

Rooney Ranch
Oro Valley
Center
Planned Area Development District #6

June 15, 1988

OV-9-88-6
Approved February 8, 1989
As Amended

Canada del Oro Partners
Oro Valley, Arizona

Urbantech, Inc.
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WLB No. 181057

AMENDMENT HISTORY

Amendments pertaining to the Rooney Ranch PAD:

1. Ordinance: (O) 97-17
Date: February 28, 1997
Case #: OV9-97-1
2. Ordinance: (O) 98-47
Date: November 4, 1998
Case #: OV9-98-6
3. Ordinance: (O) 98-50
Date: December 2, 1998
Case #: OV9-98-6
4. Ordinance: (O) 99-59
Date: December 1, 1999
Case #: OV13-98-33

All ordinances incorporated into this PAD in March 2003 by David Williams & Associates and certified by Bayer Vella, Senior Planner, Town of Oro Valley.

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SECTION I

ANALYSIS

INTRODUCTION

This document has been prepared to meet the rezoning requirements of the Town of Oro Valley. It includes an inventory and analysis of the approximately 290 acre site presently known as the Rooney Ranch and makes a zoning and land use proposal. A large portion of the ranch was annexed into Oro Valley from unincorporated Pima County and rezoned from SR to the Oro Valley equivalent RI-144. On February 8, 1989, the Town Council approved the rezoning of the property described in this document from R-144 to PAD, subject to the conditions of OV9-89-6. This PAD proposes development of an urban village or Town Center at this key intersection in the geographical center of the projected incorporated area of Oro Valley.

Considerable engineering and alterations have been made to this site over recent years because of the increasing pressure to accommodate traffic and drainage, making it all the more prime and appropriate for urban development.

This family owned land is held in a partnership called Canada del Oro Partners with E. Blake Hastings of Tulsa, Oklahoma, as manager. Attorneys representing the partnership include Tom Golden of Hall, Estill, Hardwick, Gable, Golden & Nelson of Tulsa and Robert Stubbs of Tucson. The engineering firm retained as a consultant to the project is the WLB Group of Tucson with Linda Polito as project manager and maps and graphics by Dave McKinney. The planner and marketing and development strategist for the project is Urbantech a real estate planning and development corporation from Tulsa. John F. (Jack) Crowley, AICP, Ph.D., is Urbantech's representative.

A. EXISTING CONDITIONS

1. Site Location (Mans A-I and A-2)

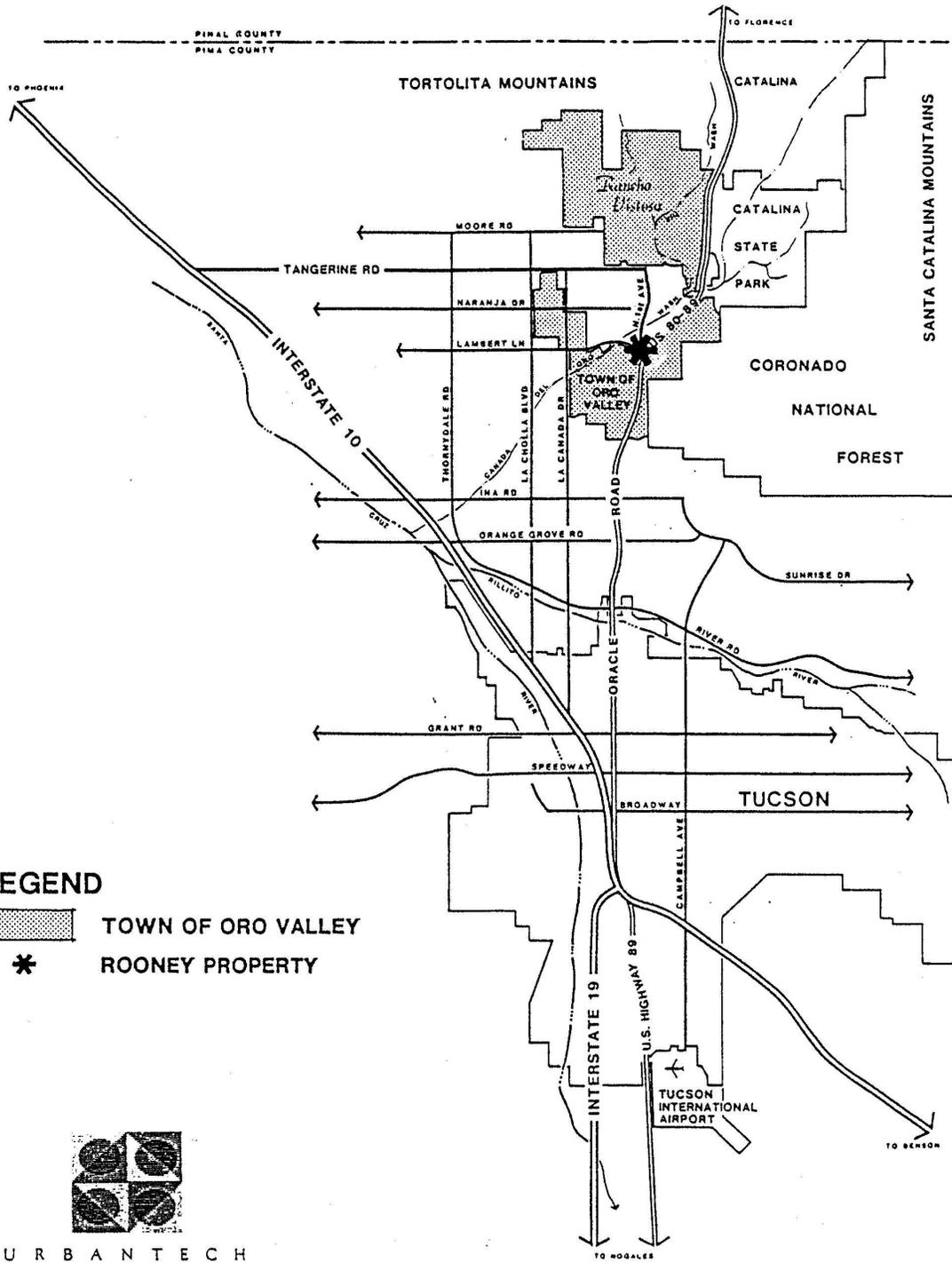
The subject property is what remains of a more than 5,000 acre working ranch owned by the Rooney family since 1946. Originally Garrett Air Research, The Foothills Business Park, La Reserve, and the Oro Valley Country Club area fell under this single ranch ownership. In the metropolitan perspective the site is situated eight miles north of Tucson on the Tucson/Florence Highway also known as Oracle Road. Locally, it straddles the intersection of North First Avenue and Oracle Road and brackets the Canada del Oro Wash. The western boundary is the old First Avenue alignment, the south boundary is generally the northern edge of the El Conquistador Resort, the east line abuts the La Reserve project south of Oracle Road and the Leiber/Steam Pump Ranch property to the north of Oracle Road. The north line abuts the southern edge of the Kai property. Over the years, as urban development surrounded the ranch and infrastructure requirements such as streets and drainageways were needed, the Rooney family dedicated to Pima County and the Town of Oro Valley considerable acreage for:

- a - The Canada del Oro embankment and drainageway project
- b - The widening of Oracle Road (State Highway 89)
- c - The widening and realignment of North First Avenue and the bridges (including adequate land for a parallel set of lanes to be built later)
- d - The widening and extension of Lambert Lane
- e - Drainage channels east and west of North First Avenue north of Lambert Lane
- f - The Foothills Channel Project
- g - The Rooney Wash Project
- h - The new interceptor sewer project north of Canada del Oro

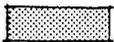
As a result, the site being planned and rezoned is transected by numerous public rights-of-way so as to be nine parcels whose individual metes and bounds are attached as Appendix 1. Map A-3 is a plot of the legal description and the designation of parcels A through I. An oblique aerial photograph is included to show the site relative to surrounding development in the Town of Oro Valley as well as Pima County (A-4).

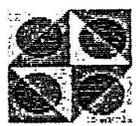
2. Onsite Land Use

With the exception of the ranch house compound located near the eastern boundary of the property, the remainder of the site is open range land (see aerial photograph A-5). The aerial also shows the extensive amount of infrastructure reworking of the land.



LEGEND

-  TOWN OF ORO VALLEY
-  ROONEY PROPERTY



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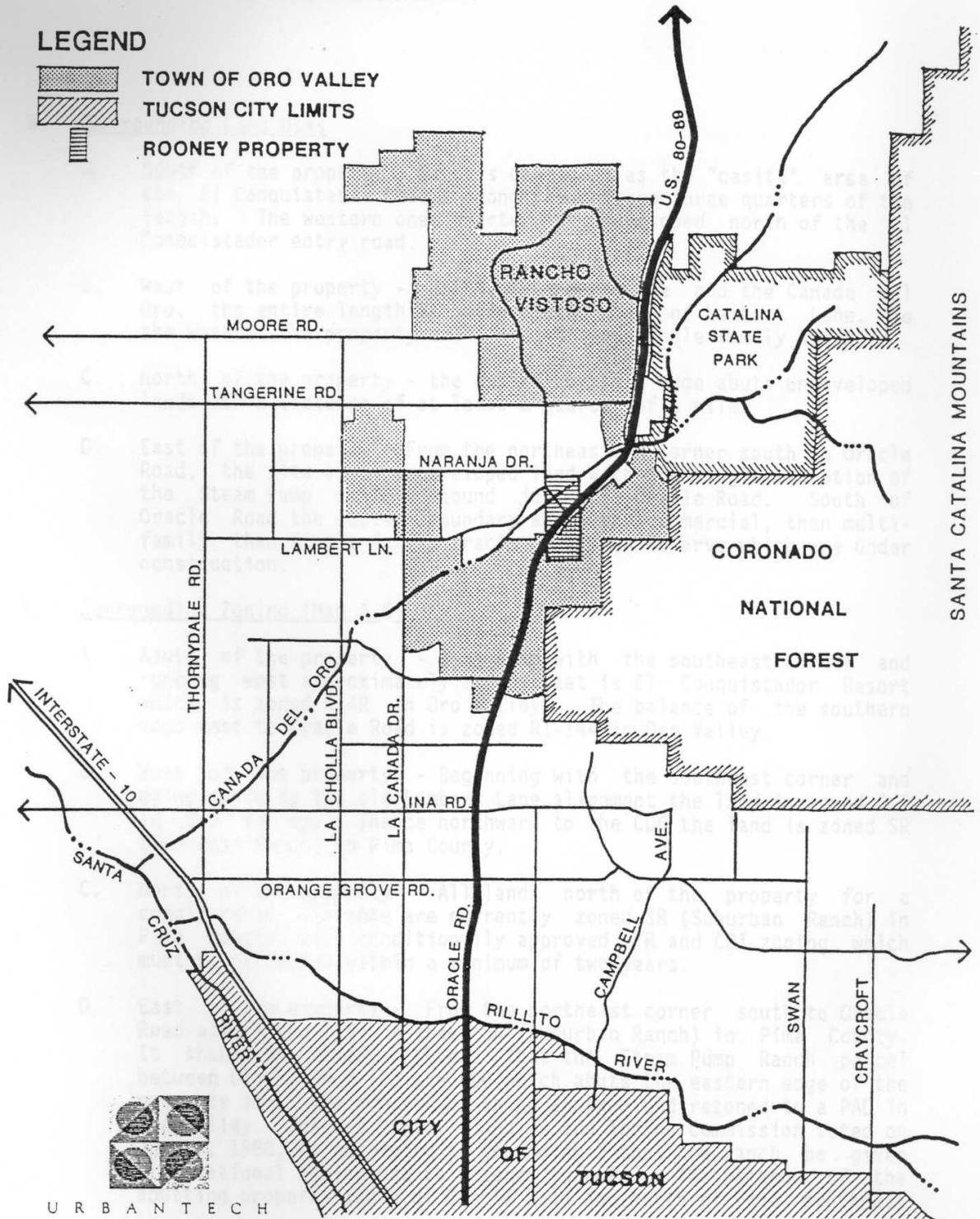
SITE LOCATION MAP

EXHIBIT A-1

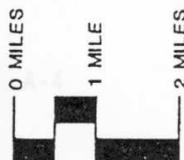
TORTOLITA MOUNTAINS

LEGEND

-  TOWN OF ORO VALLEY
-  TUCSON CITY LIMITS
-  ROONEY PROPERTY



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SITE LOCATION MAP
EXHIBIT A-2

3. Surrounding Land Uses

- A. South of the property - Land is developed as the “casita” area of the El Conquistador Resort along the eastern three quarters of the length. The western one quarter is undeveloped north of the El Conquistador entry road.
- B. West of the property - South of Lambert Lane and the Canada del Oro, the entire length is undeveloped north of Lambert Lane. To the west of the property are ten scattered single family homes.
- C. North of the property - the entire northern edge abuts undeveloped lands for a distance of at least a quarter of a mile.
- D. East of the property - From the northeastern corner south to Oracle Road, the site abuts undeveloped land with the single exception of the Steam Pump Ranch compound just off Oracle Road. South of Oracle Road the eastern boundary abuts the commercial, then multifamily, then single family tracts of the La Reserve which are under construction.

4. Surrounding Zoning (Map A-6)

- A. South of the property - Beginning with the southeast corner and running west approximately 2,640 feet is El Conquistador Resort which is zoned R-4R in Oro Valley. The balance of the southern edge west to Oracle Road is zoned R1-144 in Oro Valley.
- B. West of the property - Beginning with the southwest corner and going north to the old Lambert Lane alignment the land is zoned C-1 in Oro Valley. Thence northward to the CDO the land is zoned SR (Suburban Ranch) in Pima County.
- C. North of the property - All lands north of the property for a considerable distance are currently zoned SR (Suburban Ranch) in Pima County, with conditionally approved TR and CPI zoning which must be perfected within a minimum of two years.
- D. East of the property - From the northeast corner south to Oracle Road all of the land is zoned SR (Suburban Ranch) in Pima County. It should be noted, however, that the Steam Pump Ranch parcel between Oracle Road and the CDO which abuts the eastern edge of the property is in the process of being annexed and rezoned to a PAD in Oro Valley. The Oro Valley Planning and Zoning Commission voted on June 7, 1988, to recommend to the council that the ranch be given translational zoning and be rezoned to a PAD. The balance of the abutting property south of Oracle Road and north of the southeast corner of the site is in the Town of Oro Valley and is within the La Reserve PAD. The northern forty acre tract is zoned for commercial/retail and multifamily. The middle forty acres

is generally for medium density multifamily, while the southernmost forty acres is for single family detached housing.

5. Onsite Zoning

The property south of Oracle Road is zoned R1-144 in Oro Valley. The property north of Oracle Road is zoned SR (Suburban Ranch) in Pima County. An annexation process for the northern property is being undertaken concurrent with this PAD zoning application so that all of the property will be in the Town of Oro Valley.

6. Parcels and Acreages

The parcels and their letter designations are shown on Map A-3 and are as follows:

Parcel A	79.48	acres
Parcel B	18.56	acres
Parcel C	1.07	acres
Parcel D	39.00	acres
Parcel E	6.06	acres
Parcel F	2.21	acres
Parcel G	3.22	acres
Parcel H	27.74	acres
Parcel I	113.40	acres

The total acreage being considered in this Planning and Zoning Document is approximately 290 acres.

7. Building Heights

Existing building heights in the immediate area consist primarily of single family homes at 24 feet, apartments under construction in La Reserve at 25 to 30 feet, and the Garrett office building at approximately 37 to 40 feet. A 50 foot structure appears in the PAD document pending on the Steam Pump Ranch. Much of the site under consideration is uniquely positioned on the floor of the valley (its lowest elevation), therefore affording a greater opportunity for building heights which are multiple floored yet not blocking views or appearing unnecessarily dominant from a physical standpoint.

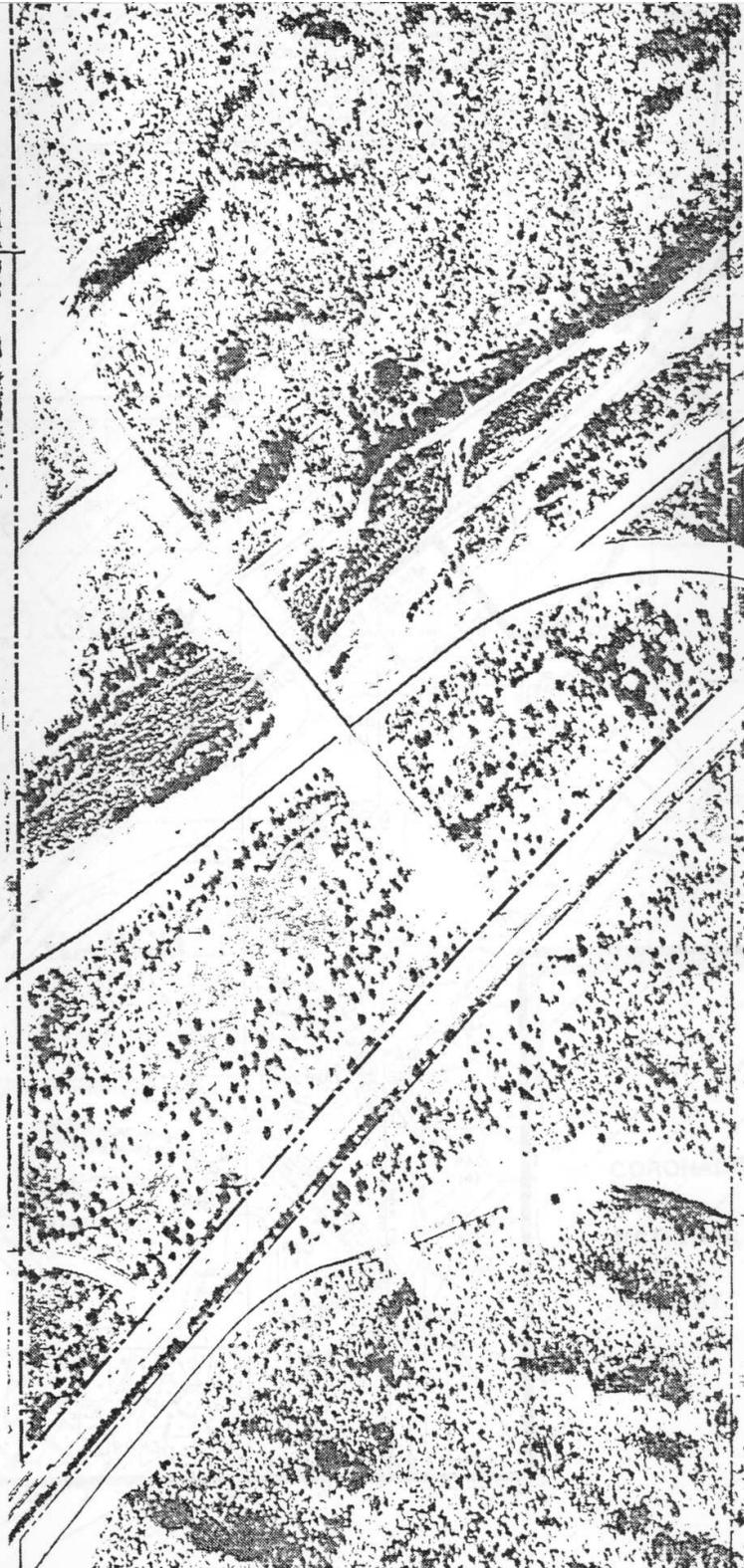
8. Adjacent Development Activities

The only active development in the immediate vicinity is the considerable amount of construction (multifamily and single family homes) at La Reserve. The extensive amount of growth and development happening at Rancho Vistoso to the north and Canada Hills to the west

are stimulating considerable development interest on “inboard” tracts such as the Steam Pump Ranch to the immediate east (zoning and annexation pending) and at the Kai property to the immediate north (participation in an improvement district to build a major sanitary sewer line is in the design stage). Considerable medium density residential construction is underway in an area southeast of the Oro Valley Country Club and 1/4 mile southwest of the property. In general the property is at the main intersection (Oracle Road and North First Avenue) of a rapidly urbanizing valley and, in fact, is an undeveloped “hole in the center of the doughnut.”

9. Existing Community Plans

The segment of the ranch south of Oracle Road lies within the Town of Oro Valley. The Town plan shows the future land use as “residential” and “economic center” (Oro Valley Area Plan-Rev. 9-28-85). The land is also included in the Oro Valley Hillside District Map. The segment of the ranch which is proposed to be annexed to the Town lies within both the Pima County Tortolita Area Plan and a designated subarea called Tortolita Community Plan Area. The specific land use group designation covering the site is “urban.” The Pima County neighborhood plan for this area is the Rancho Visto South Neighborhood Plan which indicates planned uses as commercial, transitional, and campus/residential is (a combination of Campus Park Industrial and Residential.)



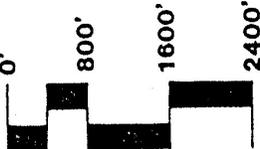
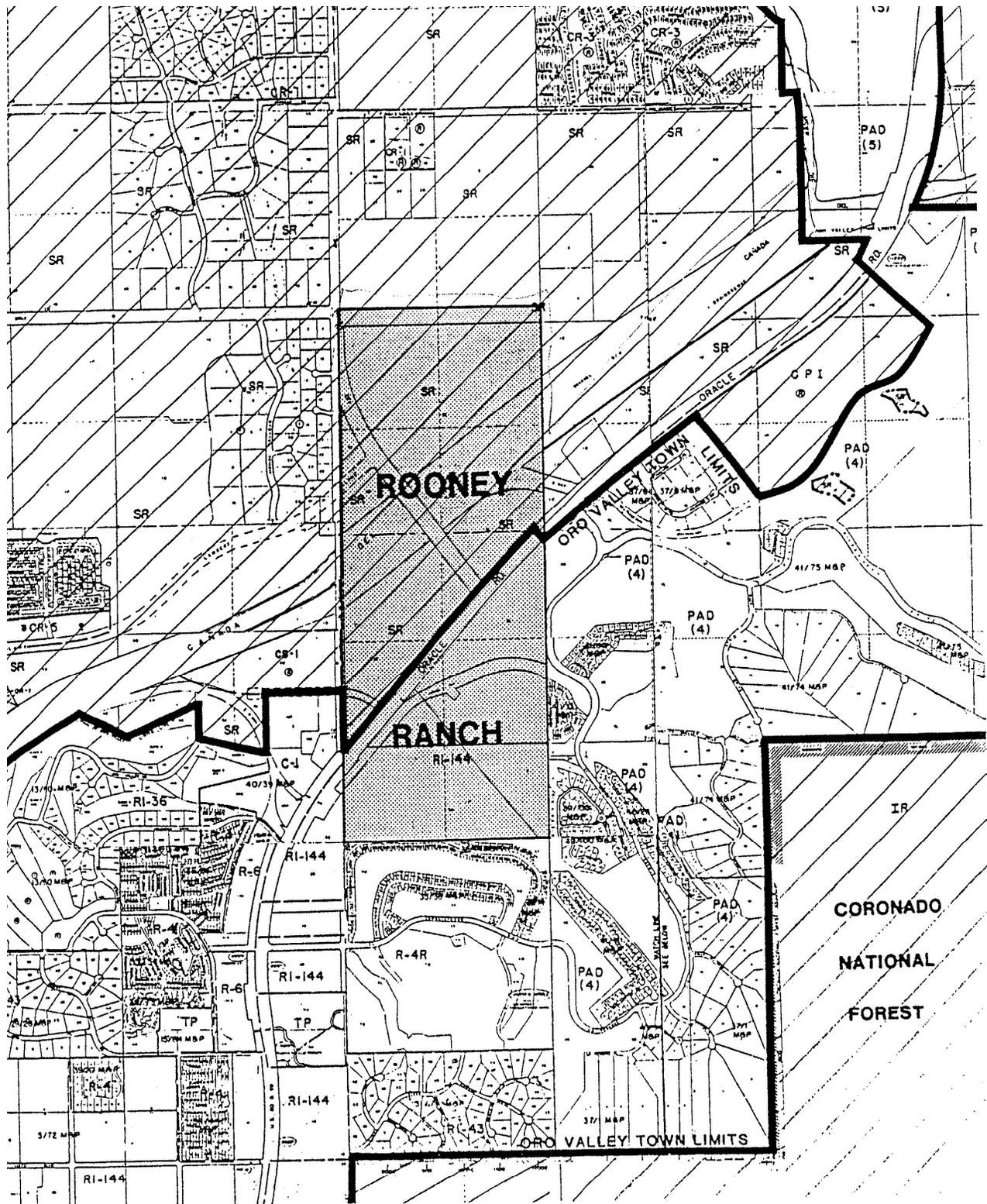
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AERIAL PHOTOGRAPH

EXHIBIT A-3



EXISTING ZONING

EXHIBIT A-4

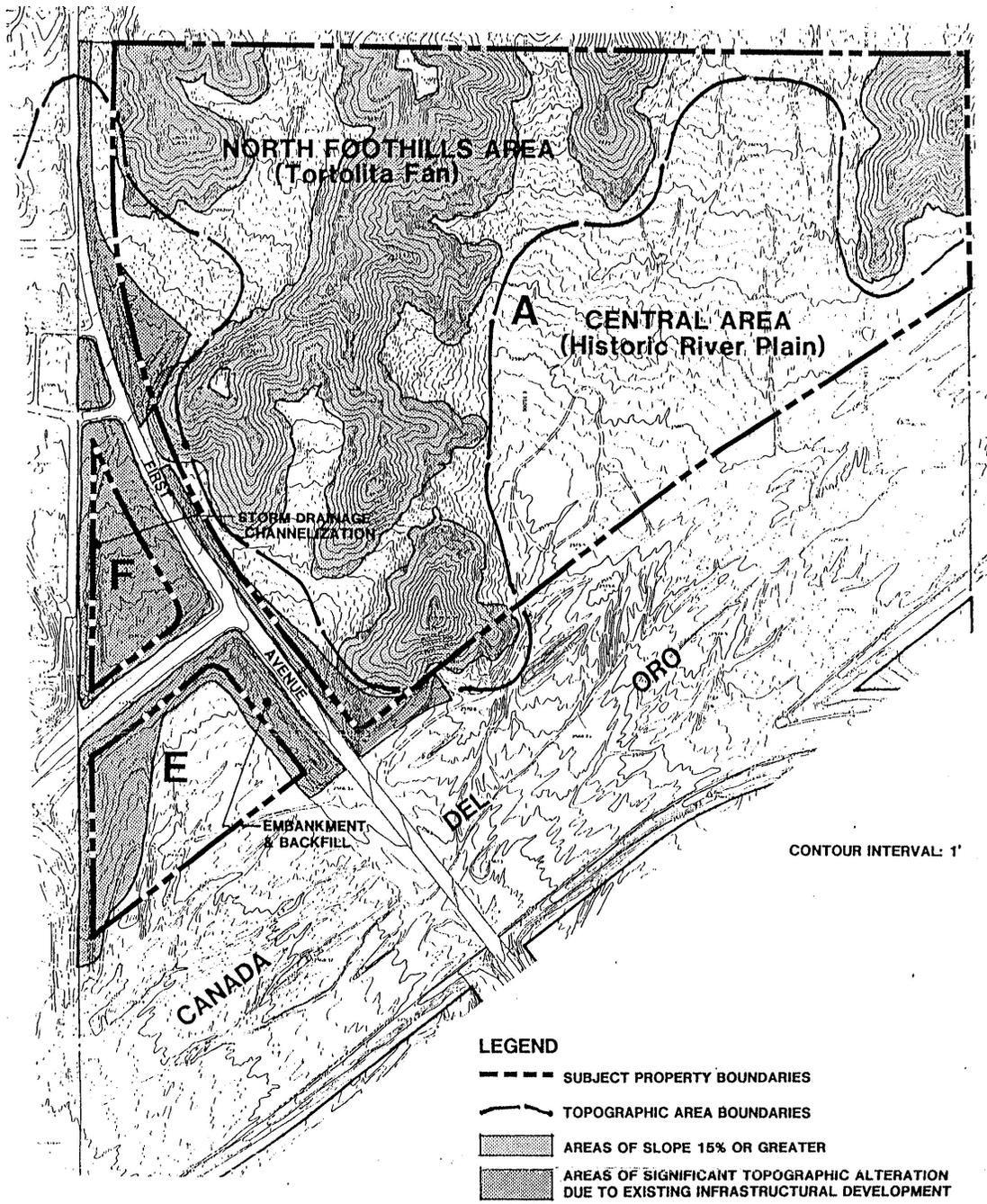
B. TOPOGRAPHY

1. Topographic Characteristics: The site straddles the Canada del Oro wash and as a result includes foothills and valley bottom sections generally comprising three natural topographic characteristics and an existing “man altered” fourth.
 - A. North Area - Along the north side of the wash and to the north property line, the land is primarily rimmed with gravel hills, some of which are 50 to 60 feet in height with side slopes in excess of 15%. This area is the southeasternmost edge of the Tortolita (alluvial) fan. It is an area where the uplands of the alluvial deposits, which are gently undulating surfaces, are incised by intermittent streams flowing south and southwestward to the main wash which passes northeast to southwestward through the property. The drops from the uplands to the wash have allowed these “incisions” to cause terrain which is a tilted plane sloping south-eastward with some steep cuts and dramatic views to the Pusch Ridge.
 - B. South Area - South of Oracle Road and its accompanying side wash (Rooney Wash) are the foothills which are the eroded or incised alluvial fan of the Santa Catalina mountains and more specifically the northwestern face of the Pusch Ridge. They are similar in makeup and character to the foothills in the Tortolita fan to the north with the exception that they form a tilting plane sloping downward to the northwest with excellent views back to the Tortolitas. The hills are a sand and gravel aggregate with no stone outcroppings. The gravel tends to be slightly larger stones due to the proximity of the mountains from which they eroded. The slope areas in excess of 15% are shown on Map B-1.
 - C. Center Area - The center section of the site, or the area from the Canada del Oro wash south to Oracle Road, originally was the broad, flat floodplain of the Canada del Oro. Topographically, there is less than 2% to 3% slope in most of the area with the exception of the most local forms of deposition and erosion in the bed of the existing wash which changes from one large rainstorm to the next. A portion of this broad river plain extends up into the heart of the land to the north of the wash where topographic variation is so minimal that overland flow is in sheets rather than rivulets during rainfall. Presently, nearly half of this riverplain lies along the bottoms of washes which had been publicly dedicated previously by the owner of the lands now being planned.

D. Man Altered - A fourth topographic area or characteristic needs pointing out since it is in place and affects a significant portion of the site. This “man altered” topography is noted because it represents the result of a substantial amount of urban infrastructure development. It presents an opportunity in the form of engineered embankments, levees, and major access roads and bridges and it presents unique problems in the form of artificially created grade separations (First Avenue Bridge approaches) which cause isolated low pockets of land with steep man made side slopes. This is particularly true of lands east and west of North First Avenue. A grading plan accompanies this document and addresses the mitigation of these problems. The cross hatched areas on Map B-i represent the area lands within and adjacent to the site which have been engineered and topographically altered by infrastructure projects. The recently created sewer district and its attendant outfall line which will pass near the north edge of Canada del Oro will further alter topography.

2. Other Topographic Observations:

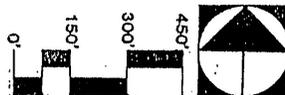
- A. There are no significant restricted peaks or ridges on or immediately adjacent to the site.
- B. There are not rock outcrops. This is concluded by:
 - 1. Aerial photographic study which gives no indication of sub-. merged ridge alignments.
 - 2. Observation of gravel pits, development excavations, and road cuts in all areas surrounding the site, including North First Avenue, the Henry Zipf borrow pit, the Conquistador, and La Reserve Project.
 - 3. Soil maps and texts which generally indicate deep gravel soils and the general characteristics of ancient river washes and alluvial fans.
 - 4. Extensive site visits looking for evidence (ground truth).
- C. Slopes of 15% or greater have been plotted using a more detailed (1:100) scale map for accurate examination and presentation. The map herein is a photographic reduction of it.

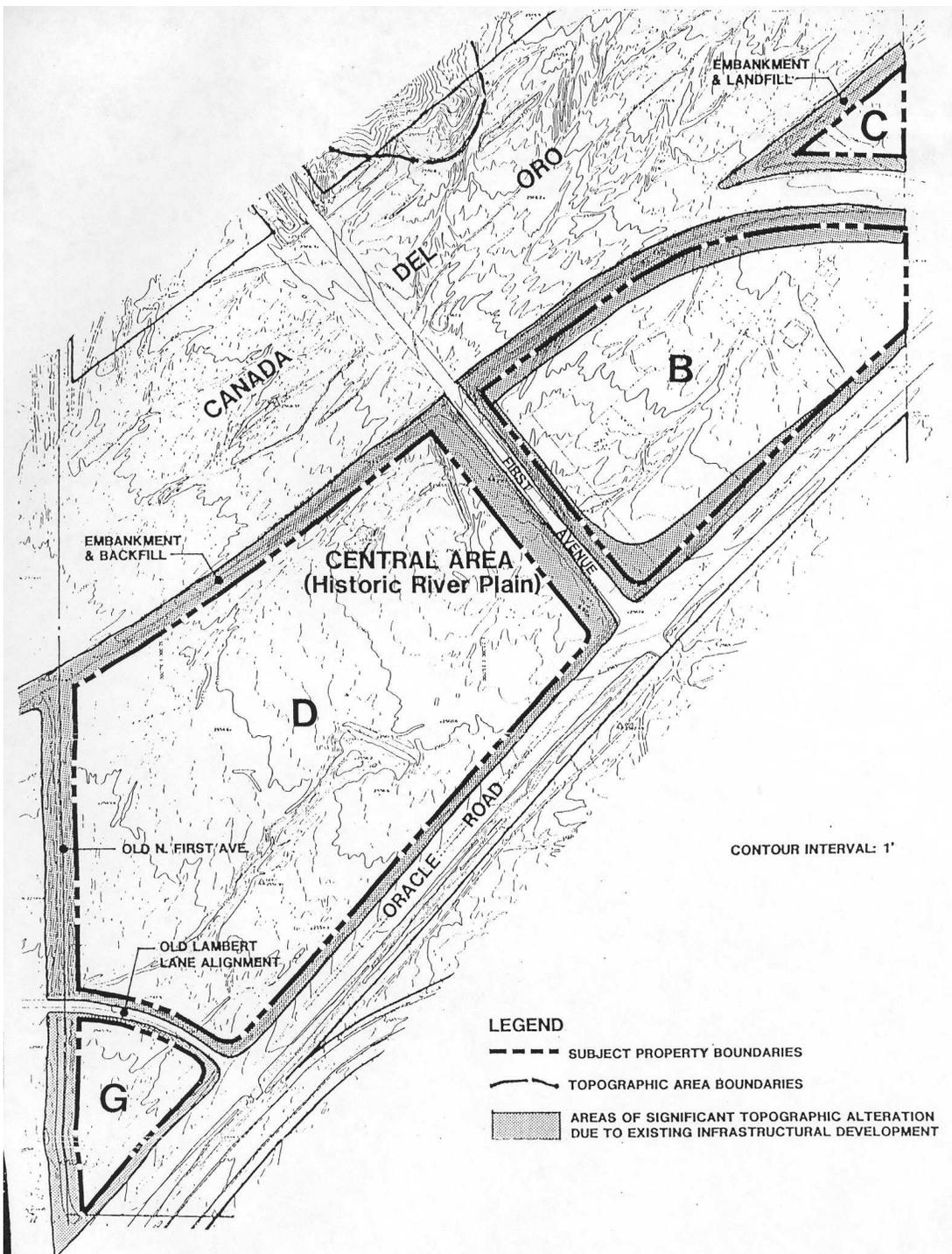


TOPOGRAPHY AREAS A,E,F



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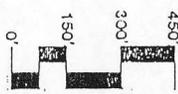




**TOPOGRAPHY
AREAS B,C,D,G**



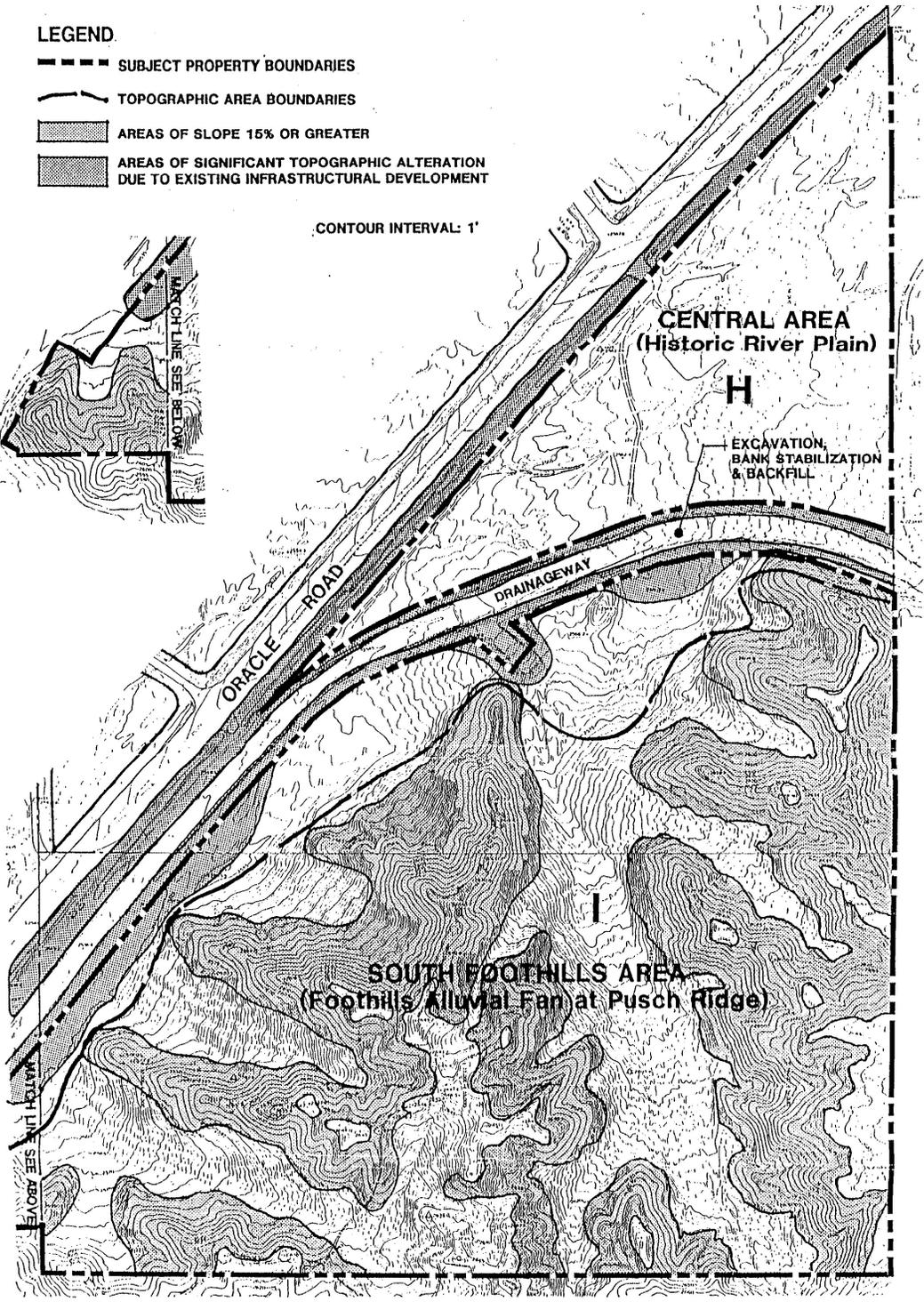
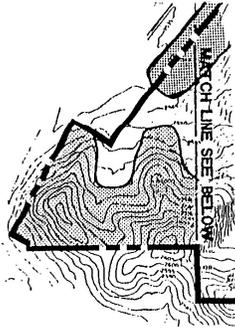
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LEGEND

-  SUBJECT PROPERTY BOUNDARIES
-  TOPOGRAPHIC AREA BOUNDARIES
-  AREAS OF SLOPE 15% OR GREATER
-  AREAS OF SIGNIFICANT TOPOGRAPHIC ALTERATION DUE TO EXISTING INFRASTRUCTURAL DEVELOPMENT

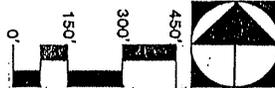
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**TOPOGRAPHY
AREAS H,I**



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C. HYDROLOGY

1. Offsite Watersheds: The Rooney Ranch lands are impacted by four offsite watersheds.
 - A. The Canada del Oro Wash - The principal drainageway for the entire valley is the Canada del Oro Wash which drains through the center of the ranch. This site lies downstream of the confluence of the Canada del Oro and Big Wash. The Canada del Oro drains the northwest face of the Santa Catalina Mountains and its foothills. The Big Wash drains the southeastern area of the Tortolita Mountains, their foothills, and Falcon Valley.
 - B. Foothills Channel - A secondary side wash specifically drains the Pusch Ridge area of the Santa Catalina Mountains south of Garrett AiResearch and the Foothills Business Park. The bank-protected wash enters the Canada del Oro on the east boundary of the property to the north of Oracle Road.
 - C. Rooney Wash - A side wash drains the northwest face of the Pusch Ridge and its foothills in the area of the La Reserve development. The fully engineered and bank protected wash drains through the ranch from east to west roughly paralleling the south side of Oracle Road then turns northwestward to a point of confluence with the Canada del Oro west of the site's boundary by some 1,000 feet.
 - D. North Area Local Washes -
 1. A small watershed whose drainage generally passes through the site east of North First Avenue and north of Canada del Oro. The watershed is basically north to south, picks up runoff from the Kai, Zipf, and Lieber properties to the north and passes through the ranch land in broad sheet flow during rains.
 2. A local area consisting of a few single family homes and the North First Avenue alignment itself is collected and conveyed to the Canada del Oro through a street-side fully lined channel. Nearly all of this drainage area is either within the property or the North First Avenue and Lambert Lane rights-of-way because a local ridge line generally follows just outside of the western edge of the property. Offsite contributing flows here are negligible and are already accommodated in the existing drainage structures.

