 1' SCALE: AS SHOWN
REF. CASE #OV113–009

The WLB Group INC. WLB
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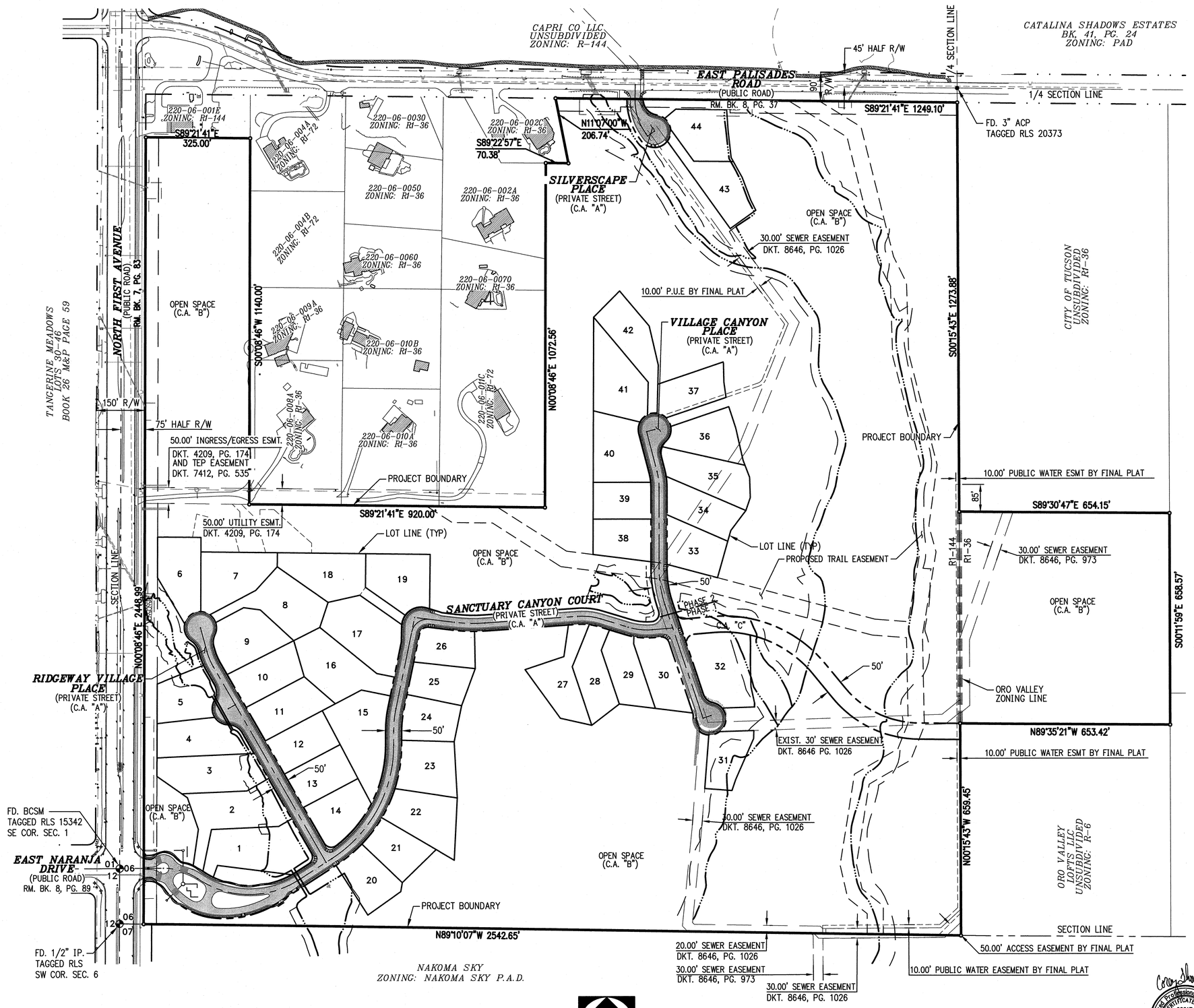

OVERALL SITE PLAN

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Registered Professional Engineer (Civil)
CERTIFICATE NO. 22217
COREY THOMPSON
Date Signed 8-2-16
ARIZONA U.S.A.
EXPIRES 9/30/2016

OV1214-07

FINAL SITE PLAN FOR SANCTUARY AT SILVERHAWKE

LOTS 1 THROUGH 44 AND COMMON AREAS "A" (PRIVATE STREETS), COMMON AREA "B" (OPEN SPACE/ LANDSCAPING/DRAINAGE/UTILITIES/TRAILS) AND COMMON AREA "C" (FUTURE PRIVATE STREET)

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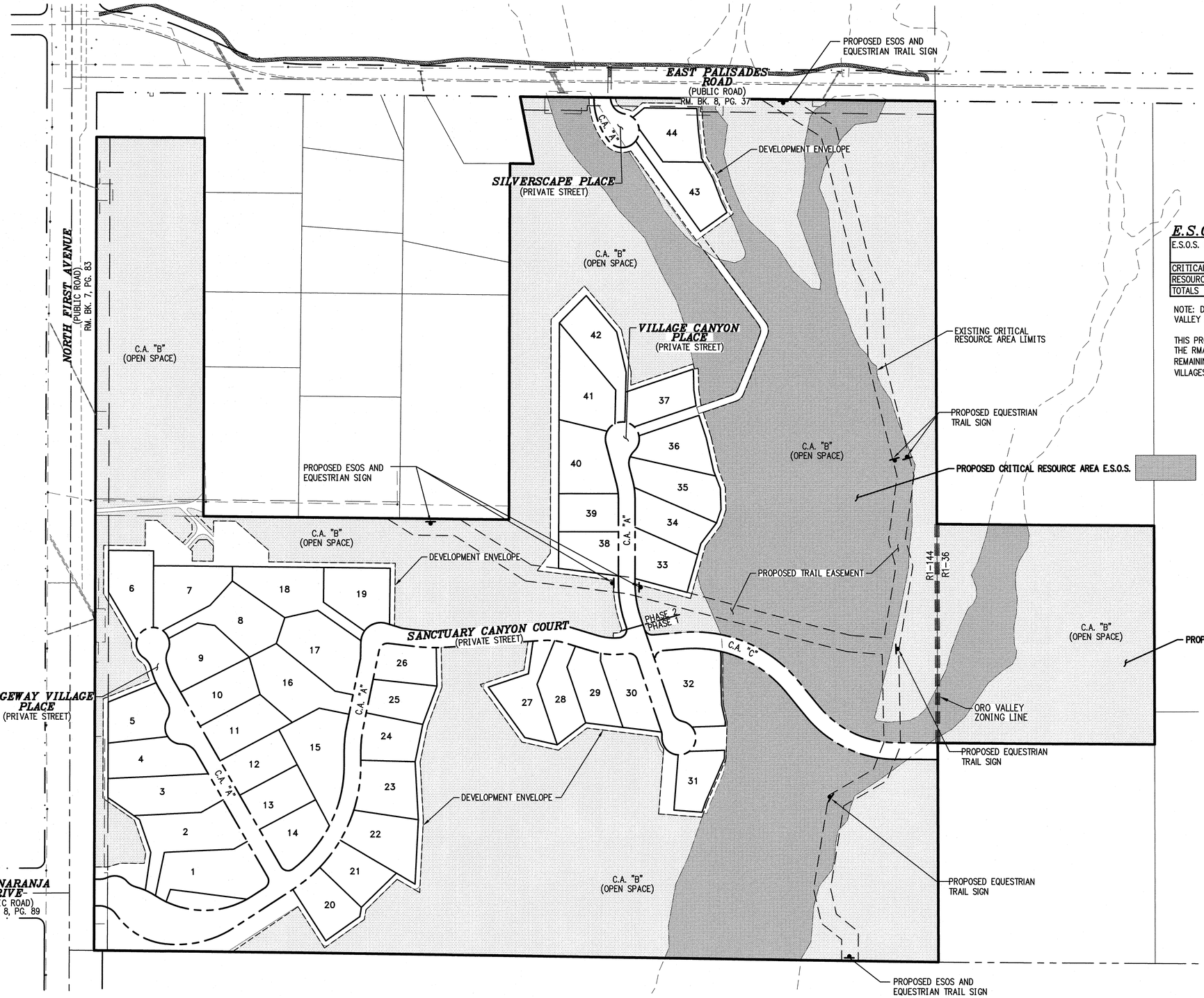
TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

JANUARY 2016
WLB NO. 182053-J-002
CONTOUR INTERVAL: 5' SCALE: 1"=150'

REF. CASE #OV113-009

SHEET 2 OF 12



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	30.74	29.20 (95%)	29.20 (95%)	0
RESOURCE MANAGEMENT AREA 2	101.50	25.38 (25%)	60.91 (60%)	35.53
TOTALS	132.24	54.58 (41%)	90.11 (68%)	35.53

NOTE: DEED RESTRICTIONS ARE REQUIRED FOR ALL ESOS AREAS, IN ACCORDANCE WITH TOWN OF ORO VALLEY ZONING CODE 27.10.E.3.

