

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
JULY 19, 2023
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Winfield called the meeting to order at 5:00 p.m.

ROLL CALL

Present: Joseph C. Winfield, Mayor
Melanie Barrett, Vice-Mayor
Tim Bohen, Councilmember
Harry Greene, Councilmember
Joyce Jones-Ivey, Councilmember
Steve Solomon, Councilmember

Absent: Josh Nicolson, Councilmember

EXECUTIVE SESSION - 1. Pursuant to A.R.S §38-431.03(A3) and (A4) regarding Joplin v. Town of Oro Valley. 2. Pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4) to discuss matters pertaining to an Economic Development Agreement between the Town of Oro Valley and Town West regarding the Oro Valley Marketplace

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to go into Executive Session at 5:02 p.m., pursuant to A.R.S §38-431.03(A3) and (A4) regarding Joplin v. Town of Oro Valley. 2. Pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4) to discuss matters pertaining to an Economic Development Agreement between the Town of Oro Valley and Town West regarding the Oro Valley Marketplace

Discussion ensued amongst Council and Mr. Rothschild.

Councilmember Nicolson joined the meeting at 5:02 p.m.

Mayor Winfield announced that the following staff would be joining Council in the first Executive Session: Town Manager Jeff Wilkins, Deputy Town Manager Chris Cornelison, Town Attorney Nathan Rothschild, Legal Services Director Tobin Sidles, the Attorney from Humphrey and Peterson, P.C., representing the Town assigned from the Municipal Risk Pool, and Town Clerk Mike Standish

Mayor Winfield announced that the following staff would be joining Council in the second Executive Session: Town Manager Jeff Wilkins, Deputy Town Manager Chris Cornelison, Town Attorneys Jonathan and Nathan Rothschild, Legal Services Director Tobin Sidles and Town Clerk Mike Standish.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to go into Executive Session at 5:03 p.m., pursuant to A.R.S §38-431.03(A3) and (A4) regarding Joplin v. Town of Oro Valley. 2. Pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4) to discuss matters pertaining to an Economic Development Agreement between the Town of Oro Valley and Town West regarding the Oro Valley Marketplace

Vote: 7 - 0 Carried

RESUME REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Winfield resumed the Regular Session at 6:12 p.m.

ROLL CALL

Present: Joseph C. Winfield, Mayor
Melanie Barrett, Vice-Mayor
Tim Bohen, Councilmember
Harry Greene, Councilmember
Joyce Jones-Ivey, Councilmember
Josh Nicolson, Councilmember
Steve Solomon, Councilmember

1. APPROVAL OF ANY DIRECTION TO THE TOWN ATTORNEY AND/OR NECESSARY STAFF AS DISCUSSED IN EXECUTIVE SESSION REGARDING JOPLIN V. TOWN OF ORO VALLEY

No action was taken on this item.

2. APPROVAL OF ANY DIRECTION TO THE TOWN MANAGER AND/OR NECESSARY STAFF AS DISCUSSED IN EXECUTIVE SESSION REGARDING THE DRAFT ECONOMIC DEVELOPMENT AGREEMENT WITH ORO VALLEY LIFESTYLE CENTER LLC (TOWN WEST REALTY)

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Harry Greene to proceed as directed in Executive Session.

Vote: 7 - 0 Carried

PLEDGE OF ALLEGIANCE

Mayor Winfield led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

Town Clerk Mike Standish announced the upcoming Town meetings.

MAYOR AND COUNCIL REPORTS ON CURRENT EVENTS

Councilmember Greene reported that Councilmember Solomon had received the 2023 Metropolitan Pima Alliance Common Ground Award.

Councilmember Greene also reported on the status of the Community Center Parking lot.

Councilmember Jones-Ivey encouraged involvement and volunteerism for Project Graduation.

Mayor Winfield reported that he and his wife had visited three of the Oro Valley Parks and Recreation Youth Camps. Mayor Winfield applauded the Parks and Recreation staff for keeping all the youth camp participants hydrated and cool during the hot summer days.

TOWN MANAGER'S REPORT ON CURRENT EVENTS

Town Manager Jeff Wilkins congratulated the Council, the Historic Preservation Commission, and the Parks and Recreation staff on the Steam Pump Ranch Barbecue and Bunkhouse restoration project and Ribbon cutting event.

Mr. Wilkins also recognized the promotions of Lieutenant Peterson and Sergeant Duran, and the retirement of Officer Chmara from the Oro Valley Police Department.

Mr. Wilkins reported that the Oro Valley Chamber of Commerce would hold their Annual Meeting and Awards Breakfast on Wednesday, July 26, 2023.

ORDER OF BUSINESS

Mayor Winfield reorganized the agenda by moving Presentation item #1 to a future agenda. The remaining items would remain as posted.