2. Offsite Features Within the Watersheds: (Exhibit C-1)

A. Canada del Oro

1. Right-of-way (dedicated by Rooney) of varying widths of approximately 900 feet.
2. The south side has been stabilized with soil cement for the entire length of the property with a top railing.
3. The north side bridge approach embankments to protect the existing North First Avenue bridge and its yet to be built twin span.
4. Bank protection/levees and bridge approaches are designed to accommodate a 100-year design storm.

B. Foothills Channel

1. Right-of-way (dedicated by Rooney) of varying widths of approximately 250 feet.
2. The channel has been constructed to accommodate the 100-year regulatory flows.
3. Soil cement bank protection with protective hand rails.
4. Box culverts under all lanes of Oracle Road northeast of North First Avenue.

C. Rooney Wash

1. Right-of-way (dedicated by Rooney) of varying widths of approximately 150 feet.
2. The channel and adjacent lands have been backfilled to accommodate a 100-year regulatory flow.
3. Soil cement embankments.
4. Box culverts under all lanes of Oracle Road southwest of Old Lambert Lane.

D. North First Avenue Drainage

1. Combination of open channel easements and North First Avenue right-of-way.
2. Fully lined channels.
3. Culverts under North First Avenue and Lambert Lane.

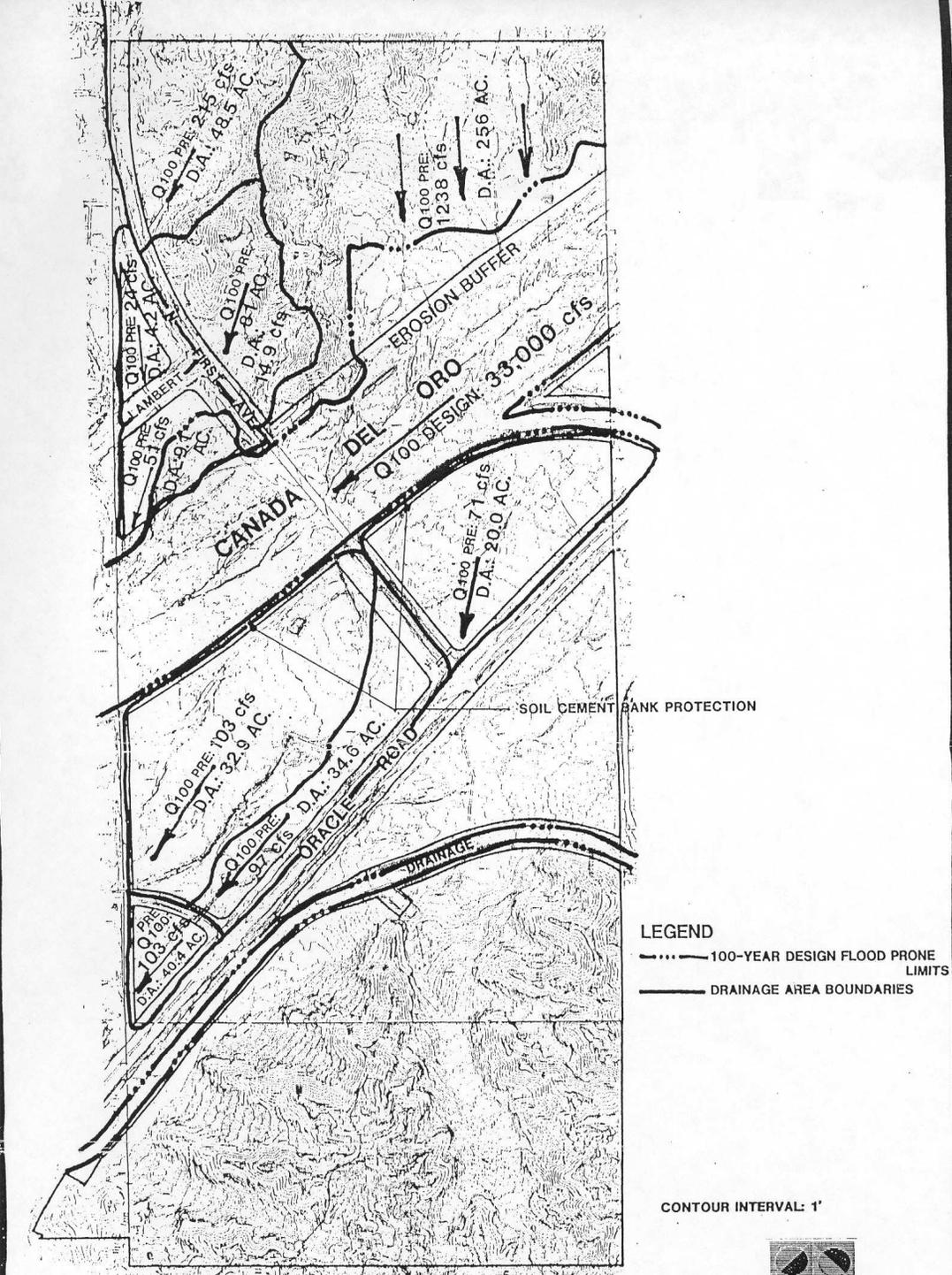
3. Areas of Upstream Offsite Watersheds

A.	Canada del Oro*	256 square miles
B.	Rooney Wash*	1,051 acres
C.	Northern Sheet Wash Area*	48.5 acres
D.	North First Avenue Drainage	Less than 5 acres

* Areas taken from design documents for various channel improvement projects.

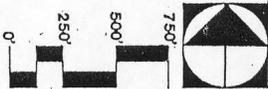
4. Characteristics of Onsite Hydrology: Because of the number of major offsite and engineered watercourses passing through the less than 300 acre area, the remaining onsite basins are extremely local and no larger than 20 acres. In addition, nearly 60 percent of the property is either naturally level as a protected bottom area or as a result of highway and drainage related construction made level. Drainage from these areas will have to be collected and directed to existing nearby drainageways. In addition, only a small area north of the Canada del Oro remains to be given bank protection due to the extensiveness of the existing embankment system.

5. Existing Drainage Conditions Along the Downstream Property Boundary:
All drainage originating either from within the property or from drainage areas above the property exit the ranch on the downstream side through the embanked Canada del Oro Wash or the embanked Rooney Wash.



HYDROLOGY MAP

EXHIBIT C-1



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 918-583-0028

The WLB Group **WLB**

D. VEGETATION

1. Vegetative Region

According to the Soil Conservation Service (Map 7-02226), the site is located well within the Central Arizona Basin and Range area designation. The area is typically mountains and valleys with considerable alluvial deposition. The alluvial plains and fans are cut down further by intermittent streams and washes. It is a semi-arid desert and according to Brown (Desert Plants, V. 4, n. 1, 1982 pp. 200-203), the typical vegetation of the Rooney Ranch would fall within the classification of the Arizona Upland Division of the Sonoran Desert.

2. General Plant Community on Site

Within the Arizona Upland Subdivision, the plant communities generally associated with the site are those commonly found along valley bottoms and washes as well as the very lowland edge of foothills and alluvial fans. The site has representation from three communities.

- A. Saguaro/Palo Verde (Upland Community): This is a mature plant community found near the base of mountains ranges in the foothill areas. As one moves downward and away from the range and foothills, saguaro and ocotillo occur less frequently. The Rooney Ranch is on the very outer margin of the Pusch Ridge foothills along the southern edge of the property near the La Reserve and El Conquistador tracts. The northern areas of the ranch are so distant from the Tortolita range and foothill influences in terms of plant communities that very little evidence of the Saguaro/Palo Verde Community group is evident. There was very little ocotillo and only a single specimen saguaro north of Canada del Oro. The community is most evident with 25 to 30 specimen saguaro cacti in the higher elevations in the extreme southeast corner of the ranch adjacent to La Reserve (See Vegetation Map). This area comprises 8% to 12% of the site.

Primary Species: Foothills Palo Verde, Saguaro

Other Species: Whitethorn and Catclaw Acacias, Ironwood, Mesquite, Cholla Cactus, Barrel Cactus, perennial grasses and flowers, Bursage, Brittlebush, Pincushion Cactus, and Prickly Pear.

- B. Foothills Palo Verde/Cholla Cactus (Upland Community): This plant community is generally associated with the more common, well drained, uplands between the foothills and the river washes. It is similar to the foothills community but with less diversity. This plant group occurs on approximately 30% to 35% of the site primarily in all of the upland area north of the Canada del Oro and in the hill areas south of Oracle Road below the Saguaro Cacti locations.
- Primary Species: Foothills Palo Verde (very common), Whitethorn, Catclaw Acacias, and Cholla Cactus.
- Other Species: Mesquite, Bursage, Creosote, Barrel Cactus, Brittlebush, Desert Hackberry, Crucifixion Thorn, Pincushion Cactus, and perennial grasses and flowers.
- C. Whitethorn/Catclaw Acacias (Desert Riparian Communities): The major washes which intersect the site and the plant communities associated with them make up the predominant area of the ranch land (45%-55%).
- Primary Species: Mesquite, Whitethorn and Catclaw Acacia, Desert Hackberry, Desert Broom, and Seep Willow.
- Other Species: Blue Palo Verde, Desert Willow, Turpentine Bush, Creosote, and perennial grasses and flowers.
- D. Altered Plant Communities: Approximately 15% to 20% of the site has been recently and significantly altered by grazing or development. These surfaces are presently paved or open sand and gravel with the beginnings of some perennial grasses and flowers occurring as planted or volunteer growth. Plant densities, particularly among the lower shrubs and cacti on the lands south of the Canada to the south edge of the ranch, are considerably lower than normal due to grazing. There are also a few specimen Eucalyptus trees which were planted and irrigated in the ranch house area. The altered or disturbed areas are plotted on the vegetation map and consist primarily of:
- 1 - The abandoned North First Avenue right of way along the western boundary of the ranch
 - 2 - The newly graded right of way embankments on Lambert Lane and North First Avenue
 - 3 - The heavily used developed area around the ranch house, barns, and pens
 - 4 - The embankments, pavement, and related excavations and backfill areas of Canada del Oro and the Foothills, Rooney, and North First Avenue washes.

3. Cumulative Plant Inventory/List

Trees

Acacia Constricta
Acacia Farnesiana
Acacia Greggii
Canotia Holocantha
Cercidium Microphyllum
Cercidium Floridum
Chilopsis Linearis
Olneya Tesota
Prosopis Juliflora
Eucalyptus

Whitethorn Acacia
Sweet Acacia
Catclaw Acacia
Crucifixion Thorn
Foothills Palo Verde
Blue Palo Verde
Desert Willow
Ironwood
Mesquite

Shrubs

Aplopappus Larcifolius
Asclepias Subulata
Baccharis Glutinosa
Baccharis Sarathroides
Celtis Pallida
Encelia Farinosa
Foqueria Splendens
Franseria Deltoidea
Larrea Tridentata
Sapindus Saponaria
Yucca Elata

Turpentine Bush
Milkweed
Seep Willow
Desert Broom
Desert Hackberry
Brittlebush
Ocotillo
Triangle-Leaf Bursage
Creosote Bush
Soapberry
Soaptree Yucca

Cactuses

Carnegiea Gigantea
Echinocereus Fasciculatus
Ferocactus Wislizenii
Opuntia Arbuscula
Opuntia Bigelovii
Opuntia Fulgida
Opuntia Leptocarpus
Opuntia Phaecantha Var. Discanta
Opuntia Versicolor

Saguaro
Pincushion Cactus
Fish-Hook Barrel
Pencil Cholla
Teddy-Bear Cholla
Chain-Fruit Cholla
Desert Christmas Cactus
Prickly Pear
Staghorn Cholla

Ground Covers

Apioppus Larcifolius
Baileya Multiradiata

Turpentine Bush
Desert Marigold

4. Threatened or Endangered Species

- A. There are no known federally listed threatened or endangered species on the site.
- B. A single specimen saguaro cactus was found north of the Canada (plotted) and approximately 25 were plotted in an area south of Oracle Road near the southeast corner (plotted).
- C. There are no significant stands of trees on the site and no single significant specimen. This is due in large part to the fact that nearly all of the riparian areas where significant stands tend to occur have been altered by streets, bridges, and drainage improvements. The large Eucalyptus trees around the ranch house are noted and efforts to retain them would generally be seen as an asset to development on the site even though they are not native.

5. Vegetation Density

Aerial Photo interpretation (canopy cover) and ground truth (site examination) were used to grade the site in terms of tree and shrub cover density.

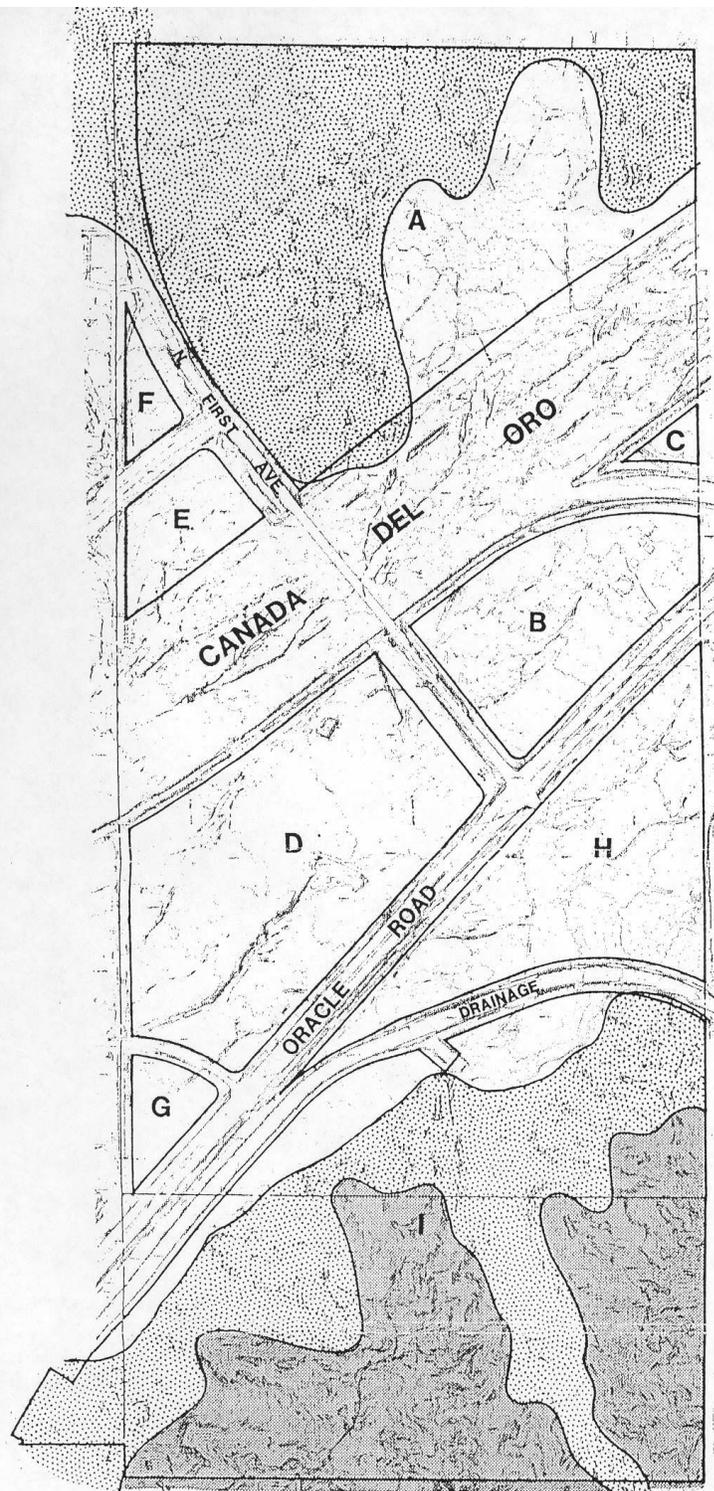
Low Density Coverage	0%-25%
Medium Density Coverage	25%-75%
High Density Coverage	75%-100%

- A. Saguaro/Palo Verde Community: The foothills Palo Verdes range in canopy size from 7' to 15' with a few larger specimens of as much as 25'. The various Acacias in the upland area range between 7' and 12'. They are typically spaced over the hills with a medium density cover of approximately 35% to 45%.
- B. Foothills Palo Verde/Cholla Cactus Community: Since most of this community exists on the hills and slopes to the washes and riparian areas, the cover is of medium density with fairly large Palo Verdes typically of the 10' to 20' range. Acacias tend to be slightly larger and in the 10' to 15' range. As in the other upland community, the canopies appear to almost be mechanically spaced, causing a "stippled" look on the landscape. Cover is generally in the 35% to 45% range.

- C. Whitethorn/Catclaw Acacias (Desert Riparian): On the site, the riparian community is really a series of dense groves of Acacias (15'-20') and Blue Palo Verdes and Mesquites (20'-25') interspersed with open sand and gravel washes which have little or no vegetation. Sixty to seventy percent of this community which followed the immediate edges of the washes were displaced by the stabilized embankments, drainage channel work, and bridge approaches. The remaining groves lie primarily along the north edge of the Canada east of North First Avenue near the path of the projected sanitary sewer outfall project.

6. Vegetative Characteristics and Usage

- A. Scenic Value: Typically, the riparian communities are comparatively rich, diverse, and give the wash areas, where development will not take place, an attractive verdant appearance. The value of the less dense upland vegetation serves less as a shading and screening material than it does preserving the "sense of place" that is the Arizona desert. The Saguaro and Palo Verde are as much Oro Valley as Live Oaks and Dogwoods are Athens, Georgia.
- B. Screening and Buffering: As it stands, the vegetation has limited screening and buffering value. In effect, it will likely need to be relocated and densified to serve such purposes. The site and its vegetation, however, provide an excellent nursery for plant material which can be reworked around sensitive development.
- C. Soil Stabilization: Much of the wash and bank stabilization is artificial. However, there is ample evidence that the vegetation elsewhere protects the site from wind and water erosion.
- D. Uniqueness: As previously noted, the uniqueness lies in its presentation as a native desert environment apart from other regions of the country. The combination of vegetation and the two mountain ranges causes the Oro Valley site to be very unique even within the Tucson region. There are no unique or rare species of plants known to be on the site.



CONTOUR INTERVAL: 1'

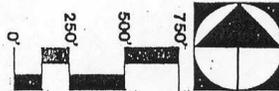
LEGEND

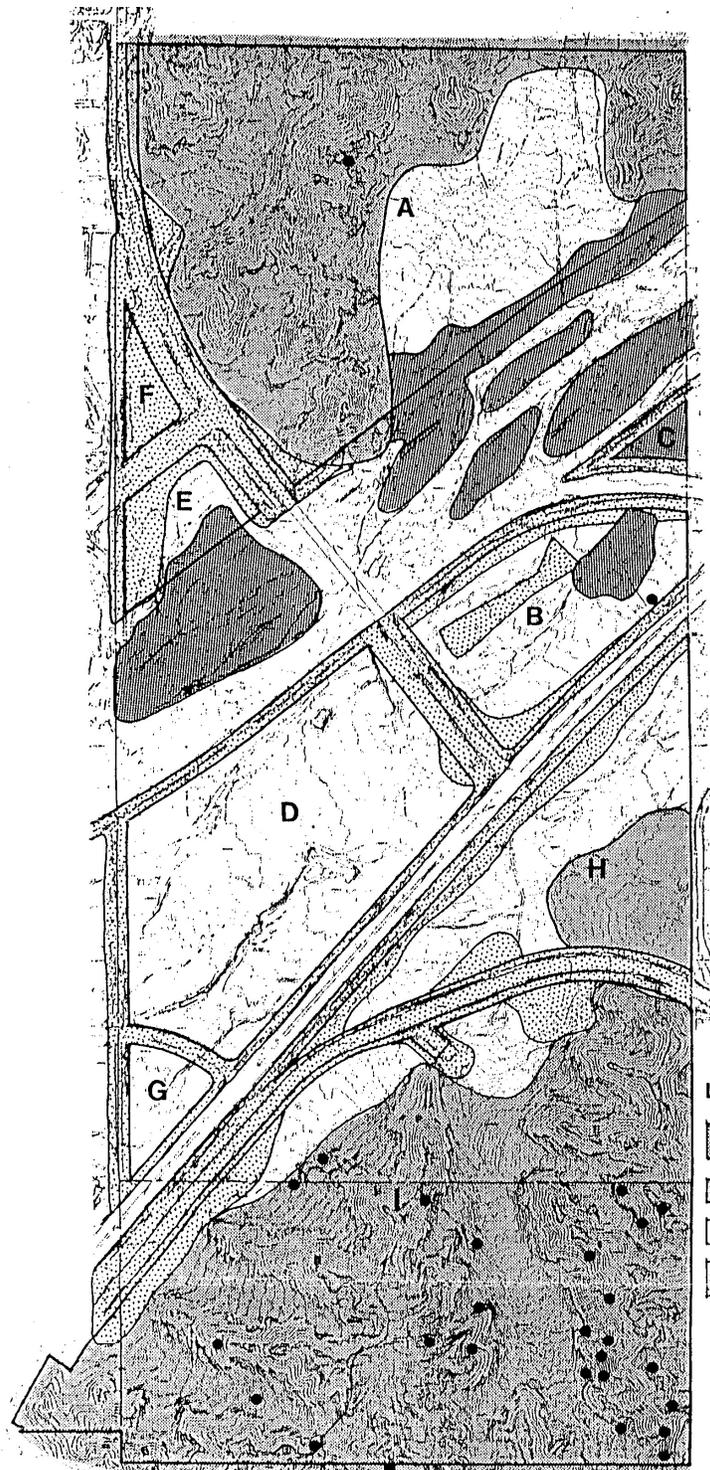
-  FOOTHILLS PALO VERDE/
CHOLLA CACTUS
(UPLAND COMMUNITY)
-  WHITETHORN/CATCLAW ACACIA
(DESERT RIPARIAN COMMUNITIES)
-  SAGUARO/PALO VERDE
(UPLAND COMMUNITY)

VEGETATIVE COMMUNITIES



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LEGEND

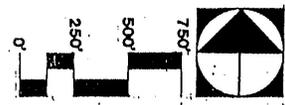
-  HIGH DENSITY VEGETATION (RIPARIAN STANDS OR GROVES)
-  MEDIUM DENSITY VEGETATION
-  LOW DENSITY VEGETATION
-  REMOVED OR ALTERED VEGETATION
-  SAGUARO LOCATIONS (LOCATED BY FIELD OBSERVATION)

VEGETATIVE DENSITIES CONTOUR INTERVAL: 1'



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 918-563-0028

EXHIBIT D-2



E. WILDLIFE

1. Letter (Exhibit E-1): Enclosed is a letter concerning wildlife and habitat areas of the Rooney Ranch from the Tucson Regional Office of the Arizona Game and Fish Department, William N. Rutan, Wildlife Manager (Observations made on Section 7, Township 12 South, Range 14 East).
2. Description of Wildlife Habitats: Below listed are comments from the letter as well as from field notes and observations.
 - A. State-listed threatened or endangered species - none listed in the letter.
 - B. High densities of a given species population or unusually high diversity of species - The site is transected by two major highways and three large engineered watercourses as well as surrounded on two of the four sides by development. It also has been grazed in the past and to a lesser extent at the present. Although the Harris Hawk, various rabbits, and ground burrowing animals were observed, the letter lists no significantly high populations or diverse wildlife groups.
 - C. Aquatic or Riparian Ecosystems: The letter notes a “Class I critical riparian habitat connected to protected areas.” This refers to the Canada del Oro wash. With the exception of some low areas on the north fringe of the wash, the Canada is a dedicated and protected right of way some 900 feet in width where it passes through the ranch lands. As also noted, any further bank protection will have to comply with the U. S. Army Corps of Engineers regulations.
3. Class II Habitats: The letter also notes a Class II sensitive habitat containing important Palo Verde - Saguaro plant communities. This area was included on the vegetation map as the southeasternmost part of the existing ranch below Oracle Road adjacent to the La Reserve and El Conquistador developments.
4. Exhibit E-2 shows the wildlife and riparian habitat areas. Exhibit D-1 shows the vegetative communities associated with various habitat opportunities.



ARIZONA GAME & FISH DEPARTMENT

2222 West Greenway Road Phoenix, Arizona 85023
942-3000

555 N. Greasewood Tucson AZ 85745 628-5376

July 14, 1987

Ms. Linda Polito
WLB Group
4444 E. Broadway
Tucson Arizona 85711

Dear Ms. Polito:

The Arizona Game and Fish Department has reviewed the area in Section 7, T12S., R14E., and we wish to provide the following information:

The Department's Data Management System was accessed for the site, and there are no State listed special status (threatened or unique) species in the area. However, we wish to note that there is a wash mapped as a class I critical riparian habitat connecting to protected areas. Any bank protection of this wash in excess of one acre will require a 404 permit from the U.S. Army Corps of Engineers (213) 894-5606. Also, the area within Section 7 is mapped as a class II sensitive habitat containing important paloverde-saguaro plant communities.

We recommend that any development concept for the site should include open space adjacent to the washes, with revegetation in the vicinity of the wash with native desert species.

Sincerely,

Temple A. Reynolds, Director

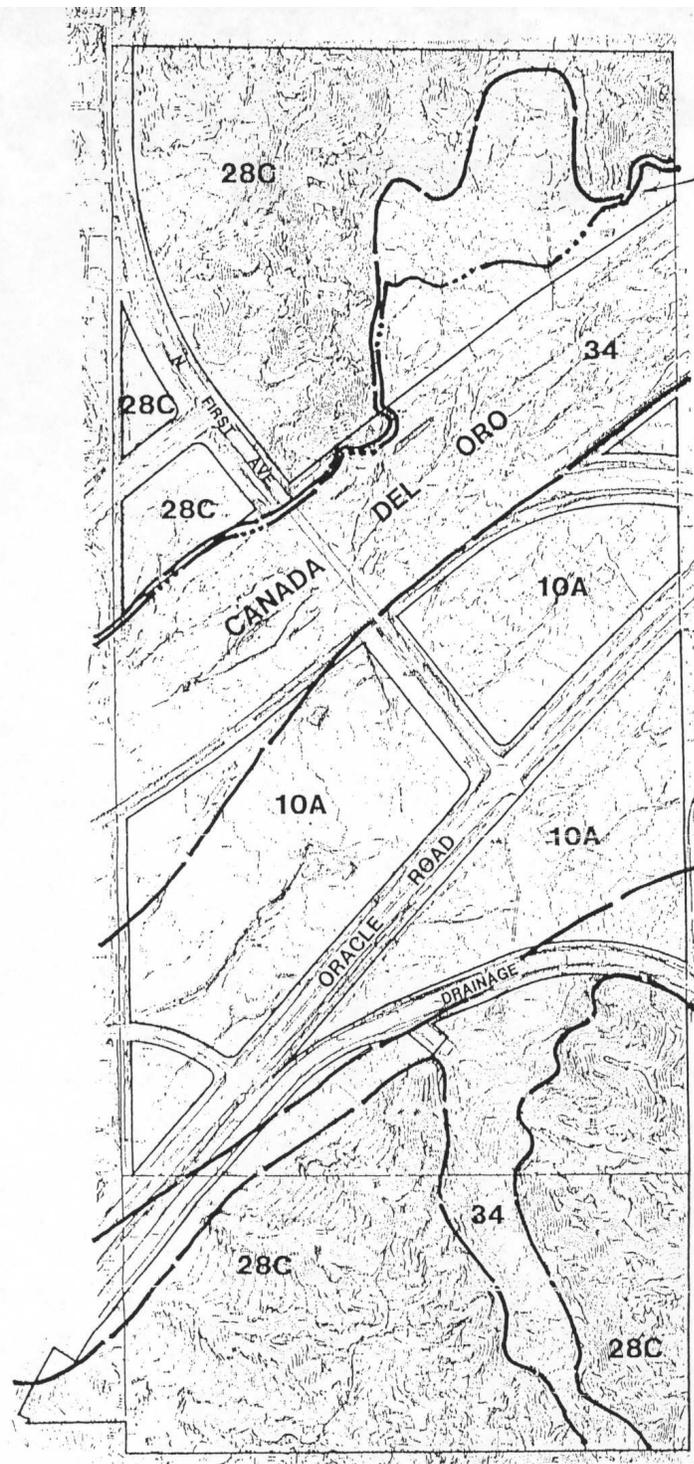
William N. Rutan
Wildlife Manager
Tucson Regional Office

WNR:nlr

F. SOILS

1. Floodplains: The site is completely protected by a series of engineered drainageways consisting of excavated channels with soil cement sides and backfill (in the cases of Foothills and Rooney washes) and stabilized levee/embankments (in the case of Canada del Oro). The underlying soils, however, are typical of a major geological floodplain.
2. Soils Map and Development Suitability: There are three soil groups within the Rooney Ranch site (Map F-1):
 - A. Arizo Riverwash Complex #34 - This soil complex (0 to 3 percent slopes) is on nearly level flood plains and channel bottoms. It occurs in two areas of the Rooney lands. The first area is a large swath in the alignment of the Canada del Oro. The second distinct occurrence is at the base of the gravel hills along the southern parcel edge. According to the U.S. Geological Survey maps and soil texts, this complex is comprised largely (50%) of Arizo fine sandy loam and secondly (20%) of riverwash. Another 10% is Tanque sandy loam with the balance in various mixes of Arizo soils. Along the undisturbed north edge of the CDO are small areas of vertical scarps or horizons topped by Tierranegre soils. The soil is deep, well drained and tends to get more heavy gravels and cobbles with depth, although there is no evidence of any cemented aggregate. The soil is moderately alkaline and calcareous throughout. This soil complex is extremely permeable and retains very little water causing root depths to be fairly deep (60 inches or more) and thus limiting its ability to support vegetation. Since the soil is loose, there is a strong tendency for it to erode during flash floods or by wind when dry. The only noted limitations for urban development are the flooding characteristics and a strong tendency for undesirable seepage of sewage in medium to high density septic systems. In this case, all development will be on gravity flow sanitary sewers and all sites will be above the 100 year flood elevation or protected by embankments.
 - B. Tanque Sandy Loam #10A - This soil (0 to 2 percent slopes) is a well drained, deep complex found on low stream terraces above the flooding riverwash soils. This soil complex occurs in an approximately 1500 foot band of the CDO. It is very permeable and well drained and generally of a loamy to light gravel texture. The soil is rarely flooded but can be eroded by wind. The only limitations to urban development noted in the Tanque Sandy Loam group is flooding of unprotected areas, unstable cut banks, and wind erosion of disturbed areas. The land use plan and existing levee systems as well as the intention to revegetate address these problems.

- C. Pinaleno-Nickel-Palos Verdes Complex #28C - The balance of the property being analyzed is within the Pinaleno-Nickel-Palos Verdes soil complex. The complex covers an area of gravel hills of 10 to 35 percent slopes. This unit is 35 percent Pinaleno very cobbly sandy loam, 35 percent Nickel very gravelly sand loam, and 15 percent Palos Verdes gravelly sandy loam. Pinaleno tends to occur on the shoulders and crests of the fan terraces (10 to 35 percent slopes). Nickel tends to occur on the backslopes of the fan terraces (20 to 35 percent slopes). Palos Verdes tends to occur on the summits of terrace remnants (10-15 percent slopes). The area tends to appear as a gravelly, cobbly hill region. The soil is somewhat less permeable than Riverwash and Tanque Sandy Loam. The soil is also less subject to wind erosion because of its more coarse nature. The soil group is moderately alkaline and calcareous. At depths of 40 inches or more, some caliche may be found. The only significant limitation to urban development is slope and a moderate permeability which limits septic use.



AREA SUBJECT TO FLOODING
NOT PROTECTED BY LEVEE/EMBANKMENT

LEGEND
 34 ARIZO RIVERWASH COMPLEX
 10A TANQUE SANDY LOAM
 28C PINALENO-NICKEL-PALOS VERDES COMPLE

CONTOUR INTERVAL: 1'

SOILS



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G. VIEWS/VISTAS

1. Important Vistas from the site (Map G-1)

The site is primarily made up of three general view areas:

- A. Views from the North Foothill Area (north of the Canada del Oro) are primarily those from the site southeastward across a much lower Canada del Oro Wash to the massive Pusch Ridge panorama. In fact, the north area is a plain which tilts to the southeast affording nearly all of the building sites permanent and spectacular views of the Catalina Mountains (Pusch Ridge) which soar above the surrounding countryside only two miles away. In addition, there is a small ridge area just east of North First Avenue which affords a much more distant view opportunity to the Tucson Mountains to the southwest. Because the north area continues to rise northwestward off of the property, views and vistas to the Tortolita Mountains are virtually impossible.
- B. Views from the Central Area (between the Canada del Oro and the base of the foothills south of Oracle Road) are the low, fiat parcels which are limited with views primarily to the panorama of the Catalina Mountains or Pusch Ridge to the south and east. Because of the ridgelines north of First Avenue and southwest on Oracle Road, the Tortolita and Tucson Mountains are completely obscured. Instead, the development on the foothills surrounding the “central plain” provide a middle range view.
- C. Views from the South Foothill Area (the area south of the Rooney Wash) are perhaps the most comprehensive in terms of views. The strongest and most immediate viewplain is to the south and around to the east which takes in the Catalina Mountains or Pusch Ridge which are virtually upslope from the site. The ridge is so close and so completely dominant that it can be viewed from virtually any point on the south foothills area. The foothills are also high enough in elevation and far enough south of the ridgeline north of the Canada del Oro that a panorama view of the Tortolitas is available to ail of the ridge tops and sides. These same locations also afford another interesting and valued vista of the opening across the upper plains between the Catalina and Tortolita ranges where the feeling is that of a void or infinity. The higher elevations along the western boundary of the south foothills area also afford a distant view of the Tucson Mountains.

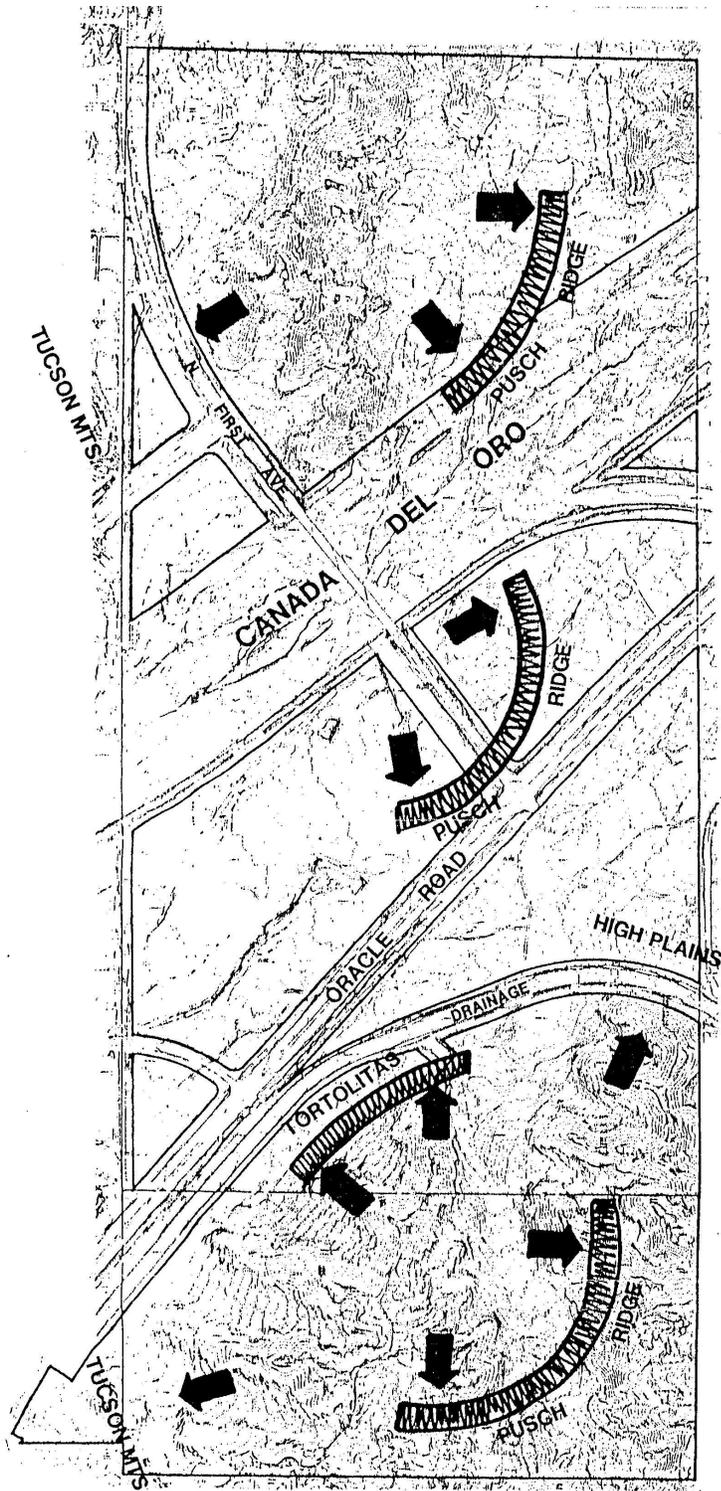
2. Important Vistas to the Site (Mae G-2)

As important as the views are from the site, the potential for “maximizing” a location from an urban design standpoint is equally critical. The uniqueness of this site stems from its form as a central bowl into which an approach focuses. In other words, the intersection of Oracle Road and North First Avenue is a natural focal point when the site is viewed from any directions. Both sides of a gravel ridge to the north as viewed from the perimeter of the “bowl” serve as a secondary focus.