THIS PROJECT PROVIDES FOR 60.91 ACRES OF RESOURCES MANAGEMENT AREA 2 (RMA2). 58.11 ACRES OF THE RMA2 IS ALLOCATED FOR THIS PROJECT, PURSUANT TO THE APPROVED CONCEPTUAL LAND PLAN. THE REMAINING 2.80 ACRES OF RMA2 IS TO BE UTILIZED FOR OFF-SITE MITIGATION FOR THE PROJECT "THE VILLAGES AT SILVERHAWKE" (T.O.V. CASE #OV1600017).

0' 150' 300' 450'

E.S.O.S. PLAN

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Corey Thompson

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COREY THOMPSON
Date Signed 8-2-16
ARIZONA U.S.A.

EXPIRES 9/30/2016

OV1214-07

FINAL SITE PLAN FOR

SANCTUARY AT SILVERHAWKE

LOTS 1 THROUGH 44 AND COMMON AREAS "A" (PRIVATE STREETS), COMMON AREA "B" (OPEN SPACE/ LANDSCAPING/DRAINAGE/UTILITIES/TRAILS) AND COMMON AREA "C" (FUTURE PRIVATE STREET)

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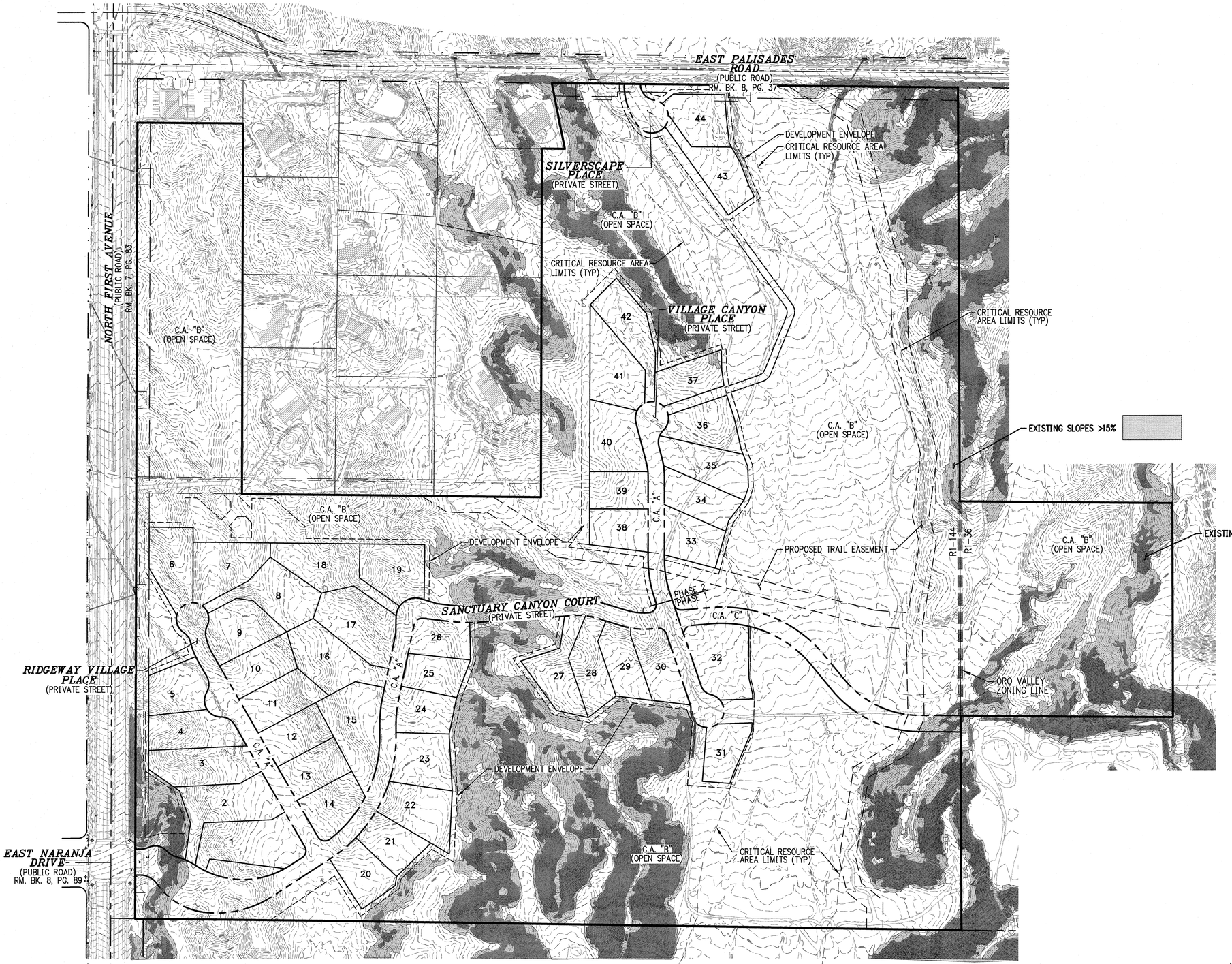
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

JANUARY 2016
WLB NO. 182053-J-002
CONTOUR INTERVAL: NONE SCALE: 1"=150'

REF. CASE #OV113-009



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0' 150' 300' 450'

REGULATED HILLSIDE PLAN

OV1214-07

FINAL SITE PLAN
FOR

SANCTUARY AT SILVERHAWKE

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TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

Registered Professional Engineer (Civil)
CERTIFICATE NO. 22217
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ARIZONA U.S.A.
EXPIRES 9/30/2016

JANUARY 2016
WLB NO. 182053-J-002
CONTOUR INTERVAL: NONE SCALE: 1"=150'

REF. CASE #OV113-009
SHEET 4 OF 12

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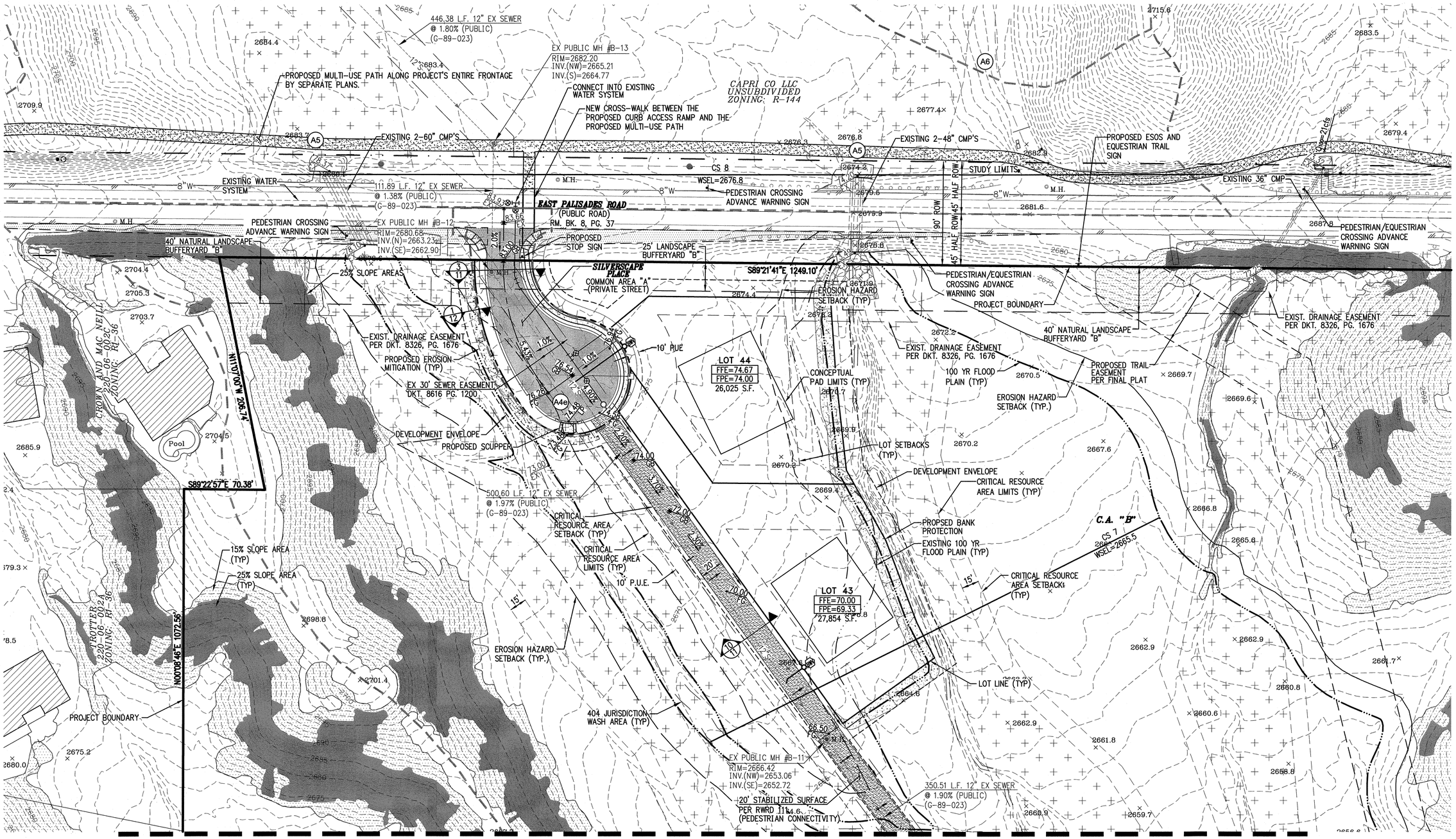

MATCHLINE SEE SHEET 6

NOTES:

1. MAXIMUM SIDEWALK CROSS SLOPE IS 2%, MAXIMUM LONGITUDINAL SLOPE IS 5% WITHOUT HANDRAIL. LONGITUDINAL SLOPE GREATER THAN 5% REQUIRES HANDRAIL. (EXCEPT CURB RAMPS) MAXIMUM SLOPE AT LANDINGS AND ACCESSIBLE PARKING IS 2% IN ALL DIRECTIONS.
2. ALL SLOPE STABILIZATION TO BE ACCORDANCE WITH DETAIL 7 ON SHEET 10.
3. SEE SHEET 11 FOR CONCENTRATION POINT INFORMATION.
4. SEE SHEET 11 (TABLE OF HYDRAULIC STRUCTURES) FOR SCUPPER INFORMATION.
5. SEE DETAIL 4 ON SHEET 11 FOR RIP-RAP APRON DESIGN.

