
#### Abstract

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE ORO VALLEY TOWN CENTRE PLANNED AREA DEVELOPMENT LOCATED NEAR THE NORTHEAST CORNER OF ORACLE ROAD AND PUSCH VIEW LANE; AND REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER


WHEREAS, the Applicant has requested an amendment to the Oro Valley Town Centre Planned Area Development (PAD) near the northwest corner of Oracle Road and Pusch View Lane, attached hereto as Exhibit "A"; and

WHEREAS, on April 18, 2012, the Town Council approved Ordinance No.: (O) 12-06, repealing and replacing the then existing Oro Valley Town Centre at Rooney Ranch Planned Area Development; and

WHEREAS, the amendment to the PAD includes changes to Area 4, as depicted in Exhibit "B"; and

WHEREAS, the proposed amendments to Area 4 of the PAD include: Increasing the number of lot from 65 to 77 , limiting all homes to single-story, reducing the minimum lot size from 15,000 square feet to 6000 square feet, enhancing landscape buffer yards to minimize visual impacts, incorporating a screen wall along Oracle Road to further minimize visual impacts and lessen road noise for future homeowners, and moving the access road to better preserve protected hillsides; and

WHEREAS, the Planning and Zoning Commission held duly noticed public hearings on February 5, 2019, and voted to recommend approval to the Town Council; and

WHEREAS, at a duly noticed Town Council Meeting on May 15, 2019, Oro Valley Town Council amending the Oro Valley Town Centre Planned Area Development and was declared a public record by Mayor and Council.

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

SECTION 1. That the Oro Valley Town Centre Planned Area Development, attached hereto as Exhibit "A" is hereby amended with additions being shown in ALL CAPS and deletions being shown in strikethrough text.

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parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.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 $15^{\text {th }}$ day of May, 2019.

ATTEST:


Michael Standish, Town Clerk
Date: 5/a0/19
PUBLISH: DAILY TERRITORIAL
MAY 21, 22, 23, 24, 2019


APPROVED AS TO FORM:


Tobin Sidles, Legal Services Director Date: $5 / 16 / 19$ POSTED: 5/21/19 - 6/20/19

## EXHIBIT "A"



## EXHIBIT "B"

# Oro Valley Town Centre Planned Area Development (PAD) Oro Valley, AZ 

## Proposed Amendment to Area 4

PROPERTY OWNER:

Canada del Oro LLC
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## DOCUMENT PREPARED BY:

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WLB No. 181057-N-007

May 30, 2018
Revised September 13, 2018
Revised November 29, 2018
Revised January 23, 2019
Revised February 15, 2019 for Town Council Hearing
Revised April 15, 2019 Based on Comments Received at March 6, 2019 TC Hearing
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## LIST OF EXHIBITS

The following exhibits are proposed for revision by this PAD amendment and are included in this document. Both the existing and proposed exhibits are included.

- Exhibit AA-1: Tentative Development Plan.
- Exhibit CC-1: Limits of Commercial/Residential Areas.
- Exhibit DD-1: Conceptual Grading Plan.

The following exhibits are proposed to be added via this PAD amendment and are included in this document:

- Exhibit CC-2: West Boundary Area 4 Bufferyard Plan.
- Exhibit CC-3: Slope Treatment Options.
- Exhibit CC-4: Entry Road Bufferyard Plan.
- Exhibit DD-9: Preliminary Cut and Fill Map.
- Exhibit DD-10: Preliminary Grading Limit Comparison
- Appendix I: Area 4 Conceptual Site Plan.
- Appendix J: Single Family Residential Architectural Character Images.
- Appendix K: Viewshed Analysis - Area 4.

The following exhibit is proposed to be removed via this PAD amendment and text added (as explained later in this document):

- Exhibit AA-2: Pusch View Lane Sections.


## A. BACKGROUND INFORMATION AND INTRODUCTION

The Oro Valley Town Centre PAD ("The PAD") consists of 141+/- acres located at the intersection of Oracle Road and $1^{\text {st }}$ Avenue. The PAD is comprised of four development areas, identified as Areas 1 through 4 as shown on Exhibit CC-1.

The PAD was originally approved by Town Council in 2002 and remained in an undeveloped condition for approximately 10 years. At that time, Kitchell Development Company acquired Area 1 of the PAD consisting of $27.8+/-$ acres and Area 2 of the PAD consisting of $4.5+/-$ acres and processed a PAD amendment to these areas in 2012. Areas 3 and 4 of the PAD were not amended. The purpose of this amendment was to revise certain development regulations and standards in the PAD to allow the property to respond to market demand for apartment units, retail and restaurant development.