- A. Approaching northbound on Oracle Road affords an excellent vista of the corner of Lambert Lane and North First Avenue across the broad Canada as one first tops the hill to the southwest and begins down the slope to the site. As you turn the corner near the entrance to the El Conquistador Resort, the projected commercial town center area on the broad and flat middle area comes into view below. Finally, the southern commercial elements of the town center south of Oracle Road come into view just before the bottom of the hill.
- B. Approaching southbound on North First Avenue above the bridge over the Canada, a full panorama of the commercial town center will be viewed south of the 900 foot wide wash.
- C. Approaching southwestwardly on Oracle Road - The first prominent vista is northwestward across the Canada to the hillside where the Town Hall and multifamily residential are planned. The appearance should be that of a distant higher density village center with possible campaniles (clock towers) making it easy to pick out against lower suburban residential densities. The southeast slope of that ridge is particularly well suited for the residential “town center” because of the ease of the view to it (finding it) and the previously noted spectacular view from it. The broad, low and level commercial town center is also easily viewed from the approach.
- D. When viewing the site from the southern foothill area, the commercial hub area of the town is most obvious below while the residential town center readily appears on a more distant hillside across a permanently open reserve which serves as a wash.

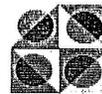
- E. The northside foothills "bowl" affords very locally contained intimate views to the surrounding ridges as well as the previously noted open view to Pusch Ridge in the distance. This "contained" microclimate area is particularly suited for "cloisters" of single family homes. The impressive and permanent width of the "Canada" protects the residential viewplane and provides considerable buffering from the main commercial area.

- F. The commercial areas planned on North First Avenue and Lambert Lane will be well below the homes along the western edge of North First Avenue north of Lambert Lane. Their views to the Catalinas and the Pusch Ridge will be uninterrupted and across the tops of the roofs of the proposed "village" below.



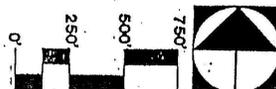
CONTOUR INTERVAL: 1'

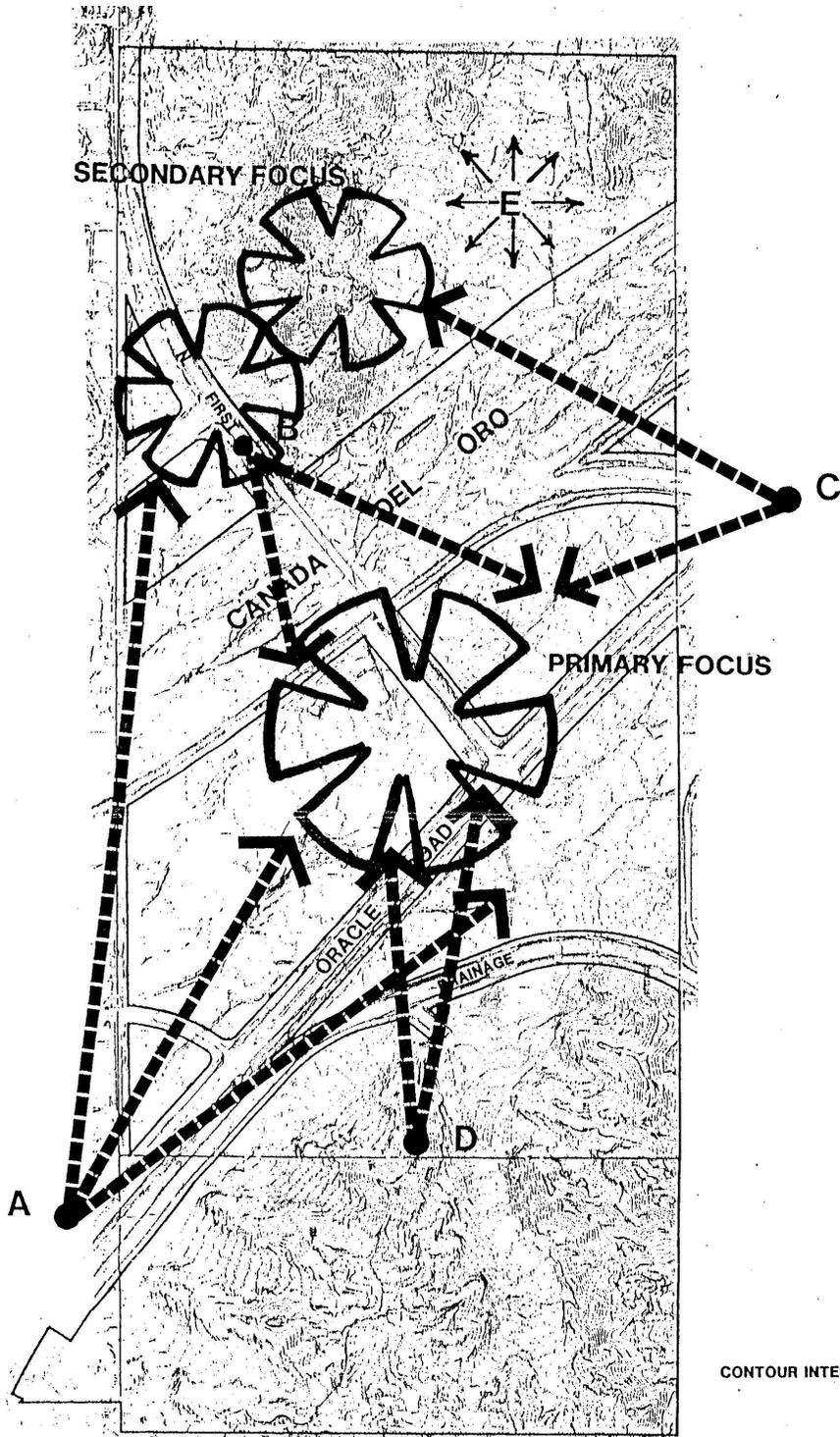
VIEWS FROM SITE



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 918-583-0028

EXHIBIT G-1





CONTOUR INTERVAL: 1'

ON-SITE VIEWS



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 332 South Boston, Suite 2300, Tulsa, Oklahoma 74123
 918-581-0228

EXHIBIT G-2



H. TRAFFIC

1. ACCESS

Access to the Oro Valley Center is provided from Oracle Road (U.S. Highway 89), First Avenue and Lambert Lane. Oracle Road provides access from the north and south, First Avenue from the north and west, and Lambert Lane from the west. Oracle Road is a major link between Tucson and the towns of Oracle and San Manuel to the north as well as Rancho Vistoso and the developing areas of Catalina and Pinal County. First Avenue to the north and west connects with Tangerine Road which is being developed as a major highway between 1-10 to the west and Oracle Road. Lambert Lane to the west connects with north-south La Canada Drive and La Cholla Boulevard.

2. EXISTING CONDITIONS

Roads and Streets

The section of Oracle Road adjacent to the proposed development has recently been improved to a four lane divided highway. Bike lanes have been provided. There are no current plans to further improve Oracle Road, although traffic projections may require future consideration of a six lane divided highway.

The intersection of Oracle Road/First Avenue is currently not signalized, but traffic signal warrants are close to being met and the expectation is that a signal will be necessary in the near future without taking into account any impact from the proposed Town Center development. There is a left turn lane for northbound Oracle Road traffic entering First Avenue and a right turn lane for southbound Oracle Road traffic at this intersection.

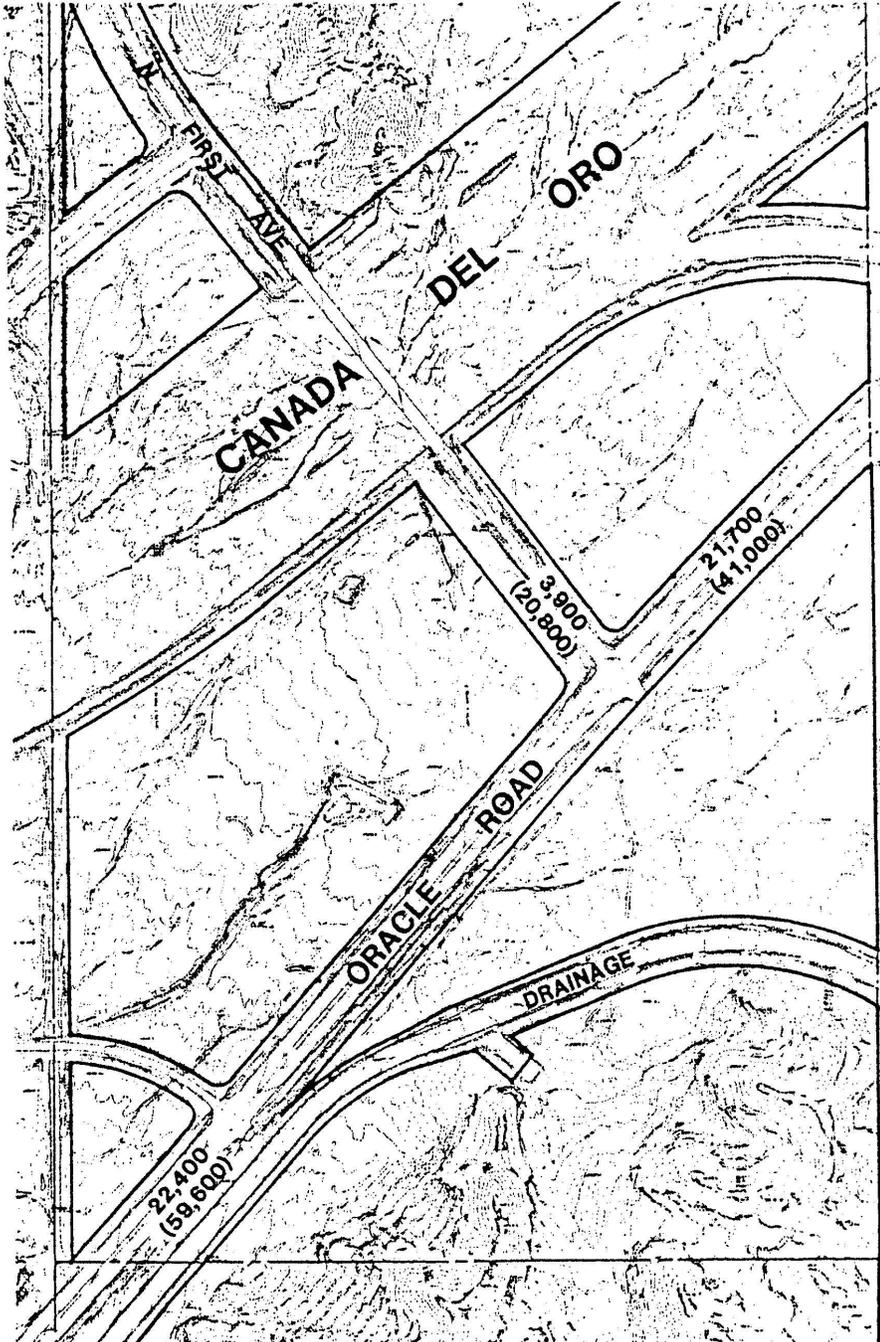
First Avenue is currently a two lane roadway. At its intersection with Oracle Road, there is currently a left and right turn lane for eastbound flows. Lambert Lane is also a two lane roadway which does not currently extend north west of First Avenue.

Traffic Volumes

Existing traffic volumes in the area of the study site are indicated in Figure 1. Current traffic volumes in the area of 20,000 Average Daily Traffic (ADT) are being adequately carried by Oracle Road, which has a capacity of approximately 37,000 ADT at level of service D operation. Future traffic volume assignments indicated in Figure 1 will warrant additional widening at some future time.

First Avenue currently has a capacity of approximately 13,000 ADT with existing traffic volume levels of 3,900 ADT.

The existing 1987 peak hour volume at the intersection of Oracle Road/First Avenue is shown in Figure 2 of this report.



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 918-583-0025



LEGEND

000 TRAFFIC FOR YEAR 1987
 ((000) TRAFFIC FOR YEAR 2010

TRAFFIC VOLUMES
EXHIBIT H-1

TABLE 1
 ORO VALLEY CENTER TRAFFIC STUDY
 TRIP RATES ⁽¹⁾

TYPE USE	UNIT	DAILY	IN	OUT	IN	OUT
General Office Building						
435,600 SF	1000 GSF	9.5	1.42	.21	.24	1.29
197,980 SF	1000 GSF	11.6	1.59	.24	.28	1.47
102,000 SF	1000 GSF	13.7	1.74	.26	.31	1.65
137,500 SF	1000 GSF	12.7	1.67	.25	.28	1.56
366,300 SF	1000 GSF	9.9	1.45	.22	.25	1.33
74,000 SF	1000 GSF	14.8	1.82	.27	.33	1.74
Park – 1 Acre	Acre	37.0	3.0	3.0	2.0	2.0
Residential Condominium 180 Dwelling Units	DU	5.9	.08	.39	.38	.19
Civic Center -	1000 GFA	25.0	2.0	.25	.87	1.99
Single Family Detached Housing	DU	10.0	.20	.55	.63	.27
Shopping Center						
38,500 SF	1000 GLA	103.0	1.79	.77	5.03	5.18
110,000	1000 GLA	71.9	1.18	.5	2.92	3.03
630,330	1000 GLA	37.2	.59	.25	1.56	1.62
70,000	1000 GLA	84.2	1.41	.6	3.62	3.77
Business Hotel	Room	7.3	.35	.25	.37	.25
Congregate Care	Facility DU	2.1	.04	.02	.09	.08
Day Care Center	1000 GFA	67.0	6.04	5.36	5.9	6.4
Service Station	Station	748.0	11.0	10.0	13.0	12.0
Drive In Bank 15,000 SF & 14,000 SF	1000 GFA	290.0	3.87	2.93	9.21	9.59
Quality Restaurant	1000 GFA	96.0	.8	.1	4.63	2.0
Resort Hotel – 500 Rooms	Rooms	18.0	.12	.12	.25	.25

⁽¹⁾ ITE Trip Generation, 4th Edition 1987

I. SEWER/WATER/OTHER UTILITIES

1. Existing Public Sewers

The project envisions only the use of a publicly owned gravity flow sanitary sewers. The existing lines are all upstream lines of the Pima County's Department of Wastewater Management's Canada del Oro interceptor. Locally, an existing 24 inch line (C-150A) is located one mile to the west of the lands north of the Canada del Oro in a position just north of the wash. To serve lands south of the CDO, a 21 inch line (G-81-30) is located south of and parallel to Oracle Road (Tucson-Florence Highway). During the past widenings of Oracle Road and the realignment of North First Avenue, the Rooney family had utility sleeves placed under the pavement surface to facilitate sewer connections to the 21 inch line from all of the parcels abutting the north side of the right of way (Map I-1).

2. Pima County Wastewater Management Department Capacity Response Letter -Letter follows as Exhibit I-2a

3. Protected Sewers

The site north of the CDO is participating in the North First Avenue Sewer Improvement District which will be part of Pima County's sewage system and will connect to the above mentioned Canada del Oro Interceptor to the southwest of the site. The project is in the design stage with Jerry R. Jones and Associates and is expected to be bid for construction in the Fall of 1988. The developers are participating with the assurance of committed capacity for the developments proposed in this PAD document and have worked with the design engineers to cause the alignment of the interceptor to pass through the central area of the proposed development within projected street and drainage alignments. An alignment concept map is included as Exhibit I-2b.

4. Existing Water

The proposed PAD lies within the certified area of Canada Hills Water Company. Existing lines are shown on Map I-1.

5. Proposed Water Improvements

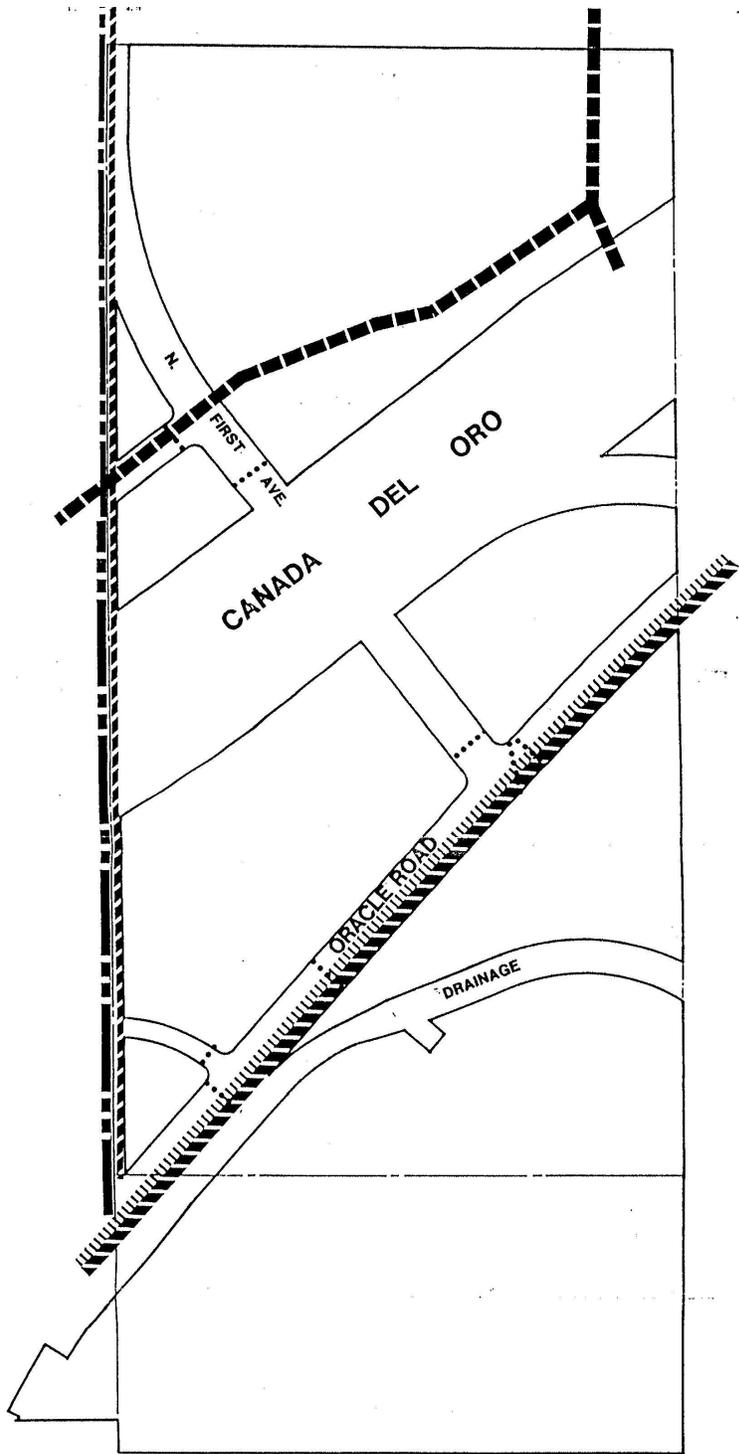
None proposed directly impacting the site.

6. Water Service Availability Letter

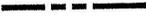
Canada Hills Water Company Letter submitted as Exhibit 1-3.

7. Other Existing Utilities

Other existing utilities are shown on Map I-1. The map also notes that the landowner has placed a network of utility sleeves under the major roadbeds during their construction to accommodate later improvements without disrupting traffic.



LEGEND

	21" SEWER
	TELEPHONE
	UTILITY SLEE
	8" WATER
	12" WATER
	PROPOSED INTERCEPTOR SE
	4" GAS LINE

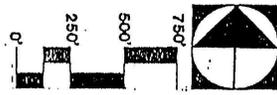
UTILITIES

CONTOUR INTERVAL : 1'



URBANTECH
 320 South Boston, Suite 2300, Tulsa, Oklahoma 741
 918-583-0028

EXHIBIT I-1





PIMA COUNTY WASTEWATER MANAGEMENT DEPARTMENT
130 WEST CONGRESS TUCSON, ARIZONA 85701

GEORGE A. BRINSKO Director

PH. 792-8676

March 24, 1988

Linda E. Polito
The WLB Group
4444 East Broadway
Tucson, Arizona 85711

RE: CAPACITY RESPONSE NO. 88-26

Dear Ms. Polito:

We have reviewed your request of March 17, 1988, regarding the availability of sewer service for the following proposed use and property:

Approximately 285 acres of mixed-use development at N. First Ave. and the Tucson Florence Highway.

Under existing conditions (actual developments and commitments for service through approved Sewer Service Agreements), there is capacity for the southern portion of this proposed development in the downstream sewerage system and in the existing 21" inch line (G-81-30) located south of and parallel to Tucson Florence Highway. The nearest public sanitary sewer available to serve the portion of the proposed development north of Tucson Florence Highway is the 24" inch line (C-150A) located approximately one mile to the southwest.

This response is not to be construed as a commitment for conveyance capacity allocation, but rather an analysis of the existing sewerage system as of this date.

Should you desire to enter into a Sewer Service Agreement, a Development Plan or Tentative Plat, showing the preliminary sewer layout for the proposed project, must be submitted and approved.

To qualify as a public conveyance system, flow must be by gravity to an existing public sewer system.

Should you desire additional information regarding this subject, please contact this office (792-8676).

Very truly yours,

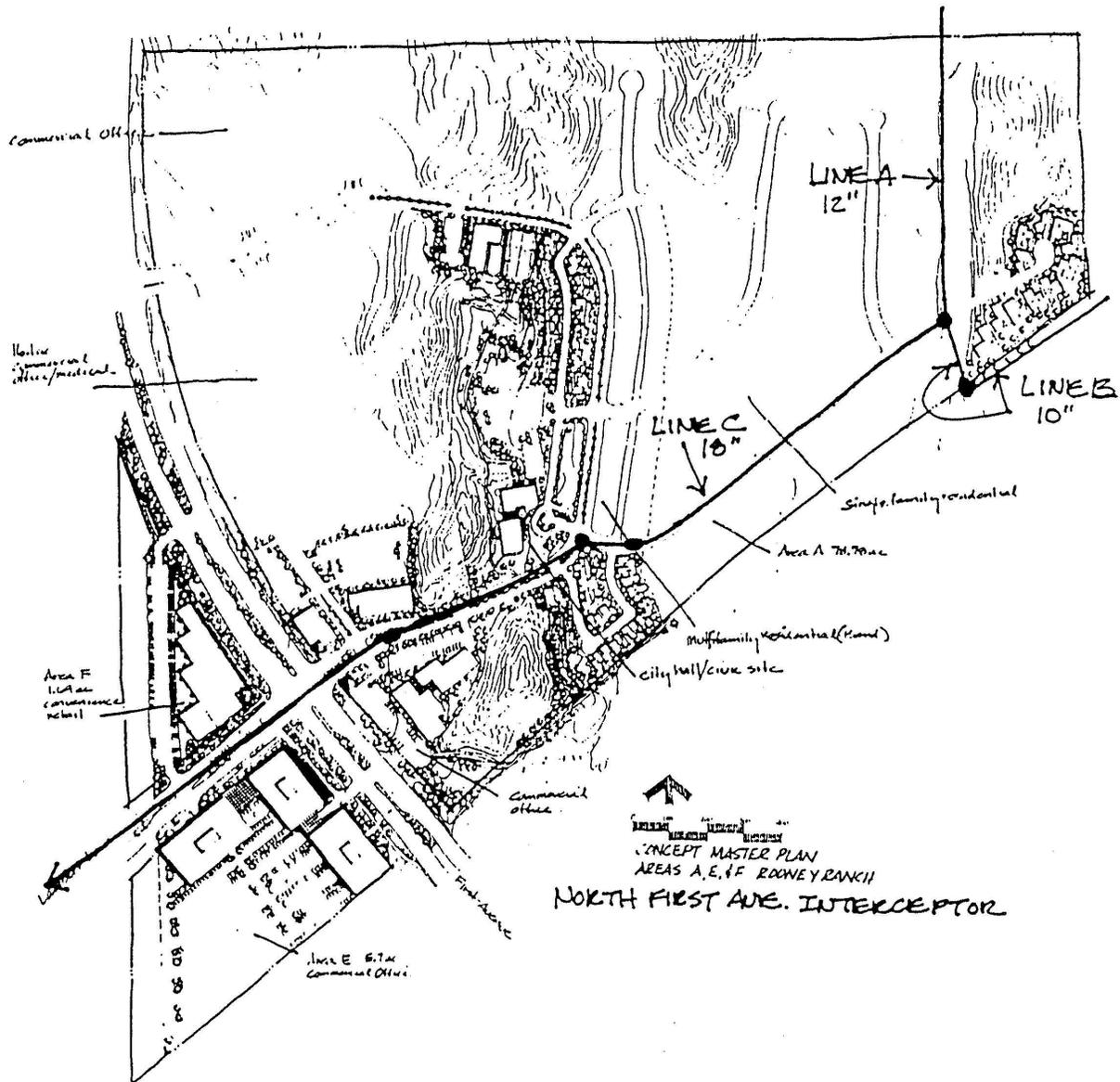
Mark R. Stratton, P.E.
Wastewater Planning Manager

Barbara Cameron

Barbara Cameron
Wastewater Planning Engineer

MRS:BC:clm

EXHIBIT I-2A



URBANTECH
310 South Barton, Suite 2100, Tulsa, Oklahoma 74103
918-581-0023

SEWER INTERCEPTOR PLAN



EXHIBIT I-2b

Canada Hills Water Company

September 2, 1987

The W.L.B. Group
4444 East Broadway Blvd
Tucson, AZ 85711

Attention: Ms. Linda Polito

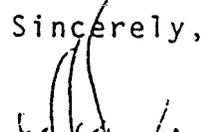
RE: Water Service Availability, North First Avenue/Oracle Road. W.L.B. #181057-300.

Dear Linda:

The above mentioned property lies within the certificated area of Canada Hills Water Company,

Water service will be provided in accordance with the Rules and Regulations of the Arizona Corporation Commission and other agencies having jurisdiction.

Sincerely,



Mark E. Weinberg
General Manager

MEW/csa

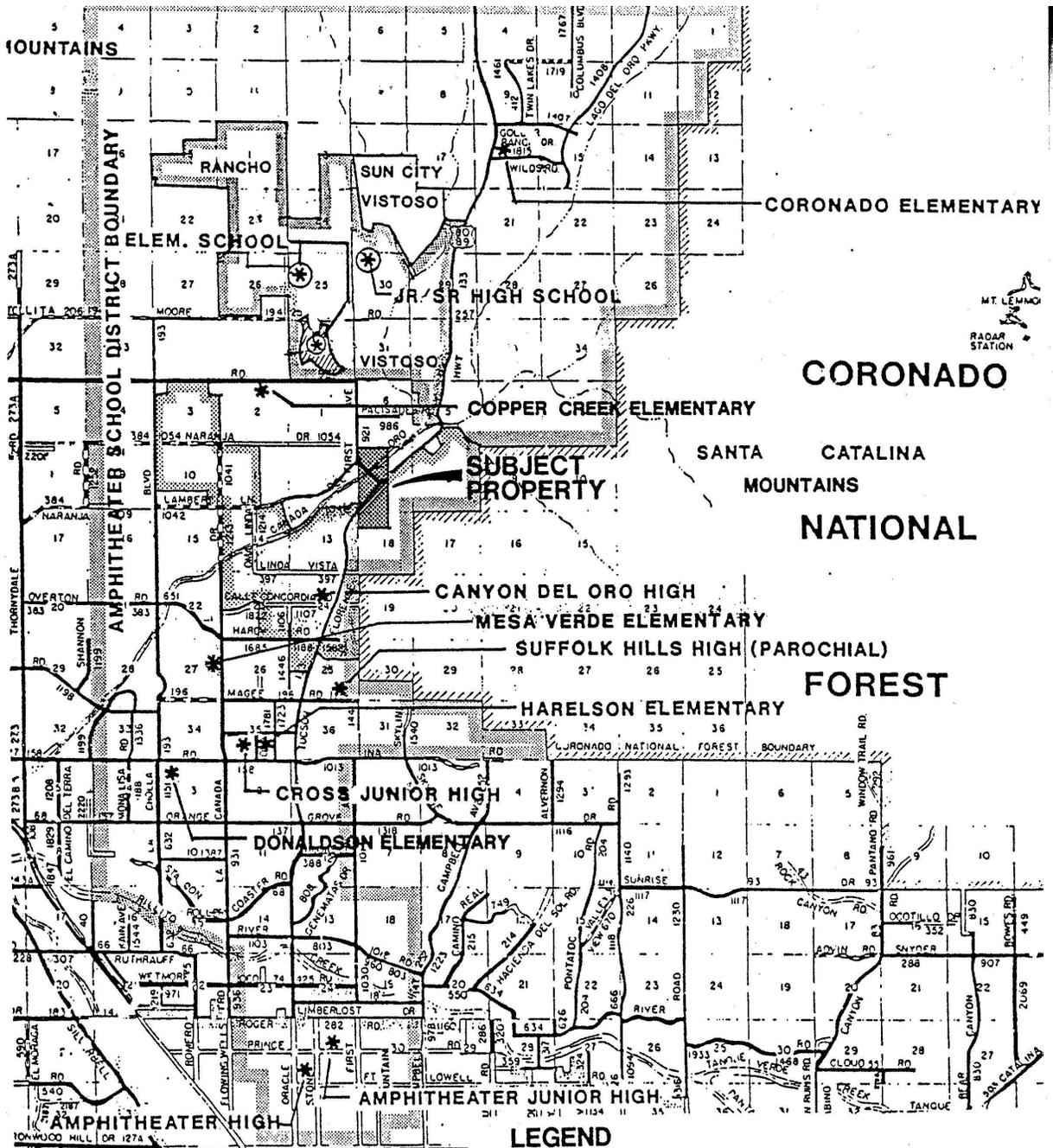
EXHIBIT I-3

1330 West Lambert Lane • Oro Valley, Arizona 85737 • (602) 297-5225

J. SCHOOLS

1. Existing Schools (Map J-1)

- A. Junior/Senior High Schools - The site is situated between the existing Canyon del Oro High School 1-1/2 miles to the south and a planned sixty-acre Junior/Senior High School on Rancho Vistoso Boulevard three miles to the north. Cross Junior High School is located five miles south.
- B. Elementary Schools - The nearest elementary school called Copper Creek, located approximately 1-1/2 miles to the west of the site is projected to open in the fall of 1988. In addition, a ten-acre elementary school campus is projected two miles to the north off of Rancho Vistoso Boulevard.
- C. The site lies within the Amphitheater School District. Because of the largely commercial and multifamily land uses in the development, it is not expected to significantly impact on the school age population of the Oro Valley area. No school sites are planned within the proposed PAD.



CORONADO

NATIONAL

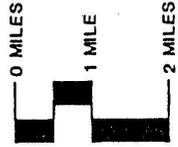
FOREST

LEGEND

- AMPHITHEATER SCHOOL DISTRICT BOUNDARY
- ORO VALLEY TOWN LIMITS
- EXISTING SCHOOLS
- PROPOSED SCHOOLS

URBANTECH

320 South Boston, Suite 2300, Tulsa, Oklahoma 74103
918-583-0023



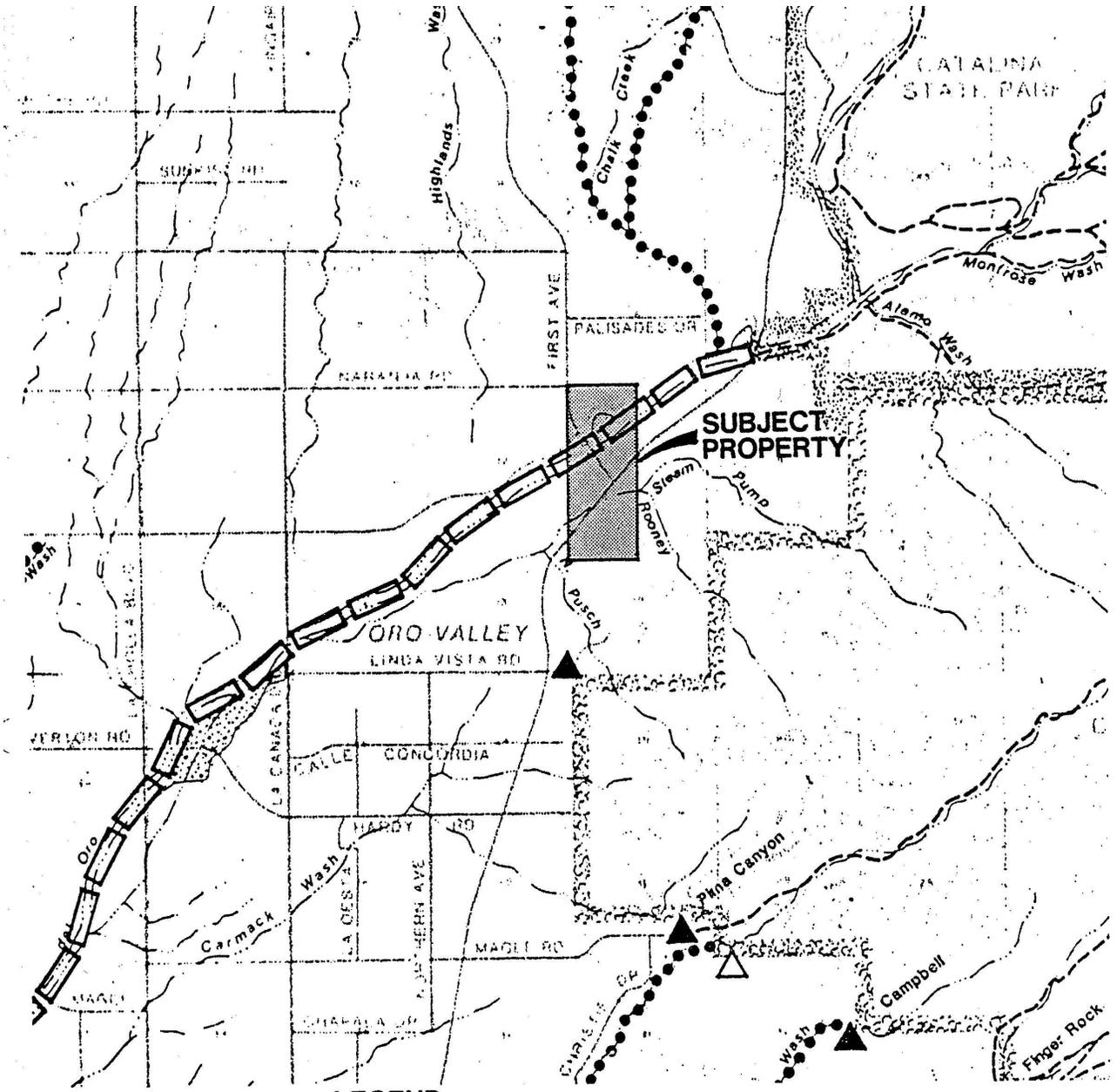
SCHOOLS

EXHIBIT J-1

K. RECREATION AND TRAILS

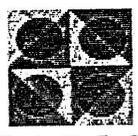
1. General Offsite Parks and Recreational Areas (Map K-1) - There are innumerable and diverse recreational opportunities within five miles of the site. They include:
 - A. Catalina State Park - 5,511 acres two miles east of the site off Oracle road. The park is a full service active and passive recreation area.
 - B. The Coronado National Forest - Accessed through Catalina State Park and various other trailheads immediately south of the site one or two miles is an extensive national resource area for hiking, horseback riding, camping, skiing, and picnicing.
 - C. The Tortolita Mountains - Generally considered a publicly held conservation area, the mountain reserve contains thousands of acres over which hiking can be done. The mountains are approximately five miles northwest of the site. A Hyatt Resort is being planned near the south edge and another resort is planned in the foothills area of Rancho Vistoso.
 - D. Golfing/Swimming/General Recreation - Within a very short distance are numerous resort areas and golf clubs, including:
 1. Oro Valley Country Club (1/2 mile)
 2. The various courses at Rancho Vistoso (2-4 miles)
 3. The Canada Hills Country Club (2-1/2 miles)
 4. Sheraton El Conquistador Resort (abutting the site)
 - E. Linear Trail System - Pima County is planning a linear Park and Trail System along the Canada del Oro Wash. The PAD plan calls for an accommodation of this trail along the south embankment of the wash through the various commercial areas with linkages conceptually planned to tie the linear trail/park system to the public spaces in the project.
2. General Onsite Open Space (Map K-2)
 - A. Natural Reserve Area - 1.07 acres east of the confluence of the Canada del Oro and Foothills Channel is planned as a natural open space area to preserve the riparian vegetation and provide a local habitat for wildlife.

- B. Town Center - The plan calls for a small park in conjunction with the proposed Town Hall site in the housing area north of the Canada.
 - C. Bicycle /Horseback/ Pedestrianway - Along the south embankment of the CDO (as above noted) a trail system will be planned with linkages into the commercial and retail public space areas of the mixed use development.
3. Additional Information - The proposed PAD will not have a large residential component but it views open space and recreation systems more as a provision of visitor and customer amenity and to accommodate and encourage access to and movement within the proposed village center. In addition to amenity and the provision of a pleasant micro climate, well conceived and implemented open space will also be an important element in the expression of excellence in the proposed mixed use project.