INFORMATIONAL ITEMS

There were no informational items.

CALL TO AUDIENCE

Oro Valley resident Chris Desimone voiced his concerns regarding the Town of Oro Valley.

Oro Valley resident Mike Stonge voiced his concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

Oro Valley resident Joanne Michaelsen voiced her concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

Oro Valley resident Tricia Tozier spoke on behalf of herself and Oro Valley resident Tim Tarris. Ms. Tozier voiced her concerns and the concerns of Mr. Tarris, regarding the proposed Oro Valley Church of the Nazarene rezoning request.

Oro Valley resident Tim Fagan voiced his concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

Oro Valley resident Anthony Ferrara voiced his concerns regarding the proposed Oro Valley Church of the Nazarene rezoning request.

PRESENTATIONS

1. Presentation by the Southern Arizona Arts & Cultural Alliance (SAACA) of the winners of the Oro Valley Photography Contest

Mayor Winfield moved this item to an unspecified future meeting date per the request of SAACA.

2. Proclamation - Drowning Impact Awareness Month

Mayor Winfield proclaimed August 2023 as Drowning Impact Awareness month in Oro Valley.

3. Presentation and possible discussion regarding a Naranja Drive update related to speed study and crossing warrants results, current improvements underway and proposed improvements in the near future

Town Engineer and Public Works Director Paul Keesler presented item #3 and included the following:

- Review
- Moving Forward - Completed
- Moving Forward - For Reference
- Moving Forward - Working on Solutions
- Moving Forward - Summary

Discussion ensued amongst Council and staff regarding Presentation item #3.

CONSENT AGENDA

- A. Minutes - June 21, 2023
- B. Reappointments and/or appointments to the Health Care Benefits Trust Board (HCBT), Corrections Officer Retirement Plan (CORP), and the Tucson/Pima County Bicycle Advisory Committee (TPC BAC)
- C. Resolution No. (R)23-29, approving the Agenda Committee assignment for the period of September 1, 2023 to November 30, 2023
- D. Resolution No. (R)23-31, authorizing GOLEANSIXSIGMA to publish two case studies on projects completed by the Town of Oro Valley
- E. Resolution No. (R)23-30, authorizing and approving a school resource officer agreement between Leman Academy of Excellence and the Town of Oro Valley for the assignment of one (1) Town of Oro Valley Police Officer to act as school resource officer (SRO) at Leman Academy of Excellence

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Steve Solomon to approve Consent items (A) to (E).

Vote: 7 - 0 Carried

REGULAR AGENDA

3. PUBLIC HEARING: PURSUANT TO A.R.S. SECTION 9-471, DISCUSSION REGARDING THE ANNEXATION OF 36 ACRES AT THE SOUTHWEST CORNER OF LA CAÑADA DRIVE AND W MOORE ROAD

Management Analyst Karl Shaddock presented item #3 and included the following:

- Possible Annexation of 36-Acres at La Canada and Moore - Purpose
- Annexation Process
- Annexation Legal Requirements - State Law
- Annexation Strategy for Parcel
- Translational Zoning
- Provision of Town Services
- Next Steps

Paul Oland with Paradigm Land Design LLC., continued the presentation and included a brief overview of item #3.

Mike Jones with Insight Homes spoke regarding item #3.

Mayor Winfield opened the Public Hearing.

The following individuals spoke regarding item #3.

Oro Valley resident Kelly Headley
Oro Valley resident T. Brandon Michel
Oro Valley resident Steve Stuebner

Mayor Winfield closed the Public Hearing.

Discussion ensued amongst Council and staff regarding item #3.

Mayor Winfield recessed the meeting at 7:35 p.m.

Mayor Winfield reconvened the meeting at 7:47 p.m.

4. CONTINUED PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON THREE ITEMS RELATED TO A PROPOSED OFFICE AND DRIVE-THRU DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF NARANJA AND LA CANADA DRIVE. THE ITEMS INCLUDE:

ITEM A: RECONSIDERATION OF A 2006 GRADING EXCEPTION CONDITION
ITEM B: CONCEPTUAL SITE AND LANDSCAPE PLANS
ITEM C: CONCEPTUAL ARCHITECTURE

Principal Planner Michael Spaeth presented item #4 and included the following:

- Purpose
- Location Map
- Item A: Amendment of Grading Exception Condition
- Site Design
- Applicants site design
- Applicant's revised site design
- Planning and Zoning Commission and Town Council action
- Summary

Paul Oland with Paradigm Land Design LLC., continued the presentation and provided an overview of the updated proposed office and drive-thru development located on the northwest corner of Naranja and La Canada Drive.

