



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
NOTICE AND AGENDA

11555 W. Civic Center Drive, Marana, Arizona 85653
2nd Floor Conference Center, February 26, 2020, at or after 6:30 PM

Thomas Schnee, Chairman
Don Duncan, Vice Chair
Terry Fehrmann, Commissioner
Ronald Hill, Commissioner
Richard Miller, Commissioner
Bryan Schachter, Commissioner
Sharon Tyson, Commissioner

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Marana Planning Commission and to the general public that the Planning Commission will hold a meeting open to the public on February 26, 2020, at or after 6:30 PM located in the 2nd Floor Conference Center of the Marana Municipal Complex, 11555 W. Civic Center Drive, Marana, Arizona.

ACTION MAY BE TAKEN BY THE COMMISSION ON ANY ITEM LISTED ON THIS AGENDA. Revisions to the agenda can occur up to 24 hours prior to the meeting. Revised agenda items appear in *italics*.

Marana Planning Commission

Welcome to this public meeting of the Marana Planning Commission. The Commission consists of seven citizens who are appointed by the Town Council and serve without pay. For the most part, the Commission acts in an advisory capacity to the Town Council on matters related to land use planning and zoning. Citizens are encouraged to address the Commission with their concerns on agenda items during the public testimony portions of the meeting, or other issues at the Call to the Public.

Meeting Times

Regular Commission meetings are usually held on the last Wednesday of each month at 6:30 PM at the Marana Municipal Complex, although the date or time may change and additional meetings may be called at other times and/or places.

Speaking at Meetings

If you are interested in speaking to the Commission during the Call to the Public or Public Hearings, you must fill out a speaker card (located in the lobby outside the Council Chambers) and deliver it to the Planning Commission Secretary prior to the convening of the meeting.

All persons attending the Commission meeting, whether speaking to the Commission or not, are expected to observe the Commission rules, as well as the rules of politeness, propriety, decorum and good conduct. Any person interfering with the meeting in any way, or acting rudely or loudly will be removed from the meeting and will not be allowed to return.

Accessibility

To better serve the citizens of Marana and others attending our meetings, the Council Chambers are wheelchair and handicapped accessible. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Town Clerk at (520) 382-1999. Requests should be made as early as possible to arrange the accommodation.

Agendas

Copies of the Agenda are available the day of the meeting in the lobby outside the Council Chambers or online at www.maranaaz.gov.

This Notice and Agenda posted no later than 24 hours prior to the meeting, at the Marana Municipal Complex, 11555 W. Civic Center Drive, the Marana Operations Center, 5100 W. Ina Road, and at www.maranaaz.gov.

REGULAR COMMISSION MEETING**CALL TO ORDER****PLEDGE OF ALLEGIANCE****INVOCATION/MOMENT OF SILENCE****ROLL CALL****CALL TO THE PUBLIC**

At this time, any member of the public is allowed to address the Planning Commission on any issue within the jurisdiction of the Planning Commission, except for items scheduled for a Public Hearing at this meeting. The speaker may have up to three (3) minutes to speak. Any persons wishing to address the Commission must complete a speaker card (located at the rear of the Commission Chambers) and deliver it to the Commission Secretary prior to this agenda item being called. Pursuant to the Arizona Open Meeting Law, at the conclusion of Call to the Public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, and may ask staff to review the matter, or may ask that the matter be placed on a future agenda. However, members of the Commission shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

APPROVAL OF AGENDA**ANNOUNCEMENTS****GENERAL ORDER OF BUSINESS**

- A. Approval of the December 18, 2019 Meeting Minutes**
- B. Public Hearings**

1. **PCM2002-001: Amendment of Ordinance No. 2017.008 Twin Peaks and Lambert Lane Rezoning;** A request for a recommendation to the Marana Town Council to amend Marana Ordinance No. 2017.008, an ordinance that approved a rezoning of approximately 34 acres of land from R-144 (single-family residential) to R-6 (single-family residential). The proposed amendment includes a reconfiguration of lots within the Conceptual Development Plan and an increase in the total lot count from 59 lots to 62 lots. The property subject to this application is located east of Twin Peaks Road, north of the Lambert Lane alignment, and west of Blue Bonnet Road within Section 11, Township 12 South, and Range 12 East.

C. Commission Action

Opening remarks by an applicant should not exceed ten minutes. Comments by others should not exceed three minutes.

D. Informational Items/Possible Action Items

FUTURE AGENDA ITEMS

EXECUTIVE SESSIONS

Pursuant to A.R.S. 38-431.03, the Planning Commission may vote to go into executive session, which will not be open to the public, to discuss certain matters.

Executive Session pursuant to A.R.S. §38-431.03 (A), Planning Commission may ask for discussion or consideration, or consultation with designated Town representatives, or consultation for legal advice with the Town Attorney, concerning any matter listed on this agenda for any of the reasons listed in A.R.S. §38-431.03 (A).

ADJOURNMENT

Planning Commission - Regular Meeting

Meeting Date: 02/26/2020

To: Planning Commission

From: Terri Byler, Executive Assistant

Date: February 26, 2020

Subject: **Approval of the December 18, 2019 Meeting Minutes**

—

Attachments

12/18/2019 Summary Minutes



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
11555 W. Civic Center Drive, Marana, Arizona 85653
MPD Community Room, December 18, 2019, at or after 6:30 P.M.

Thomas Schnee, Chairman
Don Duncan, Vice Chair
Terry Fehrmann, Commissioner
Ronald Hill, Commissioner
Richard Miller, Commissioner
Bryan Schachter, Commissioner
Sharon Tyson, Commissioner

SUMMARY MINUTES

CALL TO ORDER

Chairman Schnee called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE AND INVOCATION/MOMENT OF SILENCE: Led by **Chairman Schnee**.

ROLL CALL

Chairman Schnee directed the Commission Secretary to call roll. A quorum was present. Commissioner Hill arrived at 6:37 p.m.

CALL TO THE PUBLIC

Chairman Schnee opened the meeting to receive public comments. No comments were offered by the public.

APPROVAL OF AGENDA

Motion to move Action Item PRV1909-005 Final Plat for Cortaro Ranch Phase II Lots 4 through 6, first on the agenda by Chairman Schnee. Motion to approve the amended agenda approve by Vice Chair Duncan, seconded by Commissioner Fehrmann. Passed unanimously.

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

Approval of the Regular Planning Commission Meeting Minutes of November 20, 2019. *Motion to approve by Commissioner Fehrmann, seconded by Commissioner Tyson. Passed unanimously.*

COMMISSION ACTION

1. PRV1909-005 Final Plat for Cortaro Ranch Phase II Lots 4 through 6; A request for recommendation to the Marana Town Council for approval of a final plat for a 3-lot commercial subdivision generally located north of Cortaro Farms Road and west of Cerius Stravenue within a portion of Section 26, Township 12 South and Range 12 East. (Brian D. Varney)

Senior Planner, Brian Varney noted this was a request to amend the final plat of Cortaro Ranch Phase II. The applicant is requesting to shift the lot lines between lots 4 and 5, and lots 5 and 6. The shift would make lots 4 and 5 slightly smaller and lot 6 slightly larger to accommodate the needs of future buyers. The planning department has reviewed the request and is in full support. The request meets all Town requirements.

