



## Rezoning Planning and Zoning Commission Staff Report

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**CASE NUMBER:** OV914-002 Kai North  
**MEETING DATE:** December 2, 2014  
**AGENDA ITEM:** 1  
**STAFF CONTACT:** Michael Spaeth, Senior Planner  
[mspaeth@orovalleyaz.gov](mailto:mspaeth@orovalleyaz.gov) (520) 229-4812

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**Applicant:** The WLB Group Inc., Paul Oland  
**Request:** Rezoning from R1-144 to R1-7 and C-1 for approximately 149 acres.  
**Location:** Southeast corner of Tangerine Road and First Avenue  
**Recommendation:** Approve with the conditions in Attachment 1.

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### SUMMARY:

The applicant proposes a rezoning from R1-144 to R1-7 and C-1 for an approximately 149-acre property located on the southeast corner of Tangerine Road and First Avenue, known as Kai-North. The Tentative Development Plan, included in Attachment 2, proposes

- 211 residential homes ranging in size from 5,520 sq.ft. to 7,200 sq.ft.
- A mix of neighborhood commercial scale retail buildings and professional offices on approximately 29 acres concentrated toward the major intersection of Tangerine Road and First Avenue.
- Preserves much of the eastern and southern boundaries as open space buffers between the subject property and abutting residential development to the east (Catalina Shadows subdivision).
- Pedestrian and equestrian trails are proposed traversing the site from north to south connecting the open space north of the subject property with the trails provided on the property south of Palisades Road providing access to the Canyon del Oro wash.
- A multi-use path will be constructed on the north side of Palisades Road improving pedestrian facilities within the area.

The history of the property is lengthy and the public participation process for the subject has been extensive. Over time, numerous public meetings have been held concerning other proposed projects for the subject property. Three neighborhood meetings (1 formal and 2 open

house/workshops) were held for this most recent application. The applicant has held numerous informal meetings with neighborhood residents to specifically address their comments and concerns. The primary topics discussed during the neighborhood meetings included:

- Neighborhood buffers
- Trail access
- Neighborhood traffic
- Building height
- Scenic Corridor preservation
- View Shed preservation
- Environmental Impacts (Drainage, Water Availability)
- School capacity
- Arrangement of lots
- Open Space
- Building setbacks

The subject property lies within an area known as Kai-Capri and has Special Area Policies (see Attachment 3) that were established in the General Plan to further define the type and character of development in the area. The applicant's proposal has been reviewed for conformance with these Special Area Policies and the General Plan Vision, Goals and Policies and has been deemed consistent.

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## **BACKGROUND:**

### Approvals to Date

- The subject property was annexed into the Town in 1994 with a translational zoning of R1-144.
- Special Area Policies were established for the subject property as part of the 2005 General Plan update, known as the Kai-Capri Special Area Policies
- A General Plan Amendment was proposed in 2008 to amend the Neighborhood Commercial/Office designation to Master Planned Community (MPC). The Amendment was ultimately withdrawn by the applicant.
- Several other applications have been submitted for the subject property over the years and have been withdrawn.

### Land Use Context

The Existing Land Use, General Plan and Zoning for the property and the surrounding area is summarized below and depicted in Attachments 4 and 5.

|                         | <b>EXISTING LAND USE</b>   | <b>GENERAL PLAN</b>   | <b>ZONING</b>  |
|-------------------------|--|---|--|
| <b>SUBJECT PROPERTY</b> | Vacant   | Master Planned Community; Neighborhood Commercial/Office                                  | Single-Family Residential (R1-144)   |
| <b>NORTH</b>            | Open Space; Tangerine Road   | Open Space; Neighborhood Commercial/Office (across Tangerine Road)                        | Single-Family Residential (R1-144); Rancho Vistoso PAD   |
| <b>SOUTH</b>            | Palisades Splits Single-family development; North Valley Baptist Church of Oro Valley; vacant land | Master Planned Community; Public/Semi-public; Low Density Residential 1 (0.4 – 1.2 du/ac) | Single-family Residential (R1-36); Single-family Residential (R1-72); Single-family Residential (R1-144) |
| <b>EAST</b>             | Catalina Shadows Estates Single-family Subdivision   | Medium Density (2.1 – 5.0 du/ac)  | Catalina Shadows PAD Single-family Residential (Avg. Lot Size: 6000 sq.ft.)                              |
| <b>WEST</b>             | Oro Valley Retail Center; Tangerine Hills Subdivision  | Neighborhood Commercial/Office; Low Density Residential 1 (0.4 – 1.2 du/ac)               | Regional Commercial (C-2); Single-family Residential (R1-36)   |

**DISCUSSION / ANALYSIS:**

Rezoning Analysis

Rezoning applications are reviewed for conformance with General Plan, including the Land Use Map, applicable Special Area Policies, and the Vision, Goals and Policies, and the Town of Oro Valley Zoning Code.

General Plan Conformance Analysis

The subject properties are designated as Master Planned Community and Neighborhood Commercial/Office on the General Plan Future Land Use Map.

The Master Planned Community General Plan land use designation is defined as:

*“Areas where large multi-use developments should be planned and developed in a comprehensive manner.”*

The applicant’s proposal represents a “multi-use” development incorporating both residential and commercial components. Both aspects of the proposed development are being planned simultaneously and in a comprehensive manner. The proposed development incorporates

ample separation and buffering to ensure the two uses are developed with minimal impacts, both internally and externally.

The Neighborhood Commercial/Office General Plan land use designation is defined as:

*“Commercial and office areas located with good arterial access (i.e. at the intersections of arterial roadways...) that are close to residential areas...”*

The proposal incorporates an area approximately 29 acres in size as commercial and is located nearest the arterial intersection of First Avenue and Tangerine Road. The applicant's proposal anticipates both retail and professional offices.

### Special Area Policies

General Plan Special Area Policies were adopted to further define the type and character of future development for area. A condition of approval has been included in Attachment 1 requiring all Kai-Capri Special Area Policies to be listed as General Notes on the subsequent Final Plat (Residential) and Final Site Plan (Commercial). The Special Area Policies (included as Attachment 3) are listed below in italics and followed by staff comment.

#### General

- 1. Transfers of residential densities are permitted and encouraged in the area. Primary receiving areas are: (1) the graded area in the north central portion of the site; and (2) areas adjacent to Rooney Ranch no more than 660 feet north of the south boundary and no farther east than the east edge of Palisades splits. Units should be transferred off the following areas: (1) SRAs, (2) areas along North First Avenue (especially the area between the road and the Palisades Splits parcels), and (3) the area southeast and visible from Palisades Splits parcels.*
- 2. Transfers of densities from SRAs that are not riparian areas (including 50-foot buffers), floodplains, or 25 percent slopes may be calculated at up to 1.0 units per acre. Transfers of densities off the other SRA, or building within any SRA, should be at no more than 0.4 units per acre.*

Staff Comment: The applicant's proposal does not include any requests for transfer of residential densities and is therefore consistent with this Special Area Policy. Furthermore, the proposal meets all Environmentally Sensitive Lands provisions of the Zoning Code.

- 3. Primitive trails, with public access easements, shall be provided unless otherwise prohibited by law. These will be within the existing wash areas, will connect to the open space area adjacent to the north boundary of the site, and will provide a connection from the Palisades Split Area southeasterly to the wash.*

Staff Comment: The applicant's proposal includes pedestrian/equestrian trails traversing the site from north to south connecting to the open space north of the property to the property south of Palisades Road providing a connection to the Canyon del Oro was. The applicant has

worked extensively with adjoining properties to position the trails appropriately. A condition has been added to Attachment 1 stipulating these trails will be required to be dedicated as “non-vehicular public recreation easements”.

- 4. Any change to the General Plan that would allow more than 1.0 units per acre, over all, on the residential area on the property shall be treated as a major amendment. As currently mapped, the maximum number of residential units on the Kai-Capri Property is 255; and up to 10 are allowed on the Steam Pump Ranch Estates property. Any change of the commercial area to residential uses shall be treated as a major amendment.*

Staff Comment: The applicant’s proposal is for 211 detached single-family homes. The property south of Palisades Road has tentatively proposed 44 detached single-family homes. The overall number of proposed residential units is 255. The overall density for the Kai-Capri area is 1.0 unit per acre and is therefore consistent with this Special Area Policy.

- 5. The Oro Valley Zoning Code Revised will apply.*

Staff Comment: The applicant’s proposal is consistent with the zoning code requirements for rezoning applications. All subsequent submittals, including site plan and architecture, must similarly be consistent with not only all Zoning Code requirements, but also the development standards establish by the Special Area Policies.

Neighborhood Commercial/Office (NCO)

- 1. Must be developed for commercial and office uses as part of an overall master plan that includes planning for the MPC property to the south.*

Staff Comment: The applicant’s proposal is consistent with this Special Area Policy as follows:

- Variety of neighborhood commercial scale retail buildings and professional offices.
  - Both the Neighborhood Commercial/Office and the Master Planned Community are being planned simultaneously to ensure a comprehensive approach.
  - A common access has been provided to serve both the commercial and residential component, ample separation has been provided between the commercial and neighboring residential and buffering has been incorporated to minimize the potential for any adverse impacts.
- 2. Any building within 200 feet of North First Avenue shall not be higher than 25 feet as measured from the finished grade of North First Avenue, unless the applicant demonstrates by a view shed analysis that a greater building height will not interfere with views of the Catalinas.*

Staff Comment: The applicant has stated a developer has not been identified for the proposed development and does not yet have information on proposed building heights. A condition has been added in Attachment 1 requiring the Special Area Policies to be listed as General Notes

on the subsequent Final Plat(s) (Residential) and Final Site Plan(s) (Commercial), requiring development within those areas to be in conformance with this Special Area Policy.

- 3. A minimum of 40% of the North First Avenue frontage to a depth of 300 feet must be maintained as a view corridor and not used for building purposes.*

Staff Comment: The Tentative Development Plan proposes three retail buildings within 300 feet of the North First Avenue frontage. The three retail buildings represent approximately thirty-eight (38%) percent of the North First Avenue frontage. The preservation of approximately sixty-two (62%) percent of the North First Avenue frontage as view corridor meets this Special Area Policy.

- 4. The commercial areas shall not extend, on North First Avenue, to the south of the Evergreen (Walgreen's) development.*

Staff Comment: The proposed commercial area is oriented north of the internal drive aligned directly across First Avenue from the southern drive of the Evergreen (Walgreen's) development. The commercial is concentrated near the intersection of two major thoroughfares and meets this Special Area Policy.

Master Planned Community

- 1. Must be developed for residential uses as part of an overall master plan that includes planning for the NC/O property to the north.*

Staff Comment: The application proposes 211 detached single-family residential units for the Master Planned Community designated area within the subject property. The Master Planned Community is being planned concurrently with the Neighborhood Commercial/Office designated area and is therefore consistent with this Special Area Policy.

- 2. No building within 200 feet of North First Avenue, or within 150 feet of Palisades Road or existing development shall be higher than 18 feet, unless the applicant demonstrates by a view shed analysis that a greater building height will not interfere with views of the Catalinas.*

Staff Comment: The applicant has requested a building height increase (up to twenty (20') feet) as a flexible design option enabled by the Environmentally Sensitive Lands section of the Zoning Code. The required view shed analysis as required by this Special Area Policy has been provided in Attachment 6. It depicts proposed buildings that will not interfere with views of the Catalinas and do not obstruct view corridors. The applicant's request meets this Special Area Policy.

- 3. There shall be no development in the 100-year floodplain, riparian areas or on any slopes of 25% or more, excluding roadway and utilities.*

Staff Comment: The proposal is consistent with this Special Area Policy as follows:

- Proposed a development footprint that avoids all area within the 100-year floodplain, all riparian areas and all areas with slopes 25% or greater.
- Only development proposed for any of these areas is roadway and utility placement which is permitted by this Special Area Policy.
- Towns Environmentally Sensitive Lands requirements further restrict the amount of disturbance in areas designated as Critical Resource Areas to only development necessary for roadway and utility placement.

4. *The only housing type permitted is single-family detached residence.*

Staff Comment: The applicant's proposal is for 211 detached single-family homes. The applicant has not proposed alternative housing types and is therefore consistent with this Special Area Policy.

5. *Mass grading for residential uses is allowed only in disturbed areas. Any mass grading shall require the approval of the Planning and Zoning Administrator.*

Staff Comment: All proposed grading will be required to preserve the non-disturbed areas within the subject property. The ESL requirements require building envelopes to be delineated on conceptual site plans on all lots adjacent to Environmentally Sensitive Open Space (ESOS), further limiting disturbance to the demarcated development envelopes. The applicant's proposal meets this Special Area Policy.

6. *No buildings shall be constructed within 100 feet of the east property line adjacent to existing residential areas.*

Staff comment: The proposed Tentative Development Plan has provided a substantial buffer along the eastern portion of the property with a minimum setback from existing residential of approximately 225 feet. The applicant's proposal meets this Special Area Policy.

### General Plan Analysis

Rezoning applications are also evaluated for consistency with the Vision, Goals and Policies of the General Plan. The following section provides analysis relative to the consistency of the rezoning request with the General Plan Vision and key General Plan Goals and Policies. Excerpts from the General Plan are shown in italics, followed by staff comment.

### General Plan Vision

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

The applicant's proposal is consistent with the environmental requirements of the Special Area Policies and the Environmentally Sensitive Lands requirements of the Zoning Code. The applicant has held numerous meetings with neighborhood residents and instituted changes to respond to concerns from the neighborhood, demonstrating the applicant's responsiveness to residents. The proposed rezoning is consistent with the General Plan Vision.

General Plan Goals and Policies.

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

The applicant's Tentative Development Plan proposes to preserve approximately fifty-nine (59%) percent of the property's natural open space. The Special Area Policies further restricts proposed development away from environmentally sensitive areas, including 100-year floodplain and slopes greater than twenty-five (25%) percent. The applicant's proposal meets this General Plan Policy.

Policy 1.1.4 *The Town shall commit to preserve, protect, and enhance the visual qualities of Oro Valley and surrounding visually significant areas, such as ridgelines.*

The applicant's request meets the Special Area Policies specific to building height and the preservation of street frontage setbacks. The natural topography of the site, in addition to the Special Area Policies, ensures the proposed Tentative Development Plan will have reduced impact on offsite view sheds and view corridors throughout the area. The applicant's proposal is consistent with this General Plan Policy.

Policy 8.2.1 *The Town shall provide appropriate pedestrian, equestrian, and bicycle linkages between various elements of the open space system and between these elements and other community facilities.*

The applicant has worked extensively with neighboring residents on several pedestrian and equestrian opportunities. The proposed Tentative Development Plan is consistent with this Policy as follows:

- The applicant has agreed to construct a multi-use path along the northern portion of Palisades Road, improving pedestrian connectivity within the region.
- The Tentative Development Plan has preserved the extensive network of equestrian trails traversing the subject property.
- The applicant has coordinated the preservation of the equestrian trails on this project and the property immediately south to ensure unobstructed access to the Canada del Oro Wash to the south.

Policy 11.1.8 *The Town shall use natural open space preservation as one criterion in considering land use rezoning proposals. Developments shall utilize natural open space to comply with requirements for landscaped areas and buffer areas.*

The applicant's proposal meets this policy as follows:

- The applicant's proposal conserves approximately fifty-seven (57%) percent of the site as Environmentally Sensitive Open Space.
- The Tentative Development Plan incorporates a significant neighborhood buffer along the eastern and southern portions of the site.
- The Special Area Policies require significant vegetation preservation as landscape buffers along First Avenue.

### Zoning Analysis

Rezoning applications are also reviewed for conformance with the Town of Oro Valley Zoning Code and the specific development standards of the proposed zoning districts. The applicant is proposing to rezone the subject property to R1-7 and C-1. A discussion of the applications conformance with the two proposed zoning districts is provided below.

The Commercial (C-1) zoning district is intended to allow for large scale office complexes and medium sized retail centers, located on major arterial roads. Through buffering and other mitigation measures, C-1 centers must be compatible with adjoining residential neighborhoods.

The Residential (R1-7) zoning district is intended to allow for medium high-density detached single-family residential development.

The proposed Tentative Development Plan conforms to the development standards of the R1-7 and C-1 Zoning Districts. Subsequent submittals, including all conceptual site plans and conceptual architecture, will be required to be consistent with the requirements of the Zoning Code. The following development standards are notable for this proposal:

*Building Heights:* Building heights are limited to twenty-five (25') feet or two stories. The Special Area Policies (see Attachment 3) further restrict building heights along First Avenue, Palisades Road and within 150' of existing development. The applicant has agreed to limit homes on lots 5 through 12 along Palisades Road to one-story. A condition has been added in Attachment 1 to limit the homes on these lots. All additional proposed buildings will be required to meet this development standard to be in conformance with the Special Area Policies specific to building height.

*Neighborhood Compatibility:* The applicant's proposal has addressed neighborhood compatibility as follows:

- The proposed R1-7 and C-1 zoning districts are in compliance with the Master Planned Community and Neighborhood Commercial/Office designation on the General Plan Map, respectively.
- The commercial development is proposed nearest the major intersection of Tangerine Road and First Avenue and situated away from the lower intensity residential to the south and east.

- The proposed residential is located between the proposed commercial and existing residential areas and would serve as an appropriate land use buffer between the higher intensity commercial and the lower intensity residential.
- The Special Area policies (see Attachment 3) require the residential and commercial be planned concurrently to ensure a comprehensive and harmonious design.

*Access/Circulation:* The residential component has one primary access point from First Avenue and a secondary access from an internal street. The commercial component has one access point from First Avenue and several secondary access points from the internal street. The proposed driveways meet driveway spacing requirements and have been approved by Engineering. Vehicular access onto Palisades Road was a primary focal point of neighborhood residents during the public participation process and the applicant's proposal does not include access onto Palisades Road as a result.

### Environmentally Sensitive Lands (ESL)

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

The riparian areas traversing the site are designated Critical Resource Area (CRA) on the Town's Environmentally Sensitive Lands Planning Map. This area requires ninety-five (95%) percent Environmentally Sensitive Open Space (ESOS) conservation. The project conserves approximately ninety-eight (98%) percent of the Critical Resource Area as ESOS, consistent with the minimum requirement. The remainder of the site is designated Resource Management Area Tier 2 and requires twenty-five (25%) percent ESOS conservation. The project conserves forty-five (45%) percent of this conservation category as ESOS, in excess of the minimum requirement.

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

##### *Cultural Resources*

The applicant submitted a letter from the Arizona State Museum (ASM) indicating that the subject property has been surveyed for cultural resources and there are historic properties recorded on the property. A historical records search identified four archaeological sites on the subject property, with a fifth potential site that could not be verified by a records check. A field survey in September 2014, identified three archaeological sites on the subject property. Of three sites identified in the field, two were determined to have no important information while one may yield important information. The applicant is in the process of eligibility testing this site and will be required to develop a treatment plan in accordance with the Zoning Code if the site is determined to be eligible for listing in the National Register of Historic Places (NRHP).

##### *Scenic Resources*

The subject property lies within the Tangerine Road Scenic Corridor Overlay District (TRCOD). The entire subject property is subject to the "Overlay District Guidelines" which are applicable to all property within the one-mile "corridor" of Tangerine Road. Additionally, a portion of the subject property lies within the TRCOD "¼ mile Target Area"

which requires conformance with additional District regulations. The subject property is consistent with the both the corridor and target area requirements.

The applicant has submitted site elevations of the proposed development on primary view sheds from adjacent areas. This information was used to determine the proposed use will have a minimal impact on existing view sheds. The site is characterized by a moderate slope from east to west with an elevation change of approximately sixteen (16') feet.

### *Hillside Areas*

The Special Area Policies (see Attachment 3) require no development on slopes twenty-five (25%) percent or greater. The applicant's proposal meets this policy. For additional information see Section I-B and Exhibit E-2 for slope area analysis.

### **Flexible Design Options**

The Environmentally Sensitive Lands requirements enable the use of incentives, or flexible design options, for conservation subdivision design, subject to Town Council approval. The intent of the incentives is to encourage the preservation of additional natural open space while ensuring the applicant is able to develop the same number of lots as permitted under the base zoning district. The flexible design options are available to property when ESOS is applied to twenty-five (25%) or more of the property. The applicant's proposal provides approximately fifty-nine (59%) percent ESOS. A discussion of the flexible design options requested by the applicant is included in Attachment 7 and provided below:

### *Building Setbacks*

The Tentative Development Plan depicts a Conservation Subdivision Design utilizing the lot reduction incentive. As a result of the reduced lot sizes, the applicant is requesting the following building setback reductions:

- Front: 10 feet
- Side: 5 feet

The reduced setbacks shall not result in on-lot driveway lengths that are less than twenty (20') feet, per Section 27.10.F.2.c.iii.a.2.

### *Landscape Buffer Yards*

The applicant is requesting a landscape buffer yard reduction to a minimum of ten (10) feet, where necessary. The proposed commercial (C-1) requires the following landscape buffers:

- North (15' minimum Type "B")
- East (15' minimum Type "B")
- South (30' minimum Type "B")

- West (30' minimum Type "B")

Section 27.10.F.2.c.iii.b does not permit the reduction of any landscape buffer adjacent to an existing residential subdivision or public street. Staff feels the landscape buffer reduction should not be permitted adjacent to proposed residential as well.

#### *Minimum Lot Size*

The applicant has proposed a Conservation Subdivision Design utilizing the lot reduction incentive. The applicant's request is to reduce the minimum lot size to 5,500 in accordance with Table 27.10-6. The applicant is concurrently proposing reduced lot widths below the minimum lot width of the R1-7 zoning district of seventy (70') feet. A reduction in lot dimensions, including lot width, is permitted concurrent with the applicant's request to reduce the minimum lot size.

#### *Off-street Parking*

The applicant is requesting the use of the off-street parking modification for future development within the commercial component of the subject property. Any approved off-street parking modification will be subject to Section 27.7.C.2 prior to approval of any shared parking analysis. The provision of fewer parking spaces and reduced amounts of circulation are encouraged.

#### *Building Height*

The applicant is requesting a building height increase from eighteen (18') feet to twenty (20') feet in these areas. The applicant has provided the required view shed analysis which is included as Attachment 7. The applicant's request does not interfere with view sheds of the Catalina Mountains and will not have a significant impact on view corridors.

#### *Recreation Area Credit*

The Tentative Development Plan provides 2.6 acres of active and passive recreation areas. The applicant is requesting 2.4 acres of the recreation areas be credited toward the sites overall ESOS requirement. The subject recreation areas do maintain connectivity with the site's ESOS and do satisfy the location requirements of Section 26.5, Provision of Recreational Area.

#### *Native Vegetation Preservation*

The applicant is requesting Town Council waive the Native Plant Salvage and Mitigation requirements of Section 27.6B within development envelopes. The criteria establishes that developments providing fifty (50%) or more ESOS may waive the salvage and mitigation requirements within development envelopes. The Tentative Development Plan provides approximately fifty-nine (59%) ESOS, in excess of the fifty (50%) percent minimum for this flexible design option.

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Engineering Comments

The Site Analysis addresses issues related to drainage and traffic. The proposed rezoning request acknowledges that the development will be designed so that post-developed drainage conditions are consistent with pre-developed conditions in accordance with Town requirements.

A traffic impact analysis was provided with the Site Analysis to evaluate the effect of additional traffic on surrounding roadways. The issues related to the Traffic Impact Analysis include:

- Three points of ingress/egress are proposed onto 1<sup>st</sup> Avenue. One that connects at the existing intersection of Strada Patania and one that connects at the existing intersection with Oro Valley Retail Center. The northernmost access which is right-in/right-out only connects between the Oro Valley Retail Center and Tangerine Road as part of the commercial development.
- The anticipated volume of traffic generated by a residential use of the proposed size is moderate, however, considering direct access onto 1<sup>st</sup> Avenue and the capacities of the surrounding streets, the residential development would not have a large impact on the surrounding roadway system.
- The commercial use will generate a higher volume of traffic, but again, considering the capacities of the surrounding streets would not have a large impact on the surrounding roadway system.
- The access out of the project drive located opposite of the Oro Valley Retail Center median opening is a concern with the addition of the commercial development and must be mitigated as part of the development of the commercial area.

