

Southeast of Tangerine Road and N. 1st

Avenue Intersection

Proposed General Plan Amendment and Rezoning

Frequently asked questions

The level of engagement generated by the first informational video, posted on April 10th reached a wide audience and generated a number of questions and comments from residents. The video has been viewed over 400 times, and as of April 30th we have received in excess of 21 questions and comments. Thank you for the high level of participation and engagement.

All of your questions and comments have been, and will continue to be, posted on OVprojects.com. We did our best to group each one into similar categories representing the range of topics discussed. Those categories as of April 30 include:

- Land use compatibility
- Open space and the environment
- Schools
- Infrastructure
- Process
- Amending the General Plan
- Traffic
- Water

From those categories we developed ten hybrid questions and comments to encapsulate each of the topics.

Included below, are the ten “Frequently asked Questions”, followed by a response from the applicant (shown in *italics*) or appropriate Town staff member. We anticipate that this list of “Frequently asked Questions” will continue to grow as the project moves forward so please continue to check back in throughout the process.

QUESTION 1

QUESTION: What can currently be built on this site?

RESPONSE:

Oro Valley, it's in our nature.

FROM THE APPLICANT – MR. PAUL OLAND OF PARADIGM LAND DESIGN

The site is currently zoned for commercial development, meaning that uses permitted today include the sorts of establishments that you'd find in a shopping center such as retail stores, restaurants, bars, daycare, auto parts and rental, and miscellaneous services. The existing, approved Tentative Development Plan for the property depicts a shopping center that would include those sorts of uses.

QUESTION 2

QUESTION/COMMENT: Why propose new uses and not build commercial uses? What is the occupancy and demand for Oro Valley apartments and senior care facilities? What is the economic impact?

RESPONSE:

FROM THE APPLICANT – MR. PAUL OLAND OF PARADIGM LAND DESIGN

The reason we're requesting to change the zoning is that Oro Valley doesn't have enough residential or employment density needed for its existing businesses to thrive, nor therefore for potential future businesses. The struggling and closing of numerous stores at the Oro Valley Marketplace, the old Basha's shopping center, Rooney Ranch, and other commercial centers in Oro Valley is evidence of this problem.

At the intersection of First and Tangerine alone, where this property is located, there are over 80 acres of commercially zoned land, but less than a third of that land is developed. The existing shopping centers at this intersection are considered marginal from a retail standpoint because of the lack of supporting density. Most of the undeveloped acreage has been zoned for commercial development for decades but has not been built because there simply aren't enough residents nearby to support them. Throughout Oro Valley there isn't much undeveloped residential land left, so the likelihood of ever having enough density to support all the undeveloped commercial acreage is very low. Furthermore, of the undeveloped commercial land at the intersection of First and Tangerine, this property is the weakest because it is the furthest from the intersection and has the most circuitous access.

In response to the facts we're proposing to downzone this property to permit development of a residential or senior care use that will be more viable, and which will provide a graduated transition in land use intensity. Roughly 10,000 Americans turn 65 each day. This trend will continue for many years, and this is why we've all seen a surge in the number of senior care facilities built since the Great Recession. In nice towns like Oro Valley that have relatively high residential land values, senior care campuses offer resort-style living with many amenities. The aging parents of many

existing residents already live in senior care campuses in Oro Valley, allowing the generations to live close to each other while ensuring that the increased care needs of the elderly are met in an active and comfortable environment. These campuses are quiet neighbors that don't adversely impact nearby homeowners.

Demand for more residential units in Oro Valley remains regionally strong because Oro Valley is a great place to live. However, Oro Valley's residential market is dominated by single-family detached homes. That doesn't align with the broader spectrum of housing options demanded by existing and future residents, nor does it achieve one of the General Plan's goals of Oro Valley having an adequate supply of a full spectrum of housing options. For example, among the dozen or so apartment complexes in Oro Valley, occupancy rates average right around 95% and rents continue to increase, which is representative of strong and sustaining demand. An apartment development such as this would help fill some of the demand.

Additional residences such as rental casitas would also fill some of the demand and would support local businesses, as would townhomes. More single-family homes wouldn't necessarily help fill gaps in Oro Valley's available housing unit types, but they would still help local businesses tremendously.