Area 1 has been largely developed and contains the San Dorado apartments and several restaurants and retail spaces. Vacant pads are currently available in Area 1 for development while Area 2 remains undeveloped.

Areas 3 and 4 of the PAD consist of a total of 108.6+/- undeveloped acres and remain under the ownership of Canada del Oro LLC.

If the amendment is approved, these changes will be incorporated into the existing Oro Valley Town Centre PAD document dated 2012.

## B. NATURE AND PURPOSE OF REQUESTED PAD AMENDMENT

This document has been prepared in support of a proposed amendment to the Oro Valley Town Centre PAD specific to Area 4.

The purpose of the proposed amendment is to revise certain development standards, regulations and development criteria in the PAD to make this area of the PAD more in line with market demand. The general nature of the development proposed for Area 4 will be very similar to what is permitted in the existing PAD. The permitted use for Area 4 will remain as single-family residential. The proposed amendment is intended to make the development are more market friendly, similar to the previous 2012 amendment.

## C. REASONS TO SUPPORT REQUESTED PAD AMENDMENT

- Provides entitlement flexibility and allows for property to respond to market conditions and be developed and contribute positively to the growth of the Town of Oro Valley.
- Provides for clustering of single family residential development and preservation of significant amounts of open space on the property.
- Provides for smart and sensible development practices by developing property that has utility infrastructure immediately available to the site. Costly extension of utility infrastructure is not required for this site.
- Provides additional dwelling units and new Oro Valley residents who will shop in Oro Valley and increases the sales tax revenue generated by the town.
- Increases the population of Oro Valley which will contribute to attracting more businesses and employers to the town.
- Provides equal or greater compatibility with surrounding residential communities and provided the opportunity to work with the neighbors to devise a development strategy for the property that addressed concerns of neighbors.


## D. FORMAT OF THIS DOCUMENT

This document identifies the specific changes to the PAD that are being requested by this proposed amendment in the following manner:

- The specific section of the PAD proposed for change is identified.
- Language in the existing PAD that is proposed for removal is shown with strike through text.
- Language that is proposed to be added to the PAD is shown in all capital letters.
- If a number in the existing PAD is proposed for change, the existing number is shown with a strike through and then the proposed number is shown immediately following.
- If a PAD exhibit is proposed for change, then the particular exhibit is identified, the existing exhibit is included and the proposed exhibit immediately follows.


## E. PROPOSED PAD TEXT CHANGES

## Section II: Land Use Proposal

A. Project Overview (Pages AA-1 and AA-2 of the PAD)

Proposed Section II-A Change \#1: This requested PAD amendment proposes to change this section by adding the following text to the end of the first paragraph under the General Urban Land Use Strategy on page AA-1:

THE TENTATIVE DEVELOPMENT PLAN (TDP) HAS BEEN REVISED UNDER THIS PROPOSED AMENDMENT TO ADDRESS CHANGES IN AREA 4 ONLY. THE CHANGES TO AREA 4 ARE FULLY DESCRIBED IN THIS SUBMITTAL, BUT GENERALLY CONSIST OF THE FOLLOWING:

- THE PROPOSED CHANGES IN AREA 4 ARE FOCUSED ON MAKING THIS AREA MORE RECEPTIVE TO THE CURRENT DEMANDS AND REQUIREMENTS OF HOME BUILDERS. THE TDP NOW SHOWS A SINGLE FAMILY RESIDENTIAL LAYOUT FOR AREA 4 THAT REFLECTS THE REVISED DEVELOPMENT STANDARDS THAT ARE PROPOSED FOR AREA 4 AND INCLUDED IN SECTION

II-C.

Proposed Section II-A Change \#2: Page AA-2 contains the Tentative Development Plan (Exhibit AA-1: TDP). This exhibit has been revised and is included in this submittal package. (Please note that the TDP in the existing PAD does not actually contain the exhibit number. It is indeed, however, Exhibit AA-1.)
B. Community Goals and Policies (Pages BB-2, BB-3, BB-6 and BB-8 of the PAD)

Proposed Section II-B Change \#1: This requested PAD amendment proposes to change Policy $1 . a$ on page BB-2 to reflect the language found in Section 27.10 of the OVZCR pertaining to ORSCOD and the limitation on height of structures within 100 feet of the Oracle Road right-of-way:
a. Height Limitations - The Oro Valley Town Centre at Rooney Ranch proposes various building heights necessary for one through five story structures (office buildings are limited to three (3) stories maximum) appropriate for a strong commercial core in a mixed-use neighborhood/community commercialland use designation. However, ORSCOD restricts the heights of buildings within 300100 feet of the Oracle Road ROW to 18 feet. This limitation would severely constrain implementation of the General Plan and PAD policies. HOWEVER, HOMES CONSTRUCTED IN AREA 4 WOULD CONFORM TO THIS ORSCOD REQUIREMENT.