If the rezoning request is successful, the final analysis of drainage and traffic impacts will be evaluated during the site plan review process.

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**PUBLIC PARTICIPATION:**

Summary of Public Notice

Public notice has been provided:

- Letter to all property owners within 600 feet
- Letter to all individuals who attended and signed-in at all three neighborhood meetings
- Homeowners Association mailing
- Advertisement in The Daily Territorial newspaper
- Post on property
- Post at Town Hall and on website

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Neighborhood Meetings

The history of the project is lengthy and the neighborhood outreach effort has been extensive. The property has been the subject of numerous applications each of which included a number of public participation opportunities.

For this particular rezoning application, numerous neighborhood meetings were held including:

- Three formal neighborhood meetings
  - August 15, 2013 standard format
  - November 19, 2013 open house/workshop
  - June 16, 2014 open house/workshop
- Applicant has met numerous times with neighborhood residents and constituents. The discussions between the applicant and neighbors has led to a number of accommodations including:
  - Equestrian trail alignment
  - Single story homes along Palisades Road
  - No vehicle access onto Palisades Road
  - Reconfiguration of lots along Palisades Road

A neighborhood meeting timeline has been provided as Attachment 8 and the neighborhood meeting summaries are provided as Attachment 9. The formal neighborhood meetings had between seventy-five (75) to one hundred (100) residents in attendance, including Council Members, Planning and Zoning Commissioners and Conceptual Design Review Board members.

Staff has received correspondence from numerous residents which has been included as Attachment 10.

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**RECOMMENDATION:**

Based on the following findings:

- The request is consistent with the Master Planned Community Designation and Neighborhood Commercial/Office on the General Plan Future Land Use Map;
- The request is consistent with the Kai-Capri Special Area Policies;
- The request is consistent with the General Plan Vision, Goals and Policies;
- The proposed Tentative Development Plan proposes a comprehensive layout sensitive to impacts on neighboring properties, taking advantage of the commercial's proximity to the arterial intersection of First Avenue and Tangerine Road.

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- The proposed uses on the Tentative Development Plan will serve as appropriate land use buffers between the more intensive uses (commercial, Tangerine Road) to the north and west, and the less intensive uses to the south and east.

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

**Recommend approval to the Town Council of the requested Rezoning OV914-002 subject to the conditions on Attachment 1**

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**SUGGESTED MOTIONS:**

I move to recommend approval of the Kai (North) Rezoning from R1-144 to R1-7 and C-1 based on the findings in the staff report and subject to the conditions in Attachment 1.

OR

I move to recommend denial of the Kai (North) Rezoning from R1-144 to R1-7 and C-1, based on the findings in the staff report, specifically \_\_\_\_\_.

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**ATTACHMENTS:**

1. Conditions of Approval
2. Site Analysis and Tentative Development Plan
3. Kai-Capri Special Area Policies
4. General Plan Land Use Map
5. Zoning Map
6. Building Height Increase View Shed Analysis
7. Flexible Design Options Descriptions
8. Neighborhood Meeting Timeline
9. Neighborhood Meeting Summaries
10. Resident Communications

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Bayer Vella, Interim Planning Manager

**Attachment 1**  
**Conditions of Approval**  
**Planning and Zoning Commission**  
**December 2, 2014**

*Planning Conditions*

1. All Kai-Capri Special Area Policies to be included as General Notes on Final Plat (Residential) and Final Site Plan (Commercial).
2. Indicate proposed setbacks for both residential and commercial. Commercial setbacks are as follows:
  - a. Front: 20 feet
  - b. Side: 50 feet or 3:1 (setback to building height ratio), whichever is greater
  - c. Rear: 50 feet or 3:1 (setback to building height ratio), whichever is greater
3. A minimum 15' buffer yard Type "B" is required along the eastern edge of the proposed commercial, per Table 27-7.
4. Homes on lots 5 through 12 are limited to one-story.
5. The following Environmentally Sensitive Lands Flexible Design Options are applicable:
  - a. Building Setback: Building setback reduction to no less than a five (5') foot side setback and no less than a ten (10') foot front setback so long as it doesn't result in an on-lot driveway of less than twenty (20') feet.
  - b. Landscape Buffer Yard: a reduction of no less than ten (10') feet. Not allowed along street frontages and adjacent to any existing and proposed residential.
  - c. Minimum lot size: A minimum lot size reduction to 5,500 square feet in accordance with the Conservation Subdivision Design lot reduction incentive.
  - d. Off-street parking modification: A modification for future development in accordance with Section 27.7.C.2 (Alternative Parking Ratio) of the Zoning Code.
  - e. Building Height: A building height increase from eighteen (18') feet to twenty (20') for residential within 200 feet of North First Avenue, or within 150 feet of Palisades Road or existing development.
  - f. Recreation Area Credit: Active and Passive recreation area count towards the overall ESOS requirement.
  - g. Native Plant Preservation: the native plant salvage and mitigation requirements of Section 27.6 are waived for all development within development envelopes.

*Engineering Comments*

1. A multi-use path will be required to be constructed along the project's frontage with

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Palisades Road. The path is to be constructed during construction of the applicant's project to the south of Palisades Road or with this project, whichever is built first. This will fulfill the requirement for a sidewalk or multi-use path for both projects along the Palisades Road frontage.

2. When the commercial area is developed, appropriate traffic mitigation measures shall be implemented so the project drive located at the Oro Valley Retail Center intersection operates at an acceptable level of service with the addition of the commercial traffic.

*Parks and Recreation Conditions*

1. All trails to be dedicated "non-vehicular permanent public recreation easements"

OV914-002

## MERITAGE ON FIRST AVENUE - NORTH

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### REZONING SITE ANALYSIS

2014.11.6

Property Owner

Capri Co. LLC

Contact: James Kai

6088 West Arizona Pavilions Drive Building #2

Marana, Arizona 85743

520.744.1573

Prepared For

Meritage Homes

Contact: Briana Rader

3275 W. Ina Road, Suite 220

Tucson, Arizona 85741

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Prepared By

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WLB No. 182053-J-001





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## PART I – INVENTORY AND ANALYSIS

### INTRODUCTION

This site analysis and Tentative Development Plan have been prepared in support of a proposed rezoning of a 148-acre property located at the southeast corner of First Avenue and Tangerine Road. We propose to rezone the property from R1-144 to C-1 and R1-7. The Town’s General Plan designates this property as a Master Planned Community (MPC) with special area policies describing commercial and clustered residential development, implying appropriateness of this rezoning request.

#### I-A. Existing Land Uses

##### 1. Site Location

The subject property consists of approximately 148-acres located at the southeast corner of First Avenue and Tangerine Road, Township 12 South, Range 14 East, Section 6, Town of Oro Valley, Pima County, Arizona. It is bounded by First Avenue to the west, the Catalina Shadows Estates subdivision to the east, Tangerine Road and vacant land owned by Pima County to the north, and Palisades Road to the south. The Pima County Assessor designates the subject property as tax parcel 220-06-001F.

Refer to *Exhibit A* for a location map of the subject property and to *Exhibit B* for an aerial photograph of the subject property.

##### 2. Existing Land Uses - Onsite

The subject property is currently undeveloped and vacant.

The subject property is currently zoned R1-144 (Single-Family Residential District). Please refer to *Exhibit D: Existing Zoning*. The Town of Oro Valley General Plan designates the subject property as Master Planned Community (MPC).

##### 3. Existing Adjacent Zoning and Land Uses

a/b. Please refer to *Exhibit C: Existing Land Uses* and *Exhibit D: Existing Zoning*. The subject property is surrounded by the following existing zonings and land uses:

N: Existing zoning: R1-144 (Single-Family Residential) and Rancho Vistoso PAD.

Existing land use: Vacant land owned by Pima County, Tangerine Road, and further north the Safeway Vistoso Plaza.

NE: Existing zoning: Catalina Shadows PAD and Rancho Vistoso PAD.  
Existing land use: Vacant land and Big Wash.

|     |  |   |
|-----|--|---|
| E:  | Existing zoning:<br>Existing land use:     | Catalina Shadows PAD.<br>Catalina Shadows Estates residential subdivision.  |
| SE: | Existing zoning:<br>Existing land use:     | R1-36 (Single-Family Residential).<br>Undeveloped City of Tucson Palisades Reservoir site and Palisades South residential subdivision.                                  |
| S:  | Existing zoning:<br>Existing land use:     | R1-144.<br>Palisades Splits residential development and Vacant Land.  |
| SW: | Existing zoning:<br><br>Existing land use: | PSC (Private Schools and Churches) and R1-144 (Single-Family Residential).<br>Resurrection Lutheran Church of Oro Valley and Tangerine Meadows residential subdivision. |
| W:  | Existing zoning:<br>Existing land use:     | Commercial District (C-2) and R1-36.<br>First Avenue, Oro Valley Retail Center, and Tangerine Hills residential subdivision.  |
| NW: | Existing zoning:<br>Existing land use:     | Rancho Vistoso PAD.<br>Vacant land.   |

The Town of Oro Valley General Plan 2020 designates property to the north as Open Space and Neighborhood Commercial (NCO), to the west as Neighborhood Commercial (NCO) and Low Density Residential 1 (LDR 1), to the east as Medium Density Residential (MDR) and to the south as Master Planned Community (MPC).

c. Surrounding Building Heights

There are both one and two-story structures within one-quarter mile of the subject property.

d/e. Surrounding Rezonings

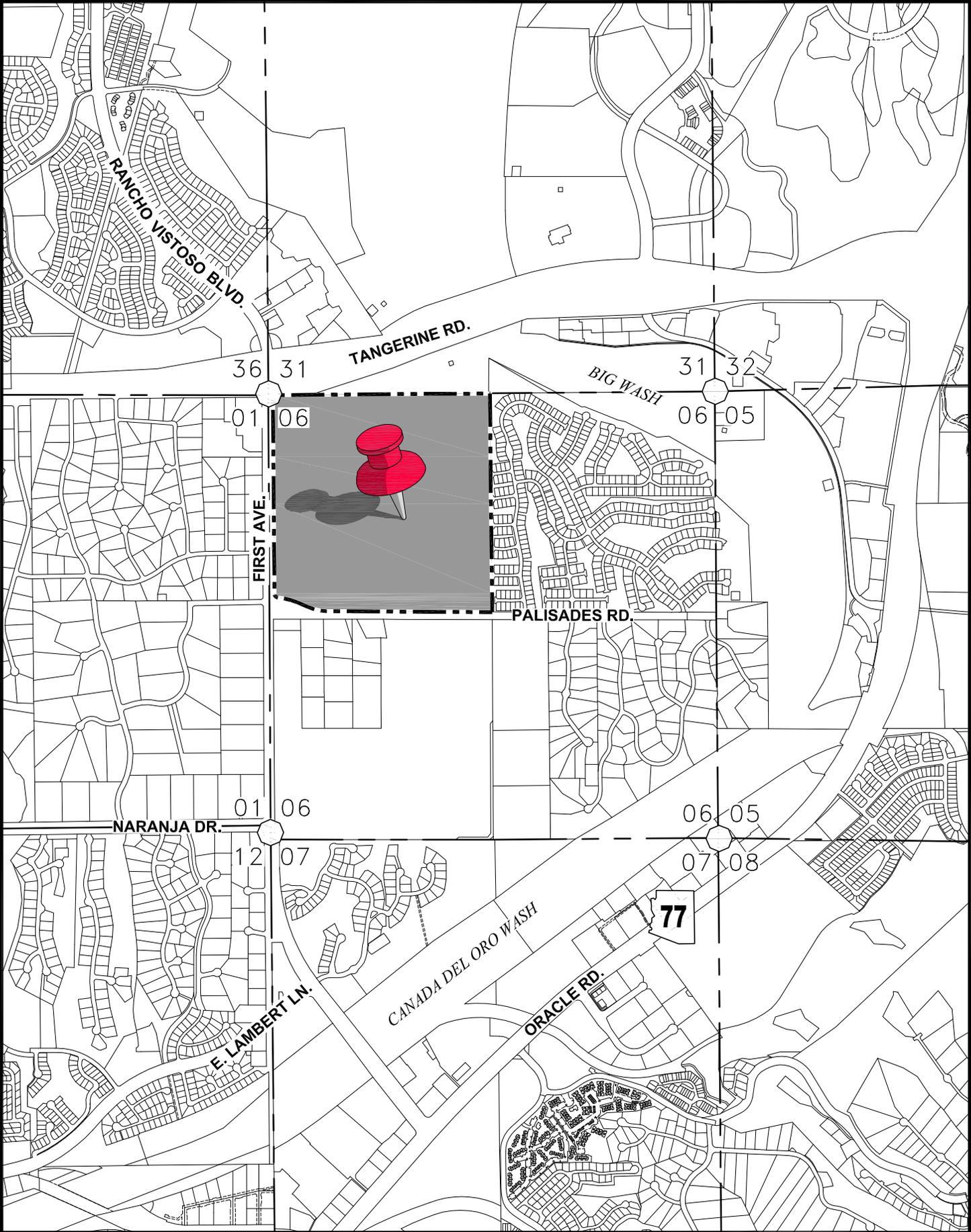
There are no pending or conditionally approved rezonings within one-quarter mile of the subject property.

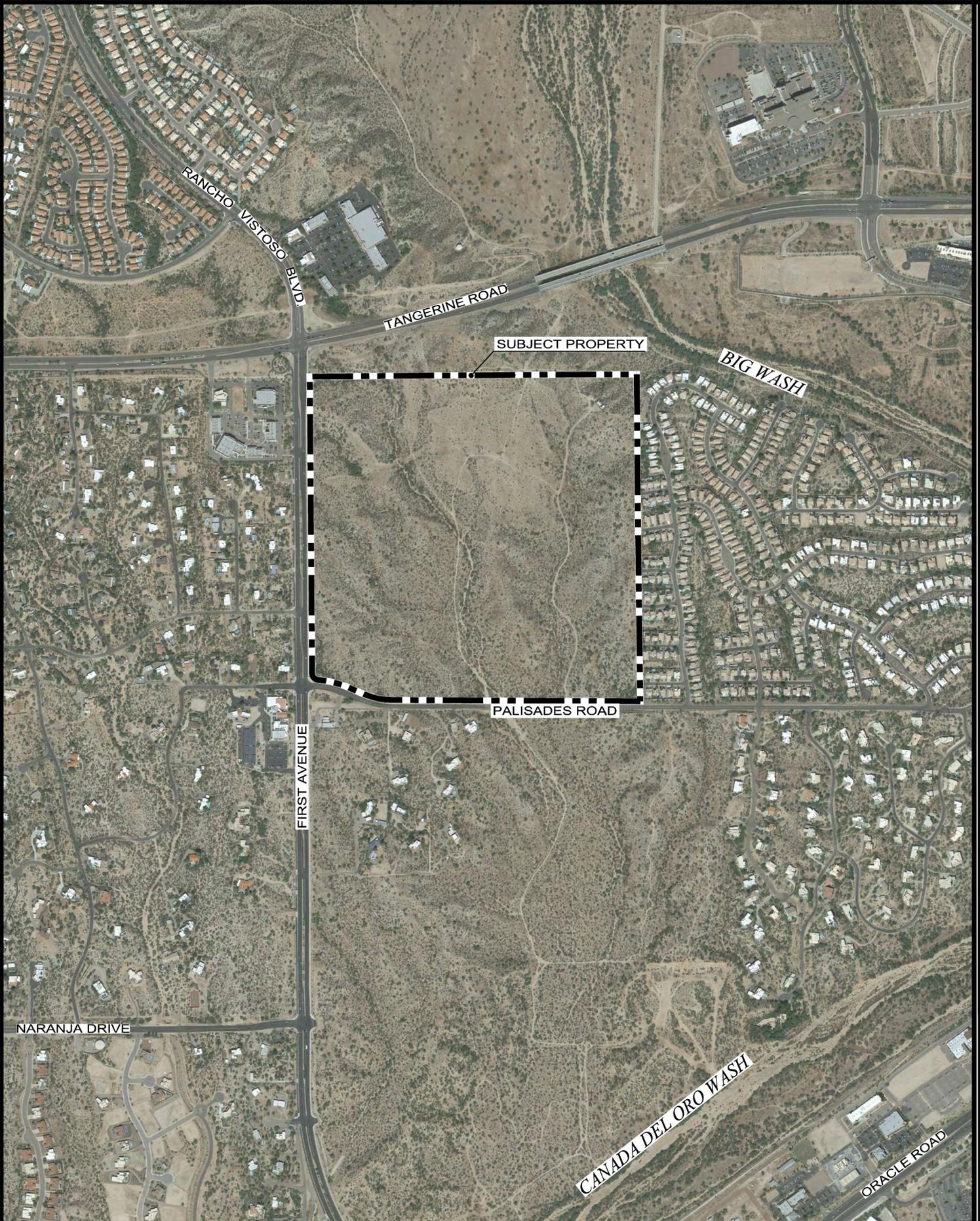
f. The only pending subdivision and/or development plans within one-quarter mile of the subject property is the Conceptual Site Plan for the property immediately to the south.

g. Architectural styles of the homes to the east are contemporary and Mediterranean style. Homes towards the west and south display adobe/block characteristics. A variety of contemporary styles are found in the Safeway Vistoso Plaza, the Resurrection Lutheran Church, and the North Valley Baptist Church.

4. Location and ownership of wells/well sites within 100 feet of site.

According to the Arizona Department of Water Resources, there are no wells located on or within 100 feet of the project site.





SUBJECT PROPERTY

RANCHO VISTOSO BLVD

TANGERINE ROAD

BIG WASH

PALISADES ROAD

FIRST AVENUE

NARANJA DRIVE

CANADA DEL ORO WASH

ORACLE ROAD

The WLB Group

# MERITAGE ON FIRST AVE. - NORTH

## EXHIBIT B: AERIAL PHOTOGRAPH

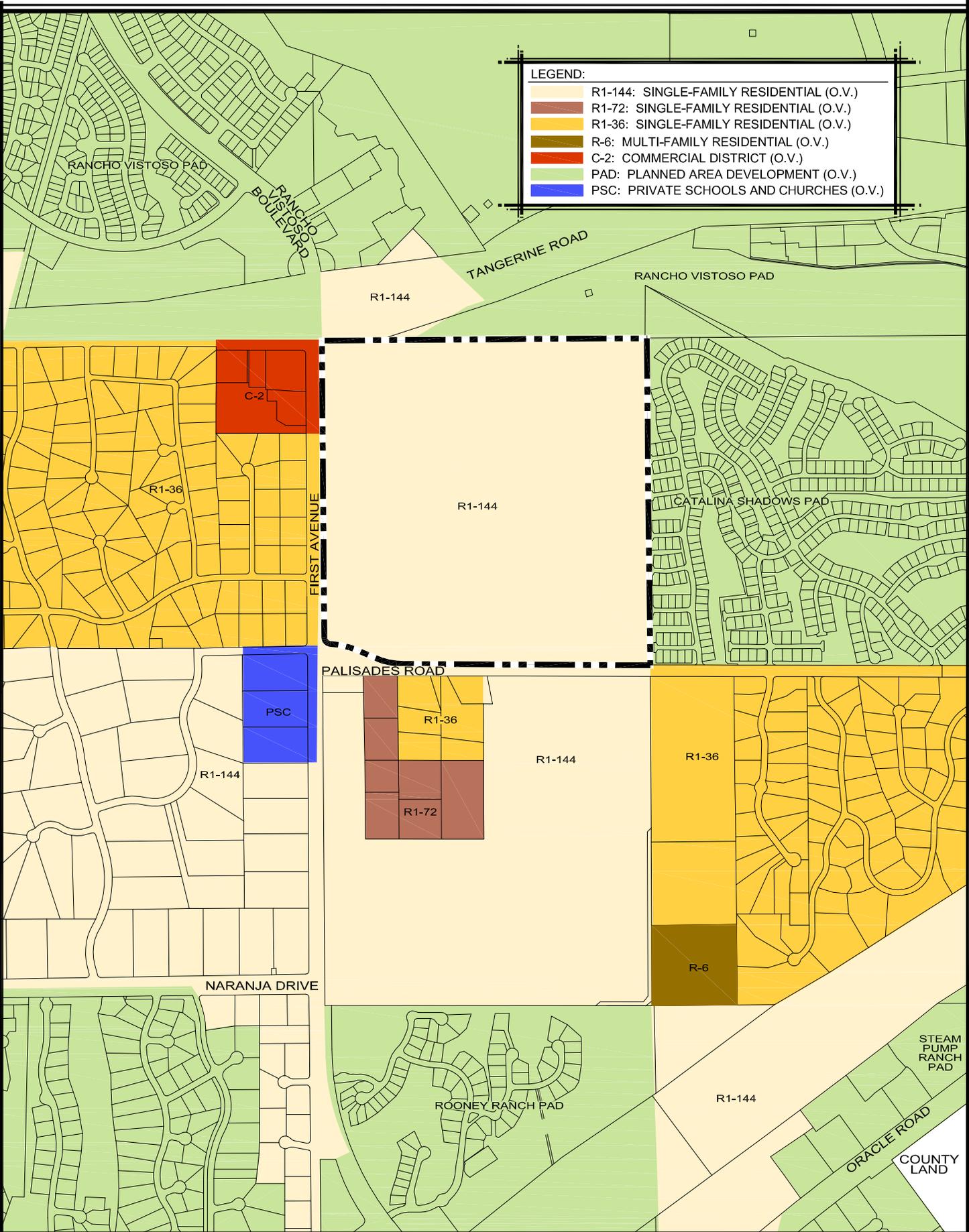
WLB No. 182053-J-001





LEGEND:

- R1-144: SINGLE-FAMILY RESIDENTIAL (O.V.)
- R1-72: SINGLE-FAMILY RESIDENTIAL (O.V.)
- R1-36: SINGLE-FAMILY RESIDENTIAL (O.V.)
- R-6: MULTI-FAMILY RESIDENTIAL (O.V.)
- C-2: COMMERCIAL DISTRICT (O.V.)
- PAD: PLANNED AREA DEVELOPMENT (O.V.)
- PSC: PRIVATE SCHOOLS AND CHURCHES (O.V.)



**I-B. Topography**

1. The topography of the subject property is characterized by rolling hills and braided washes. The subject property generally slopes downward from northwest to southeast towards the Cañada de Oro Wash, located approximately one-mile south of the subject property. Refer to *Exhibit E* for a map of site topography.

Slopes less than 15% characterize the vast majority of the subject property with elevations ranging from approximately 2,770 feet at the highest point on the north side of the subject property to 2,680 feet at the lowest point on the south side of the subject property. An unnamed wash traverses the site, creating low ridgelines. The site contains limited areas of slopes greater than 15%, which primarily exist along the banks of the wash. The site does not contain any restricted peaks/ridges, or rock outcrops.