An unused infill site like this one will benefit everyone if it is allowed to develop in a manner that is responsive to longstanding market conditions while at the same time developing with sensitivity to the surrounding area. Residential and senior care are appropriate transitional uses that will bring new patrons and employees to local businesses, and new residents to Oro Valley.

It is also worth pointing out that over the last few years every time apartments have been developed in Oro Valley new restaurants and retailers have opened for business nearby.

QUESTION 3

QUESTION: Is this compatible with surrounding neighbors? What about view, noise and light pollution impacts?

RESPONSE:

FROM THE APPLICANT – MR. PAUL OLAND OF PARADIGM LAND DESIGN

The property is visible from the intersection of First and Tangerine, although it is not highly visible because it is 1,000 feet away. Plus, it's at a slightly lower elevation, so development won't impact views of Pusch Ridge from either of those roadways. Directly north of the property is a rise that blocks visibility from much of Tangerine Road.

The site's marginal visibility from nearby major roads only underscores the point that commercial use of the site is not very viable.

The nearest residents in the Catalina Shadows subdivision are over 800 feet away and will be separated from this development not only by distance but also by homes to be built within the Villages at Silverhawke Phase 3. And of course, the premium views from Catalina Shadows are in the opposite direction, toward Pusch Ridge. The nearest neighbors in the Villages at Silverhawke Phase 2 subdivision, which was part of the rezoning that created this property's C-1 zoning in the first place, are at least 350 feet away and are separated from this development by a wash and the Villages Phase 3 that is currently under development. Again, their primary viewshed is to the east, not across this property. The nearest neighbors in the Tangerine Hills subdivision are nearly 1,100 feet away and are separated from this development by a wash, the Villages Phases 2 & 3 subdivisions, and First Avenue. The nearest homes in Rancho Vistoso are over a third of a mile away. The property's existing commercial zoning allows buildings of up to 25'. The proposed R-6 zoning has the same restriction. Nobody's views will be impacted by the development of this property either under its existing zoning or under any of the proposed development scenarios.

Oro Valley is a quiet and peaceful place to live and work. Given this property's existing commercial zoning that currently permits development of a shopping center with delivery trucks and other typical shopping center activities, any residential or senior care neighborhood built here will certainly produce less noise. Of course, Oro Valley's noise ordinance would apply to both scenarios.

Dark sky ordinances limit light pollution regardless of land use, but it is safe to say that any residential or senior care neighborhood built on this property would generally produce less light than a shopping center as currently permitted.

QUESTION 4

QUESTION:

How much open space will be provided? What are the cultural & environmental impacts specifically in regards to native plants and animals?

RESPONSE:

FROM THE APPLICANT – MR. PAUL OLAND OF PARADIGM LAND DESIGN

The property owner has given roughly two-thirds of the overall Kai-Capri property north and south of Palisades Road as open space. That includes areas within the Sanctuary at Silverhawke neighborhood, the Villages at Silverhawke neighborhood, and these

commercial areas at First and Tangerine. That is a significant amount of open space, especially for infill land. This property's existing C-1 Commercial zoning requires 20% open space. The proposed R-6 zoning requires 35% open space, so in addition to the many acres of open space that have already been dedicated there will clearly be more open space under the proposed development scenario than under the existing entitlements.

Nearly the entire site was graded by ADOT a number of years ago, so this land does not boast the level of mature or significant native vegetation found on most vacant parcels in Oro Valley.

A cultural resources survey was completed by an archaeological firm approved by Oro Valley. No cultural resources sites were identified on this property.

QUESTION 5

QUESTION: Will future owners be taxed for schools and is there ample student capacity?

RESPONSE:

FROM THE APPLICANT – MR. PAUL OLAND OF PARADIGM LAND DESIGN

Residential units within this project will be assessed property taxes like every other unit in Pima County. Some of those taxes fund public education. Kids living within this neighborhood would most likely attend Painted Sky Elementary, Coronado K-8, Ironwood Ridge High School, and Basis Oro Valley. We believe all of these schools have the capacity to accept additional students, but we'll be confirming that with Amphitheater School District and Basis as we move through the rezoning process.