LEGEND

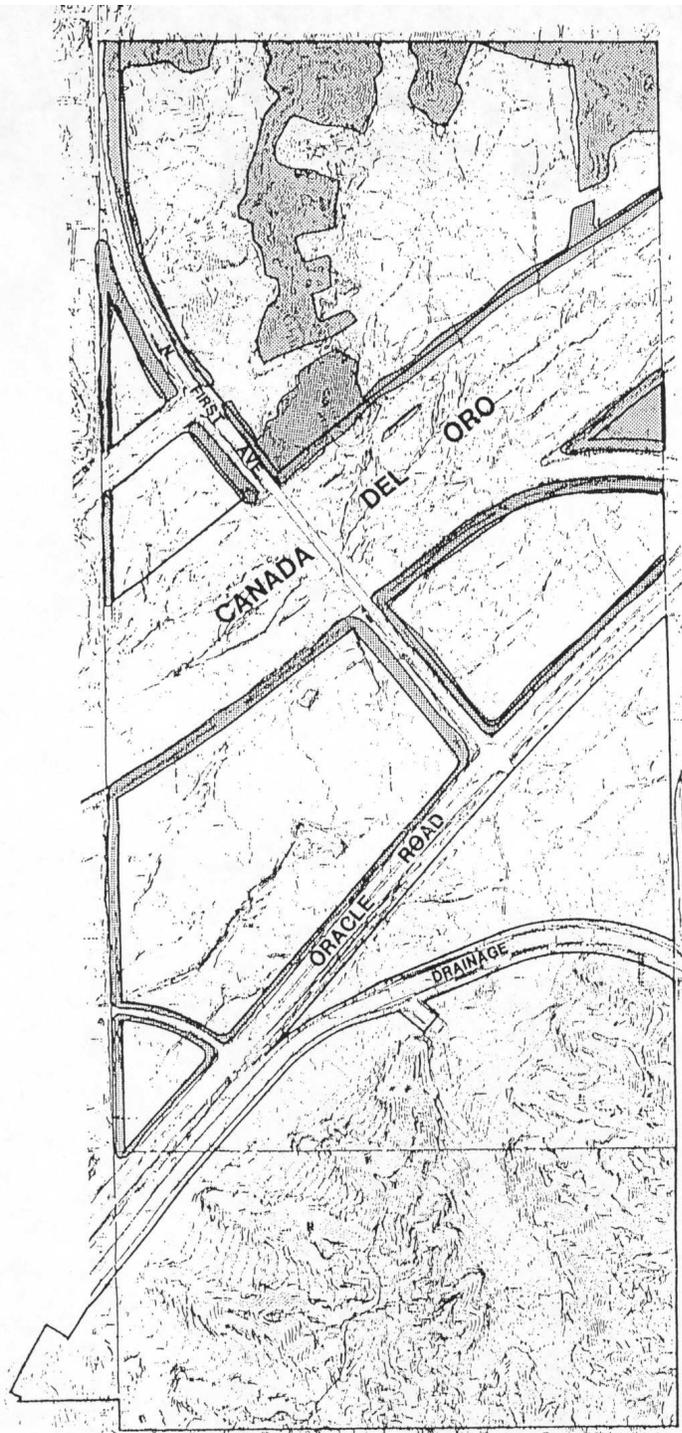
- PRIMARY TRAIL / NATURAL WASH
- TRAIL ON PUBLIC LANDS
- ▭ PLANNED RIVER PARKS
- △ PROPOSED TRAIL HEAD OR ACCESS
- ▲ EXISTING TRAIL HEAD OR ACCESS
- ▨ EXISTING PARKS
- ▩ PROPOSED PARKS



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 918-583-0028



OFF-SITE PARKS & RECREATION AREAS
EXHIBIT K-1



LEGEND

 NATURAL OR DEVELOPED
OPEN SPACE

CONTOUR INTERVAL: 1'

NATURAL & DEVELOPED OPEN SPACE



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918-553-0028

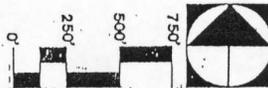


EXHIBIT K-2

L. CULTURAL RESOURCES

1. Recorded Cultural or Historical Resources - According to the records of the Arizona State Museum, there are no recorded historical or cultural sites within the proposed PAD. According to a map provided to the owner, but not included in a disseminated document at the museum's request, the nearest recorded sites are at the Steam Pump Ranch (historical), in the edges of the alluvial fan to the east of the site in La Reserve and west of the north half of the site just east of the trailer park on Lambert Lane. Sharon Urban of the museum staff, however, notes that the edges of the north foothills as well as the south foothills are potential areas for the recovery of cultural remains. An archaeological survey will be commissioned before any project construction takes place on these two areas.
2. Letter from the Arizona State Museum with recommendation is included as Exhibit L-1.



ARIZONA STATE MUSEUM

THE UNIVERSITY OF ARIZONA

TUCSON, ARIZONA 85721

July 22, 1987

Ms. Linda Polito
Project Planner
The WLB Group
4444 East Broadway Blvd.
Tucson, AZ 85711

Dear Ms. Polito:

Thank you for your letter of July 20th requesting archaeological information on your project for North First Avenue/Oracle Road Rezoning, WLB No. 181057.300.

The Archaeological Site Survey Files at the Arizona State Museum have been consulted with the following results. There have been no archaeological survey projects conducted on the subject property, nor have any sites been reported. However, due to the geographical location of the project, there is a very low potential for the recovery of cultural remains. Therefore the Arizona State Museum has no objections to this project, and work may proceed as scheduled.

Should you have any questions, please feel free to contact me at 621-4011.

Sincerely,

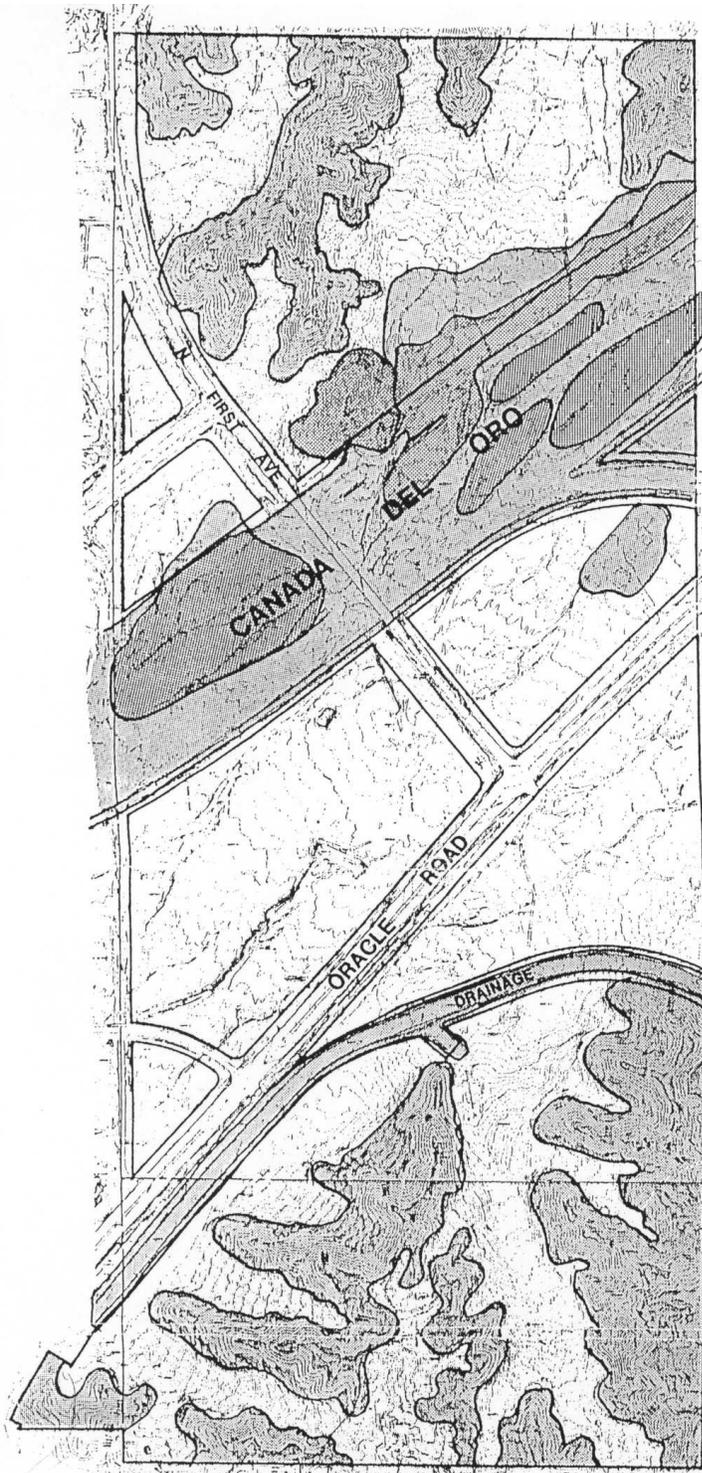
Sharon F. Urban (Miss)
Public Archaeologist

SFU

EXHIBIT L-1

M. COMPOSITE MAP

1. General Composite Map - Map M-1 shows a collection of a number of environmental considerations. Soils were not included because all three groups, although each dictates a different design in terms of loadbearing or landscaping, are suitable for development.
 - A. Hydrology - Engineered channel bottoms are shown as well as an unprotected area on the north parcel and an undeveloped sidewash area on the south property flowing into the Rooney Wash.
 - B. Topography - Areas having slopes in excess of 15% are shown. These areas would dictate restricted low density development or should be left open.
 - C. Vegetation and Wildlife - The high density vegetation areas (and accompanying wildlife habitats) are shown.
 - D. Viewsheds - Because of the fact that the site is crisscrossed by so many major arterial roads, virtually all of its is highly visible from positions entering the site as well as along the routes going through the site. Viewsheds as a whole are not plotted on the composite map because their consideration will only be used in the urban design strategy to be outlined in the Land Use Development Proposal to follow. A single viewshed is noted because to develop it might impair some existing North First Avenue residential views to the Pusch Ridge. Specifically, that viewshed area consists of the top of the first ridge line east of North First Avenue and north of the CDO. There are no other viewsheds having any particular potential impacts on offsite viewers.



CHARACTERISTICS

HYDROLOGY: ENGINEERED CHANNEL BEDS & FLOOD PLAINS

TOPOGRAPHY: SLOPES OF 15% OR GREATER

VEGETATION: AREAS OF HIGH VEGETATIVE DENSITY

VIEWSHEDS: AREA THAT MAY IMPAIR VIEWS ACROSS THE SITE

LEGEND

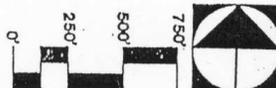
-  CONTAINS NO ABOVE CHARACTERISTICS
-  CONTAINS ONE ABOVE CHARACTERISTIC
-  CONTAINS TWO ABOVE CHARACTERISTICS

CONTOUR INTERVAL: 1'

COMPOSITE MAP



URBANTECH
320 South Boston, Suite 2300, Tulsa, Oklahoma 74103
918-583-0028



SECTION II

LAND USE PROPOSAL

A. PROJECT OVERVIEW

General Urban Land use Strategy - Both the Pima County Tortolita Area Plan (Urban/Community Plan Area) and the Town of Oro Valley Plan recognize that lands in the immediate vicinity of Oracle Road and North First Avenue are appropriately projected to be higher density urban and resort developments than lands away from the intersection and the contributing corridors. It is the intent of the proposed PAD that there be created a high quality and discernable Oro Valley Center which focuses on that major intersection which also is located near the very geographical center of the Town's projected incorporated area. The scheme is an Urban Village, a variety of residential mixes, office and hotel uses, retail, restaurant and entertainment facilities, a possible resort to enhance the El Conquistador location to make it more competitive with other major destination resorts, medical facilities, and neighborhood convenience retail. The mix of uses is not only intended to extend the times during which the center is active, but also to maximize the use of amenities and infrastructure in a series of often non-conflicting peak periods of demand. The mixed use urban village also conveniently serves the broadest user base and does not rely on a single volatile segment of the real estate market. The land use mix also is designed to create a destination critical mass for services and a potential urban synergy. Because of the nature of the street and drainage network, the urban village is distinctly segmented into subareas, each with its own land use theme. The same streets and drainageways (particularly the 900 foot wide Canada del Oro) also afford excellent buffers between the themed subareas. Map AA-1 demonstrates the general land use diagram for the "Town Center."

- A. Area A Concept - Between the prominent north/south ridgeline and the east side of North First Avenue is a band of space particularly suited for a campus grouping of smaller office buildings which take advantage of their positioning in the heart of a large commuter area fed by Rancho Vistoso Boulevard, Tangerine Road, Naranja, Lambert Lane and North First Avenue itself. The ridgeline and the open space associated with it will remain in a natural state to provide an excellent buffer between the North First Avenue commercial corridor and the sheltered interior of the 79-acre tract. By penetrating the interior with a small boulevard loop road which aligns on one end with Lambert Lane, the south/southwest facing slope of the interior "bowl" affords an excellent well-accessed area for multifamily residential areas progressing from higher density apartment units along the south to lower density cluster homes and row houses toward the north.

(Ord 97-17)

At the center of the multifamily area and near the ancillary office campus on North First Avenue is the ideal location for a five to seven acre Town Hall site. The potential Town Hall site is expressly permitted alternate commercial and office uses (Ord 97-17). The balance of the site to the east is accessed through three residential street control points to a low density single family compound. The street slope will maximize the views from anywhere in the “bowl” area to Pusch Ridge. In addition, the 900 foot expanse of Canada del Oro and the open space reserve (Area C) to the south permanently buffers and protects sight angles from the residential compounds.

South of the intersection of North First Avenue and the loop road, the buildable area northwest of the ridgeline will be developed as a neighborhood commercial center including a grocery store convenience use with ancillary gas sales.

- B. Area B Concept - Area B is the higher density commercial area south across the CDO and fronting on the North First Avenue and Oracle Road intersection.
- C. Area C Concept - Because it is landlocked as well as heavily vegetated and adjacent to the riparian vegetation and habitats of the washes, Area C is planned to remain as a reserve and open space component of the PAD. This land has been deeded to Pima County.
- D. Area D Concept - Like Area B, Area D has a considerably strategic position at the North First Avenue intersection with Oracle Road. In addition, it has considerable frontage along Oracle Road westward to Old Lambert Lane. The heavy traffic frontages, coupled with the expansive CDO wash to the north, provide a sound opportunity for another well-defined high-density commercial mixed use “island.” At the southwestern end and utilizing the Lambert Lane median cut is the campus office pad. Because of the southeast to northwest fall of the property (15 foot), the end provides an excellent opportunity for sheltered and screened parking beneath the

structures whose floor grades are the same as the Oracle Road frontage.

(Ord 97-17)

Again, because of the drop in grade and to prevent having to fill the site, the opportunity exists for a sheltered level of parking beneath a retail floor along the entire north edge of the property. The mixed use retail center located here can then have conventional surface parking along the south frontage and under floor parking to the north. (Ord 97-17)

- E. Area E Concept - Area E is an approximately six acre tract located on a fairly substantial intersection (North First Avenue and “New” Lambert Lane). It has become a low area because of the surrounding road fills for the CDO bridge approaches, and the fill required to return it to a usable state will be discussed in the grading plan element of this PAD document. The location, however, is excellent and the unobstructed views to Pusch Ridge across the valley floor are outstanding. The Area E concept calls for filling the site so as to protect it against flooding, and then positioning office buildings (perhaps of a medical center nature) to front at grade along both the Lambert Lane and the North First Avenue frontages and parking in the space below that elevation. This configuration simply takes advantage of what would ordinarily be a topographical problem caused by infrastructural development and turns it into a unique opportunity. The results include sheltered parking, increased number of parking spaces, and a parking area which is below the view-plane of the residences northwest of the site and the tenants of the buildings to be built.
- F. Area F Concept - As in the case of Area E, Area F is also located at the significant intersection of Lambert Lane and North First Avenue. The right-of-ways for both streets have been dedicated by the Rooney family for this important road realignment.

Area F has also been rendered difficult to develop by the roadfill activities and will require filling. The most appropriate use of the 2.21 acre site is for offices.

- G. Area G Concept - Area G is a 3.22 acre triangle of land along Oracle Road southwest of the Old Lambert Lane street alignment. The campus office land use concept for this parcel is to create a cluster of small office buildings which utilize a common landscaped parking area and a sheltered and landscaped common area for patios and natural settings.

- H. Areas H and I Concepts - Because of the nature of these two sites and present market conditions, the applicant will not formally proceed with this segment of the PAD. The lands were all analyzed, planned, and provided development concepts because they are under a single ownership and are inextricably related to the other elements of the “urban village.” The intent is to take these two areas as far as possible toward a land use conclusion which complements and enhances the balance of the development while remaining “held out” until users are identified. Specifically, the frontage along Oracle Road at North First Avenue (Area H) conceptually calls for two campus areas of office buildings and a large resort/convention hotel complex. To bring more office acreage on at this time would be premature and would dilute the value of the acreages already being planned adjacent to Oracle Road and First Avenue as part of this application.

In addition, the market for another resort hotel does not presently exist and the need for the adjacent El Conquistador complex to expand in order to remain complete and competitive does not yet exist. What happens ultimately to Area H directly impacts on Area I, which presently calls for multifamily residential along the flat bottom areas with scattered low density residential and recreation on the balance of the 76.33 acres. The analysis and logic for the development of these two areas is carried in this PAD document so that, when the uses are more timely and distinct, the owner can pick up the process at the “point where he left off.” The resort complex is noted in the present Oro Valley Comprehensive Plan for these two areas.

B. COMMUNITY GOALS AND POLICIES

I. Goals

1. To create a masterplanned community which effectively serves the Town of Oro Valley as an efficient and discernable “center” an “urban village.”
2. Through the comprehensive planning approach on a significantly large, centrally-located tract, establish an economically viable critical mass of urban services to cause it to be an important destination located at the town’s crossroads.
3. Through the PAD process, comprehensively plan higher development intensities on environmentally sound sites while planning lower densities or eliminating development altogether where slopes and unique vegetation warrant.
4. Through a masterplanned urban design, position and develop elements to maximize views, minimize the loss of views of adjacent land uses and create a very “readable” urban texture or “sense of place” and “function.”
5. Through the vegetation and landscaping plans, create and preserve excellent microclimates which become quality amenities for tenants, customers, and other visitors while continuing the sense of “indigenous” Arizona upland landscape.
6. Through the comprehensive use of indigenous architecture (Mission), tie the entire development into a cohesive, quality design statement which works well with the region as well as with the areas surrounding the PAD. The proper application of two tested traditions, native vegetation and indigenous architecture, will serve to create a high quality enclave for the Town Center of Oro Valley.
7. Through the use of sensitive grading plans, reconfigure the existing problem areas, particularly north of the CDO, where low “pockets” were created by the filled bridge approach, the result of which will be graded and revegetated landscapes which will appear not to have been disturbed.
8. Through vision, experience, and creativity, develop an excellent urban village environment which is effectively new, exciting, and different -- different to the extent that it offers a distinctive and excellent alternative to other business, retail, and residential areas in the northern Tucson metropolitan region.

II. Policies

1. Hydrology - With any form of development comes the compaction of soils and the coverage of surfaces with impervious materials, both of which tend to reduce the ground's ability to absorb rainfall and accelerate runoff as well. The Rooney PAD is unique in the sense that, for typical Arizona rainfall events, the runoff from the proposed development areas has a sufficient opportunity to be absorbed locally in the extensive sand channels which transect the site (Foothills, Rooney, and Canada del Oro Washes). This is particularly true with the 800 to 900 foot wide Canada del Oro which passes through the middle of the site. In the less common rainfall events where intensity and duration are considerable, the ground will become saturated and cause runoffs comparable to developed surfaces. In any event, it shall be the policy of the PAD to:
 - A. Not disturb surfaces and vegetation in areas which will remain undeveloped.
 - B. Outside of roofed areas, streets, parking areas, and sidewalks, minimize the use of impermeable materials on the surfaces of the developed areas.
 - C. Develop local retention in swales and other revegetated open spaces following the completion of development.
 - D. On larger local drainageways (excess of 500 cfs) where side embankments may need to be stabilized to protect against erosion, the channel bottoms will be designed to maximize infiltration by leaving them in sand and gravel cobbles, native vegetation, or a combination of the three.
 - E. On smaller local drainageways (less than 500 cfs), the design will accommodate maximum infiltration by utilizing stone, gravel and sand, and vegetation only in open, overland flow configurations.

2. Grading - A conceptual grading plan has been developed as part of the PAD document. The grading plan will be broken into as many separate and discrete increments as possible so that low areas can be properly filled as they are needed for development. The policy is, however, to completely fill a low area once filling has begun to prevent incomplete-grading areas which cannot be revegetated. These policies do not prohibit the developer from completing all of the grading plan in a single contract. Completion will include:
 - A. The complete filling and compacting per the approved plan.
 - B. The complete resculpting and sloping of any disturbed hillside areas to cause them to resemble the adjacent undisturbed grades.

- C. The complete revegetation according to the approved plan and the revegetation policies herein.
 - D. The detail grading plan will include the appropriate soils and compaction analyses and specifications.
 - E. No localized slope in Area A in excess of 15%, as designated by the attached Exhibit B-i, may be graded or disturbed provided, however, that fill placed in areas where development is permitted may be placed against 15% slopes up to the elevations of North First Avenue as it falls from north to south. It is recognized that Exhibit B-i may not be completely accurate and the developer shall resubmit a more accurate exhibit which depicts all 15% or greater slopes. This exhibit shall be based on an in-field survey and staked in the field for review and verification by the Town Engineer prior to approval of development. The average cross-slope method shall not be used.
 - F. Slopes in excess of 15% in Area A may be graded to allow construction of the Lambert Lane loop road as shown, and necessary drainage approved by the Town Engineer, but only to the extent necessary for such construction and necessary drainage related to the loop road and the major drainageway in Sub-Area A-4 (Exhibit CC-A4) and other drainage as approved by the Town Engineer.
3. Landscaping - The more specific criteria for revegetation of areas disturbed by approved grading follows the development proposal. However, from a general policy standpoint:
- A. All trees which can be reasonably salvaged will be transplanted by tree spade immediately to a landscape buffer area along a nearby roadway where final plans allow it to be left as a permanent part of the landscape. These trees will be irrigated over a couple of seasons to allow them to set in.
 - B. All graded areas which are not scheduled for immediate development will be graded according to the approved plan, compacted, hydroseeded with native drought resistant grasses, flowers, and shrubs, and temporarily irrigated for a part of a season to allow seeds to germinate and get established.
 - C. All other more local development projects will salvage trees from the building pads and move them to local parking islands and landscape areas by tree spade, thus utilizing the PAD area as its own nursery.
 - D. Salvageable trees which cannot be spaded shall be side-boxed.
 - E. The existing natural riparian bosque area abutting Areas A and E along the CDO Wash shall be identified on an aerial and reviewed by the DRB during the development review process to be maintained as natural undeveloped open space.

- F. Fan and Date Palms, common Bermuda Grass, Mulberry Trees and Olive Trees are specifically excluded from use in the landscaping of this PAD.
- G. For revegetation purposes, as determined necessary by the Zoning Administrator, installation of long-term irrigation subsequent to the removal of temporary irrigation may be required.
- H. Along both Oracle Road and North First Avenue, there shall be a 25-foot landscape area (except at vehicle access points and Areas A-1, E, and F). One-third of the required landscape strip may be provided within the public right-of-way if approved by the Zoning Administrator and Town Engineer.
- I. Unless otherwise indicated, all areas represented in this PAD shall provide a minimum of 25% of the net lot area exclusive of public rights-of-way and roads in meaningful open space (Ord 98-47). Sub-Areas A-1, A-2, A-3, Areas F and G and areas approved for .55 FAR (or greater) shall provide a minimum of 15% meaningful open space.
 - 1. The 25% meaningful open space requirement may be reduced upon review by the Development Review Board and approval by Council during the development review process for particular users where Town of Oro Valley parking requirements demand a larger portion of a specific site. However, meaningful open space may not be reduced in order to provide non-required parking areas.
- J. For the purpose of this PAD, meaningful open space is defined as natural desert, landscaped plazas, grass and trees, fountains, landscaped sidewalks within a landscaped setting, sitting areas and landscaped areas exclusive of areas.
- K. Within the landscaped strip along Oracle Road and North First Avenue right-of-ways, a three foot high berm or a four foot masonry wall or both will be required.
- L. Ingress and egress into below grade screened or sheltered parking shall be oriented away from Oracle Road and First Avenue viewsheds.

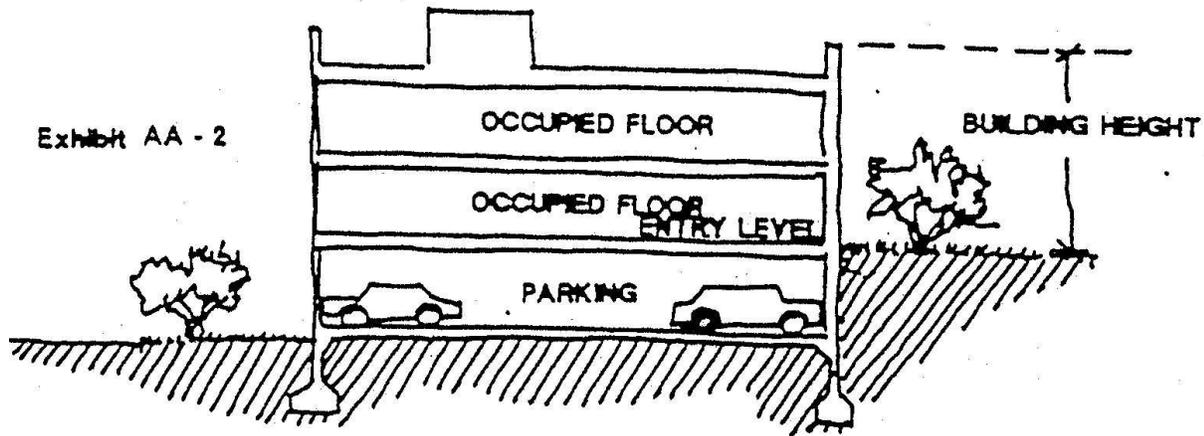
4. Setbacks

- A. Building setbacks for Areas A-1, E, and F shall be 20 feet from the North First Avenue and Lambert Lane right-of-way and 25 feet from Oracle Road and Old Lambert Lane for Area G.

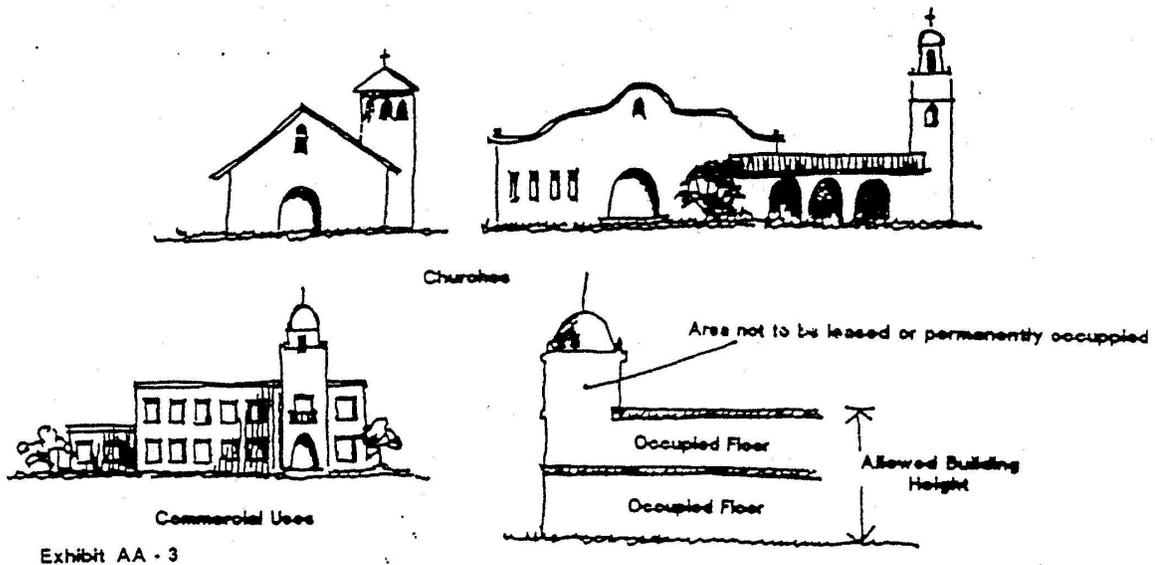
- B. Building setbacks for Areas B and D shall be in accordance with the Development Criteria for each respective Area. (Ord 98-47)
- C. Parking and/or circulation drives may occur between the required landscaped area and the required building setback (as described under Setback Policy “B” and Landscaping Policy “H”). However, no parking or circulation drives shall occur within the required landscape strip described in Landscaping Policy “H.”

5. Building Height

- A. Within the PAD there are a number of unique landform and slope situations such as the area north of Oracle Road, south of the Canada del Oro, and west of North First Avenue. This land is below the surrounding levees and streets by as much as 12 to 15 feet and it affords an excellent opportunity for the development of sheltered and screened parking beneath the buildings. Similar situations occur on either side of North First Avenue north of the Canada. The screening of parking, mechanical equipment, and other “back of the house” functions is in the aesthetic interest of both the developer and the Town. The effort to place these functions below buildings should not result in the sacrifice of occupiable or rentable building height above. For the purpose of this PAD and because of the landform situations conducive to partially subgrade parking and mechanical areas, building heights will be considered as the distance between the top of the slab on the first enclosed floor to the top of the exterior roof line of the building. Mechanical penthouses must be set back from the edge of the roof more than ten foot.



- B. Architectural elements such as campaniles, clocktowers, and steeples are encouraged as part of the mission architectural vernacular. They may be freestanding as a campanile might be or more commonly as an integrated part of a building or building group. They may be taller than the surrounding structures but only to the extent that they remain in the architectural proportions typically found in mission architecture and any height above that allowed in the surrounding structures may not be designed for commercial lease occupancy. In other words, the excess height is for use only as campanile, clocktower, or steeple purposes and as an architectural statement.



CAMPANILIES, CLOCKTOWERS, STEEPLES

- C. Unless otherwise specified in specific development Areas, building heights shall be defined by the Oro Valley Zoning Code Revised with C-1 uses not to exceed 25 feet and C-2 uses not to exceed 30 feet. When C-1 and C-2 uses are identical, C-1 heights shall apply. (Ords. 97-17 and 98-47)

Height and FAR limitations may be modified and heights and FAR's in excess of the limitations may be allowed by the Town Council as long as the specified open space is not reduced, without a PAD amendment, upon review of a specific plan of development during the development review process, based upon a determination that the height modification and/or FAR is appropriate based upon the topography, and is consistent with the goals and objectives of this Planned Area Development and compatible with the character of the area and surrounding uses. However, no such modification shall be granted in Sub-Areas F or A-1 without an amendment to this PAD.

6. Signage

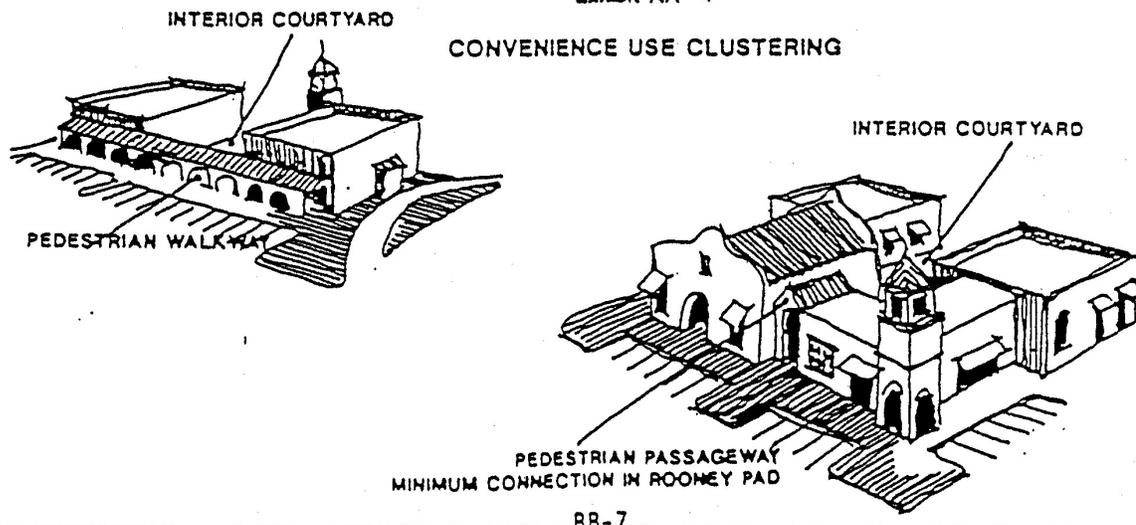
With the exceptions of Areas B and D, signage shall comply with the standards as set forth by the Oro Valley Zoning Code Revised in effect at the time of any plan submittal for development review, including development plans and subdivision plats.

(Ord. 98-47)

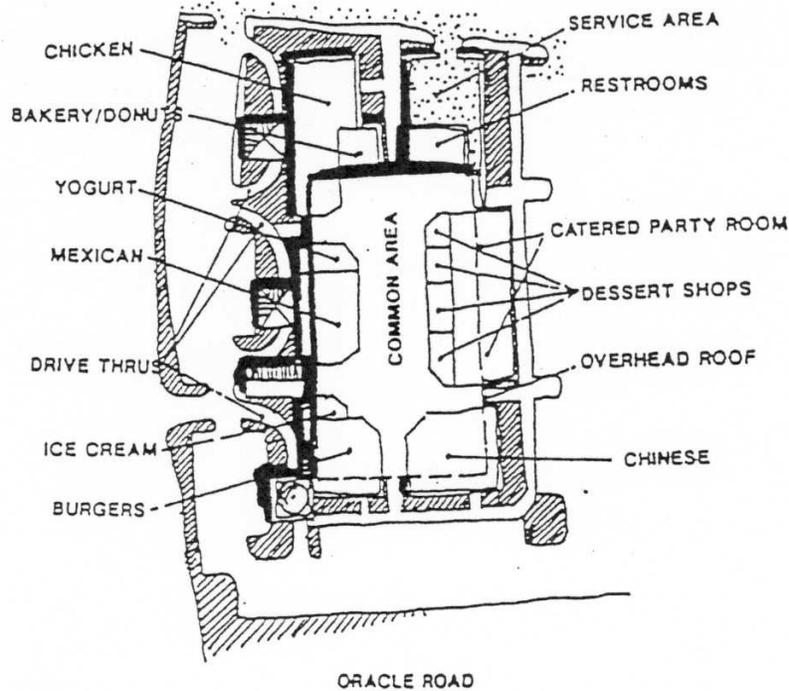
7. Convenience Use

- A. Addendum No. 1 to the Convenience Use Code includes as designated arterials: Oracle Road, Lambert Lane, Naranja Drive, Moore Road, and Ranch Vistoso Blvd., all of which are linked by the single arterial, North First Avenue. The PAD document assumes the inclusion of North First Avenue as a designated arterial.
- B. The PAD Plan designates the areas where automotive, restaurant, and other convenience classified uses exist. All face either on Oracle Road or North First Avenue, although all do not necessarily sit between and access directly to two dedicated streets. The PAD document in effect designates and commits to comprehensively planned clusters of convenience uses and their allowance is part of the plan's approval. The clusters may also include more than one gasoline station (within 500 feet of each other) as part of an automotive related cluster.
- C. The intent of any of the convenience retail clusters programmed into the PAD is to meet all of the Convenience Use Code requirements except for one which may not be particularly appropriate to the PAD concept of clustering. That exception is: when clustering more than two convenience uses, it may be necessary that a minority of the uses may not be able to have actual building to building attachment. This would necessitate an exception to allow less than 50% of the clustered uses (by uses rather than use area) to be attached by covered walkways, fenced commons, or courtyards. Otherwise, they must be attached building to building. For example, below is a figure showing the intent of the PAD to connect by courtyards and passageways. In addition, a larger food court cluster concept which is shown as an example in the PAD on Oracle Road is shown below along with what might typically be included in such a cluster.
- D. Any use meeting the definitions for conditional use, as specified in Article 9 of the Oro Valley Zoning Code Revised, shall comply with the development standards of Article 9, except as to locational requirements. Clustered siting of these uses is permitted as planned in Sub-Areas D-3 and D-4. A conditional use permit will not be required.

Exhibit AA - 7



CONVENIENCE USE
FOOD CLUSTER CONCEPT



8. Public Improvements

- A. The developer shall dedicate the Lambert Lane loop road through Area A to Oro Valley after construction and acceptance by the Town Engineer. All other internal roads shall remain private.
- B. The developer's participation shall be that he will pay for the Town's economic obligation in the installation of the traffic lights at North First Avenue and Lambert Lane as well as North First Avenue and Oracle Road. The developer's participation with respect to the right-of-way improvements, including right-of-way dedication, additional ingress/egress lanes, additional travel lanes, and installation of medians and landscaping within the rights-of-way within North First Avenue and Lambert Lane where they pass through the developer's property, is outlined in Exhibit C in the appendix.

9. General PAD Administration

- A. All significant changes to the PAD shall be submitted to the Planning Commission and the Mayor and Council as amendments to the PAD. Any proposed changes to the PAD shall be submitted to the Zoning Administrator, who shall review the item and ascertain whether or not the change is significant based on the following criteria.

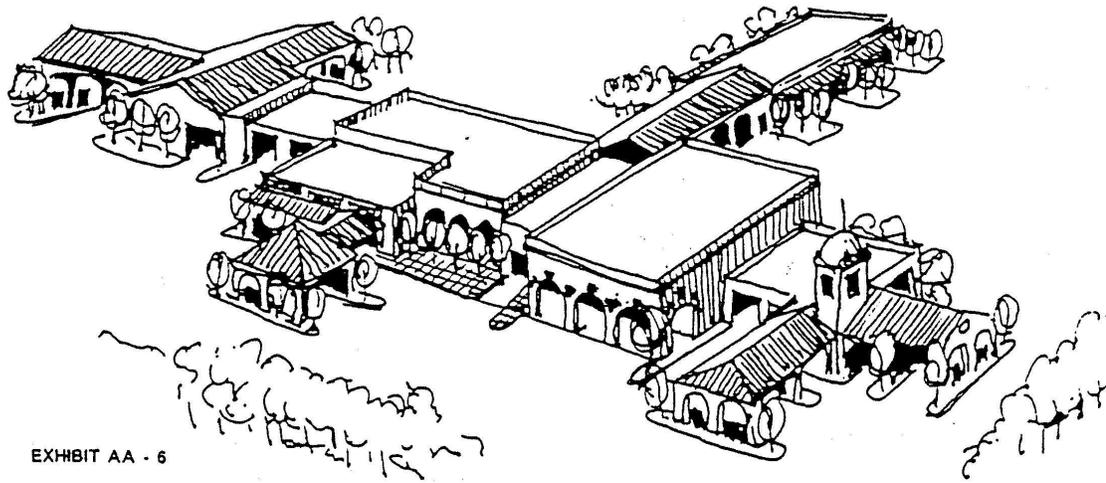
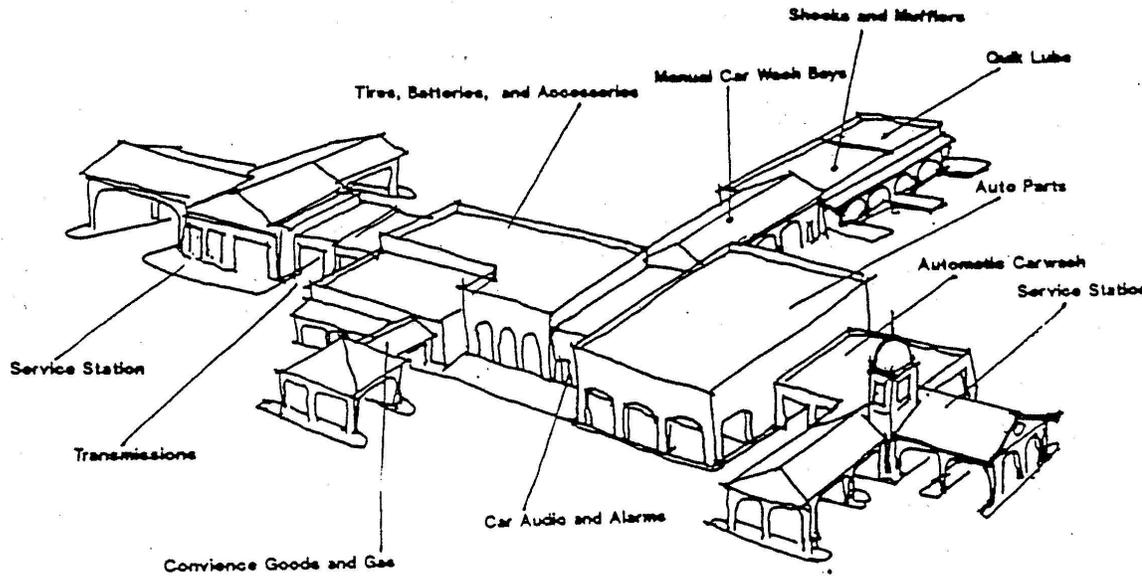


EXHIBIT AA - 6

CONCEPT: CAR CARE MALL

URBANTECH INC. Tulsa, Oklahoma 1988

A significant change shall include:

- 1) any change, modification, or deletion to an approved PAD policy,
- 2) any increase in the density, permitted height, or floor area ratio;
- 3) any change in permitted land uses; and
- 4) any decrease in the amount of setbacks or open space required by this document. "

Changes which are not deemed "significant", by this definition, may be approved administratively, subject to review by the Development Review Board and Town Council during development plan or platting stages."