2. ESLO Slope Analysis Acreage Table.

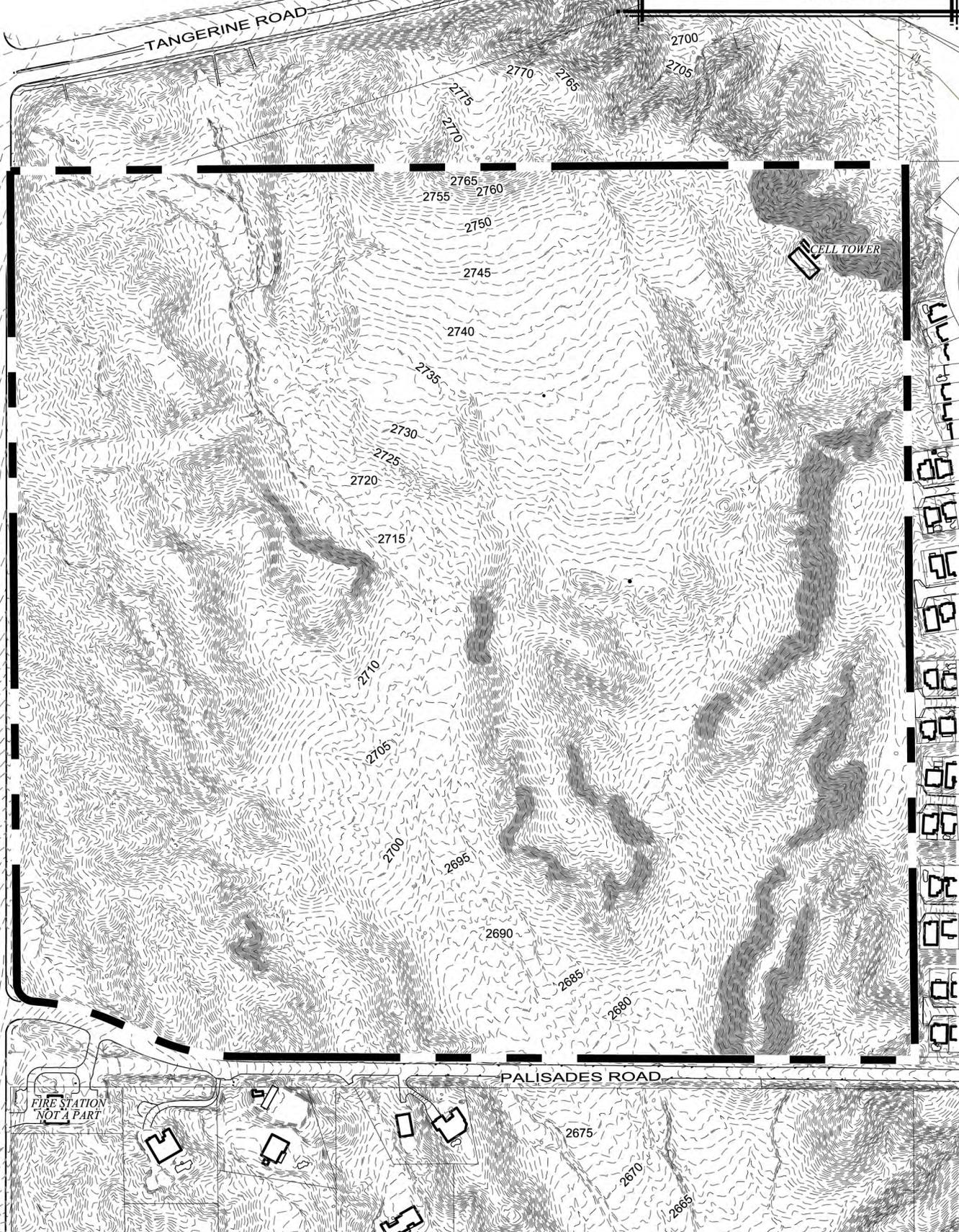
**ESLO Slope Analysis Acreage Table**

| Slope Category          | Percent of Site | Area (Ac.)        | % of Allowed Disturbance | Allowable Disturbance Area |
|-------------------------|-----------------|-------------------|--------------------------|----------------------------|
| 0-15%                   | 82%             | 121.5± Ac.        | 100%                     | 121.5± Ac.                 |
| 15-18%                  | 4%              | 6.1± Ac.          | 40%                      | 2.4± Ac.                   |
| 18-20%                  | 3%              | 4.3± Ac.          | 30%                      | 1.3± Ac.                   |
| 20-25%                  | 4%              | 6.5± Ac.          | 20%                      | 1.3± Ac.                   |
| 25-33%                  | 5%              | 6.7± Ac.          | 5%                       | 0.3± Ac.                   |
| 33+%                    | 2%              | 3.3± Ac.          | 4%                       | 0.1± Ac.                   |
| <b>Total Site Area:</b> | <b>100%</b>     | <b>148.4± Ac.</b> | <b>85.5%</b>             | <b>126.9± Ac.</b>          |

LEGEND:



REGULATED 25%  
SLOPE AREAS



The  
WLB  
Group

# WLB MERITAGE ON FIRST AVE. - NORTH

## EXHIBIT E-1: TOPOGRAPHY & REGULATED 25% SLOPES

CONTOUR INTERVALS: 1 Ft.  
WLB No. 182053-J-001

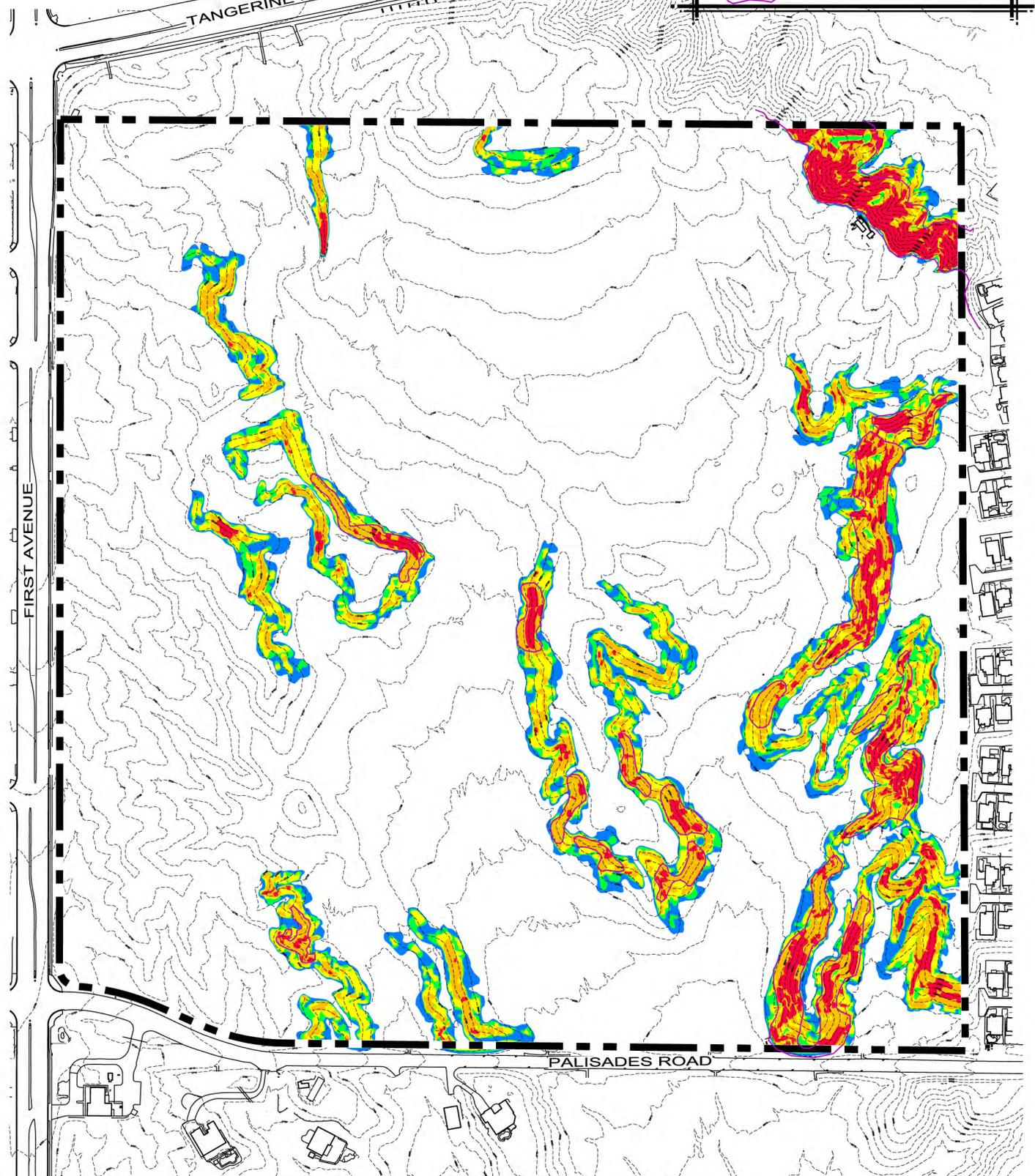


0'

400'

LEGEND:

- 15-18% SLOPE AREAS
- 18-20% SLOPE AREAS
- 20-25% SLOPE AREAS
- 25-33% SLOPE AREAS
- 33%+ SLOPE AREAS
- REGULATED 25% SLOPES



**I-C. Hydrology**

1. Description and map (aerial photograph) of perimeter of all off-site watersheds effecting, or affected by, the site, upstream and downstream. Please refer to *Exhibit F*.

- a. Notation of all balanced and critical basins.

The subject property is located within a critical basin.

2. Description of significant off-site features, natural or man-made, with above watersheds effected by, or affecting, the site.

Culverts entering the northwestern corner of the site and culverts exiting the southern edge of the site are the only immediate man-made drainage features affecting the site.

3. Acreage of upstream off-site watersheds

Preliminary hydrologic analysis suggests that there are three upstream offsite watersheds, which deliver a 100-year discharge to the subject property that is greater than 100 cfs. The concentration points for these watersheds are shown on *Exhibit F* as Concentrations Points #1, #2 and #3.

4. Description of characteristics of onsite hydrology. Please refer to *Exhibit G*.

- a. Approximate 100-year floodplains with discharges greater than, or equal to 50 c.f.s.

Please refer to *Exhibit G: On-Site hydrology* for an illustration of the estimated 100-year floodplain limits with a discharge greater than 50 cfs.

Note: There are no building pads within the 100-year floodplain, but several places where encroachment into the erosion hazard setback is necessary and will require necessary erosion mitigation techniques as needed.

- b. Areas of sheet flooding and average depths.

There is no sheet flooding onsite.

- c. Federally mapped floodways and floodplains.

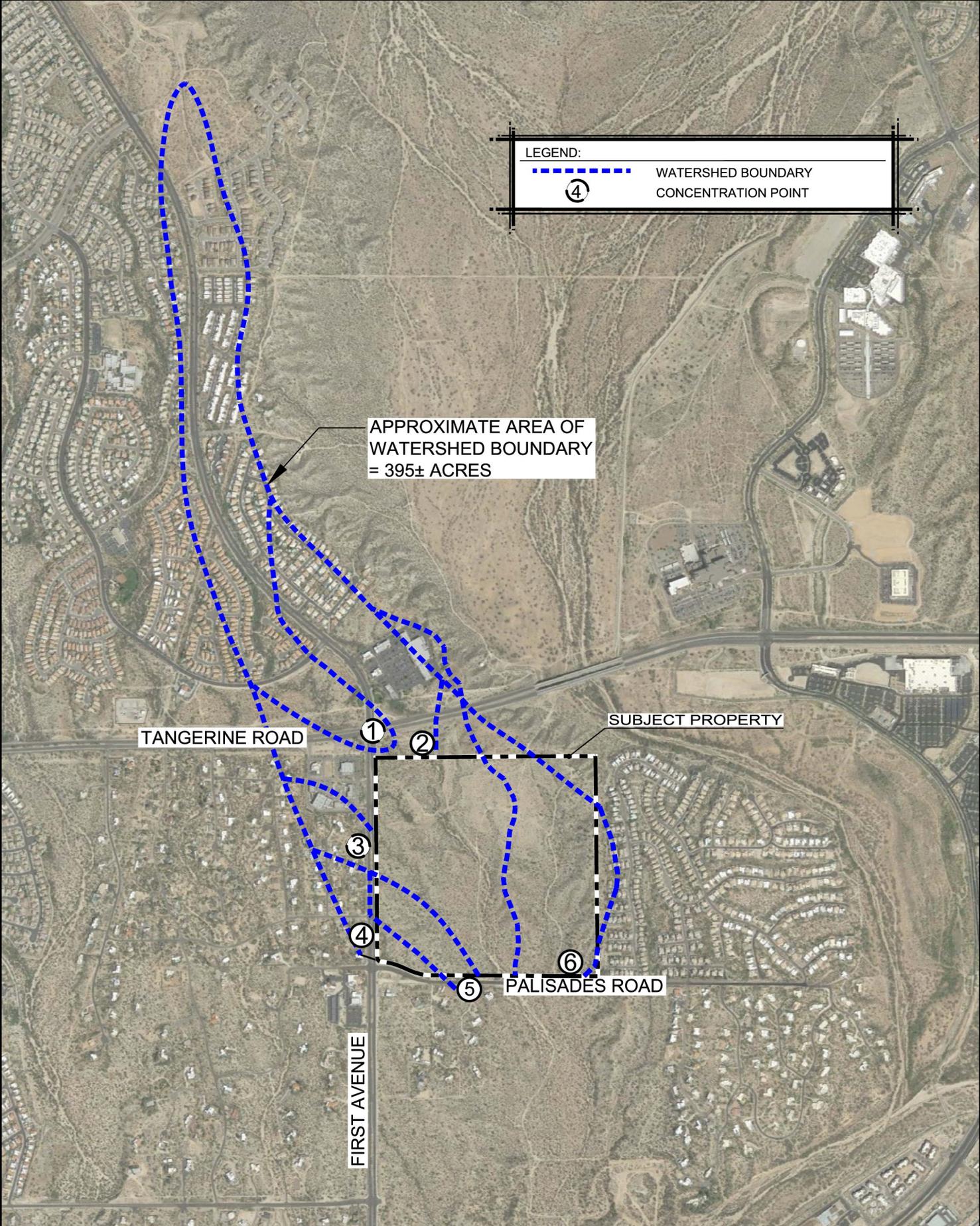
The subject property is not located within a federally mapped floodway or floodplain.

- d. 100-year peak discharges exceeding 50 cfs.

The estimated 100-year peak discharges exceeding 50 cfs. are shown on *Exhibit G*.

5. A qualitative description of existing drainage conditions along the downstream property boundary.

The central wash that courses through the subject property exists in a natural condition along the downstream property boundary as it concentrates into the culverts beneath Palisades Road. The wash then flows through other private properties before draining into to the Cañada del Oro Wash which is located approximately ¼-mile south of the subject property.



LEGEND:

- - - WATERSHED BOUNDARY
- 4 CONCENTRATION POINT

APPROXIMATE AREA OF WATERSHED BOUNDARY = 395± ACRES

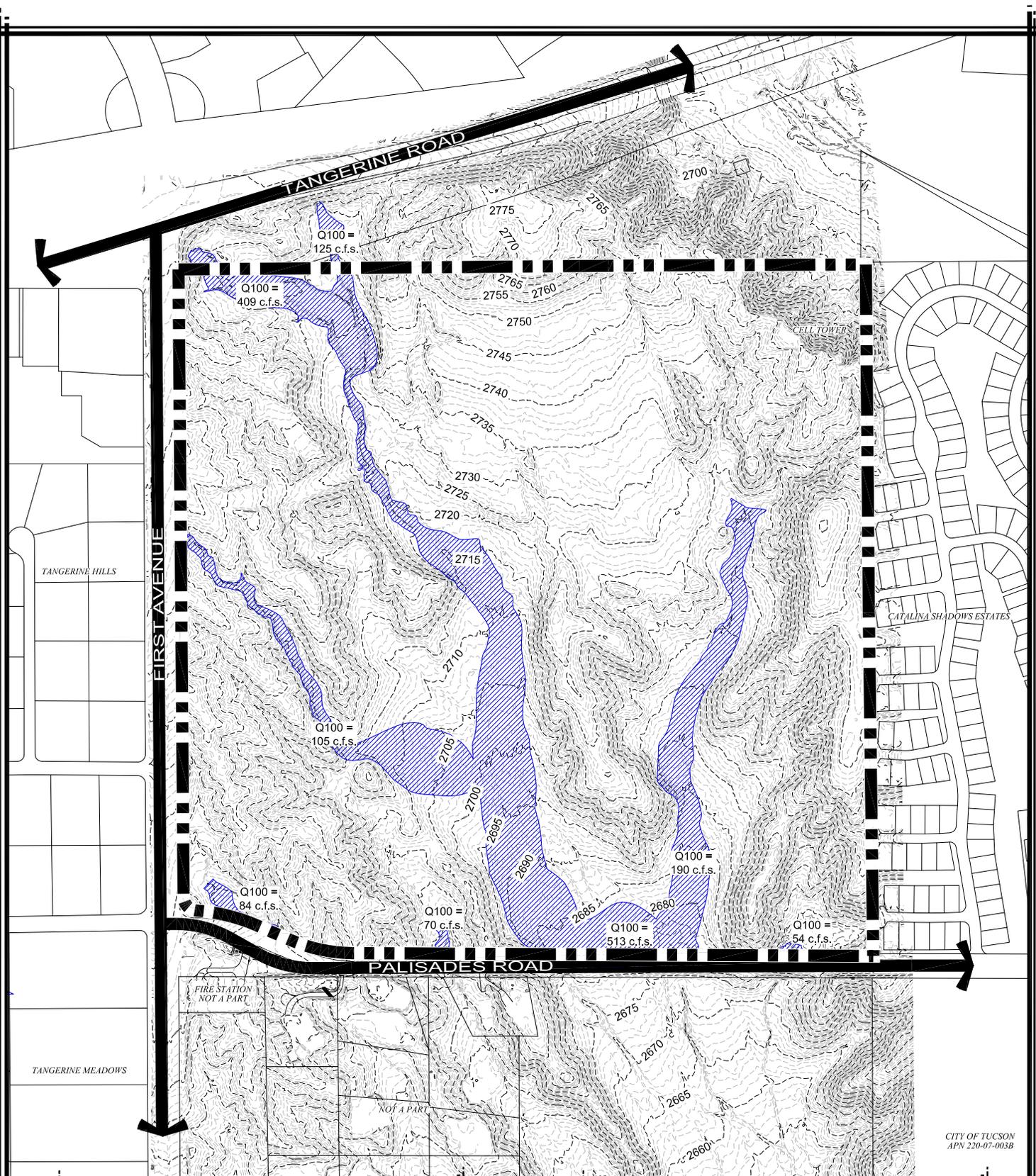
TANGERINE ROAD

SUBJECT PROPERTY

FIRST AVENUE

PALISADES ROAD





**LEGEND:**

 100 YR. FLOODPLAIN LIMITS

**NOTE:**

1. THERE ARE NO FEMA FLOODPLAINS IDENTIFIED ON THE SITE.
2. THE FLOODPLAIN BOUNDARIES SHOWN ON THIS EXHIBIT ARE PRELIMINARY AND ARE SUBJECT TO CHANGE IN THE FUTURE BASED ON MORE DETAILED ANALYSIS



## I-D. Vegetation

1. Vegetative Communities and associations on the site.

The vegetation community on the property is typical of the Sonoran Desert Scrub Region, Arizona Upland Subdivision, Paloverde-Cacti-Mixed Scrub Series (David E. Brown: Biotic Communities). Typical species found in this biome include Bursage (*Ambrosia deltoidea*) and Foothills Palo Verde (*Cercidium microphyllum*). Wash and drainage areas are characterized by Mesquite (*Prosopis velutina*), Desert Hackberry (*Celtis Pallida*), and mixed scrub vegetation association.

2. Significant cacti and groups of trees and Federally-listed threatened or endangered species. Please refer to *Exhibit I: Arizona Game and Fish Department Letter*.

The following significant plant species were found on the project site: Fishhook Barrel Cactus (*Ferocactus wislizenii*), Ocotillo (*Fouquieria splendens*), Engelmann Prickly Pear (*O.p. var. discata*), Foothills Palo Verde (*Cercidium microphyllum*), Velvet Mesquite (*Prosopis velutina*), Creosote Bush (*Larrea tridentata*), Cat-claw Acacia (*Acacia greggii*), Desert Hackberry (*Celtis pallida*), Strawberry Hedgehog (*Echinocereus engelmannii*), Teddy Bear Cholla (*Opuntia bigelovii*), Jumping Cholla (*Opuntia fulgida*), Brittlebush (*Encelia farinose*), Desert Broom (*Baccharis sarathoides*), Fairy Duster (*Calliandra eriophylla*), Triangle Leaf Bursage (*Ambrosia deltoidea*), and Saguaro (*Carnegiea gigantea*). More dense and diverse vegetation occurs along the washes crossing the subject property.

According to the Arizona Game and Fish Department, the following species are known to occur in the vicinity of the project site – Pima Indian Mallow (*Abutilon parishii*), designated as Sensitive and Salvage Restricted and Trelease Agave (*Agave schottii treleasei*), designated as Sensitive and Highly Safeguarded.

3. Vegetative densities by approximate percentage of plant cover.

As determined by field reconnaissance and analysis of aerial photographs, the subject property is characterized by a moderate amount of vegetation. A wash traverses the site from north to south. In some areas, the wash contains dense stands of mature vegetation. The density of the vegetation gradually diminishes with distance from the washes. Please refer to *Exhibit H: Vegetation Densities*.

RANCHO VISTOSO BLVD.

TANGERINE ROAD

SUBJECT PROPERTY

FIRST AVENUE

PALISADES ROAD



LEGEND:



MEDIUM DENSITY VEGETATION



LOW DENSITY VEGETATION



VERY LOW DENSITY VEGETATION



SIGNIFICANT VEGETATION



**Exhibit I: Arizona Game and Fish Department Letter:**

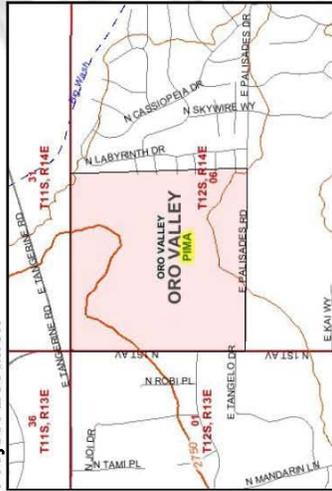
Arizona's On-line Environmental Review Tool

Search ID: 20140311022730

Project Name: Tangerine & First

Date: 3/11/2014 10:42:35 AM

**Project Location**



**Project Name:** Tangerine & First

**Submitted By:** Robert Kirschmann

**On behalf of:** CONSUL TING

**Project Search ID:** 20140311022730

**Date:** 3/11/2014 10:42:30 AM

**Project Category:** Development Within Municipalities (Urban Growth)

**Project Description:** Residential subdivision and associated infrastructure, New construction

**Project Coordinates (UTM Zone 12-NAD 83):** 504055.378, 3587021.680

**Project Area:** 162.124 acres

**Project Perimeter:** 3241.375 meter

**County:** PIMA

**USGS 7.5 Minute Quadrangle ID:** 1684

**Quadrangle Name:** ORO VALLEY

**Project locality is currently being scoped**

**Location Accuracy Disclaimer**

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.

The Department appreciates the opportunity to provide in-depth comments and project review when additional information or environmental documentation becomes available.

**Special Status Species Occurrences/Critical Habitat/Tribal Lands within 3 miles of Project Vicinity:**

| Name  | Common Name             | FWS | USFS | BLM | State |
|---|-------------------------|-----|------|-----|-------|
| Audubon parus   | Pima Indian Mallow      | SC  | S    | S   | SR    |
| Anolis carolinensis   | Buff-collared Nighthawk |     | S    |     |       |
| Bat Colony  |                         |     |      |     |       |
| Crotalus molokai  | Sonoran Desert Tortoise | C*  | S    |     | WSC   |
| Lithobates yavapaiensis                                     | Lowland Leopard Frog    | SC  | S    | S   | WSC   |
| Nolina pauciflora   | Lemmon Clock Fern       | SC  |      |     |       |
| Thryothorus ludovicianus                                    | Aravaipa Woodlark       |     | S    | S   |       |
| Tucson - Tontoita - Santa Catalina Mountains Linkage Design | Wildlife Corridor       |     |      |     |       |

Page 1 of 7 APPLICATION INITIALS: \_\_\_\_\_

**Exhibit I: Arizona Game and Fish Department Letter (Continued):**

Arizona's On-line Environmental Review Tool  
Search ID: 20140311022730  
Project Name: Tangerine & First  
Date: 3/11/2014 10:42:35 AM

**Please review the entire receipt for project type recommendations and/or species or location information and retain a copy for future reference.** If any of the information you provided did not accurately reflect this project, or if project plans change, another review should be conducted, as this determination may not be valid.

**Arizona's On-line Environmental Review Tool:**

1. This On-line Environmental Review Tool inquiry has generated recommendations regarding the potential impacts of your project on Special Status Species (SSS) and other wildlife of Arizona. SSS include all U.S. Fish and Wildlife Service federally listed, U.S. Bureau of Land Management sensitive, U.S. Forest Service sensitive, and Arizona Game and Fish Department (Department) recognized species of concern.
2. These recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation). These recommendations are preliminary in scope, designed to provide early considerations for all species of wildlife, pertinent to the project type you entered.
3. This receipt, generated by the automated On-line Environmental Review Tool does not constitute an official project review by Department biologists and planners. Further coordination may be necessary as appropriate under the National Environmental Policy Act (NEPA) and/or the Endangered Species Act (ESA).