Building frontage along Oracle Road shall provide a similar percentage of view corridors to a depth of 300 feet along the east side of Oracle Road as depicted in the illustrative site plans attached in Appendix C-1. Although the buildings within 300 feet will, under this proposal, exceed 18 feet, they will not negatively affect the view corridors.

Proposed Section II-B Change \#2: This requested PAD amendment proposes to change Policy 2.f: on page BB-3 as follows (to clarify the correct name of the property owner):

It is the intent of Ganada del-Oro-Partners CANADA DEL ORO LLC OR THEIR SUCCESSORS...

Proposed Section II-B Change \#3: This requested PAD amendment proposes to change Policy 8: Phasing on page BB-6 as follows:
8. Phasing: Development may be phased within each portion of the project dependent upon market conditions. The Town will work with the developer to ensure appropriate infrastructure is in place with each phase of development as that phase requires such infrastructure
a. A conceptual pedestrian master plan with associated conceptual
landscaping and amenities (including landscape palette of materials to be used, approximate locations and plant types) is to be submitted with the first phase Conceptual Site Plan, OR FINAL SITE PLAN IF A CONCEPTUAL SITE PLAN IS NOT REQUIRED, and Landscape Plan.
4. Planned Area Development Proposal (Pages CC-1, CC-5, CC-6 and CC-7 of the PAD) Proposed Section II-C Change \#1: This requested PAD amendment proposes to change Page CC-1 as follows:

After the first paragraph beginning "Keeping in mind..." this requested PAD amendment proposes to add a second paragraph worded as follows:

THIS SECTION OF THE PAD IDENTIFIES THE PAD DEVELOPMENT AREAS 1 THROUGH 4 AND FURTHER IDENTIFIES THE PERMITTED USES AND DEVELOPMENT CRITERIA FOR EACH DEVELOPMENT AREA.

Proposed Section II-C Change \#2: This requested PAD amendment proposes to change page CC-7 (Permitted Uses and Development Criteria for Area 4). Please note that for context, the entire permitted use and development criteria section for Area 4 has been shown below, rather than only identifying the specific areas of change requested by this amendment. This will allow the reviewer to have a full understanding of the development regulations for Area 4.

Area 4 (Residential)

The Residential Area is proposed as a single family, detached, gated development and is depicted on Exhibit CC-1. The area contains $95.4+/-$ acres.

Primary Uses: Recreational facilities (HOA maintained) and single-family residential.

## Development Criteria

1. Setbacks:
a. Front: 20 feet.
b. Rear: 1215 feet.
c. Side:

5 FEET ON 50-FOOT WIDE LOTS.
7.5 FEET ON ALL OTHER LOTS
(corner lots add 510 feet).
D. MINIMUM 80-FOOT HOUSE SETBACK IS REQUIRED FROM ORACLE ROAD RIGHT-OF-WAY.
E. SEE EXHIBIT AA-1: TENTATIVE DEVELOPMENT PLAN (TDP) FOR OPEN SPACE BUFFER PROVIDED IN THE EASTERN PORTION OF AREA 4.
F. For homes closest to El Conquistador, the homes shall be-set back at least 100 feet from El-Conquistador's northern property line. Patio walls and
swimming pools shall be allowed within 20 feet of the El-Conquistador northern property line. NO RESIDENTIAL LOT LINE SHALL BE LOCATED LESS THAN 100 FEET FROM THE NORTH PROPERTY LINE OF THE EL CONQUISTADOR PATIO HOMES.
2. Building Height:

Single family residential-25 feet; residential homes closest to El Conquistador and along Oracle Road (Lots 10, 11 and 27-41 as shown on the TDP) shall be limited to 18 feet.
A. MAXIMUM OF 19 FEET AND ALL HOMES ARE RESTRICTED TO SINGLE STORY.
B. HOMES WITHIN 100 FEET OF THE ORACLE ROAD RIGHT-OF-WAY ARE LIMITED TO 18 FEET.
3. Maximum Number of Units: 65. 77 .
4. Minimum Lot Size: $15,0006,000$ square feet.
5. Average Lot Size: 20,000-square feet.
6. Minimum Landscaping Requirement: z5 percent of grossland area.A minimum 100 foot natural buffer yard shall be required along the ROW for Oracle for residential development. PER ORO VALLEY ZONING CODE. IN ADDITION A 20-FOOT LANDSCAPE BUFFER YARD "B" IS REQUIRED ADJACENT TO LOTS THAT ARE ADJACENT TO THE EAST RIGHT-OF-WAY LINE OF ORACLE ROAD. REQUIRED PLANTS IN THIS BUFFER YARD SHALL BE AS FOLLOWS: FOR EVERY 100 LINEAR FEET, 5 TREES, 8 SHRUBS OR CACTUS AND 15 ACCENTS OR CACTUS SHALL BE PLANTED. THE AREA ADJACENT TO THE WEST BOUNDRY LINE OF LOT 21 SHALL BE PLANTED WITH ADDITIONAL VEGETATION IN ORDER TO SCREEN THIS LOT FROM ORACLE ROAD. IN ADDITION TO THE 20 FOOT LANDSCAPE BUFFER YARD "B" DESCRIBED ABOVE, AN ADDITIONAL 3 TREES AND 5 SHRUBS SHALL BE PLANTED ADJACENT TO LOT 21. A 6 TO 8 FOOT WALL WILL ALSO BE INCLUDED IN THIS BUFFERYARD. REFER TO EXHIBIT CC-2 FOR THE LOCATION OF THIS WALL.
7. Parking Requirement: Per Oro Valley Zoning Code Revised.
8. Outdoor Displays: There shall be no outdoor displays.
9. ENHANCED VEGETATION: AS A MEANS OF PROVIDING ADDITIONAL SCREENING AND ENHANCING EXISTING VEGETATION, EITHER NURSERY GROWN TREES OR TREES FROM THE NATIVE PLANT SALVAGE OPERATION TO BE CONDUCTED ONSITE SHALL BE TRANSPLANTED TO THE FOLLOWING AREAS AND AS SHOWN ON THE CONCEPTUAL SITE PLAN:
A. TWO TREES SHALL BE PLANTED TO THE SOUTH OF LOT 77.
B. SIX TREES SHALL BE PLANTED ADJACENT TO THE NORTH SIDE OF CAMINO DIESTRO AND SOUTH OF LOTS 38 AND 50.
C. SIX TREES SHALL BE PLANTED ADJACENT TO THE NORTH SIDE OF CAMINO

DIESTRO AND SOUTH OF LOTS 26 AND 27.
D. FINAL LOCATION, SPECIES AND NUMBER OF TREES WILL BE SHOWN ON THE LANDSCAPE PLAN. FINAL LOCATION AND SIZE OF TREES WILL ALSO BE DETERMINED BASED ON ACCESSIBILITY AND OTHER LOCAL CONDITIONS.

TREES SHALL BE IRRIGATED IN ACCORDANCE WITH SECTION 27.6 LANDSCAPE CONSERVATION OF THE ORO VALLEY ZONING CODE REVISED.
10. ORSCOD: AREA 4 SHALL COMPLY WITH THE PROVISIONS OF ORSCOD AS OUTLINED IN THE ORO VALLEY ZONING CODE REVISED.

## F. PROPOSED PAD EXHIBIT CHANGES

The following exhibits are proposed to be changed via this PAD amendment.

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- Exhibit CC-1: Limits of Commercial/Residential Areas.
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The following exhibits are proposed to be added via this PAD amendment.

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- Appendix I: Area 4 Conceptual Site Plan.
- Appendix J: Single Family Residential Architectural Character Images.
- Appendix K: Viewshed Analysis - Area 4.

The following exhibit is proposed to be removed via this PAD amendment and text added:

- Exhibit AA-2: Pusch View Lane Sections.
- Note: In place of Exhibit AA-2, the PAD amendment will contain text stating the following: A TRAFFIC IMPACT ANALYSIS (TIA) will be prepared and it will determine the nature of the improvements required for Pusch View Lane. The TIA will consider the traffic generated by Areas 2, 3 and 4 when providing a recommendation for the configuration of Pusch View Lane.