(Ord. 97-17)

- B. All development plans and submittals shall conform to the standards contained in Oro Valley Zoning Codes in effect at the time of that submittal which are not specifically modified by the provisions of the PAD.
- C. All development plans within the Rooney Ranch PAD must be accompanied by a traffic impact analysis, which meets the requirements set forth in Sec. 9-110N.
- D. At the time of development plan submittal, the applicant shall submit thorough traffic impact analyses (TIAs) demonstrating that any proposed access point(s) to Oracle Road are safe and will improve existing and proposed external and internal traffic circulation. Additionally, the format for said TIAs shall conform with ADOT requirements and standards.
- E. Applicants for new access points to First Avenue, Lambert Lane or Pusch View Avenue shall submit thorough TIAs demonstrating that said access locations are safe and will improve existing and proposed traffic circulation.

(Ord. 97-17)

- D. Street frontage for the entire subject property along Oracle Road and North First Avenue is to comply with the Oracle Road District Regulations, Article 10-4, except as otherwise set forth by the conditions of this PAD as specified herein.
- E. All access points to Oracle Road shall be reviewed and approved by the Town of Oro Valley and the Arizona Department of Transportation (ADOT). The applicant shall obtain said reviews and approvals prior to Town Council hearing of development plans for projects in the PAD. Access changes for Area B are subject to the development criteria of Area B.

(Ord. 97-17)

C. PLANNED AREA DEVELOPMENT PROPOSAL

General

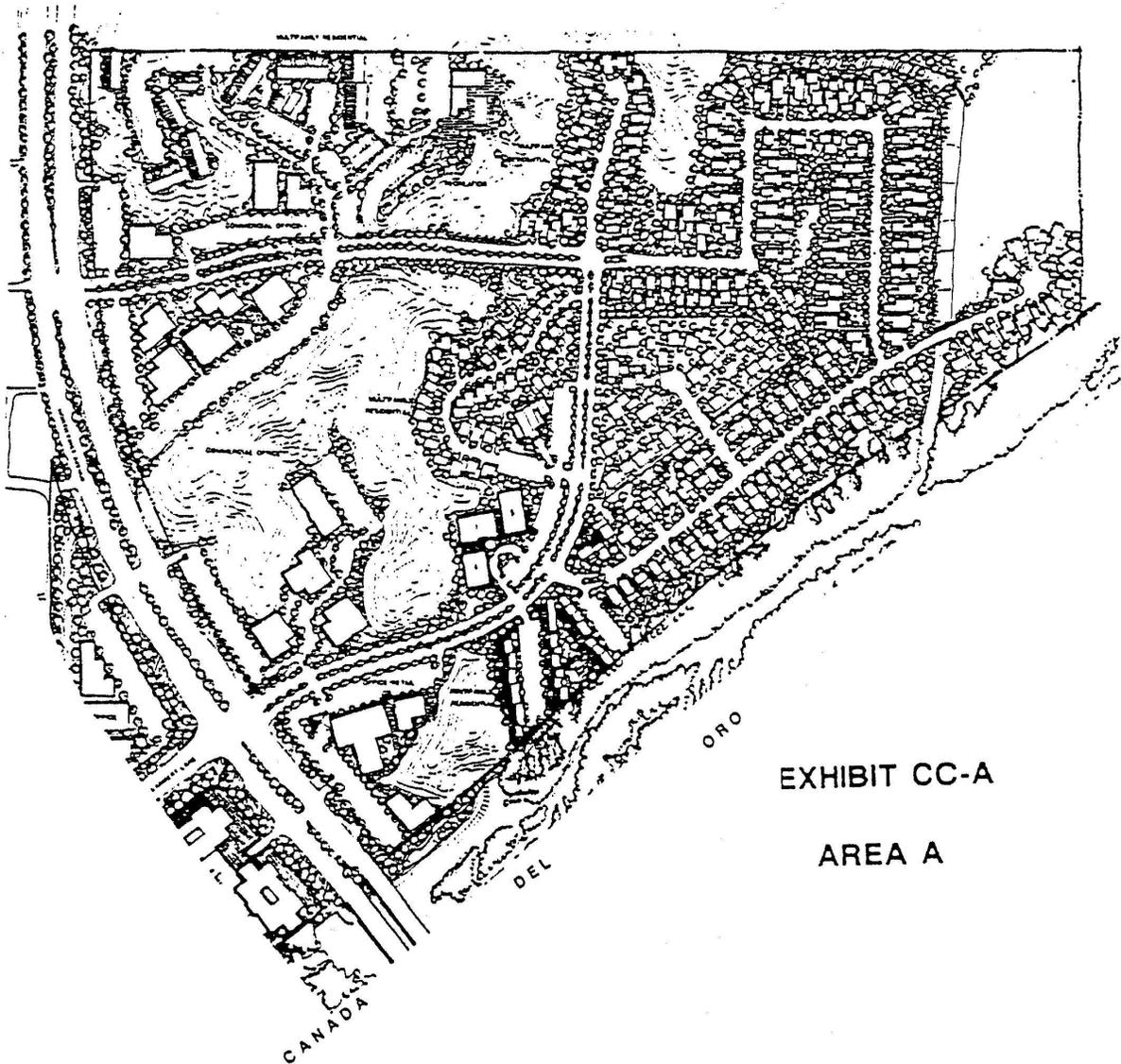
Keeping in mind the mixed use/urban village concepts discussed in the Project Overview Section, the Proposal Section deals specifically with the subareas of development, their primary uses, and alternative uses as well as development criteria.

Area A

(Parcel Map Exhibit CC-A) - Moving from the North First Avenue frontage on the west and "inland" to the east, the land uses change from general office and neighborhood convenience through multifamily to single family residential. The area is approximately 79.48 acres.

Delete Exhibit CC-A

(Ord. 97-17)



Area A

Sub-Area 1¹

Commercial

25.18 acres

Primary Uses

Business and professional services (Article 8.7, Section 8.703, A 1., pp. 8-29, including Medical Institutions), neighborhood commercial (Oro Valley Zoning Code C-N) with one “Convenience Use,” limited to “grocery store convenience use with ancillary gas sales,” excluding fast food, will be permitted in the area south and east of the intersection of North First Avenue and (the new) Lambert Lane, provided it is attached to other C-N uses and complies with the Oro Valley Convenience Use Ordinance except for locational requirements

Uses shall be restricted to commercial offices, multifamily residential, and other permitted uses per the PAD. Any ancillary retail uses shall be limited to 25% of the gross floor area per structure.

Alternate Uses

Churches and retail uses ancillary to office use such as print shops, travel, financial services, and small food retail as long as ancillary uses are contained within office structures (excluding fast foods).

Development Criteria

- A. Setback - Landscaped building setback of 20 feet from North First Avenue.
- B. Building Height - Maximum of 25 feet.
- C. Maximum Density - Floor Area Ratio of .40.
- D. Minimum Landscape Requirement - 15% (subject to “I” of Landscaping Policy). No bufferyards will be required between like uses. (Ord. 97-17)
- E. Parking Requirement - Per Chapter ii of Oro Valley Zoning revised, note that mixed use development optimizes the use parking infrastructure with its “combination of uses” (See H, P. H-3).
- F. Revegetation of graded areas is to proceed as delineated in the “Revegetation Concept for Oro Valley Center Grading Plan” and shall include the transplanting of native specimen trees from within the site to the right-of-way along both North First Avenue and the

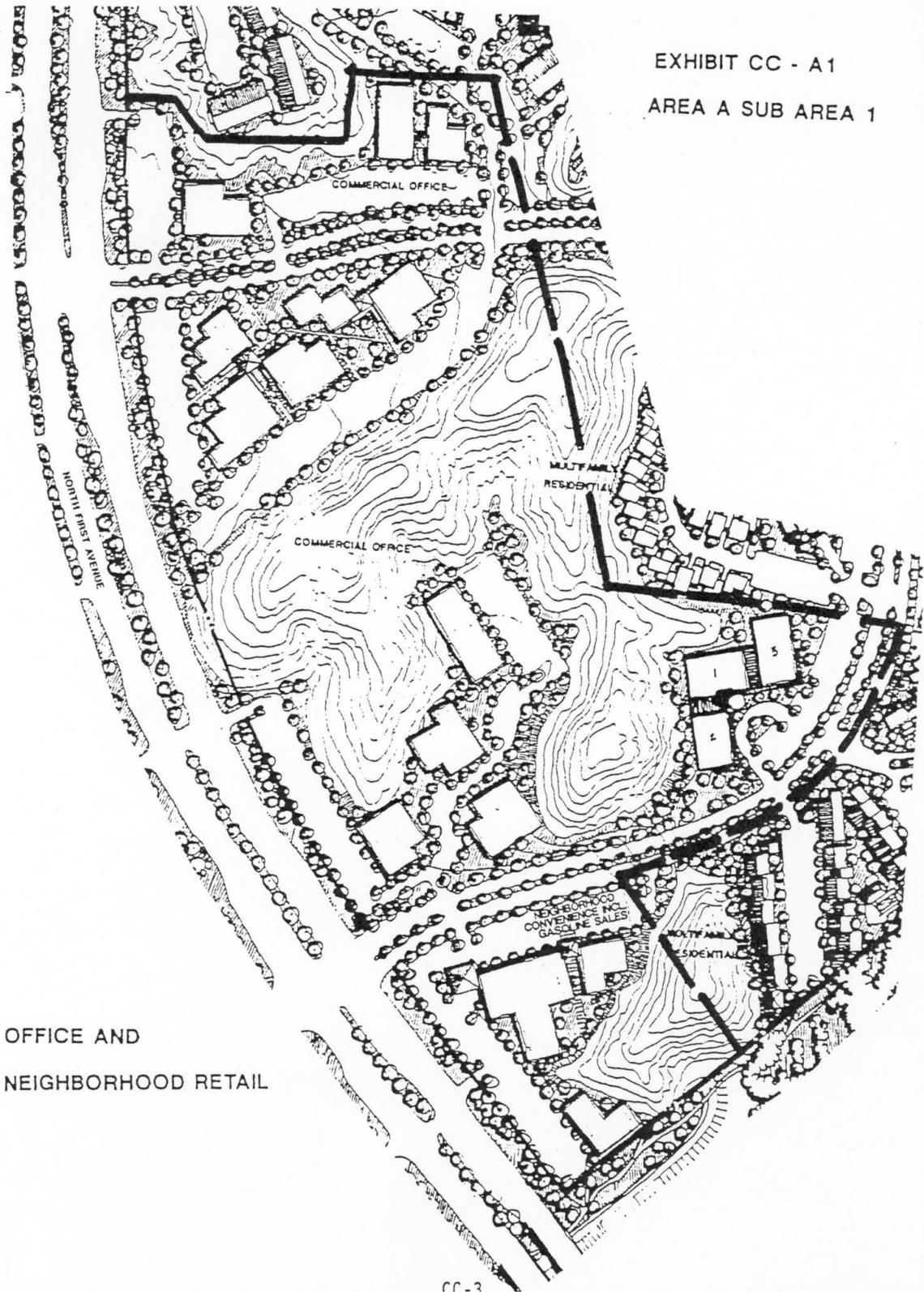
¹ The caption of Ordinance (O)97-17 contains language specifying the deletion of Sub-Area A-1. However, conditions of approval of (O)97-17 contradict this intent. The Ordinance has been interpreted to maintain Sub-Area A-1 and to modify the area formally designated as a Town Hall site in accordance with Town Council action.

intersection of Lambert Lane.

- G. That area formerly designated as a potential site for Town Hall may be developed with the same uses, commercial or office, as the balance of that area historically known as sub-area A-1. Commercial uses are limited to 25 % of the gross floor area per structure. Multi-family residential development shall not be permitted. The FAR for this area is limited to .40.

(Ord. 97-17)

EXHIBIT CC - A1
AREA A SUB AREA 1



OFFICE AND
NEIGHBORHOOD RETAIL

Area A

Sub-Area 2 Neighborhood Recreation 2.83 acres

Primary Uses Recreation, Small sporting courts

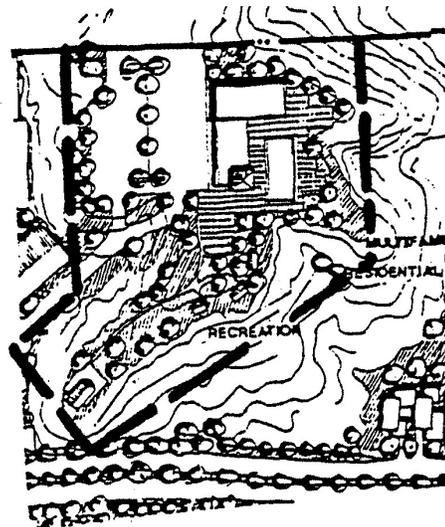
Alternate Uses Ancillary retail such as food concession if located within main structure and not fast food, temporary real estate sales and marketing.
Uses shall be restricted to those directly supporting recreational activities.

Development Criteria

- A. Setback - 25 feet from loop road.
- B. Building Height - 26 feet maximum.
- C. Maximum Density - Floor Area Ratio of .25.
- D. Minimum Landscaping Requirement – 15% (subject to “I” of Landscaping Policy).
- E. Parking Requirement - Per Chapter 11 of the Oro Valley Zoning Code Revised.
- F. Improved recreational facilities shall be a minimum of one acre for direct use by the multifamily dwellings of Sub-Area 3.
- G. No slope in excess of 15% may be graded or disturbed except for construction of the main east/west access road and drainage, and then only to the extent necessary for such construction. If this restriction makes this sub-area undevelopable, then Sub-Area 2 shall be included in Sub-Area 3 and the recreation facility shall be relocated elsewhere in Sub-Area 3.

EXHIBIT CC - A 2

AREA A SUB AREA 2



Area A

Sub-Area 3 Multifamily Residential 21.86 acres

Primary Uses Uses shall be restricted to townhouses, cluster homes, condominiums, apartments and duplex/triplexes and community recreational facilities.

Alternate Uses Churches, schools, day nursery and preschool, residential health care facility, model homes and temporary real estate sales and marketing office, boarding house, lodging house, parks, playground and community owned buildings and pools.

Development Criteria

- A. Setback – Building setbacks from single family residential lot lines shall be 40 feet for two story multifamily buildings and 20 feet for single story multifamily buildings.
- B. Building Height – 25 feet maximum except for slopes areas where parking may be screened under structure, in which case parking height would not count (see Building Height Calculation).
- C. Maximum Density - Density shall not exceed 251 units, but may go up to 355 units if provisions of Oro Valley Zoning Code, Section 7-504 are met.

(Ord. 97-17)

- D. Maximum Landscape Requirement - 15% (subject to “I” of Landscaping Policy).

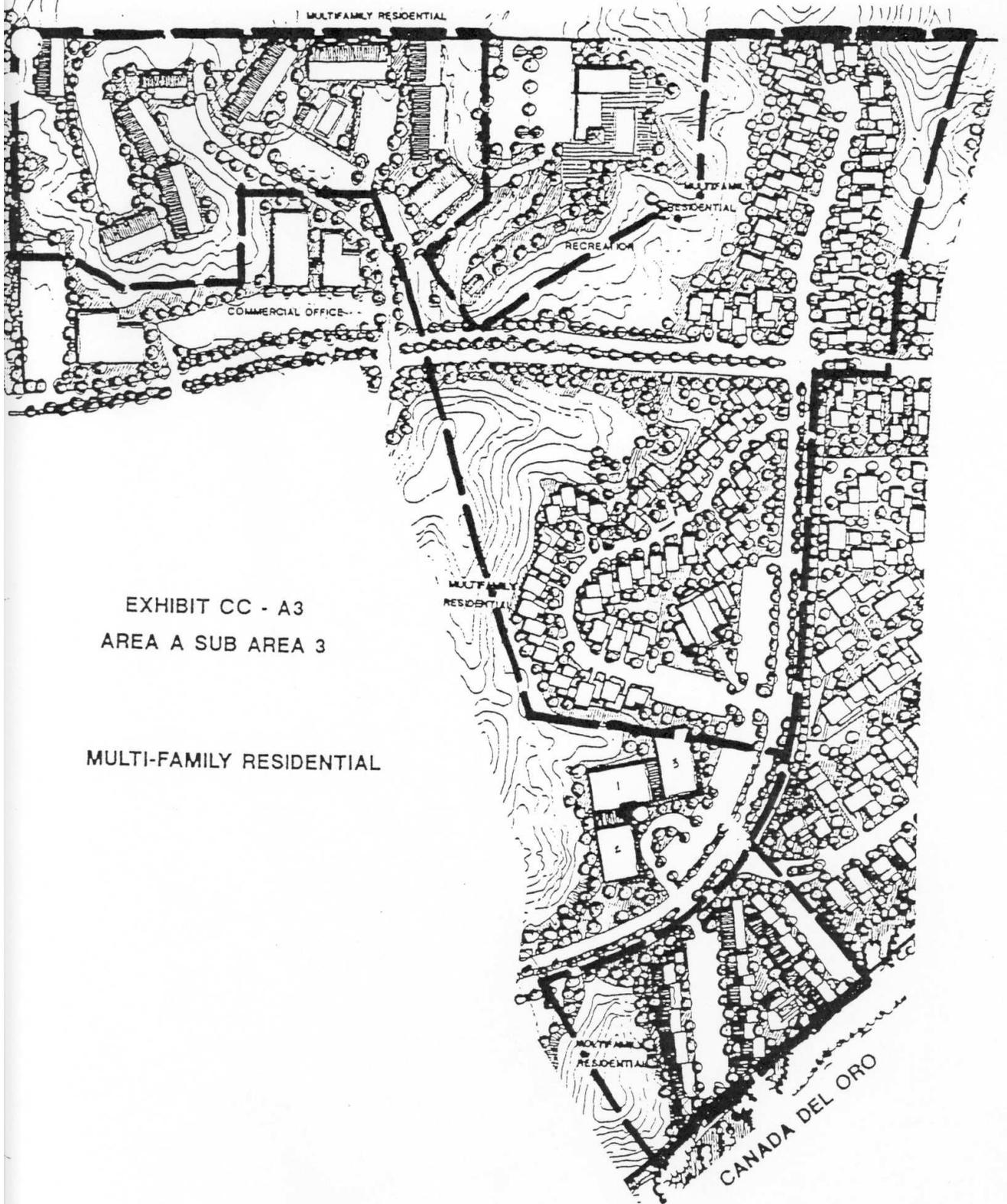


EXHIBIT CC - A3
AREA A SUB AREA 3

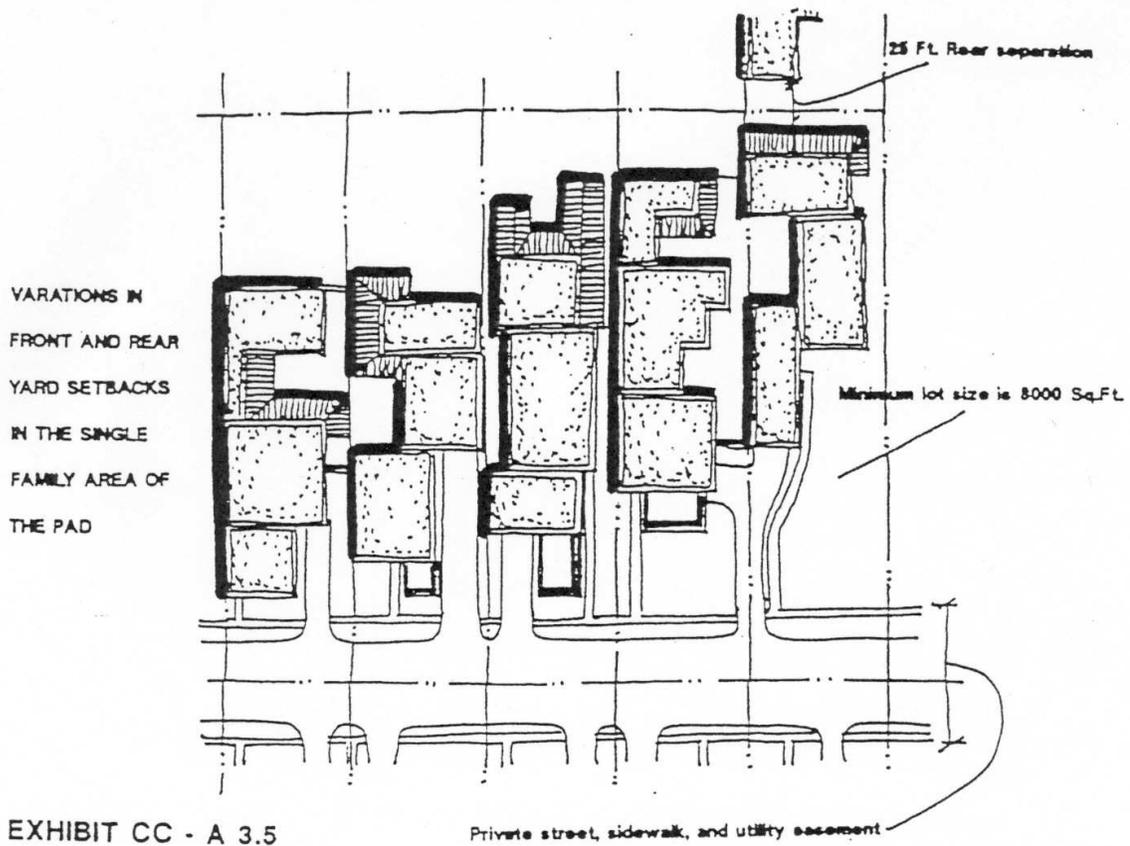
MULTI-FAMILY RESIDENTIAL

Area A

<u>Sub-Area 4</u>	Single Family Residential	29.61 acres
<u>Primary Uses</u>	Uses shall be restricted to single family residential.	
<u>Alternate Uses</u>	Homeowners' association facilities, model homes, and temporary real estate sales and marketing facilities.	

Development Criteria

- A. Setback - For the single family area (Area A, Sub-Area 4), the PAD proposes that because of the nature of the enclave, the urban design theme, and the panorama of views critical to the effective marketing of the project, various setback requirements be eliminated in favor of performance standards which meet the intents of setbacks while allowing for flexibility in a comprehensively planned subdivision. They are as follows (see also the figure which follows):
1. No buildings may be positioned to encroach on any right-of-way or property other than the primary lot on which the building sits.
 2. No buildings may be positioned to impede proper driving site angles or other driving safety requirements.
 3. Each dwelling shall, in addition to any garages, have at least two full offstreet parking spaces having dimensions of no less than 9 feet by 20 feet and not encroaching on any part of the right-of-way.
 4. All buildings not attached must be at least ten feet apart.
 5. Zero side lot lines are permitted.
 6. Rear lot setbacks shall provide 25 feet between structures.
 7. Building setbacks from lot lines abutting multifamily areas shall be 20 feet.
 8. Front yard setback shall be a minimum of 20 feet from curb line to provide an open, non-congested street scene.
 9. The minimum lot size shall be 8,000 square feet.
- B. Building Height – 26 feet maximum.



- C. Maximum Density – Shall not exceed 3 RAC overall.
- D. Minimum Landscape Requirement – 15% (subject to “I” of Landscaping Policy).
- E. Parking Requirement – Per Chapter 11 of the Oro Valley Zoning Code Revised.
- F. A minimum of two acres of improved recreational facilities shall be provided for the use of single family residents in Sub-Area 4.
- G. Filled areas adjacent to the CDO Wash shall be bank stabilized as approved by the Town Engineer and subject to the Pima County Flood Control District.

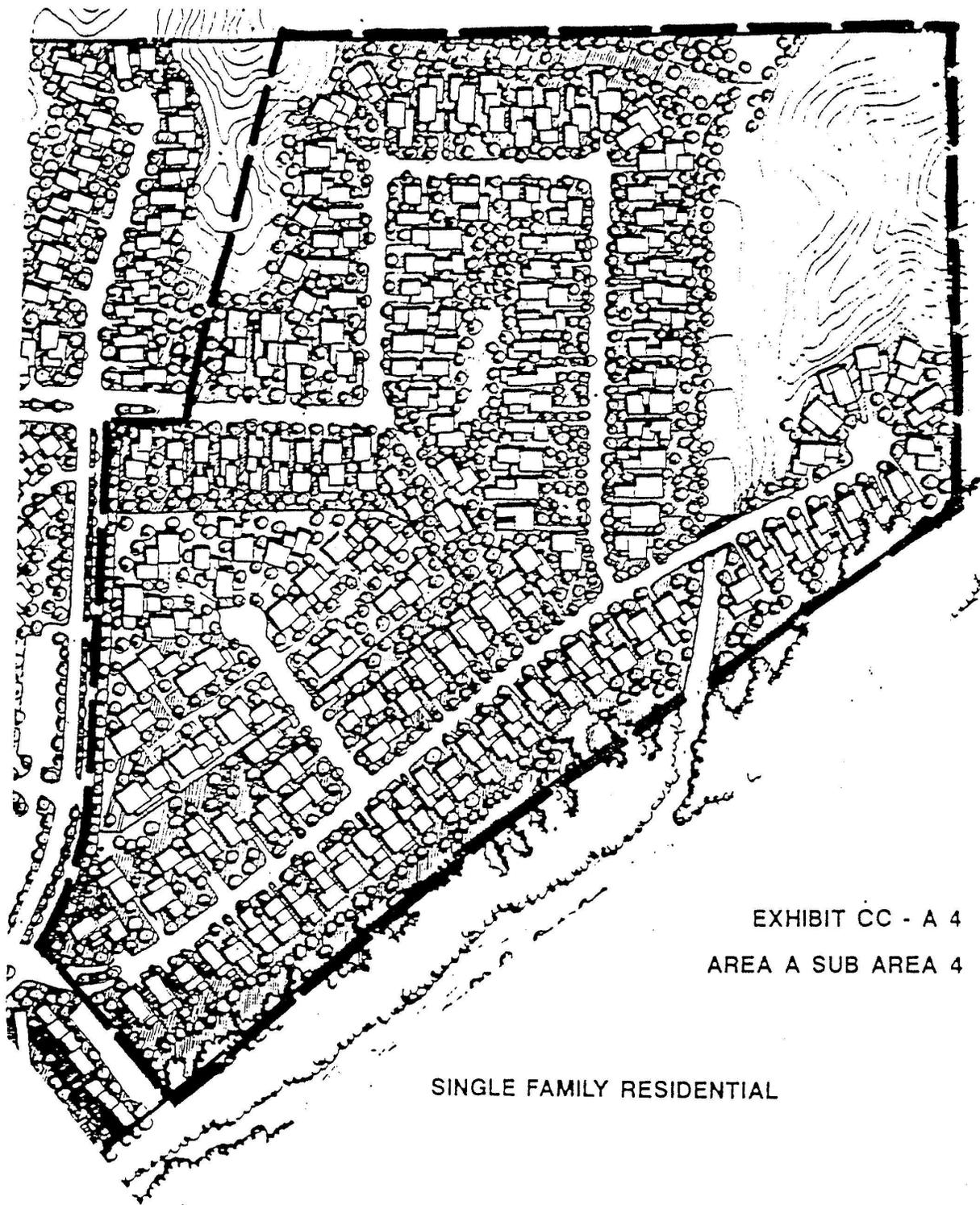


EXHIBIT CC - A 4
AREA A SUB AREA 4

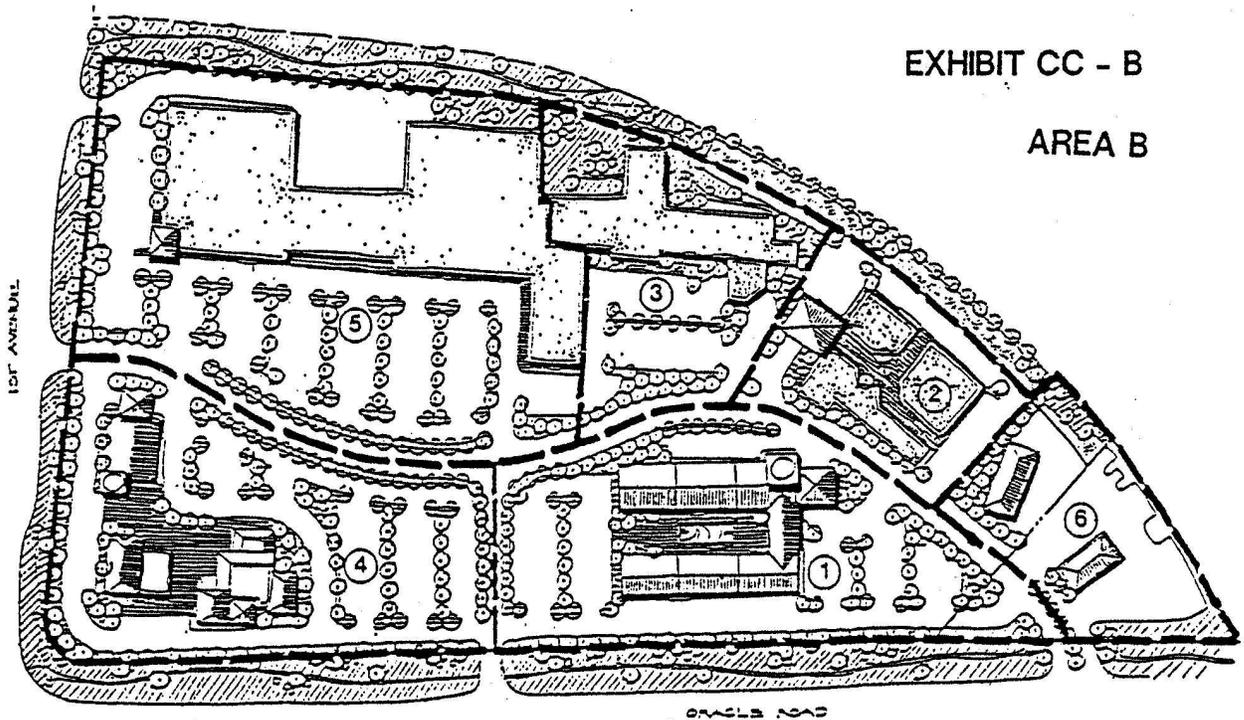
SINGLE FAMILY RESIDENTIAL

Area B

Area B is one of two main Town Commercial Centers. The more intense commercial activities front on Oracle Road and North First Avenue near the intersection. The full spectrum of land use mix includes retail, financial institutions, general office, hotel, and multifamily residential. The area contains 19.83 acres.

1. No "Convenience Uses" as defined in the Oro Valley Convenience Use Ordinance shall be allowed, except financial institutions, one convenience use/gasoline station, (in the area formerly known as sub-area 6) and all other approved uses for area B.
2. If access becomes available from the northern portion of Area -B from Oracle Road through the Lieber property, than the site plan for the impacted areas may be revised.

(Ord. 97-17)



Area B

<u>Area B</u>	Business Hotel, Business and Professional Office, Multifamily Residential, Retail/Financial Offices, Retail Center and Retail/Convenience Use	19.8 acres
<u>Primary Uses</u>	Hotel/Motel (C-2), General office with ancillary uses within office structures, congregate care facility (C-2), restaurants, restaurants with lounges, financial institutions, small office cluster, small retail area, retail center (C-2), and one retail/convenience use gasoline sales, located in the area formerly known as sub-area 6.	
<u>Alternate Uses</u>	Retail, business and professional offices. Uses shall be restricted to general offices or restaurant and other permitted uses as determined from those provided in the C-1 District of the Oro Valley Zoning Code Revised, and multifamily.	
<u>Development Criteria</u>		
A.	<u>Setbacks</u> - 2:1 ratio with building height, Setback for C-2 uses - 60 feet from Oracle Road and North First Avenue. It is the intent to preclude C-2 uses closer than 60 feet from roadways to create alternating setbacks along Oracle Road which can easily be accommodated in this large parcel. Otherwise, setback should be a 2:1 ratio with building height. Rear Setback: 30 feet.	(Ord. 97-17) (Ord. 98-47)
B.	<u>Building Heights</u> - Maximum 25 feet for all buildings within 100 feet of Oracle Road. All of others 33 feet to top of parapet. campaniles and clock towers and other significant vertical architectural statements of the mission vernacular shall have a maximum height of 45 feet. ²	(Ord. 98-47)
C.	<u>Maximum Density</u> - Floor Area Ratio of 40%	(Ord. 97-17)
D.	<u>Minimum Landscape Requirements</u> - 15% (subject to "I" of the Landscaping Policy). No bufferyards will be required between like uses. " A minimum 10' Buffer Yard A shall be located along the rear property line. A 3' high wall shall be constructed the full length of the rear property next to the wash, with landscaping provided on the wash side of the wall.	(Ord. 98-47)
E.	<u>Parking Requirements</u> – 1 space per 300 square feet of commercial floor area, otherwise in accordance with Chapter 11 of the Oro Valley Zoning Code Revised with particular note of the "combination of uses" provision.	(Ord. 98-47)

² This section amended multiple times, (O)97-17, lastly (O)98-47

- F. Auto service bays shall not face Oracle Road.
- G. Any proposed changes to Area B access shall be subject to approval by the Town Engineer and ADOT. A significant PAD amendment for Area B access modifications may be required by the Town Engineer, as deemed necessary, depending upon the impacts to traffic circulation in and around the First Avenue/Oracle Road intersection.
(Ord. 97-17)
- H. A detailed traffic impact analysis, in accordance with the revisions to Sec. 9-102 approved by the Planning Commission on August 1, 1989, shall be submitted with the final development plan for this project. That traffic impact analysis must be approved by the Town Engineer and the Arizona Department of Transportation prior to development plan approval.
- I. The limited exceptions for the Rooney Ranch PAD from the ORSCOD shall not be eliminated by this amendment, but these exceptions shall remain in effect.
(Ord. 97-17)
- J. Outdoor Displays- permitted with the following conditions:
1. Outdoor displays shall only occur in those areas so indicated on the development plan for Area B.
 2. The outdoor display area shall be clearly delineated by architectural features, and shall be screened by significant architectural elements such as arcading, columns etc. A minimum 6' wide sidewalk area shall remain clear for pedestrian circulation. Outdoor displays shall not be permitted within 6' of the entry doors.
 3. No items in the outdoor display area shall exceed six feet. Plants, shrubs, trees, landscape display presentations, and items with significant vertical elements, such as patio furniture umbrellas, shall be exempt.
 4. No outdoor display items shall be left out overnight. Plants, shrubs, trees, and landscape display presentations are exempt from this requirement.
 5. One large movable planter, containing a tree (6' minimum height) or shrub (4' minimum height), shall be required per every 20 linear feet of outdoor display area to provide additional landscaping and screening elements. The placement of the planters shall not interfere with the operations of the loading zone, nor shall the planters occupy the minimum 6' wide sidewalk area reserved for pedestrian circulation.
 6. Products or product displays shall not be mounted on exterior structural walls.
 7. Outdoor storage of items is prohibited. Delivery items shall be placed within the

store by the end of the business day.

8. Seasonal outdoor sales events, such as Christmas tree sales, outside of the designated outdoor display area shall be subject to a Special Use Permit under the OVZCR.
9. Permitted Outdoor Display Items - Permitted items for outdoor display are listed in Appendix A. Items allowed for display are to be restricted to items of a seasonal nature, and are not to include construction materials or construction equipment. Items may be added to Appendix A upon administrative review and approval of the Planning and Zoning Administrator of the Town of Oro Valley.
10. Outdoor display signage shall not include fluorescent or iridescent colors, and shall be limited to four square feet in size per display.
11. Permitted Outdoor Display Items - Area B, Rooney Ranch PAD, shall be as follows:
 - A. Plants, shrubs, and trees
 - B. Outdoor patio furniture
 - C. Picnic tables
 - D. Gardening tools
 - E. Power tools
 - F. Consumer electrical appliances, not to include heavy equipment.
 - G. Lawn and gardening equipment
 - H. Paving stones, and other hard landscaping materials, as incorporated into a landscape display presentation only.
 - I. Gas ranges, BBQ's, etc.
 - J. Seasonal items
 - K. Rugs
 - L. Other analogous items.
11. Review and Regulation of Outdoor Displays - Outdoor displays shall be subject to the review and regulation of the Planning and Zoning Administrator of the Town of Oro Valley. A violation of the above outdoor display criteria shall result in a written violation notification addressed to the store manager.

Upon a violation of the outdoor display criteria, the offending party will be given a written notice of violation, and a copy of the notice shall be posted on the offending item(s). If the violation is not corrected within 72 hours, the offending party shall be issued a citation, and a copy of the citation shall be posted on the offending item(s).

Upon five citations within a one year period the Planning and Zoning Administrator shall review the outdoor display privileges of the offending party,

and the party will be notified in writing of the review. The Planning and Zoning Administrator may suspend or revoke the outdoor display privileges of any or all items of the offending party. The Planning and Zoning Administrator will notify the party in writing of his or her decision within two weeks of the notice of review of outdoor display privileges. The decision of the Planning and Zoning Administrator may be appealed to the Board of Adjustment.

(Ord. 98-47)

K.

Signs

Signs are allowed in accordance with the following table, "Area B Sign Guidelines." The following requirements shall also apply:

1. The Home Depot logo illustrated on the side elevation of the Home Depot store shall have a maximum height of 6', as the maximum logo size permitted by the proposed Area B Sign Guidelines.
2. As per the proposed Area B Sign Guidelines, the Home Depot logo illustrated on the side elevation of the Home Depot store shall only emit muted orange, internal illumination from the characters, not the full face internal illumination as illustrated.
3. The Area B Sign Guidelines shall be amended as follows:
 - Halo illumination shall be of white color only
 - Monument Sign Size: max height 8' on Oracle Road, and 6' on N. First Avenue
 - Monument Sign Illumination: Halo-illuminated text, internally illuminated logos, characters only emitting light
 - Monument Sign Max Logo Size: replace " 10' 6" " with " 8' ".