The U.S. Fish and Wildlife Service (USFWS) has regulatory authority over all federally listed species under the ESA. Contact USFWS Ecological Services Offices: <http://arizonaes.fws.gov/>.

Phoenix Main Office  
2321 W. Royal Palm Road, Suite 103  
Phoenix, AZ 85021  
Phone 602-242-0210  
Fax 602-242-2513

Tucson Sub-Office  
201 North Bonita, Suite 141  
Tucson, AZ 85745  
Phone 520-670-6144  
Fax 520-670-6154

Flagstaff Sub-Office  
323 N. Leroux Street, Suite 101  
Flagstaff, AZ 86001  
Phone 928-226-0614  
Fax 928-226-1099

**Disclaimer:**

1. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area.
2. The Department's Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there.
3. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HDMS data contains information about species occurrences that have actually been reported to the Department.

**Arizona Game and Fish Department Mission**  
**To conserve, enhance, and restore Arizona's diverse wildlife resources and habitats through aggressive protection and**

Page 2 of 7 APPLICATION INITIALS: \_\_\_\_\_

I-E. Wildlife (Continued)

Exhibit I: Arizona Game and Fish Department Letter (Continued):

Arizona's On-line Environmental Review Tool  
Search ID: 20140311022730  
Project Name: Tangerine & First  
Date: 3/11/2014 10:42:35 AM

*management programs, and to provide wildlife resources and safe watercraft and off-highway vehicle recreation for the enjoyment, appreciation, and use by present and future generations.*

**Project Category: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction**

**Project Type Recommendations:**

All degraded and disturbed lands should be restored to their natural state. Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

Based on the project type entered; coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered; coordination with Arizona Department of Water Resources may be required (<http://www.water.az.gov/adwri/>)

Based on the project type entered; coordination with County Flood

Control districts may be required.

Based on the project type entered; coordination with State Historic Preservation Office may be required (<http://azstateparks.com/SHPO/index.html>)

Based on the project type entered; coordination with U. S. Army Corps of Engineers may be required (<http://www.spl.usace.army.mil/regulatory/phonedir.html>)

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs.

Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found at <http://www.azgfd.gov/hgis/guidelines.aspx>.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife.

During planning and construction, minimize potential introduction or spread of exotic invasive species. Invasive species can be plants,

I-E. Wildlife (Continued)

**Exhibit I: Arizona Game and Fish Department Letter (Continued):**

Arizona's On-line Environmental Review Tool

Search ID: 20140311022730  
Project Name: Tangerine & First  
Date: 3/11/2014 10:42:35 AM

animals (exotic snails), and other organisms (e.g. microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g. livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before and after project activities to reduce the spread of invasive species. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants <http://www.azda.gov/PSD/quarantine5.htm>. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control: <http://www.usda.gov/wps/portal/usdahome>. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information [http://www.azgfd.gov/h\\_fhunting\\_rules.shtml](http://www.azgfd.gov/h_fhunting_rules.shtml).

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife.

Hydrological considerations: design culverts to minimize impacts to

channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Aquatic wildlife considerations: reduce/minimize barriers to migration of amphibians or fish (e.g. eliminate falls). Terrestrial wildlife: washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found at <http://www.azgfd.gov/ngis/guidelines.aspx>.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (including spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

Planning: consider impacts of lighting intensity on mammals and birds and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use.

Page 4 of 7 APPLICATION INITIALS: \_\_\_\_\_

I-E. Wildlife (Continued)

Exhibit I: Arizona Game and Fish Department Letter (Continued):

Arizona's On-line Environmental Review Tool  
Search ID: 20140311022730  
Project Name: Tangerine & First  
Date: 3/11/2014 10:42:35 AM

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly.

The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g. bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches.

**Project Location and/or Species recommendations:**

Heritage Data Management System records indicate that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of your project (refer to page 1 of the receipt). Please contact:  
Ecological Services Office  
US Fish and Wildlife Service  
2321 W. Royal Palm Rd.  
Phoenix, AZ 85021-4951  
Phone: 602-242-0210  
Fax: 602-242-2513

Heritage Data Management System records indicate that one or more native plants listed on the Arizona Native Plant Law and Antiquities Act have been documented within the vicinity of your project area (refer to page 1 of the receipt). Please contact:  
Arizona Department of Agriculture  
1688 W Adams  
Phoenix, AZ 85007  
Phone: 602-542-4373

HDMS records indicate your project is in or near an identified wildlife habitat linkage corridor. Project planning and implementation efforts should focus on maintaining adequate opportunities for wildlife permeability. For information on the linkage assessment and wildlife species that may be affected refer to:  
<http://www.corridoresign.org/arizona>. Contact your Arizona Game and Fish Department Regional Office for specific project recommendations:  
[http://www.azgfd.gov/inside\\_azgfd/agency\\_directory.shtml](http://www.azgfd.gov/inside_azgfd/agency_directory.shtml)

**Recommendations Disclaimer:**

1. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project.
2. These recommendations are proposed actions or guidelines to be considered during **preliminary project development**.
3. Additional site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. The Department is interested in the conservation of all fish and

Page 5 of 7 APPLICATION INITIALS: \_\_\_\_\_

**Exhibit I: Arizona Game and Fish Department Letter (Continued):**

Arizona's On-line Environmental Review Tool  
Search ID: 20140311022730  
Project Name: Tangerine & First  
Date: 3/11/2014 10:42:35 AM

wildlife resources, including those Special Status Species listed on this receipt, and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.

6. **Further coordination requires the submittal of this initialed and signed Environmental Review Receipt with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map).**

7. Upon receiving information by AZGFD, please allow 30 days for completion of project reviews. Mail requests to:

**Project Evaluation Program, Habitat Branch  
Arizona Game and Fish Department  
5000 West Carefree Highway  
Phoenix, Arizona 85086-5000  
Phone Number: (623) 236-7600  
Fax Number: (623) 236-7366**

**Terms of Use**

By using this site, you acknowledge that you have read and understand the terms of use. Department staff may revise these terms periodically. If you continue to use our website after we post changes to these terms, it will mean that you accept such changes. If at any time you do not wish to accept the Terms, you may choose not to use the website.

1. This Environmental Review and project planning website was developed and intended for the purpose of screening projects for potential impacts on resources of special concern. By indicating your agreement to the terms of use for this website, you warrant that you will not use this website for any other purpose.

2. Unauthorized attempts to upload information or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National

Information Infrastructure Protection Act.

3. The Department reserves the right at any time, without notice, to enhance, modify, alter, or suspend the website and to terminate or restrict your access to the website.

4. This Environmental Review is based on the project study area that was entered. The review must be redone if the project study area, location, or the type of project changes. If additional information becomes available, this review may need to be reconsidered.

5. A signed and initialed copy of the Environmental Review Receipt indicates that the entire receipt has been read by the signer of the Environmental Review Receipt.

**Security:**

The Environmental Review and project planning web application operates on a complex State computer system. This system is monitored to ensure proper operation, to verify the functioning of applicable security features, and for other like purposes. Anyone using this system expressly consents to such monitoring and is advised that if such monitoring reveals possible evidence of criminal activity, system personnel may provide the evidence of such monitoring to law enforcement officials. Unauthorized attempts to upload or change information; to defeat or circumvent security measures; or to utilize this system for other than its intended purposes are prohibited.

This website maintains a record of each environmental review search result as well as all contact information. This information is maintained for internal tracking purposes. Information collected in this application will not be shared outside of the purposes of the Department.

If the Environmental Review Receipt and supporting material are not mailed to the Department or other appropriate agencies within six (6) months of the Project Review Receipt date, the receipt is considered to be null and void, and a new review must be initiated.

Page 6 of 7      APPLICATION INITIALS: \_\_\_\_\_

I-E. Wildlife (Continued)

**Exhibit I: Arizona Game and Fish Department Letter (Continued):**

Arizona's On-line Environmental Review Tool  
Search ID: 20140311022730  
Project Name: Tangerine & First  
Date: 3/11/2014 10:42:35 AM

Print this Environmental Review Receipt using your internet browser's print function and keep it for your records. Signature of this receipt indicates the signer has read and understands the information provided.

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Proposed Date of Implementation: \_\_\_\_\_

Please provide point of contact information regarding this Environmental Review.  
*Application or organization responsible for project implementation*

Agency/organization: \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_  
*Person Conducting Search (if not applicant)*  
Agency/organization: \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Page 7 of 7 APPLICATION INITIALS: \_\_\_\_\_

**I-F. Viewsheds**

1. Views onto and across the site from adjacent properties that may be blocked by development of the site. Please refer to *Exhibit J: Viewsheds & Site Visibility*.

The Tortolita Mountains to the northwest are slightly visible from the subject property. The Santa Catalina Mountains, including Pusch Ridge, to the east and southeast are highly visible from the subject property. Due to the undulating terrain and rolling hills of the site, views of the mountains will be minimally impacted by the proposed development. There are no views or vistas from areas beyond adjacent properties that may be noticeably affected by the development of the site. The views from existing residential subdivisions surrounding the subject property will not be adversely affected by the proposed development.

2. Areas of high visibility from adjacent off-site locations.

Due to the undulating character of the site, portions of the property are visible from adjacent roadways and properties. On-site areas of high visibility include portions of the subject property immediately adjacent to First Avenue, Palisades Road, Tangerine Road, and the Catalina Shadows Estates residential subdivision. The proposed development on the northern portion and eastern portion of the project site will be visible from Tangerine Road (to the north) and First Avenue (to the west). The southern portion and the eastern portion of the property will be visible from Palisades Road and Catalina Shadows States residential subdivision. The areas of high, medium, and low visibility were determined by field observation, topography, and aerial photograph reconnaissance. Please refer to *Exhibit J*.

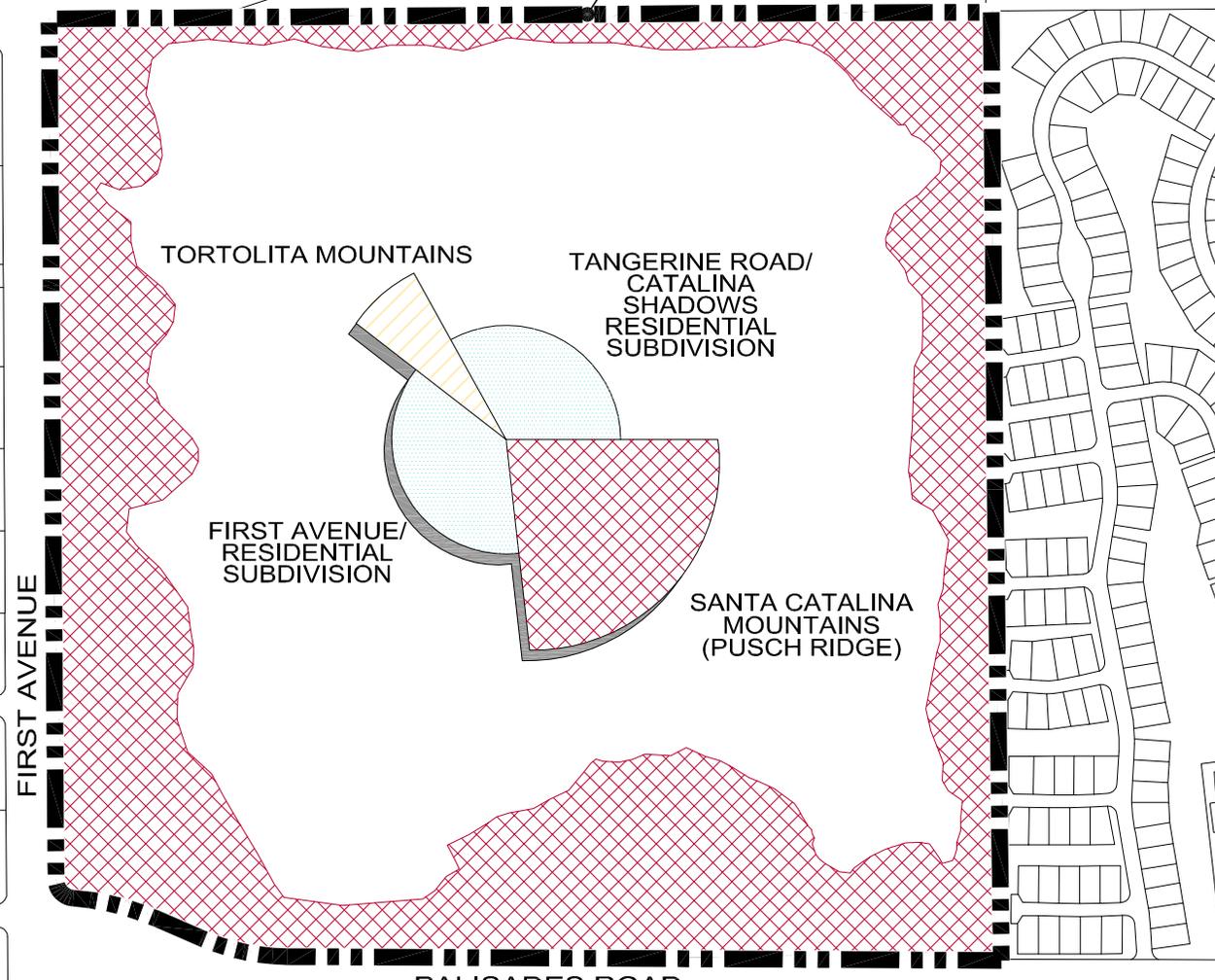
3. Provide photographs that depict proposed structures superimposed on existing landscape.

The proposed development will consist of residential and non-residential components integrated in a well-designed manner to fit with the existing nature of the site. However, at this time, a developer for this property has not been selected and the specific nature of structures has not yet been determined.

RANCHO VISTOSO BOULEVARD

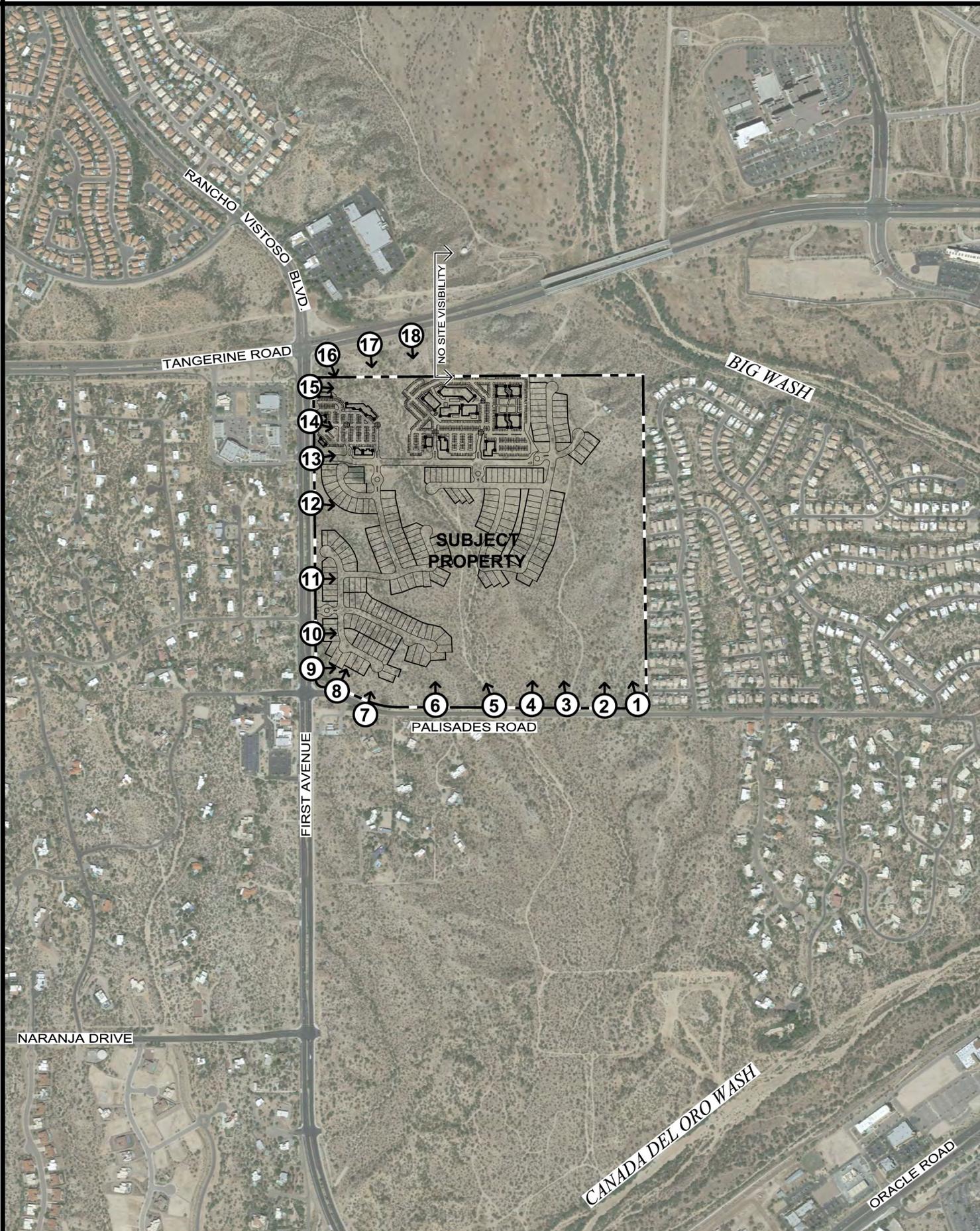
TANGERINE ROAD

SUBJECT PROPERTY



LEGEND:

-  HIGH VISIBILITY
-  LOW VISIBILITY
-  IMMEDIATE FOREGROUND



①



②



③



④



⑤



⑥



7



8



9



10



11



12



13



14



15



16

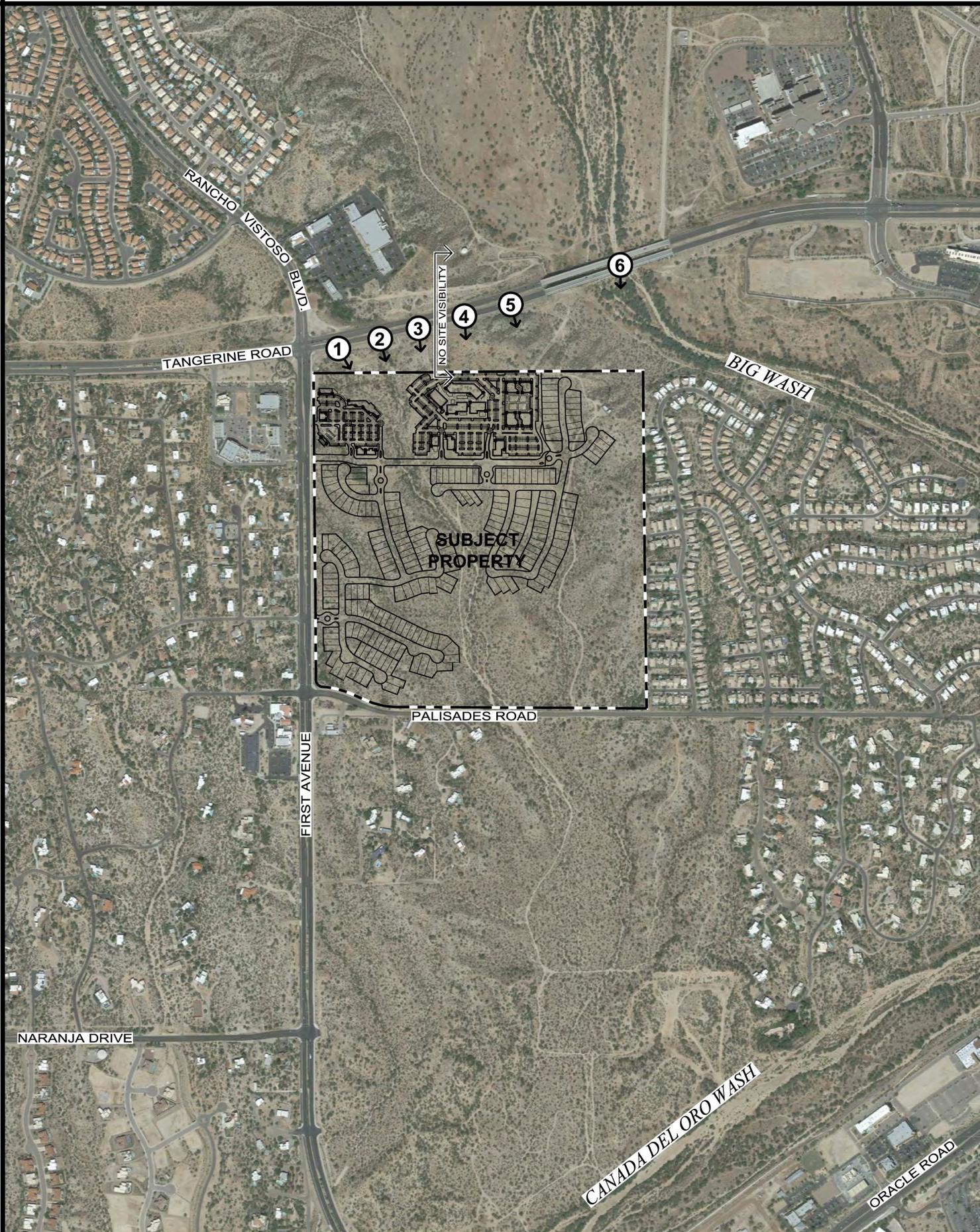


17



18





①



②



③



4



5



6



**I-G. Traffic**

1. All existing and proposed off-site streets between the development and the nearest arterial streets. Please refer to *Exhibit K: Major Roads*.

Primary access to the subject property will be from First Avenue. Other major streets within one-mile of the subject property are Rancho Vistoso Boulevard, Tangerine Road, Naranja Drive, Lambert Lane, and Oracle Road. Roads adjacent to and within one mile distance from the subject property are generally in excellent condition.