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0' 40' 80' 120'

Registered Professional Engineer (Civil) CERTIFICATE NO. 22217 COREY THOMPSON Date Signed 9-2-16 ARIZONA U.S.A.
EXPIRES 9/30/2016

OV1214-07

FINAL SITE PLAN
FOR

SANCTUARY AT SILVERHAWKE

LOTS 1 THROUGH 44 AND COMMON AREAS "A" (PRIVATE STREETS), COMMON AREA "B" (OPEN SPACE/ LANDSCAPING/DRAINAGE/UTILITIES/TRAILS) AND COMMON AREA "C" (FUTURE PRIVATE STREET)

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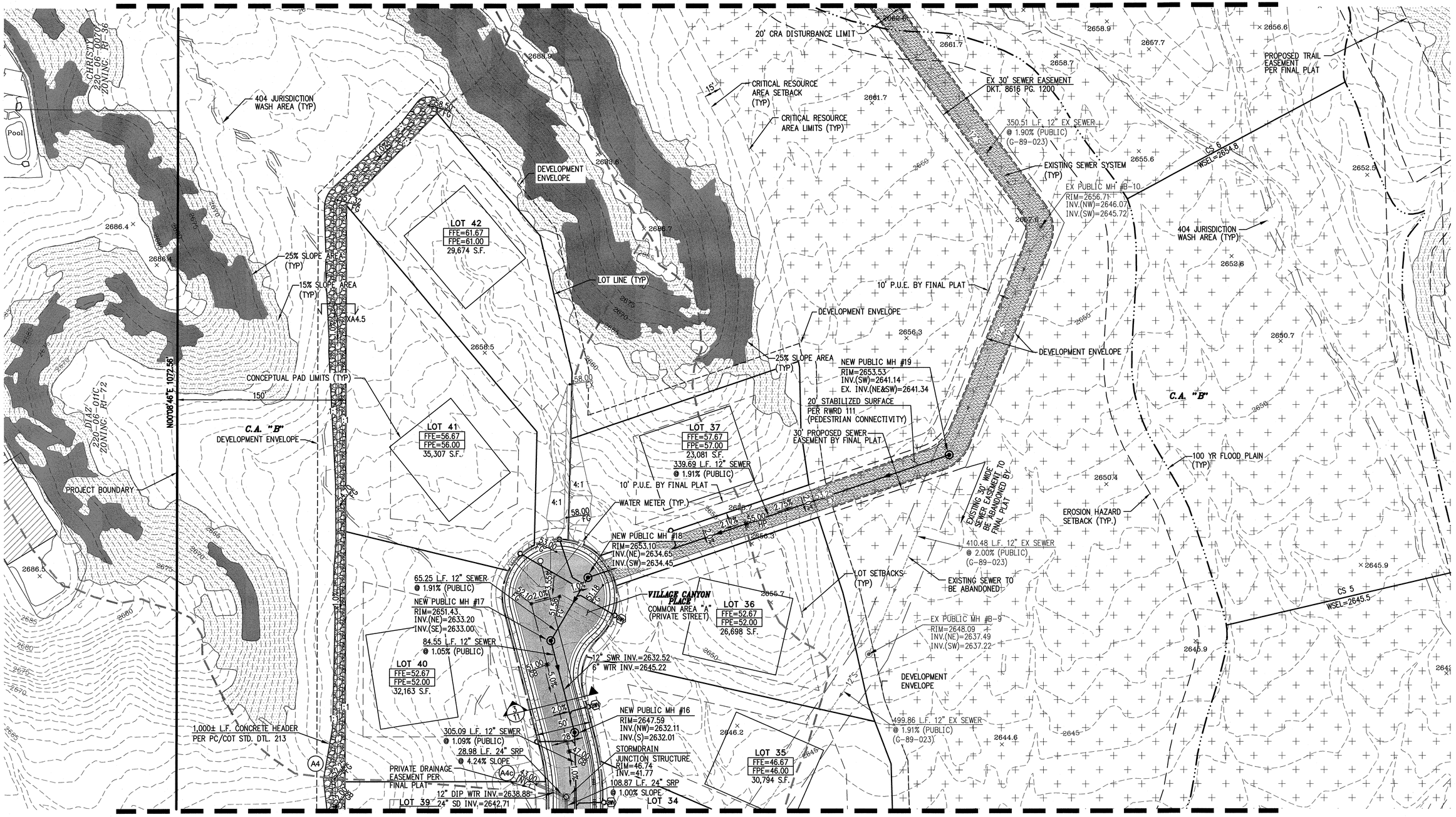
JANUARY 2016
WLB NO. 182053-J-002
CONTOUR INTERVAL: 1' SCALE: 1"=40'

REF. CASE #OV113-009

MATCHLINE SEE SHEET 5



MATCHLINE SEE SHEET 8

NOTES:

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5. SEE DETAIL 4 ON SHEET 11 FOR RIP-RAP APRON DESIGN.

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0' 40' 80' 120'

Corey Thompson
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Date Signed 9-2-16
ARIZONA U.S.A.
EXPIRES 9/30/2016

OV1214-07

FINAL SITE PLAN
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SANCTUARY AT SILVERHAWKE

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JANUARY 2016
WLB NO. 182053-J-002
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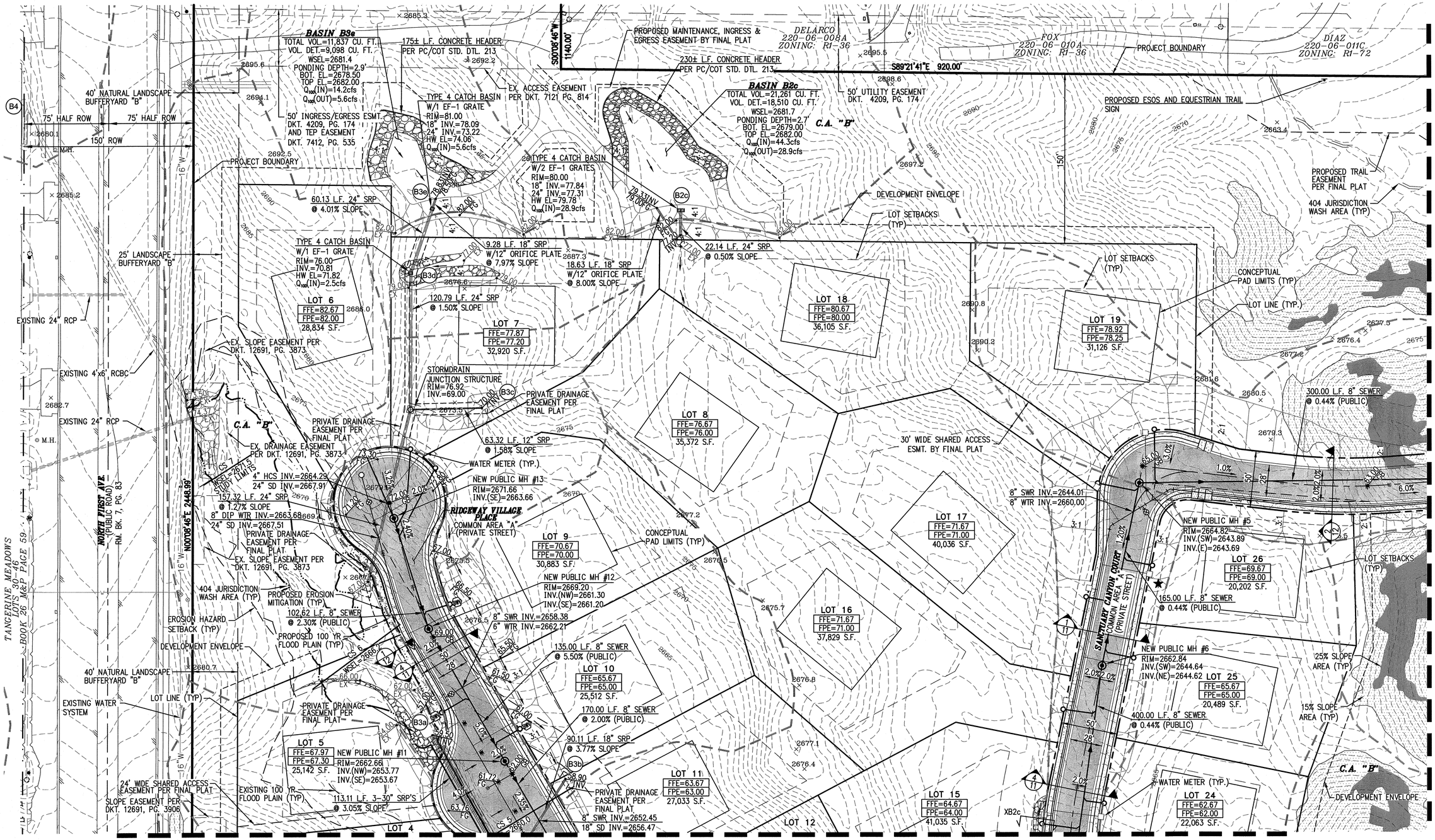

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4. SEE SHEET 11 (TABLE OF HYDRAULIC STRUCTURES) FOR SCUPPER INFORMATION.
5. SEE DETAIL 4 ON SHEET 11 FOR RIP-RAP APRON DESIGN.