Chairman Schnee asked if the common areas and building heights would remain the same. **Mr. Varney** replied there will be no changes to the common areas or building heights. No other comments were offered.

Motion to approve by Chairman Schnee, seconded by Commissioner Tyson. Passed unanimously. 6-0

PUBLIC HEARINGS

1. PCZ1905-001 Amendment to the Uptown at Marana Specific Plan; A request for recommendation to the Marana Town Council for approval of a proposed comprehensive amendment to the Uptown at Marana Specific Plan including revisions to the mixture of allowable land uses, the Conceptual Land Use Plan, and the associated development standards. The Specific plan applies to approximately 205 acres of property generally located west of Interstate 10, north of Marana Road, and east of Sanders Road in a portion of Section 21, Township 11S, Range 11E. (Brian Varney)

Mr. Varney noted this was a request to amend the Uptown @ Marana Specific Plan. The proposal is to reduce the amount of commercial acreage and increase opportunities for residential and mixed use development. Today's real estate market is much different from what it was in 2007. The residential planned development does not support the commercial entitlement in the area. In recent years the Town has approved a number of specific plans within the area that already have a significant amount of commercial opportunities.

Keri Silvyn – Lazarus, Silvyn & Bangs – noted the Uptown at Marana Specific Plan was approved by the Marana Town Council in 2007. Many of the projections in 2006 planned for extensive growth in the area; however due to the slow-down of the market in 2008, the anticipated growth never transpired. The current specific plan is extremely specific and was designed for a certain form of development that has not come to fruition. Currently there are not enough rooftops to justify the amount of entitled commercial property in north Marana. The objective of the amendment is to provide flexibility by updating the permitted land uses; decreasing the amount of designated commercial land use and increase the opportunities for residential.

The proposed land uses:

The Low-Medium Density Residential (MLDR) will accommodate detached single-family residential uses with a density range of 3.1 to 6.0 units per acre. In the previous plan the limit was 8.0 units per acre. Also, a minimum lot size of 3,200 sq. ft. is required; revised from 2,200 sq. ft.

The Medium-High Density Residential (MHDR) will accommodate both detached and attached single-family residential and multi-family with a range of 6.1 to 12.0 units per acre. There is no change on the minimum lot size of 1,625 sq. ft. for SFR attached and 3,200 sq. ft. for SFR detached. Multi-family will require a minimum lot size of 6,000 sq. ft. Design standards for homes were defaulted to the Town Code. For multi-family developments over 30 units, an additional recreation area would be required in addition to the park and other open space. The recreation area must be a minimum of 2,000 sq. ft., landscaped and buffered. The amenities must be based on the demographic and age.

Neighborhood / Regional Commercial will have a minimum of 15 acres for commercial use. Additional acreage may be developed, if supported by market demand.

Mixed Use will combine both residential and commercial uses. Residential will be subject to the MHDR standards and multi-family residential will be limited to no more than 50% of the area.

Open space and Parks are significant to the area. The parks will be developed based on the criteria from the Town. There is a requirement for a central community park. And there is a condition that the central community park must have amenities such as play grounds, ramadas, open areas, play courts and paths. Pocket parks will also be integrated in all residential areas.

Three access points are planned for the development; two from Marana Road and one from Sanders Road. The Traffic Impact Analysis has been revised and was conditionally accepted by the Town's Traffic Engineering Division. Traffic was analyzed based on the 933 unit cap. But as the commercial designated land is potentially converted to residential, Ms. Silvyn stated that she and her staff have been working with Marana Water on the dwelling unit conversions - Equivalent Dwelling Units - to make sure the unit caps are accurate. If the residential buildout approaches the 933 cap, the Traffic Impact Analysis would have to be revised.

Chairman Schnee asked if the 15 acres of "Village Commercial" was an estimate. **Ms. Silvyn** stated yes it was only an estimation. **Chairman Schnee** asked if Condition #11 in the staff report was tied to Condition #16. **Mr. Varney** that is correct.

Regarding Condition #8, **Commissioner Miller** asked for clarification on the timeline of the infrastructure vs. potential traffic for the area. **Mr. Varney** stated the road infrastructure will be constructed as the developments come in. **Town Attorney, Frank Cassidy** noted that Condition #8 from the 2007 Ordinance is the one that requires construction of Marana Road. It is a concurrency provision. There are two provisions that talk about the Traffic Impact Analysis. The first provision states, as things develop, if you have more than "X" number of units, the Traffic Impact Analysis must be updated. The second provision is the concurrency language, which needs to be finalized prior to going to Town Council.

Regarding the conceptual design, **Commissioner Schachter** wanted to know if the direction that the town is headed was due to specific feedback from the market/potential buyers or general market direction. **Ms. Silvyn** stated that is a combination of both. They have been watching the market in Marana, as well as actively marketing the project.

Chairman Schnee opened the public hearing. **Mitch Stallard** spoke on behalf of Marana Town Center (the 462 acres immediately south of Uptown at Marana) to fully support the proposed amendments. **Chairman Schnee** closed the public hearing.

No further comments from Commission.

Motion to approve by Chairman Schnee, seconded by Commissioner Schachter. Passed unanimously. 7-0

INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS

Land Development Code Update – Zoning; A presentation and discussion regarding proposed revisions to Title 5 (Zoning) of the Marana Land Development Code, the replacement of Title 5 (Zoning) by Chapter 17-4 (Zoning) in the Marana Town Code and a proposed Town-wide rezoning initiative following the adoption of a new zoning Code. (Steven Cheslak)

Principal Planner, Steve Cheslak provided an update on Title 5 (Zoning) of the Land Development Code. The overview included:

- The Existing Zoning Code
- The Proposed Zoning Code
- The Proposed Rezoning Initiative for Alphabet Zoning

The original Zoning Code was adopted in August 1977, which established the A, B, C, D, E Alphabet Zones. In 1993 our existing zoning Code was adopted, establishing the current zones. Since then, there have been 23 revisions to the Zoning Code. Staff is proposing to reduce the number of land use districts by eliminating the unused districts, such as R-20, R-12, CO (Commercial Office), and MU-1 (Mixed Use).

The new Zoning Code consists of a 4-part code organization:

- Zone Districts and Groups Table
- Use Matrix Table
- Use Conditions Table
- Lot Standards

The zoning Code has been reduced from 128 pages to 20 pages; making it more efficient and resourceful. Currently staff is in the process of updating the entire Land Development Code. The “Signs” and “Parking” sections have been updated and migrated to the Town Code. Regarding the town-wide rezoning initiative; the Alphabet Zone – the original zoning for the area - is currently throughout the north Marana area. Over the years between lot splits, SLUC’s, and blanket annexations we have lost the meaning of this zoning.

In the end staff wants to translate the A, B, C, D, and E zoning into the new zoning Code. Staff's plan is to bring it to Town Council, as a study session and as an update discussion to Planning Commission in the spring of 2020, followed by public outreach and feedback, then finally in the fall of 2020 to Planning Commission as a public hearing and Town Council as a public hearing and rezone approval.

