



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
NOTICE AND AGENDA

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, August 25, 2021, at or after 6:00 PM

Thomas Schnee, Chairman
Ronald Hill, Vice Chair
David Bowen, Commissioner
Don Duncan, Commissioner
John Flint, Commissioner
Joseph Parsons, 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 August 25, 2021, at or after 6:30 PM located in the Council Chambers 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.

Public Comments

Please submit public comments to tbyler@maranaaz.gov. Any submitted comments from the public will be provided to the Commission and included within the Commission packet file and a summary of the comments submitted will be reflected in the official Commission meeting minutes of that meeting. All emailed comments must be received by the Town no later than 12:00 p.m. (noon) on the day of the meeting to be included.

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 July 28, 2021 Meeting Minutes

B. Public Hearings

1. PCZ2104-001 Gladden Farms II Specific Plan Amendment #3. A request for a recommendation to the Marana Town Council for approval to amend the Gladden Farms II Specific Plan to revise the land use designation of Block 38B and an approximately 18-acre portion of Block 43, generally located north of Tangerine Road and west of the Clarks Farms Road alignment, from Commercial (C) to High-Density Residential (HDR). (Cynthia Ross)
2. PCZ2103-003: Cypress Gardens Rezoning. A request for a recommendation to the Marana Town Council for approval of a rezoning of approximately 47 acres of land from R-6 (Residential) to R-4 (Residential) generally located on the northwest corner of Barnett Road and Sandario Road. (Cynthia Ross)

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 Meeting

Meeting Date: 08/25/2021

To: Planning Commission

From: Terri Byler, Executive Assistant

Date: August 25, 2021

Subject: **Approval of the July 28, 2021 Meeting Minutes**

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Attachments

July 28, 2021 Meeting Minutes



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, July 28, 2021, at or after 6:30 p.m.

Thomas Schnee, Chairman
Ronald Hill, Vice Chair
David Bowen, Commissioner
Don Duncan, Commissioner
John Flint, Commissioner
Joseph Parsons, 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

ROLL CALL

Chairman Schnee directed the Commission Secretary to call roll. Commissioners Tyson and Bowen were absent. A quorum was present.

CALL TO THE PUBLIC

Chairman Schnee opened the meeting to receive public comments.

APPROVAL OF AGENDA

*Motion to approve the agenda by Commissioner Flint, seconded by Commissioner Duncan.
Motion passes, 5-0.*

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

Approval of the Regular Planning Commission Meeting Minutes of May 26, 2021.

Motion to approve by Vice Chair Hill, seconded by Commissioner Flint. Motion passes, 5-0.

PUBLIC HEARINGS

1. PCZ2105-001 Camino de Oeste 34 Rezoning; A request for a recommendation to the Marana Town Council for approval to rezone approximately 34 acres of land from R-144 (Residential) to R-7 (Residential). The property is generally located east of Camino de Oeste and north of Tangerine Road within a portion of Section 31, Township 11S, Range 13E. (Brian D. Varney)

Senior Planner Brian Varney noted Paradigm Land Design, LLC is requesting to rezone approximately 34 acres, east of Camino de Oeste and north of Tangerine Road to R-7 (Residential.) 81 lots are proposed. The common area/open space proposed is 12.01 acres - approximately 35% of the project area.

Paul Oland, Paradigm Land Design stated this project is comparable to adjacent developments. 81 homes are planned for the project. Approximately 35% of the property will be designated open space. Sewer will be provided by Pima County and water will be provided by Marana Water, via an IGA with Tucson Water. There is a homeowner adjacent to the proposed development to the southwest. Additional setbacks and landscaping will be added in order to provide a buffer between the development and the homeowner.

Chairman Schnee opened the public hearing. Mark Johnson, Andria Brody, Bea Katsantones, and Caleb Deupree spoke in opposition of the project with general concerns relating to water, desert preservation, traffic, and density of the project. **Chairman Schnee** closed the public hearing.

Chairman Schnee asked for further information regarding the designated assured water supply.

Deputy Water Director Stephen Dean confirmed there is an existing water resource available in the town and as development comes in, the town deducts from that source; noting Marana does not commit to a project until the final plat phase.

Commissioner Flint asked if the applicant has agreed to all of the conditions in the staff report. Mr. Oland - yes.

Chairman Schnee noted that he appreciated staff working with the homeowner to the southwest. He liked the fact that the drainage and wildlife crossings were addressed and felt the project fits in with the surrounding development in the area.

Motion to approve by Commissioner Flint, seconded by Commissioner Duncan. Motion passes, 5-0.

2. PCZ2011-002 Twin Peaks 38 Rezoning; A request for a recommendation to the Marana Town Council for approval to rezone approximately 38 acres of land from R-36 (Residential) to R-7 (Residential). The property is generally located east of Twin Peaks Road, south of Tangerine Road, and west of Camino de Manana in a portion of Section 12, Township 12S, Range 12E. (Brian D. Varney)

Senior Planner Brian Varney noted this is a request to rezone approximately 38 acres from R-36 (Residential) to R-7 (Residential.) The location of the project is south of Tangerine Road, east of Twin Peaks Road and west of Camino de Mañana. The minimum lot size is 7,000 S.F. The lots closest to Twin Peaks Road will be limited to single story.

Paul Oland, Paradigm Land Design noted the lot sizes for this project are comparable to what has been already developed in the area; Twin Peaks Vista, Twin Peaks Estates, and the Preserve at Twin Peaks. The proposed 76 homes will be clustered in order to avoid significant wash encroachment. Approximately 35% of the property is set aside for open space, including a central recreation area. A multi-use path will be constructed on Camino de Mañana. The lots along the western edge and the northwestern corner of the project will be restricted to single story. Access to this development will be off Camino de Mañana and Twin Peaks Road.

Chairman Schnee opened and closed the public hearing.

Chairman Schnee felt the project fits in with the area and liked the expanded open space, .5 acre park, and the natural trail.

Commissioner Flint asked if the applicant has agreed to all of the conditions in the staff report. Mr. Oland - yes.

Commissioner Duncan liked the project although he did have a concern with traffic being required to turn left out of the development and then make a U-turn in order to go south to I-10.

Public Works Traffic Manager Diahn Swartz noted the presence of a raised median on a road such as Twin Peaks Road is considered "access control." U-turns are part of the solution because they allow the capacity of the roadway to be preserved and allows for safer movement of traffic. A signal will be installed at the intersection of Camino de Mañana and Twin Peaks Road in association with the Preserve at Twin Peaks project. The signal will be triggered by the 101st home constructed in that subdivision.

Motion to approve by Commissioner Duncan, seconded by Commissioner Flint. Motion passes, 5-0.

3. PCZ2103-001: Remington Ranch Rezoning; A request for a recommendation to the Marana Town Council for approval to rezone approximately 97.4 acres of land from R-6 (Residential) to R-4 (Residential). The property is located at the southeast corner of the intersection of West Barnett Road and North Sanders Road, in a portion of Section 28, Township 11S, Range 11E (Anita McNamara)

Senior Planner Anita McNamara noted this is a request from Paradigm Land Design to rezone approximately 97 acres from R-6 to R-4. The plan proposes 457 lots.

Paul Oland, Paradigm Land Design noted the site has been the subject of previous entitlement work. The proposed redesign of the plan makes better use of the infrastructure, including Clark Farms Blvd; which will run through the middle of the development west to Sanders Road. Recreation areas will be located throughout the subdivision. A series of trails will provide access to the recreation areas. Mr. Oland stated they have agreed to all the conditions in the staff report.

Chairman Schnee opened the public hearing. Shirley Foley, Judith Giannetti, Antonio Bonillas, Mars Burnell and Mark Weber spoke in opposition of the project with general concerns related to property values, water, lack of retail in the area, infrastructure and increased traffic.

Chairman Schnee closed the public hearing.

Chairman Schnee asked for further information regarding Clark Farms Blvd.

Public Works Traffic Manager Diahn Swartz in proximity to this development, Clark Farms Blvd. will be a collector roadway. As the road continues east it will curve to the south eventually intersecting with Tangerine Road.

Development Services Director Jason Angell added, half way into the planned Vanderbilt development to the east, Clark Farms Blvd. will become a 4-lane divided roadway with a median; similar to Tangerine Road. The road will curve to the south through Gladden Farms to Tangerine Road.

Commissioner Flint had a concern with roadway alignments dead-ending in subdivisions with regard to service vehicles ability to navigate; noting two such locations presented in the plan.

Chairman Schnee liked the 32'-wide roadways, the new design of the project, the effort to keep this design cohesive with the neighboring developments, and the plan for Clark Farms Blvd.

Motion to approve by Vice Chair Hill, seconded by Commissioner Flint. Motion passes, 5-0.

4. PCZ2101-001 Silverbell Ridge Rezoning; A request for a recommendation to the Marana Town Council for approval of a rezoning of approximately 49 acres of land from R-16 (Residential) to R-6 (Residential). The property is located approximately one-quarter mile south of Ina Road on the west side of Silverbell Road. (Cynthia Ross)

Senior Planner Cynthia Ross noted C&C Construction is requesting to rezone approximately 49 acres from R-16 (Residential) to R-6 (Residential.) The property is located .25 miles south of Ina Road, west side of Silverbell Road. The existing General Plan land use designation is Low Density Residential (LDR.) 57 homes are proposed for this project. Staff received 3 phone calls from the public, a letter of support from the Coalition of Sonoran Desert Protection, and 2 letters of protest.

Brian Underwood – Planning Center noted the property was rezoned in 2002 to R-16 (41 lots) and in 2015 a change of condition request to increase to increase the number of lots to 56. The plan has been redesigned from the one submitted in 2015. The Planning Center worked with the neighbors to the south of the proposed project and with the Coalition of Sonoran Desert Protection to improve the overall layout of the project. Some of the changes include - modifying the southern access point to emergency access only, removing lots bordering the southern and western boundaries, add a 6' masonry wall along the southern boundary, fewer homes planned along the wildlife corridors, and larger open space buffers. Mr. Underwood stated the applicant agrees to all conditions presented in the staff report.

Chairman Schnee opened the public hearing.

Carolyn Campbell - Coalition of Sonoran Desert Protection in relation to this projects' location on Silverbell Road, Ms. Campbell noted the wildlife corridor located in the southeastern portion of the project has been designated as a future wildlife crossing/linkage in the Silverbell Road Improvement Project from the RTA. She noted it has been a pleasure working with The Planning Center and the property owners on the project. She would like to see 70% open space and 30% disturbance in all future projects. Lisa Peacock, Amanda Comeau, Brad Geutner, Chuck Dugan, Matthew White, and Mars Burnell spoke in opposition of the project with general concerns relating to overall development, density, lot size, noise, and traffic. Fred Gust had a question about setbacks on the southern and western boundaries.

Mr. Angell replied the setback along the southern boundary is 120' and approximately 200' along the western boundary.

Chairman Schnee closed the public hearing.

Commissioner Flint asked if a second emergency access could be added near lot 18 to connect with the emergency access near lot 17 in order for emergency vehicles to access that portion of the project.

Mr. Underwood noted that is something they considered adding but due to the steep grade adding an emergency access in that location was not feasible. Relating to the fire department response, another option might be to sprinkler the homes in that particular location.

Chairman Schnee liked the smaller lot sizes, larger setbacks, widening of the wildlife corridors, limitation on the 2-story homes, and staff involvement with the Coalition and residents.

Motion to approve by Commissioner Duncan, seconded by Commissioner Flint. Motion passes, 5-0.

5. PCZ2104-002: Crossroads at Gladden Specific Plan; A request to rezone approximately 281 acres of land from F-Specific Plan: Shops at Tangerine & 1-10 Motorplex Specific Plan to F-Specific Plan: Crossroads at Gladden Specific Plan for the purpose of establishing the Crossroads at Gladden Specific Plan, a master-planned development. The property is located approximately 575 feet northwest of the Tangerine Road interchange on the west side of Interstate 10 in Section 36, Township 11 South, Range 11 East. (Cynthia Ross)

Senior Planner Cynthia Ross stated the existing master planned area land use designation and existing specific plan zoning classification will remain the same in this proposal. There are 3 land use designations proposed for this site; Transitional – totaling 232 acres, Commerce Park – totaling 26 acres, and Commercial – totaling 12 acres. The Transitional land use designation is anticipated to provide a mix of housing, commercial, and employment opportunities. 1200 single-family residential units and 600 multi-family units are proposed.

Lexy Wellot – The Planning Center the intention of the Crossroads Specific Plan is to bridge the gap between the residential and the more intense uses. The existing entitlements of the property allow for a maximum building height of 60' and 65' and as we move forward, we are requesting the same heights. Access will be provided off Tangerine Road, Crossroads Trails and the planned extension of Clark Farms Road. An offer was extended to neighboring property owners to meet. To date there has been no response.

Chairman Schnee opened and closed the public hearing.

Development Services Director Jason Angell specified the applicant has not agreed to the conditions as presented this evening. Although the applicant has mostly agreed with the staff conditions, there are a few conditions that are still being discussed internally with staff. Staff will continue to work with the applicant on the final conditions prior to taking the item before Town Council.

Chairman Schnee and Commissioner Flint had a concern with the proposed building heights, currently permitted in the existing entitlements, and the proximity to the nearby residential to the west.

Although there were no issues with the 65' building height, they suggested adding a condition to require a graduated building height from west to east, when development does occur, in order to help with the transition.

Motion to approve, with the added condition to require a graduated building height – low to high – from Clark Farms Blvd. east to Interstate 10 to by Chairman Schnee, seconded by Commissioner Flint. Motion passes, 5-0.

6. PCM2107-001: Request for recommendation to the Town Council approving a modification of a rezoning condition of Marana Ordinance No. 2011.19, which created the Rancho Palomitas Specific Plan, to allow the developer to contribute funding to the Town for design and construction of turn lanes on Tangerine Road in lieu of the developer designing and constructing the turn lanes (Jane Fairall)

Town Attorney Jane Fairall noted the item was scheduled and noticed as a public hearing for a request for a recommendation to approve a modification of a rezoning condition for the Rancho Palomitas Specific Plan. After the notice was published, staff had further conversations with the developer. As the discussions are still ongoing, staff is recommending a motion to table the discussion of this item.

Motion to table item at the request of Town Attorney Jane Fairall by Commissioner Flint, seconded by Commissioner Duncan. Motion passes, 5-0.

COMMISSION ACTION

1. PCM2107-002: Planning Commission Rules and Procedures. Approval of revised Planning Commission Rules and Procedures (Jane Fairall)

Town Attorney Jane Fairall noted this is an item to revise the Planning Commission Rules and Procedures. Two substantive changes are suggested; changing the start time of the Planning Commission meetings from 6:30 pm to 6:00 pm and change the statement in Rules and Procedures from "Executive Sessions are to be recorded," to "Executive Sessions are not to be recorded." A few non substantive changes will also be made, including general clean up.

Motion to approve by Commissioner Flint, seconded by Commissioner Duncan. Motion passes, 5-0.

INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS

ELECTION OF BOARD CHAIRPERSON AND VICE-CHAIRPERSON

Motion moved by Commissioner Flint to nominate Tom Schnee as Chair of the Planning Commission, seconded by Commissioner Duncan. Motion passed unanimously, 4-0.

Motion moved by Commissioner Flint to nominate Ron Hill as Vice Chair of the Planning Commission, seconded by Commissioner Duncan. Motion passed unanimously, 4-0.

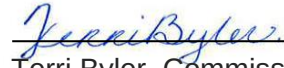
FUTURE AGENDA ITEMS

ADJOURNMENT

Chairman Schnee asked for a motion to adjourn the meeting. *Commissioner Duncan, moved and Commissioner Flint second the motion to adjourn the meeting. Motion passed unanimously. Meeting adjourned at 9:11 p.m.*

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on July 28, 2021. I further certify that a quorum was present.



Terri Byler, Commission Secretary

DRAFT

Planning Commission Meeting

Meeting Date: 08/25/2021

To: Planning Commission

From: Cynthia Ross, Senior Planner

Date: August 25, 2021

Strategic Plan Focus Area:

Not Applicable

Subject: PC22104-001 Gladden Farms II Specific Plan Amendment #3. A request for a recommendation to the Marana Town Council for approval to amend the Gladden Farms II Specific Plan to revise the land use designation of Block 38B and an approximately 18-acre portion of Block 43, generally located north of Tangerine Road and west of the Clarks Farms Road alignment, from Commercial (C) to High-Density Residential (HDR). (Cynthia Ross)

Discussion:

Request

Crown West Realty LLC, represented by the Planning Center, is requesting a recommendation to the Marana Town Council for approval to amend the Gladden Farms II Specific Plan to revise the land use designation of Block 38B and an approximately 18-acre portion of the Block 43 from Commercial (C) to High-Density Residential (HDR).

Location

The Gladden Farms II Specific Plan is bounded by Gladden Farms I on the west, Tangerine Road on the south, Moore Road on the north, and Interstate 10 and the Clark Farms Road alignment on the east. The subject blocks are located north of Tangerine Road, west of the Clark Farms Boulevard alignment.

Gladden Farms II Specific Plan

The Gladden Farms II Specific Plan was adopted by Mayor and Town Council on March 7, 2006, by Ordinance 2006.03. The first amendment was approved by Mayor and Town Council on December 19, 2006, by Ordinance No. 2006.35, and the second amendment was approved by Mayor and Council on March 6, 2018, by Ordinance 2018.006.

Gladden Farms II Specific Plan Third Amendment Summary

The third amendment to the Gladden Farms II Specific Plan will replace the Commercial (C) land use designation on Block 38B and an approximately 18-acre portion of Block 43 with High Density Residential (HDR). The HDR land use designation supports a variety of housing types, including single-family attached, small-lot single-family detached, and multi-family housing. According to the property owner, the increased demand for housing coupled with the current state of commercial development makes residential development a more effective use of these blocks. The change to a residential use adds 100 housing units to Gladden Farms II's planned residential unit count, increasing the maximum number of units from 2,345 to 2,445.

Within the Gladden Farms II Specific Plan area, land designated HDR is generally concentrated along Tangerine Road and Clark Farms Boulevard that creates a transition in density across Gladden Farms to the commercial intensity of the property to the east, across Clark Farms Boulevard, that is currently zoned F - Shops at Tangerine & 1-10 Motorplex Specific Plan and is proposed to be rezoned SP - The Crossroads at Gladden Specific Plan. New opportunities for commercial and employment uses to serve the Gladden communities and greater area are proposed within The Crossroads at Gladden Specific Plan.

Public Notification

This public hearing was properly noticed in the Daily Territorial newspaper, and all property owners within 300 feet of the rezoning area were noticed by U.S. Mail of the date, time, and topic of the public hearing. Additional notice was posted at various locations within the community and on the Town website.

Case Analysis and Review Criteria

Pursuant to Town Code Section 17-3-1(D), the Planning Commission and Town Council shall consider the following questions, at a minimum, in reviewing an application for rezoning:

1. Any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development;

Based upon the requirements and conditions, the rezoning amendment does not appear to be detrimental to the character of the area due to installation of public facilities or any other rezoning changes.

2. The degree to which the proposed zoning will benefit the community; whether there will be benefits derived by the community, or area, by granting the proposed rezoning;

With the acceptance of the recommended conditions, this rezoning will benefit the community by providing additional residential and commercial development opportunities.

3. Whether the proposed rezoning is compatible with the surrounding area or whether there will be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new use will generate such as excessive storm runoff, water, air, or noise pollution, excessive nighttime lighting, or other nuisances;

Based on the recommended requirements and conditions, the rezoning amendment is compatible with the surrounding area and does not appear to be adversely impact the adjacent street network or generate such excessive storm runoff, water, air, or noise pollution, excessive nighttime lighting, or other nuisances.

4. Whether the proposal conforms with and is in furtherance of the implementation of the goals and policies of the general plan, other adopted plans, and the goals, objectives and policies of the land development code, and other town regulations and guidelines, including goals and policies relating to economic development;

The rezoning amendment conforms with the goals and policies of the general plan, the land development code, and other town regulations and guidelines.

5. The zoning districts and existing land uses of the surrounding properties;

Based on the recommended requirements and conditions, the rezoning amendment is compatible with the surrounding properties zoning and existing land use.

6. Whether the existing and proposed transportation infrastructure is suitable and adequate to serve the traffic anticipated to be generated by the proposed development;

With the acceptance of the recommended conditions, the existing and proposed transportation infrastructure is suitable and adequate to serve the traffic anticipated to be generated by the proposed development.

7. Whether the existing and proposed utility infrastructure, public facilities, and public services are suitable and adequate to serve the proposed rezoning area;

Based upon the rezoning requirements and conditions, there is adequate utility infrastructure, public facilities, and public services in the area to serve the proposed rezoning area.

8. Whether the subject property is suitable for the uses to which it has been restricted under the

existing zoning classification;

Based upon the rezoning requirements and conditions, the subject property is suitable for the proposed uses.

9. Whether the rezoning is compatible with the adjacent neighborhood, especially residential neighborhood stability and character;

Based upon the rezoning requirements and conditions, this rezoning amendment is compatible with the adjacent neighborhood in area stability and character.

10. If applicable, the length of time the subject property has remained vacant as zoned:

The subject property has remained vacant since annexation to the Town.

11. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs:

Based upon the rezoning amendment subject area location, there is an adequate supply of land available in the area and the surrounding community to accommodate the zoning and community needs.

Staff Recommendation:

This is a discretionary item for the Planning Commission to consider. Should the Planning Commission wish to recommend approval of this item to Town Council, staff recommends the approval be subject to the following conditions.

1. All of the rezoning conditions of Ordinance 2006.03, Ordinance 2006.35, and Ordinance 2018.006 remain applicable to this project except for any conditions that have been modified by this amendment in which case the modified condition will take precedence.
2. 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.
3. The ultimate development proposed by this amendment shall be consistent with the adopted development agreement as it may be amended.
4. 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.
5. Within 60 days after the adoption of this ordinance, the Property Owners shall provide the Planning Department with two bound copies and two electronic CD copies in PDF format, which will also include graphics of the conceptual land use plan in JPEG or other suitable format, of the Gladden Farms II Specific Plan as amended by this action.

Suggested Motion:

I move to recommend to the Town Council approval of the Gladden Farms II Specific Plan Amendment #3 subject to the recommended conditions.

Attachments

Application
Location Map
Narrative
Land Use Concept Plan



Development Services / maranapanning@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: _____ |

PROJECT INFORMATION

Project Name:

Description of Project:

Number of Lots:

Parcel No.(s):

Gross Area (Acres):

Project Address:

Ref. Project No.:

CONTACT INFORMATION

Owner:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

Applicant:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

Consultant/Engineer:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

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.)

Applicant Name (PRINT)

Signature

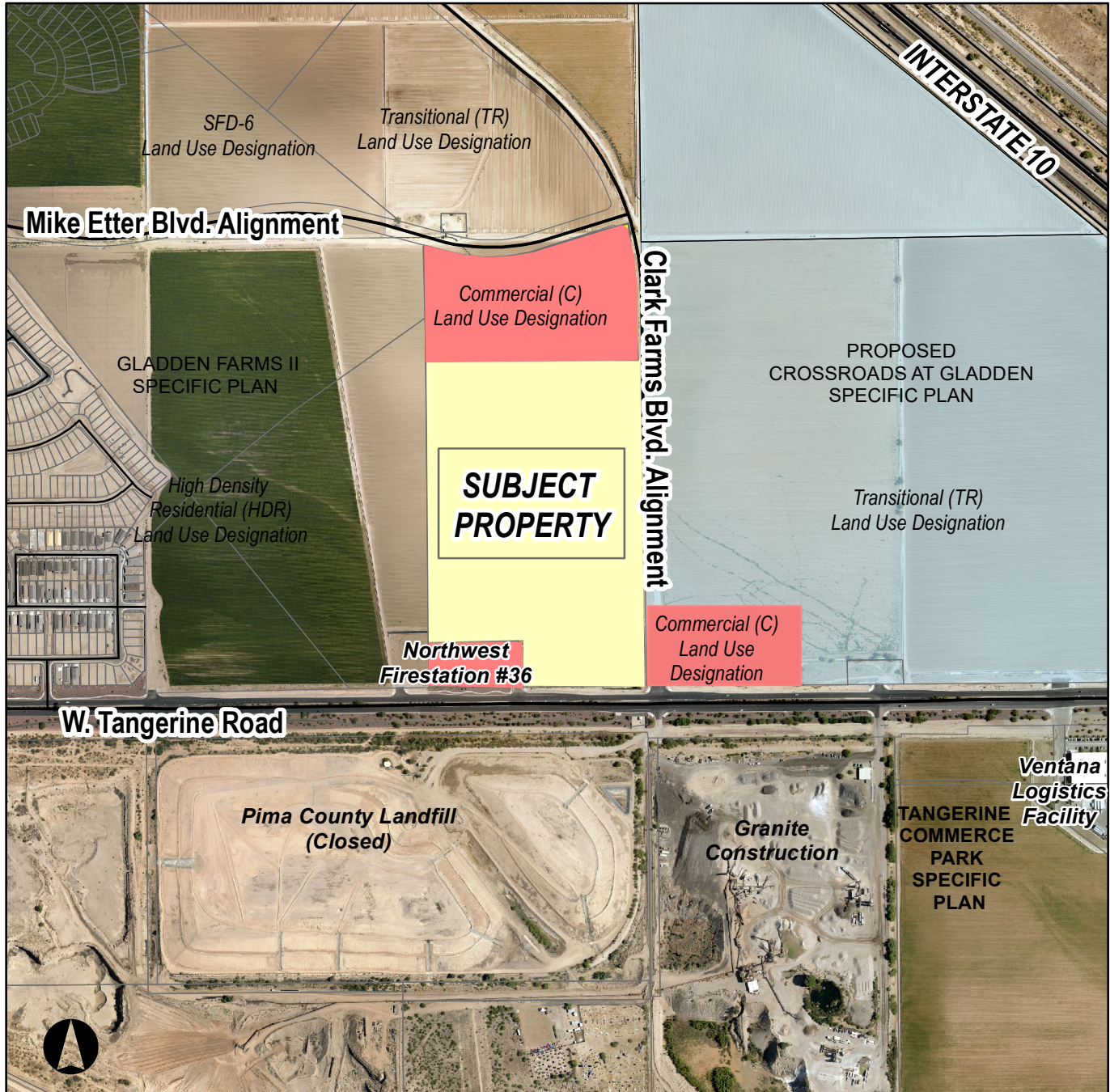
Date

FOR OFFICIAL USE ONLY

Revision Date 03/29/2019

Project No. _____

Date Received _____



Data Disclaimer: The Town of Marana provides this map information "As Is" at the request of the user with the understanding that it is not guaranteed to be accurate, correct or complete and conclusions drawn from such information are the responsibility of the user. In no event shall The Town of Marana become liable to users of these data, or any other party, for any loss or direct, indirect, special, incidental, or consequential damages, including but not limited to time, money, or goodwill, arising from the use or modification of the data.

Gladden Farms II 3rd Specific Plan Amendment Narrative

Over the past 15 years, Gladden Farms has been actively marketing their approximately 42 acres of commercially designated properties located west of Clark Farms Blvd. (Blocks 38B and 43) in hopes of attracting users that support the master-planned community. However, due to the shifts in retail market trends pre-and post- COVID-19 and the high stock of attractive commercial properties located nearby with Interstate 10 and Tangerine Road visibility and frontage, Gladden Farms has been unsuccessful in securing commercial users at these properties.