N:\182053\Naranja & First\FSP\07.dwg

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(520) 881-7480

0' 40' 80' 120'

Registered Professional Engineer (Civil) CERTIFICATE NO. 22217 COREY THOMPSON Date 6-2-16 ARIZONA U.S.A.
EXPIRES 9/30/2016

OV1214-07

FINAL SITE PLAN FOR

SANCTUARY AT SILVERHAWKE

LOTS 1 THROUGH 44 AND COMMON AREAS "A" (PRIVATE STREETS), COMMON AREA "B" (OPEN SPACE/ LANDSCAPING/DRAINAGE/UTILITIES/TRAILS) AND COMMON AREA "C" (FUTURE PRIVATE STREET)

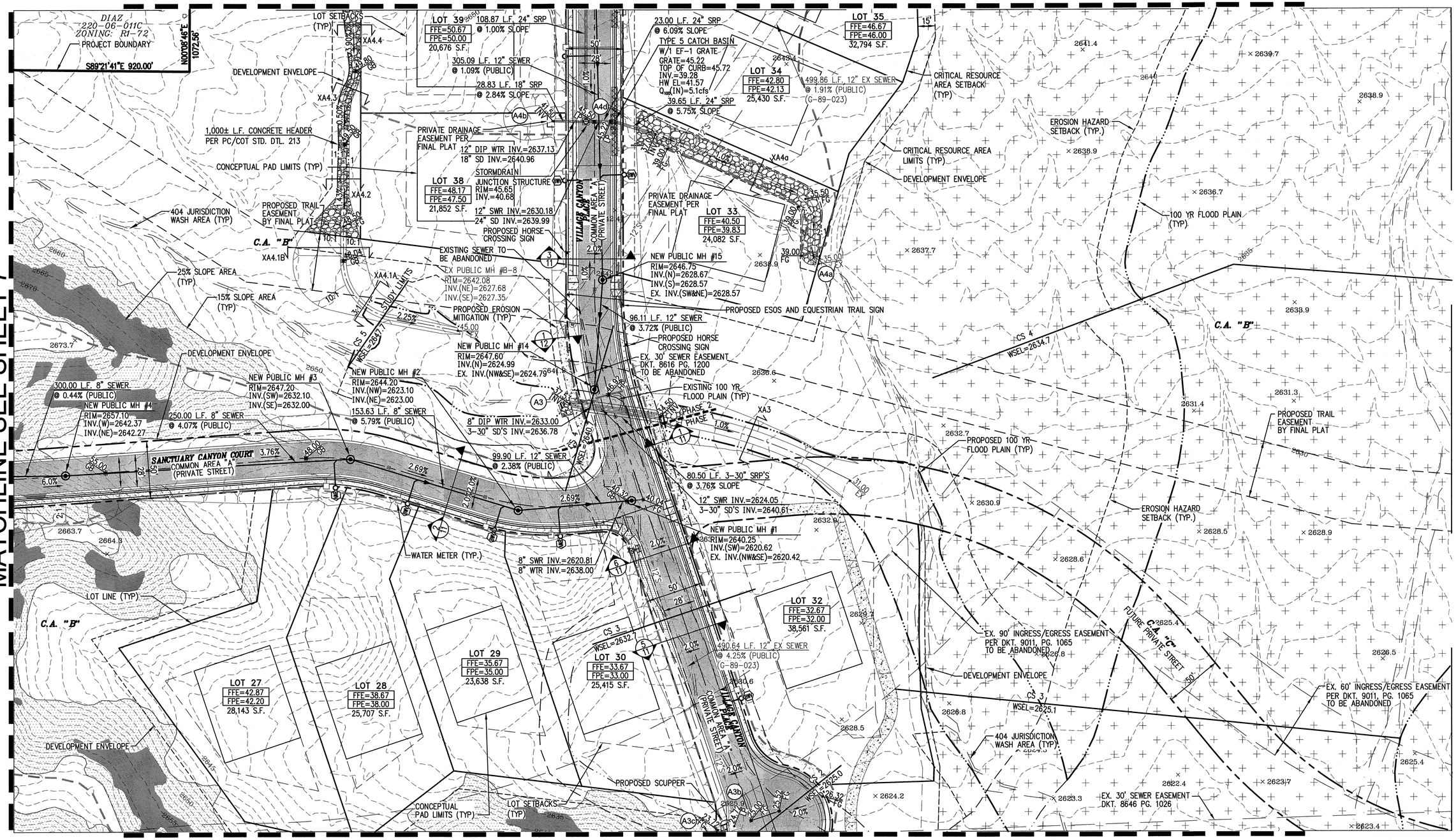
BEING A PORTION OF SECTION 6
TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

JANUARY 2016
WLB NO. 182053-J-002
CONTOUR INTERVAL: 1' SCALE: 1"=40'

REF. CASE #OV113-009

MATCHLINE SEE SHEET 6

MATCHLINE SEE SHEET 7



MATCHLINE SEE SHEET 10

NOTES:

1. MAXIMUM SIDEWALK CROSS SLOPE IS 2%, MAXIMUM LONGITUDINAL SLOPE IS 5% WITHOUT HANDRAIL. LONGITUDINAL SLOPE GREATER THAN 5% REQUIRES HANDRAIL. (EXCEPT CURB RAMPS) MAXIMUM SLOPE AT LANDINGS AND ACCESSIBLE PARKING IS 2% IN ALL DIRECTIONS.
2. ALL SLOPE STABILIZATION TO BE ACCORDANCE WITH DETAIL 7 ON SHEET 10.
3. SEE SHEET 11 FOR CONCENTRATION POINT INFORMATION.
4. SEE SHEET 11 (TABLE OF HYDRAULIC STRUCTURES) FOR SCUPPER INFORMATION.
5. SEE DETAIL 4 ON SHEET 11 FOR RIP-RAP APRON DESIGN.

N:\182053\Naranja & First\FSP\08.dwg

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4444 E. Broadway Tucson, Az. 85711
(520) 881-7480

0' 40' 80' 120'

Registered Professional Engineer (Civil) CERTIFICATE NO. 22217 COREY THOMPSON Date Signed 8-2-16 ARIZONA U.S.A.
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JANUARY 2016
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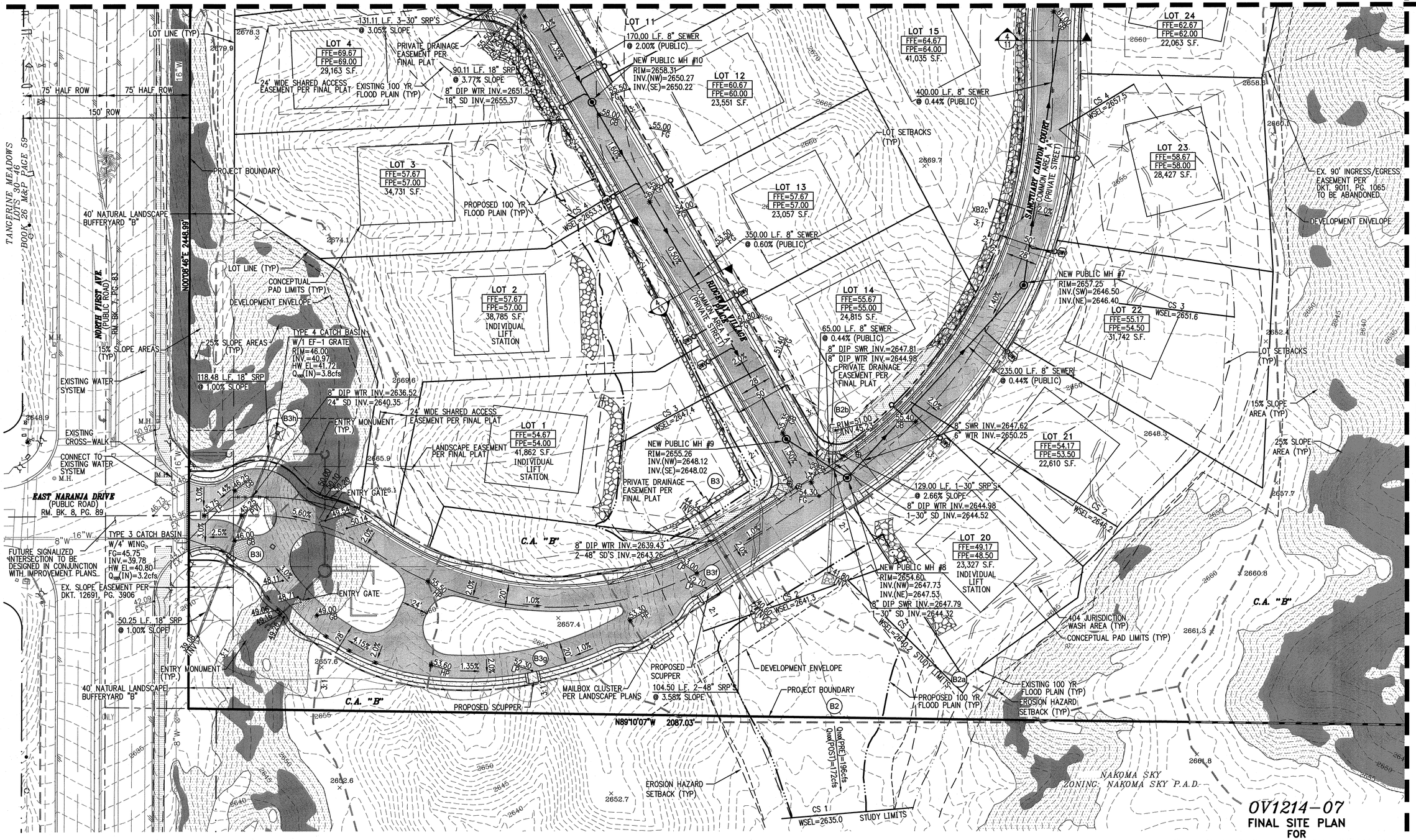
CONTOUR INTERVAL: 1' SCALE: 1"=40'