FUTURE AGENDA ITEMS

ADJOURNMENT

Chairman Schnee asked for a motion to adjourn the meeting. Motion to adjourn the meeting by Vice Chair Duncan, seconded by Commissioner Fehrmann. Passed unanimously. Meeting adjourned at 7:41 pm.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on December 18, 2019. I further certify that a quorum was present.



Terri Byler, Commission Secretary

Planning Commission - Regular Meeting

Meeting Date: 02/26/2020

To: Planning Commission

From: Brian Varney, Senior Planner

Date: February 26, 2020

Strategic Plan Focus Area:

Not Applicable

Subject: PCM2002-001: Amendment of Ordinance No. 2017.008 Twin Peaks and Lambert Lane Rezoning; A request for a recommendation to the Marana Town Council to amend Marana Ordinance No. 2017.008, an ordinance that approved a rezoning of approximately 34 acres of land from R-144 (single-family residential) to R-6 (single-family residential). The proposed amendment includes a reconfiguration of lots within the Conceptual Development Plan and an increase in the total lot count from 59 lots to 62 lots. The property subject to this application is located east of Twin Peaks Road, north of the Lambert Lane alignment, and west of Blue Bonnet Road within Section 11, Township 12 South, and Range 12 East.

Discussion:

Request

Paradigm Land Design, LLC, representing Meritage Homes and the property owner, Frank Lin, is requesting to amend Ordinance No. 2017.008, adopted by the Marana Town Council on April 4, 2017. The adopted ordinance approved a rezoning of approximately 34 acres of land from R-144 (single-family residential) to R-6 (single-family residential) known as the Twin Peaks and Lambert Lane Rezoning. The rezoning approved the development of 59 lots with active and passive open space.

The Town's review of the subdivision's preliminary plat submittal revealed the post development conditions concerning the location of the erosion hazard setbacks for the local 100-year floodplain would place these setbacks within the boundaries of certain lots within the proposed subdivision. The Town Engineer informed the applicant that floodplain regulations enforced by the Town would not allow such encroachment onto lots in a subdivision that contained any lot of less than 16,000 square feet. Given that there are a number of lots within the proposed subdivision that measure less than 16,000 square feet, a revision to the approved Conceptual Development Plan is warranted.

The proposed amendment includes a reconfiguration of lots within the approved Conceptual Development Plan, removing the affected lots from within the boundaries of the erosion hazard setbacks, effectively bring the proposed development into compliance with floodplain regulations. In addition, the applicant is requesting to add three additional home lots to the plan, increasing the total lot yield from 59 lots to 62 lots. The request for these additional lots necessitates an amendment to Condition No. 8 of the rezoning Ordinance limiting the maximum number of residential lots within the Rezoning Area to 59 lots. The proposed addition of lots will result in a slight increase in the overall gross density of the project from 1.74 to 1.82 residences per acre (RAC), which is still within the limits of the Low-Density Residential General Plan designation maximum RAC of 2.0. Condition No.14 is also proposed to be amended, accommodating revisions to lot numbering as it applies to the commitment made by the applicant to restrict lots in certain locations to one-story home construction.

In January 2018, the applicants requested an administrative amendment to the Conceptual Development Plan to accommodate minor modifications to a small number of lots within the project. The number of lots shown as a minimum size of one half-acre was decreased from 12 lots to 5 lots and the number of lots that were shown as a minimum size of 6,600 square feet was increased from 42 lots to 49 lots. These

revisions met the criteria for administrative approval and were approved by the Development Services Director on January 11, 2018. The amended Conceptual Development Plan has been attached to this report and should be used for comparative purposes with the currently proposed Conceptual Development Plan.

Public Notification

The public hearing was appropriately noticed in The Arizona Daily Star, and all property owners within 300 feet of the project were noticed by United States mail of the date, time, and topic of the public hearing. Additional notice was posted at various locations within the community.

Recommended Findings of Fact

The area subject to the proposed amendment is currently zoned R-6 (single-family residential), as approved by Marana Ordinance No. 2017.008. The proposed amendment to the Ordinance entails revisions to the Conceptual Land Use Plan including the reconfiguration of lots in order to avoid the erosion hazard setbacks as well as an increase in the total number of lots from 59 to 62. With acceptance of the recommended conditions, the proposed amendment is in compliance with all other development standards of the Land Development Code related to this zoning classification. This amendment, with acceptance of the recommended conditions, does not appear to be detrimental to the immediate area or to the health, safety, and welfare of the inhabitants of the area and the Town of Marana.

Case Analysis Review Criteria

1. Ability to comply with development regulations, i.e. water, sanitation, access, developable parcel, etc.: With the acceptance of the recommended conditions this amendment complies with the requirements of all agencies.

2. Ability to comply with requirements of the zoning regulations, i.e. lot size, frontage, setbacks, etc.: With the acceptance of the recommended conditions this amendment complies with the requirements of the zoning and the purpose and intent of the Land Development Code.

3. Consistent with the purpose of the zoning regulations and with the intent of the General Plan: This amendment is consistent with the purpose and intent of the Land Development Code and the Town of Marana General Plan.

4. Compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the Town:

Based upon the requirements and conditions, this amendment does not appear to be detrimental to the immediate area or to the general health, safety, and welfare of the inhabitants of the area and the Town of Marana.

Staff Recommendation:

Staff recommends that the Planning Commission recommend to the Marana Town Council approval of PCM2002-001, Amendment of Ordinance No. 2017.008 Twin Peaks and Lambert Lane Rezoning. It is recommended that the following existing conditions of the Ordinance remain with Conditions No. 8 and No.14 amended per the revised Conceptual Development Plan.

1. Compliance with all applicable provisions of the Town's codes and ordinances current at the time of any subsequent development including, but not limited to, requirements for public improvements and payment of application fees and applicable development impact fees.
2. Any preliminary plat or development plan for any portion of the Rezoning Area shall be in general conformance with the Conceptual Development Plan presented to and approved by the Town Council as part of this Rezoning.