Contrary to the commercial market, the residential market is strong in Gladden Farms. With the stock of available residential land in Gladden Farms dwindling and the continued residential demand growing, the vacant commercial properties west of Clark Farms Blvd. are desirable to residential developers. Thus, the impetus of this amendment. This amendment proposes changing the land use designations for Blocks 38B (APN: 217-54-342A) and 43 (APN: 217-54-3440) from Commercial (C) to High Density Residential (HDR) to accommodate residential development. See *Exhibit A: 2nd Amendment Land Use Concept Plan (Current)* and *Exhibit B: 3rd Amendment Land Use Concept Plan (Proposed)*. The new residential development will increase the maximum number of homes allowed in Gladden Farms II from 2,345 to 2,445. The addition of 100 more homes and the approximately 43 acres of HDR land ensures the overall density remains in line with the 4 RAC outlined originally in the Specific Plan. Development in these two blocks will be like HDR designated Blocks 36, 37, 40, 41, and 42 to the west and follow the same regulations and standards previously established in the specific plan.

Exhibit A: 2nd Amendment Land Use Concept Plan (Current)



LEGEND

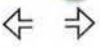
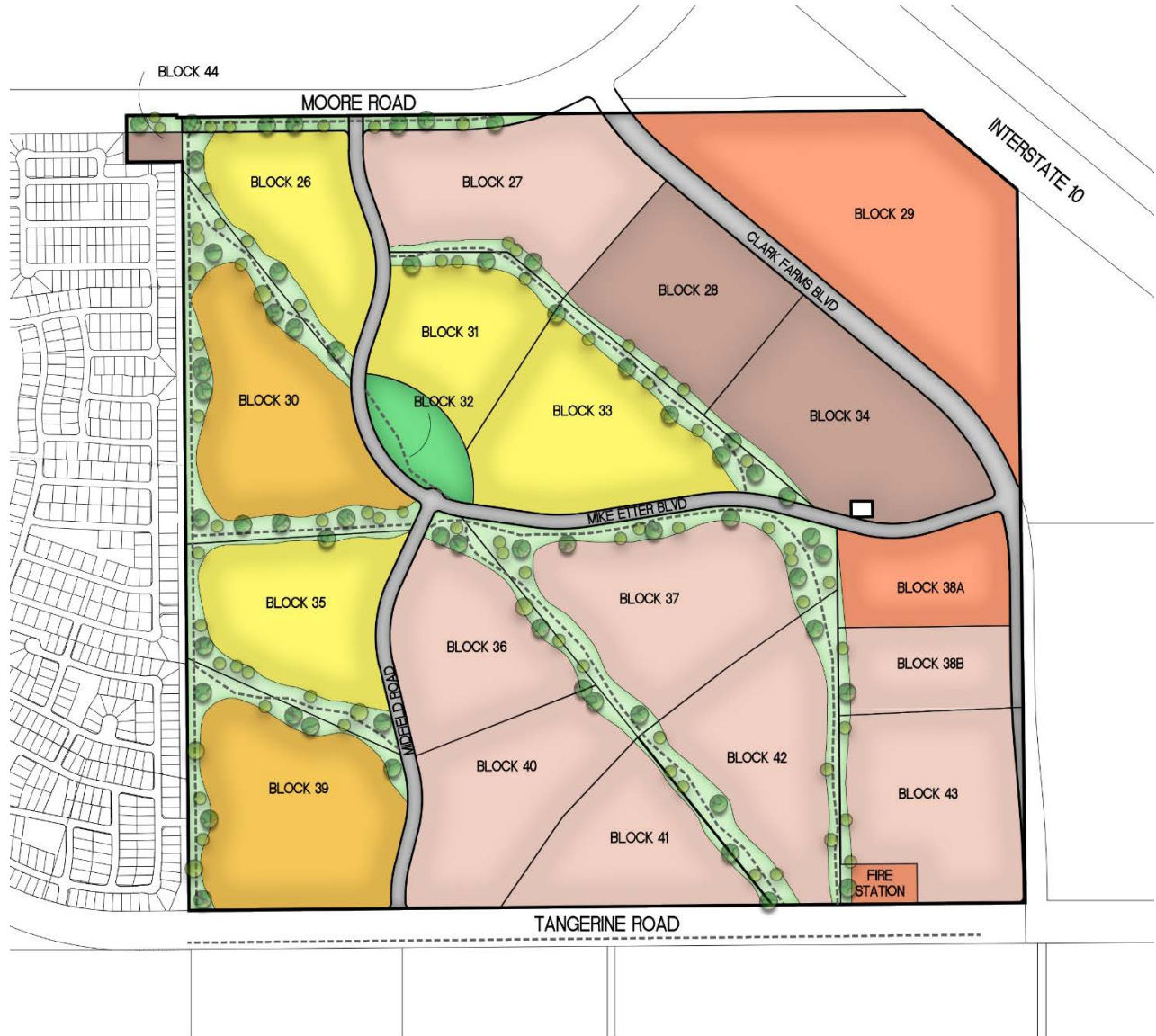
	SFD-6 SINGLE FAMILY DETACHED		PARK
	SFD-7 SINGLE FAMILY DETACHED		TRAILS
	HDR HIGH DENSITY RESIDENTIAL		OPEN SPACE OVERLAY ZONE
	TR TRANSITIONAL		ACCESS POINTS
	C COMMERCIAL		

Exhibit B: 3rd Amendment Land Use Concept Plan (Proposed)

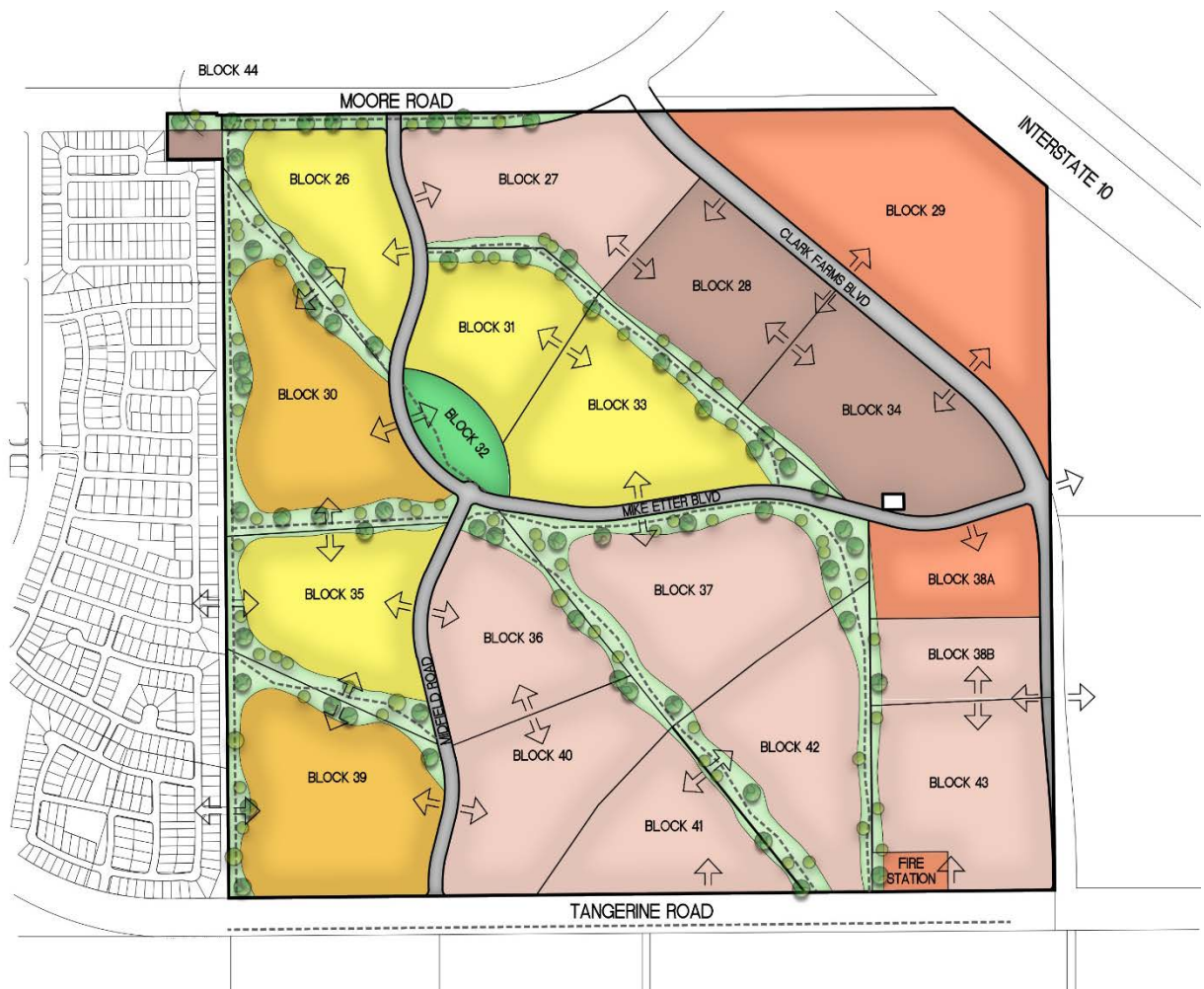


LEGEND

	SFD-6 SINGLE FAMILY DETACHED		PARK
	SFD-7 SINGLE FAMILY DETACHED		TRAILS
	HDR HIGH DENSITY RESIDENTIAL		OPEN SPACE OVERLAY ZONE
	TR TRANSITIONAL		ACCESS POINTS
	C COMMERCIAL		

Gladden Farms II SPA #3 Land Use Concept Plan

[



LEGEND

	SFD-6 SINGLE FAMILY DETACHED		PARK
	SFD-7 SINGLE FAMILY DETACHED		TRAILS
	HDR HIGH DENSITY RESIDENTIAL		OPEN SPACE OVERLAY ZONE
	TR TRANSITIONAL		ACCESS POINTS
	C COMMERCIAL		



GLADDEN FARMS II SPECIFIC PLAN



TOWN OF MARANA
PCZ2104-001



Gladden Farms II Specific Plan

Submitted to:

Town of Marana
11555 West Civic Center Drive
Marana, AZ 85653

Prepared for:

Crown West Land Group
333 East Wetmore Road, Suite 250
Tucson, AZ 85705

Prepared by:

The Planning Center
2 East Congress Street, Suite 600
Tucson, AZ 85701



With assistance from:

Rick Engineering
3945 East Fort Lowell Road
Tucson, AZ 85712



Specific Plan Adopted March 7, 2006
Amendment #1 Approval December 18, 2006 (PCZ05028)
Amendment #2 Approval March 6, 2018 (PCZ1708-002)
Amendment #3 Approval Month XX, 2021(PCZ21XX-001)

SMARA
TOWN OF MARANA
PICKUP



SEQUENCE: 20180680060
NO. PAGES: 4
03/09/2018
9:52:30

MARANA ORDINANCE NO. 2018.006

RELATING TO DEVELOPMENT; AMENDING THE GLADDEN FARMS II SPECIFIC PLAN TO REVISE THE LAND USE DESIGNATION OF BLOCK 35 FROM SINGLE FAMILY DETACHED 8 (SFD-8) TO SINGLE FAMILY DETACHED 6 (SFD-6) WITH AN AVERAGE LOT SIZE OF AT LEAST 6,600 SQUARE FEET; TO REVISE THE LAND USE DESIGNATION OF BLOCK 34 FROM COMMERCIAL (C) TO TRANSITIONAL ZONE (TR); TO REDUCE THE SIZE OF BLOCK 32 FROM 8.8 ACRES TO SIX ACRES AND INCORPORATE THE EXCESS ACREAGE INTO BLOCKS 31 AND 33 WITH THEIR CURRENTLY APPROVED SFD-6 LAND USE DESIGNATION; AND TO REVISE THE COLLECTOR ROADWAY NETWORK TO REALIGN THE EASTERN HALF OF MIKE ETTER BOULEVARD AND ELIMINATE PACHECO FARMS ROAD

WHEREAS the Gladden Farms II Specific Plan was adopted by the Mayor and Town Council March 7, 2006 by Ordinance 2006.03; and

WHEREAS the first amendment to the Gladden Farms II Specific Plan was adopted by the Mayor and Town Council Marana December 19, 2006 by Ordinance 2006.35; and

WHEREAS Crown West Realty LLC (the "Property Owner") owns approximately 435 acres of land located within portions of Section 34 and 35, Township 11 South, Range 11 East, depicted on Exhibit "A" attached to and incorporated in this ordinance by this reference (the "Rezoning Area"); and

WHEREAS the Property Owner has authorized Rick Engineering Company to submit an application to amend the Gladden Farms II Specific Plan; and

WHEREAS the particular elements of the application to amend the Gladden Farms II Specific Plan have been revised since its original submission; and

WHEREAS the current version of the application to amend the Gladden Farms II Specific Plan proposes to amend the Gladden Farms II Specific Plan to revise the land use designation of Block 35 from Single Family Detached 8 (SFD-8) to Single Family Detached 6 (SFD-6) with an average lot size of at least 6,600 square feet, to revise the land use designation of Block 34 from Commercial (C) to Transitional Zone (TR), to reduce the size of Block 32 (the park) from 8.8 acres to six acres and incorporate the excess acreage acres into Blocks 31 and 33 with their currently approved SFD-6 land use designation, and to revise the collector roadway network to realign the eastern half of Mike Etter Boulevard and eliminate Pacheco Farms Road; and

WHEREAS the Marana Planning Commission held a public hearing on November 29, 2017, and voted seven to zero to recommend that the Town Council approve this amendment as it was then presented; and

WHEREAS the Marana Town Council held a public hearing on February 20, 2018, where action on this amendment was continued to March 6, 2018, by unanimously-approved motion; and

WHEREAS the Marana Town Council considered this amendment at its meeting on March 6, 2018, and determined that this amendment should be approved.

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

Section 1. The Gladden Farms II Specific Plan's Land Use Concept Plan is hereby amended by changing the land use designation of Block 35 from Single Family Detached 8 (SFD-8) to Single Family Detached 6 (SFD-6) with an average lot size of at least 6,600 square feet and by changing the land use designation of Block 34 from Commercial (C) to Transitional Zone (TR) as depicted in the specific plan amendment, attached as Exhibit "A".

Section 2. The size of Block 32 is reduced from 8.8 acres to six acres and the excess acreage will be incorporated into Blocks 31 and 33 with their currently approved SFD-6 land use designation.

Section 3. The collector roadway network is revised to realign the eastern half of Mike Etter Boulevard and eliminate Pacheco Farms Road.

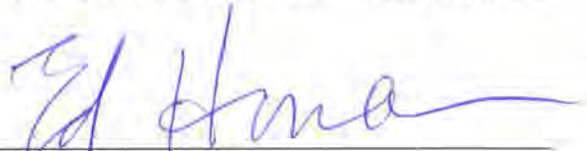
Section 4. This amendment is subject to the following conditions, the violation of which shall be treated in the same manner as a violation of the Town of Marana Land Development Code (but which shall not cause a reversion of this amendment), and which shall be binding on the Property Owner and its successors in interest (all of whom are collectively included in the term "Property Owner" in the following conditions):

1. All of the rezoning conditions of Ordinance 2006.03 and Ordinance 2006.35 remain applicable to this project except for any conditions that have been modified by this amendment in which case the modified conditions will take precedence.
2. 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 fees.
3. The ultimate development proposed by this amendment shall be consistent with the adopted development agreement as it may be amended.
4. 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. Appropriate experts should be retained and appropriate federal and state agencies should be consulted to determine any action necessary to assure compliance with applicable laws and regulations.
5. Within 60 days after the adoption of this ordinance, the Property Owner shall provide the Planning Department with ten bound copies and three electronic copies (on CD) in PDF format of the Gladden Farms II Specific Plan document as amended by this ordinance.

Section 5. 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.

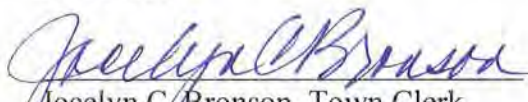
Section 6. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 6th day of March, 2018.



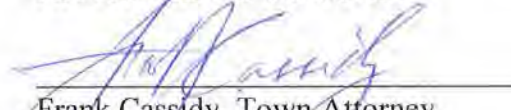
Mayor Ed Honea

ATTEST:



Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:



Frank Cassidy, Town Attorney

Land Use Concept Plan

EXHIBIT A



LEGEND

	SFD-6 SINGLE FAMILY DETACHED		PARK
	SFD-7 SINGLE FAMILY DETACHED		TRAILS
	HDR HIGH DENSITY RESIDENTIAL		OPEN SPACE OVERLAY ZONE
	TR TRANSITIONAL		ACCESS POINTS
	C COMMERCIAL		



MARANA ORDINANCE NO. 2006.35

RELATING TO DEVELOPMENT; APPROVING AND AUTHORIZING A SPECIFIC PLAN AMENDMENT TO THE GLADDEN FARMS II SPECIFIC PLAN.

WHEREAS, The Gladden Farms II Specific Plan was adopted by the Marana Town Council March 7, 2006 by Ordinance 2006.03; and,

WHEREAS, The Planning Center represents the property owners of The Gladden Farms II Specific Plan that consist of approximately 636 acres of land located within portions of Sections 34 and 35, Township 11 South, Range 11 East; and,

WHEREAS, the Marana Planning Commission held a public hearing on November 15, 2006, and at said meeting voted unanimously to recommend that the Town Council approve said amendment, adopting the recommended conditions; and,

WHEREAS, the Marana Town Council heard from representatives of the owner, staff and members of the public at the regular Town Council meeting held December 19, 2006, and has determined that the amendment to the Gladden Farms II Specific Plan should be approved.

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

Section 1. The Gladden Farms II Specific Plan's Land Use Plan is hereby amended by changing the land use designation for approximately 84 acres, creating a new 8.8 acre block designated as "Park" and modifying the configuration of some of the proposed blocks due to changes in the location and sizing of the proposed roadway system, as depicted in the specific plan amendment, attached as Exhibit "A".

Section 2. The Transitional Zone (TR) and Commercial Zone (C) permitted uses of the Gladden Farms II Specific Plan are hereby amended, the development standards for the Commercial Zone is hereby amended to allow a maximum height of 80 feet for a hospital building within Block 29 and the newly created Park (P) designation and permitted uses have been added to the Gladden Farms II Specific Plan, as depicted in the specific plan amendment, attached as Exhibit "B."

Section 3. The purpose of this specific plan amendment is to modify the site to create a more subtle transition from residential to a more intense commercial area that could develop to the east due to the proximity to Interstate 10, 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 ordinance):

1. All of the rezoning conditions of Ordinance 2006.03 remain applicable to this project except for any conditions that have been modified by this amendment. In which case the modified conditions will take precedence.
2. 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.
3. The ultimate development proposed by this rezoning shall be consistent with the adopted Development Agreement as amended.
4. No approval, permit or authorization by the Town of Marana authorizes violation of any federal or state law or regulation or relieves the applicant or the land 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. Appropriate experts should be retained and appropriate federal and state agencies should be consulted to determine any action necessary to assure compliance with applicable laws and regulations.
5. The Developer shall dedicate, or cause to have dedicated, the necessary rights-of-way for Moore Road and Clark Farms Boulevard as agreed upon in the Development Agreement.
6. The Developer will continue to work with El Paso Natural Gas regarding pipe line issues. All issues must be resolved prior to improvement plans and or Final Plat being approved.
7. Upon adoption of the ordinance by the Mayor and Council approving the Gladden Farms II Specific Plan amendment, the applicant shall provide the planning department with the following final edition of the revised Gladden Farms II Specific Plan: one non-bound original; forty bound copies; and, one digital copy in Microsoft Word or other acceptable format, within sixty days of the adoption.

Section 4. 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 Ordinance No. 2006.35.

Section 5. 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 19th day of December, 2006.

ATTEST:


Jocelyn C. Bronson, Town Clerk




Ed Honea, Mayor

APPROVED AS TO FORM:

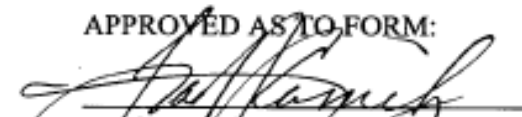
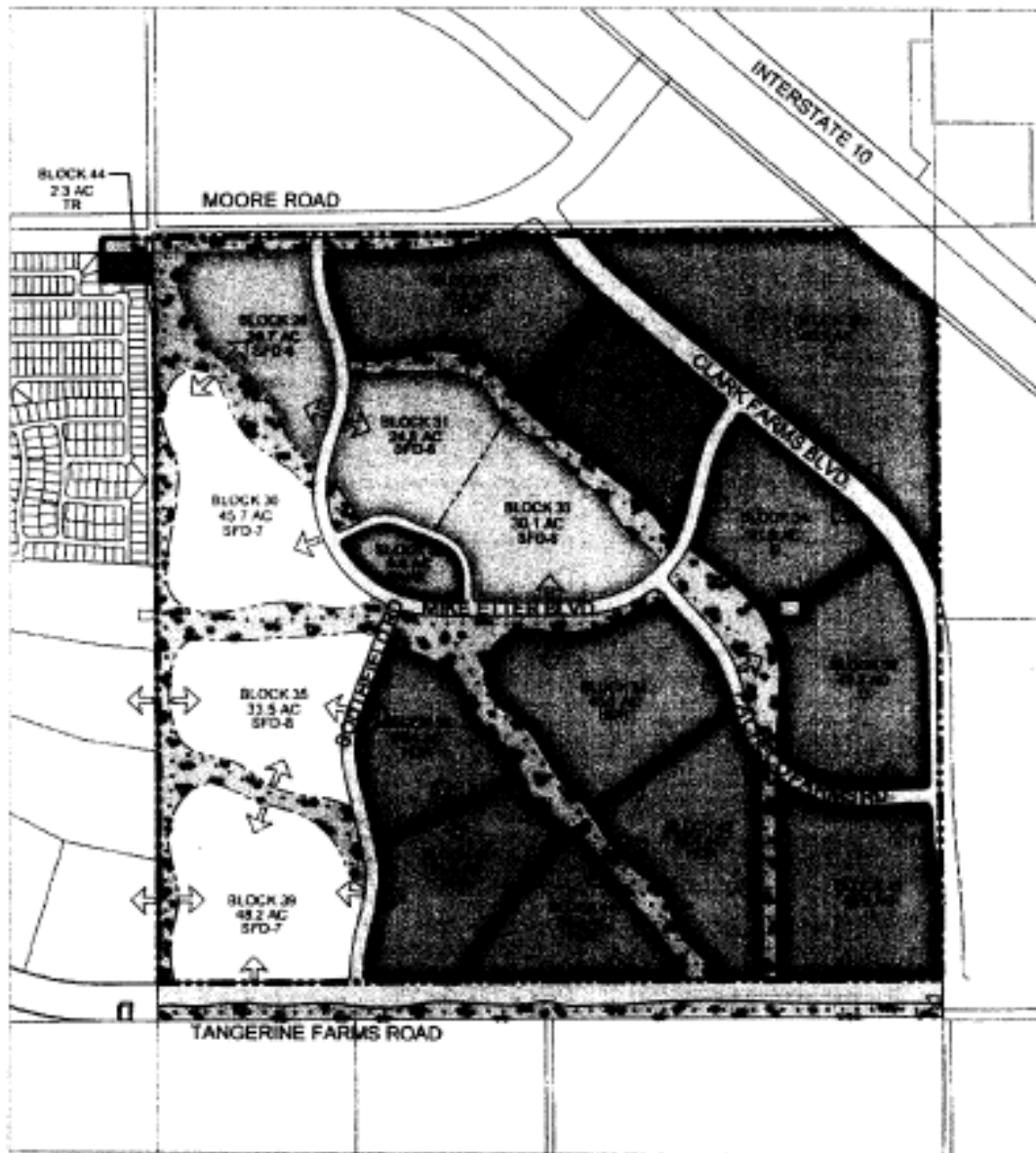

Frank Cassidy, Town Attorney

EXHIBIT A

PAGE 1 of 2

Development Plan

Exhibit III.E.1: Land Use Concept Plan



LEGEND

- SFD-4 - SINGLE-FAMILY DETACHED
- SFD-7 - SINGLE-FAMILY DETACHED
- SFD-8 - SINGLE-FAMILY DETACHED
- HDR - HIGH DENSITY RESIDENTIAL
- C-COMMERCIAL
- TR - TRANSITIONAL
- OPEN SPACE
- PARK

- TRAIL
- LOCAL STREET



Gladden Farms Specific Plan
Land Use Concept

Block	Gross Acreage	Net Acreage	Designation	Target Unit #
26	28.7	20.7	SFD-6	104
27	36.9	31.1	HDR	218
28	30.9	25.7	TR	514
29	63.9	56.5	C	N/A
30	45.7	29.6	SFD-7	134
31	24.8	20.9	SFD-6	105
32	8.8	6.8	P	N/A
33	30.1	25.1	SFD-6	126
34	31.9	22.9	C	N/A
35	33.5	25.6	SFD-8	103
36	26.1	20.5	HDR	144
37	43.3	32.7	HDR	229
38	41.2	32.1	C	N/A
39	48.2	32.4	SFD-7	146
40	31.2	25.6	HDR	180
41	32.9	20.2	HDR	142
42	35.4	28.5	HDR	200
43	40.5	30.0	C	N/A
44	2.3	1.4	TR	0
Total Acres	636.3	488.3		
Open Space Overlay Zone/Drainage	72.2			
Roads	75.84			

Target Units: 1,975 single-family units; 370 individual units of multi-family housing. Overall Density: 4 RAC

KEY:

SFD-8: Single-Family Detached

SFD-7: Single-Family Detached

SFD-6: Single-Family Detached

HDR: High Density Residential

TR: Transitional

C: Commercial

P: Park

EXHIBIT B

Development Regulations

5. Transitional Zone (TR)

a. Permitted Uses

- Any Use Listed in High Density Residential*
- Professional/~~Medical~~/General Office
- Dental and Medical Office or Clinic
- Personal Services
- Government/Public Service Facilities
- Retail and Wholesale Uses**
- Restaurant and Food Service**
- Model Home Sales Center

*Single-Family Residential Attached and Multi-Family not allowed in Block 2144

**Not allowed in Block 2144

a. Accessory Uses

- Carports and Garages
- Swimming Pools, Spas, and Other Related Structures
- Tennis courts

a. Conditional Uses

- Child care facilities
- Group homes
- Educational facilities
- Restaurant and Food Service with drive-thru service

Development Standards—Residential

- See High Density Residential

a. Development Standards—Non-Residential

- Minimum Site Area: None
- Maximum Lot Coverage: 35%
- Minimum Setbacks
 - Front (Street): 25 feet
 - Side: 20 feet
 - Rear: 20 feet
 - Adjacent to residential land use designation: 1 foot for every foot in building height, half of the setback shall be landscaped; minimum 25-foot setback with a minimum 15-foot landscape buffer
- Maximum Building Height: 50 feet***

***May not exceed 30 feet in Block 2144.

6. Commercial (C)

a. Permitted Uses

- Banks and Financial Institutions
- Professional/~~Medical~~/General Office
- Dental and Medical Office or Clinic
- Restaurant (including carry-out and drive-thru)
- Retail and Wholesale Uses
- Recreational Uses
- Personal Services
- Government/Public Service Facilities
- Religious Uses
- Daycare
- Supermarkets
- Private Schools
- Laundromats
- Home Improvement Centers
- Pet and Pet Supply Stores
- Theaters, not including drive-ins
- Medical/Healthcare/Extended Care Facilities,* including:
 - Acute Care Hospital with helicopter landing*
 - Surgical Center*
 - Endoscopy Center*
 - Specialty Hospital*
 - Emergency Care Center*
 - Urgent Care Center*
 - Physical Therapy*
 - Rehabilitation Center*
 - Extended Care Facility*
 - Home Health Service*
 - Birthing Center*
 - Health Maintenance Organization or Similar Direct Care Provider*
 - Outpatient Imaging or Testing Center*
 - Permanent emergency diesel fuel storage (in conjunction with hospital)*
 - Parking Structures*
 - Other hospital related uses subject to approval by the Planning Director*
- Automobile Sales*
- Personal Storage*
- Lodging Facilities*

*These uses only allowed in Block 29

b. Conditional Uses

- Automobile Service Stations
- Car Washes

Development Regulations

- Convenience Stores
- Multi-Family Residential

c. *Development Standards*

- Minimum Site Area: None
- Maximum Lot Coverage: 35%
- Minimum Site Setbacks
 - Front (Street): 25 feet
 - Side: 20 feet
 - Rear: 20 feet
 - Adjacent to residential: 40 feet
- Maximum Building Height: 50 feet
- Maximum Hospital Building Height: 80 feet
- Building Separation: Per Building Code

7. Park

a. *Permitted Uses*

- Dog Park
- Play Equipment
- Ramadas and Picnic Tables
- Recreation Centers
- Trails
- Water Splash Park
- Pool

MARANA ORDINANCE NO. 2006.03

RELATING TO DEVELOPMENT; APPROVING AND AUTHORIZING A REZONING TO CREATE THE GLADDEN FARMS II SPECIFIC PLAN.