REF. CASE #OV113-009



N:\182053\Naranja & First\FSP\09.dwg

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0' 40' 80' 120'

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BEING A PORTION OF SECTION 6
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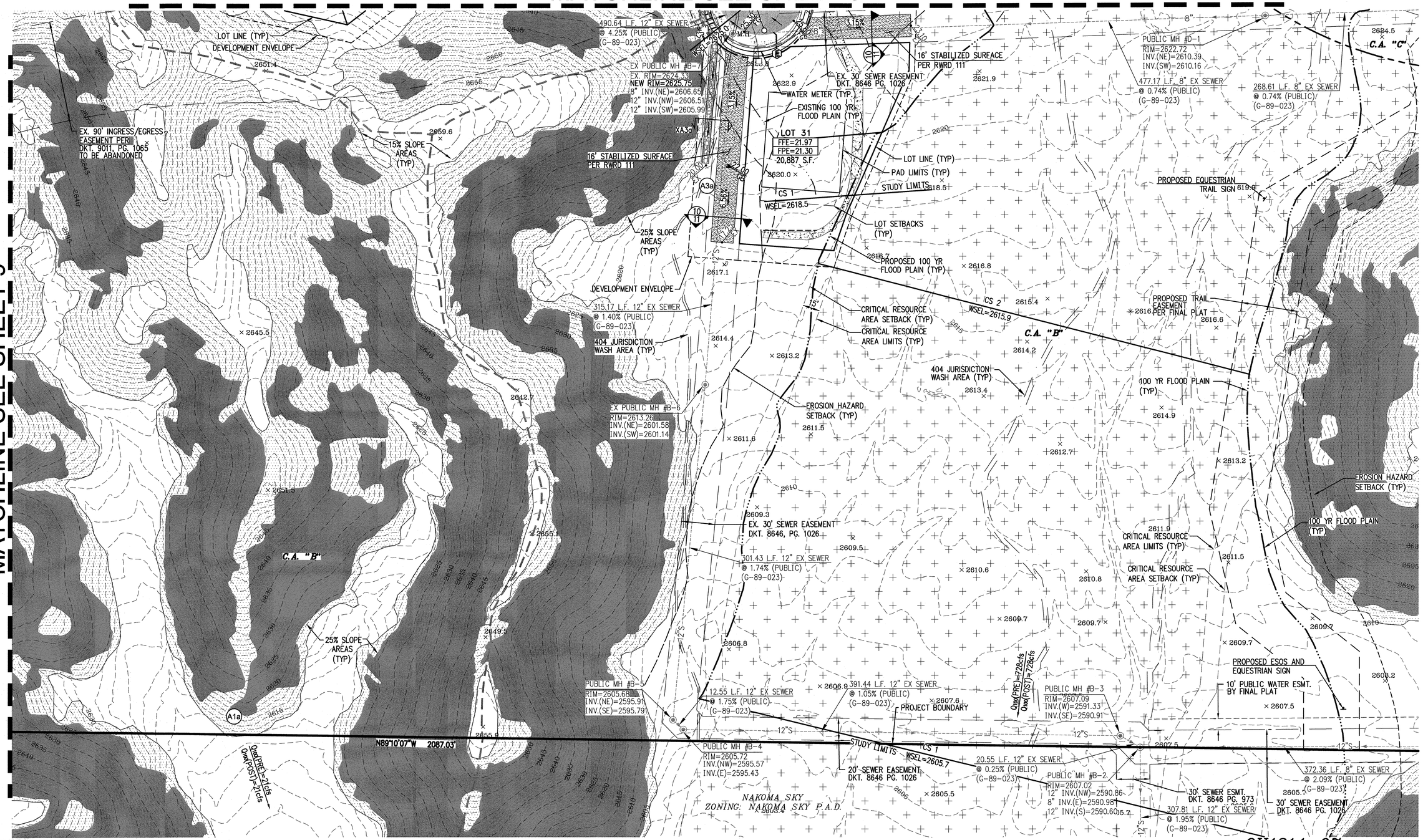
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

JANUARY 2016
WLB NO. 182053-J-002
CONTOUR INTERVAL: 1' SCALE: 1"=40'

REF. CASE #OV113-009

MATCHLINE SEE SHEET 8

MATCHLINE SEE SHEET 9



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N:\182053\Naranja & First\FSP\10.dwg

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EXPIRES 9/30/2016

OV1214-07

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FOR

SANCTUARY AT SILVERHAWKE

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JANUARY 2016
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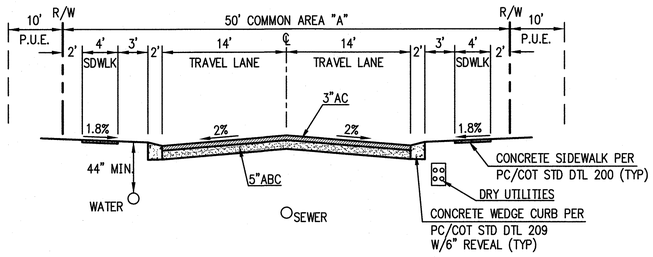
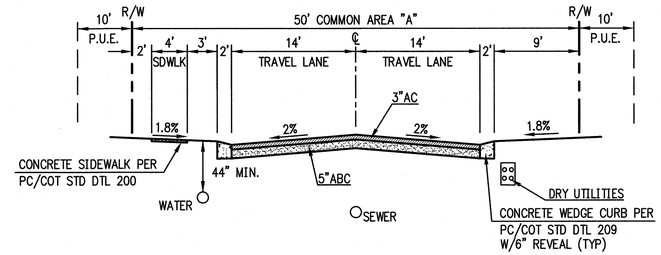
CONTOUR INTERVAL: 1' SCALE: 1"=40'

REF. CASE #OV113-009



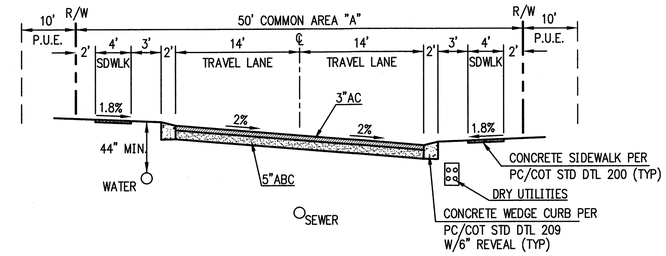
1 TYPICAL CROSS SECTION

N.T.S.



2 TYPICAL CROSS SECTION

N.T.S.



3 TYPICAL CROSS SECTION

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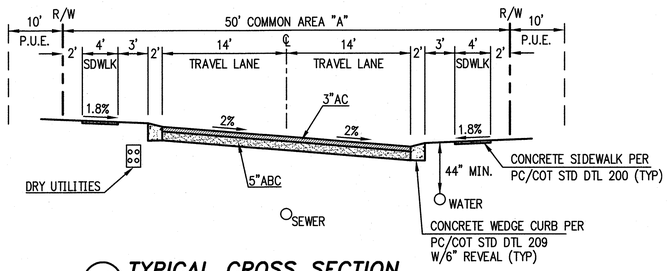
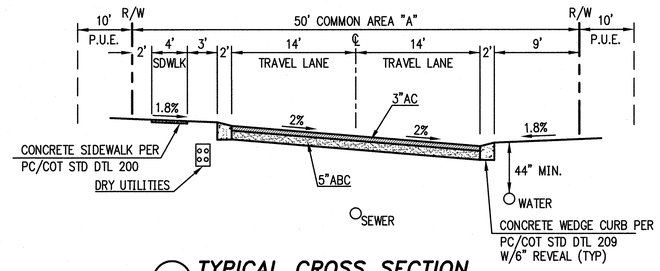


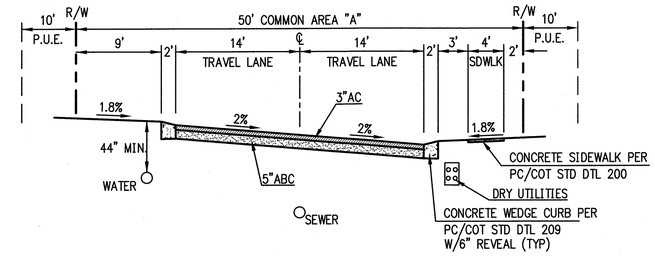
4 TYPICAL CROSS SECTION

N.T.S.