2. All arterial streets within one mile of the project site:

| Road           | Section                 | Existing ROW | Ultimate ROW | Travel Lanes | Capacity | Speed Limit | ADT (PAG) | Surface Conditions            | Scheduled Improvements |
|----------------|-------------------------|--------------|--------------|--------------|----------|-------------|-----------|-------------------------------|------------------------|
| First Ave.     | Tangerine to Lambert    | 125'         | 150'         | 4            | 35,000   | 45          | 16,000    | Paved w/ multi-use path       | None                   |
|                | Lambert to Oracle       | 125'         | 150'         | 4            | 35,000   | 45          | 24,500    | Paved w/ bike lane            | None                   |
| Tangerine Rd.  | La Canada to First      | 300'         | 300'         | 4            | 35,000   | 45          | 17,600    | Paved w/ multi-use path       | None                   |
|                | First to Oracle         | 300'         | 300'         | 4            | 35,000   | 45          | 10,500    | Paved w/ multi-use path       | None                   |
| Palisades Rd.  | First to Terminus       | 90'          | 90'          | 2            | 8,500    | 35-45       | Unknown   | Paved                         | None                   |
| Naranja Dr.    | La Canada to First      | 150'         | 150'         | 2            | 8,500    | 45          | 4,000     | Paved w/ bike lanes           | None                   |
| Rancho Vistoso | Tangerine to Moore      | 150'         | 150'         | 4            | 35,000   | 35          | 17,000    | Paved w/ sidewalk & bike lane | None                   |
| Lambert Ln.    | First to Pusch View     | 90'          | 90'          | 2            | 8,500    | 40          | 12,000    | Paved w/ multi-use path       | Completed 2013         |
|                | Pusch View to La Canada | 150'         | 150'         | 4            |          |             |           |                               |                        |
| Oracle Rd.     | First to Tangerine      | 200'         | 200'         | 6            | 60,000   | 50          | 25,000    | Paved w/ bike lanes           | None                   |

3. Existing and proposed intersections on arterials within one mile of the site, most likely to be used by traffic from this site

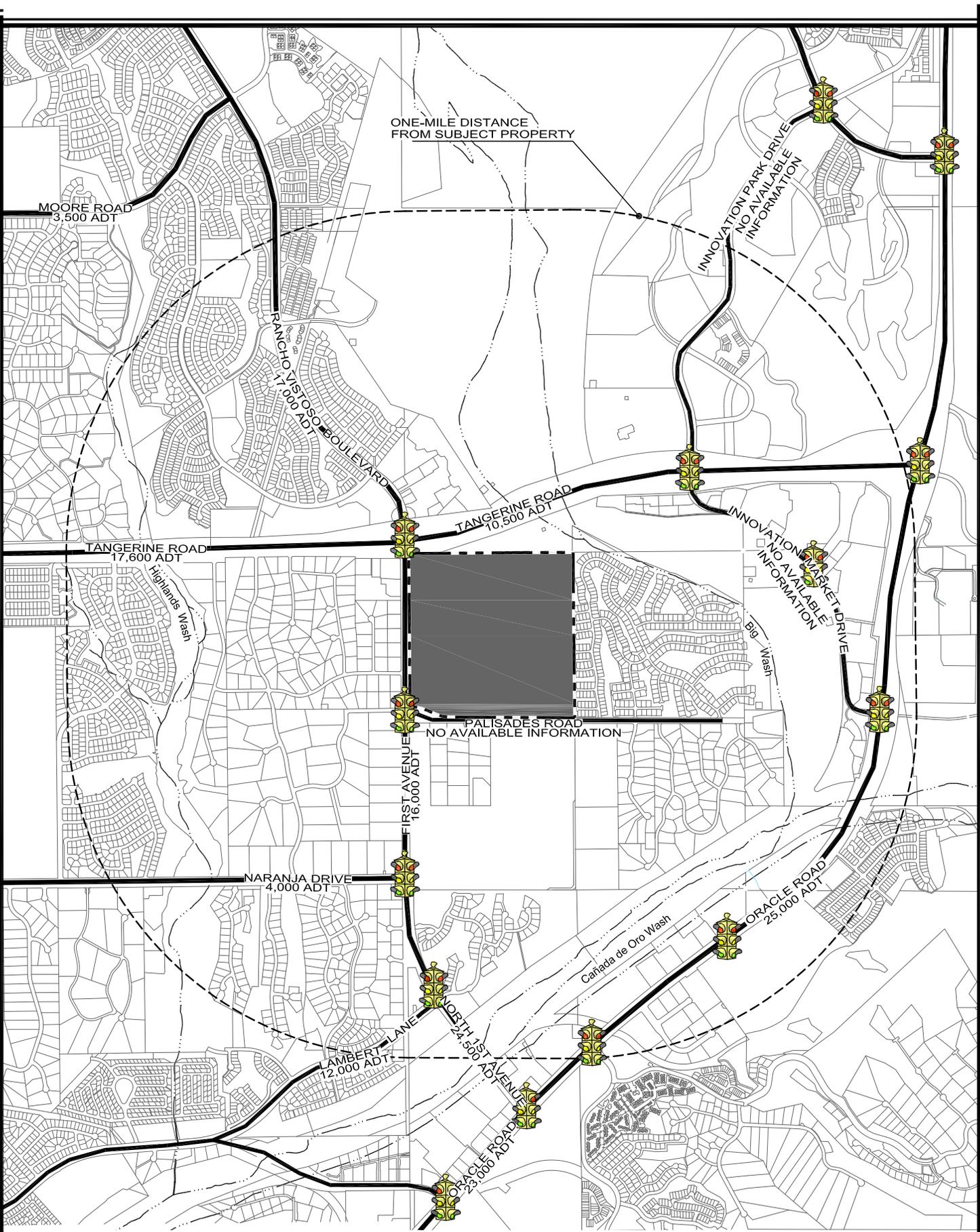
Arterial intersections within one mile of the site that will likely carry traffic generated by this development include Tangerine Road and First Avenue, Tangerine Road and Oracle Road, and First Avenue and Naranja Drive. Please refer to *Exhibit K: Major Roads*.

4. Existing bicycle and pedestrian ways adjacent to the site and their connections with streets, parks, and schools. Please refer to *Exhibit L: Bike Routes*.

According to the Oro Valley Bikeways Map Existing Routes and Surfaces 2006, there are paved shoulders along Tangerine Road and First Avenue, which are classified as follows:

- East of First Avenue, along Tangerine Road (paved shoulder and shared use path).
- West of First Avenue, along Tangerine Road (shared use path and signed bike route w/ on-street bike lane).
- First Avenue (shared use path and signed bike route with on-street bike lane).
- Naranja Drive (paved shoulder).
- Lambert Lane (shared use path and signed bike route with on-street bike lane).
- Oracle Road (paved shoulder).

There is a shared use path and signed bike route with on-street bike lane along the south side of Tangerine Road, which provides connection to a shared use path and a paved shoulder bike route along First Avenue. According to the Oro Valley Bikeways Map Existing Routes and Surfaces, the First Avenue paved shoulder also provides connectivity to the Naranja Drive paved shoulder bike route and the Lambert Lane shared used path. Ultimately, the First Avenue paved shoulder connects to the paved shoulder bike route along Oracle Road.



ONE-MILE DISTANCE FROM SUBJECT PROPERTY

MOORE ROAD  
3,500 ADT

RANCHO VISTA BOULEVARD  
17,000 ADT

TANGERINE ROAD  
17,600 ADT

TANGERINE ROAD  
10,500 ADT

PALISADES ROAD  
NO AVAILABLE INFORMATION

NARANJA DRIVE  
4,000 ADT

FIRST AVENUE  
16,000 ADT

LAMBERT LANE  
12,000 ADT

NORTH 1ST AVENUE  
24,500 ADT

ORACLE ROAD  
23,000 ADT

ORACLE ROAD  
25,000 ADT

INNOVATION PARK DRIVE  
NO AVAILABLE INFORMATION

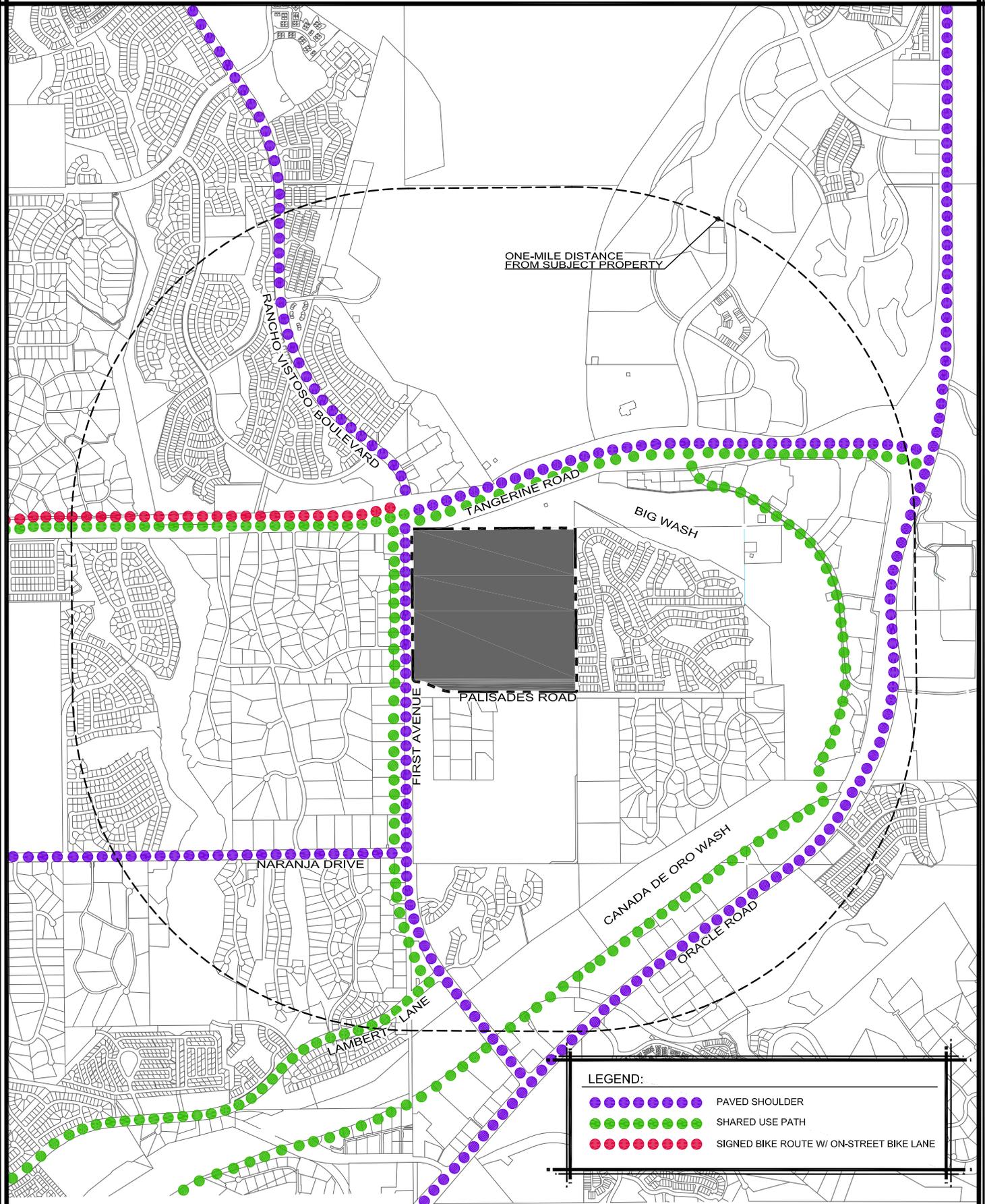
INNOVATION MARKET DRIVE  
NO AVAILABLE INFORMATION

Canada de Oro Wash

Highlands Wash

Big Wash

NOTE: 2008, 2010, 2012 & 2013 TRAFFIC COUNTS SHOWN, PER P.A.G.



ONE-MILE DISTANCE FROM SUBJECT PROPERTY

LEGEND:

- PAVED SHOULDER
- SHARED USE PATH
- SIGNED BIKE ROUTE W/ ON-STREET BIKE LANE

**I-H. Recreation and Trails**

1. Trails, parks and recreation areas within one mile of site

Trail #328 traverses the subject property from north to south, ultimately connecting to Trail #33 located approximately within one-half mile east of the subject property along the eastern side of Big Wash. Trail #328 also connects with Trail #2 located approximately three-quarters of a mile south of the subject property along the Cañada de Oro Wash.

The Naranja Townsite Park is located approximately one-mile west of the subject property, located north of Naranja Drive and approximately one mile west of First Avenue. The Catalina State Park is located approximately one mile east of the subject property, just east of Oracle Road. The Canada Del Oro Riverfront Park is located just over one mile south of the subject property, south of Lambert Lane. Please refer to *Exhibit L: Bike Routes* and *Exhibit M: Schools, Recreation & Trails*.

2. Size and type of the parks and recreation areas identified

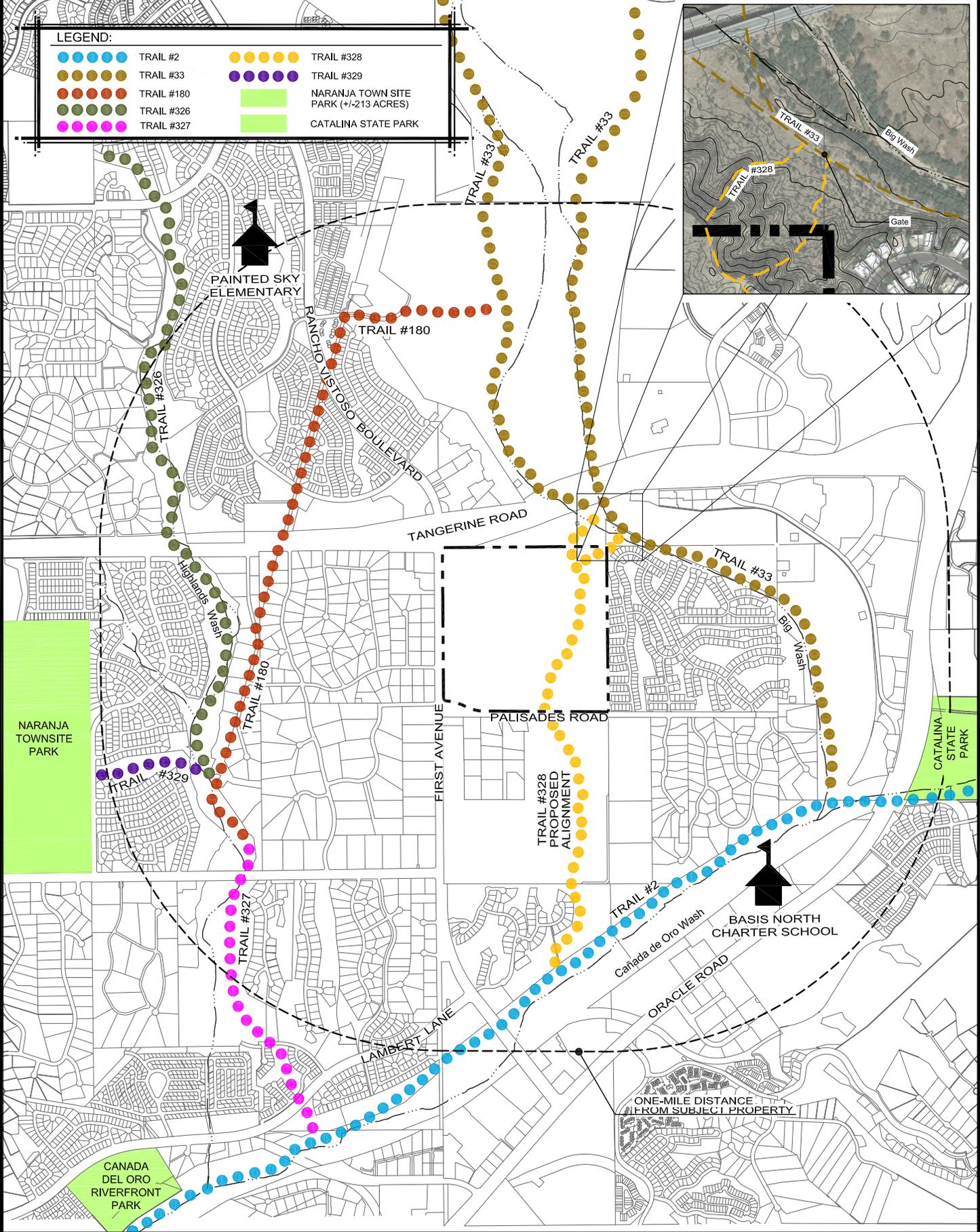
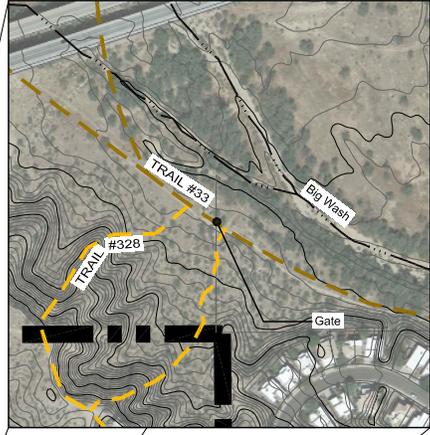
The Naranja Townsite Park consists of approximately 213 acres. This park features active and passive recreational areas, walking trails, and an archery range.

The Catalina State Park consists of approximately 5,500 acres. This park features active and passive recreational areas, a visitor center, an equestrian area, and several hiking trails.

The Canada Del Oro Riverfront Park consists of approximately 30 acres. This park features active and passive recreational areas, ball fields, walking paths and restrooms.

**LEGEND:**

- |  |            |  |                                       |
|--|------------|--|---------------------------------------|
|  | TRAIL #2   |  | TRAIL #328                            |
|  | TRAIL #33  |  | TRAIL #329                            |
|  | TRAIL #180 |  | NARANJA TOWN SITE PARK (+/-213 ACRES) |
|  | TRAIL #326 |  | CATALINA STATE PARK                   |
|  | TRAIL #327 |  |                                       |



**I-I. Cultural/Archaeological/Historic Resources**

1. Please refer to *Exhibit N: Arizona State Museum Letter*.

a. Determine whether the site has been field surveyed for cultural resources.

The subject property was intensively field surveyed for cultural resources in 2001 and by the Pima Community College Archaeology Centre in September of 2014. Thirty-nine additional archaeological inspections were completed within a mile of the proposed project between 1979 and 2006. An archaeological records check was requested from the Arizona State Museum, and their response letter follows this section.

b. Identify any previously recorded archaeological or historic resources known to exist on the property.

According to the Arizona State Museum, six archaeological properties were identified; four, maybe five, of those historic properties may be located in the current project area. Based on the survey conducted in September 2014, three archaeological properties were not able to be identified and three archaeological properties were updated based on previous surveys. Of the three archaeological properties that were updated, one of the sites contains archaeological materials that could yield information important to prehistory so it should be eligibility tested to determine if it is eligible to be in the National Register of Historic Places. The other two sites that were updated have no important information that can be obtained through further studies and archaeological clearance is recommended.

c. State the probability that buried archaeological resources not visible from the surface would be discovered on the site

According to the Arizona State Museum, there is a high degree of potential recovery of prehistoric and historic resources within the subject property. Any resources identified or discovered on the property will be treated according to State and local antiquities laws. Please refer to *Exhibit N: ASM Letter*.

I-I. **Cultural/Archaeological/Historic Resources (Continued)**  
**Exhibit N: Arizona State Museum Records Check Letter:**



Arizona State Museum

P.O. Box 210026  
Tucson, AZ 85721-0026  
Tel: (520) 621-6302  
Fax: (520) 621-2976

**ARCHAEOLOGICAL RECORDS SEARCH RESULTS**

E-mail Request Received: 7/30/2013

Records Search Completed: 8/22/2013

**Requester Name and Title:** Clay Goodwin, Land Planner  
**Company:** The WLB Group, Inc.  
**Address:** 4444 East Broadway  
**City, State, Zip Code:** Tucson, AZ 85711-3508  
**Phone/Fax/or E-mail:** (520) 881-7480

**Project Name and/or Number**  
182053-E-003 / a portion of Parcel 220-06-001F

**Project Description**  
195-lot master-plan community on 117 ac

**Project Area Location:** SEC First Av & Tangerine Rd, Town of Oro Valley, Pima County, Arizona.

**Legal Description:** a portion of the NW, S6, T12S, R14E, G&SR B&M, Oro Valley, Pima County, AZ.

**Search Results:** A records search of the archaeological site files retained at the Arizona State Museum (ASM) found that all of parcel (APN 220-06-001F) was intensively surveyed by professional archeologists in 2001. Six archaeological properties were identified; four, maybe 5, of those historic properties are located in the current project area. Thirty-nine additional archaeological inspections were completed within a mile of the proposed project between 1979 and 2006. Eighteen additional archaeological properties are recorded within a mile, including historic Steam Pump Ranch. A 2012 color orthophotograph of the project area, enclosed, depicts native ground covered with native vegetation. A couple of dry washes cross the parcel south to north. A couple of dirt two-track roads also cross north to south and recreational dirt trails are also noted. The property is bounded by paved roads and residential developments.

**Sites in Project Area:** minimum—4; three of these are considered eligible for listing in the National Register of Historic Places (NRHP). An additional NRHP-eligible property might lie within the project area, but a determination of the site's exact location is beyond the scope of this records search. NRHP-eligible sites / properties require avoidance, or archaeological mitigation, before construction can proceed.

**Recommendations:** The entirety of the subject parcel was intensively inspected for cultural resources in 2000; four properties are identified in the subject (2013) project area; one more property may lie in the project area, but this cannot be verified at this time. The archaeological contractor initially recording the six properties within parcel 220-06-001F recommended that all but one property be subjected to data recovery if they could not be avoided during construction. The ASM recommends that The WLB Group (WLB) consult with one of the qualified archaeological contractors whose contact information is posted on the ASM website at the following address, before beginning development:  
<http://www.statemuseum.arizona.edu/crservices/index.shtml>.

The professional contractor will help WLB relocate all the historic properties that would be affected by development and will help WLB develop an archaeological plan of action that will mitigate the adverse effects to the historic properties caused by the proposed development, if WLB proceeds with construction. The contractor would help WLB comply with the historic preservation process.

Pursuant to ARS §41-865, if any human remains or funerary objects are uncovered at any time during the project work, all effort will stop within the area of the discovered remains and Dr. Todd Pitezel, ASM assistant curator of archaeology, will be contacted immediately at (520) 621-4795.

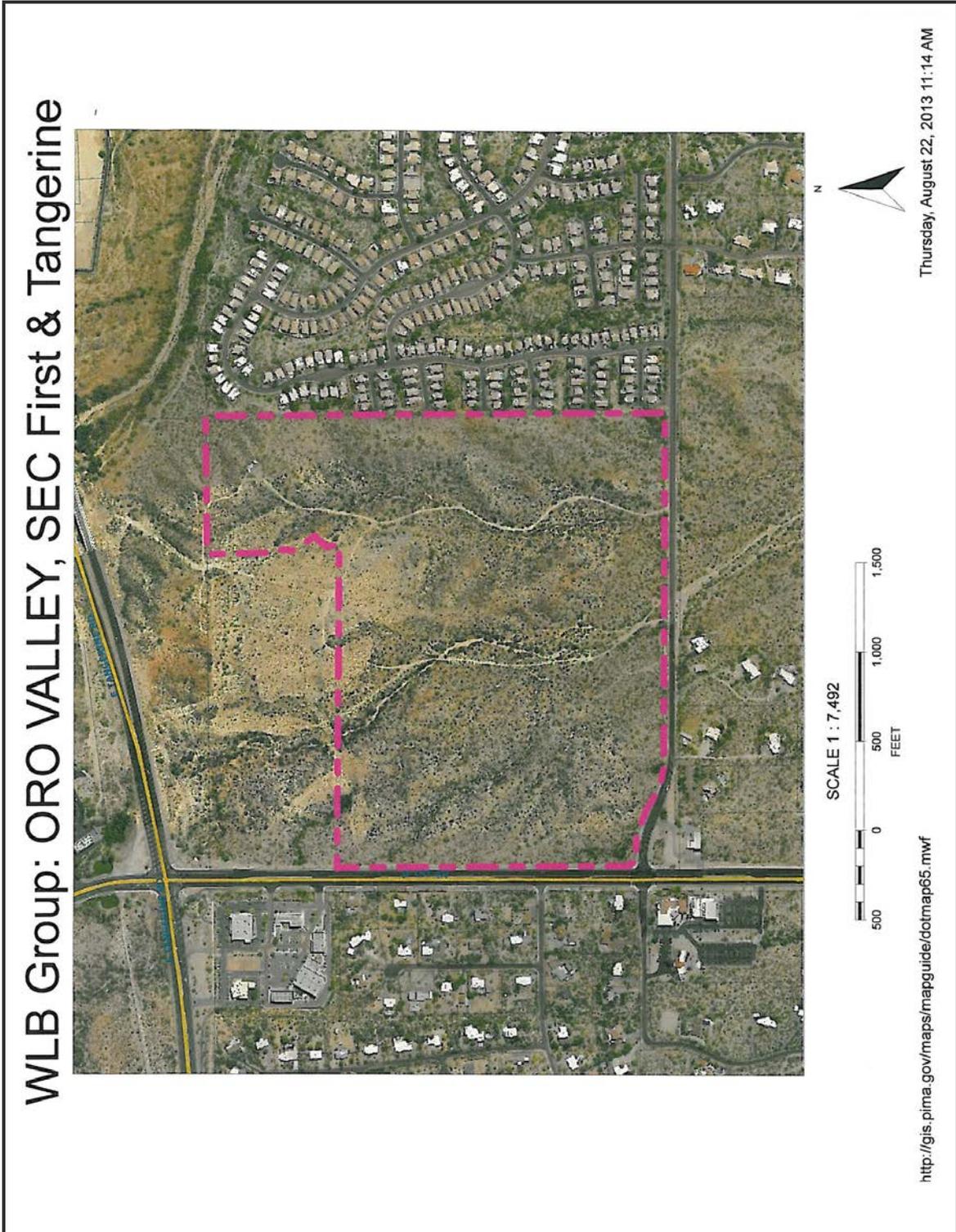
If you have any questions concerning the results of this records search, please contact me at the letterhead address or at the e-mail address or phone number as follows.