WHEREAS, The Planning Center represents the property owners of approximately 636 acres of land located within portions of Sections 34 and 35, Township 11 South, Range 11 East, as depicted on Exhibit "A" and Exhibit "B", attached hereto and incorporated herein by this reference; and,

WHEREAS, the Marana Planning Commission held a public hearing on December 14, 2005, and at said meeting voted unanimously to recommend that the Town Council approve said rezoning, adopting the recommended conditions; and,

WHEREAS, the Marana Town Council heard from representatives of the owner, staff and members of the public at the regular Town Council meeting held March 7, 2006 and has determined that the rezoning meets the criteria for a minor amendment to the General Plan, changing the land use designation from Medium Density Residential and Corridor Commerce to Master Planning Area, and should be approved.

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

Section 1. A minor amendment to the General Plan of approximately 636-acres of land located within portions of Sections 34 and 35, Township 11 South, Range 11 East, east of the existing Gladden Farms development, south of Moore Road and north of the future Tangerine Farms Road (the "Rezoning Area"), changing the land use designation from Medium Density Residential and Corridor Commerce to Master Planning Area.

Section 2. The zoning of approximately 636-acres of land located within portions of Sections 34 and 35, Township 11 South, Range 11 East, east of the existing Gladden Farms development, south of Moore Road and north of the future Tangerine Farms Road (the "Rezoning Area"), is hereby changed from Zone "C" (Large Lot Zone) to "F" (Specific Plan) creating the Gladden Farms II Specific Plan.

Section 3. The purpose of this rezoning is to allow the use of the Rezoning Area for mix of residential densities and housing types, commercial uses and recreation and open space, 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 ordinance):

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.
2. The ultimate development proposed by this rezoning shall be consistent with the adopted development agreement.
3. The property owner shall not cause any lot split of any kind without the written consent of the Town of Marana.
4. No approval, permit or authorization by the Town of Marana authorizes violation of any federal or state law or regulation or relieves the applicant or the land 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. Appropriate experts should be retained and appropriate federal and state agencies should be consulted to determine any action necessary to assure compliance with applicable laws and regulations.
5. The developer shall dedicate, or cause to have dedicated, the necessary rights-of-way for Moore Road and Clark Farms Boulevard with the recording of the final block plat or within 60 days of demand by the Town.
6. A water service agreement shall be submitted by the developer and accepted by the Utilities Director prior to the Water Master Plan being accepted by the Utilities Director.
7. A sewer service agreement shall be submitted by the developer and accepted by Pima County Wastewater Management and the Town Engineer prior to the Sewer Master Plan being accepted.
8. Installation of dual water lines shall be required per the adopted Northwest Marana Area Plan.
9. Potential buyers shall be notified that some or all of the property in this rezoning is subject to an annual tax and assessment by Cortaro Marana Irrigation District and Cortaro Water Users' Association.
10. The developer shall record an avigation easement with the recording of the final block plat.
11. Upon adoption of the ordinance by the Mayor and Council approving the Gladden Farms II Specific Plan, the applicant shall provide the planning department with the following final edition of the Gladden Farms II Specific Plan: one non-bound original; forty bound copies; and, one digital copy in Microsoft Word or other acceptable format, within 60 days of the adoption.

Section 4. 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 Ordinance No. 2006.03.

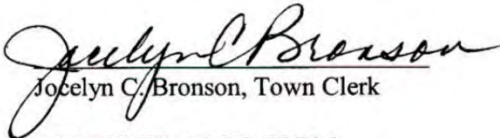
Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this
7th day of March, 2006.



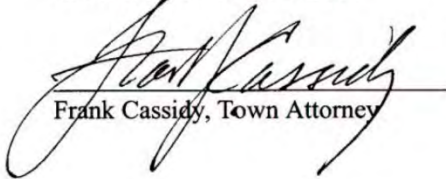
Mayor Ed Honea

ATTEST:



Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:



Frank Cassidy, Town Attorney



EXHIBIT "A"

That part of Section 35, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, lying South and West of the Southwest right of way line of the relocated Tucson-Picacho Highway, Federal Interstate Project 94, as it existed on May 15, 1950;

EXCEPT THEREFROM the right of way for Moore Road, formerly Grier Road, over the North 30 feet thereof, as shown on the map recorded in Book 2 of Road Maps, Pages 126 through 129;

AND EXCEPT THEREFROM the following two well sites belonging to Cortaro Water Users' Association:

Marana Well No. 13

That portion of the Southeast quarter of the Southeast quarter of Section 35, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, particularly bounded and described as follows:

BEGINNING at a point which is 62.5 feet Northerly and 25 feet Westerly from the Southeast corner of said Section 35;

THENCE Westerly 62.5 feet from and parallel to the South boundary line of said Section 35, a distance of 26.8 feet to a point which intersects the Northeast right-of-way line of the Cortaro Water Users' Lateral No. 6-1/2;

THENCE in a Northwesterly direction along the said right-of-way line of Cortaro Water Users' Lateral No. 6-1/2 a distance of 109.3 feet to a point;

THENCE Easterly, 150 feet from and parallel to the South boundary line of said Section 35, a distance of 92.25 feet to a point;

THENCE Southerly 25 feet from and parallel to the East boundary line of said Section 35, a distance of 87.5 feet to the POINT OF BEGINNING;

Marana Well No. 14

That portion of the Southeast quarter of the Northeast quarter of Section 35, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, particularly bounded and described as follows:

BEGINNING at a point which is 938.65 feet Westerly and 50 feet Northerly from the East quarter corner of said Section;

THENCE Westerly 50 feet from and parallel to the East and West center line of said Section 35, a distance of 135 feet to a point;

THENCE Northerly 1073.65 feet from and parallel to the East line of the said Southeast quarter of the Northeast quarter of Section 35, 100 feet to a point;

THENCE Easterly 150 feet from and parallel to the East and West center line of said Section 35, 135 feet to a point;

THENCE Southerly 938.65 feet from and parallel to the East line of the said Southeast quarter of the Northeast quarter of Section 35, 100 feet to the POINT OF BEGINNING;

AND EXCEPT THEREFROM the following portion conveyed to Cortaro Marana Irrigation District in the Deed recorded in Docket 1968, Page 585:

BEGINNING at a point on the North line of said Section 35, said point being South 89°49'00" West, 591.06 feet from the Northeast corner of said Section 35;

THENCE South 49°37'00" East along the Southwesterly right of way line of Interstate 10, 357.77 feet;

THENCE South 49°53'00" East, 419.03 feet to the East line of said Section 35;

THENCE South 0°15'00" East, 32.81 feet along said East line;

THENCE South 49°53'00" West, 448.44 feet;

THENCE North 49°37'00" West, 386.97 feet to the aforesaid North line of Section 35;

THENCE North 89°49'00" East, 38.44 feet to the POINT OF BEGINNING;

AND EXCEPT THEREFROM a strip of land 110 feet in width conveyed to the State of Arizona, by and through its State Highway Commission in the Deed recorded in Docket 2003, Page 408 described as follows:

BEGINNING at the point of intersection of the existing Southwest right of way line of the existing Casa Grande-Tucson Highway with the East line of Section 35, from whence the Northeast corner of said Section 35 bears Northerly 359.70 feet;

THENCE North 49°53'00" West along said existing Southwest right of way line, a distance of 325.42 feet;

THENCE North 49°37'00" West continuing along said existing Southwest right of way line, a distance of 229.27 feet, to a point on the North line of said Section;

THENCE Westerly along said North section line, a distance of 169.15 feet;

THENCE South 49°37'00" East 357.77 feet;

THENCE South 49°53'00" East 419.03 feet to a point on the aforesaid East line of Section 35;

THENCE Northerly along East section line, a distance of 144.38 feet, to the POINT OF BEGINNING;

AND EXCEPT THEREFROM the East 50 feet of the South 35 feet of the Southeast quarter of said Section 35, conveyed to Pima County in the Deed recorded in Docket 6411, Page 1237.

Exhibit "B"

The South 292.00 feet of the North 322.00 feet of the East 357.00 feet of the Northeast quarter of the Northeast quarter of Section 34, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona.

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: PH
DEPUTY RECORDER
3056 PE2
SMARA
TOWN OF MARANA
ATTN: TOWN CLERK
11555 W CIVIC CENTER DR
MARANA AZ 85653



DOCKET: 12698
PAGE: 3652
NO. OF PAGES: 15
SEQUENCE: 20052390734
12/12/2005
ORDIN 16:56
MAIL
AMOUNT PAID \$ 13.00

MARANA ORDINANCE NO. 2005.26

RELATING TO DEVELOPMENT; APPROVING AND AUTHORIZING A MULTI-BLOCK REZONING FOR GLADDEN FARMS.

WHEREAS, Rick Engineering represents the property owners of multiple blocks within the Gladden Farms Development with a combined land area of approximately 80 acres located east of the Honea Heights development, south of Moore Road and north of the Santa Cruz River within a portion of Sections 33 and 34, Township 11 South, Range 11 East, as described on Exhibit "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, the Marana Planning Commission held a public hearing on November 2, 2005, and at said meeting voted 6-0 to recommend that the Town Council approve said rezoning; and,

WHEREAS, the Marana Town Council heard from representatives of the owner, staff and members of the public at the regular Town Council meeting held December 6, 2005, and has determined that the 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 rezoning of approximately 80 acres of land as described below is located east of the Honea Heights development, south of Moore Road and north of the Santa Cruz River complies with the General Plan.

	<u>Current Zoning</u>	<u>Proposed Zoning</u>	<u>Acreage</u>
Block 7 and Block 13	R-16	R-8	29
A Portion of Block E	R-144	R-7	1.5
Block 20	R-7	R-8	19
Block 22	R-7	R-6	19
A Portion of Block 24	R-6	VC	7
A Portion of Block A	R-144	R-8	2.4

Section 2. The intent of the rezoning is to allow the use of the rezoned area for single family detached homes and village commercial development. This rezoning is subject to the following condition, 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 ordinance):

1. Compliance with all provisions of the town's Codes, Ordinances, and policies at the time of

any subsequent development.

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 Ordinance No. 2005.26.

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 6th day of December, 2005.



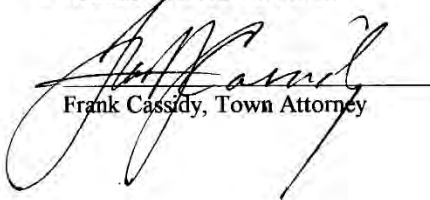
Mayor Ed Honea

ATTEST:



Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:



Frank Cassidy, Town Attorney



4-10000 01000000



**Exhibit A
LEGAL DESCRIPTIONS**

For

Gladden Farms Multi-Block Rezoning

PCZ-04078

2005.26

Exhibit A to Marana Ordinance No. 2005.26



LEGAL DESCRIPTION

BLOCK 7 OF GLADDEN FARMS BLOCKS 1 THRU 25 AND A THRU F, A SUBDIVISION OF PIMA COUNTY, ARIZONA, RECORDED IN BOOK 55 OF MAPS AND PLATS AT PAGE 60, RECORDS OF THE PIMA COUNTY RECORDER, ARIZONA TOGETHER WITH **BLOCK 13 OF GLADDEN FARMS BLOCKS 13, 14, 15**, A SUBDIVISION OF PIMA COUNTY, ARIZONA, RECORDED IN BOOK 59 OF MAPS AND PLATS AT PAGE 31, SAID RECORDS OF THE PIMA COUNTY RECORDER, **EXCEPT** THAT PORTION OF SAID **BLOCK 13** LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID **BLOCK 13**;

THENCE NORTH 0°30'16" WEST 191.08 FEET UPON THE SOUTH LINE OF SAID **BLOCK 13** AND UPON A LINE 30.00 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34 OF TOWNSHIP 11 SOUTH, RANGE 11 EAST OF THE GILA AND SALT RIVER MERIDIAN TO AN ANGLE POINT IN THE SOUTH LINE OF SAID **BLOCK 13**;

THENCE, DEPARTING SAID SOUTH LINE, NORTH 7°05'20" EAST 240.11 FEET TO THE **POINT OF TERMINUS** ON THE SOUTH RIGHT OF WAY LINE OF TANGERINE FARMS ROAD AS SHOWN ON THE PLATS OF SAID **GLADDEN FARMS BLOCKS 13, 14, 15**.

TOTAL AREA CONTAINING 29.798 ACRES, MORE OR LESS.

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11/11/13



SCALE: 1" = 300'

GLADDEN FARMS BLOCKS
1 THRU 25 AND A THRU F
BOOK 55 PAGE 60

BLOCK 7

TANGERINE FARMS ROAD

GLADDEN FARMS
BLOCKS 13, 14, 15
BOOK 59 PAGE 31

P.O.T.

BLOCK 13

EXCEPTED
PORTION OF
BLOCK 13

SOUTH LINE NE 1/4 SECTION 33

BLOCK 14

P.O.B.



1745 EAST RIVER ROAD - SUITE 101
TUCSON, AZ 85718
520.795.1000
(FAX) 520.322.6956

PAGE 2 OF 2
30-NOV-2005

G:*GLADDEN*3305*legals*3305LG05_BLK7BLK13.DGN

© 2005 Rick Engineering Company

30-NOV-2005



LEGAL DESCRIPTION

ALL OF **BLOCK 20 OF GLADDEN FARMS BLOCKS 1 THRU 25 AND A THRU F**, A SUBDIVISION OF PIMA COUNTY, ARIZONA, RECORDED IN BOOK 55 OF MAPS AND PLATS AT PAGE 60, RECORDS OF THE PIMA COUNTY RECORDER, ARIZONA.

CONTAINING 18.650 ACRES, MORE OR LESS.

\\Srv_tuc1\Projdat2\GLADDEN\3305\legal\3305LG07_BLK20.DOC



11/21/05

UNRECORDED

BLOCK 18



SCALE: 1" = 200'

LOV ADAMS DR

BLOCK 20

BLOCK 21

GLADDEN FARMS BLOCKS
1 THRU 25 AND A THRU F
BOOK 55 MAPS & PLATS

PAGE 60



1745 EAST RIVER ROAD, SUITE 101
TUCSON, AZ 85718
520.795.1000
(FAX) 520.322.6956

G:*GLADDEN*3305*legal\s*3305\LG07_BLK20.DGN



LEGAL DESCRIPTION

ALL OF **BLOCK 22 OF GLADDEN FARMS BLOCKS 1 THRU 25 AND A THRU F**, A SUBDIVISION OF PIMA COUNTY, ARIZONA, RECORDED IN BOOK 55 OF MAPS AND PLATS AT PAGE 60, RECORDS OF THE PIMA COUNTY RECORDER, ARIZONA.

CONTAINING 18.650 ACRES, MORE OR LESS.

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11/21/06 09:58:34

GLADDEN FARMS BLOCKS
1 THRU 25 AND A THRU F
BOOK 55 MAPS & PLATS
PAGE 60



SCALE: 1" = 200'

BLOCK 24

BLOCK 22

TANGERINE FARMS RD



1745 EAST RIVER ROAD - SUITE 101
TUCSON, AZ 85718
520.795.1000
(FAX) 520.322.6956

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PAGE 2 OF 2
18-NOV-2005

11/18/2005 10:00:00 AM



LEGAL DESCRIPTION

A PORTION OF **BLOCK 24** OF **GLADDEN FARMS BLOCKS 1 THRU 25 AND A THRU F**, A SUBDIVISION OF PIMA COUNTY, ARIZONA, RECORDED IN BOOK 55 OF MAPS AND PLATS AT PAGE 60, RECORDS OF THE PIMA COUNTY RECORDER, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID **BLOCK 24**, ON THE NORTHERLY RIGHT OF WAY LINE OF **TANGERINE FARMS ROAD**, AS SHOWN ON THE PLAT OF SAID **GLADDEN FARMS**;

THENCE NORTH 37°34'08" EAST 887.23 FEET UPON THE WEST LINE OF SAID **BLOCK 24** TO THE NORTHWEST CORNER OF SAID **BLOCK 24**;

THENCE SOUTH 62°51'29" EAST 53.31 FEET UPON THE NORTH LINE OF SAID **BLOCK 24**;

THENCE SOUTH 9°46'30" WEST 961.32 FEET TO THE SOUTHERLY LINE OF SAID **BLOCK 24** ON SAID NORTHERLY RIGHT OF WAY LINE OF **TANGERINE FARMS ROAD**;

THENCE NORTH 58°00'22" WEST 366.61 FEET UPON SAID SOUTHERLY LINE TO A TANGENT CURVE CONCAVE NORTHEASTERLY;

THENCE NORTHWESTERLY, UPON SAID SOUTHERLY LINE, UPON THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 3875.00 FEET AND A CENTRAL ANGLE OF 2°00'52", FOR AN ARC DISTANCE OF 136.25 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 247,058 SQUARE FEET OR 5.672 ACRES, MORE OR LESS.

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11-0111-08 00-000-01-4

GLADDEN FARMS BLOCKS
1 THRU 25 AND A THRU F
BOOK 55 MAPS & PLATS
PAGE 60



SCALE: 1" = 200'

BLOCK 23

POB
SW COR
BLK 24

BLOCK 24

TANGERINE FARMS RD

SECTION 18

RICK
ENGINEERING COMPANY

1745 EAST RIVER ROAD - SUITE 101
TUCSON, AZ 85718
520.795.1000
(FAX) 520.322.6956

G:*GLADDEN*3305*legal\s*3305LG06_PORTIONBLK24.dgn

PAGE 2 OF 2
18-NOV-2005



LEGAL DESCRIPTION

THAT PORTION OF **BLOCK A** OF **GLADDEN FARMS BLOCKS 1 THRU 25 AND A THRU F**, A SUBDIVISION OF PIMA COUNTY, ARIZONA, RECORDED IN BOOK 55 OF MAPS AND PLATS AT PAGE 60, RECORDS OF THE PIMA COUNTY RECORDER, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID **BLOCK A**;

THENCE SOUTH 89°22'30" WEST 1047.73 FEET UPON THE SOUTH LINE OF THE EASTERLY PORTION OF SAID **BLOCK A**;

THENCE NORTH 68°24'26" WEST 303.73 FEET TO A POINT OF CUSP ON THE NORTH LINE OF SAID EASTERLY PORTION OF **BLOCK A**, SAID NORTH LINE BEING THE ARC OF A TANGENT CURVE CONCAVE NORTHERLY, THE RADIUS POINT OF SAID CURVE BEARS NORTH 21°35'34" EAST;

THENCE EASTERLY UPON SAID NORTH LINE AND UPON SAID ARC, TO THE LEFT, HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 22°13'04", FOR AN ARC DISTANCE OF 77.56 FEET TO A TANGENT LINE;

THENCE NORTH 89°22'30" EAST 1045.82 FEET UPON SAID NORTH LINE TO THE EAST LINE OF SAID **BLOCK A**, BEING ALSO THE SOUTHWEST RIGHT OF WAY LINE OF **TANGERINE FARMS ROAD** AS SHOWN ON THE PLAT OF SAID **GLADDEN FARMS**, SAID LINE BEING THE ARC OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, THE RADIUS POINT OF SAID CURVE BEARS NORTH 28°32'19" EAST;

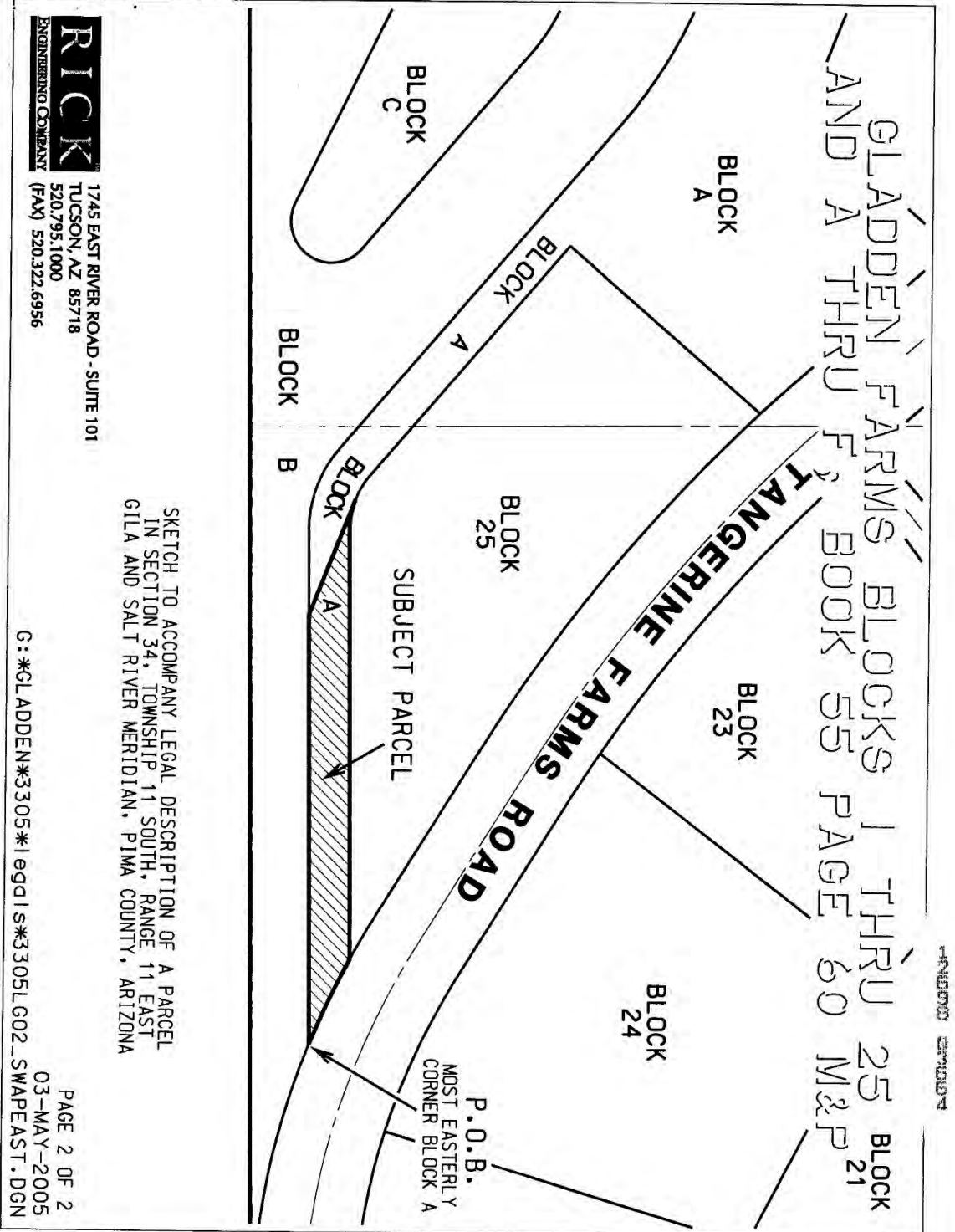
THENCE SOUTHEASTERLY UPON SAID EAST LINE, UPON SAID RIGHT OF WAY LINE AND UPON SAID ARC, TO THE LEFT, HAVING A RADIUS OF 1925.00 FEET AND A CENTRAL ANGLE OF 6°51'33", FOR AN ARC DISTANCE OF 230.45 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 106,210 SQUARE FEET OR 2.438 ACRES, MORE OR LESS.

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4/10/13 09:03:34





LEGAL DESCRIPTION

A PORTION OF **BLOCK E** OF **GLADDEN FARMS BLOCKS 1 THRU 25 AND A THRU F**, A SUBDIVISION OF PIMA COUNTY, ARIZONA, RECORDED IN BOOK 55 OF MAPS AND PLATS AT PAGE 60, RECORDS OF THE PIMA COUNTY RECORDER, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID **BLOCK E** ON THE NORTH RIGHT OF WAY LINE OF TANGERINE ROAD, AS SHOWN ON SAID PLAT OF **GLADDEN FARMS**, ON THE ARC OF A CURVE CONCAVE WESTERLY, THE RADIUS POINT OF SAID CURVE BEARS NORTH 60°11'40" WEST;

THENCE NORTHERLY UPON THE WESTERLY LINE OF SAID **BLOCK E**, AND UPON THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1380.00 FEET AND A CENTRAL ANGLE OF 34°10'50", FOR AN ARC DISTANCE OF 823.26 FEET TO A POINT OF REVERSE CURVATURE CONCAVE EASTERLY;

THENCE NORTHERLY UPON THE WESTERLY LINE OF SAID **BLOCK E**, UPON THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 480.00 FEET AND A CENTRAL ANGLE OF 8°14'00", FOR AN ARC DISTANCE OF 68.98 FEET TO A NON-TANGENT LINE;

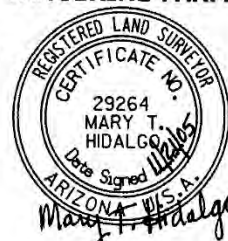
THENCE SOUTH 29°39'11" EAST 32.27 FEET;
THENCE SOUTH 22°14'09" EAST 84.29 FEET;
THENCE SOUTH 11°30'19" EAST 65.29 FEET;
THENCE SOUTH 2°51'54" EAST 89.06 FEET;
THENCE SOUTH 5°46'30" WEST 65.29 FEET;
THENCE SOUTH 16°30'20" WEST 84.29 FEET;
THENCE SOUTH 27°14'10" WEST 84.29 FEET;
THENCE SOUTH 16°16'45" WEST 58.30 FEET;
THENCE SOUTH 32°29'25" EAST 76.63 FEET;
THENCE SOUTH 24°47'57" EAST 54.32 FEET;
THENCE SOUTH 5°15'08" EAST 54.32 FEET;
THENCE SOUTH 14°17'41" WEST 54.32 FEET;
THENCE SOUTH 33°50'30" WEST 54.32 FEET;
THENCE SOUTH 53°18'46" WEST 54.33 FEET;

THENCE SOUTH 64°53'24" WEST 127.60 FEET TO THE SOUTHERLY LINE OF SAID **BLOCK E** ON THE NORTHERLY RIGHT OF WAY LINE OF **TANGERINE FARMS ROAD**;

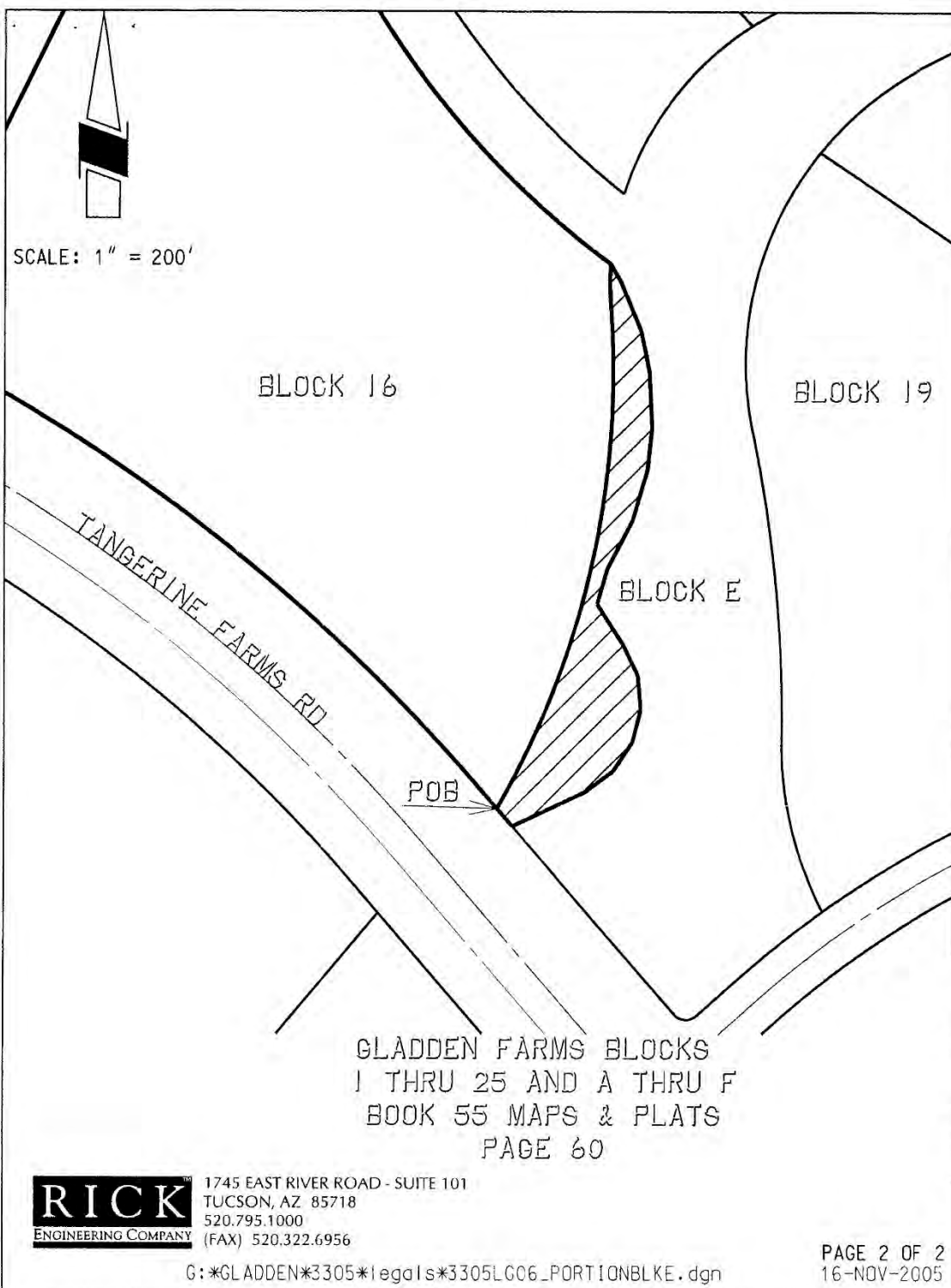
THENCE NORTH 40°59'00" WEST 37.00 FEET, UPON SAID RIGHT OF WAY LINE TO THE **POINT OF BEGINNING**.