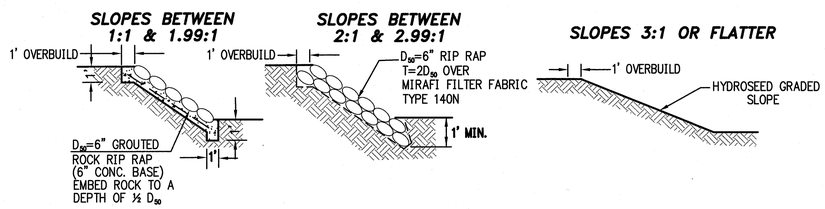
5 TYPICAL CROSS SECTION

N.T.S.



6 TYPICAL CROSS SECTION

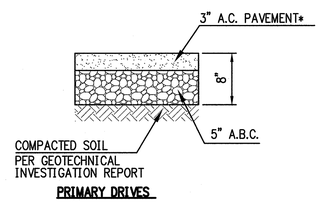
N.T.S.



7 SLOPE STABILIZATION DETAILS

NOTE: ALL RIP RAP TO BE EARTHEN COLORED (SHADES OF BROWN)

N.T.S.

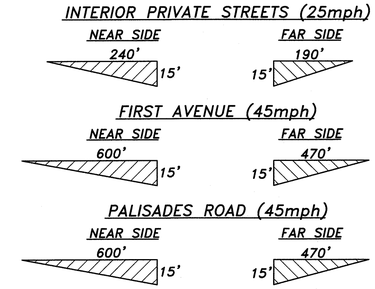


8 PAVEMENT STRUCTURE

* SEE GEOTECHNICAL INVESTIGATION REPORT

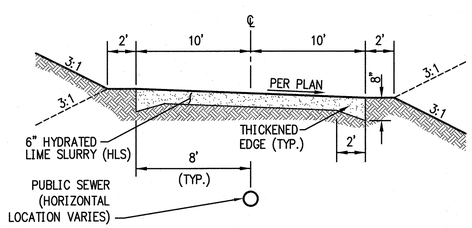
NTS

INTERIOR PRIVATE STREETS (25mph)



9 TYPICAL SIGHT VISIBILITY TRIANGLE DETAIL

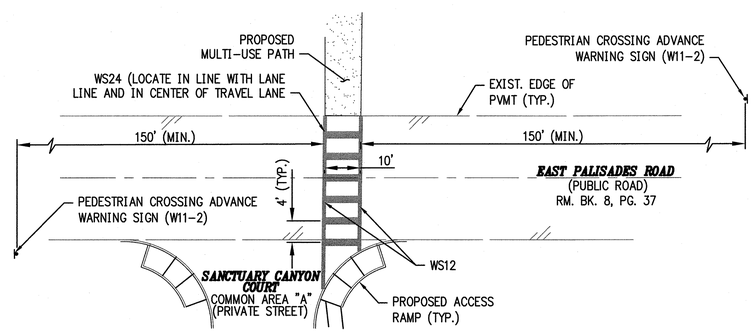
N.T.S.



10 STABILIZED SURFACE TREATMENT SECTION

REF. RWRD 111

N.T.S.



12 HIGH VISIBILITY CROSS-WALK DETAIL

REFERENCE: PCDOT PAVEMENT MARKING DESIGN MANUAL, SHT. 2-8

N.T.S.

N:\182053\Naranja & First\FSP\11.dwg

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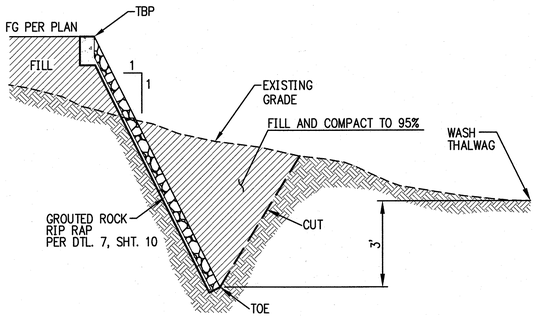
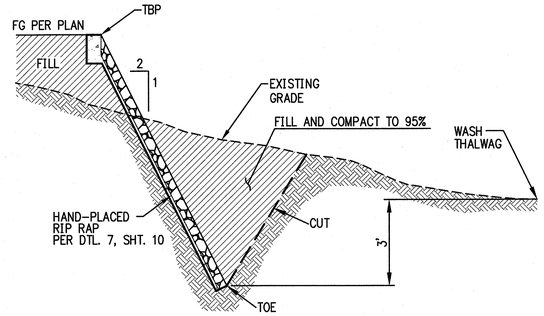


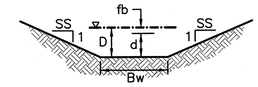
1 BANK PROTECTION OPTION "A"

NTS



2 BANK PROTECTION OPTION "B"

NTS

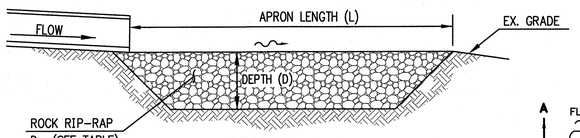


3 PROPOSED CONSTRUCTED CHANNEL DETAIL

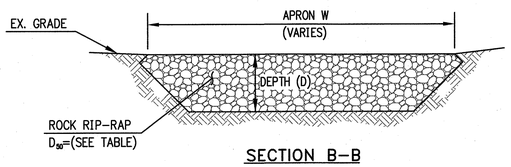
N.T.S.

TABLE OF CONSTRUCTED CHANNELS									
X-SEC	Q_{100}(cfs)	V_{100}(fps)	fb	d	D	SLOPE(%)	Bw	SS	n
XA3	100.3	4.58	0.30'	1.51'	1.81'	1.60	12'	3	0.035
XA3a	42.6	5.85	0.33'	1.47'	1.80'	3.10	2'	2	0.036
XA4.1a	49.7	4.58	0.22'	0.99'	1.21'	2.25	5'	6	0.036
XA4.1b	49.7	4.08	0.19'	0.88'	1.07'	2.25'	5'	10	0.036
XA4.2	49.7	5.11	0.32'	1.50'	1.82'	1.43	5'	1	0.036
XA4.3	49.7	3.51	0.37'	2.02'	2.39'	0.50	5'	1	0.036
XA4.4	49.7	7.25	0.32'	1.12'	1.44'	3.90	5'	1	0.036
XA4.5	49.7	4.50	0.33'	1.66'	1.99'	1.00	5'	1	0.036
XA4a	24.4	3.49	0.38'	1.12'	1.50'	1.00	4'	2	0.036
XB2c	31.1	4.35	0.58'	1.46'	2.04'	1.40	2'	2	0.036

•SEE CALCULATION SHEETS IN HYDRO REPORT–APPENDIX B FOR MORE INFORMATION
•SIDE SLOPES STEEPER THAN 3:1 SHALL BE RIP-RAP IN ACCORDANCE TO SLOPE STABILIZATION DETAILS



SECTION A–A



SECTION B–B

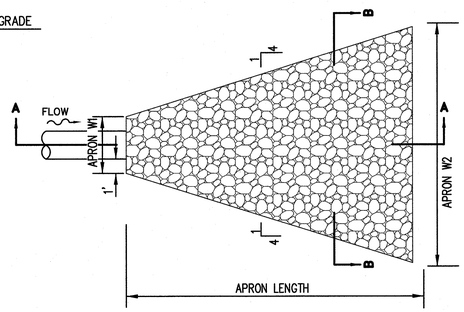


TABLE OF RIP-RAP APRON DIMENSIONS						
CP	CULVERT DESCRIPTION	APRON LENGTH(ft) L	APRON WIDTH(ft) W1	APRON WIDTH(ft) W2	APRON DEPTH(in) D	RECOMMENDED D_{50} (in)
A3	3–30" SRP'S	17.5	12.0	20.75	40.0	20.0
B2b	2–24" SRP'S	10.0	7.0	12.0	24.0	10.0
B2c	1–24" SRP	10.0	4.0	9.0	24.0	10.0
B3	2–48" SRP'S	24.0	10.0	22.0	30.8	14.0
B3a	3–30" SRP'S	20.0	12.0	22.0	44.0	22.0
B3b	1–18" SRP	6.0	3.5	6.50	17.5	5.0
B3c	1–24" SRP	8.0	4.0	8.0	17.5	5.0
B3i	1–18" SRP	6.0	3.5	6.50	17.5	5.0

4 RIP-RAP APRON DETAIL AT STORMDRAIN OUTLETS

N.T.S.