Sincerely,

Nancy E. Pearson  
Assistant Permits Administrator  
(520) 621-2096  
[nepearso@email.arizona.edu](mailto:nepearso@email.arizona.edu)



I-I. **Cultural/Archaeological/Historic Resources (Continued)**  
**Exhibit N: Arizona State Museum Records Check Letter (Continued):**



**I-J. Schools**

Students within this development will be served by schools in the Amphitheater Unified School District or by one of the charter or private schools within the area. There are two schools within one mile of the proposed development. Painted Sky Elementary is approximately one mile to the north of the project site, and Basis North is approximately one mile to the southeast of the project site. Please refer to *Exhibit M: Schools, Recreation & Trails*.

**I-K. Water**

1. Contact information: Mark Moore, Oro Valley Water Utility located at 11000 N. La Cañada Drive, Oro Valley, AZ 85737.
2. The subject property will be served by the Oro Valley Water Utility. The nature of offsite improvements will be determined during the platting process.

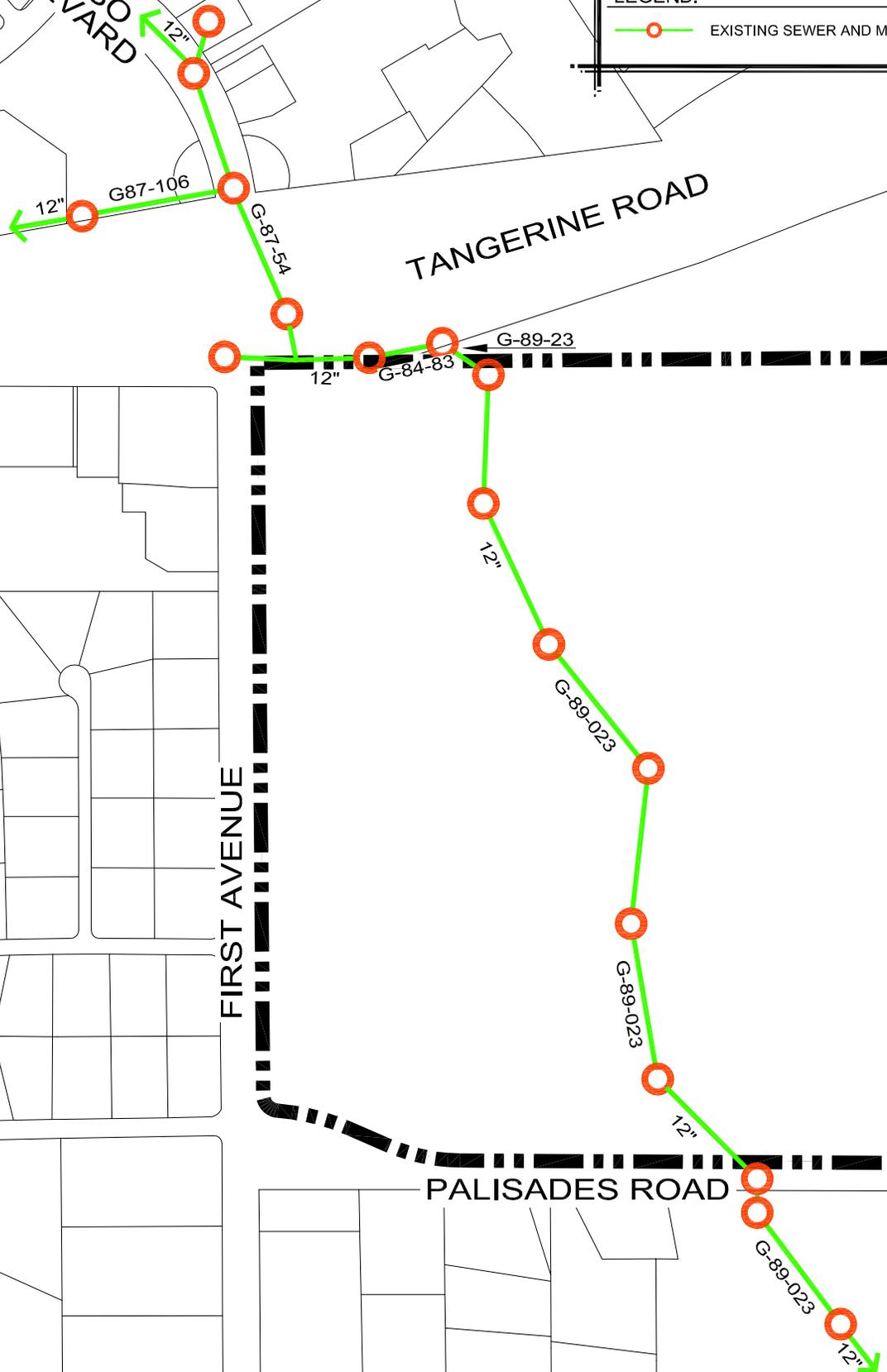
**I-L. Sewers**

A 12" sewer line runs through the property. Refer to *Exhibit O* for a map of existing sewer alignments.

RANCHO VISTOSO BOULEVARD

LEGEND:

EXISTING SEWER AND MANHOLE STRUCTURES



FIRST AVENUE

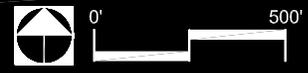
TANGERINE ROAD

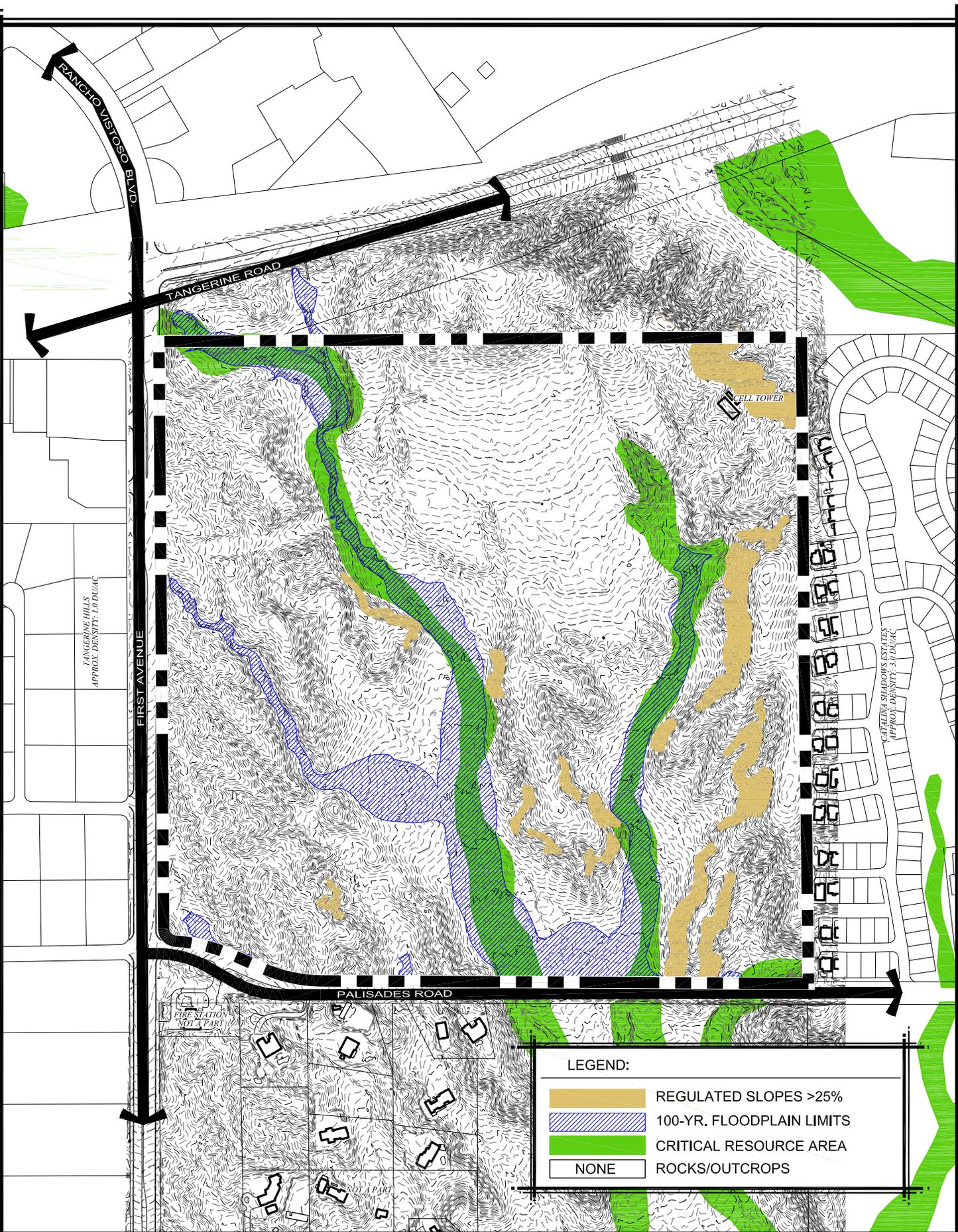
PALISADES ROAD



MERITAGE ON FIRST AVE. - NORTH EXHIBIT O: EXISTING SEWER

WLB No. 182053-J-001





**LEGEND:**

- REGULATED SLOPES >25%
- 100-YR. FLOODPLAIN LIMITS
- CRITICAL RESOURCE AREA
- NONE
- ROCKS/OUTCROPS

## PART II – LAND USE PROPOSAL

### PROJECT OVERVIEW

The property owner proposes to develop a high-quality gated community of approximately 211 single family homes on 119.9± acres of property southeast of Tangerine Road and First Avenue. Homes within the neighborhood are anticipated to vary from approximately 2,250 to 4,000 square feet, and will feature the latest architectural and energy efficiency features. The proposed private streets will follow the existing landform, providing most home sites with rear private recreation yards backing onto open space common areas. Wash corridors will be preserved, along with significant open space buffers along the eastern portion of the site near the existing Catalina Shadows community, and along the southern border of the site near the existing equestrian properties – Palisades Splits. A multi-use path will be constructed within the northern right-of-way of Palisades Road along the projects southern boundary, either during construction of the property owner’s parcel to the south or with this project, whichever occurs first. A smaller 28.9± acre parcel of land directly on the corner of Tangerine and First is proposed to be developed as a neighborhood commercial / office complex in accordance with the Oro Valley General Plan. No access is proposed onto Palisades Road. Since the last neighborhood meeting, the applicant has met on several occasions with neighborhood leaders adjacent to and around the subject property, and has made significant modifications to the conceptual site plan in response to comments and suggestions received at those meetings.

As part of Town of Oro Valley Zoning Code, Chapter 27: General Development Standards, Section 27.10 Environmentally Sensitive Lands, (F) ESOS Use and Conservation Development, (2) Development Balance and Incentives, we propose the use of the following incentives be applied to the subject property as part of the balanced approach to reduce impacts to property owners/developers, while conserving significant open space. (Requested incentives are checked ‘✓’).

#### ZONING INCENTIVES (SECTION 27.10(F)(2)(C)(III))

|    |                                    |
|----|------------------------------------|
| ✓  | (a) Building Setbacks              |
| ✓  | (b) Landscape Buffer Yards         |
| ✓  | (c) Minimum Lot Size               |
| ✓  | (d) Off-street Parking             |
| -- | (e) Building Height                |
| -- | (f) Open Space                     |
| -- | (g) Mixed Use                      |
| -- | (h) Modified Review Process        |
| ✓  | (i) Recreation Area Credit         |
| ✓  | (j) Native Vegetation Preservation |

\*Minimum Conservation Subdivision Lot Size for an R1-7 zoning district is 5,500 square feet (Section 27.10(F)(2)(d)(iii)(b))

**NOTES:**

1. Subject Property Area = 148.8± Ac.
2. Proposed Land Uses:  
Commercial Area (C-1) = 28.9± Ac.  
Residential Area (R1-7) = 119.9± Ac.
3. Proposed Minimum Lot Size = 5,500 Sq. Ft.
4. Proposed Lots:
 

|              |          |                 |
|--------------|----------|-----------------|
| • 46'x120'   | =        | 151 Lots (71%)  |
| • 60'x120'   | =        | 60 Lots (29%)   |
| <b>Total</b> | <b>=</b> | <b>211 Lots</b> |
5. Proposed Setbacks:
 

|        |   |
|--------|---|
| Front: | 20'   |
| Side:  | 5' (per ESLO Conservation Subdivision Design) |
| Rear:  | 20'   |
6. Recreation Area Required = 2.5± Ac.  
Recreation Area Provided = 2.6± Ac, including Tot-Lots and Pedestrian/Equestrian Trails.
7. Fire hydrants connected to an approved water supply of 1000 gpm for fire protection shall be installed and in service prior to combustible material delivery to the site. Temporary construction office trailers are considered combustible material.
8. Approved fire apparatus access roads shall be installed and in service prior to combustible material delivery to the site.
9. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage of vehicles. All structures under construction shall be clearly identified with an approved address.
10. Future homeowners shall be made aware of the existence of historic equestrian properties in the area. The CC&Rs shall include protections for those existing equestrian properties against possible complaints from future residents.
11. A multi-use path will be constructed along the projects frontage with Palisades Road. The path will be constructed during construction of the applicant's project to the south of Palisades Road or with this project, whichever is built first. This will fulfill the requirement for a sidewalk or multi-use path for both projects along the Palisades Road frontage.

**LEGEND:**

-  Schematic Drainage Basin Location
-  Regulated 25% Slope Areas
-  ESL Critical Resource Areas
-  Approx. 100-Year Floodplain
-  Estimated 404 Jurisdictional Limits



**MERITAGE ON FIRST AVE. - NORTH  
EXHIBIT Q: TENTATIVE DEVELOPMENT PLAN**



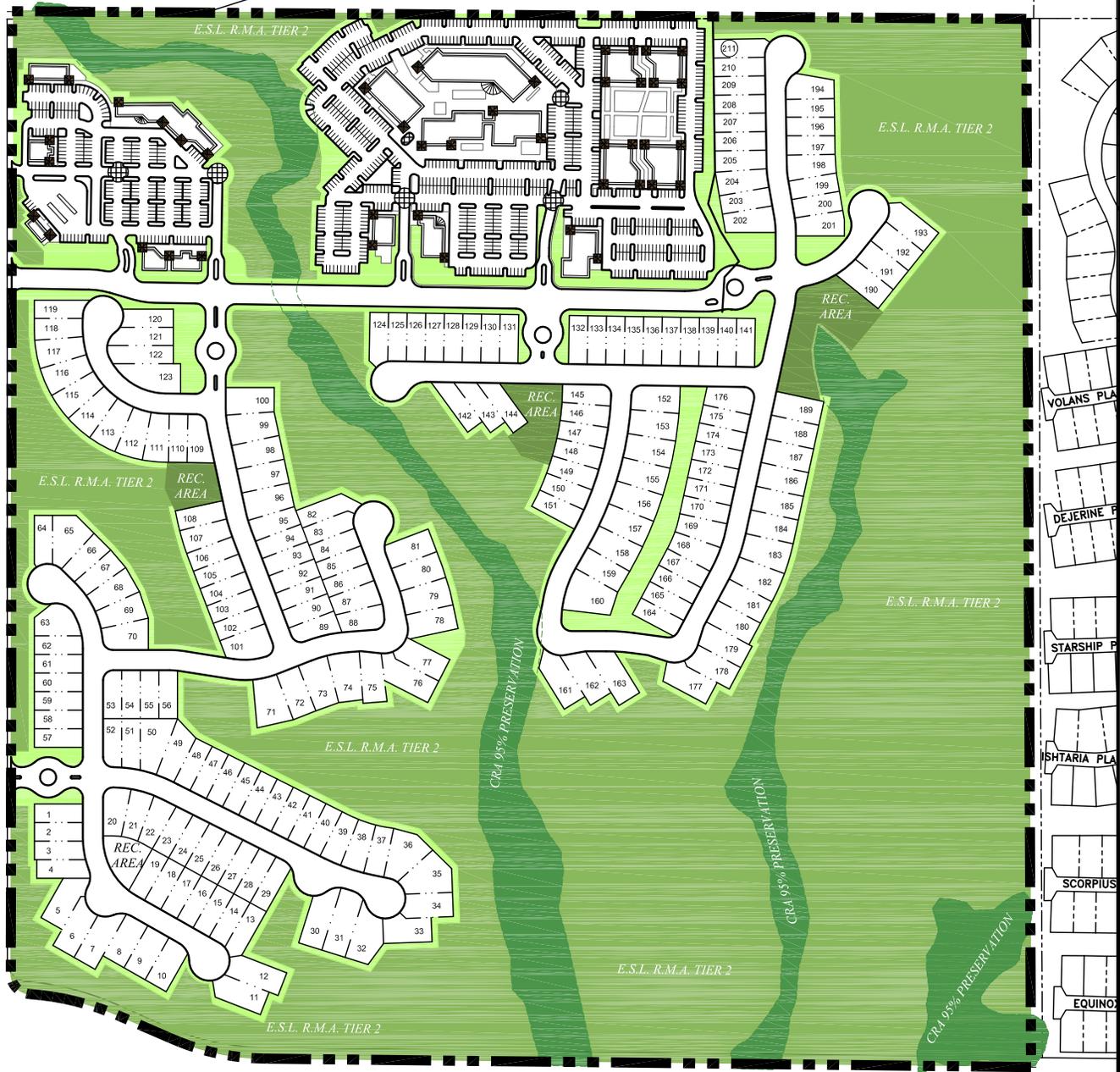
TANGERINE ROAD

| E.S.O.S. CATEGORY                 | TOTAL AREA EXISTING (SF) | REQUIRED ESOS (SF) | PROVIDED ESOS (SF) |
|-----------------------------------|--------------------------|--------------------|--------------------|
| CRITICAL RESOURCE AREA            | 532,091                  | 505,486 (95%)      | 521,519 (98%)      |
| RESOURCE MGMT. AREA 2*            | 5,931,146                | 1,482,787 (25%)    | 2,825,496 (48%)    |
| TOTALS (ESOS)                     | 6,463,237                | 1,988,273 (30.8%)  | 3,347,015 (51.8%)  |
| 15' RMA BUFFER WITHIN COMMON AREA |                          |                    | 461,595 (7.1%)     |

TOTAL ESOS AND OTHER OPEN SPACE = 3,808,610 (58.9%)

\* RECREATION AREA INCLUDED IN RESOURCE MGMT. AREA 2 PER TOWN ZONING CODE SECTION 27.10.E.3.c.

FIRST AVENUE



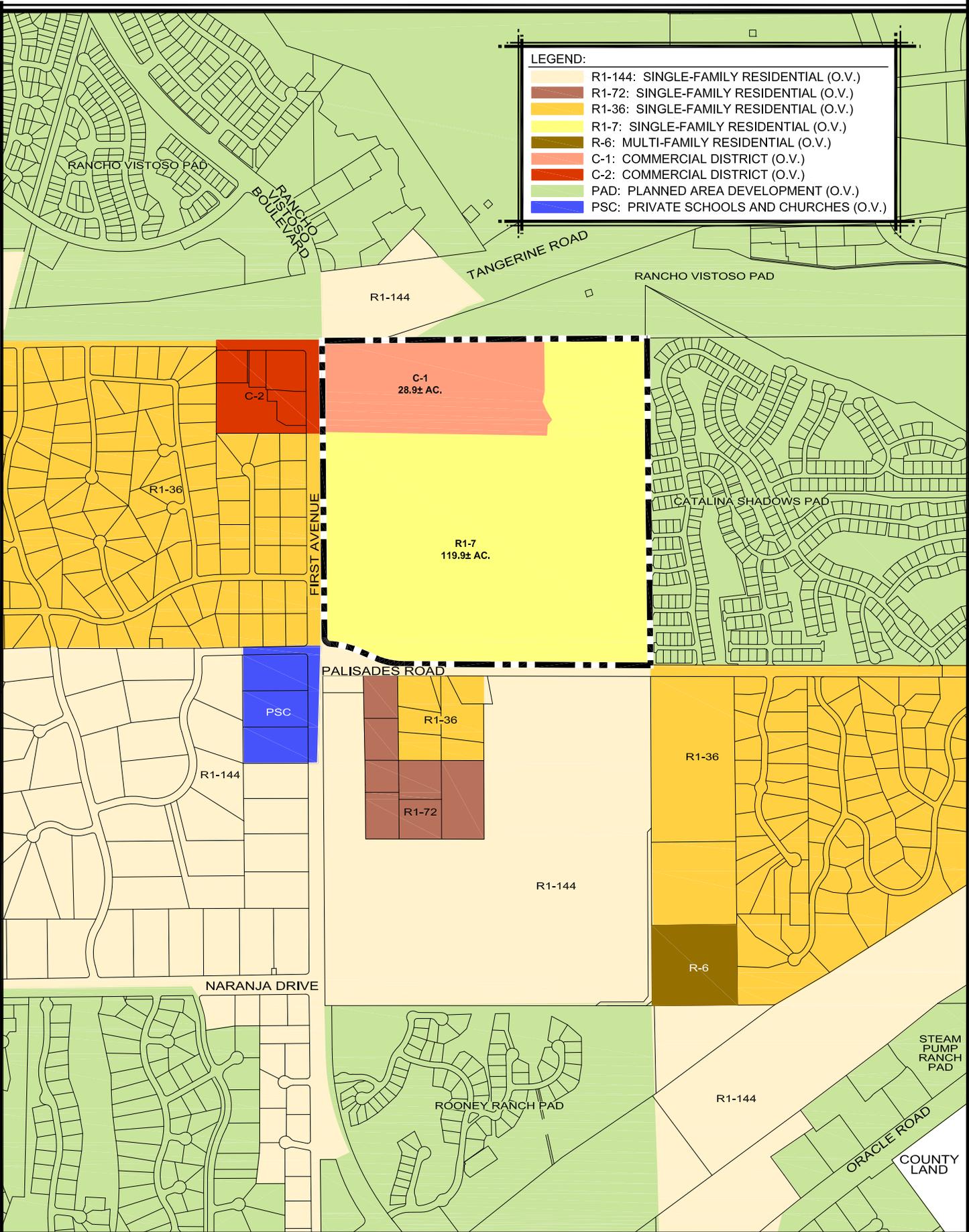
PALISADES ROAD

**II-A. Land Uses**

1. Refer to *Exhibit S: Proposed Zoning*.
2. The proposed development has no effect on existing onsite land uses since the land is currently vacant.

**LEGEND:**

- R1-144: SINGLE-FAMILY RESIDENTIAL (O.V.)
- R1-72: SINGLE-FAMILY RESIDENTIAL (O.V.)
- R1-36: SINGLE-FAMILY RESIDENTIAL (O.V.)
- R1-7: SINGLE-FAMILY RESIDENTIAL (O.V.)
- R-6: MULTI-FAMILY RESIDENTIAL (O.V.)
- C-1: COMMERCIAL DISTRICT (O.V.)
- C-2: COMMERCIAL DISTRICT (O.V.)
- PAD: PLANNED AREA DEVELOPMENT (O.V.)
- PSC: PRIVATE SCHOOLS AND CHURCHES (O.V.)



## **II-B. Topography**

The Tentative Development Plan avoids extensive disturbance of washes and minor slopes found along their banks. Minor disturbance is proposed for roadway and utility crossings. Approximately 50% of the site is proposed to be disturbed, graded and / or revegetated. Areas planned to remain as open space are located primarily along the two riparian areas that run through the middle of the site, and also along the ridgelines of the eastern portions of the property.

## **II-C. Hydrology**

The site layout will impact hydrologic characteristics such as impervious cover. As a result of the increased impervious cover, detention basins will be constructed to detain the increased flows, and will feature outlet structures (weirs, culverts or catch basins) to discharge the basins at a metered flow rate no greater than the existing conditions peak storm water runoff rate. Detention basins will be spread throughout the development so as to minimize their visual impact. Some of the more significant potential basin locations have been depicted on the Conceptual Site Plan. The Conceptual Site Plan responds to the hydrologic characteristics of the site by locating all development out of the identified wash corridors and 100-year floodplain effective flow areas. Where roadway crossings are proposed, culverts will be employed to convey storm water past the crossings. This project must address not only onsite flows that will be produced by the increase in impervious surfaces, but also the flows entering the site from the north. The project will be designed to avoid impacting up- and downstream properties.