CONTAINING 63,605 SQUARE FEET OR 1.460 ACRES, MORE OR LESS.

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PAGE 1 OF 2



RICK
ENGINEERING COMPANY

1745 EAST RIVER ROAD - SUITE 101
TUCSON, AZ 85718
520.795.1000
(FAX) 520.322.6956

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PAGE 2 OF 2
16-NOV-2005

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: KYG
DEPUTY RECORDER
9639 ROOF



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PAGE: 1805
NO. OF PAGES: 31
SEQUENCE: 20002180577
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ORDIN 16:08
MAIL
AMOUNT PAID \$ 21.00

SMARA
TOWN OF MARANA
ATTN: TOWN CLERK
13251 N LON ADAMS RD
MARANA AZ 85653

MARANA ORDINANCE NO. 2000.09

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, APPROVING A REZONE REQUEST BY GLADDEN FARMS, L.L.C., TO REZONE APPROXIMATELY 714 ACRES OF LAND LOCATED NORTH OF TANGERINE ROAD, WEST OF POSTVALE ROAD AND SOUTH OF MOORE ROAD, IN SECTION 34, TOWNSHIP 11 SOUTH, RANGE 11 EAST AND A PORTION OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 11 EAST, FROM "ZONE C," "ZONE A" AND ZONE "D" TO APPROXIMATELY 41 ACRES OF "VC," 244 ACRES OF "R-6," 137 ACRES "R-7," 118 ACRES "R-8," 30 ACRES "R-16," AND 144 ACRES "R-144," ASSESSOR'S PARCEL NUMBERS 217-49-0010, 217-53-008E, 217-53-008F AND 217-53-008H.

WHEREAS, Gladden Farms, L.L.C. is the owner of approximately 714 acres of Land Located North of Tangerine Road, West of Postvale Road and South of Moore Road, as depicted on Exhibit A, attached hereto and incorporated herein by this reference, and are more specifically described as Section 34, Township 11 South, Range 11 East and a Portion of Section 33, Township 11 South, Range 11 East; and

WHEREAS, Gladden Farms, L.L.C. has requested a rezone of the 717 acre property from "Zone C," "Zone A" and Zone "D" to approximately 41 acres of "VC," 244 acres of "R-6," 137 acres "R-7," 118 acres "R-8," 30 acres "R-16," and 144 acres "R-144," rezoning requests more particularly described in Exhibit B, attached hereto and incorporated herein by this reference; and

WHEREAS, in reviewing the rezoning request, Staff recommended to the Planning and Zoning Commission the approval of the rezoning request subject to nineteen conditions; and

WHEREAS, the Marana Planning Commission, after a public hearing, considered this request for a rezone on May 31, 2000, and voted to recommend that the Town Council approve said rezone for the purpose of integrating the two subject parcels into the planned community, adopting all nineteen recommended staff conditions and placing one more recommended condition on the request's approval by the Town Council; and

WHEREAS, the Marana Town Council heard from the representative of the owner, staff and members of the public at the regular Town Council meeting held July 5, 2000, and has determined that the rezone is in conformity with the General Plan and should be approved.

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

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Section 1. The zoning of approximately 717 acres located in Section 34, Township 11 South, Range 11 East and a Portion of Section 33, Township 11 South, Range 11 East, Assessor's Parcel Numbers 217-49-0010, 217-53-008E, 217-53-008F and 217-53-008H., more particularly described in Exhibit A, attached hereto, is hereby changed from "Zone C," "Zone A" and Zone "D" to approximately 41 acres of "VC," 244 acres of "R-6," 137 acres "R-7," 118 acres "R-8," 30 acres "R-16," and 144 acres "R-144," as more particularly described in Exhibit B, attached hereto.

Section 2. The purpose of this rezoning is to integrate the two subject parcels into the Rancho Santa Cruz Master-planned Community, subject to the following conditions:

1. Compliance with all provisions of the Town's Codes, Ordinances and policies of the Northwest Marana Area Plan and the General Plan, current at the time of any subsequent development, including, but not limited to, requirements for public improvements.
2. A block plat, that includes a phasing plan is required for this project. This rezoning is valid for three years from the date of Town Council approval provided that if the developer fails to have a final block plat recorded prior to the three years, the property shall revert to the original zoning without further action by the Town Council.
3. Potential buyers shall be notified of the existence and potential issues related to the operation of the Northwest Marana Regional Airport, located south of the property. The Development Services Administrator, prior to prior to the Planning Commission's review and recommendations of the first Preliminary Plat, shall approve the method of notification.
4. Potential buyers shall be notified of the location of any potential Wastewater Treatment Plant(s) north of Avra Valley Road, as identified in the Pima Association of Governments (PAG) 208 Plan. The Development Services Administrator, prior to the Planning Commission's review and recommendations of the first Preliminary Plat, shall approve the method of notification.
5. The Developer shall dedicate Moore Road and Tangerine Loop connector road a minimum of 250-foot full right-of-way, inclusive of the linear park element, within 90 days of Town Council approval. Said alignment shall meet the 50 MPH design speed criteria.
6. The construction of the Tangerine Loop Road shall be to full configuration in conjunction with the first phase of the development, or as approved in the Development Agreement. The Tangerine Loop Road shall include a landscaped median and street.
7. The Developer shall design the realignment of Lon Adams Road to continue through the site in a direct manner, as approved by the Development Services Administrator and dedicate Lon Adams through the site, a minimum of 90-foot full right-of-way for street purposes only.

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8. The Developer shall provide, to the Development Services Administrator's satisfaction, the necessary off site roadway dedications and improvements as deemed necessary by the Town's Development Services Administrator and Town Engineer to support the proposed development of the site. This includes, but not limited, to the off site right-of-way extension of Lon Adams roadway to its connection with existing Lon Adams Road, shall be conveyed to the Town prior to approval of the first preliminary plat, subsequent to the Block Plat, or development plan by the Town Council.
9. The Developer shall provide their proportionate financial share in regional transportation improvements and other major infrastructure improvements, that includes but not limited to, upgrades to the Tangerine/I-10 and Marana/I-10 interchanges, Moore Road/I-10 interchange, as identified in the Northwest Marana Area Plan and the Marana Master Transportation Plan. A Development Agreement and phasing plan addressing infrastructure implementation are required prior to the approval of the first preliminary plat, subsequent to the Block Plat, by the Town Council.
10. A water service agreement and master water plan must be submitted, by the Developer, and accepted by the Utilities Director prior to the approval of the first preliminary plat, subsequent to the Block Plat, by the Town Council.
11. A sewer service agreement and master sewer plan must be submitted, by the Developer, and accepted by Pima County Wastewater Management and the Town Engineer prior to the approval of the first preliminary plat by the Town Council.
12. The Developer shall dedicate the proposed R-144 zoning area that is located in the floodway, to the appropriate agencies for flood control and trail purposes.
13. Two (2) school/park sites, each ten (10) acres in size, shall be dedicated by block plat to either the Town of Marana or the Marana Unified School District, as appropriate..
14. The Developer shall provide the necessary park site(s), preferably joint use facilities with the necessary school site(s) acceptable to the Parks and Recreation Director and the Development Services Administrator, per the proposed Park, Trail, and Open Space System Master Plan.
15. The property owner shall transfer with the final plat, by the appropriate Arizona Department of Water Resources form, those water rights being IGR Type I or Type II to the Town of Marana for the Town providing designation of assured water supply and water service to said property. If Type I or Type II are needed on said property, the Town and developer/landowner shall arrive at an agreeable solution to the use of those water rights appurtenant to said land.

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16. Prior to the issuance of a building permit and pursuant to Marana Ordinance No. 99.02, the property owner(s) within the Lower Santa Cruz River Levee Benefit Area shall enter into a Development Agreement to reimburse the Town for its share of costs for construction of the levee
17. The Developer shall develop an irrigation system, dedicated to the Town, to distribute irrigation water to all properties within this development.
18. The Developer shall work with the Cortaro-Marana Irrigation District (CMID) to maintain the necessary irrigation system and well sites to perpetuate the ability for CMID to have their users irrigate as necessary.
19. The applicant shall include detailed community design with the Block Plat submittal to address the requirements of the Northwest Marana Area Plan. The community design shall include restricted fencing, so no solid material to be used along the open space area and use limited loaded streets adjacent to the open space and that no more than 30 percent of the structures adjacent to arterials and collectors shall be two stories.
20. The applicant shall create or participate in a Community Facility District, Maintenance Improvement District and/or Street Lighting District, for the maintenance of the common areas and street lights as deemed acceptable by the Community Development Administrator.
21. The VC (Village Commercial) zoned property shall not be allowed to be developed at the R-6 standards.
22. If in the future the property owner(s) desire to change from the commercial to a residential on the VC (Village Commercial) zoned property a Rezoning application shall be submitted, which will include a market analysis supporting the removal of the commercial property and a detail account of where the proposed dwelling units are coming and that these units are available.
23. Based on the requirements of the Northwest Marana Area Plan the Maximum number of dwelling units for the Gladden Farms Rezoning areas is 2,012.

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 Ordinance No. 2000.09.

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.

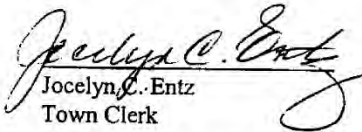
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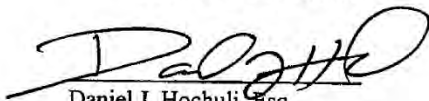
PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona,
this 7th day of November, 2000.


Mayor BOBBY SUTTON, JR.

ATTEST:


Jocelyn C. Entz
Town Clerk

APPROVED AS TO FORM:


Daniel J. Hochuli, Esq.
As Town Attorney
and not personally



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EXHIBIT A

Assessor's Parcel Numbers

217-49-0010, 217-53-008E, 217-53-008F and 217-53-008H.

Legal Descriptions

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October 27, 2000
WLB No.199065-B-001-1003X
W:\LEGALS\199065\Newzone\Zone.R-6.wpd

**LEGAL DESCRIPTION
GLADDEN FARMS
ZONE R-6
PARCELS 1, 2, 5, 6, 8, 9, 11, 21, and 24**

That portion of Section 34, and the East One-Half (E 1/2) of the Northeast One-Quarter (NE 1/4) of Section 33, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

PARCELS 1, 2, 8, and 9

COMMENCING at the Northwest corner of said Section 34;

THENCE S 00°37'15" E, along the East line of said Northeast One-Quarter (NE 1/4) 30.00 feet to the POINT OF BEGINNING;

THENCE N 89°25'06" E, 539.83 feet;

THENCE S 05°01'55" E, 1,072.71 feet;

THENCE S 46°31'36" E, 364.22 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 46°31'36" W;

THENCE Northeasterly along the arc of said curve, to the right, having a radius of 1,642.00 feet and a central angle of 02°10'36" for an arc distance of 62.38 feet to a point of compound curvature of a tangent curve concave to the Southeast;

THENCE Northeasterly along the arc of said curve, to the right, having a radius of 1,700.00 feet and a central angle 07°26'23" for an arc distance of 220.74 feet to a point on the arc of a non-tangent curve concave to the Northeast, a radial line of said curve through said point having a bearing of S 69°04'54" W;

THENCE Southeasterly along the arc of said curve, to the left, having a radius of 1,215.00 feet and a central angle of 50°44'48" for an arc distance of 1,076.12 feet to a non-tangent line;

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THENCE S 26°22'14" W, 984.54 feet to a point on the arc of a non-tangent curve concave to the South, a radial line of said curve through said point having a bearing of N 26°22'14" E;

THENCE Westerly along the arc of said curve, to the left, having a radius of 2,800.00 feet and a central angle of 13°16'30" for an arc distance of 648.74 feet to a point of tangency;

THENCE N 76°54'16" W, 79.19 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Northwesterly along the arc of said curve, to the right, having a radius of 2,500.00 feet and a central angle of 76°19'54" for an arc distance of 3,330.60 feet to a point of tangency;

THENCE N 00°34'22" W, to the South right-of-way line of Moore Road a distance of 66.58 feet;

THENCE N 89°20'24" E, along said right-of-way line 1,195.81 feet to the POINT OF BEGINNING.

Containing 104.79 acres, more or less.

Together with:

PARCELS 5 and 11

COMMENCING at the North One-Quarter (N 1/4) corner of said Section 34;

THENCE S 00°34'56" E, 30.00 feet to the POINT OF BEGINNING;

THENCE N 89°25'03" E, 1,198.34 feet;

THENCE South, 1377.22 feet to a point of curvature of a tangent curve concave to the Northwest;

THENCE Southwesterly along the arc of said curve, to the right, having a radius of 550.00 feet and a central angle of 64°48'14" for an arc distance of 622.07 feet to a point of tangency;

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THENCE S 64°48'14" W, 450.92 feet to a point of curvature of a tangent curve concave to the North;

THENCE Southwesterly along the arc of said curve, to the right, having a radius of 297.96 feet and a central angle 19°18'47" for an arc distance of 100.43 feet to a point on the arc of a non-tangent curve concave to the South, a radial line of said curve through said point having a bearing of N 08°10'06" W;

THENCE Southwesterly along the arc of said curve, to the left, having a radius of 480.00 feet and a central angle 24°18'49" for an arc distance of 203.69 feet to a point on the arc of a non-tangent curve concave to the East, a radial line of said curve through said point having a bearing of S 46°05'28" W;

THENCE Northerly along the arc of said curve, to the right, having a radius of 1,565.00 feet and a central angle of 52°27'27" for an arc distance of 1,432.84 feet to a non-tangent line;

THENCE N 09°13'19" E, 294.77 feet;

THENCE North, 540.86 feet;

THENCE N 89°25'06" E, 184.36 feet to the POINT OF BEGINNING.

Containing 61.85 acres, more or less.

Together with:

PARCEL 6

COMMENCING at the Northeast corner of said Section 34;

THENCE S 00°30'13" E, along the East line of the Northeast One-Quarter (NE 1/4) of said Section a distance of 310.00 feet;

THENCE S 89°25'03" W, 45.00 feet to the POINT OF BEGINNING;

THENCE S 00°30'13" E, 331.24 feet to a point on the arc of a non-tangent curve concave to the East, a radial line of said curve through said point having a bearing of S 89°24'20" W;

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THENCE Southerly along the arc of said curve, to the left, having a radius of 1,695.00 feet and a central angle of 13°08'30" for an arc distance of 388.77 feet to a non-tangent line;

THENCE S 00°30'13" E, 73.71 feet;

THENCE S 89°37'25" W, 597.05 feet;

THENCE S 82°08'50" W, 615.00 feet;

THENCE North, 1,146.05 feet;

THENCE N 89°25'03" E, 896.92 feet;

THENCE S 00°30'13" E, 280.00 feet;

THENCE N 89°25'03" E, 255.00 feet to the POINT OF BEGINNING;

Containing 27.49 acres more or less.

Together with:

PARCELS 21 and 24

COMMENCING at the East One-Quarter (E 1/4) corner of said Section 34;

THENCE S 00°30'12" E, along the East line of the Southeast One-Quarter (SE 1/4) a distance of 836.56 feet to the POINT OF BEGINNING;

THENCE continue S 00°30'12" E, 729.14 feet;

THENCE N 78°44'03" W, 652.19 feet;

THENCE S 16°52'14" W, 1,049.76 feet to a point on the arc of a non-tangent curve concave to the Northeast, a radial line of said curve through said point having a bearing of S 17°14'04" W;

THENCE Northwesterly along the arc of said curve, to the right, having a radius of 1,800.00 feet and a central angle of 14°45'34" for an arc distance of 463.69 feet to a point of tangency;

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THENCE N 58°00'22" W, 500.00 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Northwestery along the arc of said curve, to the right, having a radius of 4,000.00 feet and a central angle of 02°07'34" for an arc distance of 148.43 feet to a non-tangent line;

THENCE N 37°34'08" E, 1012.46 feet;

THENCE N 48°50'07" W, 631.40 feet to a point on the arc of a non-tangent curve concave to the Northwest, a radial line of said curve through said point having a bearing of S 34°44'54" E;

THENCE Northeasterly along the arc of said curve, to the left, having a radius of 1,250.00 feet and a central angle of 17°05'00" for an arc distance of 372.70 feet to a non-tangent line;

THENCE S 71°47'33" E, 1,058.49 feet;

THENCE S 81°22'29" E, 494.54 feet to the POINT OF BEGINNING;

Containing 46.53 acres more or less.

Prepared by:

THE WLB GROUP, INC.

Jack A. Buchanan, RLS
JAB:teg



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**LEGAL DESCRIPTION
GLADDEN FARMS
ZONE R-8
PARCELS 4, 10, 15, 18, 19 and 25**

That portion of Section 34, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

PARCEL 15:

COMMENCING at the West One-Quarter (W 1/4) corner of said Section 34;

THENCE N 89°27'31" E along the West-East midsection line, a distance of 30.00 feet;

THENCE S 00°30'16" E, 534.38 feet;

THENCE S 68°14'29" E, 1,107.05 feet to the **POINT OF BEGINNING**;

THENCE S 68°38'07" E, 932.21 feet;

THENCE N 36°48'43" E, 591.80 feet;

THENCE N 40°59'00" W, 26.14 feet to a point of curvature of a tangent curve concave to the Southwest;

THENCE Northwesterly along the arc of said curve, to the left, having a radius of 2,800.00 feet and a central angle of 20°55'23" for an arc distance of 1,022.50 feet to a non-tangent line;

THENCE S 27°31'24" W, 888.20 feet to the **POINT OF BEGINNING**;

Containing 17.31 acres more or less.

Together with:

PARCEL 25:

COMMENCING at the Southeast corner of said Section 34;

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THENCE N 00°30'12" W, along the East line of said Section a distance of 125.00 feet;

THENCE S 89°22'30" W, 400.00 feet to a point of curvature of a tangent curve concave to the North;

THENCE Westerly along the arc of said curve, to the right, having a radius of 1,800.00 feet and a central angle of 20°55'44" for an arc distance of 657.50 feet to the POINT OF BEGINNING;

THENCE S 89°22'30" W, 1,340.60 feet to a point of curvature of a tangent curve concave to the North;

THENCE Westerly along the arc of said curve, to the right, having a radius of 200.00 feet and a central angle of 41°33'14" for an arc distance of 145.05 feet to a point of tangency;

THENCE N 49°04'16" W, 744.07 feet;

THENCE N 40°55'44" E, 740.96 feet to a point on the arc of a non-tangent curve concave to the Northeast, a radial line of said curve through said point having a bearing of S 46°48'58" W;

THENCE Southeasterly along the arc of said curve, to the left, having a radius of 4,000.00 feet and a central angle of 14°49'20" for an arc distance of 1,034.78 feet to a point of tangency;

THENCE S 58°00'22" E, 500.00 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly along the arc of said curve, to the left, having a radius of 1,800.00 feet and a central angle of 11°41'24" for an arc distance of 367.25 feet to the POINT OF BEGINNING.

Containing 22.26 acres more or less.

Together with:

PARCEL 19:

COMMENCING at the East One-Quarter (E 1/4) corner of said Section 34;

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THENCE S 89°28'31" W, 1,951.53 feet to the POINT OF BEGINNING;

THENCE S 58°15'13" E, 620.02 feet to a point on the arc of a non-tangent curve concave to the Northwest, a radial line of said curve through said point having a bearing of S 56°46'25" E;

THENCE Southwesterly along the arc of said curve, to the right, having a radius of 1,250.00 feet and a central angle of 35°27'04" for an arc distance of 773.42 feet to a point of reverse curvature of a tangent curve concave to the Southeast;

THENCE Southwesterly along the arc of said curve, to the left, having a radius of 1,500.00 feet and a central angle 13°58'12" for an arc distance of 365.74 feet to a point on the arc of a non-tangent curve concave to the East, a radial line of said curve through said point having a bearing of S 57°32'37" W;

THENCE Northerly along the arc of said curve, to the right, having a radius of 560.00 feet and a central angle of 33°14'42" for an arc distance of 324.93 feet to a point of reverse curvature of a tangent curve concave to the West;

THENCE Northerly along the arc of said curve, to the left, having a radius of 2,195.00 feet and a central angle of 12°47'11" for an arc distance of 489.84 feet to a point of reverse curvature of a tangent curve concave to the East;

THENCE Northerly along the arc of said curve, to the right, having a radius of 525.00 feet and a central angle of 51°05'50" for an arc distance of 468.20 feet to a non-tangent line;

THENCE S 58°15'13" E, 486.98 feet to the POINT OF BEGINNING;

Containing 16.72 acres more or less.

Together with:

PARCELS 4 and 10:

COMMENCING at North One-Quarter (N 1/4) corner of said Section 34;

THENCE S 89°25'03" W, along the North line of Northeast One-Quarter (NE 1/4) of said Section a distance of 184.37 feet;

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THENCE S 00°34'57" E, 30.00 feet to the POINT OF BEGINNING;

THENCE South, 540.86 feet;

THENCE S 09°13'19" W, 294.77 feet to a point on the arc of a non-tangent curve concave to the East, a radial line of said curve through said point having a bearing of N 81°27'05" W;

THENCE Southeasterly along the arc of said curve, to the left, having a radius of 1,565.00 feet and a central angle 52°27'27" for an arc distance of 1,432.84 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 32°28'55" W;

THENCE Southwesterly along the arc of said curve, to the left, having a radius of 480.00 feet and a central angle 40°17'20" for an arc distance of 337.52 feet to a point on the arc of a non-tangent curve concave to the Northeast, a radial line of said curve through said point having a bearing of S 38°06'58" W;

THENCE Northwesterly along the arc of said curve, to the right, having a radius of 1,335.00 feet and a central angle of 20°28'56" for an arc distance of 477.24 feet to a point of reverse curvature of a tangent curve concave to the Southwest;

THENCE Northwesterly along the arc of said curve, to the left, having a radius of 595.00 feet and a central angle of 43°31'06" for an arc distance of 451.92 feet to a point of reverse curvature of a tangent curve concave to the Northeast;

THENCE Northwesterly along the arc of said curve, to the right, having a radius of 1,115.00 feet and a central angle 55°18'37" for an arc distance of 1,076.36 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 33°25'21" W;

THENCE Northeasterly along the arc of said curve, to the right, having a radius of 1,700.00 feet and a central angle of 15°35'27" for an arc distance of 462.59 feet to a non-tangent line;

THENCE N 17°49'54" W, 430.58 feet;

THENCE North, 471.66 feet;

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THENCE N 89°25'06" E, 972.64 feet to the POINT OF BEGINNING.

Containing 44.76 acres, more or less.

PARCEL18:

BEGINNING at the East One-Quarter (E 1/4) corner of said Section 34;

THENCE S 00°30'12" E, along the East line of the Southeast One-Quarter (SE 1/4) a distance of 153.62 feet;

THENCE N 84°46'08" W, 469.24 feet;

THENCE N 80°37'04" W, 806.40 feet to a point on the arc of a non-tangent curve concave to the West, a radial line of said curve through said point having a bearing of S 75°09'25" E;

THENCE Northerly along the arc of said curve, to the left, having a radius of 1,250.00 feet and a central angle of 14°50'35" for an arc distance of 323.82 feet to a point of tangency;

THENCE North, 133.99 feet;

THENCE S 87°15'48" E, 1,217.56 feet to the East line of the Northeast One-Quarter (NE 1/4) of said Section;

THENCE S 00°30'13" E, 416.71 feet to the POINT OF BEGINNING.

Containing 14.82 acres more or less.

Prepared by:

THE WLB GROUP, INC.

Jack A. Buchanan, RLS
JAB:teg



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**LEGAL DESCRIPTION
GLADDEN FARMS
ZONE R-16
PARCELS 7 and 13**

A portion of Sections 33 and 34, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

BEGINNING at the Southeast corner of the East One-Half (E 1/2) of the Northeast One-Quarter (NE 1/4) of said Section 33;

THENCE S 89°17'57" W, 1,321.05 feet;

THENCE N 00°34'22" W, 2,610.04 feet to a point on a line which is 30.00 feet southerly of the North line of said Section 33;

THENCE N 89°20'24" E, along said North line a distance of 125.00 feet;

THENCE S 00°34'22" E, 66.96 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly along the arc of said curve, to the left, having a radius of 2,500.00 feet and a central angle of 60°39'01" for an arc distance of 2,646.37 feet to a non-tangent line;

THENCE S 07°05'26" W, 364.48 feet;

THENCE S 89°27'31" W, 30.00 feet to the **POINT OF BEGINNING**.

Containing 36.37 acres, more or less.

Prepared by:

THE WLB GROUP, INC.