((Ord. 98-50)

ORO VALLEY CENTER, AREA B SIGN GUIDELINES

User	Size	Color	Max. Char. Ht.	Illumination ³	Max. Logo Size	Sign Construction
Major Tenant (over 40,000 sq. feet)	1.5 sq. ft. per bldg. façade on which the sign is to be placed, not to exceed 500 sq. ft. for any single user. Façades must face a street	Logo – any ¹ Text – orange, blue, white (commercial color specifications to be provided) Halo – illumination may be of white color only.	5 feet	Individual illuminated text characters (not logos), consisting of back-lit halo illumination, Internally-illuminated logos; cabinets may be used for logos, provided only graphic symbols or characters emit light.	36 sq. ft. not to exceed max. character ht.	Pan Channel Cabinets for logos (8 in. deep max.)
Minor Tenant (0-10,000 sq. ft.)	80% of bldg. front foot	Logo – any ¹ Text – copper patina Halo – illumination may be of white color only.	36 in. for single line, 24 in. ea. for two lines	Halo-illuminated text and logos	10 sq. ft., not to exceed max. character ht.	Pan Channel text and logos
Pad Building	1 sq. ft. per bldg. façade on which the sign is to be placed, any 2 sides facing a street	Logo – any ¹ Text – copper patina Halo – illumination may be of white color only.	30 in. for single line, 24 in. ea. for two lines	Halo-illuminated text, internally luminated logos; Cabinets may be used for logos, provided only graphic symbols or characters emit light	10 sq. ft. not to exceed max. character ht.	Pan Channel Cabinet for logos (recessed)
Monument Sign ²	2 permitted, one at main entrance on Oracle and one at main entrance on N. First Avenue, max. ht. 8' on Oracle and 6' on N. First Avenue	Logo – any ¹ Tenant identification text – orange, blue, white (commercial color specifications to be provided) Shopping center identification text – copper patina Halo – illumination may be of white color only.	N/A	Halo-illuminated text, internally luminated logos, characters only emitting light	64 sq. ft. of sign area on 8' tall monument	Masonry construction, sign copy area routed aluminum face with acrylic graphics
Directionals	Max. ht. 3 ft., 4 sq. ft.	N/A	N/A	Halo or Internal, only characters may emit light	Not permitted	Pan Channel or Cabinet

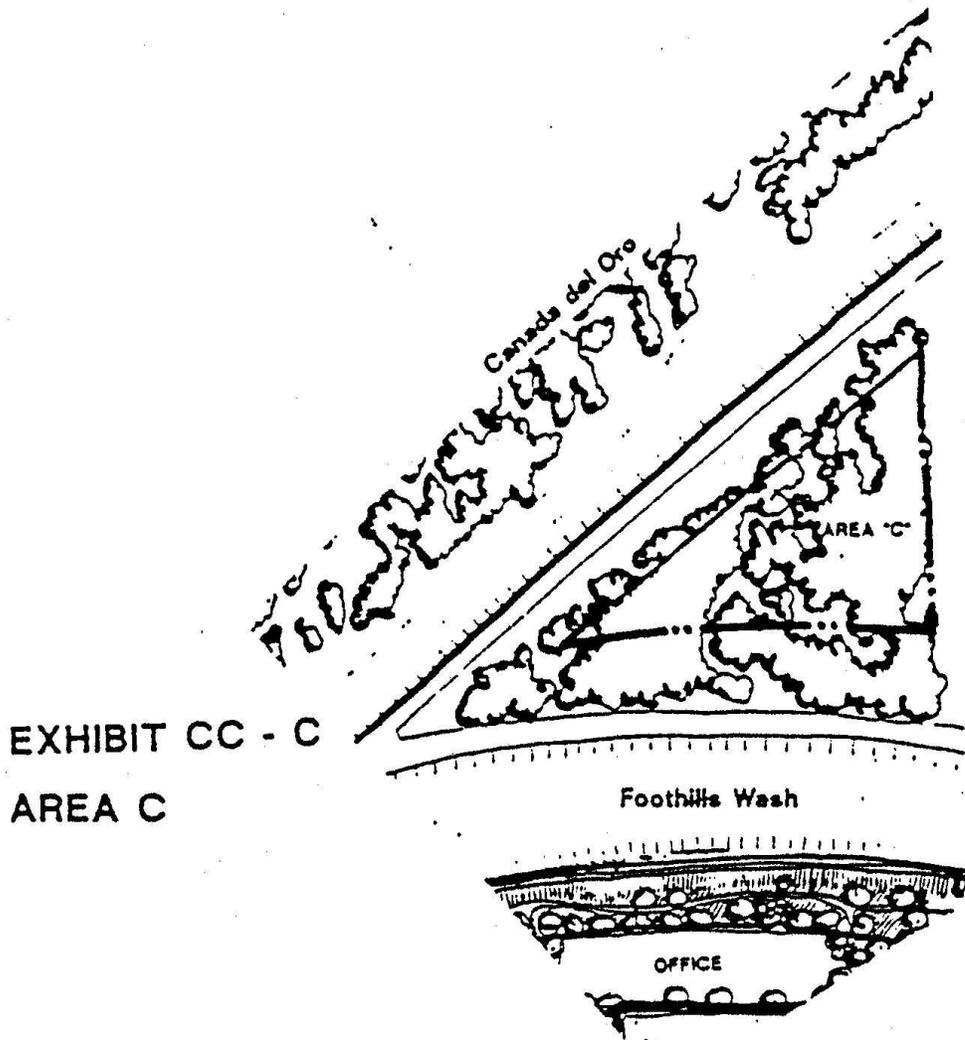
¹ except fluorescents or iridescents

² monument signs in a landscape setting

³ halo & internally illuminated signs may use only 15 mm white neon tubing

Area C

Area C is a 1.07-acre parcel which is situated to the east of the confluence of the Canada del Oro Foothills Channel. It has been left in a natural state (not used for grazing) for a considerable time and is largely forested. The PAD proposal calls for it to be left as an open space reserve and that the parcel be considered as meeting some of the overall landscape requirements. Area C shall remain natural and undisturbed and will be included in the calculation of meaningful open space and density with respect to Area B. The open space credit shall be distributed in a reasonable manner among Area B parcels as determined by the Zoning Administrator. Further, this site has been acquired by Pima County for inclusion in the CDO Riverpark as an active recreational area.

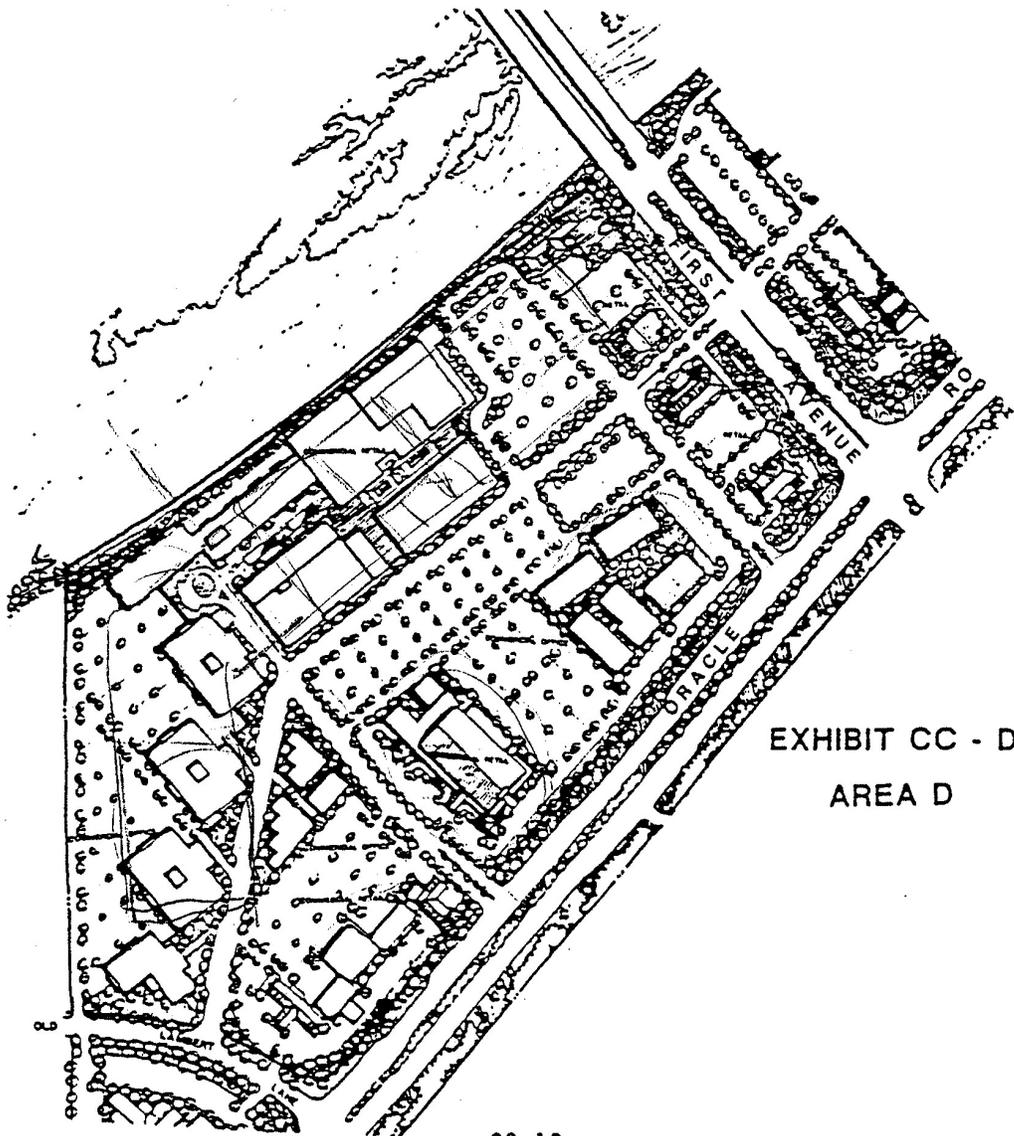


Area D

Parcel Map Exhibit CC-D

The North First Avenue and Oracle Road frontages of this area are broken up with a campus-like series of small retail/office structures. A larger retail center is situated toward the north edge near the center of the tract abutting the residential and large office components which are situated near the far northwest corner of the tract along the CDO. Although the frontage on Oracle will require two small right-turn-in/right-turn-out entry points, the major access points should be two signalized-intersections. The first would be at Old Lambert Lane and Oracle Road, more than 1,500 feet west of North First Avenue. The second primary entry point is on North First Avenue aligned with a primary access to Area B, more than 400 feet north of Oracle Road.

(Ord. 97-17)



Area D

39.6 acres

Primary Uses Uses shall be derived from those permitted under C-1, of the Oro Valley Zoning Code Revised, except that a hotel/motel shall be permitted, and convenience uses,, including clustering. Restaurant convenience uses, as defined in the OVZCR, shall be limited to four in number, with or without “drive-in or drive-through” features, and shall be integrated one with another structurally and/or with a unified traffic plan. Service stations shall be limited to a maximum of two. The other uses will be complementary auto uses exclusive of automobile sales or rental.

(Ord. 97-17)

Development Criteria

- A. Setbacks - 2:1 ratio with building height,
- B. Building Heights - The maximum building height in area D shall be 30'. Building heights within 100' of First Avenue or 200' of Oracle Road will be limited to 25' unless approved for 30' by the Council after Development Review Board review..
- C. Maximum Density - Floor Area Ratio .40
- D. Minimum Landscape Requirements - 15% (subject to "I" of the Landscaping Policy). No bufferyard will be required for like uses.
- E. Parking Requirements - Per Chapter 11 of the Oro Valley Zoning Code Revised with ' particular note of the "combination of uses" provision
- F. Convenience uses shall not exceed four drive-in or drive-through facilities provided that a safe traffic plan be submitted for outside window pick-up.
- G. The Oro Valley Convenience Use ordinance shall apply, except for locational requirements.
- H. Auto service bays shall not face Oracle Road.
- I. The limited exceptions for the Rooney Ranch PAD from the ORSCOD shall not be eliminated by this amendment, but these exceptions shall remain in effect.
(Ord. 97-17)
- J. Signs
Signs are permitted in accordance with the table “Parcel D Sign Guidlelines.”
(Ord. 99-59)

Area E

Map CC-E

The area contains 6.06 acres southwest of the intersection of the two major arterials (New Lambert Lane and North First Avenue). The road fills for the new CDO bridge approach caused the parcel to lay as much as 20 feet below the street grades. This will require some filling (as discussed in the grading plan) to the extent that buildings will be able to meet street grade with a single level of covered parking or office space “below grade.” Whether office or parking, the subgrade area is an opportunity to maintain buildings which appear to be only 25 feet while screening large parking areas from development and residences to the north of the site.

Primary Uses

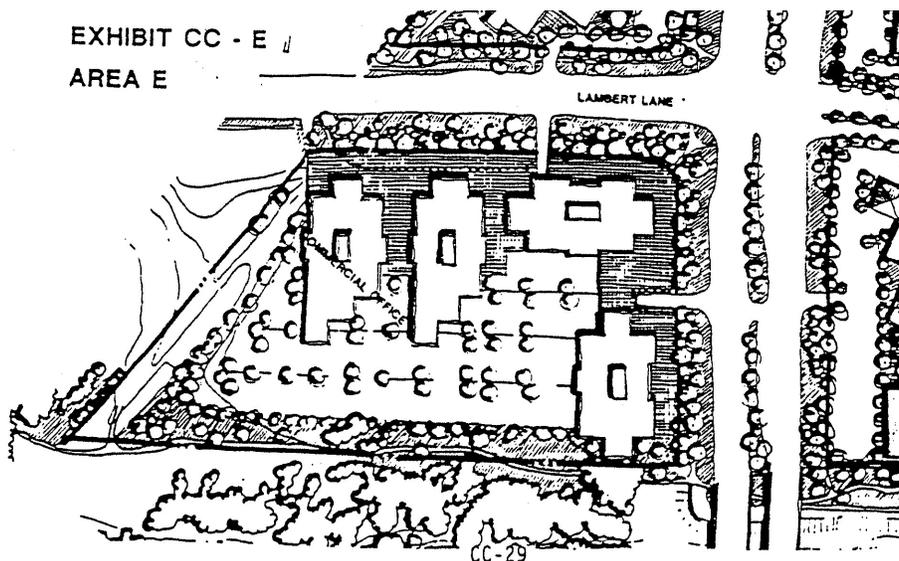
Business and professional offices and other permitted uses as stated within this sub-area.

Alternate Uses

Churches and retail uses ancillary to office use such as print shops, travel, financial services, office services, and snack bars or small cafeterias which must be contained within the office structures (excluding fast foods).

Development Criteria

- A. Setback – Landscaped building setback of 20 feet from North First Avenue and Lambert Lane.
- B. Building Height – 30 feet above the grade of the intersection of North First Avenue and Lambert Lane.
- C. Maximum Density – Floor Area Ratio of .55.
- D. Parking Requirement – Per Chapter 11 of the Oro Valley Zoning Code Revised with particular note of the “combination of uses” provision.
- E. Below grade development shall be restricted to parking facilities.



Area F

Map CC-F

This 2.21-acre tract is located northwest of the intersection of two major arterial streets (new Lambert Lane and North First Avenue). The CDO bridge approach fill work has resulted in the tract being below the surrounding street grades by 8 to 10 feet. The area now appears as an unsightly scraped pit which needs to be filled to grade to be rendered useful. Its position on a well-defined parcel surrounded by streets on all four sides and at a busy intersection of two arterials makes it particularly suitable for retail use with an emphasis on neighborhood convenience.

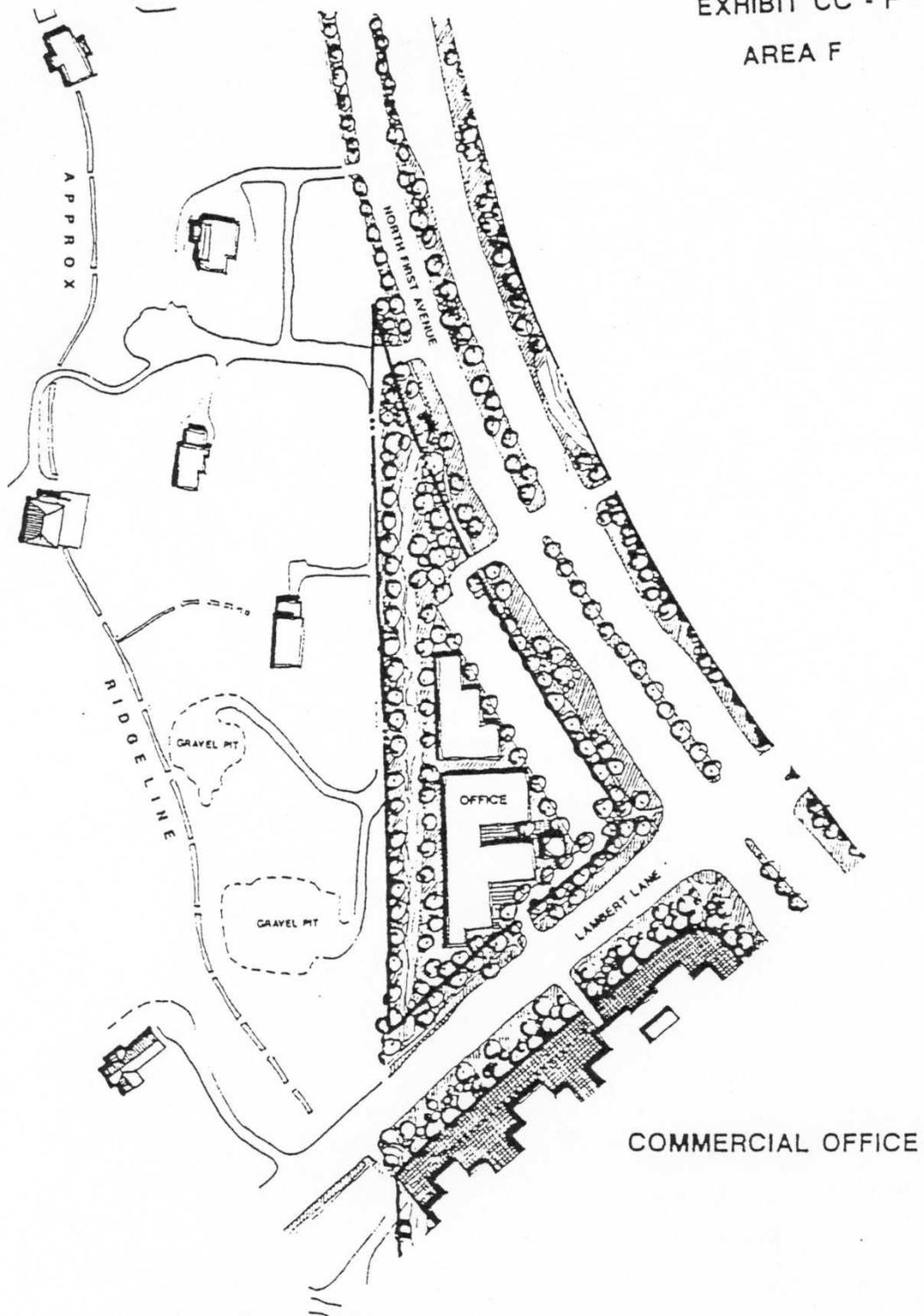
Primary Uses

Uses shall be restricted to business or professional offices as permitted from the uses delineated under C-1 of the Oro Valley Zoning Code Revised.

Development Criteria

- A. Setback - Minimum landscaped building setback of 20 feet from North First Avenue and Lambert Lane.
- B. Building Height - Building height shall not exceed one story and not exceed 15 feet.
- C. Maximum Density - Floor Area Ratio shall not exceed .25.
- D. Minimum Landscaping Requirement - 15% (subject to "T" of Landscaping Policy).
- E. Parking Requirement - Per Chapter 11 of the Oro Valley Zoning Code Revised.
- F. Other Requirements - The western edge of the subject property shall be provided with a landscape strip a minimum of 10 feet in width. Plantings shall include a minimum of 8 canopy trees and 30 shrubs per every 100 linear feet of frontage.

EXHIBIT CC - F
AREA F



*Existing housing plotted from Cooper Aerial Survey

December 19, 1986

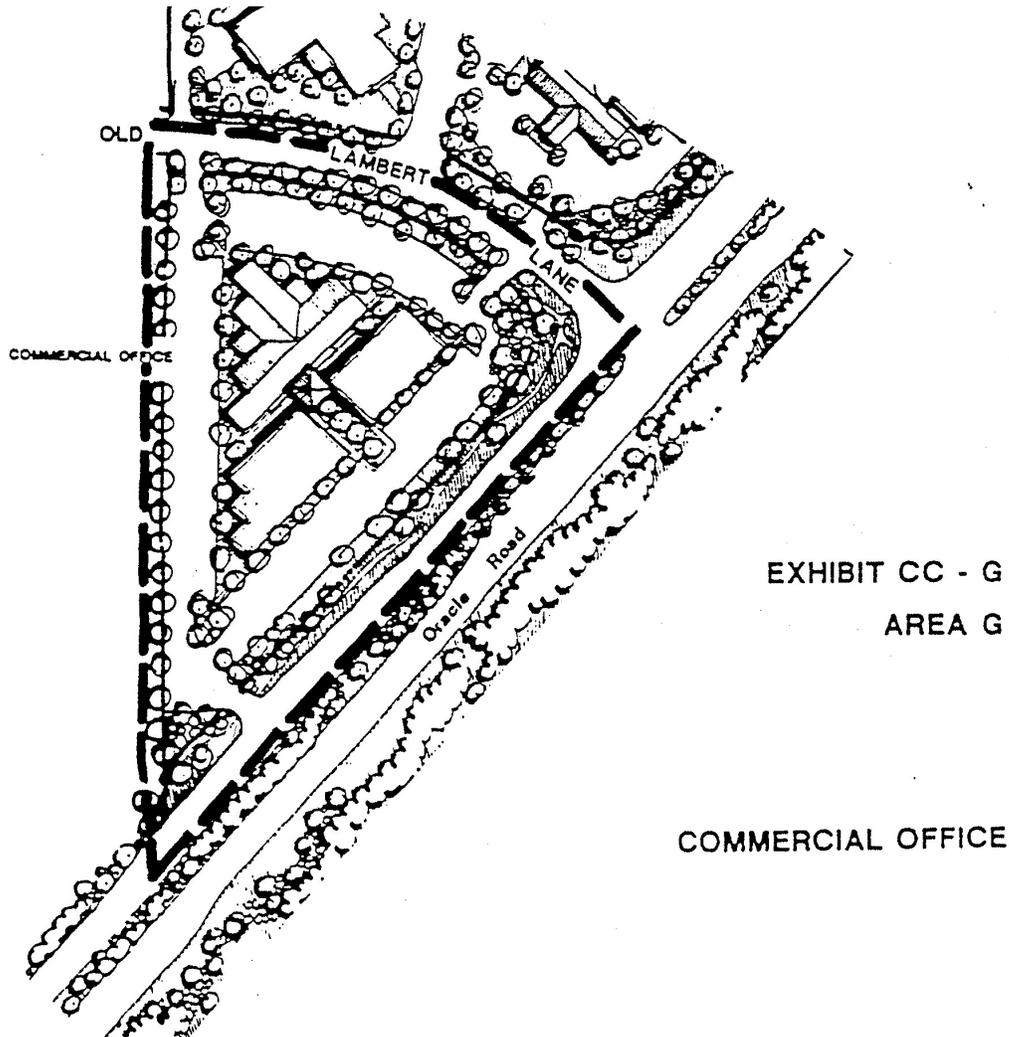
Area G

Map CC-G

Area G is a 3.22-acre triangular tract fronting for 725 feet along Oracle Road and for 550 feet along Old Lambert Lane. It is the “gateway” parcel when traveling north on Oracle Road toward the proposed Town Center. Its excellent exposure and medial cut make it suitable for intensive commercial development. Retail and convenience uses were kept in the main areas of Tracts B and D to the northwest in deference to Oro Valley’s desire to concentrate the retail in a comprehensive block near the North First Avenue intersection. Campus Office (business and professional office) is now planned for this entry parcel.

Primary Uses

Uses shall be restricted to business and professional offices as provided under C-1 of the Oro Valley Zoning Code Revised and other permitted uses of the PAD and ancillary retail shall not exceed 25% of the gross floor area per structure.



Development Criteria

- A. Setback - Landscaped building setback of 25 feet.
- B. Building Height - Maximum building height not exceed 30 feet.
- C. Maximum Density - Floor Area Ratio shall not exceed .25.
- D. Minimum Landscape Requirement - 15% (subject to “I” of Landscaping Policy).
- E. Parking Requirement - Per Chapter 11 of the Oro Valley Zoning Code Revised.

Area H

Map CC-H

This 27.74-acre tract will be masterplanned as previously noted. Areas H and I shall be excluded from the rezoning conditions approved as per this PAD. Proposals for the use of Areas H and I shall be forwarded as per the provisions of Article 3 of the Oro Valley Zoning Code Revised.

Primary Uses Full service resort hotel, Office, and Office/hotel ancillary uses.

Development Criteria

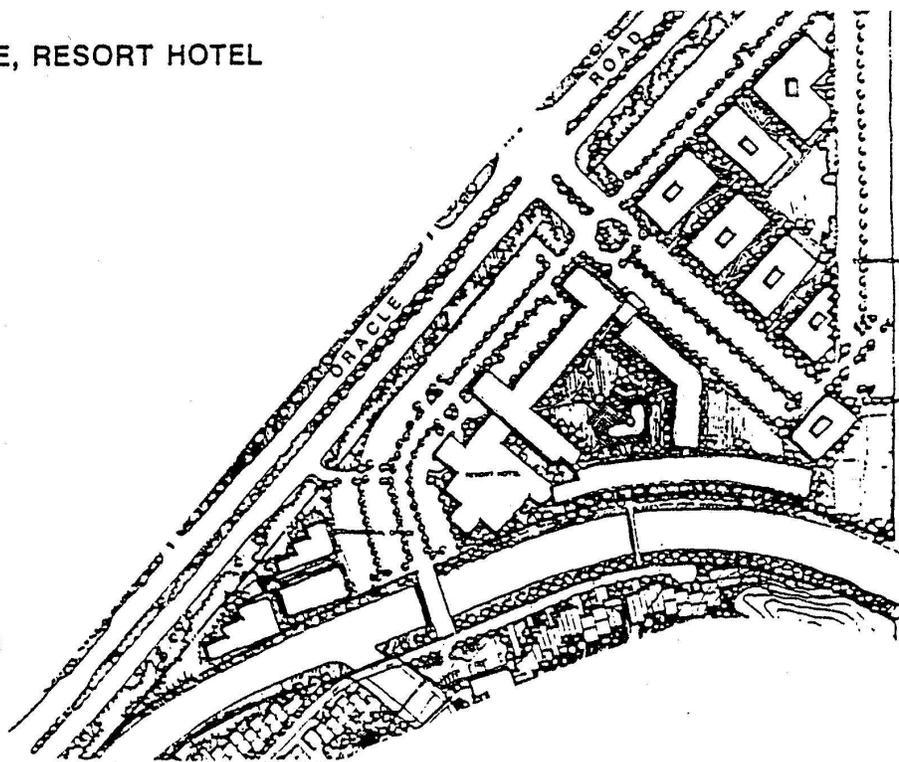
- A. Setback – Not less than 50% of the building height from Oracle Road.
- B. Building Height – Offices: not more than 40 feet; Hotel: not more than 50 feet.
- C. Maximum Floor Area Coverage – Office: 1.0; Hotel: 1.0.
- D. Minimum Landscape Requirement – 15% of the gross land area including appropriate portions of surrounding rights-of-way.
- E. Parking Requirements – Per Chapter 11 of the Oro Valley Zoning Code Revised with particular note of the “combination of uses” provision.

COMMERCIAL OFFICE, RESORT HOTEL

EXHIBIT CC - H

AREA H ***

***AREA TO BE ZONED LATER



Area I

Map CC-I

As in the case of Area H, this area is also being masterplanned. Areas H and I shall be excluded from the rezoning conditions approved as per this PAD. Proposals for the use of Areas H and I shall be forwarded as per the provisions of Article 3 of the Oro Valley Zoning Code Revised.

Area I	Residential/Recreation	113.4 acres
<u>Primary Uses</u>	Recreational facilities, Multifamily residential, and Single family residential.	
<u>Alternate Uses</u>	General office, Churches, Private schools in lower flat areas only.	

Development Criteria

- A. Setback – None.
- B. Building Height – Recreational structures – 36 feet: Office – 36 feet: Multifamily residential – 36 feet; Single family residential – 26 feet.
- C. Maximum Density/Floor Area Coverage – Recreational - .35; Office - .35; Multifamily residential – 17 units/acre; Single family residential – 5 units/acre.
- D. Minimum Landscape Requirement – 15% of gross land area including right-of-way of Rooney Wash.
- E. Parking Requirement – Per Chapter 11 of the Oro Valley Zoning Code Revised with particular note of the “combination of uses” provision.

RESIDENTIAL, RESORT USES

****AREA TO BE ZONED LATER

EXHIBIT CC - I ****

PARTIAL AREA I

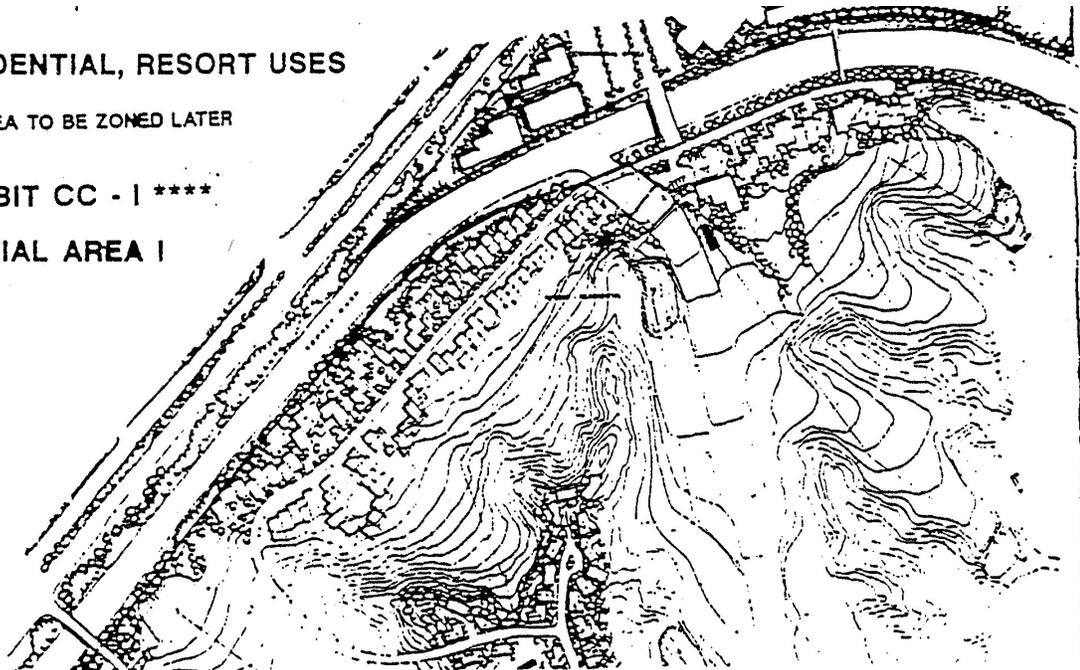
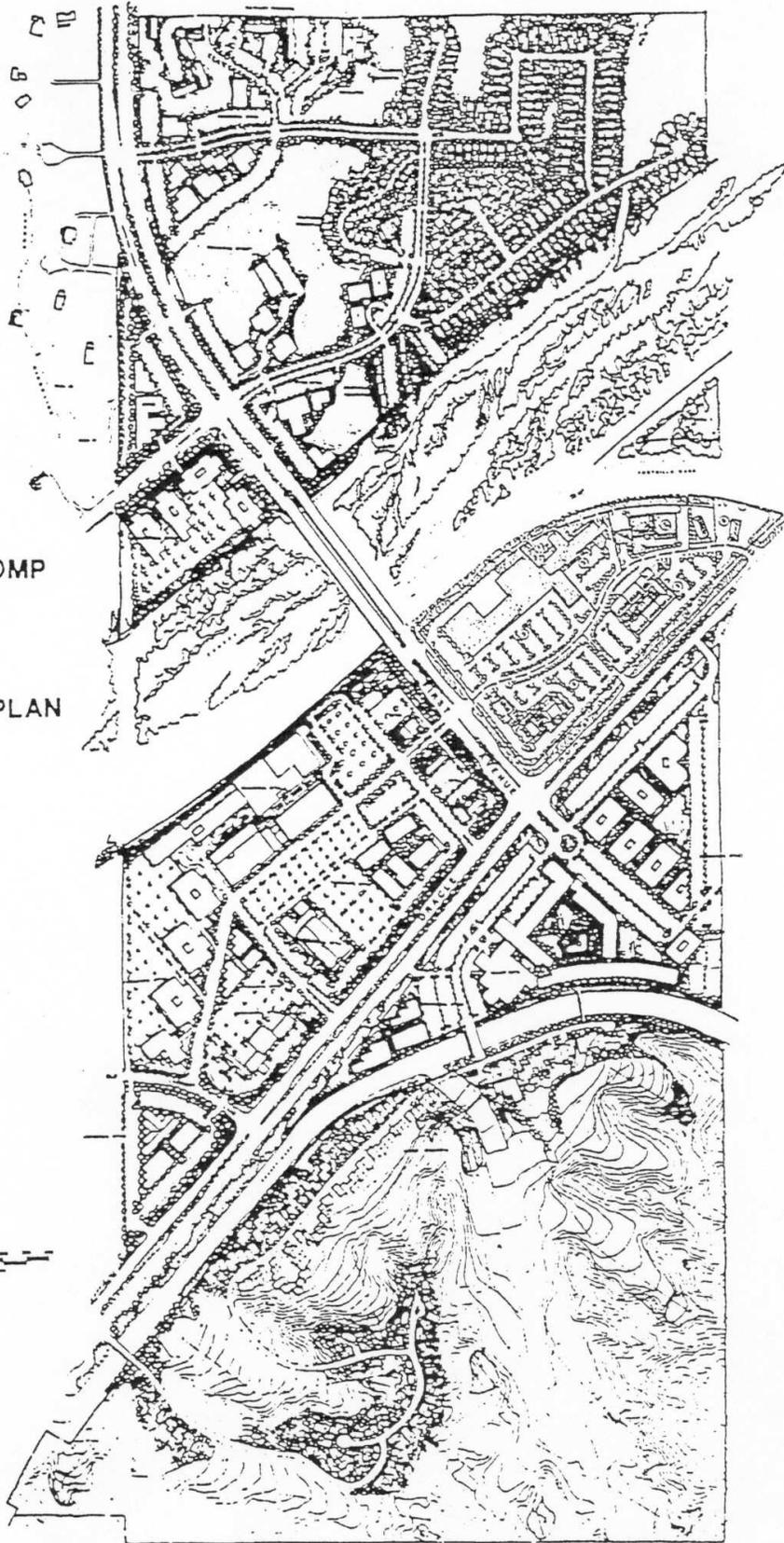


EXHIBIT CC - COMP
THE TOTAL
COMPREHENSIVE PLAN



D. CONCEPTUAL GRADING PLAN

1. General - All of the areas of the Oro Valley Center will have some minor building pad and surface drainage alterations as would any typical development project. This section of the PAD proposal, however, will address a more complicated and comprehensive grading plan which specifically impact on the following areas:

- A. Area A - 79.48 acres
- B. Area E - 6.06 acres
- C. Area F - 2.21 acres

These sites are all north of the CDO and on either side of the new North First Avenue bridge approach which raised the roadbed well above the abutting frontages, rendering them useless in their present state. The general thrust of the grading plan is to create a new man-made condition to rectify the problems of an existing man-made condition.

Vegetation in the bottom of the fill areas will be salvaged and reused on resculptured cut embankments and along rights of way surrounding development pads as buffering and landscape corridors.

A major grading plan is to spade and immediately reset plant specimens (rather than box and store).

The revegetation of the resculptured cut slopes are to preserve the appearance that they have never been graded.

The vegetation of the filled tracts along the street rights of way will dramatically improve their appearance over existing conditions.

2. Area A. No localized slope in Area A in excess of 15%, as designated by the attached Exhibit B-i, may be graded or disturbed provided, however, that fill placed in areas where development is permitted may be placed against 15% slopes up to the elevations of North First Avenue as it falls from north to south. It is recognized that Exhibit B-1 may not be completely accurate and the developer shall resubmit a more accurate exhibit which depicts all 15% or greater slopes. This exhibit shall be based on an in-field survey and staked in the field for review and verification by the Town Engineer prior to approval of development. The average cross-slope method shall not be used.

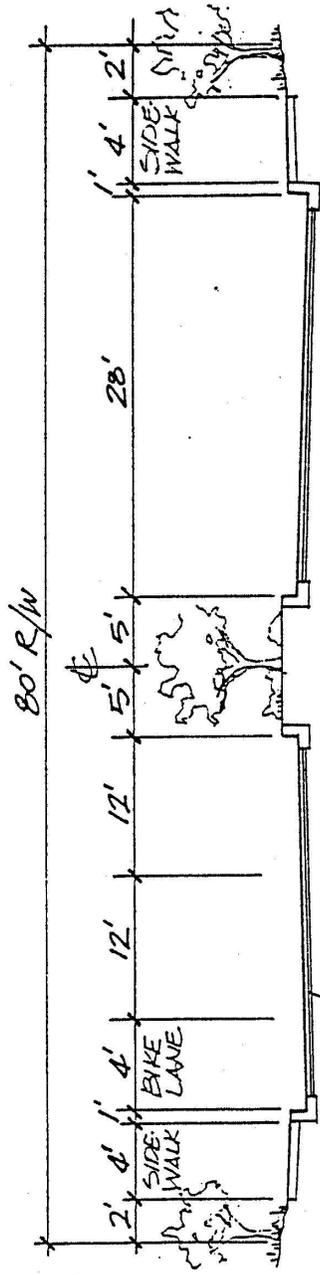
Slopes in excess of 15% in Area A may be graded to allow construction of the Lambert Lane loop road as shown, and necessary drainage approved by the Town Engineer, but only to the extent necessary for such construction and necessary drainage related to the loop road and the major drainageway in Sub-Area A-4 (Exhibit CC-A4) and other drainage as approved by the Town Engineer.

The low area which resulted on the east side of the new North First Avenue bridge approach fill area also requires fill to allow for the internal loop road to properly align with the existing Lambert Lane intersection. Some of this area is as much as 25 feet below the North First Avenue and down a steep roadside embankment.

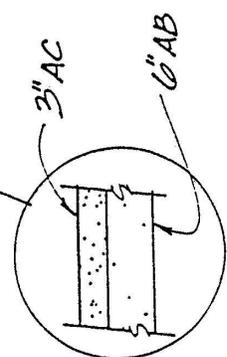
In the moderately low area north of the unprotected north edge of the CDO, a moderate amount of fill (5 to 8 feet) is required over a roughly six acre area to bring the projected floor elevations for the residential area above the 100 year flood limits of the CDO Wash. The fill project will be Coordinated with the appropriate drainage agencies. More detailed engineering at the time of development will examine the possibility of leaving as much of the residential rear yards at the existing elevation as possible, thus requiring less fill and less movement of vegetation.

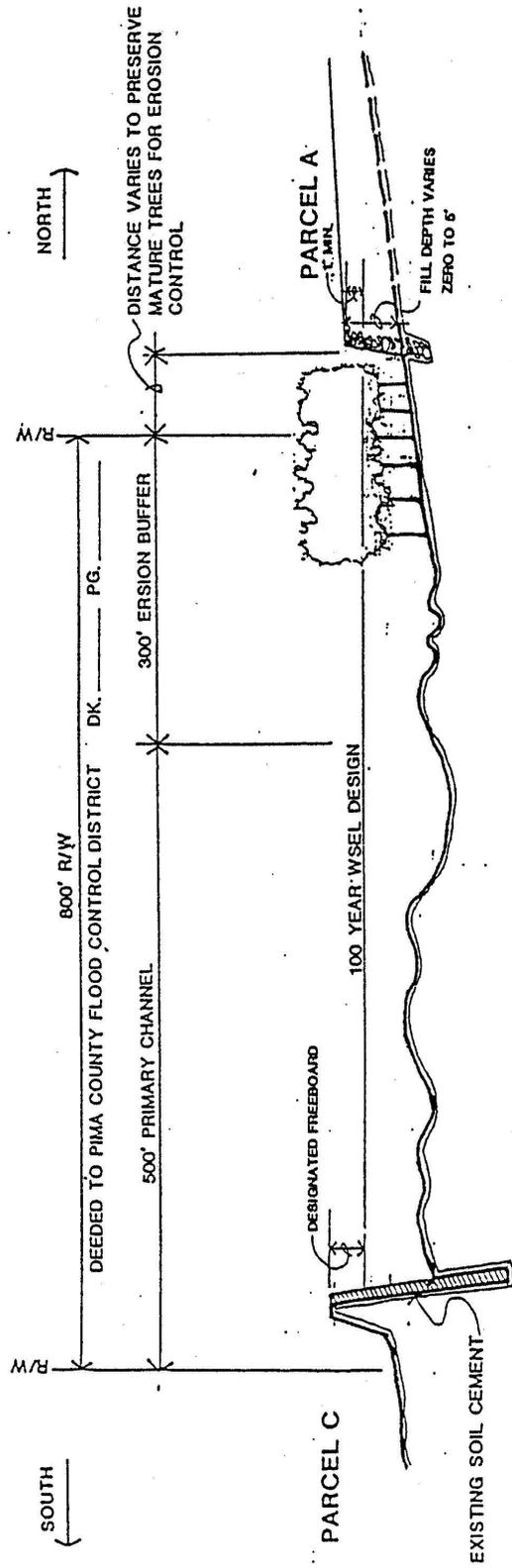
Area F. Fill in this area involves bringing Area F to the same grade as North First Avenue and Lambert Lane. The area is presently too low by about 10 feet and is open gravel with no vegetation to move.