3. A master drainage study must be submitted by the Property Owners and accepted by the Town Engineer prior to Town approval of a preliminary plat or development plan for any portion of the Rezoning Area.
4. A water infrastructure and phasing plan (WIP) must be submitted by the Property Owners and accepted by the Marana Utilities Department (the "water provider") prior to approval of a preliminary plat for any portion of the Rezoning Area. The WIP shall identify all on-site and off-site water facilities needed to serve the proposed development. The WIP shall include all information required by the water provider, such as (but not limited to) analysis of water use and fire flow requirements, and well source, reservoir, and booster station infrastructure needed to serve the proposed development. If the water provider requires a water service agreement as a condition of service to the proposed development, the Property Owners must enter into a water service agreement with the water provider consistent with the accepted WIP.
5. A master sewer plan must be submitted by the Property Owners and accepted by Pima County Regional Wastewater Reclamation Department (the "wastewater utility") prior to the approval of any final plat or development plan for the Rezoning Area. The master sewer plan shall identify all on-site and off-site wastewater facilities needed to serve the proposed development, and shall include all information required by the wastewater utility. If the wastewater utility requires a sewer service agreement as a condition of service to the proposed development, the Property Owners must enter into a sewer service agreement with the wastewater utility consistent with the accepted master sewer plan.
6. The Property Owners must design and construct any roadway, drainage, water, and wastewater improvements, and dedicate or acquire any property rights associated with those improvements, that the Town requires based on the data and findings of the accepted traffic impact analysis, the accepted master drainage study, the accepted WIP, the accepted master sewer plan, and other studies approved in connection with the approval of a preliminary plat or development plan for any portion of the Rezoning Area.
7. The final design of all streets and circulation facilities, including gated access (if applicable), must be accepted by the Mountain Vista Fire District prior to Town Council consideration of a final plat for any portion of the Rezoning Area.
8. **The maximum number of residential lots within the Rezoning Area shall not exceed 62.**
9. No approval, permit or authorization by the Town of Marana authorizes violation of any federal or state law or regulation or relieves the Property Owners from responsibility to ensure compliance with all applicable federal and state laws and regulations, including the Endangered Species Act and the Clean Water Act. The Property Owners should retain appropriate experts and consult appropriate federal and state agencies to determine any action necessary to assure compliance with applicable laws and regulations.
10. The Property Owners shall transfer to Marana, by the appropriate Arizona Department of Water Resources form, those water rights being IGR, Type I or Type II for the Town providing designation of assured water supply and water service to the Rezoning Area. If Type I or Type II is needed on the Rezoning Area, the Town and the Property Owners shall arrive at an agreeable solution to the use of those water rights appurtenant to the affected portion of the Rezoning Area.
11. Prior to the issuance of any grading permits, the Property Owners shall submit evidence to the Town that all federal permit requirements have been met through the Corps of Engineers and the State Historic Preservation Office, if federal permits are required for the development of the Rezoning Area.
12. A 100% clearance survey for the desert tortoise shall be completed by a qualified biologist at the Property Owner's expense and a survey report shall be submitted to the Town and to the Arizona Game and Fish Department (AZGFD) prior to issuance of any grading permits. If a desert tortoise is found during the survey or at any time during construction, the Property Owners shall immediately notify the Town and the AZGFD, and the tortoise shall be moved in accordance with the most current AZGFD Tortoise Handling Guidelines at the Property Owners' expense.
13. The Property Owners shall not cause any lot split of any kind without the written consent of the Town of Marana.
14. **The following lots shall be limited to one-story construction: 5-13 and 40-62.**
15. At the time a final subdivision plat is submitted for the Rezoning Area, the Property Owners shall

dedicate additional right-of-way to provide a total half-width of 75 feet for Lambert Lane along the entire south boundary of the Rezoning Area. Where 30 feet of right-of-way width currently exists, an additional width of 45 feet will be dedicated. Where no right-of-way currently exists, the entire 75 feet will be dedicated.

16. At the time a final subdivision plat is submitted for the Rezoning Area, the Property Owners shall dedicate a 30-foot width of right-of-way along the entire east boundary of the Rezoning Area for Blue Bonnet Road.
17. The Property Owners shall dedicate a public sewer easement through the rezoning area extending from the Twin Peaks Road right-of-way to the 40-foot sewer easement along the east property boundary enabling sewer facilities to be provided to future development west of Twin Peaks Road.
18. During construction of the subdivision, the Property Owners shall grade the Lambert Lane access drive from the west boundary of parcel 216-32-021C east to the Blue Bonnet Road alignment.
19. The Property Owners shall dedicate on the final subdivision plat a 30-foot wide perpetual easement extending the entire length of the south property boundary of the Rezoning Area to the Metropolitan Domestic Water Improvement District (Metro Water) facilitating the improvement of its water facilities and water distribution in the area as part of the Metro Water District Northwest Recharge and recovery Project. Metro Water shall coordinate its construction activities with the Property Owners to ensure that unreasonable conflicts or costs are not imposed upon or incurred by the Property Owners during the development of the property as a result of Metro Water's construction activities. This may include the postponement of Metro Water's construction activities until the Property Owners have completed the installation of sewer infrastructure and other utilities. Any landscaping material or other improvements removed or disturbed by Metro Water during the installation of its infrastructure shall be replaced, and the disturbed area shall be restored to its pre-disturbance condition.

Suggested Motion:

I move to recommend to the Marana Town Council approval of PCM2002-001, Amendment to Ordinance No. 2017.008, Twin Peaks and Lambert Lane Rezoning, subject to the recommended conditions.

Attachments

PCM2002-001 Amend Ord 2017.008 TPLL Ord
PCM2002-001 Amendment 2017.008_proposed CDP
PCM2002-001_Amendment_2017.008_proposed_CDP Revised.pdf
PCM2002-001 Amendment 2017.008_admin approval January 11, 2018
PCM2002-001 Amendment 2017.008_TC approved CDP_03302017
PCM2002-001 Amend Ord 2017.008 TPLL Map
PCM2002-001 Amend Ord 2017.008 TPLL App



SEQUENCE: 20171000059
NO. PAGES: 8
ORDIN 04/10/2017
10:16:10
PICK UP
AMOUNT PAID: \$8.50

SMARA
TOWN OF MARANA
PICKUI?

MARANA ORDINANCE NO. 2017.008

RELATING TO DEVELOPMENT; APPROVING A REZONING OF APPROXIMATELY 34 ACRES OF LAND LOCATED EAST OF TWIN PEAKS ROAD AND NORTH OF THE LAMBERT LANE ALIGNMENT FROM R-144 (SINGLE-FAMILY RESIDENTIAL) TO R-6 (SINGLE-FAMILY RESIDENTIAL)

WHEREAS Chun-Ying Frank Lin (the "Property Owner") owns approximately 34 acres of property located on the east side of Twin Peaks Road north of the Lambert Lane alignment within Section 11, Township 12 south, Range 12 East, described and depicted on Exhibit "A" attached to and incorporated in this ordinance by this reference (the "Rezoning Area"); and

WHEREAS the Property Owner has authorized The WLB Group to submit an application to rezone the Rezoning Area from R-144 (Single-Family Residential) to R-6 (Single-Family Residential), ("this Rezoning"); and

WHEREAS the Marana Planning Commission held a public hearing on March 29, 2017, and voted 7-0 to recommend that the Town Council approve this Rezoning, subject to the recommended conditions with the deletion of one condition; and

WHEREAS the Marana Mayor and Town Council held a public hearing on April 4, 2017 and determined that this Rezoning should be approved.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Marana, Arizona, as follows:

Section 1. The zoning of the Rezoning Area is hereby changed from R-144 (Single-Family Residential) to R-6 (Single-Family Residential).

Section 2. This Rezoning is subject to the following conditions, the violation of which shall be treated in the same manner as a violation of the Town of Marana Land Development Code (but which shall not cause a reversion of this Rezoning), and which shall be binding on the Property Owner and its successors in interest (all of whom are collectively included in the term "Property Owner" in the following conditions):

1. Compliance with all applicable provisions of the Town's codes and ordinances current at the time of any subsequent development including, but not limited to, requirements for public improvements and payment of application fees and applicable development impact fees.
2. Any preliminary plat or development plan for any portion of the Rezoning Area shall be in general conformance with the conceptual development plan presented to and approved by the Town Council as part of this Rezoning.
3. A master drainage study must be submitted by the Property Owner and accepted by the Town Engineer prior to Town approval of a preliminary plat or development plan for any portion of the Rezoning Area.