Jack A. Buchanan, RLS
JAB:teg



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**LEGAL DESCRIPTION
GLADDEN FARMS
ZONE VC
PARCELS 14 and 23**

A portion of Section 34, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

PARCEL 23:

COMMENCING at the Southeast corner of said Section 34;

THENCE N 00°30'12" W, along the East line of the Southeast One-Quarter (SE 1/4) of said Section a distance of 1,078.56 feet;

THENCE N 78°44'03" W, 652.19 feet;

THENCE N 62°51'29" W, 737.37 feet to the **POINT OF BEGINNING**;

THENCE S 37°34'08" W, 1012.46 feet to a point on the arc of a non-tangent curve concave to the Northeast, a radial line of said curve through said point having a bearing of S 34°07'12" W;

THENCE Northwestly along the arc of said curve, to the right, having a radius of 4,000.00 feet and a central angle 13°53'38" for an arc distance of 969.98 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 50°35'36" W;

THENCE Northeasterly along the arc of said curve, to the right, having a radius of 1,500.00 feet and a central angle of 29°16'15" for an arc distance of 766.31 feet to a point of reverse curvature of a tangent curve concave to the Northwest;

THENCE Northeasterly along the arc of said curve, to the left, having a radius of 1,250.00 feet and a central angle of 13°25'33" for an arc distance of 292.90 feet to a non-tangent line;

THENCE S 48°50'07" E, 631.40 feet to the **POINT OF BEGINNING**.

Containing 19.87 acres more or less.

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Together with:

PARCEL 14:

COMMENCING at the West One-Quarter (W 1/4) corner of said Section 34;

THENCE N 89°27'31" E, along the East-West midsection line a distance of 30.00 feet to the POINT OF BEGINNING;

THENCE N 07°05'26" E, 364.48 feet to a point on the arc of a non-tangent curve concave to the North, a radial line of said curve through said point having a bearing of S 28°46'37" W;

THENCE Easterly along the arc of said curve, to the left, having a radius of 2,500.00 feet and a central angle of 15°40'53" for an arc distance of 684.23 feet to a point of tangency;

THENCE S 76°54'16" E, 79.19 feet to a point of curvature of a tangent curve concave to the South;

THENCE Easterly along the arc of said curve, to the right, having a radius of 2,800.00 feet and a central angle of 14°59'53" for an arc distance of 732.94 feet to a non-tangent line;

THENCE S 27°31'24" W, 888.20 feet;

THENCE N 68°14'29" W, 1,107.05 feet;

THENCE N 00°30'16" W, 534.38 feet to the POINT OF BEGINNING.

Containing 26.14 acres more or less.

Prepared by:

THE WLB GROUP, INC.

Jack A. Buchanan, RLS
JAB:teg





**LEGAL DESCRIPTION
GLADDEN FARMS
ZONE-OPEN SPACE
PARCEL 30**

That portion of Section 34, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

PARCEL 30:

COMMENCING at the Northeast corner of said Section:

THENCE S 89°25'03" W, along the North line of said Northeast One-Quarter (NE 1/4) a distance of 1196.96 feet;

THENCE S 00°34'57" E, 30.00 feet to the South right-of-way line of Moore Road to the **POINT OF BEGINNING**;

THENCE South, 1,837.19 feet to a point on the arc of a non-tangent curve concave to the South, a radial line of said curve through said point having a bearing of N 09°35'32" E;

THENCE Westerly along the arc of said curve, to the left, having a radius of 500.00 feet and a central angle of 36°47'17" for an arc distance of 321.04 feet to a point of tangency;

THENCE S 62°48'15" W, 749.24 feet to a point of curvature of a tangent curve concave to the Southeast;

THENCE Southwesterly along the arc of said curve, to the left, having a radius of 525.00 feet and a central angle of 74°48'06" for an arc distance of 685.41 feet to a point of reverse curvature of a tangent curve concave to the West;

THENCE Southerly along the arc of said curve, to the right, having a radius of 2,195.00 feet and a central angle of 12°47'11" for an arc distance of 489.84 feet to a point of reverse curvature of a tangent curve concave to the East;

THENCE Southerly along the arc of said curve, to the left having a radius of 560.00 feet and a central angle of 33°14'42" for an arc distance of 324.93 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 35°17'34" W;

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THENCE Southwesterly along the arc of said curve, to the left, having a radius of 1,500.00 feet and a central angle $15^{\circ}18'03''$ for an arc distance of 400.57 feet to a point on the arc of a non-tangent curve concave to the Northeast, a radial line of said curve through said point having a bearing of $S 48^{\circ}00'50'' W$

THENCE Northwesterly along the arc of said curve, to the right, having a radius of 4,000.00 feet and a central angle of $01^{\circ}00'10''$ for an arc distance of 70.00 feet to a point of tangency;

THENCE $N 40^{\circ}59'00'' W$, 409.79 feet to a point on the arc of a non-tangent curve concave to the West, a radial line of said curve through said point having a bearing of $S 54^{\circ}46'52'' E$;

THENCE Northerly along the arc of said curve, to the left, having a radius of 1,380.00 feet and a central angle of $39^{\circ}35'42''$ for an arc distance of 953.67 feet to a non-tangent line;

THENCE $N 00^{\circ}15'32'' W$, 68.93 feet to a point on the arc of a non-tangent curve concave to the Northeast, a radial line of said curve through said point having a bearing of $S 36^{\circ}03'01'' W$;

THENCE Northwesterly along the arc of said curve, to the right, having a radius of 1,435.00 feet and a central angle of $22^{\circ}32'53''$ for an arc distance of 564.73 feet to a point of reverse curvature of a tangent curve concave to the Southwest;

THENCE Northwesterly along the arc of said curve, to the left, having a radius of 495.00 feet and a central angle of $43^{\circ}31'06''$ for an arc distance of 375.97 feet to a point of reverse curvature of a tangent curve concave to the Northeast;

THENCE Northwesterly along the arc of said curve, to the right, having a radius of 1,215.00 feet and a central angle $54^{\circ}00'06''$ for an arc distance of 1,145.14 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of $N 36^{\circ}54'37'' W$;

THENCE Northeasterly along the arc of said curve, to the right, having a radius of 1,700.00 feet and a central angle $03^{\circ}29'17''$ for an arc distance of 103.49 feet to a point on the arc of a non-tangent curve concave to the Northeast, a radial line of said curve through said point having a bearing of $S 70^{\circ}23'26'' W$;

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THENCE Southeasterly along the arc of said curve, to the left, having a radius of 1,115.00 feet and a central angle of $55^{\circ}18'37''$ for an arc distance of 1,076.36 feet to a point of reverse curvature of a tangent curve concave to the Southwest;

THENCE Southeasterly along the arc of said curve, to the right, having a radius of 595.00 feet and a central angle of $43^{\circ}31'06''$ for an arc distance of 451.92 feet to a point of reverse curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly along the arc of said curve, to the left, having a radius of 1,335.00 feet and a central angle $20^{\circ}28'56''$ for an arc distance of 477.24 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of $N 72^{\circ}46'15'' W$;

THENCE Northeasterly along the arc of said curve, to the right, having a radius of 480.00 feet and a central angle $64^{\circ}36'09''$ for an arc distance of 541.21 feet to a point on the arc of a non-tangent curve concave to the North, a radial line of said curve through said point having a bearing of $S 05^{\circ}52'59'' E$;

THENCE Easterly along the arc of said curve, to the left, having a radius of 297.96 feet and a central angle of $19^{\circ}18'47''$ for an arc distance of 100.43 feet to a point of tangency;

THENCE $N 64^{\circ}48'14'' E$, 450.92 feet to a point of curvature of a tangent curve concave to the Northwest;

THENCE Northeasterly along the arc of said curve, to the left, having a radius of 550.00 feet and a central angle of $64^{\circ}48'14''$ for an arc distance of 622.07 feet to a point of tangency;

THENCE North, 1,377.22 feet;

THENCE $N 89^{\circ}25'12'' E$, 245.01 feet to the POINT OF BEGINNING.

Containing 30.36 acres more or less.

Prepared by:

THE WLB GROUP, INC.

Jack A. Buchanan, RLS
JAB:teg



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2

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October 27, 2000
WLB No.199065-B-001-1003X
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**LEGAL DESCRIPTION
GLADDEN FARMS
ZONES PARK AND RIVER
PARCELS 26, 27, 28 and 29**

PARCELS 26, 27, 28 and 29:

That portion the South One-Half (S 1/2) of Section 34, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

BEGINNING at the Southeast corner of said Section 34;

THENCE S 89°22'30" W, along the South line of the Southeast One-Quarter (SE 1/4) of said Section 34 a distance of 2,636.08 feet to the South One-Quarter (S 1/4) corner of said Section;

THENCE S 89°22'14" W, along the South line of the Southwest One-Quarter (SW 1/4) a distance of 2605.75 feet;

THENCE N 00°30'16" W, 2,119.28 feet;

THENCE S 68°14'29" E, 1,107.05 feet;

THENCE S 68°38'07" E, 932.21 feet;

THENCE N 36°48'43" E, 591.80 feet;

THENCE S 40°59'00" E, 473.86 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly along the arc of said curve, to the left, having a radius of 4,000.00 feet and a central angle of 02°12'02" for an arc distance of 153.63 feet to a non-tangent line;

THENCE S 40°55'44" W, 740.96 feet;

THENCE S 49°04'16" E, 744.07 feet to a point of curvature of a tangent curve concave to the North;

THENCE Easterly along the arc of said curve, to the left, having a radius of 200.00 feet and a central angle of 41°33'14" for an arc distance of 145.05 feet to a point of tangency;



October 27, 2000
WLB No. 199065-B-001-1003X
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THENCE N 89°22'30" E, 1,340.60 feet to a point on the arc of a non-tangent curve concave to the North, a radial line of said curve through said point having a bearing of S 20°18'14" W;

THENCE Easterly along the arc of said curve, to the left, having a radius of 1,800.00 feet and a central angle of 20°55'44" for an arc distance of 657.50 feet to a point of tangency;

THENCE N 89°22'30" E, 400.00 feet;

THENCE S 00°22'53" E, 125.00 feet to the POINT OF BEGINNING.

Containing 109.83 acres more or less.

Prepared by:

THE WLB GROUP, INC.

Jack A. Buchanan, RLS
JAB:teg





October 27, 2000
WLB No. 199065-B-001-1003X
W:\LEGALS\199065\Newzone\Zone.R-7.wpd

**LEGAL DESCRIPTION
GLADDEN FARMS
ZONE R-7
PARCELS 3, 12, 16, 17, 20, and 22**

A portion of Section 34, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

PARCEL 22:

COMMENCING at the Southeast corner of said Section 34;

THENCE N 00°22'53" W, along the East line of the Southeast One-Quarter (SE 1/4) of said Section 34, 125.00 feet to the **POINT OF BEGINNING**;

THENCE S 89°22'30" W, 400.00 feet to a point of curvature of a tangent curve concave to the North;

THENCE Westerly along the arc of said curve, to the right, having a radius of 1,800.00 feet and a central angle of 17°51'33" for an arc distance of 561.07 feet to a non-tangent line;

THENCE N 16°52'14" E, 1,049.76 feet;

THENCE S 78°44'03" E, to a point on said East line a distance of 652.19 feet;

THENCE S 00°31'09" E, along said East line a distance of 953.56 feet to the **POINT OF BEGINNING**;

Containing 18.83 acres more or less.

Together with:

PARCEL 16

COMMENCING at the West One-Quarter (W 1/4) corner of said Section 34;

THENCE N 89°28'31" E, along the East-West midsection line 1,463.79 feet to the **POINT OF BEGINNING**;



THENCE S 00°37'15" E, 30.00 feet to the South right-of-way line of Moore Road;

THENCE N 89°25'06" E, along said right-of-way line a distance of 539.83 feet to the POINT OF BEGINNING;

THENCE N 89°25'06" E, 938.16 feet;

THENCE South, 471.66 feet;

THENCE S 17°49'54" E, 430.58 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 17°49'54" W;

THENCE Southwesterly along the arc of said curve, to the left, having a radius of 1,700.00 feet and a central angle of 26°31'07" for an arc distance of 786.82 feet to a point of compound curvature of a tangent curve concave to the Southeast;

THENCE Southwesterly along the arc of said curve, to the left, having a radius of 1,642.00 feet and a central angle of 02°10'36" for an arc distance of 62.38 feet to a non-tangent line;

THENCE N 46°31'36" W, 364.22 feet;

THENCE N 05°01'55" W, 1,072.71 feet to the POINT OF BEGINNING;

Containing 23.70 acres more or less.

PARCELS 12, 17 and 20:

COMMENCING at the East One-Quarter (E 1/4) corner of said Section 34;

THENCE S 00°30'12" E, along the East line of the Southeast One-Quarter (SE 1/4) of said Section line a distance of 153.62 feet to the POINT OF BEGINNING;

THENCE S 00°30'12" E, 682.94 feet;

THENCE N 81°22'29" W, 494.54 feet;



THENCE N 26°22'14" E, 837.60 feet to a point on the arc of a non-tangent curve concave to the North. a radial line of said curve through said point having a bearing of S 18°20'07" W

THENCE Easterly along the arc of said curve, to the left, having a radius of 1,215.00 feet and a central angle of 03°15'18" for an arc distance of 69.02 feet to a point of reverse curvature of a tangent curve concave to the Southwest;

THENCE Southeasterly along the arc of said curve, to the right, having a radius of 495.00 feet and a central angle of 43°31'06" for an arc distance of 375.97 feet to a point of reverse curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly along the arc of said curve, to the left, having a radius of 1,435.00 feet and a central angle of 22°32'53" for an arc distance of 564.73 feet to a non-tangent line;

THENCE S 00°15'32" E, 68.93 feet to a point on the arc of a non-tangent curve concave to the West, a radial line of said curve through said point having a bearing of N 85°37'26" E

THENCE Southerly along the arc of said curve, to the right, having a radius of 1,380.00 feet and a central angle of 39°35'42" for an arc distance of 953.67 feet to a non-tangent line;

THENCE N 40°59'00" W, 90.21 feet to a point of curvature of a tangent curve concave to the Southwest;

THENCE Northwesterly along the arc of said curve, to the left, having a radius of 2,800.00 feet and a central angle of 22°38'46" for an arc distance of 1,106.69 feet to a non-tangent line;

THENCE N 26°22'14" E, 146.94 feet to the POINT OF BEGINNING;

Containing 24.17 acres more or less.

PARCEL 3:

COMMENCING at the Northwest corner of said Section 34:



THENCE N 71°47'33" W, 1,058.49 feet to a point on the arc of a non-tangent curve concave to the Northwest, a radial line of said curve through said point having a bearing of S 51°49'54" E;

THENCE Northeasterly along the arc of said curve, to the left, having a radius of 1,250.00 feet and a central angle of 04°56'31" for an arc distance of 107.82 feet to a non-tangent line;

THENCE N 58°15'13" W, 1,106.99 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 50°54'01" W;

THENCE Northeasterly along the arc of said curve, to the right, having a radius of 525.00 feet and a central angle of 23°42'16" for an arc distance of 217.20 feet to a point of tangency;

THENCE N 62°48'15" E a distance of 749.24 feet to a point of curvature of a tangent curve concave to the South;

THENCE Easterly along the arc of said curve, to the right, having a radius of 500.00 feet and a central angle of 36°47'17" for an arc distance of 321.04 feet to a non-tangent line;

THENCE North a distance of 691.14 feet;

THENCE N 82°08'50" E a distance of 615.00 feet;

THENCE N 89°37'25" E a distance of 597.05 feet;

THENCE S 00°30'13" E a distance of 1,127.36 feet;

THENCE N 87°15'48" W a distance of 1,217.56 feet;

THENCE South a distance of 133.99 feet to a point of curvature of a tangent curve concave to the West;

THENCE Southerly along the arc of said curve, to the right, having a radius of 1,250.00 feet and a central angle of 14°50'35" for an arc distance of 323.82 feet to a non-tangent line;

THENCE S 80°37'04" E a distance of 806.40 feet;

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The
WLB
Group
Inc.

THENCE S 84°46'08" E a distance of 469.24 feet to the POINT OF BEGINNING;

Containing 65.75 acres more or less.

Prepared by:

THE WLB GROUP, INC.

Jack A. Buchanan, RLS
JAB:teg

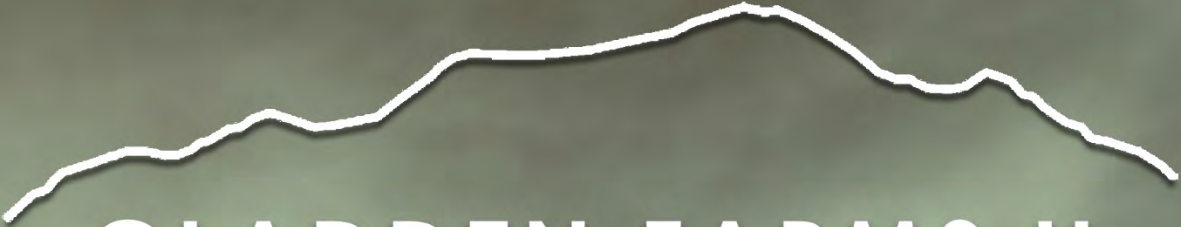


EXHIBIT B

Map

G. ADDEN FARMS





GLADDEN FARMS II SPECIFIC PLAN



TOWN OF MARANA
PCZ2104-001



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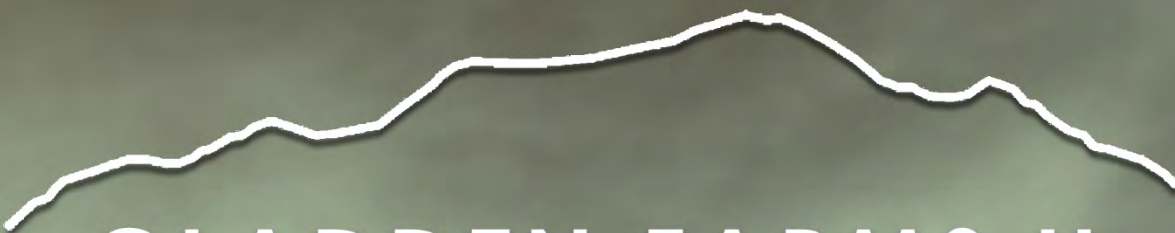
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GLADDEN FARMS II SPECIFIC PLAN



I. INTRODUCTION



A. *Specific Plan Summary*

The Gladden Farms II Specific Plan establishes comprehensive guidance and regulations for the development of approximately 636 acres located in Marana, Arizona. The Specific Plan establishes the development regulations, programs, development and design standards required for the implementation of the approved land use plan. The Specific Plan also provides the parameters to implement the Land Use Plan by establishing policies and regulations that will replace and supersede the current property zoning and other Town development regulations. The Plan is regulatory and adopted by ordinance.

The authority and preparation of Specific Plans is found in the Arizona Revised Statutes, Section § 9-461.08. The law allows the preparation of Specific Plans based on the General Land Use Plan, as may be required for the systematic execution of the General Land Use Plan, and further, the law allows for their review and adoption. The original Specific Plan was adopted under the guidance of the Northwest Marana Area Plan and the Urban Southeast Planning Area of the Marana General Plan. This amended specific plan is consistent with the Make Marana 2040 General Plan approved and adopted on December 10, 2019, as authorized by public vote in accordance with the Growing Smarter Plus Act of 2000.

The Specific Plan is a tool used to implement Make Marana 2040, the Town of Marana's General Plan, at a more detailed site-specific level for a focused area. The Specific Plan articulates the planning considerations for such parcels and imposes regulations or controls on the use of such parcels. Gladden Farms II will be designed to accommodate growth in this area, and at the same time, respect its agricultural and cultural history. The demand for housing has outpaced the commercial demand in this area. The Gladden Farms II Specific plan has been amended to respond to market demand and meet this need for more housing development. This specific plan will provide commercial, residential (may not exceed 2,445 single- and multi-family units combined), and open space areas to support the greater Northwest Marana community.

B. *Location*

The Gladden Farms II Specific Plan is bounded by Gladden Farms I on the west, the Tangerine Road alignment on the south, Moore Road on the north, and the Clark Farms Road alignment on the east.

C. *Authority and Scope*

The authority for the preparation of specific plans is found in Arizona Revised Statutes, Section § 9-461.08. State law allows the preparation of specific plans based on the general plan, as may be required for the systematic execution of the general plan.

Town of Marana Ordinance 87.22 provides the uniform procedures and criteria for the preparation, review, adoption and implementation of specific plans in Marana.



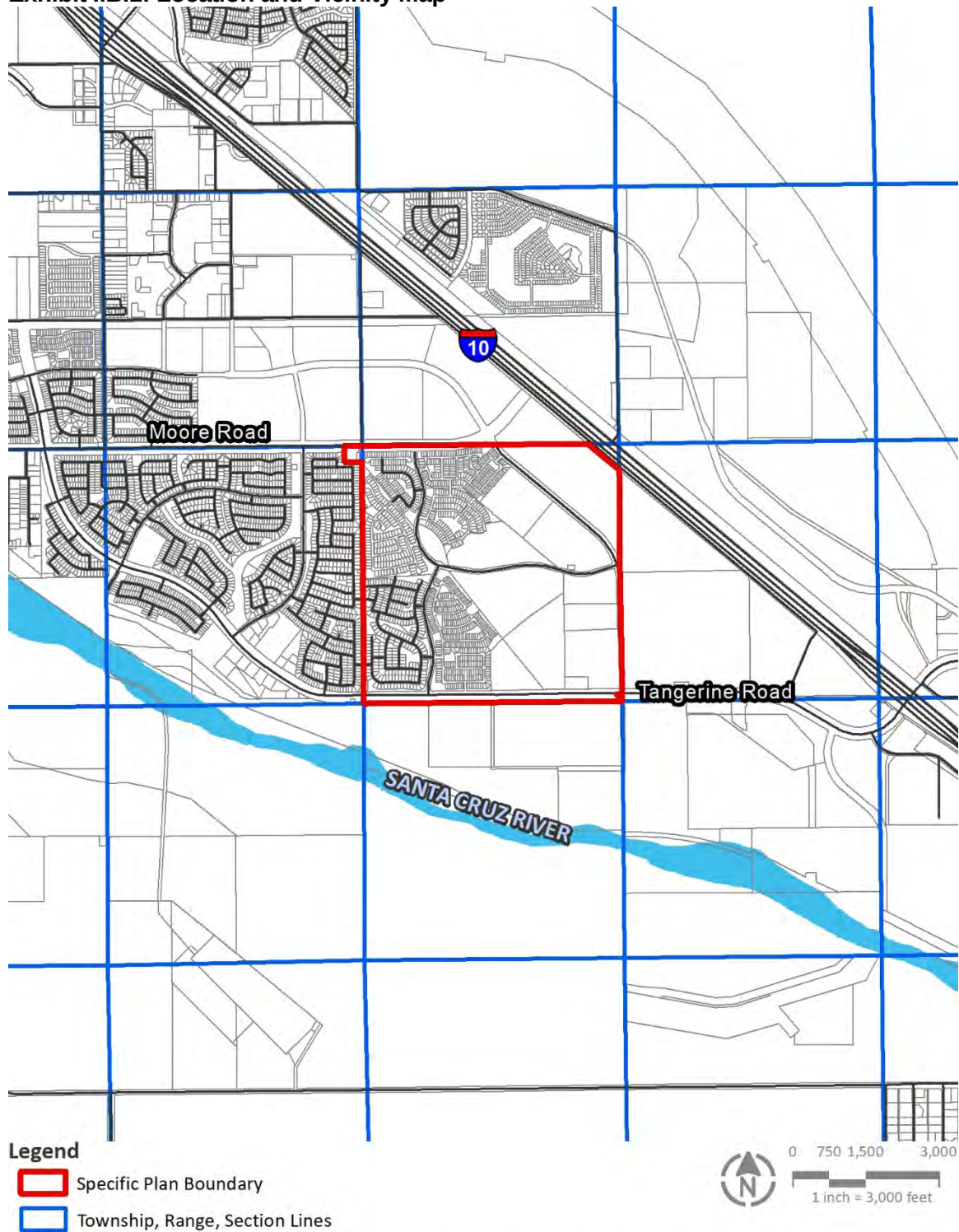
Pursuant to these state statutes and Town of Marana Ordinance 87.22, a public hearing will be conducted by the Town Planning Commission and the Town Council after which the Specific Plan Ordinance may be adopted by the Town Council and become effective.

D. Legal Description

See Appendix A: Legal Description.



Exhibit I.B.1: Location and Vicinity Map

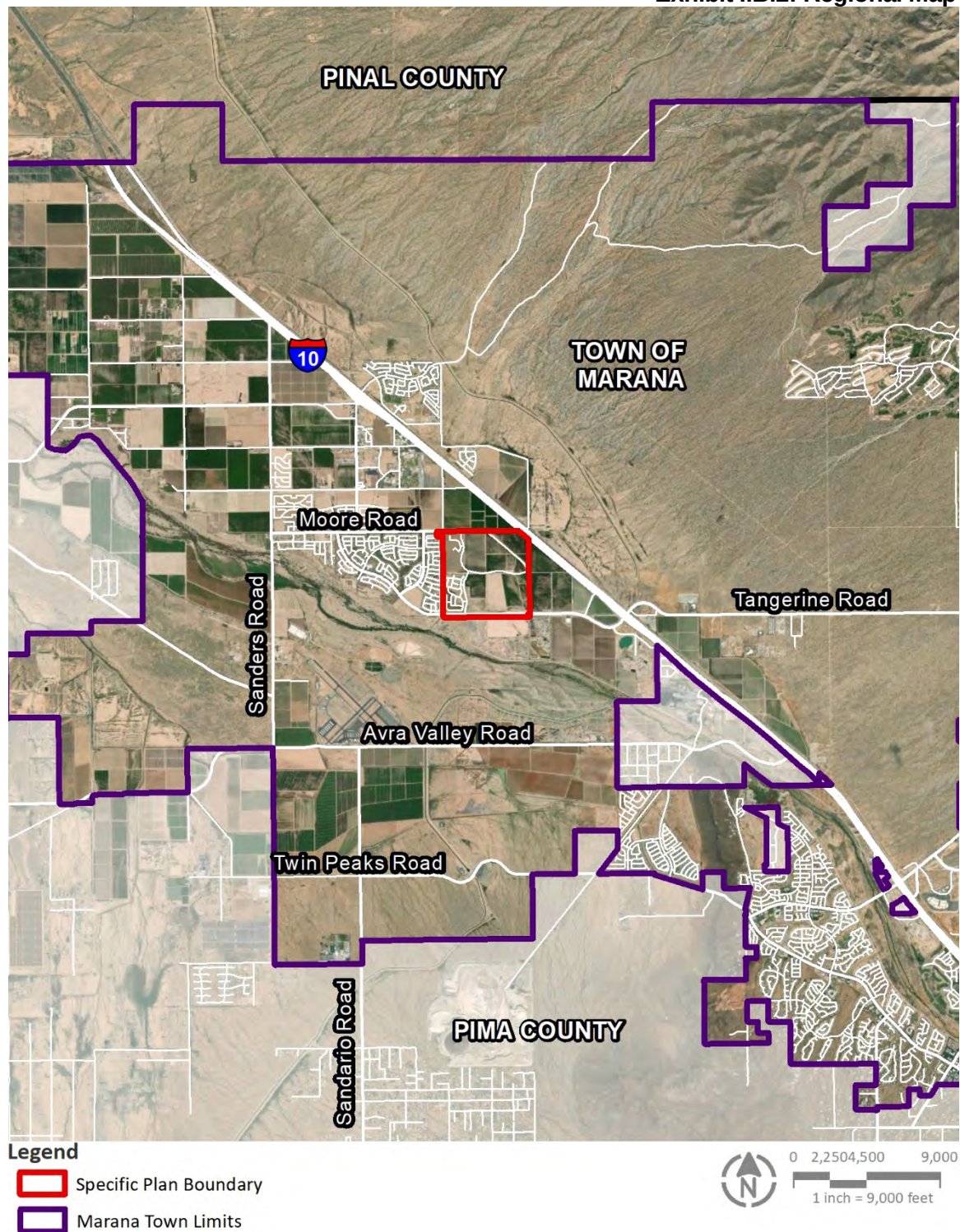


Note: The site is located in Township 11 South, Range 11 East, Sections 34 and 35.