## **II-D. Vegetation**

Vegetation within the two primary wash corridors onsite, as well as much of the vegetation in the eastern portion of the site will be preserved. Where development is proposed, native plants will be inventoried, and viable specimens will be transplanted per the Town's native plant preservation ordinance.

## **II-E. Wildlife**

Wildlife movement is currently restricted upstream of the property by Tangerine Road. However, by preserving the two main onsite washes as open space this project seeks not to increase restriction of wildlife movement.

## II-F. Buffers

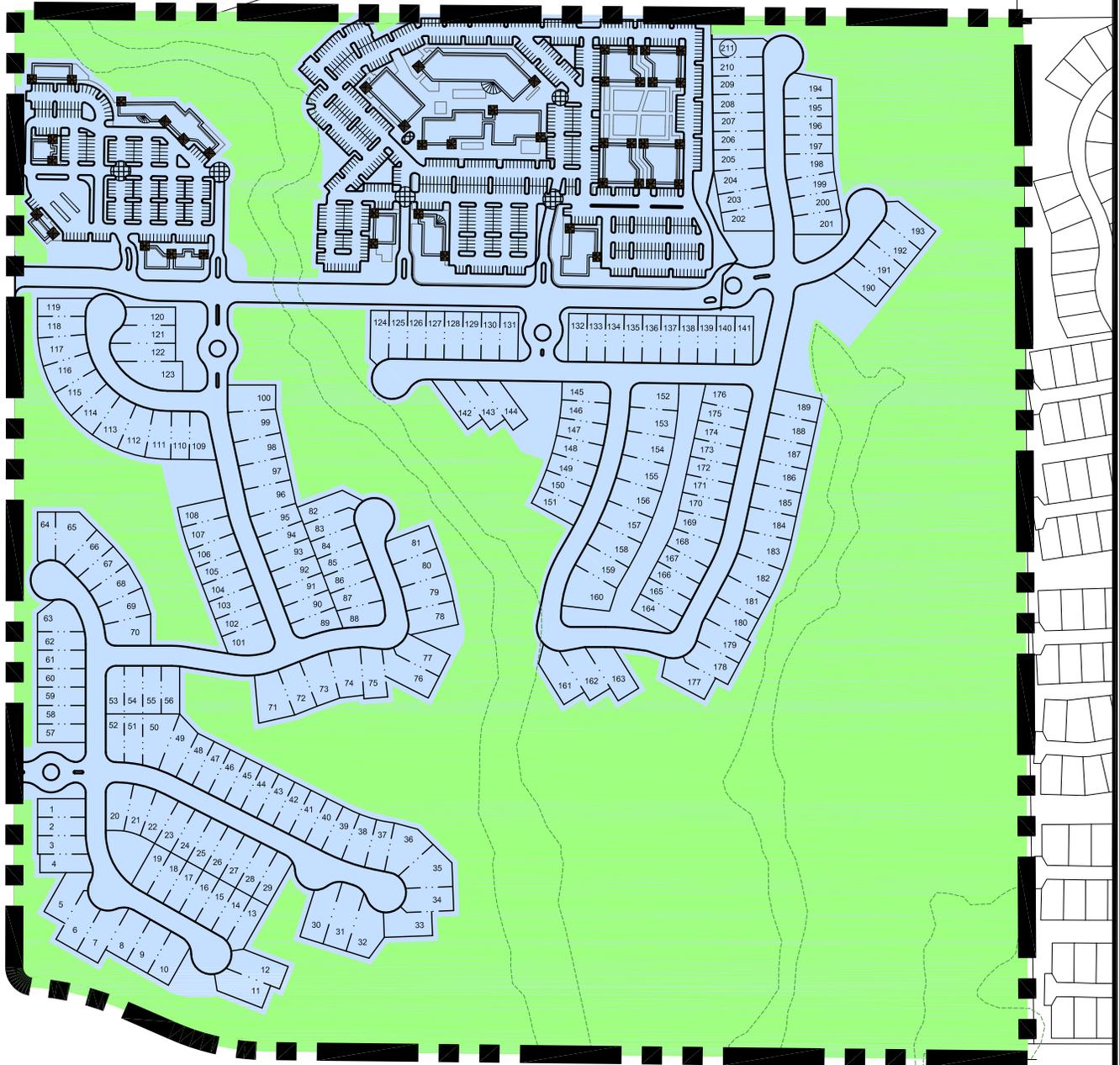
A 25-foot wide open space buffer is proposed along the western edge of the property where the project is adjacent to First Avenue. A 200-foot wide natural open space buffer is proposed along the eastern edge of the property and a 100-foot wide natural open space buffer is proposed along the southern edge of the property, where the project is adjacent to neighboring properties. Although most of the actual setbacks along the eastern and southern portions of the site will be much greater than the proposed buffer yards. The purpose of these buffers is to provide a reasonable level of visual screening and setback between the development and adjacent neighbors. Supplemental desert landscaping, a combination of earth berms, and structural screen walls will be installed beyond the natural open space buffers as needed to ensure a proper buffer between land uses.

TANGERINE ROAD

LEGEND:

|   | TOTAL AREA                                  |
|---|---|
|  | PROPOSED GRADED AREA 75± ACRES (50.7%)      |
|  | PROPOSED UNDISTURBED AREA 73± ACRES (49.3%) |
|  | CRITICAL RESOURCE AREA                      |

FIRST AVENUE



PALISADES ROAD

## **II-G. Viewsheds**

The Tortolita Mountains to the northwest are slightly visible from the subject property. The Santa Catalina Mountains, including Pusch Ridge, to the east and southeast are highly visible from the subject property. Due to the undulating terrain, rolling hills, and generally lower elevation of this site relative to neighboring properties, views of the mountains will be minimally impacted by the proposed development. There are no views or vistas from areas beyond adjacent properties that may be noticeably affected by the development of the site. The views from existing residential subdivisions surrounding the subject property will not be adversely affected by the proposed development.

## **II-H. Traffic**

Access to the subject property will be from First Avenue. Improvements will be made as determined by a traffic report which will be prepared during the conceptual site plan review and approval process. The proposed private streets will follow the existing landform and will be constructed to the Town of Oro Valleys street standards. A preliminary traffic impact analysis, dated August 2014, has been performed by Southwest Traffic Engineering and submitted with this site analysis. In general it found that surrounding intersections will continue to operate at an adequate level of service after the project is constructed. The TIA recommends that a northbound right turn lane should be provided on First Avenue for vehicles entering the project site at the Oro Valley Retail Center Driveway; and that new stop signs are installed for westbound vehicles exiting the project site at both access intersections.

## **II-I. Recreation & Trails**

Active recreational areas will be placed throughout the project site and are envisioned to provide the neighborhood with ramadas, playground equipment, and open green space. Pedestrian connections will be placed throughout the open spaces within the site and will connect to the riparian areas running through the property and eventually to trail #328 located in the middle of the site.

## **II-J. Cultural/Archaeological/Historic Resources**

1. Determine whether the site has been field surveyed for cultural resources.

Per the Arizona State Museum, the site has been completely inspected for cultural resources. It was intensively surveyed by professional archeologists in 2000, 2001 and in September of 2014.

2. Identify any previously recorded archaeological or historic resources known to exist on the property.

Per the Arizona State Museum, six prehistoric resources are recorded onsite. Per the most recent archaeological survey dated September 2014, three of the six sites were unable to be located and the remaining three sites have been updated to more accurately depict the cultural impact of the sites.

3. State the probability that buried archaeological resources not visible from the surface would be discovered on the site.

Because significant cultural resources do exist in the region, there is a high degree of potential recovery of prehistoric and historic sites within the subject property. Any archaeological sites uncovered during construction will be recorded and mitigated with an archaeological plan of action created by a qualified archaeological contractor.

**II-K. Schools**

The Amphitheater Unified School District uses a student generation factor of 0.25 per home for elementary students and 0.1 per home for secondary students. This project's anticipated 211 homes would have an impact of 53 elementary students and 21 secondary students. There are two schools within one mile of the proposed development. Painted Sky Elementary is approximately one mile to the north of the project site, and Basis North (which is not a part of the Amphitheater Unified School District) is approximately one mile to the southeast of the project site. According to Amphitheater School District, capacity exists to serve this development.

**II-L. Water**

The subject property will be served by the Oro Valley Water Utility. The nature of offsite improvements will be determined during the platting process.

**II-M. Sewers**

Pima County Regional Wastewater Reclamation Department has indicated that there is capacity for this proposed project. The project will need to connect to the 12" sanitary sewer line that runs through the proposed development.

II-M. Sewers (Continued)

Exhibit U: Pima County Regional Wastewater Reclamation Dept. Capacity Response Letter:



**Pima County  
Regional Wastewater Reclamation Department**

Jackson Jenkins  
Director

201 N. Stone Ave., 8<sup>th</sup> Floor  
Tucson, Arizona 85701  
(520) 724-6500

Website:  
<http://www.pima.gov/wwm>

September 18, 2013

Linda Thompson  
The WLB Group  
4444 E. Broadway  
Tucson, AZ 85711

**Sewerage Capacity Investigation No. 13-187 Type I**

RE: **Tangerine & First 291 North, 211 Lots on Parcel # 22006001F.  
Projected Flow 45,576 gpd.**

Greetings:

The above referenced project is tributary to the Ina Road/Tres Rios Wastewater Reclamation Facility via the Cañada del Oro Interceptor.

Capacity is currently available for this project in the 12-inch public sewer G-89-23, downstream from manhole 5310-B17.

This letter is not a reservation or commitment of treatment or conveyance capacity for this project. It is an analysis of the system as of this date and valid for one year. Allocation of capacity is made by the Type III response.

If further information is needed, please feel free to contact us at (520) 724-6642.

Respectfully,

A handwritten signature in black ink, appearing to read "Ben Fyock".

Ben Fyock, P.E.  
PCRWRD Planning Section

BF:ks

c: T12, R14, Sec. 06

**Attachment 3  
Special Area Policies  
Planning and Zoning Commission  
December 2, 2014**

General

1. *Transfers of residential densities are permitted and encouraged in the area. Primary receiving areas are: (1) the graded area in the north central portion of the site; and (2) areas adjacent to Rooney Ranch no more than 660 feet north of the south boundary and no farther east than the east edge of Palisades splits. Units should be transferred off the following areas: (1) SRAs, (2) areas along North First Avenue (especially the area between the road and the Palisades Splits parcels), and (3) the area southeast and visible from Palisades Splits parcels.*
2. *Transfers of densities from SRAs that are not riparian areas (including 50-foot buffers), floodplains, or 25 percent slopes may be calculated at up to 1.0 units per acre. Transfers of densities off the other SRA, or building within any SRA, should be at no more than 0.4 units per acre.*
3. *Primitive trails, with public access easements, shall be provided unless otherwise prohibited by law. These will be within the existing wash areas, will connect to the open space area adjacent to the north boundary of the site, and will provide a connection from the Palisades Split Area southeasterly to the wash.*
4. *Any change to the General Plan that would allow more than 1.0 units per acre, over all, on the residential area on the property shall be treated as a major amendment. As currently mapped, the maximum number of residential units on the Kai-Capri Property is 255; and up to 10 are allowed on the Steam Pump Ranch Estates property. Any change of the commercial area to residential uses shall be treated as a major amendment.*
5. *The Oro Valley Zoning Code Revised will apply.*

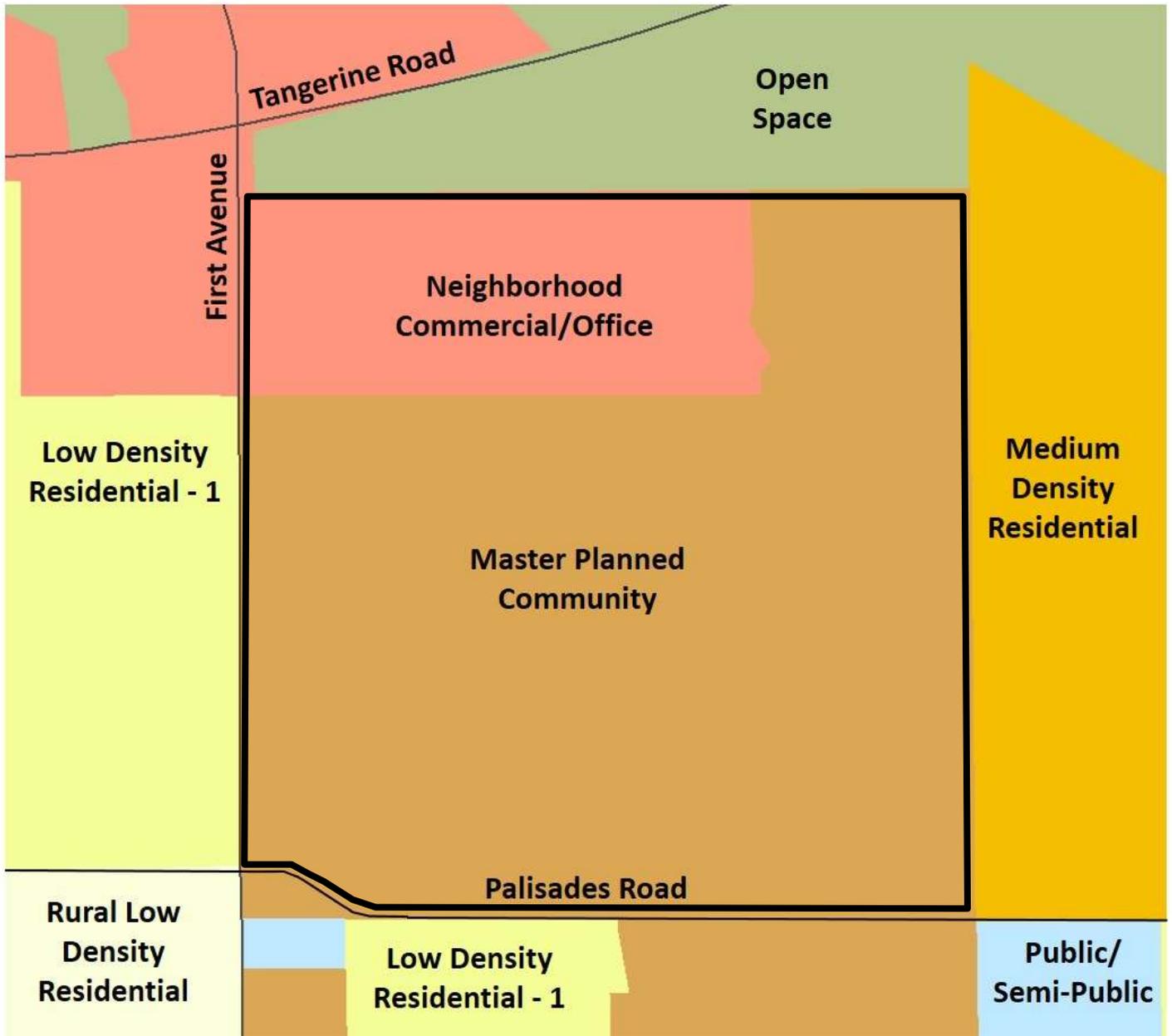
Neighborhood Commercial/Office (NCO)

1. *Must be developed for commercial and office uses as part of an overall master plan that includes planning for the MPC property to the south.*
2. *Any building within 200 feet of North First Avenue shall not be higher than 25 feet as measured from the finished grade of North First Avenue, unless the applicant demonstrates by a view shed analysis that a greater building height will not interfere with views of the Catalinas.*

3. *A minimum of 40% of the North First Avenue frontage to a depth of 300 feet must be maintained as a view corridor and not used for building purposes.*
4. *The commercial areas shall not extend, on North First Avenue, to the south of the Evergreen (Walgreen's) development.*

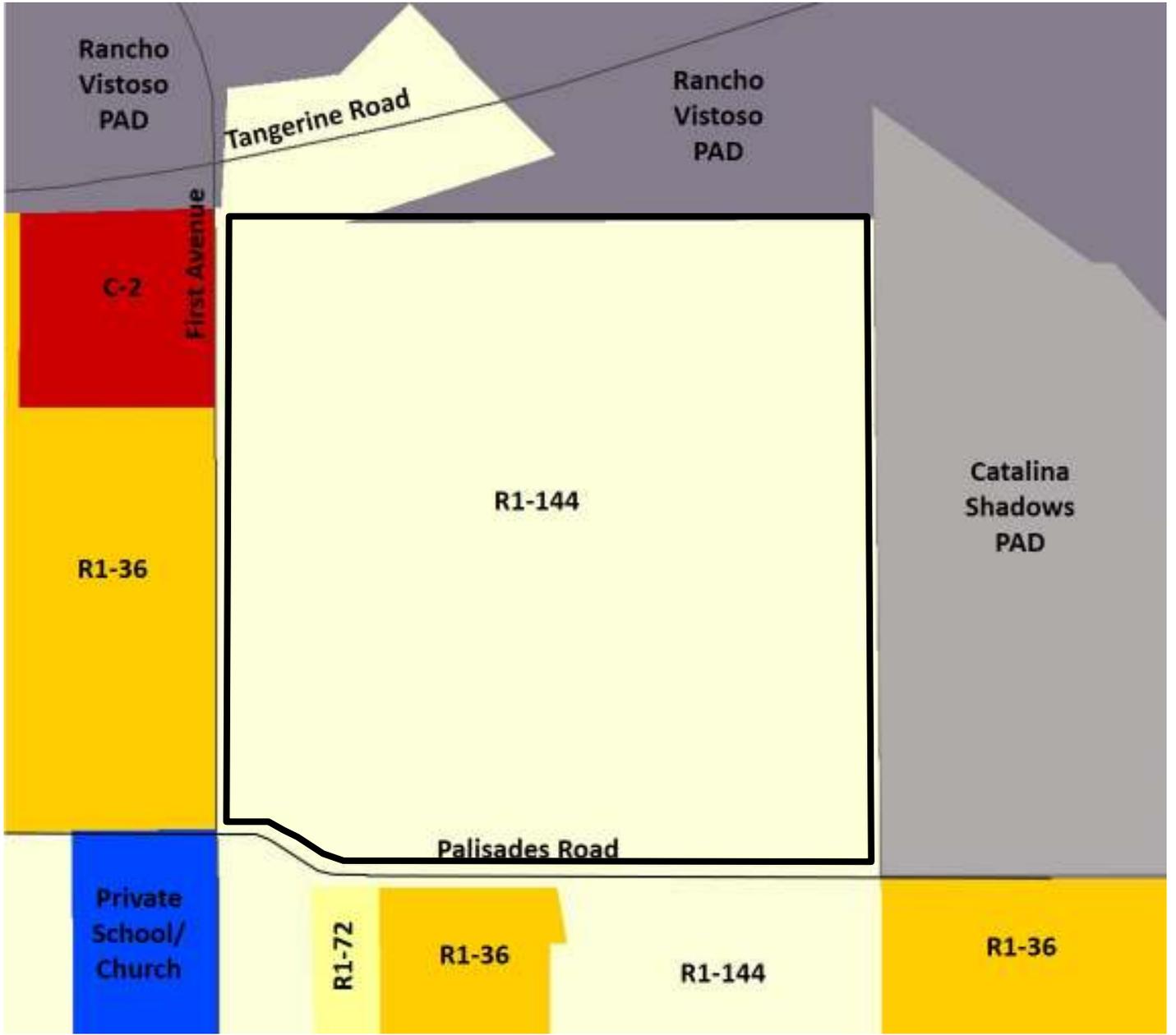
#### Master Planned Community

1. *Must be developed for residential uses as part of an overall master plan that includes planning for the NC/O property to the north.*
2. *No building within 200 feet of North First Avenue, or within 150 feet of Palisades Road or existing development shall be higher than 18 feet, unless the applicant demonstrates by a view shed analysis that a greater building height will not interfere with views of the Catalinas.*
3. *There shall be no development in the 100-year floodplain, riparian areas or on any slopes of 25% or more, excluding roadway and utilities.*
4. *The only housing type permitted is single-family detached residence.*
5. *Mass grading for residential uses is allowed only in disturbed areas. Any mass grading shall require the approval of the Planning and Zoning Administrator.*
6. *No buildings shall be constructed within 100 feet of the east property line adjacent to existing residential areas.*



# GENERAL PLAN MAP

KAI - NORTH (OV914-002)

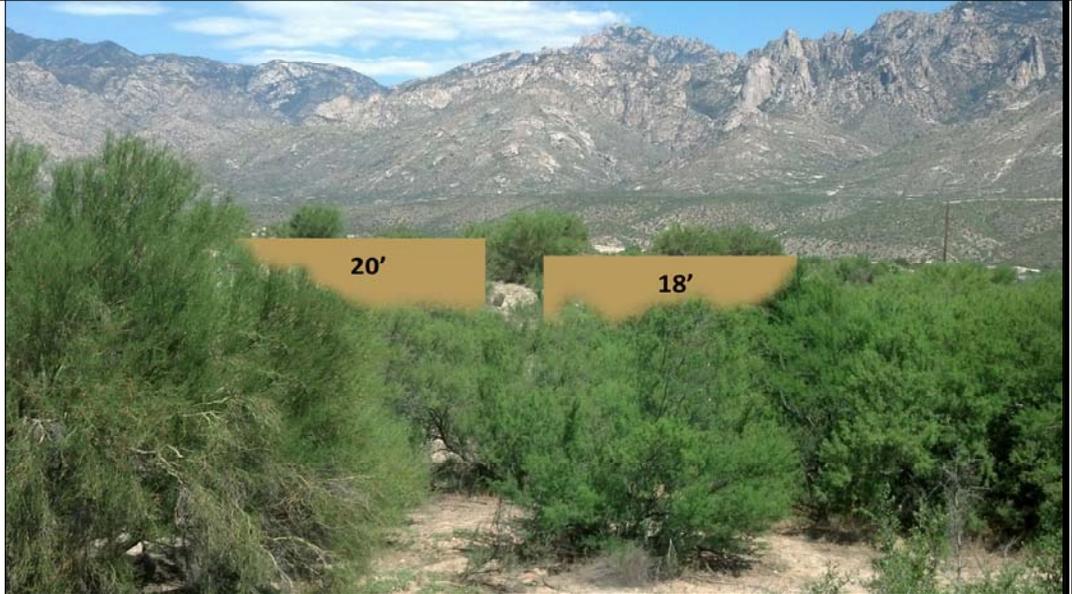


# ZONING MAP

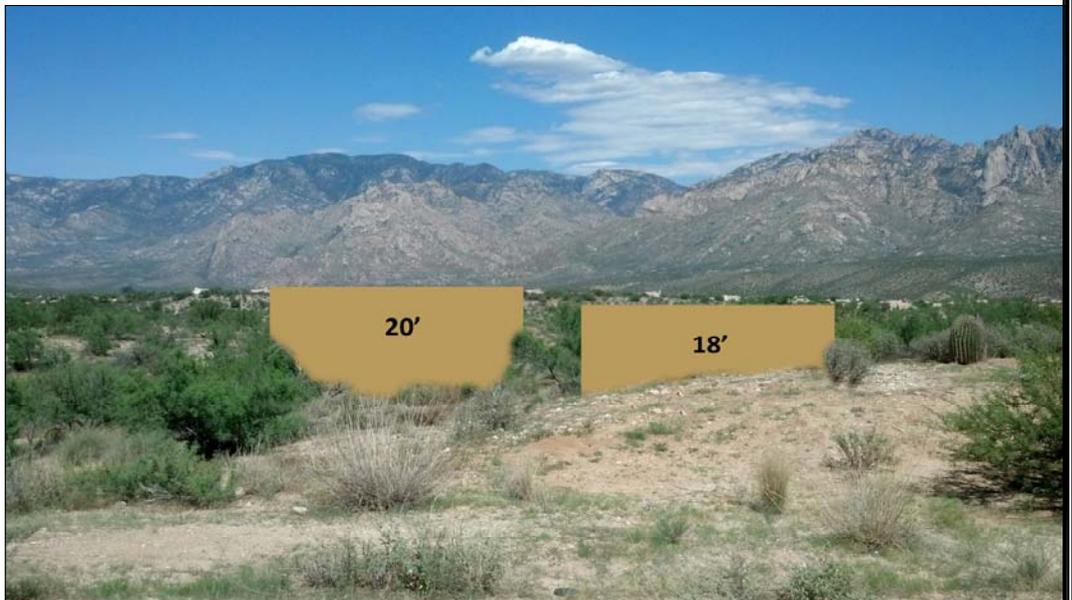
KAI- NORTH (OV914-002)