Area E. Area E is the 6.06 acre low tract southwest of the intersection of North First Avenue and Lambert Lane. This filling would result in a pad which would be 10 feet below the surrounding street rights of way to allow for “subgrade”, screened, and sheltered parking. Detailed engineering plans at the time of development will also consider the possibility of sloping the parking lot back to an existing grade near the north edge of the CDO or slightly above it.



**LAMBERT LANE
CROSS SECTION
NO SCALE**





CANADA DEL ORO WASH
 CROSS SECTION
 Station 37

DD-4

EXHIBIT DD-2

E. LANDSCAPE GUIDELINES

1. Plant materials from the site will be left in place or if necessary, moved to other positions on site.
2. Drought resistant native plants will be used in a manner which most replicates the natural communities in the area.
3. Although irrigation systems will be included in the project, drought resistant vegetation will be the primary species.
4. Plant materials listed in Chapter 10 of the Oro Valley Zoning Code revised “Oracle Road District Regulations” (p. 10-36) are required in the subject district and area acceptable elsewhere as “native vegetation” except that palms will only be permitted by the owner under approved conditions such as in a heavily maintained and irrigated courtyard as a feature.
5. Other, more complete acceptable (native or drought resistant) plant lists will be developed by the owner.
6. Certain plants and others named from time to time, are specifically prohibited as they may be a fire hazard, an ecological nuisance, an aesthetic detriment, or produce noxious seed and pollen conditions.
They are:
 - A. Conifers such as pines, cedars, cypress, or juniper (not indigenous in appearance).
 - B. Noxious pollen producers such as olive trees, mulberry, oleanders, all varieties of citrus, common Bermuda grass.
 - C. Non-native grasses which may take over a landscape or serve as fuel for fires.
7. Gravels, stones, and other mineral materials which might be used in the landscape must be locally mined (local color and texture only).
8. General - It is the intent of the owner to further regulate landscape colors, materials, and placement so as to achieve a very native and consistent environment throughout the PAD area.

F. ARCHITECTURE/DESIGN CRITERIA

1. Compliance with Local Codes - All buildings and structures erected within the PAD will comply with the codes and ordinances of the Town of Oro Valley.
2. PAD Design Guidelines - The PAD Design Guidelines are meant to take a step beyond the local codes for the purpose of setting a quality design theme unique to the PAD and which ties it architecturally together as a single urban village statement. The owner will review development designs as part of the conditions for any sales to assure architectural theme compliance and may elect to actually provide specific urban design guidelines for key parcels which, because of their timing or location, establish early and visible precedent.
3. General Guideline - Architecture - The architecture of all buildings and structures will be the traditional MISSION ARCHITECTURE of the southwest. The use of campaniles and clock towers or other vertical statements typical of the mission vernacular will be encouraged at key entry and central feature points. The grouping of buildings to create intimate interior courtyards and “closeness” is important. A mix of heights, set-backs, and building orientation is encouraged to create an eclectic yet functionally organized village appearance. Service areas and mechanical equipment will be screened by walls. People gathering places, shade and other microclimate structures, and local architectural detailing are all encouraged. Roofs should be flat or have a low pitch typical of the region and should vary with orientation, height, and pitch. Contemporary interpretations of the mission form may be used in the interior public areas as a juxtaposition of style. Residences are encouraged to be designed with a wide variety of structural positioning on the lots for the purpose of views, urban variety of texture, and the creation of significant interior lot outdoor spaces. Commercial and retail designs ought to incorporate a smaller proportion of mechanically controlled public spaces and a larger proportion of interconnected public spaces which are designed to have favorable microclimates.
4. General Guideline - Exterior Building Materials - The basic premise is that all exterior building materials shall be appropriate to the mission style and be of the color and texture of the southwest. Specifically, they include:
 - A. Stucco, plaster, and other cementitious coatings resembling stucco.
 - B. Adobe
 - C. Plastered unit masonry
 - D. Unit masonry, slump block, large brick, etc.
 - E. Rough sawn wood
 - F. Tile, clay tile roof material
 - G. Metal roof (lap seam, standing seam) on commercial structures
 - H. Cast textured concrete units such as columns, heads and sills, parapet and decorative treatments
 - I. Tile
 - J. Other material may be approved by owner

5. General Guideline - Exterior Color Palate - The primary intent here is to cause the entire project to remain within a color range which is natural to the region - primarily earth tones with some limited amounts of highlighting such as with colored tiles.
 - A. Sands, stone, and gravel mined in the region and left in their natural colors are acceptable.
 - B. Feature strips and highlighting will be achieved by the use of materials such as tile rather than by paint and when done shall use an inset or architectural reveal rather than occur on the same plain.
 - C. Once a particular color has become established on a site, all additional development will be obligated to maintain a strict adherence to that color with the recognition that “near misses” in coloration are worse than inappropriate contrast.
 - D. A specific color palate will be developed by the owner.
6. Lighting will comply with the Oro Valley Zoning Code Revised as well as with additional criteria to be developed by the owner. Specifically, it is intended that an approved list of light treatments and standards to be used throughout the project be developed. The standards will be sensitive and appropriate to the mission style of architecture as well as to the particular function such as commercial parking, residential streets, etc.
7. Urban Furniture - A list of acceptable urban fixtures and public furniture will be developed as appropriate to the mission style as well as helping to unify the village landscape.

G. SIGNAGE

Signage will comply with individual development area criteria in this PAD, the Oro Valley Zoning Code Revised and the below noted exceptions:

A. Internal illumination or illumination from behind the letters

1. Individual letters or elements of a logo may be routed through opaque material with the routed area covered with a translucent material and lit from behind. The translucent material must be of the color allowed. These signs will be placed for traffic directional, directories, building and complex ground mounted signs, shingle signs, and fascia or parapet signs only if they are placed within an architectural sign band designed as an integral reveal in the building face. The routed sign in the event that it is placed in a reveal or setback cannot extend beyond the face of the structure into which the reveal is set.

2. Lettering and elements of a logo may be internally lit if they are “individual can letters” with either translucent sides or faces (not both). The translucent material must be of an acceptable color. These signs may only be used in commercial areas in shingle sign situations or within architecturally designed sign bands which are reveals or setbacks from the face of the building. The individual cans cannot extend beyond the face of the building.

3. Silhouette lettering or logos may be made of cutout opaque materials and lit from behind the letter or logo element itself causing a “sidewash” on the building or from behind an architecturally integral translucent wall (glass blocks, etc.). The light source or color of the translucent material must be of an acceptable color.

B. Internal or screened signage - Signs which are inside structures, in internal courtyards, or behind the windows of establishments not facing a residential area (500 feet) or public right of way may have exposed neon or open light bulbs. In appropriate cases in these locations, such as a movie marquee on an internal mall, intermittent lighting will be allowed.

C. No internally illuminated translucent faced wall cabinets are allowed. In the event that a letter or logo uses multiple forms or colors, each must appear as a separate “can” or routing.

D. Retail or commercial signs shall not be illuminated after the business and center are closed.

E. In addition to the desert colors allowed in the Oro Valley Code, non-colors such as black, grey, and white may be permitted. White, for example, is an excellent color for routed pylon signs used in directing traffic.

F. Flags and banners may be comprehensively used in the commercial and retail areas as decorative (not promotional) architectural elements. These can include seasonal banners affixed to light poles and building facades or textile sunshades and cloth sculptures.

General - It is the intent of the owner to develop a signage system to serve the various mix of uses in the PAD. Each has its own functional sign requirements requiring a certain level of flexibility while necessarily fitting under a distinctive and architecturally appropriate theme which ties the entire project together. Thus, the urban village is unified by architecture, color, materials, vegetation, and signage.

APPENDIX

DEVELOPMENT OPPORTUNITY ASSESSMENT

EXHIBIT "C"

Upon application and prior to issuance of building permits on North First Avenue frontages, the applicant for the permit will escrow with the Town of Oro Valley, an amount per front foot for the property sold or developed for the purposes of participating in the cost of the future street improvements (as shown below) of North First Avenue. If the Developer elects to proceed with some of the improvements such as filling and compacting the roadbed or building an intersection at North First Avenue and Lambert Lane, and such is done according to standards acceptable to the Town or State, the reasonable documented expenditures shall be credited against the participation noted above. The total amount of Developer's participation and the cost per front is as follows:

A traffic generation study is currently being prepared which will show the projected traffic count for North First Avenue and the sources of that traffic, including the projected traffic generated by the Rooney Ranch PAD. The total costs shown shall be multiplied by the percent representing the proportion of traffic generated by this Rooney Ranch PAD to the total projected traffic on North First Avenue. The resulting dollar amount shall be the amount of the Developer's participation in those costs. This amount will be divided by the front footage of First Avenue within Rooney Ranch PAD to determine an amount per front foot to escrowed.

Estimated Total Costs of Street Improvements:

Roadway:	\$	530,000.00
Bridge		2,000,000.00
Traffic Lights		120,000.00
Landscaping		<u>148,000.00</u>

TOTAL \$2,798,000.00

DEVELOPMENT OPPORTUNITY ASSESSMENT

EXHIBIT “C”

CONDITIONS FOR APPROVAL
OF THE ROONEY RANCH PLANNED AREA DEVELOPMENT AMENDMENT
APPLICABLE TO SUB-AREA B-6 ONLY

Development Opportunity Assessments

Upon application and prior to the issuance of a building permit for any portion of this development, the building permit applicant will escrow with the Town of Oro Valley an amount for the purposes of participating in the cost of the future improvements stipulated below. If the developer elects to proceed with some or all of the improvements, and said improvements are accomplished to standards acceptable to the Town, the reasonable documented expenditures shall be credited against the participation outlined below. In no case shall the credits exceed 100% of the stipulated estimated costs. In lieu of funds being posted at the time a building permit is applied for, the developer may substitute an approved form of assurances for the Development Opportunity Assessment.

The Town of Oro Valley shall not be liable if the costs of improvements constructed by the developer are greater than the costs presented herein.

- a) An amount proportionate to the traffic generated by the development of sub-area B-6 as a share of the cost of installing a traffic signal at La Reserve Drive and US 89 (to be determined at time of development plan approval).
- b) Landscaping US 89 Right-of-Way

Hydroseeding with a wildflower seed mix, approved by the Zoning Administrator, over a 25 foot strip, beyond any landscaping required in other conditions of rezoning \$2,520

These assessments shall be applied only to sub-area 8-6 and to no other area of the PAD.

APPENDIX B

The following material is provided as back ground information relating to the agreement entered into between Pima County and the Rooney family establishing certain flood control conditions as a result of the construction of the CDO channel, in exchange for deeding of the required right of way.

September 20, 1988

Mr. Jim Kreigh
Town Engineer
Town Of Oro Valley
10900 North Stallard Place
Suite #100
Oro Valley, Arizona 85704

Subject: Rooney Ranch Oro Valley Center
 OV 9-88-6
 WLB No. 181057—501

Dear Jim:

In 1984, as a part of the CDO Flood Control project, Pima County agreed that as compensation for the right-of-way that was deeded by Rooney to the County, certain flood control conditions would be established for the Rooney property as a result of the construction of the CDO channel and North First Avenue according to County plans. A copy of this agreement is enclosed, along with a letter from Dave Smutzer, confirming these conditions. In Dave's letter, he reiterates our understanding that no additional right-of-way along the CDO will be necessary and no additional erosion hazard setback will be required.

In addition, he sets out conditions for encroachment in the 100-year flood plain of the CDO beyond the dedicated right-of-way. With regard to these conditions, we are currently doing the HEC-11 study based on the Cella Barr model. The other conditions will all be met when final engineering and design work is undertaken.

Other items covered in the letter are: acceptable erosion protection measures; filling of the 1st Avenue road bed; abandonment of old 1st Avenue right-of-way (to be deeded to Rooney as per Agreement), and the finding that the proposed development will not significantly impact infiltration and groundwater recharge.

We feel that this agreement along with Dave Smutzer's letter should provide sufficient documentation and information as to flood control requirements for this project, and should answer any concerns you might have. Please let us know if we can be of further assistance or provide additional information.

Sincerely,

THE WLB GROUP, INC.

Linda Polito

LEP:jtm
cc: Steve Hagadorn
Planning Commission Members

September 15, 1988

Dave Smutzer, Director of Planning
Pima County Flood Control District
1313 South Mission Road
Tucson, Arizona 85713

RE: Rooney Ranch Canada del Oro Agreement
WLB No. 181057-501

Dear Dave:

We are proceeding with landuse planning and rezoning and preliminary engineering for the portion of Rooney Ranch north of Highway #89, on both sides of the Canada del Oro Wash. We are completing this planning with the constraints and conditions established via the agreement between Rooney and the Pima County Board of Supervisors, dated May 29, 1984.

This agreement effectively completes the dedication of 76.79 acres of key right-of-way required for the completion of the Canada del Oro Wash Flood Control project and North First Avenue realignment in return for the completion of construction of the above per plans 4FOVDC by Pima County.

This agreement also contemplates the development of the adjacent Rooney property and states among other items, "No further action will be necessary on the part of the owners of parcels B, D, & G to make said properties flood-free or to protect them from erosion hazards." and further, "that no further action will be necessary on the part of the owners of these parcels (Parcels A, E, & F) to protect said properties from the Canada del Oro Wash from the standpoint of flooding or erosion hazard, subject to filling where necessary which is hereby approved by Pima County. Where fill encroachments are made to the drainage right-of-way line (this applies to Parcels A and E) erosion protection may be necessary." (not applicable).

The concept was that the flood prone area on Parcels A and E be filled in accordance with the flood plane ordinance. These parcels A, F, and E are outside of the designated erosion buffer for that flood control project, as the buffer was included within the dedication given to Pima County. The agreement further states that where fill encroachments or developments were made into the drainage right-of-way (Parcels A & E) erosion protection may be necessary.

Page 2
Mr. Dave Smutzer

Our plan is to leave the thick stand of mature Mesquite along the north Canyon del Oro right-of-way limit and setback prior to beginning our fill. Along this alignment no erosion protection is anticipated. Only in the event that studies indicate a need for erosion protection between the bluffs and the First Avenue bridge abutment, a subgrade erosion barrier may be considered.

Further, this agreement contemplates the full and complete all those adjacent parcels without the need or requirement setback for either erosion or ground water infiltration as adequately provided for within the 800' wide fee dedication.

Dave in accordance with this agreement, please have your staff complete the dedication of parcels III, IV, V, and VI per attached exhibit. Also, please review this agreement and confirm in writing that our plans and understandings as represented are in accordance with the above referred agreement approved by the Board of Supervisors. Oro Valley will proceed with their processing according to this agreement with your confirmation.

If you have further questions, please call.

Sincerely,

THE WLB GROUP, INC.

E. Fred Lowery

EFL: jtm
cc: Robert C. Stubbs
Blake Hastings (Rooney)
attachment

- C. Provide levee freeboard profiles for both existing water—surface elevation and for encroached conditions. The levee must have a minimum of three (3) feet of freeboard for the proposed encroached condition. If adequate freeboard for the encroached condition exists, the maximum surcharge at any one cross—section shall not exceed 0.5 foot.
 - D. No encroachment into Pima County right-of-way of the Canada del Oro Wash as delineated on Exhibit B of the Agreement. Furthermore, no alterations to the Canada d& Oro Wash 100-year floodplain within Pima County right-of-way will be permitted.
 - E. Prepare Letter of Map Revision Request to submit to the Federal Emergency Management Agency in order to revise the Rood Insurance Study Maps for the Canada del Oro Wash.
4. Erosion protection of the fill slopes for the encroached area outside of the existing dedicated right-of-way is acceptable. The type of erosion protection should not be soil cement. Preserving the existing stand of mesquite trees is commended and can be used as an erosion buffer in conjunction with another type of erosion protection that is both functional and aesthetically sensitive (i.e., geo-fabric with hydroseed, dumped rock riprap, gabions, etc.).
 5. Excess material from on-site grading may be placed within the right-of-way of 1st Avenue. The subgrade material shall be placed and compacted in such a manner as to be acceptable for future roadway improvements to 1st Avenue. A Right-of-Way Permit for the earthwork within 1st Avenue right-of-way will be required.
 6. Excess right-of-way for 1st Avenue (along section sine and adjacent to parcels A, E, D, and G) shall be abandoned. Necessary utility easements shall remain. Abandoned right-of-way shall not cut off access to private driveways from the realigned 1st Avenue.
 7. There have been previous recharge studies completed both by the University of Arizona for various watercourses in the Tucson Basin as well as by the WLB Group for Big Wash as a condition of the Rancho Vistoso Community Plan. These studies generally indicate that during periods when the stream channels in the Tucson basin are flowing, water infiltrates into the channel bottoms and percolates through the underlying alluvium, eventually reaching groundwater storage areas below. Davidson (1973) concluded that overall, 75 percent of the stream flow in the main channels surrounding the metropolitan Tucson area (i.e., Santa Cruz River, Rillito River, Pantano Wash, etc.) infiltrates into the subsurface before the flow leaves the Tucson basin. The primary reason for this occurrence is the very high hydraulic conductivity (permeability) of the sands and gravels which comprise the channel beds. However, the soil conditions along the

Mr. E. Fred Lowery
September 19, 1988
Page Three

overbank floodplain areas are quite different. Matlock (1965) observed that overbank areas along the main channels are comprised of alternating layers of sands, gravels, and thick strata of low—permeability silt and clay soils. From this observation, it can be assumed that significant infiltration and percolation of runoff into the aquifers does not occur along the overbank floodplains of the Canada del Oro Wash.

Matlock (1965) also studied infiltration rates using a 100-foot long tilting bed with sediments and suspended sediments typically found in streambeds in Southern Arizona. His results showed that infiltration rates decreased sharply when flow velocities fell below a threshold value of five feet per second (fps). This phenomenon occurs due to the sealing of the channel bed by smaller sediment particles, which settle out at lower velocities.

Based upon these statements, as well as the small surface area that is proposed to be reclaimed by fill encroachment, I do not feel the proposed encroachment will significantly impact infiltration and groundwater recharge.

There have been numerous studies along the Canada del Oro Wash which combined to develop the Oro Valley Flood Control Levee and the Canada del Oro River Management Study. The 500-foot natural channel and accompanying 300-foot natural erosion buffer previously dedicated as per the May 29, 1984 agreement satisfies the district's right-of-way needs for this segment of the Canada del Oro Wash. The proposed development is consistent with the numerous points of the May 29, 1984 agreement and the Canada del Oro River Management Study and is subject to the normal review process including the conditions outlined above. I recommend that your hydrologic and hydraulic report contain Items 3 and 4 listed above, in addition to your on-site and off-site tributary flows, for review by the Improvement Plans and Hydrology Section.

I hope this letter clarifies our position on the proposed development as it relates to the Canada del Oro Wash.

Sincerely

David A. Smutzer, Manager
Planning Division

DAS/bl
Attachment

xc: Frank Castro
Don Brooks
Mike Ortega

Agreement

This agreement is made between Pima County, a political subdivision and Eileen R. Hewgley, John E. Rooney and Lucy T. Rooney, executrix of the Estate of L. F. Rooney, Jr., deceased.

Eileen S. Hewgley, John E. Rooney and Lucy T. Rooney, executrix of the Estate of L. F. Rooney, Jr., deceased agree to deed to Pima County for road and drainage purposes the property described in Exhibit A attached hereto.

Pima county agrees to construct North First Avenue, Lambert Lane and the Canada del Oro wash pursuant to plans 4FOVDC Phase 2. As a result of the above construction, Pima county agrees that Areas B, D, and G on Exhibit B attached hereto shall be entirely removed from the 100-year floodplain of the Canada del Oro Wash. To develop these parcels, no further action will be necessary on the part of the owners of parcels B, D and G to make said properties flood-free or to protect them from erosion hazards.

Reference is made to a map which is attached hereto as Exhibit B. Pima County at its cost agrees to build, according to Pima County specifications, the extension of Lambert Lane on parcel II as set forth in Exhibit B attached hereto.

Reference is now made to parcels outlined on Exhibit B as Areas A, E and F. Pima County agrees that after the above construction, that no further action will be necessary on the part of the owners of these parcels to protect said properties from the Canada del Oro Wash from the standpoint of flooding or erosion hazard, subject to filling where necessary which is hereby

approved by Pima County. Where fill encroachments are made to the drainage right-of-way line (this applies to Parcels A and E) erosion protection may be necessary.

Eileen R. Hewgley, John E. Rooney and Lucy T. Rooney, executrix of the Estate of L. F. Rooney, Jr., deceased further agree to deed to Pima County a right of way for a drainage ditch and access easement for maintenance purposes on the Southeast side of the Tucson/Florence Highway. Said drainage ditch shall be constructed and maintained at the sole expense of Pima County. Said drainageway shall be large enough to carry within its banks a discharge representing the 100-year discharge from the fully developed basin. Furthermore, Pima County agrees that there will be no ponding of flood water out of this ditch, and that the box culverts permitting the water to flow under the Tucson/Florence Highway will be large enough to handle this 100-year discharge without back-up from said ditch causing overflow and flooding onto adjacent lanes. In other words, none of the adjacent properties to this ditch shall be flooded from the 100-year discharge. That portion of said ditch which parallels Oracle Road shall be fully bank protected with side slopes of 1:1. As the ditch bends away from Oracle Road to the East the side slopes on the sides of the ditch may be 3:1 with bank protection where appropriate in accordance with sound engineering practices. Sediment traps and entrance structures shall be incorporated as needed. Where said ditch parallels Oracle Road the top of the channel shall be 20 feet distant (Pima County Waste Water Management Sewer easement) from ADOT right of way of

Oracle Road to provide the needed access for maintenance. The alignment and actual construction plans of the ditch shall be subject to the approval of Hewgley, etc. through their agent Robert C. Stubbs.

Eileen R. Hewgley, John E. Rooney and Lucy T. Rooney, executrix of the Estate of L. F. Rooney, Jr., deceased and their successors in interest reserve the right to cross said drainage ditch in one or more areas provided that the crossing structure is built so as not to adversely interfere with the flow of water in said ditch. Furthermore, said ditch shall be constructed by Pima County within 16 months from the date of this agreement.

Pima County further agrees to deed to Eileen R. Hewgley, John E. Rooney and Lucy T. Rooney, executrix of the Estate of L. F. Rooney, Jr., deceased parcels III, IV, V and VI as set forth in Exhibit B attached hereto.

Furthermore, Pima County agrees that it shall cause to be built cuts in the median divider of the Tucson/Florence Highway at the intersection of the new relocated N. First Avenue with the Tucson/Florence Highway and at the intersection of the new Lambert Lane and the Tucson/Florence Highway to be built on parcel II shown in Exhibit 3 attached hereto.

Dated this 24th day of May, 1984.

LEGAL DESCRIPTION

ROONEY PROPERTY

PARCEL 1

That portion of Section 7, Township 12 South, Range 14 East, G. & S. R. B. & M., Pima County Arizona, more particularly described as follows:

Beginning at the North Quarter corner of said Section 7; THENCE South $00^{\circ}21'39''$ West along the North-South Quarter Section lines of said Section 7, a distance of 685.47 feet, to the TRUE POINT OF BEGINNING;

THENCE South $56^{\circ}30'00''$ West a distance of 888.44 feet to a point;

THENCE South $52^{\circ}01'58''$ West a distance of 1337.72 feet to a point;

THENCE North $37^{\circ}58'02''$ West a distance of 428.74 feet to the point of curvature of a 2,191.83 foot radius curve, whose radius point bears North $52^{\circ}01'58''$ East;

THENCE northerly along the arc of said 2,191.83 foot radius curve to the right, through a central angle of $38^{\circ}11'06''$ a distance of 1,460.75 feet to a point of tangency;

THENCE North $00^{\circ}13'04''$ East a distance of 340.69 feet to a point on the North line of Section 7;

THENCE north $89^{\circ}09'57''$ West along the North Line of Section 7, a distance of 50.00 feet to a point lying on the East Right-of-Way line of North First Avenue, as recorded in Establishment Proceedings No. 921, Book 7 at Page 83 of Road maps in the Recorder's Office in Pima County, Arizona.

THENCE South $00^{\circ}13'04''$ west along the East Right-of-Way line of said North First Avenue a distance of 1,174.92 feet to a point on the arc of a 2,391.83 foot radius curve whose radius point bears North $69^{\circ}49'07''$ East;

THENCE southerly along the arc of said 2,391.83 foot radius curve to the left, through a central angle of $13^{\circ}21'06''$ a distance of 557.37 feet to a point of

reverse curvature on the arc of a 50.00 foot radius spandrel whose radius point bears south $56^{\circ}28'02''$ West;

THENCE southerly along the arc of said 50.00 foot radius spandrel to the right, through a central angle of $87^{\circ}03'57''$ a distance of 75.98 feet to a point of tangency;

THENCE South $53^{\circ}31'58''$ West a distance of 106.88 feet to the point of curvature of a 2,939.79 foot radius curve whose radius point bears South $36^{\circ}28'02''$ East;

THENCE westerly along the arc of said 2,939.79 foot radius to the right, through a central angle of $03^{\circ}53'07''$ a distance of 199.35 feet to a point lying on the East Right-of-Way line of said North First Avenue;

THENCE South $00^{\circ}13'04''$ West along the East Right-of-Way of said North First Avenue a distance of 201.53 feet to a point on the arc of a 2,789.79 foot radius curve whose radius point bears South $43^{\circ}02'43''$ East;

THENCE easterly along the arc of said 2,789.79 foot radius curve to the right, through a central angle of $06^{\circ}34'41''$, a distance of 320.29 feet to a point of tangency;

THENCE North $53^{\circ}31'53''$ East a distance of 106.11 feet to a point on the arc of a 50.00 foot radius spandrel whose radius point bears South $36^{\circ}28'02''$ East;

THENCE southeasterly along the arc of said 50.00 foot spandrel to the right through a central angle of $88^{\circ}30'00''$ a distance of 77.23 feet to a point of tangency;

THENCE South $37^{\circ}58'02''$ East a distance of 367.64 feet to a point;

THENCE South $52^{\circ}01'58''$ West a distance of 584.41 feet to a point of curvature of a 4,999.58 foot radius curve whose radius point bears North $37^{\circ}58'02''$ West;

THENCE southwesterly along the arc of said 4,999.58 foot radius curve to the right, through a central angle of $02^{\circ}22'32''$ a distance of 207.30 feet to a point lying on the East Right-of-Way line of said North First Avenue;

THENCE South $00^{\circ}18'34''$ East along the East Right-of-Way line of said North First Avenue a distance of 948.26 feet to a point on the arc of a 5,799.58 foot radius curve whose radius point bears North $30^{\circ}10'21''$ West;

THENCE northeasterly along the arc of said 5,799.58 foot radius curve to the left, through a central angle of $07^{\circ}47'42''$ a distance of 789.01 feet to a point of tangency;

THENCE North $52^{\circ}01'58''$ East a distance of 584.81 feet to a point;

THENCE South $37^{\circ}58'02''$ West a distance of 777.59 feet to a point on the arc of a 50.00 foot radius spandrel, whose radius point bears South $52^{\circ}01'58''$ West;

THENCE southerly along the arc of said 50.00 foot radius spandrel to the right, through a central angle of $80^{\circ}16'22''$ a distance of 70.05 feet to a point of reverse curvature on the arc of a 16,470.22 foot radius curve, said point lying on the North Right-of-Way line of the Tucson-Florence Highway, whose radius point bears South $47^{\circ}41'41''$ East;

THENCE northeasterly along the arc of said 16,470.22 foot radius curve to the right along the North Right-of-Way line of the Tucson-Florence Highway a distance of 303.05 feet to a point of curve on the arc of a 50.00 foot radius spandrel whose radius point bears North $46^{\circ}37'32''$ West;

THENCE northerly along the arc of said 50.00 foot radius spandrel to the right, through a central angle of $98^{\circ}40'24''$ a distance of 86.11 feet to a point of tangency;

THENCE North $37^{\circ}58'02''$ a distance of 729.00 feet to a point;

THENCE North $52^{\circ}01'58''$ East a distance of 442.05 feet to a point of curvature of a 1,203.24 foot radius curve whose radius point bears South $37^{\circ}58'02''$ East;

THENCE easterly along the arc of said 1,203.24 foot radius curve to the right, through a central angle of $48^{\circ}40'39''$ a distance of 1,022.25 feet to a point lying on the North-South Quarter line of said Section 7;

THENCE North $00^{\circ}21'39''$ West along the North-South Quarter line, a distance of 233.65 feet to a point lying on the arc of a 1,433.24 foot radius curve whose radius point bears South $08^{\circ}54'59''$ West;

THENCE westerly along the arc of said 1,433.24 foot radius curve, through a central angle of $13^{\circ}58'25''$ a distance of 349.55 feet to a point;

THENCE North 52°01'58" East a distance of 439.78 feet to a point lying on the North-South Quarter line of said Section 7;

THENCE North 00°21'39" West along said North-South Quarter line a distance of 922.47 feet to the TRUE POINT OF BEGINNING;

Containing 75.76 acres, more or less.

SEE EXHIBIT "A"

LEGAL DESCRIPTION

ROONEY PROPERTY

PARCEL II

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, more particularly described as follows:

Beginning at the Southeast Corner of Section 12, Township 12 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona;

THENCE North $89^{\circ}59'48''$ East, a distance of 50.00 feet to a point lying on the East right-of-way line of North First Avenue, as recorded in Establishment Proceedings No. 921, Book 7, at Page 83, of Road Maps in the Recorder's Office in Pima County, Arizona.

THENCE North $00^{\circ}18'33''$ West, a distance of 475.35 feet to a point on the arc of a 749.49 foot radius curve whose radius point bears South $01^{\circ}43'34''$ West, this point being the TRUE POINT OF BEGINNING;

THENCE Southerly along the arc of said 649.49 foot radius curve to the right, through a central angle of $35^{\circ}11'25''$, a distance of 398.91 feet to a point of reverse curvature on the arc of a 50.00 foot radius spandrel whose radius point bears South $36^{\circ}54'59''$ West;

THENCE southerly along the arc of said 50.00 foot radius spandrel to the right, through a central angle of $94^{\circ}30'56''$, a distance of 82.48 feet to a point on the North right-of-way line of the Tucson-Florence Highway;

THENCE North $41^{\circ}25'55''$ East along the North right-of-way line of the Tucson-Florence Highway a distance of 190.45 feet to a point of curve on the arc of a 50.00 foot radius spandrel whose radius point bears North $48^{\circ}34'05''$ West;

THENCE northerly along the arc of said 50.00 foot radius spandrel to the right, through a central angle of $86^{\circ}34'21''$, a distance of 75.55 feet to a point of reverse

curvature of the arc of a 739.49 foot radius curve whose radius point bears South 38°00'16" West;

THENCE westerly along the arc of said 739.49 foot radius curve to the left, through a central angle of 36°31'34", a distance of 471.43 feet to a point lying on the East right-of-way line of said North First Avenue;

THENCE South 00°18'33" East along the East right-of-way line of said North First Avenue, a distance of 90.05 feet to the TRUE POINT OF BEGINNING.

Containing 1.03 acres, more or less.

SEE EXHIBIT "A"

ROONEY RANCH
ANNEXATION

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

BEGINNING at the Northwest corner of the said Section 7;

THENCE S $89^{\circ}09'57''$ E, along the North line of the said Section 7, distance of 2,617.75 feet to the North One-Quarter corner;

THENCE S $00^{\circ}20'38''$ E, along the North-South midsection line, a distance of 1,911.76 feet to a point on the arc of a non-tangent curve concave to the South, a radial line of said curve through said point having a bearing of N $09^{\circ}28'51''$ E, said point being the Northwest corner of Parcel I, recorded 7102 at Page 887, Pima County Recorder's Office, Pima County, Arizona;

THENCE Easterly along the North line of the said Parcel, along the arc of said curve, to the right, having a radius of 1,512.39 feet and a central angle of $009^{\circ}38'57''$ for an arc distance of 254.70 feet to tangency;

THENCE S $70^{\circ}52'12''$ E, along the said North line, a distance of 200.17 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N $40^{\circ}45'32''$ W, said point being on the Northwesterly right-of-way line of U.S. Highway 89 (Oracle Road);

THENCE S $41^{\circ}25'55''$ W, along the said right-of-way line, a distance of 2,144.86 feet to the South line of the said Section 7;

THENCE N $89^{\circ}46'27''$ W, along the said South line, a distance of 44.97 feet to the Southwest corner of the said Section 7;

THENCE N $00^{\circ}00'34''$ W, along the West line of the said Section 7, a distance of 158.51 feet to the corner common to Sections 12 and 13, Township 12 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona;

THENCE N 00°18'33" W, along the line common to Section 7 and 12, a distance of 2,638.99 feet to the East One-Quarter corner of the said Section 12;

THENCE N 00°13'04" E, along the line common to Section 7 and 12, a distance of 2,465.53 feet to the POINT OF BEGINNING.

Containing 233.90 Acres more or less.

Prepared by:

THE WLB GROUP, INC.

Kenneth E. Zismann, R.L.S.

ROONEY RANCH
PARCEL A

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

COMMENCING at the Northwest corner of the said Section 7;

THENCE S 89°09'57" E, along the North line of the said Section 7, a distance of 100.01 feet to the POINT OF BEGINNING on the East right-of-way line of North First Avenue, recorded in Docket 7571 at Page 800, Pima County Recorder's Office, Pima County, Arizona;

THENCE S 00°13'04" W, along the said right-of-way line, a distance of 340.68 feet to a point of curvature of a tangent curve concave to the East;

THENCE Southerly along the said right-of-way line, along the arc of said curve, to the left, having a radius of 2,191.83 feet and a central angle of 038°11'06" for an arc distance of 1,460.75 feet to a point of tangency;

THENCE S 37°58'02" E, along the said right-of-way line, a distance of 428.74 feet to the Northwesterly right-of-way line of the Canada del Oro Wash, recorded in Docket 7571 at Page 800, Pima County Recorder's Office, Pima County, Arizona;

THENCE N 52°01'58" E, along the said right-of-way line, a distance of 1,337.72 feet;

THENCE N 56°30'00" E, along the said right-of-way line, a distance of 888.20 feet to the North-South midsection line of the said Section 7;

THENCE N 00°20'38" W, along the said line, a distance of 685.61 feet to the North One-Quarter corner;

THENCE N 89°09'57" W, along the North line of the said Section 7, a distance of 2,517.74 feet to the POINT OF BEGINNING.

Containing 79.479 Acres more or less.

Prepared by:

THE WLB GROUP, INC.

Kenneth E. Zismann, R.L.S.

ROONEY RANCH
PARCEL B

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

COMMENCING at the North One-Quarter corner of the said Section 7;

THENCE S 00°20'38" E, along the North-South midsection line, a distance of 2,123.77 feet to the POINT OF BEGINNING;

THENCE S 00°20'38" E, along the said line, a distance of 302.76 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 42°46'35" W, said point being on the Northwesterly right-of-way line of U.S. Highway 89 (Oracle Road);

THENCE Southwesterly along the said right-of-way line, along the arc of said curve, to the left, having a radius of 16,470.22 feet and a central angle of 003°51'51" for an arc distance of 1,110.79 feet to a point of reverse curvature of a tangent curve concave to the North;

THENCE Westerly and Northwesterly, along the arc of said curve, to the right, having a radius of 50.00 feet and a central angle of 098°40'24" for an arc distance of 86.11 feet to a point of tangency on the Easterly right-of-way line of North First Avenue, recorded in Docket 7571 at Page 800, Pima County Recorder's Office, Pima County, Arizona;

THENCE N 37°58'02" W, along the said right-of-way line, a distance of 729.00 feet to the Southeasterly right-of-way line of the Canada del Oro Wash, recorded in Docket 7571 at Page 800, Pima County Recorder's Office, Pima County, Arizona;

THENCE N 52°01'58" E, along the said right-of-way line, a distance of 442.05 feet to a point of curvature of a tangent curve concave to the South;

THENCE Easterly along the said right-of-way line, along the arc of said curve, to the right, having a radius of 1,203.24 feet and a central angle of 048°38'49" for an arc distance of 1,021.61 feet to the POINT OF BEGINNING.

Containing 18.560 more or less.

Prepared by:

THE WLB GROUP, INC.

Kenneth E. Zismann, R.L.S.

ROONEY RANCH
PARCEL C

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

COMMENCING at the North One-Quarter corner of the said Section 7;

THENCE S 00°20'38" E, along the North-South midsection line, a distance of 1,608.31 feet to the POINT OF BEGINNING;

THENCE S 00°20'38" E, along the said line, a distance of 281.84 feet to a point on the arc of a non-tangent curve concave to the South, a radial line of said curve through said point having a bearing of N 08°53'38" E, said point being on the right-of-way line of the Canada del Oro Wash, recorded in Docket 7571 at Page 800, Pima County Recorder's Office, Pima County, Arizona;

THENCE Westerly along the said right-of-way line, along the arc of said curve, to the left, having a radius of 1,433.24 feet and a central angle of 013°57'03" for an arc distance of 348.98 feet to a non-tangent line;

THENCE N 52°01'58" E, along the said right-of-way line, a distance of 439.18 feet to the POINT OF BEGINNING.

Containing 1.069 Acres more or less.

Prepared by:

THE WLB GROUP, INC.

Kenneth Zismann, R.L.S.

ROONEY RANCH
PARCEL D

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

COMMENCING at the Southeast corner of the said Section 12, Township 12 South, Range 13 East;

THENCE N 00°18'33" W, along the line common to Sections 12 and 7, a distance of 1,483.76 feet to a point on the arc concave to the Northwest, a radial line of said curve through said point having a bearing of S 29°36'16" E;

THENCE Northeasterly along the arc of said curve, to the left, having a radius of 5,799.58 feet and a central angle of 000°34'05" for an arc distance of 57.49 feet to the POINT OF BEGINNING on the Southeasterly right-of-way line of the Canada del Oro Wash, recorded in Docket 7571 at Page 800, Pima County Recorder's Office, Pima County, Arizona;

THENCE Northeasterly along the said right-of-way line, along the arc of said curve, to the left, having a radius of 5,799.58 feet and a central angle of 007°47'41" for an arc distance of 789.00 feet to a point of tangency;

THENCE N 52°01'58" E, along the said right-of-way line, a distance of 584.81 feet to the Westerly right-of-way line of North First Avenue, recorded in Docket 7571 at Page 800;

THENCE S 37°58'02" E, along the said right-of-way line, a distance of 777.59 feet to a point of curvature of a tangent curve concave to the West;

THENCE Southerly along the arc of said curve, to the right, having a radius of 50.00 feet and a central angle of 080°16'21" for an arc distance of 70.05 feet to a point of reverse curvature of a tangent curve concave to the Southeast, said point being on the Northwesterly right-of-way line of U.S. Highway 89 (Oracle Road);

THENCE Southwesterly along the said right-of-way line, along the arc of said curve, to the left, having a radius of 16,470.22 feet and a central angle of 000°52'24" for an arc distance of 251.08 feet to a point of tangency;

THENCE S 41°25'55" W, along the said right-of-way line, a distance of 1,379.48 feet to a point of curvature of a tangent curve concave to the North;

THENCE Westerly along the arc of said curve, to the right, having a radius of 50.00 feet and a central angle of 086°34'22" for an arc distance of 75.55 feet to a point of reverse curvature of a tangent curve concave to the South, said point being on the North right-of-way line of Lambert Lane, recorded in Docket 7571 at Page 800;

THENCE Westerly along the said right-of-way line, along the arc of said curve, to the left, having a radius of 739.49 feet and a central angle of 036°31'35" for an arc distance of 471.43 feet to the East right-of-way line of North First Avenue, as recorded in Book 7 of Road Maps at Page 83, Pima County Recorder's Office, Pima County, Arizona;

THENCE N 00°18'33" W, along the said right-of-way line, a distance of 947.00 feet to the POINT OF BEGINNING.