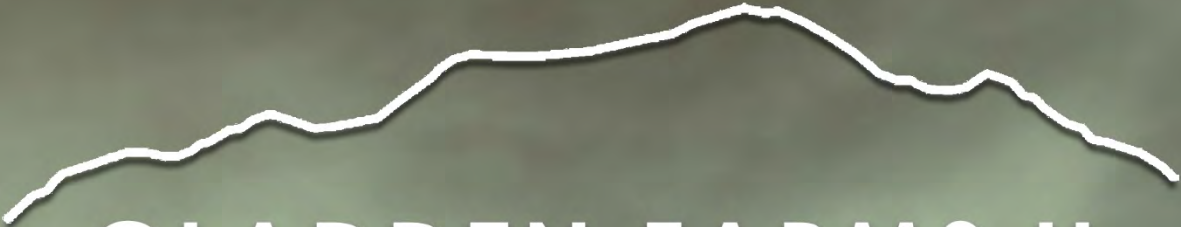
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Source: Pima County GIS 2021



Exhibit I.B.2: Regional Map



File Name: GFII_Regional Map
Source: Pima County GIS 2021



GLADDEN FARMS II SPECIFIC PLAN



II. DEVELOPMENT CAPABILITY REPORT



A. Introduction

The primary purpose of the Development Capability Report section of the Gladden Farms II Specific Plan is to present the opportunities and constraints of various physical components existing on the property. The synthesis and analysis of the existing characteristics can then provide a means whereby development occurs in a sensitive and responsive manner to the physical conditions of the site. The Development Capability Report follows the Town of Marana requirements provided in 05.06.02(D) Specific Plans Application of the Town of Marana Land Development Code.

Pursuant to such requirements, the following physical components of the site were compiled to assess the suitability of the property before development:

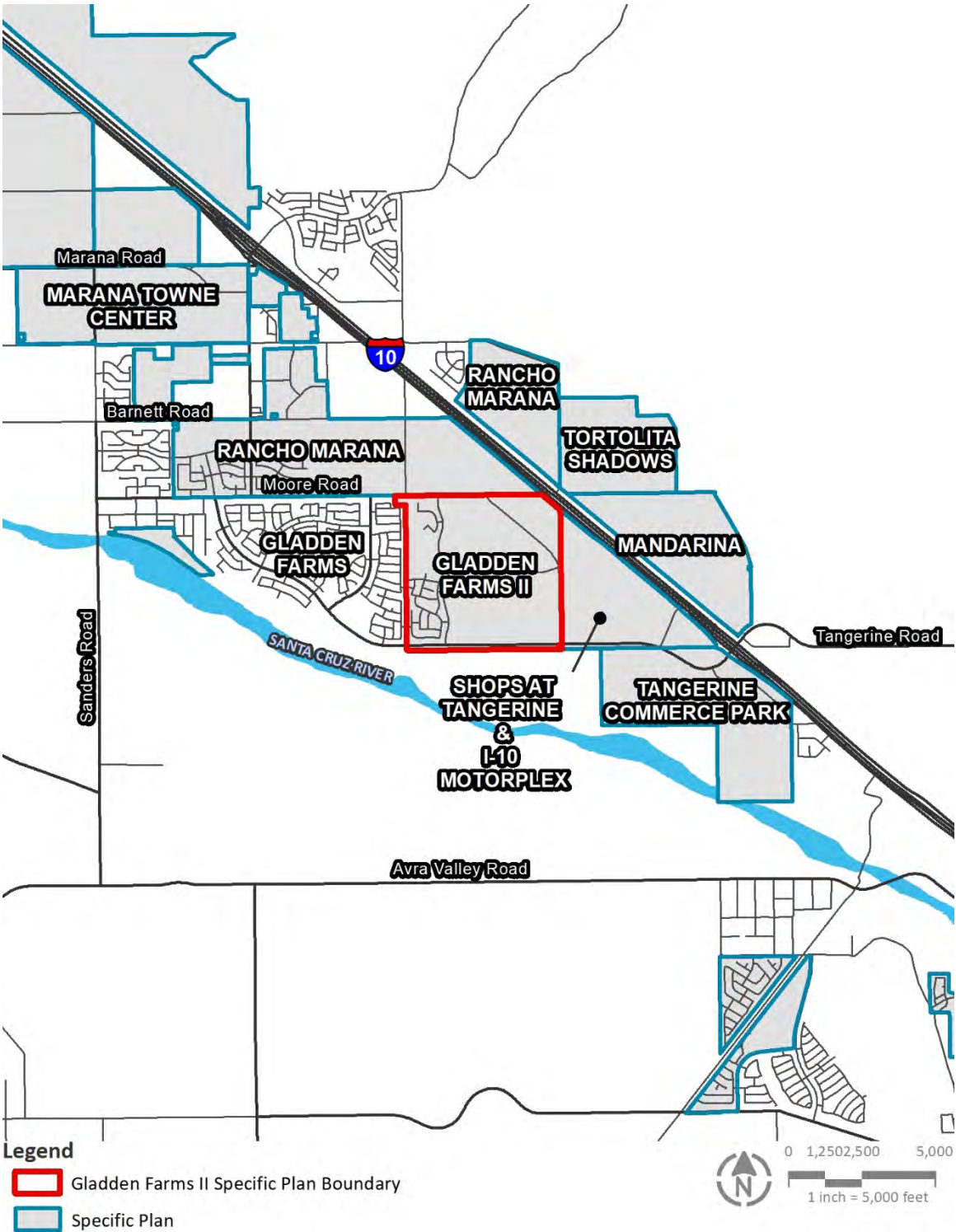
- Existing Land Uses;
- Topography and Slope;
- Hydrology;
- Vegetation;
- Wildlife;
- Soils and Geology;
- Environmental Resources;
- Viewsheds;
- Traffic Circulation and Road System;
- Recreation and Trails;
- Cultural Resources and
- Existing Infrastructure and Public Facilities.

Northwest Marana is growing rapidly and there are a number of existing and approved developments in proximity to the proposed Gladden Farms II Specific Plan including the new Town of Marana Municipal Complex. Approved specific plans include Rancho Marana Specific Plan (both east and west) Marana Gardens Specific Plan, and Sanders Grove Specific Plan. Existing developments in the area include Honea Heights, Rillito Vista, Mulligan's Acres, and Happy Acres. San Lucas, Gladden Farms I, Vanderbilt, Fianchetto Farms, Rancho Marana 154, Farm Field Five, and Payson Farms are in various stages of development.

See Exhibit II.A: Development Context.



Exhibit II.A: Development Context



B. Existing Land Uses

This section of the Development Capability Report identifies the following: existing zoning, land uses and structures within the site; existing zoning, land uses and structures on surrounding properties; and other proposed development in the project vicinity.

1. Existing On-Site Land Use and Zoning

The subject site consists of approximately 636 acres that has historically remained undeveloped and used for agricultural purposes except for two farm homesteads and one house on the northwest parcel. The first home is located on the southern edge, the second home is located along the western boundary of the property, and the house on the northwest parcel is currently being used as the sales center for Gladden Farms I. Several storage buildings exist on the larger parcel, in addition to the two homes.



The site is currently zoned for C (Large Lot Zone) according to the Marana Land Development Code. Zone C allows residential, commercial, industrial, and quasi-public uses at a density of one unit per 25 acres.

2. Existing Conditions on Properties within a ¼ Mile Radius

a. Zoning

Zoning within a ¼ mile radius of the project site consists of:

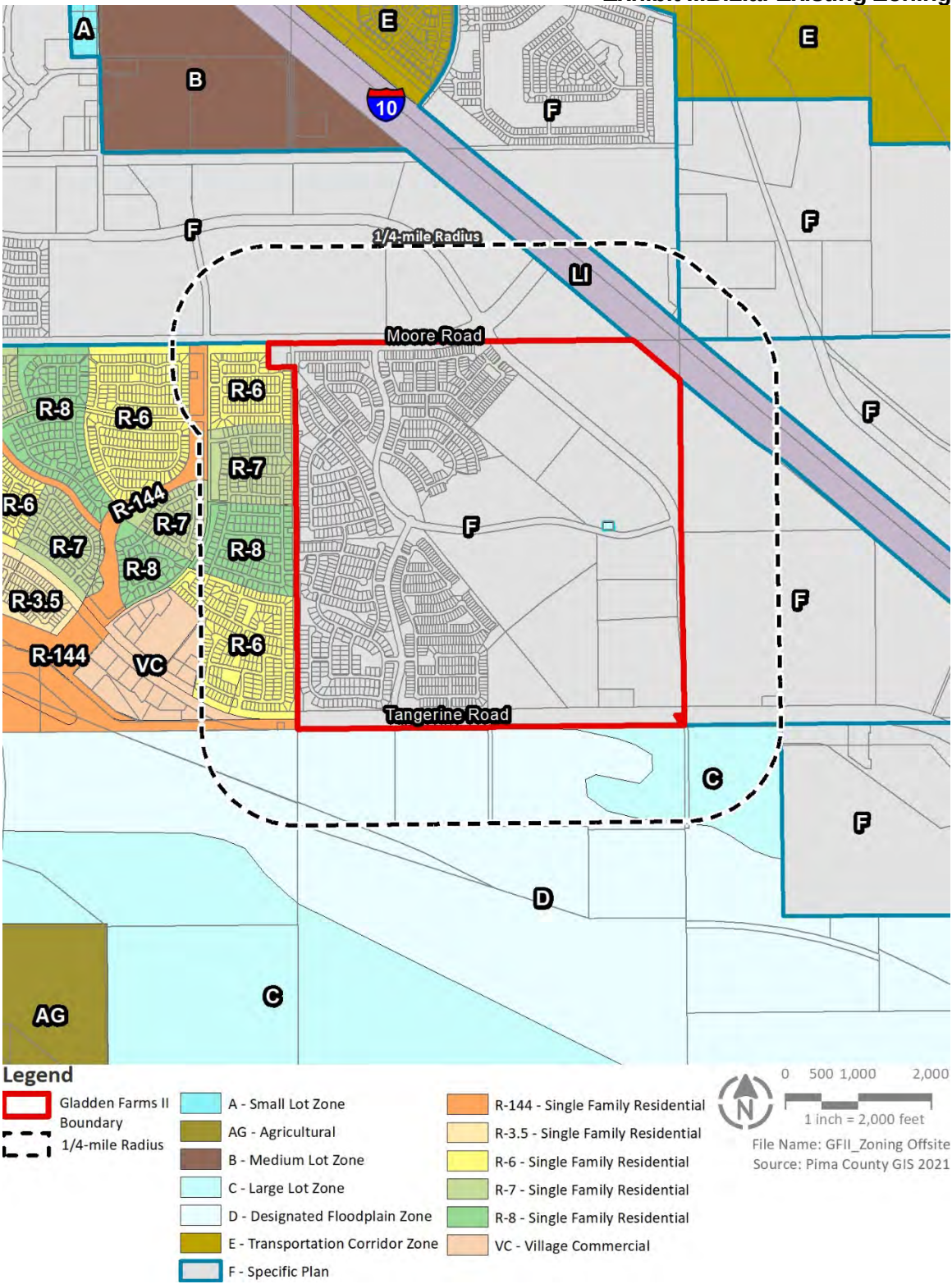
Table 3: Zoning within ¼ Mile Radius

North	Specific Plan – Rancho Marana West (undeveloped mix of residential, commercial, office, public, and recreational uses).
South	C (Large Lot Zone); D (Floodplain).
East	Specific Plan – The Shops at Tangerine and I-10 Motor Plex (undeveloped commercial), LI (Light Industrial).
West	Gladden Farms I (R-6 (Single-Family Residential); R-7 (Single-Family Residential); R-8 (Single-Family Residential); R-144 (Residential); VC (Village Commercial)); and D (Floodplain). All zones are developed except for Zone D and Village Commercial.

See Exhibit II.B.2.a: Zoning.



Exhibit II.B.2.a: Existing Zoning



b. *Existing Land Use*

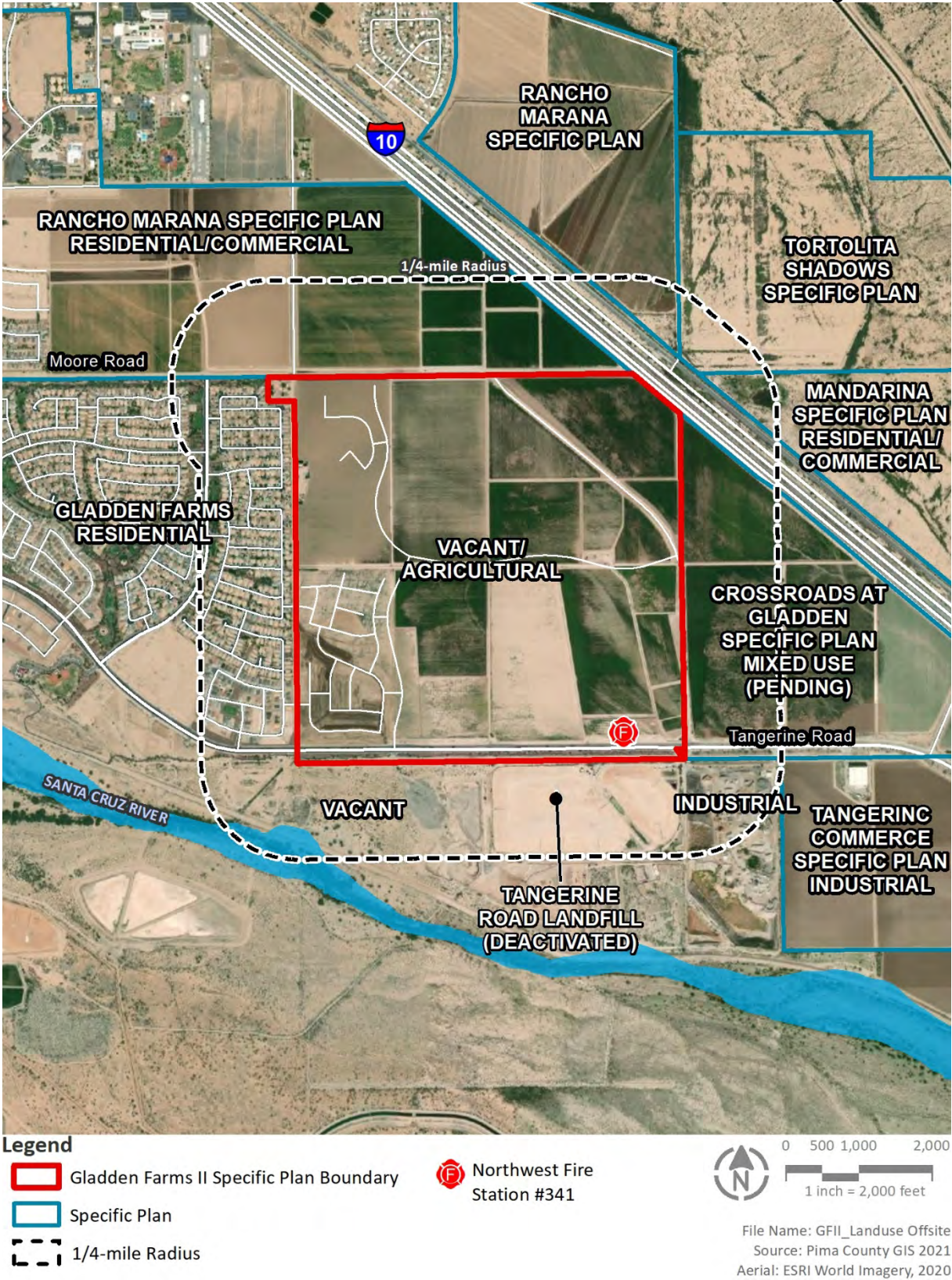
The project site is surrounded by vacant, agricultural land to the north and east. Gladden Farms I to the west is currently built out with residential development. Commercial development in Gladden Farms I remains undeveloped. To the south lies the Northwest Fire District Station #341, the deactivated Tangerine Road Landfill, and a gravel pit.

Table 4: Land Uses within a ¼-Mile Radius

North	Vacant -- future residential and commercial (Rancho Marana Specific Plan has been approved) and Vanderbilt Block Plat (approved)
South	Northwest Fire District Station #341, Tangerine Road Landfill (no longer active) and gravel pit.
East	Pending The Crossroads at Gladden Specific Plan
West	Gladden Farms I, residential, vacant commercial; park and open space.

See Exhibit II.B.2.b: Existing Land Use.

Exhibit II.B.2.b: Existing Land Use



c. *Building Heights*

The properties to the north and east are vacant. To the south is the deactivated Tangerine Road Landfill and a sand and gravel operation. The existing development in the Gladden Farms I subdivision to the west is a mixture of one- and two-story homes not to exceed 25 feet (30 feet with the approval of the Marana Town Council). See Photo 12 below in Section f: Architectural Style of Adjacent Development for examples of development in Gladden Farms I.

d. *Pending and Conditional Rezonings*

The Crossroads at Gladden Specific Plan is currently under review for the property to the east. This proposed Specific Plan would replace the Shops at Tangerine and the I-10 Motorplex Specific Plan.

e. *Subdivision/Development Plans Approved*

Gladden Farms I is built out except for the commercial parcel at the corner of Lon Adams and Tangerine Roads. Several blocks from Gladden Farms II are in various stage the approval process. Final plats are currently under review for Blocks 28, 33, 34, 37 and 42. Final plats are recorded for Block 27 Phase II and Block 31.

The Rancho Marana Final Plat was approved by Town Council on July 6, 2004 and adopted with Resolution 2004-154 on December 7, 2004. The final plat for Blocks 1-13 of the Vanderbilt subdivision was approved by Town Council on February 15, 2005.

f. *Architectural Style of Adjacent Development*

Land to the north and east of the project site is currently vacant. Gladden Farms I has been built out with one- and two-story single-family detached homes. The initial phase of Gladden Farms II has been developed under the same design standards of Gladden I, with more lots coming online in the near future. At build-out, the minimum lot size adjacent to the project site will range from 6,000 – 8,000 square feet. The photo to the right demonstrates the character of the adjacent development in Gladden Farms II.



Photo 12: Homes in the Gladden Farms II subdivision to the west.



C. *Topography and Slope*

The project site has historically been used for agricultural purposes and has previously been graded. There are no significant topographical features on the property. See Exhibit II.C: Topography.

1. Hillside Conservation Areas

No hillside conservation areas exist on-site.

2. Rock Outcrops

No rock outcrops exist on the project site.

3. Slopes of 15% or Greater

There are no slopes over 15% on the project site.

4. Other significant Topographic Features

No other topographic features such as protected peaks and ridges exist on-site.

5. Pre-Development Cross-Slope

The average cross-slope is approximately 1/10 of 1%. The grades are generally conducive to development and should not represent a constraint.



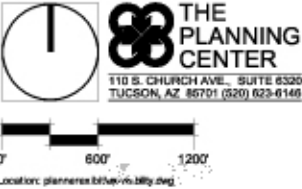
Exhibit II.C: Topography



Legend:

- Project Boundary
- Adjacent Parcels

1. There are no slope of 15 percent or greater.
2. There are no peaks or ridges on-site.
3. 2' Contour intervals.



D. Hydrology

This portion of the Specific Plan includes a description of on-site and off-site pre-development hydrologic characteristics and water resources.

1. Off-site Watersheds

The site adjoins farm fields on the east and natural desert and the landfill on the south. The fields slope generally to the northwest and any drainage is sheet flow. The natural desert slopes west to the Santa Cruz River. The landfill located south of the site contains any water falling on the site.

Two off-site watersheds impact the site along the eastern project boundary as depicted on Exhibit II.D.1 Off-Site Hydrology. Watershed I has a drainage area of 243 acres and generates a 100-year design flow of 445 cfs. Off-site Watershed II has a drainage area of 60 acres and generates a 100-year design flow of 153 cfs. The runoff for both off-site watersheds is sheet flow that is directed to the northwest of each watershed via the constructed roads and irrigation channels.

Per the Master Drainage Report for Vanderbilt Farms, an existing culvert under Interstate 10 discharges (Q100=262 cfs) into the northeastern corner of the project site. The mentioned report also states that a channel is proposed to discharge the culvert flow into the Santa Cruz River. The channel has not been constructed and therefore the flow was considered in this study.

2. Off-Site Watershed Features

There are significant off-site watershed features within the above-described watersheds that affect the flows onto the site. The off-site watersheds consist of agricultural fields with 0% impervious surfaces and a vegetative cover density of 5%. The soils type was determined to be 100% B. Runoff is directed north and south by the constructed roads and irrigation ditches.

A significant man-made feature is the landfill located along the south property boundary.

Another major feature located off-site is the Santa Cruz River, which is approximately 1000-feet from the southwest corner of the site. A levee has been constructed along the north side of the river. The FEMA floodplain is contained within the levee based on the approved Letter of Map Revision (LOMR) for the Lower Santa Cruz River Levee, effective date September 16, 2004

3. Pre-Development On-Site Hydrology

The pre-developed on-site watersheds also consist of agricultural fields with 0% impervious surface and a vegetative cover density of 5%. The soils type was determined to be 100% B.



The project site contains three pre-developed watersheds as depicted on Exhibit II.D.2 On-Site Hydrology. Pre-Developed Watershed A has a drainage area of 132 acres and generates a 100-year design flow of 241 cfs. Pre-Developed Watershed B has a drainage area of 108 acres and generates a 100-year design flow of 205 cfs. Pre-Developed Watershed C has a drainage area of 440 acres and generates a 100-year design flow of 468 cfs. The hydrologic data sheets for Pre-Developed Watersheds A and B were obtained from the Master Drainage Report for Gladden Farms I. There are no defined floodplains.

The LOMR for the Lower Santa Cruz River Levee locates the project site within Shaded Zone X, which is defined as areas protected by levees from the 100-year flood.

4. Existing Downstream Conditions

The Gladden Farms I subdivision is located along the west boundary of the site and the proposed Vanderbilt Farms subdivision is located north of the project site. Per the Vanderbilt Farms Master Drainage Report, the runoff combined from Off-site Watersheds I and II and Pre-Developed Watershed C was determined to be 743 cfs. When combined with the flow from the existing culverts under Interstate 10, the total design flow was determined to be 836 cfs. This runoff is conveyed through the Moore Road right-of-way to the Santa Cruz River. The referenced report states that the existing Moore Road right-of-way has a conveyance capacity of 862 cfs. Thus, the runoff generated from the off-site and on-site watersheds will not affect downstream developments located north of Moore Road.

In addition, per the Master Drainage Report for Gladden Farms I, a berm is proposed west of the Pacheco Property project site. As a result, runoff generated from Pre-Developed Watersheds A, B and C will be directed north to Moore Road.

5. Section 404 Permit

The characteristics of Jurisdictional U.S. Waters, such as high water marks or sandy bottom washes are not present within this project site.



Exhibit II.D.1: Off-Site Hydrology

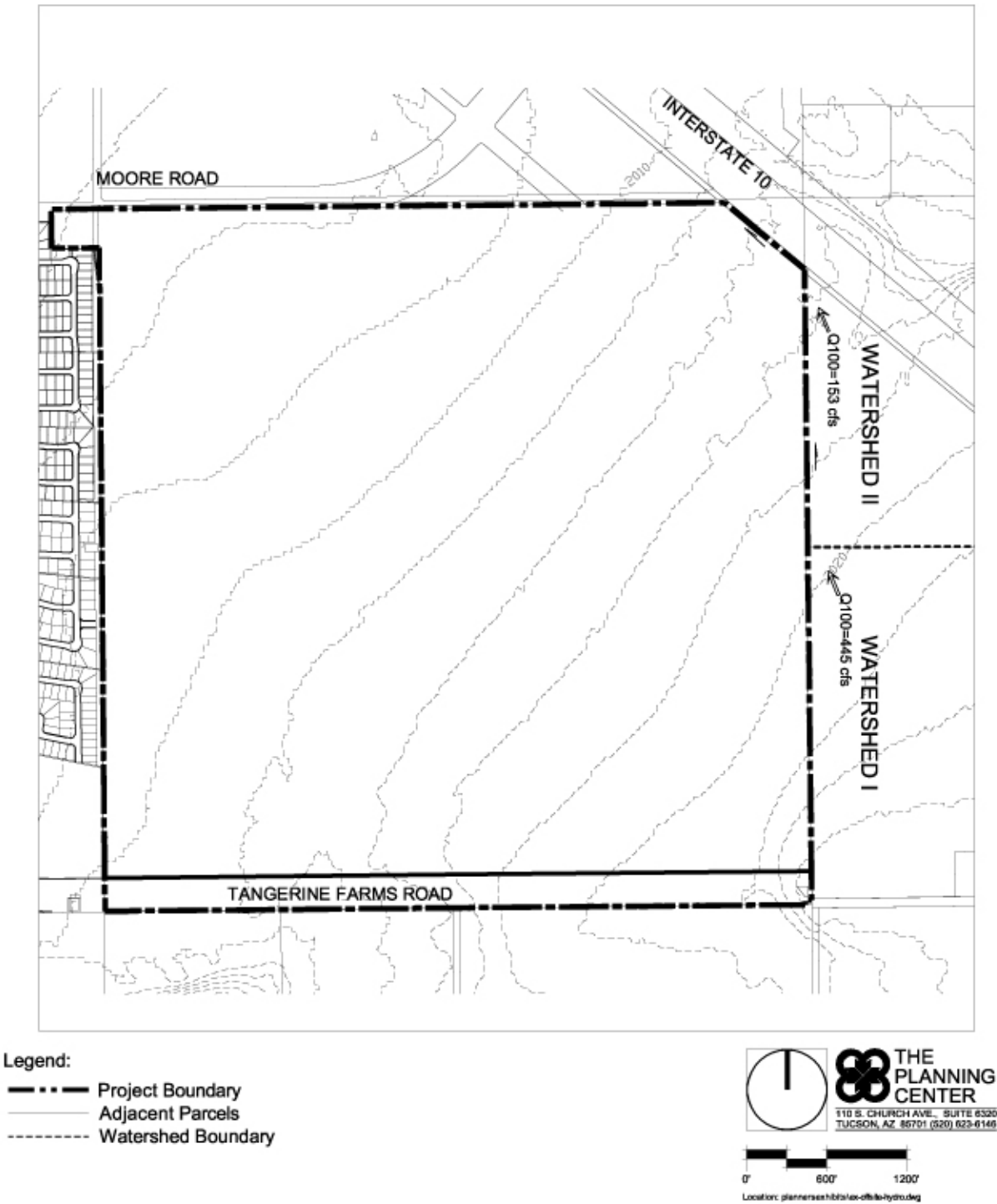
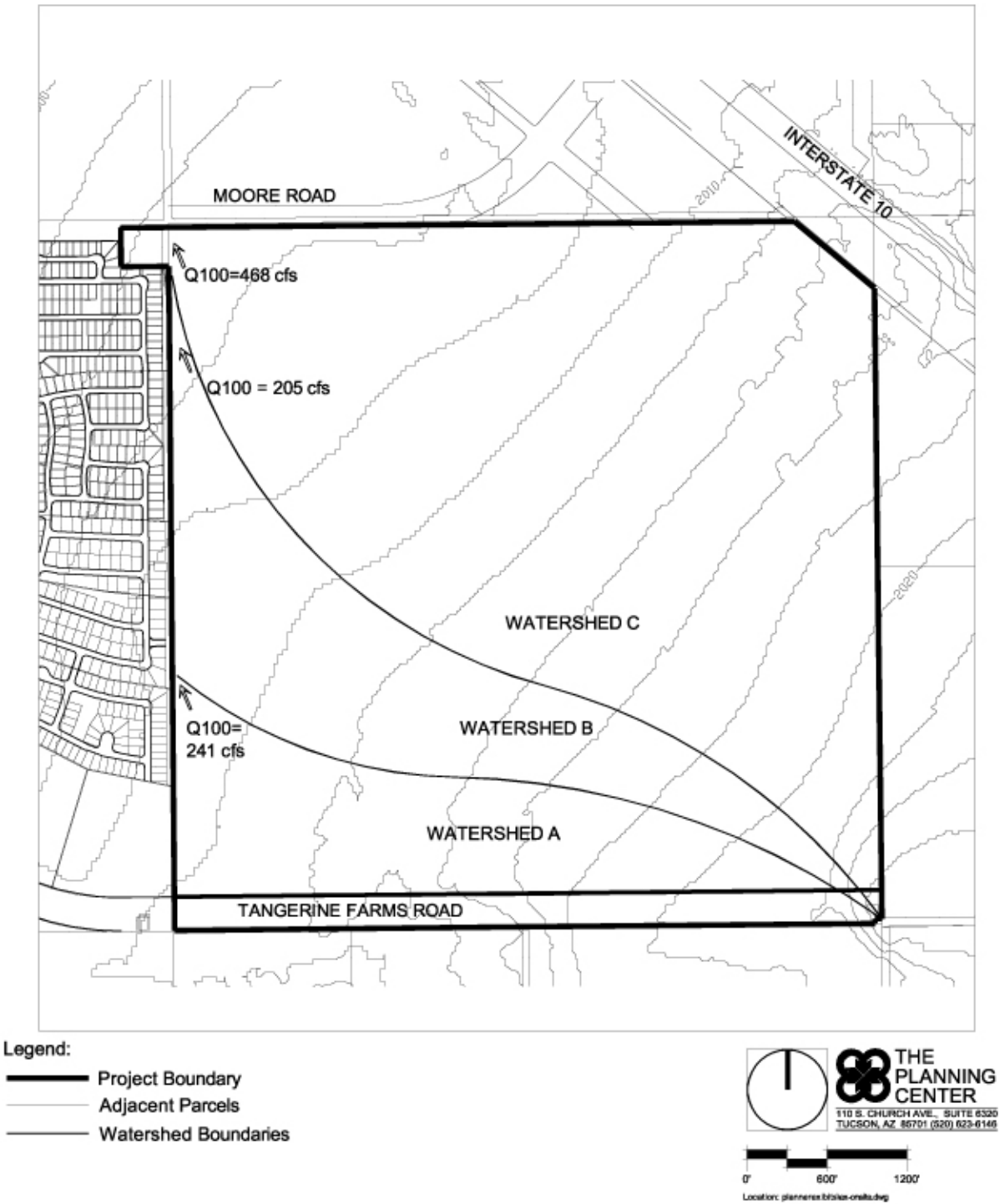


Exhibit II.D.2: On-Site Hydrology



E. Vegetation

This portion of the Gladden Farms II Specific Plan includes vegetative communities and associations and wildlife habitats identified within the site.