4. A water infrastructure and phasing plan (WIP) must be submitted by the Property Owner and accepted by the Marana Water Department (the "water provider") prior to approval of a preliminary plat for any portion of the Rezoning Area. The WIP shall identify all on-site and off-site water facilities needed to serve the proposed development. The WIP shall include all information required by the water provider, such as (but not limited to) analysis of water use and fire flow requirements, and well source, reservoir, and booster station infrastructure needed to serve the proposed development. If the water provider requires a water service agreement as a condition of service to the proposed development, the Property Owner must enter into a water service agreement with the water provider consistent with the accepted WIP.
5. A master sewer plan must be submitted by the Property Owner and accepted by Pima County Regional Wastewater Reclamation Department (the "wastewater utility") prior to the approval of any final plat or development plan for the Rezoning Area. The master sewer plan shall identify all on-site and off-site wastewater facilities needed to serve the proposed development, and shall include all information required by the wastewater utility. If the wastewater utility requires a sewer service agreement as a condition of service to the proposed development, the Property Owner must enter into a sewer service agreement with the wastewater utility consistent with the accepted master sewer plan.
6. The Property Owner must design and construct any roadway, drainage, water, and wastewater improvements, and dedicate or acquire any property rights associated with those improvements, that the Town requires based on the data and findings of the accepted traffic impact analysis, the accepted master drainage study, the accepted WIP, the accepted master sewer plan, and other studies approved in connection with the approval of a preliminary plat or development plan for any portion of the Rezoning Area.
7. The final design of all streets and circulation facilities, including gated access (if applicable), must be accepted by Northwest Fire District prior to Town Council consideration of a final plat for any portion of the Rezoning Area.
- 8. The maximum number of residential lots within the Rezoning Area shall be 59.**
9. No approval, permit or authorization by the Town of Marana authorizes violation of any federal or state law or regulation or relieves the Property Owner from responsibility to ensure compliance with all applicable federal and state laws and regulations, including the Endangered Species Act and the Clean Water Act. The Property Owner should retain appropriate experts and consult appropriate federal and state agencies to determine any action necessary to assure compliance with applicable laws and regulations.
10. The Property Owner shall transfer to Marana, by the appropriate Arizona Department of Water Resources form, those water rights being IGR, Type I or Type II for the Town providing designation of assured water supply and water service to the Rezoning Area. If Type I or Type II is needed on the Rezoning Area, the Town and the Property Owner shall arrive at an agreeable solution to the use of those water rights appurtenant to the affected portion of the Rezoning Area.
11. Prior to the issuance of any grading permits, the Property Owner shall submit evidence to the Town that all federal permit requirements have been met through the Corps of Engineers and

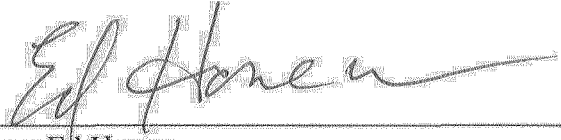
the State Historic Preservation Office, if federal permits are required for the development of the Rezoning Area.

12. A 100% clearance survey for the desert tortoise shall be completed by a qualified biologist at the Property Owner's expense and a survey report shall be submitted to the Town and to the Arizona Game and Fish Department (AZGFD) prior to issuance of any grading permits. If a desert tortoise is found during the survey or at any time during construction, the Property Owner shall immediately notify the Town and the AZGFD, and the tortoise shall be moved in accordance with the most current AZGFD Tortoise Handling Guidelines at the Property Owner's expense.
13. The Property Owner shall not cause any lot split of any kind without the written consent of the Town of Marana.
14. **Lots 6 through 15 and 43 through 59 as shown on the site plan presented to the Town Council shall be limited to one-story construction.**
15. At the time a final subdivision plat is submitted for the Rezoning Area, the Property Owner shall dedicate additional right-of-way to provide a total half-width of 75 feet for Lambert Lane along the entire south boundary of the Rezoning Area. Where 30 feet of right-of-way width currently exists, an additional width of 45 feet will be dedicated. Where no right-of-way currently exists, the entire 75 feet will be dedicated. In lieu of requiring an additional permanent waterline easement in the Rezoning Area, the Town shall accommodate the placement of Metropolitan Domestic Water Improvement District water facilities within the dedicated Lambert Lane right-of-way.
16. At the time a final subdivision plat is submitted for the Rezoning Area, the Property Owner shall dedicate 30 feet of right-of-way along the entire east boundary of the Rezoning Area for Blue Bonnet Road.
17. The Property Owner shall dedicate a public sewer easement through the Rezoning Area extending from the Twin Peaks Road right-of-way to the 40-foot sewer easement along the east property boundary, enabling sewer facilities to be provided to future development west of Twin Peaks Road.
18. During construction of the subdivision, the Property Owner shall grade the Lambert Lane access drive from the west property boundary of Parcel No. 216-32-021 C east to the Blue Bonnet Road alignment.

Section 3. All ordinances, resolutions and motions and parts of ordinances, resolutions, and motions of the Marana Town Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED AND **ADOPTED** by the Mayor and Council of the Town of Marana, Arizona,
this 4¹¹¹ day of April, 2017.



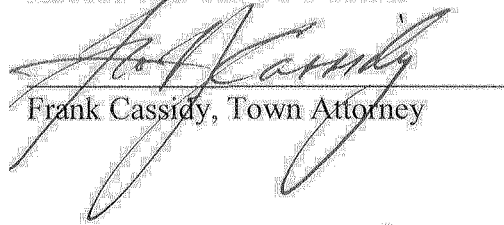
Mayor Ed Honea

ATTEST:



Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:



Frank Cassidy, Town Attorney



Exhibit "A"

PARCEL 1:

That portion of the South half of the Southwest quarter of the Southeast quarter of Section 11, Township 12 South, Range 12 East, Gila and Salt River Base and Meridian, Pima County, Arizona, lying Southeasterly of the Camino de Manana Road No. 220, as recorded in Book of Maps at page 2, in the office of the Pima County Recorder, Pima County, Arizona.

EXCEPT that portion conveyed in Docket 13648 at page 2596 and re-recorded in Docket 13663 at page 3648, and also recorded in Docket 13688 at page 23, described as follows:

COMMENCING at the Southeast corner of said Section 11, being a found 1-1/4 inch open iron pipe with a nail inside;

THENCE North 89 degrees 29 minutes 27 seconds West upon the South line of said Southeast Quarter, a distance of 1580.19 feet to the POINT OF BEGINNING;

THENCE continuing North 89 degrees 29 minutes 27 seconds West upon said South line, a distance of 92.95 feet to the Southeasterly right of way of Camino de Manana, as recorded in Book 2 of Road Maps at page 1, Pima County Recorder's office, Pima County, Arizona;

THENCE North 25 degrees 10 minutes 27 seconds East upon said right of way, a distance of 670.91 feet to a point of curvature of a tangent curve concave Southeasterly;

THENCE Northeasterly upon said right of way and upon the arc of said curve, to the right, having a radius of 1402.50 feet and a central angle of 1 degree 58 minutes 02 seconds for an arc length of 48.15 feet to a point on the Westerly right of way line of Decker Drive as recorded in Book 23 of Road Maps at page 40, Pima County Recorder's office, Pima County, Arizona;

THENCE South 01 degree 19 minutes 42 seconds East upon said right of way line, a distance of 6.37 feet;

THENCE South 01 degrees 22 minutes 22 seconds East upon said right of way line, a distance of 186.45 feet to a point on a line 87.00 feet Southeast of and parallel with said Southeasterly right of way of Camino de Manana;

THENCE South 25 degrees 10 minutes 27 seconds West upon said parallel line, a distance of 424.68 feet to a point of curvature of a tangent curve concave Northwesterly;

THENCE Southwesterly upon the arc of said curve, to the right, having a radius of 1364.00 feet and a central angle of 3 degrees 29 minutes 32 seconds for an arc length of 83.14 feet to the POINT OF BEGINNING.