TABLE OF PRE-DEVELOPED DISCHARGES					
CONC. POINT	DRAINAGE AREA (AC)	2-YEAR (CFS)	10-YEAR (CFS)	50-YEAR (CFS)	100-YEAR (CFS)
A2	19.5	16.8	35.5	60	69.4
A3	19.5	11.9	26.2	45	51.9
A4	23.0	11.5	24.9	43	49.7
A5	5.2(294)	19.7(104)	46(215)	81(358)	94(414)
B1	14.3	18.1	35	61	63
B2	18.7	8.2	29	61	66
B3	48.8	30	72	138	147
B4	28.8	22	52	98	104

TABLE OF POST-DEVELOPED DISCHARGES					
CONC. POINT	DRAINAGE AREA (AC)	2-YEAR (CFS)	10-YEAR (CFS)	50-YEAR (CFS)	100-YEAR (CFS)
A3	19.5	11.9	26.2	45	51.9(100.3*)
A3a	8.1	8.5	20.7	35.4	42.6
A3b	5.2	10.1	18.8	28.6	33.4
A3c	4.7	5.4	13.0	22.2	26.5
A4	23.0	–	–	–	49.7
A4a	6.2	8.6	18.9	30.9	36.7
A4b	0.7	0.8	1.9	3.2	3.9
A4c	2.7	3.1	7.6	12.9	15.4
A4d	0.7	1.6	3.0	4.4	5.1
A4e	0.4	0.9	1.6	2.3	2.7
B2	57.4	–	–	–	172
B2a	6.3	5.9	15.2	26.7	32.4
B2b	6.4	5.5	14.5	25.7	31.1
B2c	9.8	7.2	20.2	36.4	44.3
B3	34.9	22.8	55.9	95.8	114.9
B3a	30.9	21.9	54.1	92.6	110.6
B3b	1.3	1.5	3.7	6.3	7.5
B3c	0.7	0.8	1.9	3.3	3.9
B3d	0.4	0.5	1.2	2.1	2.5
B3e	2.5	2.9	7.0	11.9	14.2
B3f	2.7	5.3	9.9	14.9	17.3
B3g	0.6	1.1	2.2	3.3	3.8
B3h	0.8	0.5	1.6	3.1	3.8
B3i	0.5	0.9	1.8	2.8	3.2

*TOTAL DISCHARGE RESULTING OF COMPOSITE HYDROGRAPH FOR COMBINING CP A3 & A4

TABLE OF HYDRAULIC STRUCTURES		
CONC. POINT	Q_{100} (CFS)	STRUCTURE
A3	100.3	3–30" SRP's; 80.6 L.F. @ 3.76% SLOPE; HW=3.47', PHASE 2
A3b	33.4	24' WIDE TYPE 3 SIDEWALK SCUPPER (6 CELLS) W/6" CURB REVEAL
A4b	3.9	1–18" SRP; 28.83 L.F. @ 2.84% SLOPE; HW=1.24', PHASE 2
A4c	15.4	1–24" SRP; 28.98 L.F. @ 4.24% SLOPE; HW=1.42', PHASE 2
A4d	5.1	TYPE 5 CATCH BASIN W/1 EF-1 GRATE. 1–24" SRP; 39.65 L.F. @ 5.75%, V (IN)=8.39fps, V (OUT)=14.00fps, HW=1.42', PHASE 2
A4e	2.7	4' WIDE TYPE 3 SIDEWALK SCUPPER (1 CELL) W/6" CURB REVEAL, PHASE 2
B2b	31.1	TYPE 4 CATCH BASIN W/2 EF-1 GRATES. 1–30" SRP; 129.00 L.F. @ 2.66% SLOPE; HW=2.17'
B2c	44.3	TYPE 4 CATCH BASIN W/2 EF-1 GRATES. 1–24" SRP; 22 L.F. @ 0.50%, V_{100} (IN)=9.20fps, V_{100} (OUT)=9.54fps; HW=2.19'
B3	114.9	2–48" SRP's; 104.50 L.F. @ 3.58% SLOPE; HW=3.23'
B3a	110.6	3–30" SRP's; 131.11 L.F. @ 3.05% SLOPE; HW=3.34'
B3b	7.5	1–18" SRP; 90.11 L.F. @ 3.77% SLOPE; HW=1.58'
B3c	3.9	1–12" SRP; 63.32 L.F. @ 1.58% SLOPE; HW=1.27'
B3d	2.5	TYPE 4 CATCH BASIN W/1 EF-1 GRATE. 1–24" SRP; 120.79 L.F. @ 1.50%, V_{100}(IN)=5.07fps, V_{100}(OUT)=3.18fps; HW=1.01'
B3e	14.2	TYPE 4 CATCH BASIN W/1 EF-1 GRATE. 1–24" SRP; 60.13 L.F. @ 4.01%, V_{100}(IN)=4.50fps, V_{100}(OUT)=2.81fps; HW=0.84'
B3f	17.3	12' WIDE TYPE 3 SIDEWALK SCUPPER (3 CELLS) W/6" CURB REVEAL
B3g	3.8	4' WIDE TYPE 3 SIDEWALK SCUPPER (1 CELL) W/6" CURB REVEAL
B3h	3.8	TYPE 4 CATCH BASIN W/1 EF-1 GRATE. 1–18" SRP; 118.48 L.F. @ 1.00%, V_{100} (IN)=4.34fps, V_{100} (OUT)=2.83fps; HW=0.75'
B3i	3.2	TYPE 3 CATCH BASIN W/4' WING. 1–18" SRP; 50.25 L.F. @ 1.00%, V (IN)=5.44fps, V (OUT)=6.35fps; HW=0.82'

TABLE OF PROPOSED BASINS AND OUTFLOW STRUCTURES										
BASIN	Q_{100} IN (cfs)	Q_{100} OUT (cfs)	TOTAL VOLUME (CF)	PONDING VOLUME (CF)	100-YR WSEL (FT)	PONDING DEPTH (FT)	TOP ELEVATION (FT)	BOTTOM ELEVATION (FT)	OUTLET STRUCTURE	BLEEDER PIPE (18" SRP W/12" ORIFICE PLATE)
B2c	44.3	28.9	21,261	18,510	2681.7	2.7	2682.00	2679.00	TYPE 4 CB W/2 EF-1 GRATES	18.63 L.F. @ 8.00%
B3e	14.2	5.6	11,837	9,098	2681.4	2.9	2682.00	2678.50	TYPE 4 CB W/1 EF-1 GRATE	9.27 L.F. @ 8.00%

OV1214–07

FINAL SITE PLAN
FOR
SANCTUARY AT SILVERHAWKE
LOTS 1 THROUGH 44 AND COMMON AREAS "A" (PRIVATE STREETS), COMMON AREA "B" (OPEN SPACE/ LANDSCAPING/DRAINAGE/UTILITIES/TRAILS) AND COMMON AREA "C" (FUTURE PRIVATE STREET)

BEING A PORTION OF SECTION 6
TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M.
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

Corey Thompson
Registered Professional Engineer (Civil)
CERTIFICATE NO. 22217
COREY THOMPSON
Date Signed 8-2-16
ARIZONA U.S.A.
EXPIRES 9/30/2016

JANUARY 2016
WLB NO. 182053–J–002
CONTOUR INTERVAL: N/A SCALE: AS SHOWN

REF. CASE #OV113–009
SHEET 12 OF 12

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

N:\182053\Naranja & First\FSP\12.dwg

ATTACHMENT 7
SANCTUARY AT SILVERHAWKE – GRADING EXCEPTION
GRADING EXCEPTION REVIEW CRITERIA ANALYSIS

The Zoning Code provides evaluative criteria for the review of a grading exception. A summary of the proposals conformance with the criteria is provided in Attachment 6.

1. *The exception meets the intent and purpose of this code;*

   The intent of the grading ordinance is summarized below:

   - *Avoid adverse visual impacts*
   - *Blend with the natural contours of the land*
   - *Restrict the amount of disturbance to the minimum necessary*
   - *Ensure adequate restorative measures are utilized to minimize visual impacts.*

Staff Comment: A majority of the site is being designed and constructed within the requirements of the grading ordinance and standards listed above. Due to the access issues discussed earlier, the exception is necessary to provide for reasonable and efficient use of the subject property. Conditions have been included in Attachment 1 to require treatment of all impacted areas to minimize any potential visual impacts. The applicant's proposal is consistent with the intent of the grading ordinance.

The purpose of the grading ordinance is as follows:

The purpose of the ordinance is to provide for the public health, safety and welfare and to protect and preserve the aesthetics of the natural environment through regulation of all types of excavation and earthwork on private and public land.

The grading regulations contained in this ordinance are designed to:

- *Regulate the development of potentially hazardous terrain; and*
- *Preserve, where possible, or recreate the natural contours, the native vegetation and the visual character of the site in harmony with the surrounding terrain; and*
- *Enhance the quality and value of new development; and*
- *Maintain property rights and property values of adjacent developed and undeveloped parcels.*

Staff Comment: As discussed previously, the exception is necessary to provide for reasonable and efficient use of the subject property. The grade difference between the existing intersection and the surrounding topography presents a significant challenge in providing safe and desirable access to the subject property. Additionally, conditions have been included in Attachment 1 to require revegetation and recontouring of all impacted areas to minimize any potential visual impacts. The applicant's proposal is consistent with the purpose of this ordinance.

2. *Granting the exception constitutes the minimum to allow the improvement;*

Staff Comment: The exception is intended to help facilitate construction of an access point to the existing intersection of 1st Avenue and Naranja Drive. A condition has been included in Attachment 1, limiting the impacted areas to those which help achieve this aim, as depicted on Exhibit "B" in Attachment 3. The applicant's proposal represents the minimum exception necessary to provide safe and efficient access to the subdivision. The applicant's proposal meets this criteria.