1. Vegetative Communities and Associations on the Site

The entire project site is classified as Agricultural/Developed/Bare Ground according to the Pima County Land Information System (PCLIS). The site has historically been used for agricultural purposes and has been graded entirely. Any native vegetation that existed on the site has been removed.

See Exhibit II.E.1: Vegetation Communities and Densities

2. Significant Cacti and Groups of Trees and Federally-Listed Threatened or Endangered Species

There are no significant cacti, trees, or endangered species on the property. Within a 3-mile radius the Thornber Fishhook Cactus has been known to occur. The project does not occur within any Proposed or Designated Critical Habitats.

Table 1: Special Status Species within 3-Mile Radius

Name	Common Name	State
<i>Mammillaria thornberi</i>	Thornber Fishhook Cactus	SR

State—State of Arizona

SR—Salvage Restricted: collection only with a permit

See Exhibit II.E.2: Arizona Game and Fish Department Letter

3. Vegetative Densities

The project site exhibits little or no density of vegetation as it has been graded for agricultural purposes.

See Exhibit II.E.1: Vegetative Communities and Densities



Exhibit II.E.1: Vegetative Communities and Densities

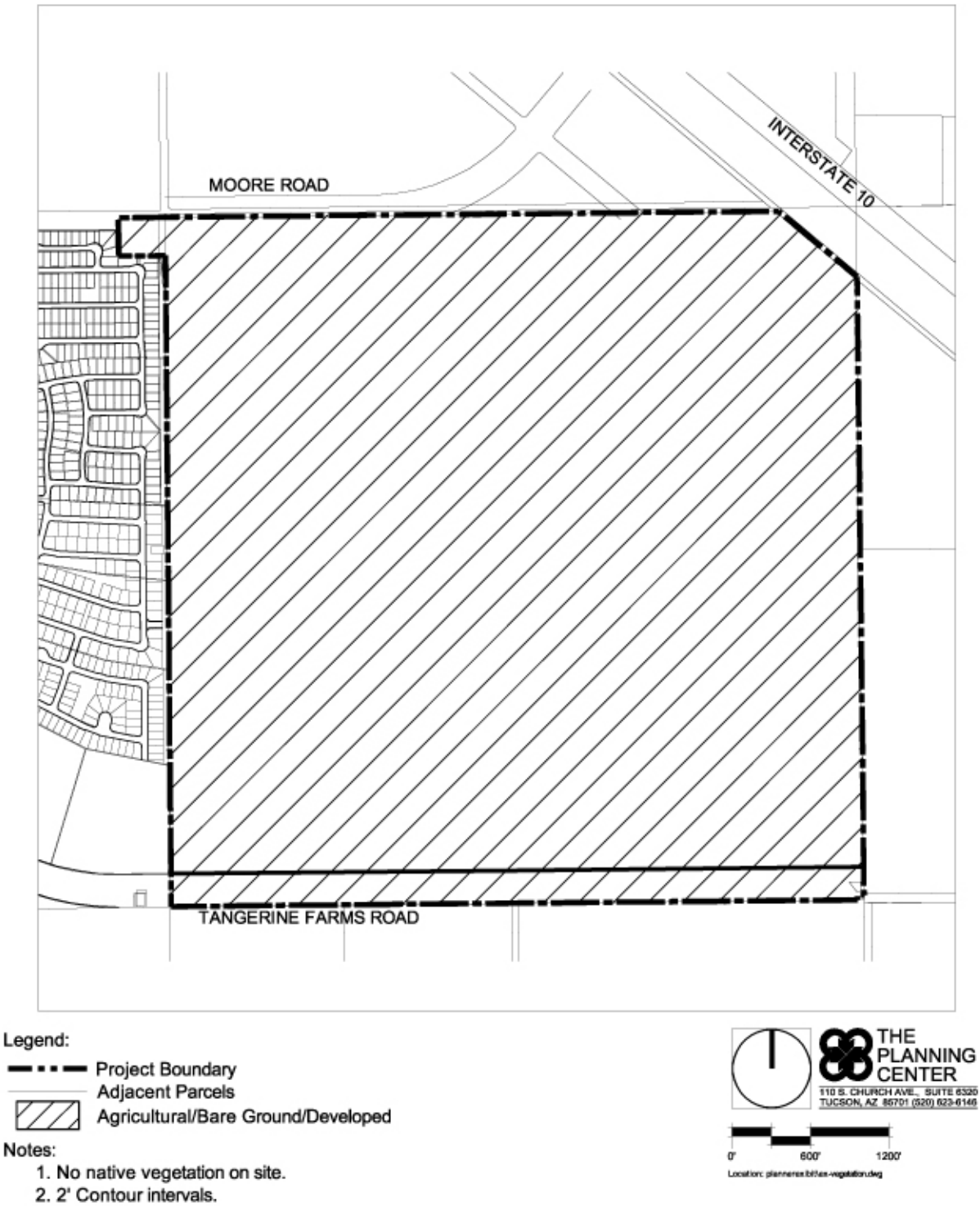


Exhibit II.E.2: Arizona Game and Fish Department Letter

RECEIVED
OCT 18 2004
THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT
2221 WEST GREENWAY ROAD, PHOENIX, AZ 85023-4399
(602) 942-3000 • AZGFD.COM

GOVERNOR
JANET NAPOLITANO
COMMISSIONERS
CHAIRMAN, SUSAN E. CHILTON, ARIVACA
W. HAYS GILSTRAP, PHOENIX
JOE MELTON, YUMA
MICHAEL M. GOLIGHTLY, FLAGSTAFF
WILLIAM H. MCLEAN, GOLD CANYON
DIRECTOR
DUANE L. SHROUFE
DEPUTY DIRECTOR
STEVE K. FERRELL

October 12, 2004

Ms. Megan Johnson
The Planning Center
110 S. Church
Suite 6320
Tucson, AZ 85701

Re: Special Status Species Information for **Township 11 South, Range 11 East Section 35; Proposed Residential Community.**

Dear Ms. Johnson:

The Arizona Game and Fish Department (Department) has reviewed your request, dated September 29, 2004, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records show that the special status species listed on the attachment have been documented as occurring in the project vicinity (3-mile buffer). In addition this project does not occur in the vicinity of any Proposed or Designated Critical Habitats.

The Department's HDMS data are not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity.

Making available this information does not substitute for the Department's review of project proposals, and should not decrease our opportunities to review and evaluate new project proposals and sites. The Department is also concerned about other resource values, such as other wildlife, including game species, and wildlife-related recreation. The Department would appreciate the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with project activities occurring in the subject area, when specific details become available.

AN EQUAL OPPORTUNITY REASONABLE ACCOMMODATIONS AGENCY



Exhibit II.E.2: Arizona Game and Fish Department Letter cont.

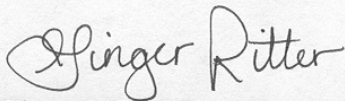
Ms. Megan Johnson

October 12, 2004

2

If you have any questions regarding this letter, please contact me at (602) 789-3619. General status information, county and watershed distribution lists and abstracts for some special status species are also available on our web site at <http://www.azgfd.com/hdms>.

Sincerely,



Ginger L. Ritter

Heritage Data Management System, Data Specialist

SSS:glr

Attachment

cc: Rebecca Davidson, Project Evaluation Program Supervisor
Joan Scott, Habitat Program Manager, Region V

AGFD # 09-30-04 (07)



Exhibit II.E.2: Arizona Game and Fish Department Letter cont.

Special Status Species within 3 Miles of T11S, R11E Sec. 35

NAME	COMMON NAME	ESA	BLM	USFS	STATE
<i>Coccyzus americanus occidentalis</i>	Western Yellow-billed Cuckoo	C		S	WSC
<i>Glaucidium brasilianum cactorum</i>	Cactus Ferruginous Pygmy-owl	LE			WSC
<i>Mammillaria thornberi</i>	Thornber Fishhook Cactus				SR
<i>Sigmodon ochrognathus</i>	Yellow-nosed Cotton Rat	SC			

No Critical Habitats in project area. AGFD # 09-30-04(07). Proposed Residential Community.

Arizona Game and Fish Department, Heritage Data Management System, October 12, 2004.



F. Wildlife

1. Presence of State-Listed Threatened or Endangered Species

No threatened or endangered species occur on the project site, but according to the Arizona Game and Fish Department the following special status species occur within a 3-mile radius:

Table 2: Special Status Wildlife Species within 3-Mile Radius

Name	Common Name	ESA	USFS	State
<i>Coccyzus americanus occidentalis</i>	Western Yellow-billed Cuckoo	C	S	WSC
<i>Glaucidium brasilianum cactorum</i>	Cactus Ferruginous Pygmy Owl	LE		WSC
<i>Sigmodon ochrognathus</i>	Yellow Nosed Cotton Rat	SC		

ESA—Endangered Species Act (1973 as amended)

- C—Candidate: Species for which USFWS has sufficient information on biological vulnerability and threats to support proposals to list as Endangered or Threatened under ESA. However, proposed rules have not yet been issued because such actions are precluded at present by other listing activity.
- LE—Listed Endangered: Imminent jeopardy of extinction.
- SC—Species of Concern: The terms “Species of Concern” or “Species at Risk” should be considered as terms-of-art that describe the entire realm of taxa whose conservation status may be of concern to the USFWS, but neither term has official status.
- USFS—United States Forest Service
- S—Sensitive: Those taxa occurring on National Forests in Arizona which are considered sensitive by the Regional Forester.
- State—State of Arizona
- WSC—Wildlife of Special Concern in Arizona. Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Arizona Game and Fish Department’s listing of Wildlife or Special Concern in Arizona (WSCA in prep). Species indicated on printouts as WSC are currently the same as those in **Threatened Native Wildlife in Arizona** (1988).

The project does not occur in any Proposed or Designated Critical Habitats, but it is within the Cactus Ferruginous Pygmy Owl Survey Zone 2.

See Exhibit II.E.2: Arizona Game and Fish Department Letter.

2. High Densities of a Given Species

There are no known high densities of a given species on the project site.

3. Aquatic or Riparian Ecosystems

There are no aquatic or riparian ecosystems on the project site.



G. Soils and Geology

This portion of the Gladden Farms II Specific Plan identifies geologic features and soil associations within the site. The following information is based on a geotechnical report prepared by Terracon on September 1, 2004.

1. Soils

The preliminary geotechnical report identified subsurface soils consisting of sands with varying amounts of silt and gravel and sandy silts to sandy lean clays. In general, development on the soil is feasible. Further testing will be done prior to and during construction of the project.

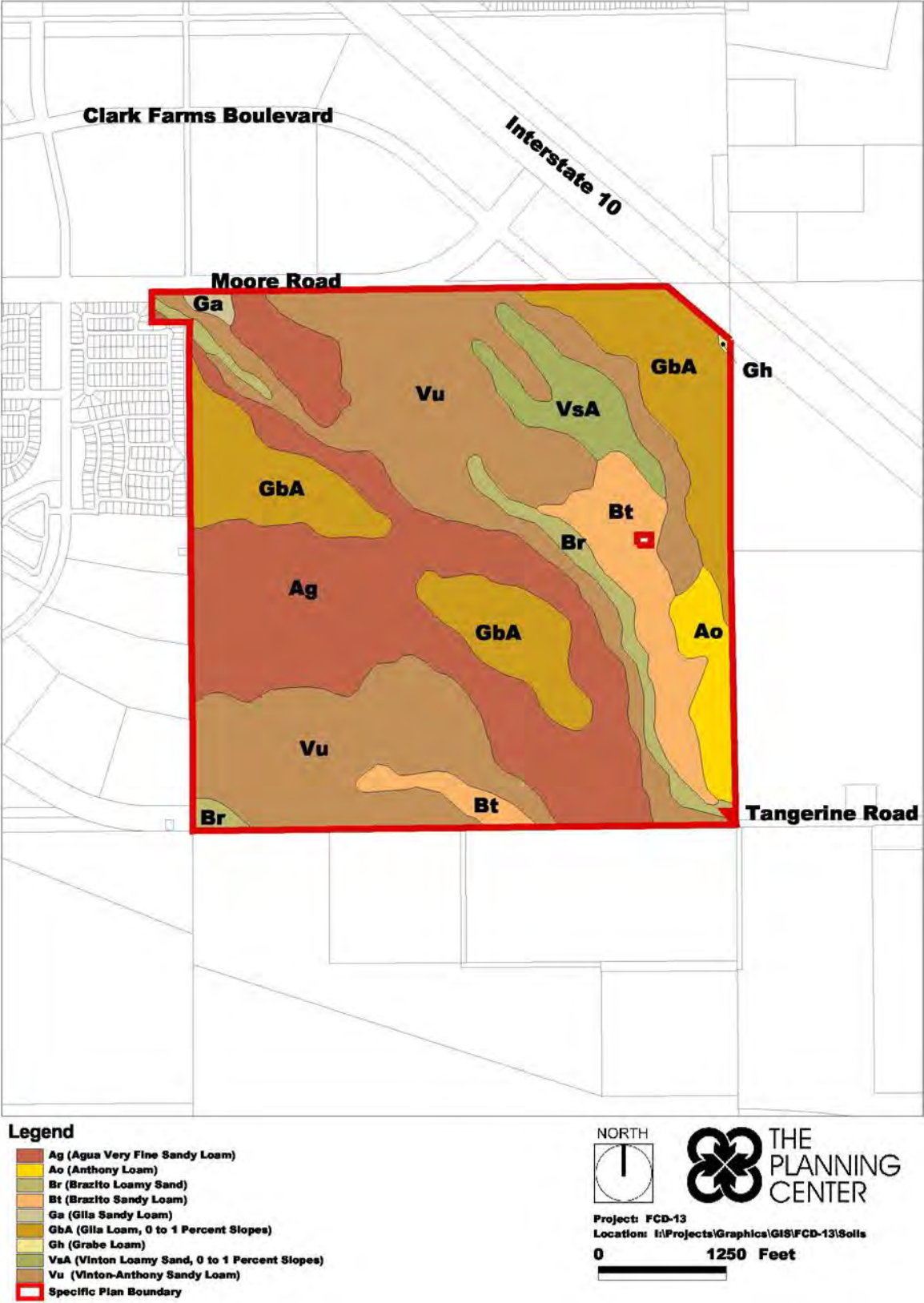
See Exhibit II.G.1: Soil Associations

2. Geologic Features

The project site lies within the Santa Cruz River Basin where the topography consists of mountain ranges and relatively flat alluviated valleys. The alluvial materials mapped at the site consist of sand, silt, and gravel.



Exhibit II.G.1: Soil Associations



H. Environmental Resources

A Phase I Environmental Site Assessment (ESA) was performed on the project site. The site has historically been used for agriculture except for three houses that were built on the property. During the interview process, it was discovered that there had been underground storage tanks (USTs) near the northwestern homestead that were removed in 1985. It was recommended that the site undergo further evaluation for potential releases from the USTs, which has been completed. There are several above-ground storage tanks on the property, but they are not considered to be a recognized environmental concern.

I. Viewsheds

1. Viewsheds Onto and Across the Site

Due to a lack of topography and vegetation on the project site, distant views of the Santa Catalinas and the Tortolita Mountains are visible from the project site to the east, while the Tucson Mountains are visible to the west, and Picacho Peak is visible to the northwest. Southern views from the property are blocked by vegetation and the existing Tangerine Road Landfill.

See Exhibit II.I.1(a): Photo Key Map and Exhibit II.I.1(b): Site Photos

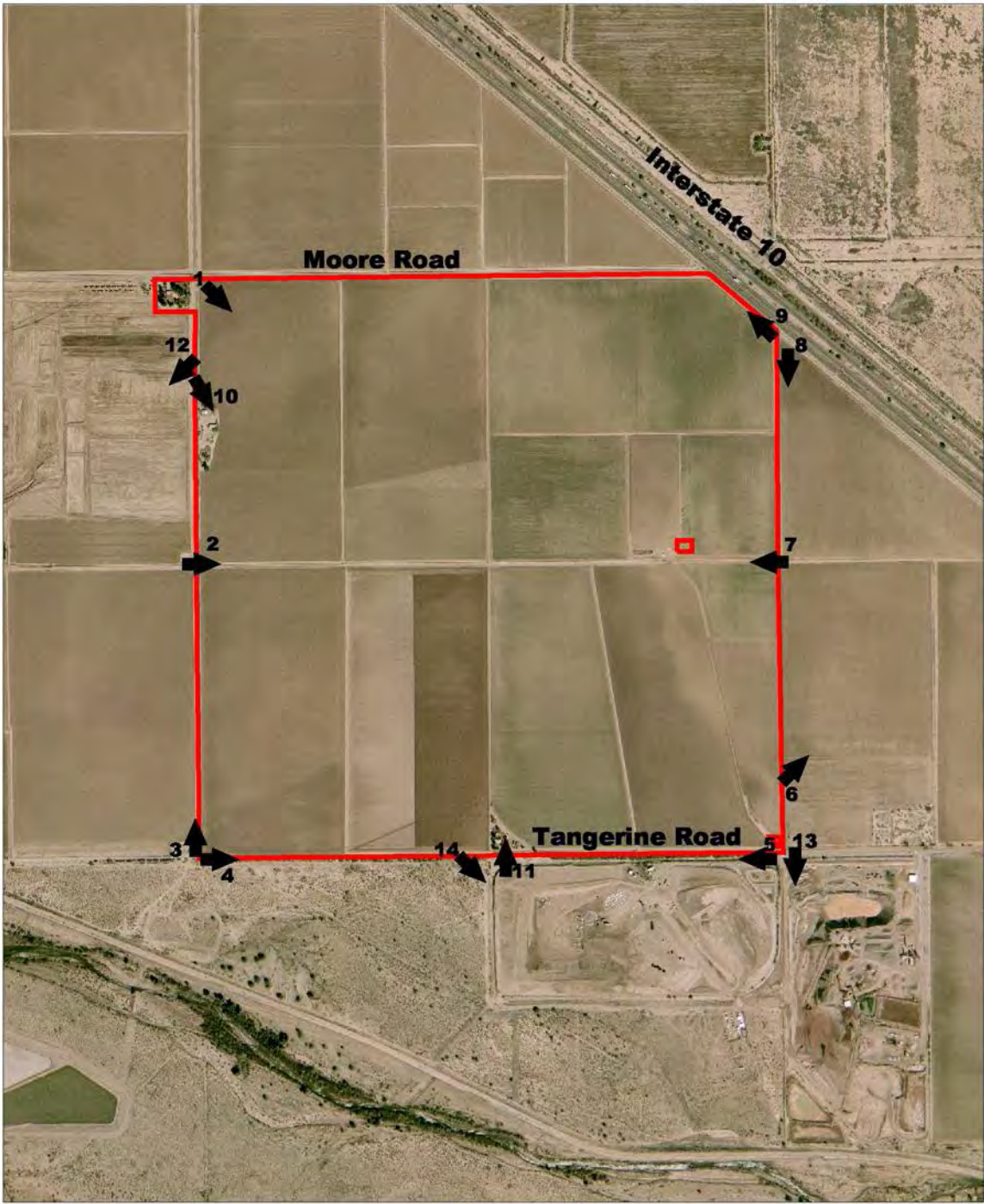
2. Visibility from Adjacent Off-Site Uses

The project site is highly visible from adjacent off-site uses due to the lack of topography and vegetation except for the southern boundary. Visibility from the properties to the south is hindered by vegetation screening the landfill. Once Gladden Farms I is built out, visibility onto the site will decrease due to backyard walls.

See Exhibit II.I.1(b): Site Photos and Exhibit II.I.2: Areas of High Visibility.



Exhibit II.I.1(a): Photo Key Map



Legend

 **Project Site**



Project: FCD-13
Location: I:\Projects\Graphics\GIS\FCD-13\photo key
0 1500 Feet



Exhibit II.I.1(b): Site Photos

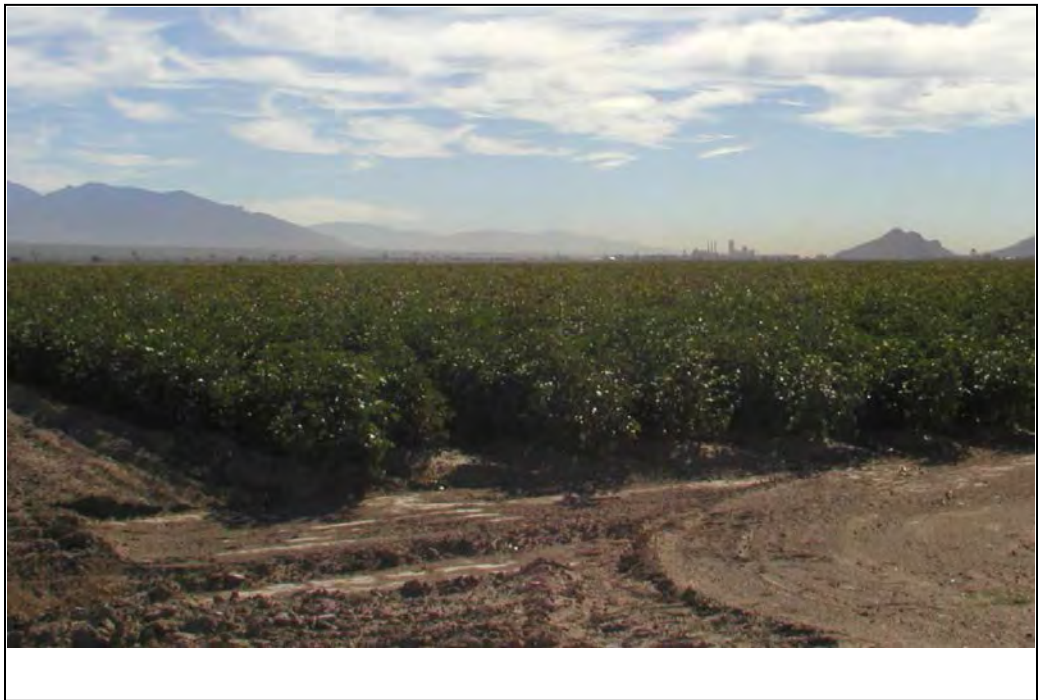


Photo 2: Looking east toward the Santa Catalina Mountains from the western boundary of the

Exhibit II.I.1(b): Site Photos cont.



Photo 3: Looking north between Gladden Farms I and the project site



Photo 4: Looking east along the southern boundary of the



Photo 5: Looking west towards the Tucson Mountains from the southeast corner.

Exhibit II.I.1(b): Site Photos cont.

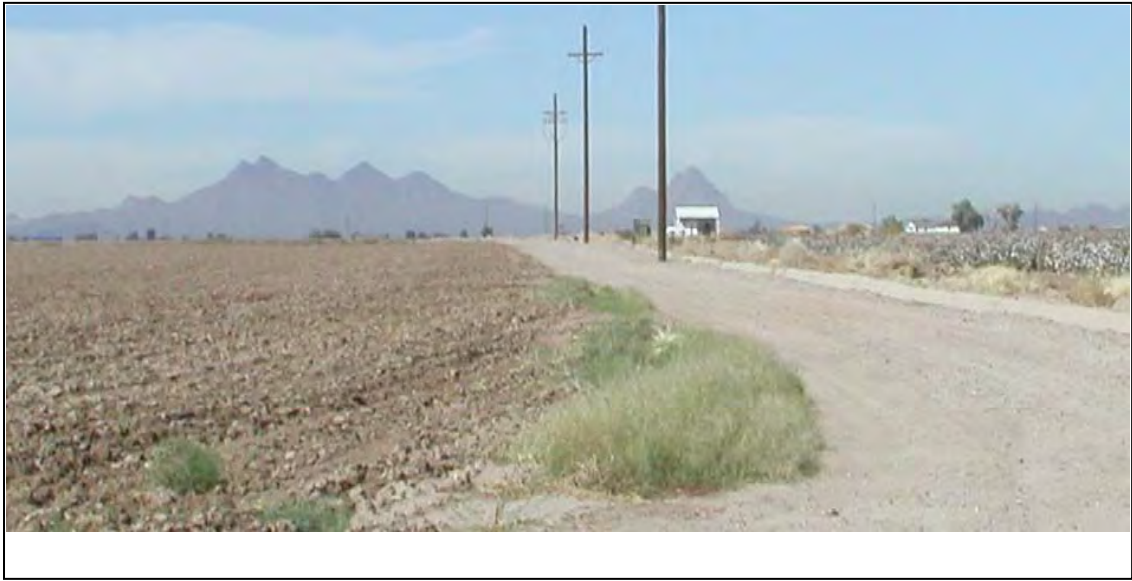


Exhibit II.I.1(b): Site Photos cont.