(JV Arb 105)

PARCEL 2:

A portion of the property described in Docket 462 at page 330 in the Southeast quarter of Section 11, Township 12 South, Range 12 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

The West 60 feet of the East half of the Southeast quarter of said Section 11 lying South of the new alignment of Camino de Manana/Dove Mountain Boulevard Extension as shown in the Town of Marana Right of Way Plans, Project No. 2001-52, further described as follows:

COMMENCING at the Southeast corner of said Section 11 being a found 1 1/2 inch open iron pipe with a nail inside, bearing South 89 degrees 29 minutes 27 seconds East a distance of 2701.63 feet from the South quarter corner of Section 11, a stone marked 14 on the North face;

THENCE North 89 degrees 29 minutes 27 seconds West upon the South line of said Southeast quarter a distance of 1290.84 feet to the POINT OF BEGINNING;

THENCE continuing North 89 degrees 29 minutes 27 seconds West upon said South line, a distance of 60.03 feet to the East one-sixteenth corner of the Southeast quarter of Section 11;

THENCE upon said sixteenth line North 01 degrees 22 minutes 22 seconds West, a distance of 460.63 feet to a point on the Southeasterly line of said new right-of-way alignment;

THENCE upon said right-of-way line North 25 degrees 10 minutes 27 seconds East a distance of 134.25 feet to a point on a line 60.00 feet East of and parallel with said sixteenth line;

THENCE upon said parallel line South 01 degrees 22 minutes 22 seconds East a distance of 582.70 feet to the POINT OF BEGINNING.

(JV Arb 297)

PARCEL 3:

All that portion of the Southeast quarter of the Southeast quarter of Section 11, Township 12 South, Range 12 East, Gila and Salt River Base and Meridian, Pima County, Arizona lying South of the South right-of-way line of Camino de Manana;

EXCEPT the West 60 feet and the South 30 feet thereof;

FURTHER EXCEPT that portion conveyed in Docket 13586 at page 3811 and described as follows:

That portion of the parcel described in Docket 6210 at page 825, records of Pima County, Arizona Recorder, located in the Southeast Quarter of the Southeast Quarter of Section 11, Township 12 South, Range 12 East, Gila and Salt River Base and Meridian, Pima County, Arizona, lying Northwesterly of the Southeasterly right of way of Camino de Manana as proposed by the Town of Marana Project No. 2001-52, described as follows:

BEGINNING at the Northeast corner of the parcel described in Docket 6210 at page 825, also being the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 11, from which Southeast corner of Section 11 bears South 02 degrees 02 minutes 10 seconds East;

THENCE North 89 degrees 54 minutes 28 seconds West, along the North line of the parcel, a distance of 327.83 feet to the point of beginning on the proposed Southeasterly right of way;

THENCE continuing along the North line of the parcel, North 89 degrees 54 minutes 28 seconds West, a distance of 124.20 feet to a point on the Southeasterly right of way of Camino de Manana as it exists;

THENCE along the existing right of way, South 67 degrees 06 minutes 42 seconds West, a distance of 357.43 feet to the beginning of a tangent curve concave to the Southeast;

THENCE Southwesterly along the curve having a radius of 686.80 feet and a central angle of 24 degrees 55 minutes 02 seconds, an arc distance of 298.68 feet;

THENCE South 42 degrees 11 minutes 40 seconds West, tangent to the curve, a distance of 238.18 feet;

THENCE South 34 degrees 10 minutes 56 seconds West, a distance of 68.79 feet to the beginning of a tangent curve concave to the Southeast;

THENCE Southwesterly along the curve having a radius of 1402.70 feet and a central angle of 2 degrees 55 minutes 50 seconds, an arc distance of 71.75 feet to the West line of the parcel described in Docket 6210 at page 825;

THENCE South 01 degrees 20 minutes 54 seconds East, a distance of 146.28 feet to the

proposed right of way of Camino de Manana;

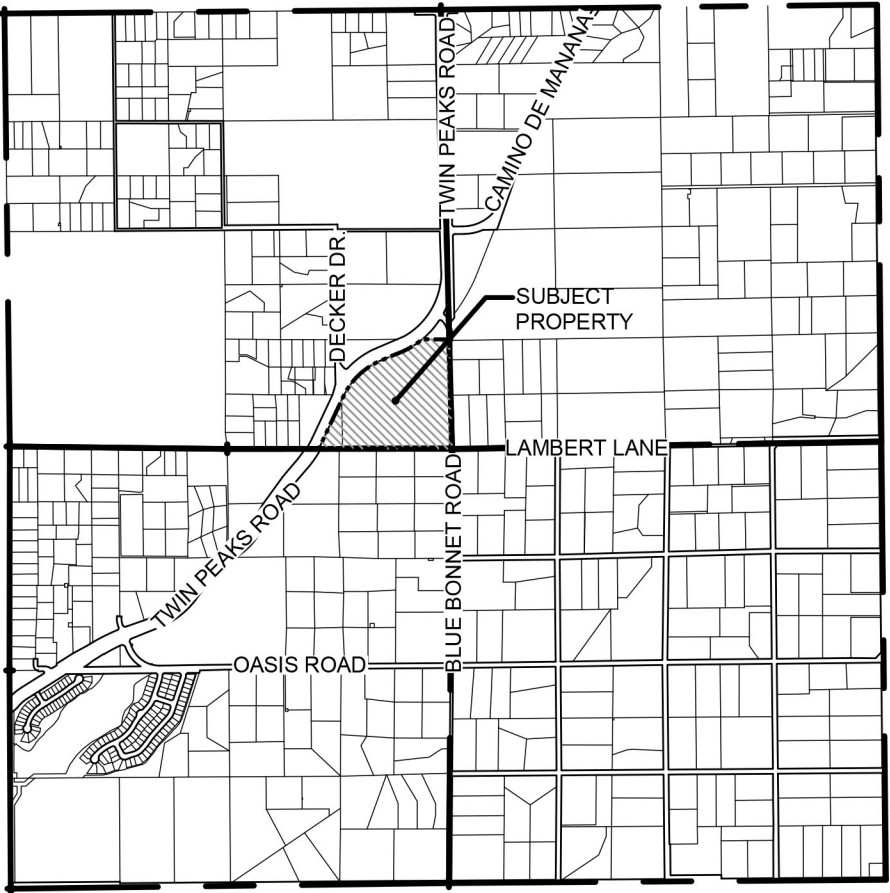
THENCE along the proposed right of way, North 25 degrees 10 minutes 27 seconds East, a distance of 91.35 feet to the beginning of a tangent curve concave to the Southeast;

THENCE Northeasterly, along the curve having a radius of 880.00 feet and a central angle of 41 degrees 56 minutes 15 seconds, an arc distance of 644.11 feet;

THENCE North 67 degrees 06 minutes 42 seconds East tangent to the curve, a distance of 196.11 feet to the beginning of a tangent curve concave to the Northwest;

THENCE Northeasterly, along a curve having a radius of 1030.00 feet and a central angle of 16 degrees 40 minutes 36 seconds, an arc distance of 299.80 feet to the POINT OF BEGINNING.