Residents choosing to live in apartments in Oro Valley tend to be a bit older than the average age in Town, often being empty nesters, so the resulting impact on schools is typically lower per apartment unit than per detached single-family dwelling unit. Senior care campuses do not add students to nearby schools.

QUESTION 6

QUESTION: How will infrastructure be impacted and who pays for it? Will walking paths and trails be included?

RESPONSE:

FROM THE APPLICANT – MR. PAUL OLAND OF PARADIGM LAND DESIGN

This property gains vehicular, pedestrian, and utility access via existing and planned infrastructure that was designed to accommodate this property being developed for non-residential use. In other words, existing and planned infrastructure has adequate capacity to serve this development. The last leg of Kai Drive, which will complete the loop from First Avenue to Tangerine Road, will be constructed by the developer with the development of this parcel. Any ancillary improvements to Tangerine Road, such as turn lanes, will also be constructed by the developer. The cost of additional infrastructure such as roads, water, sewer, and other utilities necessary to serve this property will be borne by the developer.

Trail easements have been granted through the Sanctuary as Silverhawke subdivision and through the eastern portion of the Villages at Silverhawke property from Palisades Road to the cell tower. From there, the trail alignments curve down to Big Wash through County land. A connection to this trail network will be provided to future residents of this development. In addition, we'll be reaching out to the Pima County Parks & Recreation Department to determine the feasibility of acquiring a trail easement connecting the existing trail over to Kai Drive, which will have a sidewalk along it all the way back to First Avenue so trail users will gain another connection to Oro Valley's system of sidewalks and multi-use paths.

QUESTION 7

QUESTION: Why is the process not being paused until after the COVID-19 pandemic is over?

RESPONSE:

FROM HANNAH ODEN – TOWN OF ORO VALLEY SENIOR PLANNER

It is important to establish that this request is to develop private property, and all property owners have the right to request review of their development proposal. This is NOT the Town's proposal – it is the property owners. It is their charge to create, justify and seek Town Council approval of their proposal.

In accordance with State Law, the Town is required to provide due process in a timely manner. State law requires General Plan Amendments be heard in the same calendar year in which they are submitted. This means that Town Council must consider the application in December of this year. Again, State Law mandates that General Plan amendments be processed if and when they are submitted. This includes moving forward with the public participation process.

QUESTION 8

QUESTION: How is the General Plan able to be changed?

RESPONSE:

FROM HANNAH ODEN– TOWN OF ORO VALLEY SENIOR PLANNER

The *Your Voice, Our Future* General Plan is a voter-approved policy document that drives Town decisions and reflects community values. It includes a vision, guiding principles, and goals and policies that guide Town decisions and development. The plan was ratified by the voters in 2016.

Property owners have the right to request a land use change to their private property, known as a General Plan Amendment. The General Plan intentionally acknowledged that amendments would be made throughout the life of the plan and specifically states that the amendment process be used because of its robust public engagement process. This was specifically recommended by the Development Committee during the creation of the *Your Voice Our Future* General Plan. Please see the quotes from the General Plan below:

“...applications are typically made every year...that most often concern changes to the Town’s Land Use Map and generate a significant amount of interest within the community.”

*“...residents on the Development Committee, recommended changes to the map be handled through the plan amendment process due to the robust public engagement involved...**As such it is anticipated that changes to the map will occur during the lifespan of this plan**”*

With that in mind, the Plan includes amendment criteria for evaluating amendment proposals which include: general conformance with the vision, guiding principles, goals and policies of the General Plan; a thorough review of how neighbor concerns have been addressed by the applicant as part of their proposal; and for non-residential amendments, an evaluation of whether or not it contributes to the long-term stability of the Town.

QUESTION 9

QUESTION: Would new traffic impact congestion and vehicular and pedestrian safety?
What is in a traffic study?

RESPONSE:

**FROM PAUL KEESLER – TOWN OF ORO VALLEY DIRECTOR OF PUBLIC WORKS
AND TOWN ENGINEER**

What does the Town require and analyze in regards to a traffic study?