Property Owner Bob Schwartz spoke regarding the construction portion of the proposed project.

Mayor Winfield opened the Public Hearing.

The following individual spoke regarding item #4.

Oro Valley resident Rob Wanczyk

Mayor Winfield closed the Public Hearing.

Discussion ensued amongst Council and staff regarding item #4.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve the reconsideration of the Grading Exception condition for the commercial development, subject to the Conditions in Attachment 1 - Item A, located at the northwest intersection of Naranja Drive and La Cañada Drive, based on the finding that the request complies with all General Plan and Zoning Code criteria.

Attachment 1

Northwest Corner of Naranja Dr. and La Cañada Dr. Conditional Use Permit, Grading Exception Waiver, and Conceptual Site Plan
Conditions of Approval - Item A

Item A - Grading Exception Waiver (OV1206-16A)

PLANNING CONDITIONS

1. Maintenance of the drainage channels on the property may not reduce the number of required plants needed to meet bufferyard requirements.
2. Maintenance of the drainage channels on the property may not reduce the number of mature trees needed to provide a continuous tree canopy for screening adjacent to residential properties.

Discussion ensued amongst Council and staff regarding item #4.

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve the reconsideration of the Grading Exception condition for the commercial development, subject to the Conditions in Attachment 1 - Item A, located at the northwest intersection of Naranja Drive and La Cañada Drive, based on the finding that the request complies with all General Plan and Zoning Code criteria.

Attachment 1

Northwest Corner of Naranja Dr. and La Cañada Dr. Conditional Use Permit, Grading Exception

Item A - Grading Exception Waiver (OV1206-16A)

PLANNING CONDITIONS

1. Maintenance of the drainage channels on the property may not reduce the number of required plants needed to meet bufferyard requirements.
2. Maintenance of the drainage channels on the property may not reduce the number of mature trees needed to provide a continuous tree canopy for screening adjacent to residential properties.

Vote: 7 - 0 Carried

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Josh Nicolson to approve the Conceptual Site and Landscape Plans for the commercial development, subject to the Conditions in Attachment 1 - Item B, located at the northwest intersection of Naranja Drive and La Cañada Drive, based on the finding that the request complies with the El Conquistador Country Club PAD requirements and all applicable Zoning Code criteria.

Attachment 1

Northwest Corner of Naranja Dr. and La Cañada Dr. Conditional Use Permit, Grading Exception Waiver, and Conceptual Site Plan
Conditions of Approval - Item B

Item B - Conceptual Site Plan (2101733)

PUBLIC WORKS CONDITIONS

1. The following note shall be added to the Conceptual Site Plan:

The Traffic Control Plan is a requirement of the ROW permit application. The application is submitted by the construction contractor. The permit will include the condition that one lane of traffic will be maintained in each direction with minimum 11-foot lanes.

2. Conceptual Site Plan shall be revised to provide two egress lanes, one left-turn and one right-turn, at Naranja Drive connection as shown in revised site design dated 4.27.2023.

Vote: 7 - 0 Carried

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Harry Greene to approve the conceptual Architecture for the commercial development, located at the northwest intersection of Naranja Drive and La Cañada Drive, based on the finding that the request complies with the El Conquistador Country Club PAD requirements and all applicable Zoning Code criteria.

Vote: 7 - 0 Carried

5. DISCUSSION AND POSSIBLE ACTION REGARDING PARKING AND VEHICLE STORAGE

Vice Mayor Barrett introduced the item and explained the reason it was requested.

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Josh Nicolson to initiate a zoning code amendment to require a conditional use permit for vehicle storage businesses and parking garages looking at the following: Needed changes to definitions or tables including differentiating between personal vehicles and vehicles like RV's, boats, and large trucks. Implementing a reasonable number of storage spaces to be permitted for an ancillary use and any other needed changes to facilitate this amendment.

Discussion ensued amongst Council and staff regarding item #4.

Motion by Vice-Mayor Melanie Barrett, **seconded by** Councilmember Josh Nicolson to initiate a zoning code amendment to require a conditional use permit for vehicle storage businesses and parking garages looking at the following: Needed changes to definitions or tables including differentiating between personal vehicles and vehicles like RV's, boats, and large trucks. Implementing a reasonable number of storage spaces to be permitted for an ancillary use and any other needed changes to facilitate this amendment.

Vote: 7 - 0 Carried

FUTURE AGENDA ITEMS

No future agenda items were requested.

ADJOURNMENT

Motion by Mayor Joseph C. Winfield, **seconded by** Councilmember Josh Nicolson to adjourn the meeting at 8:41 p.m.

Vote: 7 - 0 Carried

Michelle Stine, MMC
Deputy Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 19th day of July 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Michael Standish, CMC
Town Clerk