(JV Arb 102)



SITE LOCATION MAP



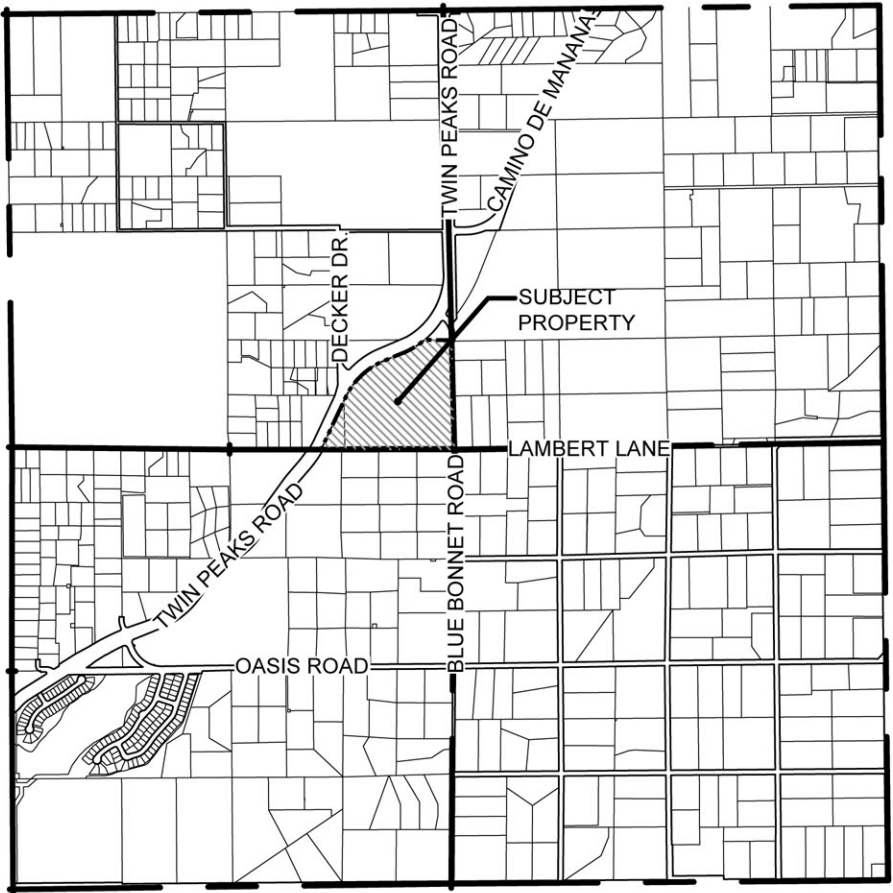
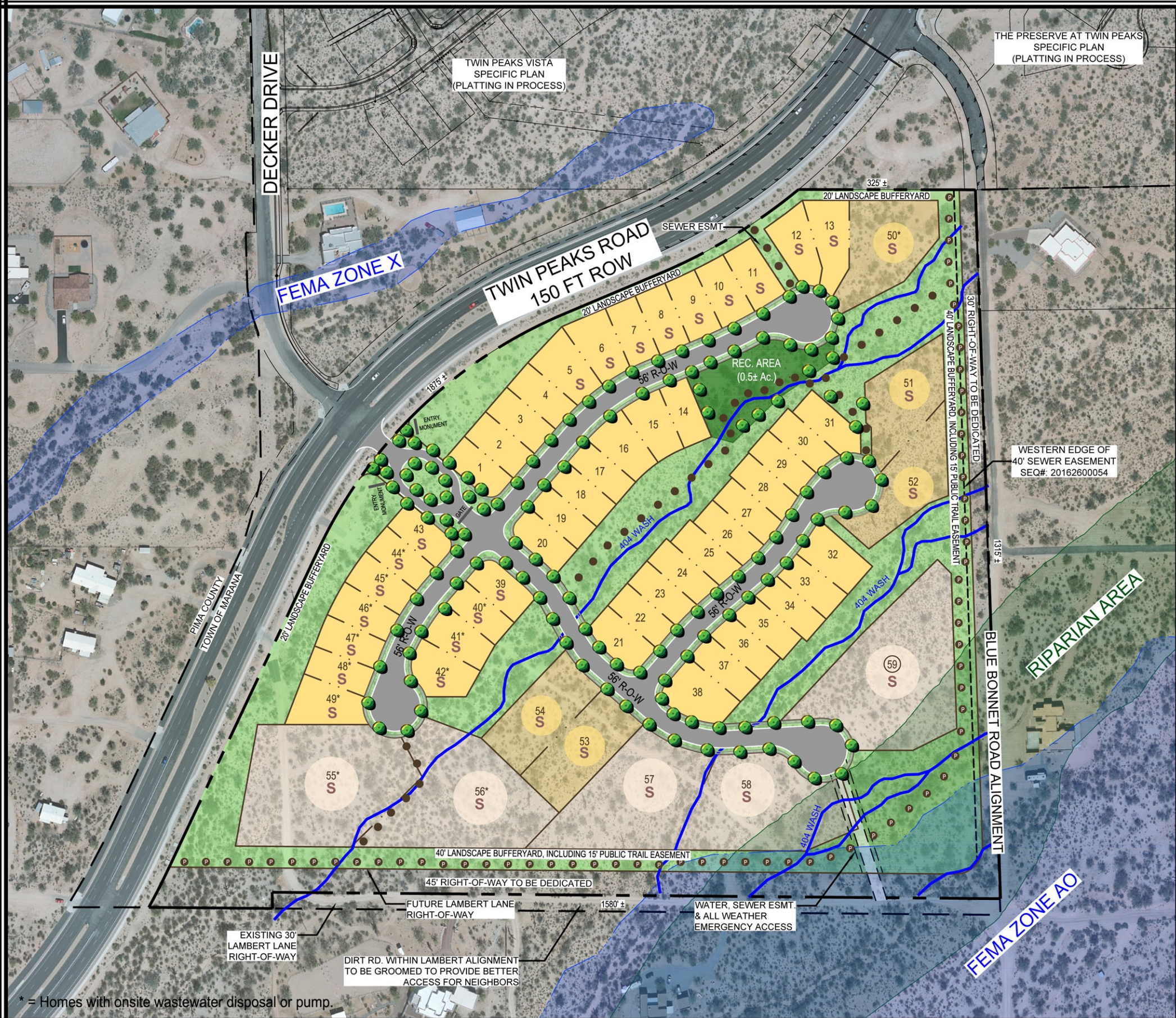
LEGEND

- Proposed Private Trails: ● ● ● ● ●
- Proposed Public Trails: P P P P P
- Single-Story Restriction Indicated By: S
- Proposed Homesites: 55'x120' (56: Lots 1-56)
One-Half Acre (6: Lots 57-62)

Note: Tree symbols shown for illustrative purposes only.