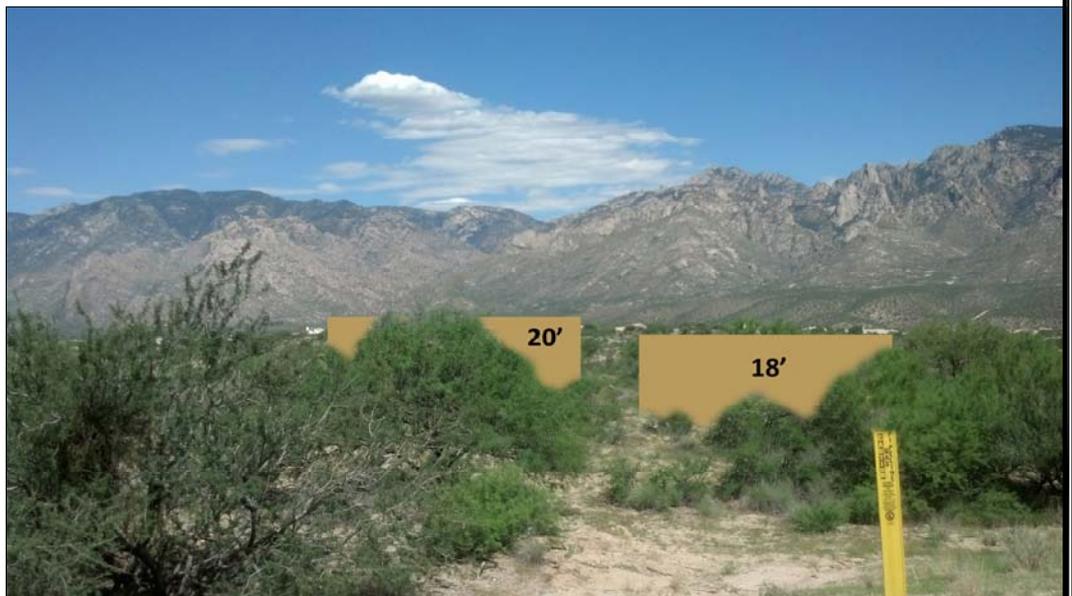
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11



12



**Attachment 7  
Flexible Design Options Descriptions  
Planning and Zoning Commission  
December 2, 2014**

**Meritage on First Avenue – North  
OV914-002**

***ESL Incentives Request:***

**ZONING INCENTIVES (SECTION 27.10(F)(2)(C)(III))**

|    |                                    |
|----|------------------------------------|
| ✓  | (a) Building Setbacks              |
| ✓  | (b) Landscape Buffer Yards         |
| ✓  | (c) Minimum Lot Size               |
| ✓  | (d) Off-street Parking             |
| ✓  | (e) Building Height                |
| -- | (f) Open Space                     |
| -- | (g) Mixed Use                      |
| -- | (h) Modified Review Process        |
| ✓  | (i) Recreation Area Credit         |
| ✓  | (j) Native Vegetation Preservation |

*Section 27.10(F)(2)(b) – Applicability:*

- i. The following design options may be applied to property or portions of property when ESOS is applied to twenty-five (25%) or more of a project site, except as provided herein.*

**ESOS Total for site = ~58%**

- (a) Building Setbacks: Per Section Section 27.10(F)(2)(b) – Applicability, and the use of a Conservation Subdivision Design for a reduced minimum lot size of 5,500 square feet, we request that the side setbacks be reduced to no less than five (5) feet, and front setbacks be reduced to no less than ten (10) feet for the use of side entry garages. This request will not result in an on-lot driveway length of less than twenty (20) feet. This request will allow for the residential subdivision to incorporate more diverse details and massing conditions, which will lead to a more attractive, and unique, street scene. The reduced setbacks will allow for the maximization of continuous protected open space, as well as reduce the amount and improve the efficiency of necessary, critical infrastructure systems.
- (b) Landscape Buffer Yards: Per Section Section 27.10(F)(2)(b) – Applicability, we request the ability to reduce the Landscape Buffer Yards within the Commercial Zone to a minimum of ten (10) feet where necessary. The reduction in Landscape Buffer Yards will promote a clustering of development, an instrumental element of the Conservation Subdivision Design. Clustering of development will allow for the maximization of continuous protected open space, as well as reduce the amount and improve the efficiency of necessary, critical infrastructure systems.

- (c) Minimum Lot Size: Per Section Section 27.10(F)(2)(b) – Applicability, and the use of Conservation Subdivision Design, we request the ability to reduce the minimum lot size to 5,500 square feet as noted in Table 27.10-6. The reduction in lot size allows for the clustering of development, an instrumental element of the Conservation Subdivision Design. Lot Size Reduction allows for the maximization of continuous protected open space, as well as reduce the amount and improve the efficiency of necessary, critical infrastructure systems.
- (d) Off-street Parking: Per Section Section 27.10(F)(2)(b) – Applicability, we request the use of the Off-street Parking Modification. It is anticipated that the Commercial area of the property will offer an array of uses, from General Office, General Retail, Restaurant, etc. As a result of the varying uses, parking demand for each use will occur at different hours throughout the day based on hours of peak operation. For example, peak parking requirements for Restaurant typically occur in the late afternoon/evening, therefore avoiding overlap with the peak operation of Office. The modification will also allow for the promotion of development clustering, reducing the amount of impervious surfaces, and reducing heat island effect throughout the site. It will also allow for the maximization of continuous protected open space by maximizing the remaining developable area, as well as reduce the amount and improve the efficiency of necessary, critical infrastructure systems.
- (e) Building Height: Per Section Section 27.10(F)(2)(b) – Applicability, and the Kai-Capri Master Planned Community Special Area Policy, we request an increased building height within 200 feet of N. First Avenue and within 150 feet of Palisades Road from 18 feet to 20 feet to accommodate adequate roof pitch and proper drainage for future single story single-family residences. The Kai-Capri Master Planned Community Special Area Policy specifies the applicant must demonstrate, with a viewshed analysis, “that a greater building height will not interfere with views of the Catalinas.” We reserve the right to exercise the condition with the Special Area Policy, and it is our intent to demonstrate, at the time of the rezoning hearing, that the requested increase in building height will not interfere with views of the Catalinas.
- (i) Recreation Area Credit: Per Section Section 27.10(F)(2)(b) – Applicability, we request that the passive and/or active recreation amenities located within the ESOS resource management area be credited toward the residential recreation area requirements. The proposed recreation areas satisfy the locational requirements of Section 26.5, Provision Recreational Area, and connectivity between the recreation areas and open space has been maintained.
- (j) Native Vegetation Preservation: Per Section Section 27.10(F)(2)(b) – Applicability, we request the right to waive the requirements for native plant salvage and mitigation within the development envelope. The site contains ~58% ESOS, exceeding the 50% minimum requirement. The use of the modification will not be applied to areas of distinct vegetation or native plants that are considered threatened or endangered.

**Attachment 8**  
**Neighborhood Meeting Timeline**  
**Planning and Zoning Commission**  
**December 2, 2014**

1. August 15, 2013 – Formal neighborhood meeting
2. September 25, 2013 – Applicant meeting with neighbors at Town facilities.
3. November 19, 2013 – Neighborhood meeting open house
4. December 11, 2013 – Applicant meeting with neighbors in the field.
5. April 1, 2014 – Applicant meeting with neighbors at Town facilities.
6. April 9, 2014 – Applicant meeting with neighbors in the field.
7. April 11, 2014 – Applicant meeting with neighbors in the field.
8. June 13, 2014 – Applicant meeting with neighbors in the field.
9. June 16, 2014 – Neighborhood meeting open house
10. June 30, 2014 – Applicant and Staff meeting with neighborhood HOA president's.
11. July 24, 2014 – Applicant meeting with neighbors in the field.
12. September 30, 2014 – Applicant meeting with neighbors in the field.
13. October 15, 2014 – Applicant meeting with neighbors in the field.
14. October 16, 2014 – Applicant meeting with neighbors at Town facilities.

**Attachment 9  
Neighborhood Meeting Summaries  
Planning and Zoning Commission  
December 2, 2014**

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**August 15, 2013  
6:00 – 7:30 PM  
Oro Valley Library Large Meeting Room**

## **1. Introductions and Welcome**

Meeting Facilitator Chad Daines introduced the Oro Valley staff Paul Keesler, DIS Director, David Williams, Planning Manager, Matt Michels, Project Manager and Hillary Turby, Senior Planner. Approximately 100 residents and interested parties attended the meeting, including Council Members Hornat, Zinkin, and Water. Also in attendance were several Planning and Zoning Commissioners as well as Board of Adjustment Chair Bill Adler.

## **2. Staff Presentation**

Matt Michels, Project Manager, provided a presentation that included:

- Rezoning Review Process
- Review Tools
- Public Participation Opportunities
- Next Steps

## **3. Applicant Presentation**

Paul Oland, Project Manager from the WLB Group, provided a presentation that included:

- Proposed Tentative Site Plan
- Review of Kai-Capri property General Plan Special Area Policies

## **4. Public Questions & Comments**

### Process & Project Timeline

- How many votes by the Town Council are needed for approval of a rezoning?
- Is a General Plan amendment proposed?
- Does a General Plan amendment require a super majority for passage?
- Why is a rezoning being proposed? Why not develop the property as R1-144 (3.3 acre minimum)?
- How do we block/protest this rezone?
- Several residents stated that another neighborhood meeting should be held
- What is the project schedule?
- Will a natural area be provided around each home (like Catalina Shadows)?

### Development Standards/General Plan Special Area Plan Policies

- What is the minimum lot size proposed?
- What is the lot size in Catalina Shadows?

- Are larger lots being proposed on Palisades Rd?
- When was the property zoned R1-144?
- Will the applicant show a master plan for the entire property?
- How is the one (1) dwelling unit per acre maximum overall density calculated?
- What is the size of the homes?
- What is the price of the homes?
- Will a park/recreation area be required?
- Is a nursing home proposed?
- Is the developer willing to compromise and increase lot size?
- What is the building height limit?
- Will they be one or two story homes?

### Traffic & Circulation

- Where are the ingress and egress points from Palisades?
- Will there be access from First Avenue?
- Residents stated concerns with safety, additional cars, lighting, etc. on Palisades Rd.
- Will improvements be made to Palisades Rd (walking paths, amenities)?
- Will a light be provided at First Ave. and Palisades Rd?
- Will there be connections from the commercial on the corner of Tangerine and First with the residential development?
- Can Palisades Rd. accommodate increased traffic? Is it safe?
- What will happen with the northern portion closest to Tangerine Rd?
- Does the Town have restrictions on access off First Ave?
- Will there be a construction entrance off Tangerine Rd?
- Will utility development impact Palisades Rd?

### Environmentally Sensitive Lands

- How does the Town define riparian areas?
- A resident stated that there is bird habitat on the site and suggested that the entire site should be designated as riparian
- When was the riparian study and mapping done?
- Will the hillsides be "clear cut"?

### Schools

- How will the schools be impacted?
- Who pays for school impacts?

### Miscellaneous Questions & Comments

- A resident stated that they wish to bring back the old plan
- Will the Kai's donate the property?
- A resident requested that the Town research historical documents related to the Kai Property
- A resident stated the more specific information is needed
- A resident stated that they feel larger lots would be more profitable for the developer
- How much R1-144 property is left in Oro Valley?

## **5. Next Steps**

- The next steps include:

- Formal application
- Staff review
- Additional neighborhood meeting
- Planning and Zoning Commission Public Hearing
- Town Council Public Hearing

Meeting dates will be posted on the Town website ([www.ovalleyaz.gov](http://www.ovalleyaz.gov)) and notices will be mailed to residents within the notification area

For more information, please contact Matt Michels, AICP, Senior Planner, at (520) 229-4822 or [mmichels@ovalleyaz.gov](mailto:mmichels@ovalleyaz.gov)

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**November 19, 2013**  
**6:00 – 8:00 PM**  
**Hilton El Conquistador White Dove Room**

**Following is a summary of comments received at the open house, both from comment cards and verbal comments:**

Process & Project Timeline

- What is the project schedule?
- When will the application be received? When will the Planning & Zoning Commission and Town Council hearings be held?

Development Standards/General Plan Special Area Plan Policies

- Overall density of 1 home per acre allowed by General Plan Special Area Policies should be interpreted to mean lot sizes of 1 acre or greater, not an overall density based on larger and smaller lots.
- Does the proposal conform to the General Plan Special Area Policies?
- What is the size of the homes?
- What is the price of the homes?
- Increase buffer distance from Kai Way to new homes.
- Concern about view and privacy impacts of proposed homes on ridge east of Palisades splits. “Why not build on other side of wash?”
- What is the building height limit?
- Will the homes be one or two story homes?
- Density should be lower, especially on the north side of Palisades Rd.
- A transition in density should be provided around the Palisades Splits parcels, which are lower density
- Provide additional buffer on the north side of Palisades Rd.
- Provide “reasonable development distribution with the open space”
- Eliminate gated entrances
- Must have underground utilities
- “Neighboring community deserves quality homes; not cheap or cut rate; 10,000 square feet minimum lot size; priced high enough to fit with existing similar homes; keep the large homes/lot desert natural”
- Is there enough water to support residential use?
- Will density increase property taxes?

### Traffic, Connectivity, Trails and Paths

- Pedestrian trails are needed through the property to connect to existing trail system. These trails need to be built concurrent with other infrastructure
- Pedestrian paths (sidewalks or multi-use paths) are needed along Palisades Rd.
- Equestrian trails need to be provided to connect to existing trails
- Does the Town have restrictions on access off First Ave?
- Will the developer be required to add turn lanes on First Ave?
- Provide cross connection between neighborhoods
- Don't eliminate access from Palisades Rd.
- If access is provided from Palisades Rd., it should be widened to 4 lanes
- Provide a short cut from First Ave. through to Oro Valley Marketplace
- Concern that residents in existing developments will not be able to use new roadway from Naranja Dr. to Palisades Rd.

### Environmentally Sensitive Lands

- Will riparian areas (washes) be preserved?
- Will significant vegetation be preserved?
- Will hillside areas be graded?
- Open space needs to be conserved via easements

### Parks and Recreation Areas

- Will a park/recreation area be required?
- Include a park that serves surrounding developments, including ball fields, basketball, volleyball, covered play structure, restroom, covered picnic tables, barbeque, etc.

### Commercial Area

- A walkable "neighborhood gathering place, similar to Casas Adobes Plaza" or Fairfax Square, VA, with "upscale", "boutique" stores (pubs, bookstore, etc.) and amenities (i.e. Play areas for children) is desired
- Will pedestrian connectivity be provided from the residential area to the commercial area?
- It would be nice to be able to walk to retail/services

### Schools

- Do the schools have capacity for additional students?
- Will taxes increase due to increased school enrollment?

### Miscellaneous Questions & Comments

- "I like it. The path on Palisades will be very welcome"
- "Don't build, please"
- "This proposal is much improved over the late summer meeting"
- "We like clustering [of homes]"

For more information, please contact Matt Michels, AICP, Project Manager, at (520) 229-4822 or [mmichels@orovalleyaz.gov](mailto:mmichels@orovalleyaz.gov)

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**June 16, 2014  
6:00 – 8:00 PM  
Resurrection Lutheran Church**

A neighborhood meeting was held at the Resurrection Lutheran Church on Monday June 16, 2014. Approximately 75 residents and interested parties were in attendance. Following is a summary of comments received at the open house, both from comment cards and verbal comments:

Process & Project Timeline

- What is the project schedule?
- When will the Planning & Zoning Commission and Town Council hearings be held?

Development Standards/General Plan Special Area Plan Policies

- Does the proposal conform to the General Plan Special Area Policies?
- What is the size of the homes?
- What is the price of the homes?
- Concern about view and privacy impacts of proposed homes on ridge east of Palisades splits.
- What is the building height limit?
- Will the homes be one or two story homes?
- Density should be lower, especially on the north side of Palisades Road
- Provide additional buffer on the north side of Palisades Rd (Southwest corner of property).
- “Neighboring community deserves quality homes; not cheap or cut rate; 10,000 square feet minimum lot size; priced high enough to fit with existing similar homes; keep the large homes/lot desert natural”
- Is there enough water to support residential use?
- Will density increase property taxes?

Traffic, Connectivity, Trails and Paths

- Pedestrian trails are needed through the property to connect to existing trail system. These trails need to be built concurrent with other infrastructure
- Equestrian trails need to be provided to connect to existing trails
- Congestion in the area is already a concern.
- Don't eliminate access from Palisades Road
- Excited about the prospects of a multi-use path along Palisades Road
- If access is provided from Palisades Road, it should be widened to 4 lanes

Environmentally Sensitive Lands

- Will hillside areas be graded?
- Open space needs to be conserved via easements
- The eastern setback/buffer seems appropriate

Parks and Recreation Areas

- Will a park/recreation area be required?

- Include a park that serves surrounding developments, including ball fields, basketball, volleyball, covered play structure, restroom, covered picnic tables, barbeque, etc.
- Will there be some type of Community Center.

#### Commercial Area

- What “type” of commercial development will be permitted?
- It would be nice to be able to walk to retail/services

#### Schools

- Do the schools have capacity for additional students?
- Will taxes increase due to increased school enrollment?

#### Miscellaneous Questions & Comments

- Resident indicated a desire to see multi-use path on Palisades.
- Resident spoke about a desire to see no development.
- Resident voiced approval of this plan over earlier versions
- Resident voiced approval of efforts to cluster homes.
- Resident discussed a need to limit urban sprawl.

For more information, please contact Michael Spaeth, AICP, Project Manager, at (520) 229-4812 or [mspaeth@orovalleyaz.gov](mailto:mspaeth@orovalleyaz.gov)

**Attachment 10  
Resident Communications  
Planning and Zoning Commission  
December 2, 2014**

Mr. Michels,

My husband, Freeman, and I live in the Catalina Shadows subdivision off of Palisades Road. We recently met with James Kai to discuss plans for development for his family's property north and south of Palisades Road. He described a lower density development on the southern portion with only a handful (4-5) of estates exiting onto Palisades and the majority of the homes exiting onto First Avenue. On the northern side of the road, he stated there would be a higher density residential development of single family homes with no vehicle access from Palisades. They hope for commercial development of a small parcel adjacent to Tangerine Road. He also said that there were plans on both sides of Palisades for open space with trails that will be available to the public.

Since we will probably not be able to attend the neighborhood meeting December 2nd, I just wanted to share our impressions with you. Based on what Mr. Kai presented, we look forward to seeing this project come to fruition and believe it will be an asset to the community.

Sincerely,

Freeman and Rebecca Taber

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**From:** Doug McKee [<mailto:dmckeeaz@gmail.com>]

**Sent:** Tuesday, November 18, 2014 1:37 PM

**To:** 'Estes, Patricia S - (estes)'; 'Cheryl Smith'; 'Patti Lane'; 'Rita S. Pollak'; 'Helen Dankwerth'; 'Linda Chalfant'; 'Fox'; 'Barbara Merwald'; 'King'

**Cc:** Charles Goding; Jean Lovstrom; Lance Good; Maurice McCarty

**Subject:** RE: Kai (North) Rezoning Information for P & Z meeting

Patty

Thanks for the link.

The setback along 1<sup>st</sup> ave on their exhibits scales out to about 50 ft. So it is not clear whether the 25 ft "Buffer Open Space" detailed in Section II-F, Page 54 and on the "Tentative Development Plan means that the lot setback is 25 ft or is it 50 ft with 25 ft of that being open space?. With a 20 ft rear setback on the lot and a 25 ft lot setback from 1<sup>st</sup> Ave, the back of the houses could be as close as 45 ft to the Eastern 1<sup>st</sup> Ave ROW. I thought the lot setback from 1<sup>st</sup> Ave had been agreed to be something bigger at one of the meetings.

Also wasn't there an agreement to limit the houses along 1<sup>st</sup> Ave and Palisades to be only single story? This needs to be added to their application.

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**From:** Estes, Patricia S - (estes) [<mailto:estes@email.arizona.edu>]

**Sent:** Thursday, June 19, 2014 2:26 PM

**To:** Vella, Bayer

**Subject:** FW: Comments on N. Kai Plan

Bayer,

I did not fill out a comment card at the neighborhood meeting because I wanted to check on the size of the buffer on First Ave. Below is a copy of what I sent to Paul Oland. I would like to submit this as my comment on the proposed development.

Thanks,

Patty

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Patty Estes

Molecular and Cellular Biology Dept.

University of Arizona

1007 E. Lowell St., LSS Rm 514

Tucson, AZ 85721

(520) 626-1297

**From:** Patricia Estes <[estes@email.arizona.edu](mailto:estes@email.arizona.edu)>

**Date:** Thu, 19 Jun 2014 14:20:40 -0700

**To:** Gustav Paul Oland <[gpoland@wlbgroup.com](mailto:gpoland@wlbgroup.com)>

**Subject:** Comments on N. Kai Plan

Hi Paul,

I have been thinking about issues brought up at the neighborhood meeting on Monday evening. I am feeling better about the traffic issue at Strada Patania, but worse about the northern egress from the boulevard near Tangerine. That intersection is already problematic and thinking about left turns across from Walgreens or U-turns at the light in the afternoon gives me shivers.

I measured off the planned buffer to the proposed houses on First Ave across from Strada Patania. When you explained it to me, you said that there would be a 20 ft right-of-way, then a 75 ft open space buffer, then a 15 ft backyard. That only adds up to 110 ft to the houses. From the edge of First Ave there is a dip and then a low ridge. From there the property drops off steadily. The best place for the houses would be on the other side of the ridge, both from a visibility standpoint and a privacy standpoint. Siting the houses or backyards on this slope wouldn't really make any sense unless you were planning that this area would be leveled. I would not prefer that option at all. Leaving the ridge intact would mean that you would not need as many mature trees to screen the development. My measurement to place the houses just over the ridge was approx 170 ft.

I realize that the extra 60 ft would be hard to do given the plan you have and the number of units you want to have. I feel pretty firm about this however, given the density of the 13 houses is this strip. I am going to send this in as my comment to the Town. I wanted to do the measurement on the buffer first, before I submitted my comment.

Thanks,  
Patty

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**From:** [stfatha@aol.com](mailto:stfatha@aol.com) [<mailto:stfatha@aol.com>]  
**Sent:** Tuesday, June 10, 2014 10:53 AM  
**To:** Vella, Bayer  
**Cc:** Spaeth, Michael  
**Subject:** Kai

Bayer:

There is a neighborhood meeting next week on this property. Following a riotous Meeting at the Library last winter, WLB has met with the HOA, and my understanding is that the HOA on Palisades is largely in agreement with what has been proposed. The broader community - those that live in the Mandarin Lane area and to the south on First Avenue have not participated, nor have the residents who travel regularly along 1st been included.

I have objected to the limited HOA on Palisades having such exclusive access and input on this property with community impact. But that was another David Williams determination. Understandably, neighbors in that area have been preoccupied with traffic impacts on Palisades. Also, the visual impacts of development to the east on the existing homes there. The interests of the broader community were not included in subsequent meetings with WLB.

I have also felt strongly that a General Plan Amendment is required since the change in designation in MPC applies. Staff has dismissed that without explanation. It's been my expressed opinion that changing the zoning on a property inconsistent with the General Plan is unwise, and contrary to the committees being formed for that purpose. Finally, I have felt strongly that this Kai property is a good candidate for Mixed Use. The P&Z and Council approved the DIS Work Plan that included establishing mixed use as a high priority both in the Plan and in our Code. The Town is notorious for ignoring policy by approving developments prior to adopting Plan or Zoning requirements. The recent La Reserve issue is the most recent example.

It is important that you access what has been shown to the Palisades people and what judgment has been apparently accepted prior to the "neighborhood meeting" which is a misguided term, in this case.

Bill

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