Essentially we look at five major aspects of vehicular traffic:

1. Total Traffic Generation – this is the total of the existing traffic, often referred to as “background traffic” and the amount of traffic that will be added to the surrounding street network with the proposed development. By itself, this is meaningless, but in combination with the next four aspects, it creates that understanding of real impact that the surrounding street network will experience.
2. Traffic Distribution – Once we understand how much traffic will be generated, it is distributed around all the various ingress/egress points to the surrounding street network. This distribution is based on the ratio of existing background traffic flow volume ratios and the ease of access from internal project locations. So we mimic both driver behavior to find the most efficient route as well as the historical background traffic patterns.
3. With both the Total Traffic Generation as well as the Traffic Distribution determined, we apply ITE (Institute of Transportation Engineers) Peak Hour volume calculations to understand the development’s impact to the surrounding street system during its busiest time.
4. With all the previously mentioned information and analysis, we can determine the surrounding impacted intersections’ Level of Service. Technically “Level of Service” is directly related to the amount of time one waits at an intersection before they can pass through. Rated on a scale of “A” through “F”, the longer one waits at an intersection, the greater the chance an unsafe decision to go will be made which is statistically related to intersection crash incidents. The Town requires that new development mitigate its impacts to the surrounding intersections and be responsible for whatever improvements are required returning the intersection to its existing Level of Service. The intersections that will be studied with this development are:
 - a. 1st & Kai Dr. & Placita De Oro south driveway (Walgreens & Ace Hardware)

- b. 1st & Tangerine
 - c. 1st & Strada Patania
 - d. 1st & Palisades
5. And lastly, we look at proposed new intersection impacts. The developer is proposing a new intersection accessing Tangerine Road.

This access is expected to provide beneficial impacts to the previously mentioned existing intersections by relieving them of some traffic volume. However, before this is an accepted alternative, it also needs to be analyzed for the following:

- a. Acceptable Level of Service for all proposed traffic movements. This includes a proposed Right-in, Right-out and slip-left-in. An acceptable Level of Service will be B or above for a new intersection.
- b. That there is adequate Sight Distance provided for all new turning movements. For this intersection that means that east bound Tangerine Rd. thru traffic can see and be seen far enough away that either the thru traffic or the turning traffic can safely stop or avoid one another. This is often referred to as a sight visibility study. It analyzes both vertical as well as horizontal sight lines for distance traffic can see one another or implementing other mitigation methods such as a dedicated right-turn lane.

The next major question has been: What will the traffic impacts be for the proposed development?

This has already been studied and analyzed with the previous General Plan Amendment and Rezoning efforts. This is available within the previous Traffic Impact Analysis. However, this previous analysis is based on a major factor that created larger impacts to existing surrounding traffic network than the present proposal:

- Commercial land uses generate more traffic than either High Density Residential (apartments or Casitas) or Senior Care facilities. Commercial land use, which is what is currently entitled, is the most intense form of traffic generation over and above all other uses.

So if the new development proposal is expected to generate less traffic impacts, then why would the Town force the Developer to reanalyze the traffic impacts? Well, simply put, the original land uses had traffic mitigation measures as a condition of approval:

- 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. Per the original Traffic Impact Analysis, this mitigation measure was expected to be the installation of a fully signalized intersection.

The Town needs to determine if this requirement is still applicable. Or, are there other less impactful mitigation measures that can be implemented to provide the same safety to the general traveling public.

Of note, one question from the public specifically asks how the new entrance to Safeway works with the proposed Kai Dr. connection to Tangerine Rd.

There is no impact. As proposed, the Kai Drive connection to Tangerine Rd. is limited to Right-In, Right-Out, and Slip-Left-In. Because there is a median in Tangerine Rd., and the new Safeway access is Right-In and Right-Out, there is no crossing or conflicting traffic movements. In layman's terms, the intersections are completely separated from one another. However as previously mentioned, we will nonetheless need to study the proposed Kai Drive connection for sight visibility safety.

And lastly, how will pedestrian safety be addressed?

This proposal nor the previous rezoning negatively impact Pedestrian safety. All intersections where pedestrians cross traffic are either controlled via signal or stop sign. Other than the intersection crossing points, pedestrian travel routes are provided by either sidewalks or Multi-Use Paths, separating them completely from vehicular travel ways.

And in a way, this new development proposal will enhance the pedestrian experience by providing an alternative route to going through the busy intersection of 1st & Tangerine when heading toward the Hospital and OVMP from 1st Ave. The pedestrian way through the connection of Kai Drive from 1st Ave. to Tangerine will be a less congested, quieter and nicer travel way to and from the afore mentioned destinations.