GENERAL NOTES

Property Size:	34.2 Ac.
Existing Zoning:	R-6
Proposed Homesites:	62
Proposed Density:	1.8 Homes per Acre
Minimum Open Space:	30%



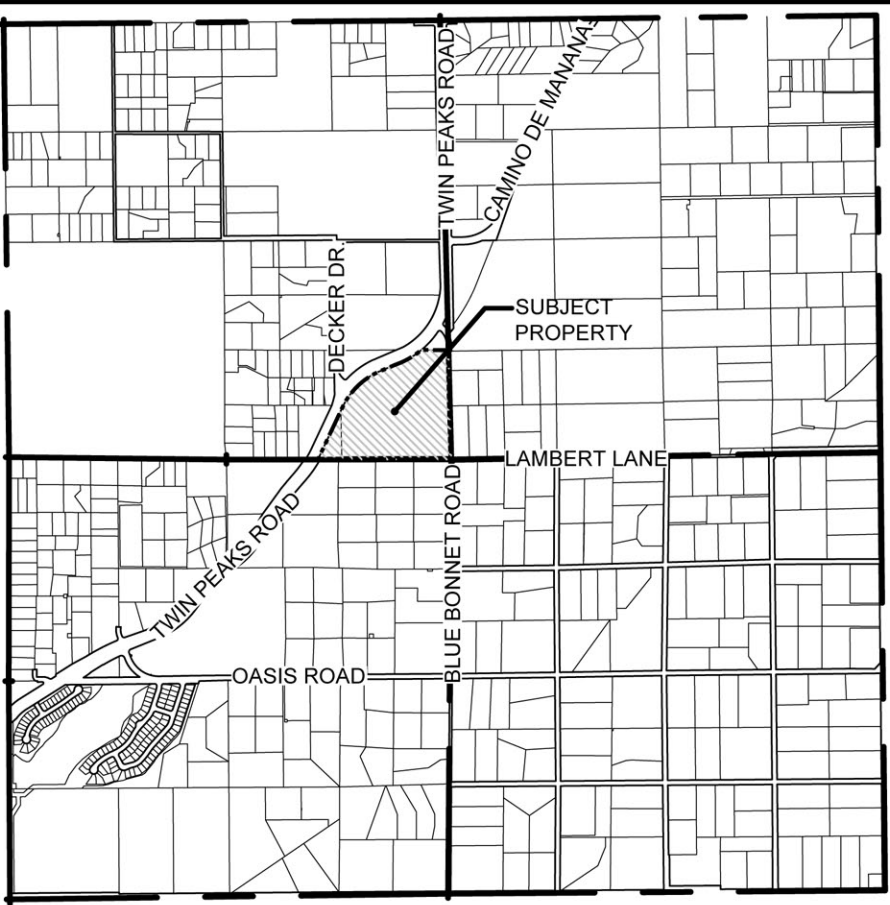
SITE LOCATION MAP

LEGEND

- Proposed Private Trails: ● ● ● ● ●
- Proposed Public Trails: P P P P P
- Single-Story Restriction Indicated By: S
- Proposed Homesites: 55'x120' (49: Lots 1-49)
- One-Half Acre (5: Lots 50-54)
- One Acre (5: Lots 55-59)

GENERAL NOTES

- Property Size: 34.2 Ac.
- Existing Zoning: R-144
- Proposed Zoning: R-6
- Proposed Homesites: 59
- Proposed Density: 1.7 Homes per Acre
- Open Space: 10.3 Acres (30%)



SITE LOCATION MAP

LEGEND

- Proposed Private Trails: ● ● ● ● ●
Proposed Public Trails: P P P P P
Single-Story Restriction Indicated By: S
Proposed Homesites: 50'x120' (42: Lots 1-42)
One-Half Acre (12: Lots 43-54)
One Acre (5: Lots 55-59)

GENERAL NOTES

- Property Size: 34.2 Ac.
Existing Zoning: R-144
Proposed Zoning: R-6
Proposed Homesites: 59
Proposed Density: 1.7 Homes per Acre
Open Space: 10.3 Acres (30%)

Twin Peaks & Lambert Lane
Exhibit S - Conceptual Development Plan



- Legend
- Marana Addresses
 - Marana Town Limits
 - Major Streets
 - Parcels (Black)

1: 18,055



WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

PCM2002-001



Development Services / maranaplanning@maranaAZ.gov

11555 West Civic Center Drive / Marana, AZ 85653

Ph (520) 382-2600 / Fax (520) 382-2641 / maranaAZ.gov

PROJECT APPLICATION

APPLICATION TYPE

- | | | | |
|--|--|--|--|
| ☐ Annexation | ☐ Development Plan | ☐ Development Plan Package | ☐ General Plan Amendment |
| ☐ Rezone | ☐ Minor Land Division | ☐ Significant Land Use Change | ☐ Conditional Use Permit |
| ☐ Specific Plan | ☐ Landscape Plan | ☐ Native Plant Plan/Exception | ☐ SWPP |
| ☐ Variance | ☐ Hydraulic Model | ☐ Sewer Capacity Assurance | ☐ Sign Program |
| ☐ Plat | ☐ Improvement Plan | ☐ Report (Type): _____ | ☒ Other: <u>Ord. Amendment</u> |

PROJECT INFORMATION

Project Name: Twin Peaks & Lambert Lane

Description of Project: Amendment to 2017 Rezoning Ordinance

Number of Lots: 62

Parcel No.(s): 216-23-072B & 073D

Gross Area (Acres): ~34

Project Address: 5600 E Camino de Manana, 85742

Ref. Project No.: Ordinance 2017.008

CONTACT INFORMATION

Owner: Frank Lin

Contact Name: Greg Wexler

Address: 6088 W Arizona Pavilions Dr, Suite 2

City: Marana

State: AZ

Zip: 85743

Email: GregWexler@Hotmail.com

Phone No.: (520) 977-8500

Applicant: Meritage Homes

Contact Name: Lisa Hoskin

Address: 5326 N La Cholla Blvd

City: Tucson

State: AZ

Zip: 85741

Email: Lisa.Hoskin@MeritageHomes.com

Phone No.: (520) 225-6853

Consultant/Engineer: Paradigm Land Design

Contact Name: Paul Oland

Address: 7025 N Siena Dr

City: Tucson

State: AZ

Zip: 85704

Email: GPO@ParadigmLand.US

Phone No.: (520) 664-4304

OWNER/APPLICANT AUTHORIZATION

I hereby certify that the information set forth in this application are true and correct to the best of my knowledge and that I am either the owner of the property or that I have been authorized in writing by the owner to file this application. (If applicant is not the owner, attach written authorization from the owner.)

Lisa Hoskin

Lisa Hoskin

1/30/2020

Applicant Name (PRINT)

Signature

Date

FOR OFFICIAL USE ONLY

Revision Date 03/29/2019

Project No.

PCM 2002-001

Date Received

2/3/2020