## G. SECTIONS OF PAD NOT PROPOSED FOR CHANGE

This proposed PAD amendment does not request any changes to the following PAD sections:

- Section I: Analysis.
- Section II-D: Conceptual Grading Concept (Pages DD-1 and DD-2 of the PAD). (Please
note that changes are being proposed to the rest of Section II-D and are included in this submittal package).
- Section II-E: Project Design Criteria (Pages EE-1 through EE-19 of the PAD).
- Section II-F: Signs (Page FF-1 of the PAD).
- Section II-G: Noise Abatement (Page GG-1 of the PAD).
- Section II-H: Lighting (Page HH-1 of the PAD).


## EXHIBITS

## EXHIBIT AA-1: TENTATIVE DEVELOPMENT PLAN (TDP) EXISTING EXHIBIT AND PROPOSED EXHIBIT

Note: The circulation patterns shown are conceptual, and may ultimately be different from that which is shown depending on the final configuration of the site


Tentative Development Plan (TDP)


## EXHIBIT CC-1: LIMITS OF COMMERCIAL/RESIDENTIAL AREAS EXISTING EXHIBIT AND PROPOSED EXHIBIT




## EXHIBIT CC-2: WEST BOUNDARY AREA 4 BUFFERYARD PLAN (THIS IS A NEW EXHIBIT AND THERE IS NO EXISTING EXHIBIT)

## LEGEND



BUFFERYARD TREE (4 TREES / 100 LF.) BUFFERYARD SHRUB (7 SHRUBS / 100 LF.) BUFFERYARD ACCENT (12 ACCENTS / 100 LF.) 6' - 8' BLOCK WALL WITH OFFSETS. FINAL HEIGHT TO BE AS APPROVED BY PLANNING

## NOTE:

REFER TO EXHIBIT DD-1 CONCEPTUAL GRADING PLAN FOR SPECIFIC GRADING REQUIREMENTS FOR THIS WESTERN AREA OF THE SITE. THE INTENT IS TO GRADE THIS AREA SUCH THAT SLOPES ARE MORE NATURAL AND THAT EMULATE NATURAL, EXISTING SLOPES IN THIS AREA.


(THIS IS A NEW EXHIBIT AND THERE IS NO EXISTING EXHIBIT)

NOTE: VEGETATION PLANTED ON BENCHES SHALL BE LIMITED TO PLANTS W/ NON-INVASIVE ROOT SYSTEMS. TREES SHALL


1 GROUTED RIP-RAP SLOPE STABILIZATION
N.T.S.


COLOR PALETTE FOR WALLS
NOTE: THESE COLORS TO RE USED OR SIMLLAR SUBJECT TO REVEW AND APPROVAL BY TOWN OF ORO VALLEY.

(3) RETAINING WALL w/ PLANTING BENCH N.T.S.

DOUBLE RETAINING WALL
N.T.S.

RETAINING WALL, COLORED BLOCK OR COLORED SPLIT FACE LOT COLORED BLOCK OR
 COLORED SPLIT FACE


(4) RETAINING WALL w/ GROUTED RIP-RAP N.T.S.

(5) SLOPE STABILIZATION DETAILS N.T.S.

NOTE: SLOPE TREATMENT MAY ALSO CONSIST OF LANDSCAPING ONLY PROVIDED THAT THE SLOPE IS 3:1 OR FLATTER.




## EXHIBIT DD-9: PRELIMINARY CUT AND FILL MAP (THIS IS A NEW EXHIBIT AND THERE IS NO EXISTING EXHIBIT)



EXHIBIT DD-10: PRELIMINARY GRADING LIMIT COMPARISON (THIS IS A NEW EXHIBIT AND THERE IS NO EXISTING EXHIBIT)


## APPENDIX I: AREA 4 CONCEPTUAL SITE PLAN

(THIS IS A NEW APPENDIX AND THERE IS NO EXISTING APPENDIX)


## APPENDIX J: SINGLE FAMILY RESIDENTIAL ARCHITECTURAL CHARACTER IMAGES

(Please note this imagery is representative of the architectural style intended to be used in Area 4 of the PAD. The final architectural design may
not be exactly as shown. Please note that a separate approval process is required by the Town of Oro Valley for architecture).
(THIS IS A NEW APPENDIX AND THERE IS NO EXISTING APPENDIX)





## APPENDIX K: VIEWSHED ANALYSIS - AREA 4

(THIS IS A NEW APPENDIX AND THERE IS NO EXISTING APPENDIX)