There was also concern for pedestrians crossing Rancho Vistoso Blvd. at Woodburne Ave. due to the increased traffic by this development proposal. Aside from the fact that this new proposal reduces newly generated traffic, over what is already entitled, the intersection has been vastly improved by the construction of the Safeway Plaza driveway to Tangerine due to the diversion of traffic volume it now provides.

QUESTION 10

QUESTION: What is the impact on water supply?

RESPONSE:

FROM PETER ABRAHAM – TOWN OF ORO VALLEY WATER UTILITY DIRECTOR

The Oro Valley Water Utility was created in May of 1996 when the Town purchased the Canada Hills Water Company and the Rancho Vistoso Water Company. At that time,

the only source of water supply available for delivery was groundwater and the demands placed on Oro Valley's aquifer was an unsustainable 2.1 billion gallons per year.

Thanks to the Utility's forward thinking and the support of the Town's governing body, the Utility was authorized to make the capital investments necessary, as well as enter into the various contracts and agreements that allow for the delivery of other sources of supply besides groundwater.

In 2005, the Water Utility began making deliveries of reclaimed water to turf customers to irrigate golf courses, parks and athletic fields. Then, in 2012, the Utility began making deliveries of a portion of the Utility's Central Arizona Project (CAP) water entitlement. Additionally, the Water Utility has been storing all of its unused CAP water allocation in nearby underground recharge facilities. This stored water can be recovered at a later date to offset shortages that may occur in the future.

This effort to utilize water resources other than groundwater has been so successful that since 1996 the Utility has reduced its groundwater pumping by over 30%. This is even more impressive when you consider that the population has more than doubled since that time. **This trend will continue.** We have the capacity to meet the water resource needs of the community to Town buildout while still storing water in underground storage facilities for the future.

How will we do this?

With the completion of the Northwest Recharge Recovery and Delivery System Project in 2024, the Utility will begin making additional CAP deliveries. These deliveries will support the Town's future growth and further reduce the reliance on groundwater for existing customers. 60% of the project is funded by growth-related impact fees with 40% funded by the Groundwater Preservation Fees paid for by existing customers.

How reliable is CAP water as a source of supply?

The Water Utility has an entitlement of CAP water and a contract with CAP to deliver it. As a municipal water provider, the Utility is among the highest priority users of CAP water. If curtailments in deliveries were to ever happen, Oro Valley would be among the last to see a reduction of deliveries. The passage of the Lower Basin States Drought Contingency Plan further firms the Utility's entitlement to Colorado River Water.

Furthermore, The State of Arizona has been preparing for long-term water shortages for decades. Investments by state and federal agencies have resulted in the creation of large-scale surface water reservoirs and recharge basins that allow for storage and aquifer recharge of CAP water. These projects have dramatically improved water

resource availability and reliability for urban areas that, in the past, were solely dependent on the utilization of groundwater for their water resource needs. Infrastructure investments and code changes coupled with consumer conservation have resulted in securing Arizona's water future for communities like Oro Valley for decades to come even during extended periods of drought.

The Oro Valley Water Utility developed a Strategic Plan for water supply sustainability to comply with the regulatory requirements of the Arizona Department of Water Resources (ADWR). This plan includes a comprehensive water supply and demand analysis for Oro Valley and creates a framework for addressing the Town's future water supply needs. The Town demonstrated to ADWR that it had a 100-year water supply when considering current and committed demands, as well as future growth projections. As a result, the Town of Oro Valley has been designated by ADWR as having an Assured and Adequate Water Supply for the Water Utility's entire service area for a period of 100 years. This designation is very important to Oro Valley. It means that the Town has demonstrated successful long-term water supply planning, adequate preservation of groundwater resources and the use of water supplies other than groundwater.

The Town's diligence in securing, managing and conserving its water resources has been so successful that the Water Utility delivers less total water resources per year than it did over a decade ago. This leaves enough resource availability to support the Town's future growth even if the current CAP drought contingency plans go into effect. Whatever the region's water supply challenges may be, the Town of Oro Valley is well positioned to successfully meet those challenges to ensure and sustain the Town's quality of life, public health and economic vitality now and in the future.