3. *The conditions on the property are unique such that strict adherence to this section would cause an unnecessary hardship which substantially limits the preservation and enjoyment of property rights;*

Staff Comment: As discussed previously, the grade difference between the existing intersection and the surrounding topography is substantial (approximately 12 to 15 feet). As a result, without the grading exception, a less desirable and potentially less safe road design would be required. The grading exception would allow the applicant to construct the access way in a more desirable and safe manner. The applicant's proposal meets this criteria.

4. *The exception imposes conditions so as to not constitute granting of a special privilege; and*

Staff Comment: Conditions have been included in Attachment 1 which (1) limit the area where the exception is applicable; and (2) how the impacted areas will be treated to minimize any potential visual impacts. The proposal, with conditions, is consistent with this criteria.

5. *That the exception will not be materially detrimental to person's residing in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.*

Staff Comment: The applicant is required to revegetate all exposed slopes and restore them to mimic natural conditions. The revegetation of the cut slops and recontouring of the graded areas will ensure the engineered slopes have a minimal impact on those residing in the area as well as the greater Oro Valley population. The applicant's request, with the conditions, meets this criteria.

Grading exception
Conceptual Design Review Board Staff Report

CASE NUMBER: OV1602831 – Sanctuary at Silverhawke grading exception

MEETING DATE: November 10, 2016

AGENDA ITEM:

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

Applicant: Paul Oland, The WLB Group Inc

Request: **Grading exception for the Sanctuary at Silverhawke subdivision.**

Location: Northeast corner of 1st Avenue and Naranja Drive

Recommendation: Recommend approval of requested Grading exception, subject to the condition listed in Attachment 1.

SUMMARY:

The applicant's request is for a grading exception to allow cuts in excess of the 6 feet currently allowed by the zoning code for parts of the proposed subdivision. The subject property (Attachment 2) is located near the northeast corner of 1st Avenue and Naranja Drive. An application to develop 44 single-family homes on the property is currently under final review by staff.

The existing intersection at 1st Avenue and Naranja Drive established where access would be provided for any future subdivision on the property (Attachment 3). As such, there is a substantial grade difference between the existing intersection and the surrounding grade where the proposed access point is to be located. The applicant's request to exceed the cut limitations will permit the access point to be designed in a safe and efficient manner as required by the Town's Subdivision Street Standards.

The zoning code establishes criteria for evaluating grading exception requests. The applicant's proposal is consistent with these criteria and is supported by staff, subject to the condition listed in Attachment 1.

BACKGROUND/DETAILED INFORMATION:

Current Site Conditions

- The property encompasses approximately 131 acres

- Currently vacant

The General Plan and Zoning designations for the property are Master Planned Community and R1-144 respectively. Maps of the subject property and the surrounding area are provided in Attachments 3 and 4 respectively.

Approvals to Date

- 1994: Property annexed into the Town
- 2015: Conceptual Site Plan and Landscape Plan approved by Town Council

DISCUSSION / ANALYSIS:

Grading Exception:

A Final Site Plan is currently under review for a 44-lot single-family residential subdivision (Attachment 5). Subdivision access is provided by a connection to the existing intersection at 1st Avenue and Naranja Drive. This existing intersection was designed to serve a future subdivision on the subject property.

This entry is one of two access points for the subdivision, the other serving two lots located off Palisades Road, but will serve as the primary access for a majority of the subdivision. The 1st Avenue access will also serve as the sole entry point for the future Lofts at Oro Valley development located east of the subject property.

The Zoning Code establishes limitations on the heights of cuts and fills proposed within a development. The maximum height of any cut or fill cannot exceed 6 feet, unless a grading exception is granted by Town Council, following recommendation of the Conceptual Design Review Board. The applicant has submitted a grading exception application, which is provided as Attachment 3.

The grading exception is necessary for the following reasons:

- There is a substantial grade difference (approximately 12 to 15 feet) between the existing road profile for the intersection and the area of the proposed access point (Exhibit “C” in Attachment 3).
- Without the grading exception, a less safe and desirable road design would be built.

The Zoning Code provides evaluative criteria for the review of a grading exception. A summary of the proposals conformance with the criteria is provided below.

I. *The exception meets the intent and purpose of this code;*

The intent of the grading ordinance is as follows:

The intent of this grading ordinance is to assure that the design and implementation of all grading projects shall:

1. *Avoid scarring and other adverse visual impacts resulting from cut, fill and any other type of ground disturbance; and*
2. *Blend with the natural contours of the land; and*
3. *Restrict the areas of disturbance and volume of material displaced to the minimum necessary to implement the planned development; and*
4. *Limit mass grading to residential subdivisions with an average lot size of 15,000 square feet or less; and*
5. *Employ measures that:*
    a. *Ensure that graded hillside, slopes or other areas subject to erosion are stabilized; and*
    b. *Reduce the erosion effects of storm water discharge, preserve the flood carrying capacity of natural or constructed waterways by limiting soil loss, and protect drainageways from siltation; and*
    c. *Minimize dust pollution and surface water drainage from graded areas during grading development; and*
    d. *Ensure that proposed development activity is designed and implemented to avoid adverse impacts and appropriate restorative measures; and*
    e. *Encourage phased projects, to preserve natural contours and vegetative communities until such time as grading must be necessarily occur on-site.*

<u>Staff Comment</u>: A majority of the site is being designed and constructed within the requirements of the grading ordinance and standards listed above. Due to the access issues discussed earlier, the exception is necessary to provide for reasonable and efficient use of the subject property. Conditions have been included in Attachment 1 to require treatment of all impacted areas to minimize any potential visual impacts. The applicant's proposal is consistent with the intent of the grading ordinance.

The purpose of the grading ordinance is as follows:

The purpose of the ordinance is to provide for the public health, safety and welfare and to protect and preserve the aesthetics of the natural environment through regulation of all types of excavation and earthwork on private and public land.

The grading regulations contained in this ordinance are designed to:

1. *Regulate the development of potentially hazardous terrain; and*
2. *Preserve, where possible, or recreate the natural contours, the native vegetation and the visual character of the site in harmony with the surrounding terrain; and*
3. *Enhance the quality and value of new development; and*
4. *Maintain property rights and property values of adjacent developed and undeveloped parcels.*

Staff Comment: As discussed previously, the exception is necessary to provide for reasonable and efficient use of the subject property. The grade difference between the existing intersection and the surrounding topography presents a significant challenge in providing safe and desirable access to the subject property. Additionally, conditions have been included in Attachment 1 to require revegetation and recontouring of all impacted areas to minimize any potential visual impacts. The applicant's proposal is consistent with the purpose of this ordinance.

II. *Granting the exception constitutes the minimum to allow the improvement;*

Staff Comment: The exception is intended to help facilitate construction of an access point to the existing intersection of 1st Avenue and Naranja Drive. A condition has been included in Attachment 1, limiting the impacted areas to those which help achieve this aim, as depicted on Exhibit "B" in Attachment 3. The applicant's proposal represents the minimum exception necessary to provide safe and efficient access to the subdivision. The applicant's proposal meets this criteria.

III. *The conditions on the property are unique such that strict adherence to this section would cause an unnecessary hardship which substantially limits the preservation and enjoyment of property rights;*

Staff Comment: As discussed previously, the grade difference between the existing intersection and the surrounding topography is substantial (approximately 12 to 15 feet). As a result, without the grading exception, a less desirable and potentially less safe road design would be required. The grading exception would allow the applicant to construct the access way in a more desirable and safe manner. The applicant's proposal meets this criteria.

IV. *The exception imposes conditions so as to not constitute granting of a special privilege; and*

Staff Comment: Conditions have been included in Attachment 1 which (1) limit the area where the exception is applicable; and (2) how the impacted areas will be treated to minimize any potential visual impacts. The proposal, with conditions, is consistent with this criteria.

V. *That the exception will not be materially detrimental to person's residing in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.*

Staff Comment: The applicant is required to revegetate all exposed slopes and restore them to mimic natural conditions. The revegetation of the cut slops and recontouring of the graded areas will ensure the engineered slopes have a minimal impact on those residing in the area as well as the greater Oro Valley population. The applicant's request, with the conditions, meets this criteria.

PUBLIC PARTICIPATION:

Neighborhood Meetings

A neighborhood meeting is not required by the Zoning Code. Public notice was provided to surrounding property owners and all Home Owners Associations within the Town.

CONCLUSION/RECOMMENDATION:

Based on the following findings:

- Without the exception, the grade difference between the existing intersection and the proposed access road would result in a less safe and less desirable road design.
- The grading exception is limited in scope to allow for the efficient use of the site given the existing topography.
- The primary intent of the grading ordinance is met, which is to minimize impact to adjacent properties.

Recommend approval to Town Council of the grading exception for the Sanctuary at Silverhawke subdivision, subject to the conditions in Attachment 1.

SUGGESTED MOTIONS:

I MOVE to recommend approval of the grading exception for the Sanctuary at Silverhawke subdivision, subject to the conditions on Attachment 1.

OR

I MOVE to recommend denial of the grading exception for the Sanctuary at Silverhawke subdivision finding _____.

ATTACHMENTS:

1. Conditions of approval
2. Location Map
3. Grading exception request
4. General Plan Map
5. Zoning Map
6. Conceptual Site Plan.

_____
Bayer Vella, Planning Manager