Containing 39.001 Acres more or less.

Prepared by:

THE WLB GROUP, INC.

Kenneth E. Zismann, R.L.S.

ROONEY RANCH
PARCEL E

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

COMMENCING at the Northwest corner of the said Section 7;

THENCE S 89°09'57" E, along the North line of the said Section 7, a distance of 50.00 feet to the East right-of-way line of North First Avenue, as recorded in Book 7 of Road Maps at Page 83, Pima County Recorder's Office, Pima County, Arizona;

THENCE S 00°13'04" W, along the said right-of-way line, a distance of 2,127.75 feet to the POINT OF BEGINNING;

THENCE S 00°13'04" W, along the said right-of-way line, a distance of 337.01 feet;

THENCE S 00°18'33" E, along the said right-of-way line, a distance of 178.37 feet to a point on the arc of a non-tangent curve concave to the Northwest, a radial line of said curve through said point having a bearing of S 35°35'30" E, said point being on the Northwesterly right-of-way line of the Canada del Oro Wash, recorded in Docket 7571 at Page 800, Pima County Recorder's Office, Pima County, Arizona;

THENCE Northeasterly along the said right-of-way line, along said curve, to the left, having a radius of 4,999.58 feet and angle of 002°22'32" for an arc distance of 207.29 feet to a tangency;

THENCE N 52°01'58" E, along the said right-of-way line, a 584.81 feet to the Westerly right-of-way line of North recorded in Docket 7571 at Page 800;

THENCE N 37°58'02" W, along the said right-of-way line, a distance of 367.63 feet to a point of curvature of a tangent curve concave to the South;

THENCE Westerly along the arc of said curve, to the left, having a radius of 50.00 feet and a central angle of 088°30'00" for an arc distance of 77.23 feet to a point of tangency on the Southeasterly right-of-way line of Lambert Lane, recorded in Docket 7571 at Page 800;

THENCE S 53°31'58" W, along the said right-of-way line, a distance of 106.11 feet to a point of curvature of a tangent curve concave to the Southeast;

THENCE Southwesterly along the said right-of-way line, along the arc of said curve, to the left, having a radius of 2,789.79 feet and a central angle of $006^{\circ}34'41''$ for an arc distance of 320.29 feet to the POINT OF BEGINNING.

Containing 6.058 Acres more or less.

ROONEY RANCH
PARCEL F

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

COMMENCING at the Northwest corner of the said Section 7;

THENCE S 89°09'57" E, along the North line of the said Section 7, a distance of 50.00 feet to the East right-of-way line of North First Avenue, as recorded in Book 7 of Road Maps at Page 83, Pima County Recorder's Office, Pima County, Arizona;

THENCE S 00°13'04" W, along the said right-of-way line, a distance of 1,174.92 feet to the POINT OF BEGINNING;

THENCE S 00°13'04" W, along the said right-of-way line, a distance of 751.31 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 40°21'09" W, said point being on the Northwesterly right-of-way line of Lambert Lane, recorded in Docket 7571 at Page 800, Pima County Recorder's Office, Pima County, Arizona;

THENCE Northeasterly along the said right-of-way line, along the arc of said curve, to the right, having a radius of 2,939.79 feet and a central angle of 003°53'07" for an arc distance of 199.35 feet to a point of tangency;

THENCE N 53°31'58" E, along the said right-of-way line, a distance of 106.88 feet to a point of curvature of a tangent curve concave to the West;

THENCE Northerly along the arc of said curve, to the left, having a radius of 50.00 feet and a central angle of 087°03'56" for an arc distance of 75.98 feet to a point of reverse curvature of a tangent curve concave to the Northeast, said point being on the Westerly right-of-way line of North First Avenue, recorded in Docket 7571 at Page 800;

THENCE Northwesterly along the said right-of-way line, along the arc of said curve, to the right, having a radius of 2,391.83 feet and a central angle of 013°21'06" for an arc distance of 557.36 feet to the POINT OF BEGINNING.

Containing 2.209 Acres more or less.

Prepared by:

THE WLB GROUP, INC.

Kenneth E. Zismann, R.L.S.

ROONEY RANCH
PARCEL G

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

COMMENCING at the Southeast corner of the Section 12, Township 12 South, Range 13 East;

THENCE N 00°18'33" W, along the line common to Sections 12 and 7, a distance of 475.56 feet;

THENCE N 89°49'51" E, 28.52 feet to a point of curvature of a tangent curve concave to the South;

THENCE Easterly along the arc of said curve, to the right, having a radius of 649.49 feet and a central angle of 001°53'43" for an arc distance of 21.48 feet to the POINT OF BEGINNING on the South right-of-way line of Lambert Lane, recorded in Docket 7571 at Page 800, Pima County Recorder's Office, Pima County, Arizona;

THENCE Easterly along the said right-of-way line, along the arc of said curve, to the right, having a radius of 649.49 feet and a central angle of 035°11'25" for an arc distance of 398.91 feet to a point of compound curvature of a tangent curve concave to the West;

THENCE Southeasterly and Southerly, along the arc of said curve, to the right, having a radius of 50.00 feet and a central angle of 094°30'56" for an arc distance of 82.48 feet to a point of tangency on the Northwesterly right-of-way line of U.S. Highway 89 (Oracle Road);

THENCE S 41°25'55" W, along the said right-of-way line, a distance of 567.33 feet to the East right-of-way line of North First Avenue, as recorded in Book 7 of Road Maps at Page 83, Pima County Recorder's Office, Pima County, Arizona;

THENCE N 00°00'34" W, along the said right-of-way line, a distance of 153.13 feet;

THENCE N 00°18'33" W, along the said right-of-way line, a distance of 475.21 feet to the POINT OF BEGINNING.

Containing 3.218 Acres more or less.

Prepared by:
THE WLB GROUP, INC.

Kenneth E. Zismann, R.L.S.

ROONEY RANCH
PARCEL H

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

COMMENCING at the South One-Quarter corner of the said Section 7;

THENCE N 00°20'38" W, along the North-South midsection line, a distance of 979.43 feet to the POINT OF BEGINNING;

THENCE N 00°20'38" W, along the said line, a distance of 1,557.04 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 43°25'25" W, said point being on the Southeasterly right-of-way line of U.S. Highway 89 (Oracle Road);

THENCE Southwesterly along the said right-of-way line, along the arc of said curve, to the left, having a radius of 16,270.22 feet and a central angle of 005°08'40" for an arc distance of 1,460.87 feet to a point of tangency;

THENCE S 41°25'55" W, along the said right-of-way line, a distance of 1,380.92 feet to a point of cusp of a tangent curve concave to the Southeast, said point being on the North right-of-way line of the Rooney Channel, recorded in Docket 7415 at Page 158, Pima County Recorder's Office, Pima County, Arizona;

THENCE Northeasterly along the said right-of-way line, along the arc of said curve, to the right, having a radius of 1,014.93 feet and a central angle of 027°30'00" for an arc distance of 487.13 feet to a non-tangent line;

THENCE N 63°14'24" E, along the said right-of-way line, a distance of 201.66 feet;

THENCE N 68°55'55" E, along the said right-of-way line, a distance 564.00 feet to a point of curvature of a tangent curve concave to South;

THENCE Easterly along the said right-of-way line, along the arc of said curve, to the right, having a radius of 1,034.93 feet and a central angle of 047°39'20" for an arc distance of 860.80 feet to the POINT OF BEGINNING.

Containing 27.745 Acres more or less.

Prepared by:

THE WLB GROUP, INC.

Kenneth E. Zismann, R.L.S.

WLB No. 181057-410-03
May 26, 1988
Page 1.

ROONEY RANCH
PARCEL I

That portion of the West One-Half (W 1/2) of Section 7, Township 12 South, Range 14 East, lying South of the South right-of-way line of the Rooney Channel, recorded in Docket 7415 at Page 158, Pima County Recorder's Office, Pima County, Arizona, and

The Northeast One-Quarter (NE 1/4) and that portion of Lot 1 lying East of the Rooney Channel, recorded in Docket 7415 at Page 158, all in Section 18, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, and

That portion of Lot 1, Section 13, Township 12 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona, lying East of the East right-of-way line of U.S. Highway 89 (Oracle Road) EXCEPT that portion lying within the Rooney Channel, recorded in Docket 7415 at Page 158.

Containing 113.40 Acres more or less.

Prepared by:

THE WLB GROUP, INC.
Kenneth E. Zismann, R.L.S.

ROONEY RANCH PAD AMENDMENT

That portion of Section 7, Township 12 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at the North One-Quarter corner of the said Section 7;

THENCE S 00°20'38" E, along the North-South midsection line of the said Section 7, a distance of 2,074.46 feet to the POINT OF BEGINNING, on the arc of a non-tangent curve, concave to the South, a radial line of said curve through said point having a bearing of N 10° 42'23" E, said point being on the Southerly right-of-way line of Foothills Channel recorded in Docket 7102 at Page 887, Pima County Recorder's Office, Pima County, Arizona;

THENCE Easterly along the said right-of-way line, along the arc of said curve, to the right, having a radius of 1,352.39 feet and a central angle of 008°26'46" for an arc distance of 199.36 feet to a point of tangency;

THENCE S 70°50'51" E, along the said right-of-way line, a distance of 107.76 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 41°23'21" W, said point being on the Northwesterly right-of-way line of Oracle Road (U.S. Highway 89);

THENCE Southwesterly along the said right-of-way line, along the arc of said curve, to the left, having a radius of 16,470.22 feet and a central angle of 001°22'09" for an arc distance of 393.59 feet to the said North-South mid-section line;

THENCE N 00°20'38" W, along the said line, a distance of 152.26 feet;

THENCE S 89°39'22" W, 100.00 feet;

THENCE N 00°20'38" W, 212.70 feet to a point on the arc of a nontangent curve concave to the South, a radial line of said curve through said point having a bearing of N 05 37'17" E;

THENCE Easterly along the arc of said curve, to the right, having a radius of 1,251.68 feet and a central angle of 004°37'37" for an arc distance of 101.08 feet to the POINT OF BEGINNING.

Containing 1.677 Acres more or less.

Prepared by:

THE WLB GROUP, INC.

Kenneth E. Zismann, R.L.S.

APPENDIX A
PAD-MODIFYING DOCUMENTS

(O) 97-17

EXHIBIT "A"
CONDITIONS OF ORO VALLEY CENTER (ROONEY) PAD AMENDMENT APPROVAL
OV9-97- 1

Page BB-8, shall be amended to reflect Staff's wording defining a significant change, as follows:

A significant change shall include:

- 1) any change, modification, or deletion to an approved PAD policy,
- 2) any increase in the density, permitted height, or floor area ratio;
- 3) any change in permitted land uses; and
- 4) any decrease in the amount of setbacks or open space required by this document."

Changes which are not deemed "significant", by this definition, may be approved administratively, subject to review by the Development Review Board and Town Council during development plan or platting stages."

2. That area formerly designated as a potential site for Town Hall may be developed with the same uses, commercial or office, as the balance of that area formerly known as sub-area A-i. Commercial uses are limited to 25 % of the gross floor area per structure. Multi-family residential development shall not be permitted. The FAR for this area is limited to .40.
3. Add provisions to preserve the ridge in Area A by changing page AA-i as follows:... "The ridgeline and the open space associated with it, WILL REMAIN IN A NATURAL STATE TO provide an excellent buffer between the North First Avenue commercial corridor and the sheltered interior of the 79 acre tract...".
4. Any proposed change to the Area B access (page CC-b), shall be subject to approval by the Town Engineer and ADOT, at a minimum. A full-blown PAD amendment for Area B access modifications may be required by the Town Engineer, as deemed necessary, depending upon the impacts to traffic circulation in and around the First Avenue/Oracle Road intersection.
5. Modify Page CC-b (no. 1) to allow financial institutions, one convenience use/gasoline station, in the area formerly known as sub-area B-6 and all other uses currently permitted in Area B. Also, on Page CC-11, adjust Primary Uses to address the limitation on the number and location of the convenience use/gasoline station.
6. Areas A (frontage only), B and D shall all be limited to .40 FAR, per this PAD amendment.

7. All development plans within the Rooney Ranch PAD must be accompanied by a traffic impact analysis, which meets the requirements set forth in Sec. 9-110N.

8. In Development Area D, the underlying district shall be C-i, except that a hotel/motel shall be permitted, and convenience uses, per the stipulations, including clustering, as set forth in this amendment. Within Area D, restaurant convenience uses, as defined in the OVZCR, shall be limited to four in number, with or without “drive-in or drive-through” features, and shall be integrated one with another structurally and/or with a unified traffic plan. Service stations shall be limited to a maximum of two.

9. The exhibits and text on page BB-7, which indicates the form and function of a “convenience use cluster” shall not be deleted.

10. The maximum building height in Area D shall be 30'. Building heights within 100' of First Avenue or 200' of Oracle Road will be limited to 25' unless approved for 30' by the Council after Development Review Board review.

EXHIBIT "B"

Town Council Meeting: June 4, 1997
Town Engineer Conditions for Approval
Request for Amendment: Rooney Ranch PAD
OV9-97-01

RECOMMENDED CONDITIONS OF APPROVAL

Public Works department staff has reviewed the proposed Rooney Ranch PAD amendment and has no objections to approval subject to the following conditions being met:

1. All access points to Oracle Road shall be reviewed and approved by the Town of Oro Valley and the Arizona Department of Transportation (ADOT). The applicant shall obtain said reviews and approvals prior to Town Council hearing of development plans for projects in the PAD. This condition shall be incorporated into the new text of the proposed amendment.
2. At the time of development plan submittal, the applicant shall submit thorough traffic impact analyses (TIAs) demonstrating that any proposed access point(s) to Oracle Road are safe and will improve existing and proposed external and internal traffic circulation. Additionally, the format for said TIAs shall conform with ADOT requirements and standards. This condition shall be incorporated into the text of the proposed amendment.
3. Applicants for new access points to First Avenue, Lambert Lane or Pusch View Avenue shall submit thorough TIAs demonstrating that said access locations are safe and will improve existing and proposed traffic circulation. This language shall be incorporated into the text of the proposed amendment.

Town Engineer

May 30, 1997

Donald L. Chatfeld, AICP
Planning and Zoning Director
Town of Oro Valley
11000 North La Canada
Tucson, Arizona 85737

Subject: Resubmittal of the Proposed Minor Changes to the Rooney Ranch PAD for June 4th Town Council meeting

Dear Mr. Chatfield:

This letter is to follow up with our response to the Conditions of Approval as represented in the Council Communication faxed to us on May 30th at 10:14 A.M.

CONDITION NUMBER

1. Page BB-8 has been amended to reflect Staff's wording defining a significant change.
2. Page CC-2 Section G has been revised per the condition.
3. Added Page AA-1 to package, with the additional text per the condition.
4. Included is a proposed addendum to the PAD which recognizes Public Works conditions regarding traffic and access points which, addresses this condition and eliminates the repetition of the Public Works Departments conditions and this condition.
5. Pages CC-10 and 11 have been revised with the additional text per the condition.
6. The Development Criteria addresses this requirements, so no additional changes have been made.
7. Included is a proposed addendum to the PAD which recognizes Public Works conditions regarding traffic and access points which, addresses this condition and eliminates the repetition of the Public Works Departments conditions and this condition.

8. Development area D has been revised to address the requirements of the conditions.
9. We recommend deleting all reference to changes on BB-7 and leave as currently shown in the PAD document.
10. The revised text has been added to the Development Criteria for Development Area D, under Building Heights.

Public Works Department Conditions

In addition to the text and map amendments the applicant is proposing to attach an addendum to the Rooney Ranch PAD to address the Public Works Departments conditions. This addendum will be incorporated in to the PAD document in order to provide full disclosure of these additional conditions.

If you require any additional materials to assist you or if you have any questions or comments, please contact me at 881-7480.

Sincerely,

WLB GROUP, INC.

Charley W. Hulsey, AICP
Director of Planning and Landscape Architecture

ADDENDUM TO THE ROONEY RANCH PAD

In addition to the text and map amendments which are included in the revised documents the additional Conditions per OV9-97-1 are applicable per the Town of Oro Valley Public Works Department:

1. ALL ACCESS POINTS TO ORACLE ROAD SHALL BE REVIEWED AND APPROVED BY THE TOWN OF ORO VALLEY AND THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT). THE APPLICANT SHALL OBTAIN SAID REVIEWS AND APPROVALS PRIOR TO TOWN COUNCIL HEARING OF DEVELOPMENT PLANS FOR PROJECTS IN THE PAD.
2. AT THE TIME OF DEVELOPMENT PLAN SUBMITTAL, THE APPLICANT SHALL SUBMIT THOROUGH TRAFFIC IMPACT ANALYSIS (TIAs) DEMONSTRATING THAT ANY PROPOSED ACCESS POINT(S) TO ORACLE ROAD ARE SAFE AND WILL IMPROVE EXISTING AND PROPOSED EXTERNAL AND INTERNAL TRAFFIC CIRCULATION. ADDITIONALLY, THE FORMAT FOR SAID TIAs SHALL CONFORM WITH ADOT REQUIREMENTS AND STANDARDS.
3. APPLICANTS FOR NEW ACCESS POINTS TO FIRST AVENUE, LAMBERT LANE OR PUSCH VIEW AVENUE SHALL SUBMIT THOROUGH TIAs DEMONSTRATING THAT SAID ACCESS LOCATIONS ARE SAFE AND WILL IMPROVE EXISTING AND PROPOSED TRAFFIC CIRCULATION.

SECTION II

LAND USE PROPOSAL

A. PROJECT OVERVIEW

General Urban Land Use Strategy - Both the Pima County Tortolita Area Plan (Urban/Community Plan Area) and the town of Oro Valley Plan recognize that lands in the immediate vicinity of Oracle Road and North First Avenue are appropriately projected to be higher density urban and resort developments than lands away from the intersection and the contributing corridors. It is the intent of the proposed PAD that there be created a high quality and discernable Oro Valley Center which focuses on that major intersection which also is located near the very geographical center of the Town's projected incorporated area. The scheme is an Urban Village which includes the Town Hall, a variety of residential mixes, office and hotel uses, retail, restaurant and entertainment facilities, a possible resort to enhance the El Conquistador location to make it more competitive with other major destination resorts, medical facilities, and neighborhood convenience retail. The mix of uses is not only intended to extend the times during which the center is active, but also to maximize the use of amenities and infrastructure in a series of often non-conflicting peak periods of demand. The mixed use urban village also conveniently serves the broadest user base and does not rely on a single volatile segment of the real estate market. The land use mix also is designed to create a destination critical mass for services and a potential urban synergy. Because of the nature of the street and drainage network, the urban village is distinctly segmented into subareas, each with its own land use theme. The same streets and drainageways (particularly the 900 foot wide Canada del Oro) also afford excellent buffers between the themed subareas. Map AA-1 demonstrates the general land use diagram for the Town Center.

- A. Area A Concept — Between the prominent north/south ridge-line and the east side of North First Avenue is a band of space particularly suited for a campus grouping of smaller office buildings which take advantage of their positioning in the heart of a large commuter area fed by Rancho Vistoso Boulevard, Tangerine Road, Naranja Road, Lambert Lane, and North First Avenue itself. The ridge-line and the open space associated with it, WILL REMAIN IN A NATURAL STATE TO provide an excellent buffer between the North First Avenue commercial corridor and the sheltered interior of the 79-acre tract. By penetrating the interior with a small boulevard loop road which aligns on one end with Lambert Lane, the south/southwest facing slope of the interior "bowl" affords an excellent well-accessed area for multifamily residential areas progressing from higher density apartment units along the south to lower density duster homes and row houses toward the north.

At the center of the multifamily area and near the ancillary office campus on North First Avenue is the ideal location for a five to seven acre Town Hall site. With this site would come a surrounding open space ridge line and small residential area recreation pool and courts giving it a community center atmosphere. The balance of the site to the east is accessed through three residential street control points to a low density single family compound. The street slope will maximize the views from anywhere in the “bowl” area to Pusch Ridge. In addition, the 900 foot expanse of Canada del Oro and the open space reserve (Area C) to the south permanently-buffers and protects sight angles from the residential compounds.

South of the intersection of North First Avenue and the loop road, the buildable area northwest of the ridge-line will be developed as a neighborhood commercial center including a grocery store convenience use with ancillary gas sales.

7. Convenience Use

- A. Addendum No. 1 to the Convenience Use Code includes as designated arterials: Oracle Road, Lambert Lane, Naranja Drive, Moore Road, and Rancho Vistoso Blvd., all of which are linked by the single arterial, North First Avenue. The PAD document assumes the inclusion of North First Avenue as a designated arterial.
- B. The PAD Plan designates the areas where automotive, restaurant, and other convenience classified uses exist. All face either on Oracle Road or North First Avenue, although all do not necessarily sit between and access directly to two dedicated streets. The PAD document in effect designates and commits to comprehensively planned clusters of convenience uses and their allowance is part of the plan's approval. The clusters may also include more than one- gasoline station (within 500 feet of each other) as part of an automotive related cluster.
- C. The intent of any of the convenience retail clusters programmed into the PAD is to meet all of the Convenience Use Code requirements except for one which may not be particularly appropriate to the PAD concept of clustering. That exception is: when clustering more than two convenience uses, it may be necessary that a minority of the uses may not be able to have actual building to building attachment. This would necessitate an exception to allow less than 50% of the clustered uses (by uses rather than use area) to be attached by covered walkways, fenced commons, or courtyards. Otherwise, they must be attached building to building. For example, below is a figure showing the intent of the PAD to connect by courtyards and passageways. In addition, a larger food court cluster concept which is shown as an example in the PAD on Oracle Road is shown below along with what might typically be included in such a cluster.
- D. Any use meeting the definitions for conditional use, as specified in Article 9 of the Oro Valley Zoning Code Revised, shall comply with the development standards of Article 9, except as to locational requirements. Clustered siting of these uses is permitted as planned in Sub-Areas D-3 and D-4. A conditional use permit will not be required.

II. Policies

9. General PAD Administration

- A. All significant changes to the PAD shall be submitted to the Planning Commission and the Mayor and Council as amendments to the PAD. Any proposed changes to the PAD shall be submitted to the Zoning Administrator, who shall review the item and ascertain whether or not the change is significant based on the following ~~criteria, 1 through 4.~~

A

SIGNIFICANT CHANGE, REQUIRING A PAD AMENDMENT, INCLUDE:

- 1) ANY CHANGE, MODIFICATION, OR DELETION TO AN APPROVED PAD POLICY,
- 2) ANY INCREASE IN THE DENSITY, PERMITTED HEIGHT, OR FLOOR AREA RATIO
- 3) ANY CHANGE IN PERMITTED LAND USES; AND
- 4) ANY DECREASE IN THE AMOUNT OF SETBACKS OR OPEN SPACE REQUIRED BY THIS DOCUMENT.

CHANGES WHICH ARE NOT DEEMED “SIGNIFICANT”, BY THIS DEFINITION, MAY BE APPROVED ADMINISTRATIVELY, SUBJECT TO REVIEW BY THE DEVELOPMENT REVIEW BOARD AND TOWN COUNCIL DURING DEVELOPMENT PLAN OR PLATTING STAGES.

~~For the purposes of the PAD, significant changes shall includes, but not be limited to, the following:~~

1. ~~Any change to the permitted use, including changes in the number and sub-area locations of the permitted uses. Permitted uses shall mean the primary and alternative uses contained in the PAD submittal.~~
2. Any change to the development standards or zoning conditions set forth in the PAD, including proposed changes to height, setbacks, open space requirements, parking, floor area ratios, and density, as defined in this PAD.
3. ~~Any change to the tentative development plan included as part of this rezoning which would vary any material terms or conditions of the rezoning, which would modify any proposed density standards, any kinds of street or land improvements proposed affecting the standards for vehicular circulation, signs and nuisance controls intended for the development.~~
4. Nothing in this section shall be deemed to authorize the Zoning Administrator to

modify or approve any aspects of development reserved to the Development Review Board pursuant to Article 3-3 of the Oro Valley Zoning Code Revised.

- B. All development plans and submittals shall conform to the standards contained in Oro Valley Zoning Codes in effect at the time of that submittal which are not specifically modified by the provisions of the PAD.
- C. Street frontage for the entire subject property along Oracle Road and North First Avenue as to comply with the Oracle Road District Regulations, Article 10-4, except as otherwise set forth by the conditions of this PAD as specified herein.

C. PLANNED AREA DEVELOPMENT PROPOSAL

General Keeping in mind the mixed use/urban village concepts discussed in the Project Overview Section, the Proposal Section deals specifically with the areas of development, their primary uses, and alternative uses as well as development criteria.

Area A EXHIBIT CC - (COMPREHENSIVE PLAN) - Moving from the North First Avenue frontage on the west and Inland” to the east, the land uses change from general office to neighborhood convenience through multifamily to single family residential. The area is approximately 79.48 acres.

DELETE EXHIBIT CC-A

Area A

<u>Sub-Area 1</u>	Commercial	25.18 acres
<u>Primary Uses</u>	Business and professional services (Article 8.7, Section 8.703, A 1., pp. 8-29, including Medical Institutions), neighborhood commercial (Oro Valley Zoning Code C-N) with one “Convenience Use,” limited to “grocery store convenience use with ancillary gas sales,” excluding fast food, will be permitted in the area south and east of the intersection of North First Avenue and (the new) Lambert Lane, provided it is attached to other C-N uses and complies with the Oro Valley Convenience Use Ordinance except for location requirements.	

Uses shall be restricted to commercial offices, multifamily residential, and other permitted uses per the PAD. Any ancillary retail uses shall be limited to 25% of the gross floor area per structure.

<u>Alternate Uses</u>	Churches and retail uses ancillary to office use such as print shops, travel, financial services, and small food retail as long as ancillary uses are contained within office structures (excluding fast foods).
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Development Criteria

A. Setbacks - Landscaped building setback of 20 feet from North First Avenue.

B. Building Heights - Maximum of 25 feet.

C. Maximum Density - Floor Area Ratio of 40%.

Minimum Landscape Requirements - 15% (subject to “I” of the Landscaping Policy). No bufferyards will be required between like uses.

E. Parking Requirements - Per Chapter 11 of the Oro Valley Zoning Code Revised, note that mixed use development optimizes the use of the parking infrastructure with its “combination of uses” (See H, p. H-3).

F. Revegetation of graded areas is to proceed as delineated in the “Revegetation Concept for Oro Valley Center Grading Plan” and shall include the transplanting of native specimen trees from within the site to the right-of-way along both North First Avenue and the intersection of Lambert Lane.

G. That area FORMERLY DESIGNATED AS A POTENTIAL SITE FOR TOWN HALL MAY BE DEVELOPED WITH THE SAME USES, COMMERCIAL OR OFFICE, AS THE BALANCE OF THAT AREA FORMERLY KNOWN AS SUB-AREA A-I. COMMERCIAL USES ARE LIMITED TO 25% OF THE GROSS FLOOR AREA PER

STRUCTURE. MULTI-FAMILY RESIDENTIAL DEVELOPMENT SHALL NOT BE PERMITTED. THE FAR FOR THIS AREA IS LIMITED TO .40. ~~designated as a Town Hall site will be reallocated into Sub Area A-3 if not selected as a Town Hall site within eighteen months of adoption of this PAD.~~

Area B

Exhibit CC

Area B is one of the two main Town Commercial Centers. The more intense commercial activities front on Oracle Road and North First Avenue near the intersection. The full spectrum of land use mix includes retail, financial institutions, general office, hotel, and multifamily residential. The area contains 19.83 acres.

1. No “Convenience Uses” as defined in the Oro Valley Convenience Use Ordinance shall be allowed, except financial institutions, ONE CONVENIENCE USE/GASOLINE STATION, (IN THE AREA FORMERLY KNOWN AS SUB AREA 6) and ALL OTHER approved uses for Area B.
2. If access becomes available from the northern portion of Area B from Oracle Road through the Lieber property, than the site plan for the impacted areas may be revised.

DELETE EXHIBIT CC-B

Area B

Area B Business Hotel, Business and Professional Office, 19.8 acres
Multifamily Residential, Retail/Financial Offices,
Retail Center and Retail/Convenience Use

Primary Uses Hotel/Motel (C-2), General office with ancillary uses within office
structures, Congregate care facility (C-2), Restaurants, restaurants with
lounges, financial institutions, small office cluster, small retail area, Retail
Center (C-2), AND ONE Retail/Convenience Use Gasoline Sales,
LOCATED IN THE AREA FORMERLY KNOWN AS SUB-AREA 6.

Alternate Uses Retail, business and professional offices, Uses shall be restricted to
general offices or restaurant and other permitted uses as determined from
those provided in the C-1 District of the Oro Valley Zoning Code Revised,
and Multifamily,

Development Criteria

- A. Setbacks - 2:1 ratio with building height, Setback for C-2 uses - 60 feet from Oracle Road and North First Avenue. It is the intent to preclude C-2 uses closer than 60 feet from roadways to create alternating setbacks along Oracle Road which can easily be accommodated in this large parcel. Otherwise, setback should be a 2:1 ratio with building height.
- B. Building Heights - 30 foot maximum, for a business hotel, congregate care facility and all c-2 uses otherwise 25 feet maximum.
- C. Maximum Density - FloorArea Ratio of 40%
- D. Minimum Landscape Requirements - 15% (subject to "I" of the Landscaping Policy).
 No bufferyards will be required between like uses.
- E. Parking Requirements - Per Chapter 11 of the Oro Valley Zoning Code Revised with particular note of the "combination of uses" provision.
- F. Auto service bays shall not face Oracle Road.
- G. A detailed traffic impact analysis, in accordance with the revisions to Sec. 9-102 approved by the Planning Commission on August 1, 1989. shall be submitted with the final development plan for this project. That traffic impact analysis must be approved by the Town Engineer and the Arizona Department of Transportation prior to

development plan approval.

- H. The limited exceptions for the Rooney Ranch PAD from the ORSCOD shall not be eliminated by this amendment, but these exceptions shall remain in effect.

Area D

Exhibit CC-COMPREHENSIVE PLAN

Although the frontage on Oracle will require two small right-turn-in/right—turn-out entry points, the major access points should be two signalized- intersections. The first would be at Pusch View Lane and Oracle Road, more than 1,500 feet west of North First Avenue. The second primary entry points on North First Avenue aligned with a primary access to Area B, more than 400 feet north of Oracle.

Area D

Sub-Area 1 Retail, Office, Convenience Use and Residential 39.6 acres

Primary Uses Uses shall be restricted to retail and/or commercial services or business and professional offices and other permitted uses as stated in this area. Said uses shall be derived from those provided under C-I, of the Oro Valley Zoning Code Revised, EXCEPT THAT A HOTEL/MOTEL SHALL BE PERMITTED, AND CONVENIENCE USES, PER THE STIPULATIONS, INCLUDING CLUSTERING, AS SET FORTH IN THIS AMENDMENT. WITHIN AREA D, RESTAURANT CONVENIENCE USES, AS DEFINED IN THE OVZCR, SHALL BE LIMITED TO FOUR IN NUMBER, WITH OR WITHOUT “DRIVE-IN OR DRIVE-THROUGH” FEATURES, AND SHALL BE INTEGRATED ONE WITH ANOTHER STRUCTURALLY AND/OR WITH A UNIFIED TRAFFIC PLAN. SERVICE STATIONS SHALL BE LIMITED TO A MAXIMUM OF TWO, and congregate care facility. Uses shall FURTHER be restricted to retail, restaurants, entertainment or restaurant convenience uses as determined from provided uses under C-I of the Oro Valley Zoning Code revised

Development Criteria

- A. Setbacks - 2:1 ratio with building height,
- B. Building Heights - THE MAXIMUM BUILDING HEIGHT IN AREA D SHALL BE 30'. BUILDING HEIGHTS WITHIN 100' OF FIRST AVENUE OR 200' OF ORACLE ROAD WILL BE LIMITED TO 25' UNLESS APPROVED FOR 30' BY THE COUNCIL AFTER DEVELOPMENT REVIEW BOARD REVIEW. 25 feet maximum 30-feet for C-2 uses, 25 feet maximum for C-1 uses.
- C. Maximum Density - Floor Area Ratio 40%
- D. Minimum Landscape Requirements - 15% (subject to “T” of the Landscaping Policy). No bufferyard will be required for like uses.
- E. Parking Requirements - Per Chapter II of the Oro Valley Zoning Code Revised with particular note of the “combination of uses” provision
- F. Convenience uses shall not exceed four drive-in or drive-through facilities provided that a safe traffic plan be submitted for outside window pick-up.
- G. The Oro Valley Convenience Use ordinance shall apply, except for locational requirements.

- H. Auto service bays shall not face Oracle Road.
- I. Not more than two gasoline sales/service stations shall be permitted within Area D. The other uses will be complementary auto uses exclusive of automobile sales or rental.
- J. The limited exceptions for the Rooney Ranch PAD from the ORSCOD shall not be eliminated by this amendment, but these exceptions shall remain in effect.

(O) 98-47

(O) 98-47 Ex. A

EXHIBIT "A"
TOWN COUNCIL CONDITIONS FOR APPROVAL
0V9-98-6 ROONEY RANCH AREA B
PAD AMENDMENT

1. Development Criteria D, Minimum Landscape Requirements, shall be amended back to 15 %, and the "Ten feet of required landscaping may be in the public right-of-way" statement shall be struck.
2. From Development Criteria H. A , remove the phrase "Access to Oracle Road and to First Avenue shall be limited to ingress/egress points established by the Traffic Impact Analysis" as it is redundant and restates the previous sentence.
3. Development Criteria B, Building Heights, shall be amended to read "Maximum 25 feet for all buildings within 100 feet of Oracle Road. All of others 33 feet to top of parapet. Campaniles and clock towers and other significant vertical architectural statements of the mission vernacular shall have a maximum height of 45 feet."
4. As a condition of approval for a reduced rear setback of 30', place the following phrase under Development Criteria D, Minimum Landscape Requirements: - A minimum 10' Buffer Yard A shall be located along the rear property line. A 3' high wall shall be constructed the full length of the rear property next to the wash, with landscaping provided on the wash side of the wall."
5. Development Criteria - Outdoor Display, and Appendix A: Permitted Outdoor Display Items - Area B, Rooney Ranch PAD, attached herewith, shall be included as part of this PAD Amendment.

Development Criteria

- I. Outdoor Displays –permitted with the following conditions:
 1. Outdoor displays shall only occur in those areas so indicated on the development plan for Area B.
 2. The outdoor display area shall be clearly delineated by architectural features, and shall be screened by significant architectural elements such as arcading, columns etc. A minimum 6’ wide sidewalk area shall remain clear for pedestrian circulation. Outdoor displays shall not be permitted within 6’ of the entry doors.
 3. No items in the outdoor display area shall exceed six feet. Plants, shrubs, trees, landscape display presentations, and items with significant vertical elements, such as patio furniture umbrellas, shall be exempt.
 4. No outdoor display items shall be left out overnight. Plants, shrubs, trees, and landscape display presentations are exempt from this requirement.
 5. One large movable planter, containing a tree (6’ minimum height) or shrub (4’ minimum height), shall be required per every 20 linear feet of outdoor display area to provide additional landscaping and screening elements. The placement of the planters shall not interfere with the operations of the loading zone, nor shall the planters occupy the minimum 6’ wide sidewalk area reserved for pedestrian circulation.
 6. Products or product displays shall not be mounted on exterior structural walls.
 7. Outdoor storage of items is prohibited. Delivery items shall be placed within the store by the end of the business day.
 8. Seasonal outdoor sales events, such as Christmas tree sales, outside of the designated outdoor display area shall be subject to a Special Use Permit under the OVZCR.
 9. Permitted Outdoor Display Items –Permitted items for outdoor display are listed in Appendix A. Items allowed for display are to be restricted to items of a seasonal nature, and are not to include construction materials or construction equipment. Items may be added to Appendix A upon administrative review and approval of the Planning and Zoning Administrator of the Town of Oro Valley.
 10. Outdoor display signage shall not include fluorescent or iridescent colors, and shall be limited to four square feet in size per display.

11. Review and Regulation of Outdoor Displays –Outdoor displays shall be subject to the review and regulation of the Planning and Zoning Administrator of the Town of Oro Valley. A violation of the above outdoor display criteria shall result in a written violation notification addressed to the store manager.

Upon a violation of the outdoor display criteria, the offending party will be given a written notice of violation, and a copy of the notice shall be posted on the offending item(s). If the violation is not corrected within 72 hours, the offending party shall be issued a citation, and a copy of the citation shall be posted on the offending item(s).

Upon five citations within a one year period the Planning and Zoning Administrator shall review the outdoor display privileges of the offending party, and the party will be notified in writing of the review. The Planning and Zoning Administrator may suspend or revoke the outdoor display privileges of any or all items of the offending party. The Planning and Zoning Administrator will notify the party in writing of his or her decision within two weeks of the notice of review of outdoor display privileges. The decision of the Planning and Zoning Administrator may be appealed to the Board of Adjustment.

Appendix A: Permitted Outdoor Display Items – Area B, Rooney Ranch PAD

1. Plants, shrubs, and trees
2. Outdoor patio furniture
3. Picnic tables
4. Gardening tools
5. Power tools
6. Consumer electrical appliances, not to include heavy equipment.
7. Lawn and gardening equipment
8. Paving stones, and other hard landscaping materials, as incorporated into a landscape display presentation only.
9. Gas ranges, BBQ's, etc.
10. Seasonal items
11. Rugs
12. Other analogous items.

(O) 98-50

EXHIBIT "A"
TOWN COUNCIL CONDITIONS OF APPROVAL
OV9-98-6 ROONEY RANCH AREA B
PAD AMENDMENT – SIGN PACKAGE

1. The Home Depot logo illustrated on the side elevation of the Home Depot store shall have a maximum height of 6', as the maximum logo size permitted by the proposed Area B Sign Guidelines.
2. As per the proposed Area B Sign Guidelines, the Home Depot logo illustrated on the side elevation of the Home Depot store shall only emit muted orange, internal illumination from the characters, not the full face internal illumination as illustrated.
3. The Area B Sign Guidelines shall be amended as follows to be in conformance with the sign package approved by Town Council for Area D (aka the Oro Valley Retail Center).

-Halo illumination shall be of white color only.

-Monument Sign Size: max height 8' on Oracle Road, and 6' on N. First Avenue

-Monument Size Illumination: Halo-illuminated text, internally illuminated logos, characters only emitting light

-Monument Sign Max Logo Size: replace "10'6"" with "8"

[Note: Please refer to table provided in Appendix B]

(O) 99-59

ORO VALLEY CENTER, PARCEL D SIGN GUIDELINES

[Please refer to table provided in Exhibit “A”]