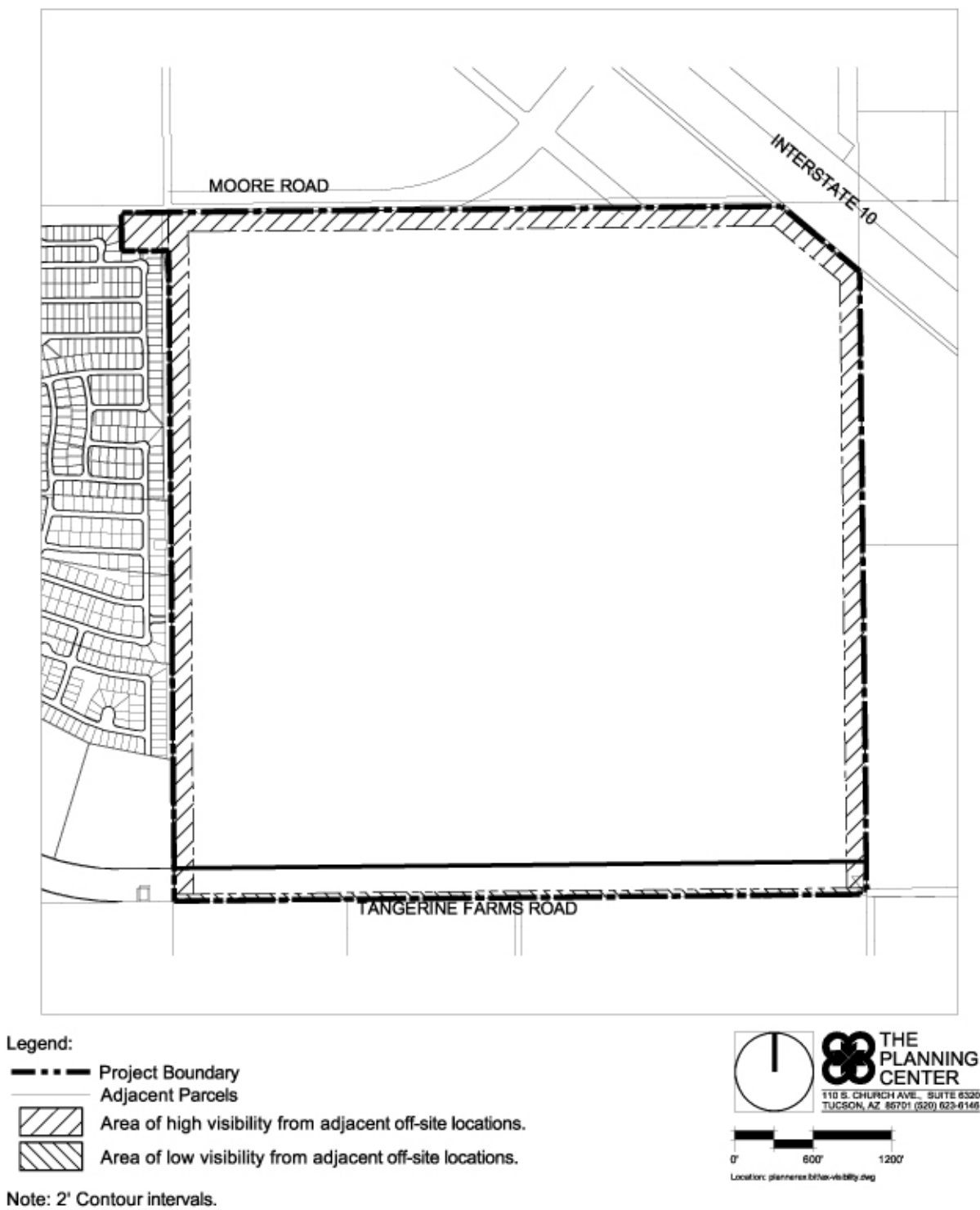


Photo 8: Looking south from the northeast corner of the property and adjacent to Interstate



Photo 9: Looking northwest from the northeast corner of the property and adjacent to Interstate

Exhibit II.I.2: Areas of High Visibility



J. Traffic Circulation and Road System

This section identifies traffic circulation and the existing and planned road system currently serving the site.

1. Existing and Proposed Off-Site Streets

The project is located at the southeast corner of Moore Road and the Postvale Road alignment. At the southwest corner of the property, Tangerine Road becomes the proposed Tangerine Farms Road as it heads northwest through the Gladden Farms I development. Interstate 10 and the frontage road run adjacent to a small portion of the property's northeast corner. Both the Patton Road and Postvale Road alignments adjacent to the project site are to be abandoned.

2. Existing Access and Rights-of-Way

Northwest Marana has historically been agricultural and the demand on the roads has not been as high as more urban areas. As Northwest Marana continues to develop, the demand will increase. Table 5: Roadway Inventory describes arterial and collector roads within a one-mile radius of the project site.

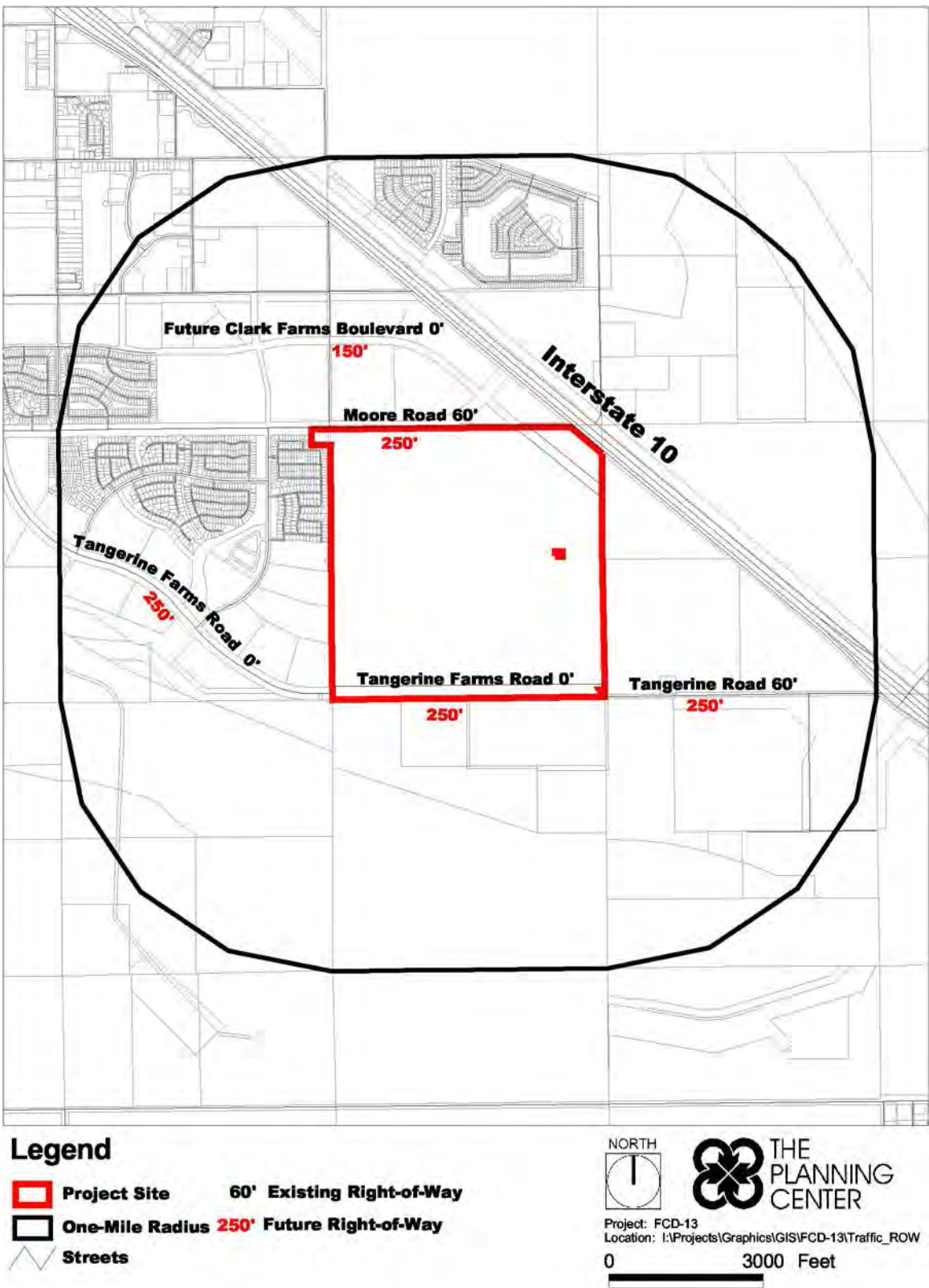
Table 5: Roadway Inventory

	Moore Road	Tangerine Road	Future Tangerine Farms Road	Future Clark Farms Boulevard
Functional Classification	Arterial	Arterial	Arterial	Arterial
Existing R.O.W. (feet)	60	60	Not Applicable	Not Applicable
Future R.O.W. (feet)	250	250	250	150
Number of Lanes	2	2	4 Lanes (planned)	2-4 Lanes (planned)
Speed Limit	35	35	Not Known	Not Known
Ownership	Marana	Marana	Marana	Marana
ADT (Source, Year)	910 (Gladden Farms II TIA, 2005)	1,230 (Gladden Farms II TIA, 2005)	Not Available	Not Available
Capacity (Source, Year)	13,100 (Gladden Farms II TIA, 2005)	13,100 (Gladden Farms II TIA, 2005)	Not Available	Not Available
Continuous R.O.W.	Yes	Yes	Not Available	Not Available
Conforms to Width Standards	Yes	Yes	Not Available	Not Available
Surface Conditions	Pavement	Pavement	Not Available	Not Applicable

See Exhibit II.J.2: Existing and Future R.O.W.



Exhibit II.J.2: Existing and Future R.O.W.



3. Roadway Improvements

Table 6: Planned Roadway Improvements is a list of planned roadway improvements for arterial roads within a one-mile radius of the project site. The list was compiled by the Pima Association of Governments in the 2001-2025 Regional Transportation Plan Amendment, Adopted January 2004. The general scope, location, and the ID# used to identify and track the project are given. An "In Plan" status means that the projects are included in the funding, traffic, and air quality analyses of the plan and are expected to be completed by 2025. A "Reserve" status means that they are financially infeasible without a new funding source. All costs are given in \$1000's of dollars and the sponsor is the jurisdiction responsible for the implementation of the project.

Table 6: Planned Roadway Improvements

Project Name	Plan ID#	Status	Cost (in \$1,000's)	Sponsor
<u>I-10: I-19 to Marana TI</u> Widen to 8 Lanes	5.98	In Plan	\$490,830	ADOT
<u>Arterial Rd. East of I-10/Project #9</u> Tangerine Road to Pinal County Line Construct new 4 lane roadway	203.00	In Plan	\$30,425	Marana
<u>Moore Road</u> Sandario to Postvale Reconstruct	65.89	In Plan	\$400	Marana
<u>Moore Road</u> Postvale to Frontage Road Reconstruct	198.00	In Plan	\$600	Marana
<u>Moore Road</u> I-10 Frontage to Luckett Widen to 4 Lanes	198.00	In Plan	68,600	Marana
<u>Tangerine Farms Road</u> Existing Tangerine Road to Luckett Construct new 4 lane road	197.00	In Plan	\$60,300	Marana
<u>Tangerine Road Extension</u> Tangerine Farms Road to Twin Peaks/Sandario Intersection Construct new roadway	205.00	In Plan	27,000	Marana
<u>I-10: Moore Road TI</u> Construct new interchange	37.00	Reserve	\$11,250	ADOT
<u>Project #8</u> Tangerine Road to Lon Adams Road Construct new roadway	202.00	Reserve	\$17,800	Marana

4. Intersections

Currently, the only major intersection in this area is the Interstate 10 and Tangerine Road interchange. As the area begins to develop, Moore Road and the future Tangerine Farms Road will see more traffic. This project will impact the I-10 and Tangerine Road interchange as well as future intersections along Moore Road.



5. Alternate Modes

There are no sidewalks or designated bike routes along existing roadways surrounding the property except in Gladden Farms I. The public roadway standards for Northwest Marana include sidewalks and paved multi-use lanes on arterial and collector streets.

K. Recreation and Trails

1. Open Space, Recreation Facilities, Parks, and Trails

The Ora Mae Harn District Park is located approximately $\frac{3}{4}$ of a mile northwest of the project site. This 40-acre facility is located on the northeast corner of Barnett Road and Lon Adams Road, adjacent to the Marana Municipal Complex. Park amenities include the following:

- 3 lighted ball fields
- 1 lighted soccer field
- 7 covered ramadas with gas grills, lighting and electrical outlets
- 2 lighted tennis courts
- 1 lighted basketball court
- 1 large soccer/multi-use field
- 1 outdoor swimming pool
- 3 lighted covered playground areas
- 1 community/recreation center

The Gladden Farms Community Park to the west includes a multi-use field, two little league fields, play structures, ramada, and restrooms.

The Marana Heritage River Park also located to the west, has a pavilion, walking paths, community garden and access to the Santa Cruz River Park and Juan Bautista de Anza National Historic Trail.

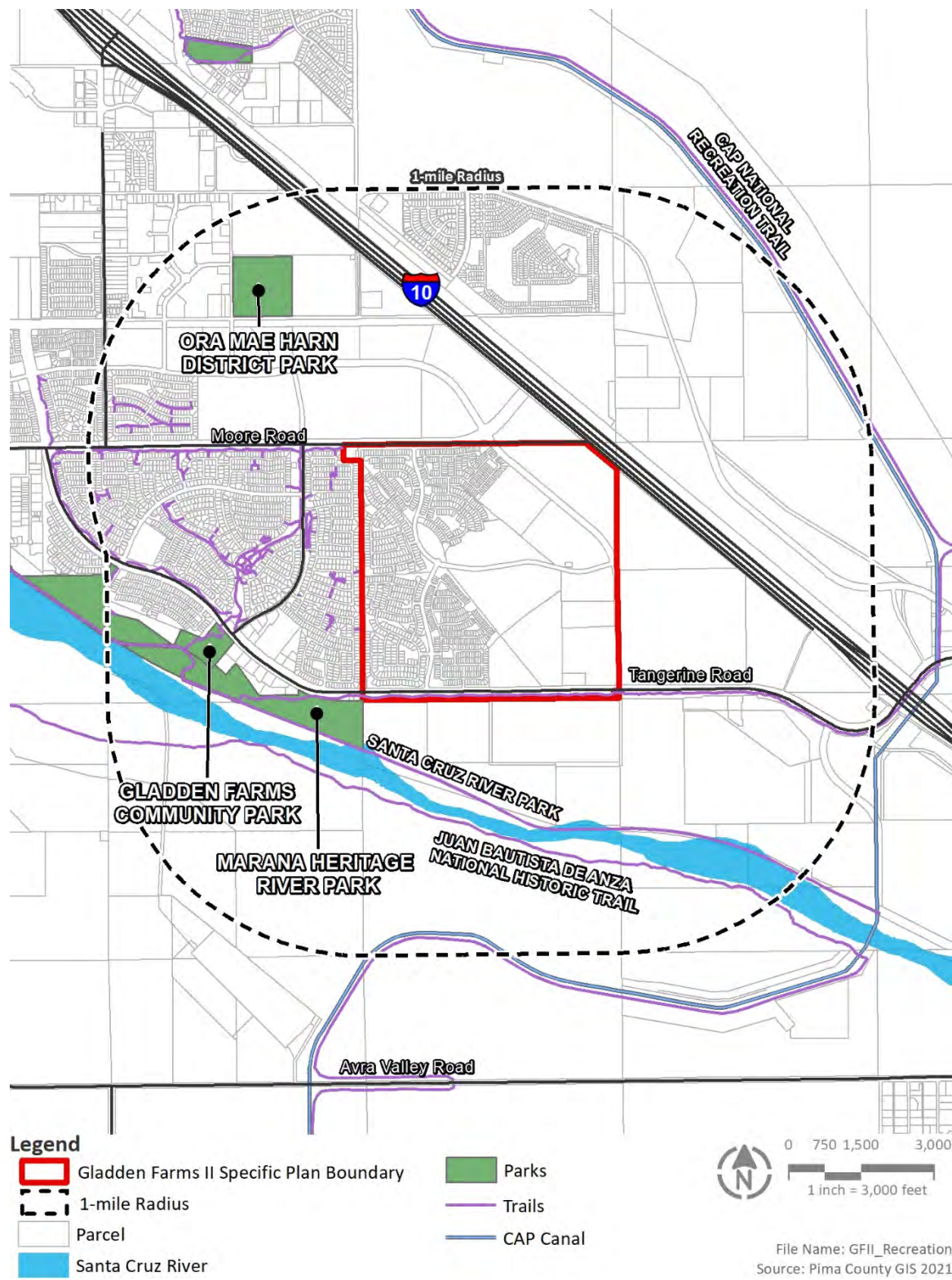
Gladden Farms I immediately to the west has several smaller parks connected by a network of paseos and open space integrated into the development.

A multiuse path south of Tangerine Road connects the Marana Heritage River Park and the Santa Cruz River Park to the Central Arizona Project Recreation Trail (CAP) at Interstate 10. The CAP trail runs approximately one mile to the east and crosses under Interstate 10. The CAP Canal Trail is a primary trail open to pedestrians, bicyclists, and horseback riders; it also serves as a utility right-of-way. The shared use path within the Santa Cruz River Park runs in a northwesterly along the Santa Cruz River. The trail has full access for pedestrian, mountain bike, road, bike, and equestrian uses. There are trail heads on Cortaro Road and Sanders Road.

See Exhibit II.K.1: Open Space, Trails, and Recreation.



Exhibit II.K.1: Open Space, Trails, and Recreation



L. Cultural Resources

This portion of the Specific Plan identifies paleontological and cultural resources within the site. Such resources include both cultural artifacts and non-cultural remains (paleontological evidence) that could be from the prehistoric or historical periods.

1. Location of Resources On-Site

According to a records review conducted by SWCA in September 2004, approximately 60% of the project site has been surveyed for cultural resources. The research has indicated that two sites, AZ AA: 12:681(ASM) and AZ AA: 12:686(ASM) are partially within the project site. AZ AA: 12:681 (ASM) is a light Hohokam artifact scatter that has not been evaluated for National Register of Historic Places eligibility (Fish et al., 1992). AZ AA: 12:686 (ASM) is a dense Hohokam artifact scatter that has been recommended eligible for the National Register (Hesse, 2001).

Although the previous survey was conducted in 1983 it was performed by students from the University of Arizona and it was not surveyed in its entirety. For these reasons, SWCA recommends that a Class III (full pedestrian) survey be conducted to meet current standards and verify locations of the two sites previously found on the property. An archaeological study is currently being conducted.

2. Letter from the Arizona State Museum

The Arizona State Museum (ASM) indicated that a survey was done on the project site in 1983 and that there are two known sites on the property (AZ AA:12:681 and AZ AA:12686). The ASM recommends that an archaeological surface inspection of the project site be conducted. An archaeological study is currently being conducted.

See Exhibit II.L.2: Arizona State Museum Letter.



Exhibit II.L.2: Arizona State Museum Letter

Arizona State Museum
P.O. Box 210026
Tucson, AZ 85721-0026
(520) 621-6302
FAX: (520) 621-2976



RECEIVED
OCT 05 2004

October 4, 2004

Megan Johnson, Planner
The Planning Center
110 South Church St.
Tucson, Arizona 85701

Re: FCD-13, Archaeological Records Check related to Specific Plan for Pacheco Farms, ± 633 acres in S35 T11S, R11E, Salt and Gila River Baseline and Meridian.

Dear Ms. Johnson:

On September 29, 2004, you requested an archaeological records check related to the above-referenced property. I have consulted our records with the following results. The property has not been inspected for archaeological sites since the Northern Tucson Basin Study in 1983, which was done largely by students. In addition, one large site and one small one are known to be on the property. AZ AA:12:686(ASM) is known to extend well into the property. The eastern portion of the site (in Section 36) was the subject of testing and data recovery by Tierra Right of Way Services in 1995. A smaller site, AZ AA:12:681(ASM) may extend onto the SW corner of the property. Because of the age of the survey and because there are known sites on the property, the ASM recommends an archaeological surface inspections to assess the condition of the sites, to determine if important yet unreported prehistoric or historic sites are on the land, and to make recommendations about testing and data recovery. A list of archaeological contractors is available on our website at: <http://www.statemuseum.arizona.edu/profsvcs/permits/permittees.asp>
The archaeological consultant you choose should be aware that a treatment plan, testing, and possible data recovery will likely be required as not all of them do this type of work.

Archaeological surface inspection required under city or county ordinance, or a federal regulation, will require a written report describing the results of the surface inspection and will include recommendations. You are responsible for providing the report to the appropriate office requiring the inspection. The archaeologist will also submitted copies of your report to the appropriate archaeological site file office. If you have selected an archaeologist from the list provided, that contractor knows where and when to submit reports. If you have any questions, please do not hesitate to call me,

Sincerely,

A handwritten signature in cursive script that reads "Su Benaron".

Su Benaron
Assistant Permits Administrator
(520)621-2096
sbenaron@email.arizona.edu



M. Existing Infrastructure and Public Facilities

1. Sewer

The project will utilize the Marana Wastewater Treatment Facility. This facility is scheduled to undergo expansion that will be completed in mid-2006. Additional expansion to the facility is scheduled for 2007/2008 time period. Currently, there is conveyance capacity in the existing sewer lines; however there are no sewer lines that serve the property. The developer will need to build sewer lines to connect to the existing system.

See Exhibit II.M.1.a: Existing Sewer and Exhibit II.M.1.b: Sewer Capacity Letter.

2. Fire Service

The project is currently served by the Northwest Fire District. Northwest Fire District Station #341 is located within the Specific Plan boundary at 10350 W Tangerine Rd.

See Exhibit II.M.2: Fire Service.



Exhibit II.M.1.a: Existing Sewer

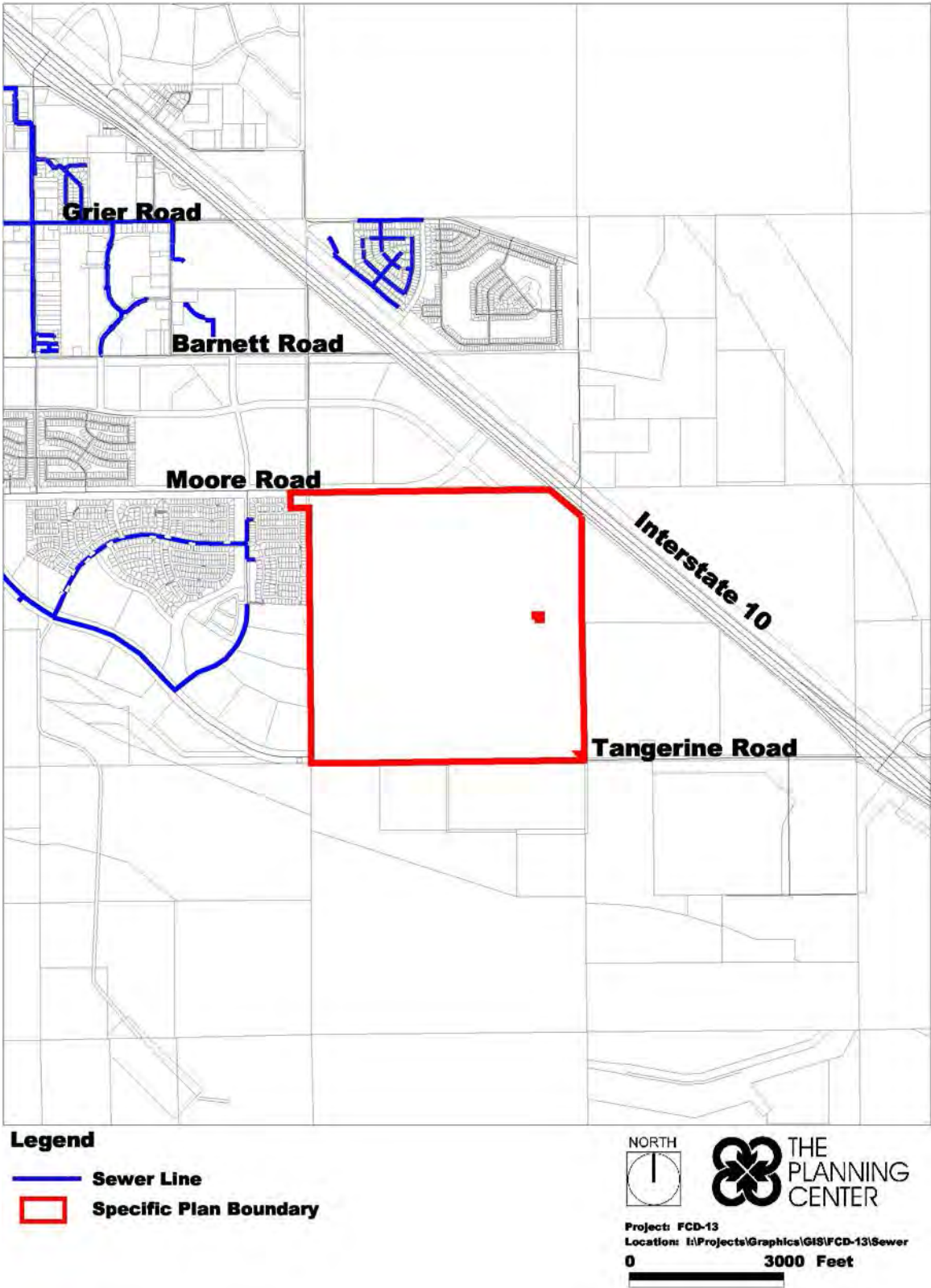


Exhibit II.M.1.b: Sewer Capacity Letter



Carmine DeBonis Jr.
Director

Office: 520.740.6506
fax: 520.740.6878

April 12, 2005

TO: Lisa Shafer, Planner
Town of Marana Development Center, Planning Department

FROM: Tim Rowe, P.E., Development Review Engineer (Wastewater)
Pima County Development Review Division

SUBJECT: Gladden Farms II Specific Plan
PCZ-05028

The Pima County Wastewater Management Department's Planning Services Section has reviewed the proposed plan amendment and rezoning and offers the following comment

The area covered under the specific plan is adjacent to the area served by Pima County's public sewer system.

This area will be tributary to the Marana Wastewater Treatment Facility (MWWTF). Treatment capacity to serve the initial phases of development within this area will not become available until the MWWTF is expanded to treat a minimum of 0.7 million gallons per day (MGD). This expansion is expected to be completed in mid-2006. Further expansion to accommodate the later phases of this development is programmed for the 2007/2008 time period.

Should the developers of this property wish to proceed before Pima County can provide the necessary treatment capacity to serve this area, the developers may need to enter into a Development Agreement with Pima County to fund, design, and construction the necessary treatment capacity at the MWWTF. Such a Development Agreement would also include some form of partial or full reimbursement provisions.

Public sewers are not currently available at the site boundary, and the developers of this property will need to build approximately 1.5 miles of off-site sewer line to connect to the existing public sewer system. They will also need to build appropriate flowthrough sewers through the property. Both of the off-site and the flowthrough sewers must be sized to accommodate both the flow from this area, and the flow from any up-gradient or down-gradient properties that can reasonably be expected to use the line.

Due to the extremely flat topography in this area, gravity sewerage this property will be difficult, and the the alignment of the necessary off-site and flowthrough sewer lines will need to be chosen carefully.

Conveyance capacity in the existing conveyance system is currently available to serve the area covered under the specific plan, but this may change with time. Should conveyance capacity not be available when this property is developed, the developers of this area may need to augment the downstream conveyance system.

This letter is not a commitment of treatment or conveyance capacity allocation. Capacity allocation is accomplished by building the sewers necessary to serve the proposed development, in accordance



Exhibit II.M.1.b: Sewer Capacity Letter continued

Gladden Farms II Specific Plan
PCZ-05-028

April 12, 2005
Page 2 of 2

with terms and conditions of a formal Sewer Service Agreement that is normally prepared during the development plan or plat review process. If conditions change between now and the time a development plan or tentative plat is submitted, the property owner may be required to augment the existing public sewerage system in order to provide adequate treatment and conveyance capacity for this rezoning

If you wish to discuss the above comments/conditions, please contact Mr. Robert Decker, PCWMD Planning Services Manager at 740-6625.

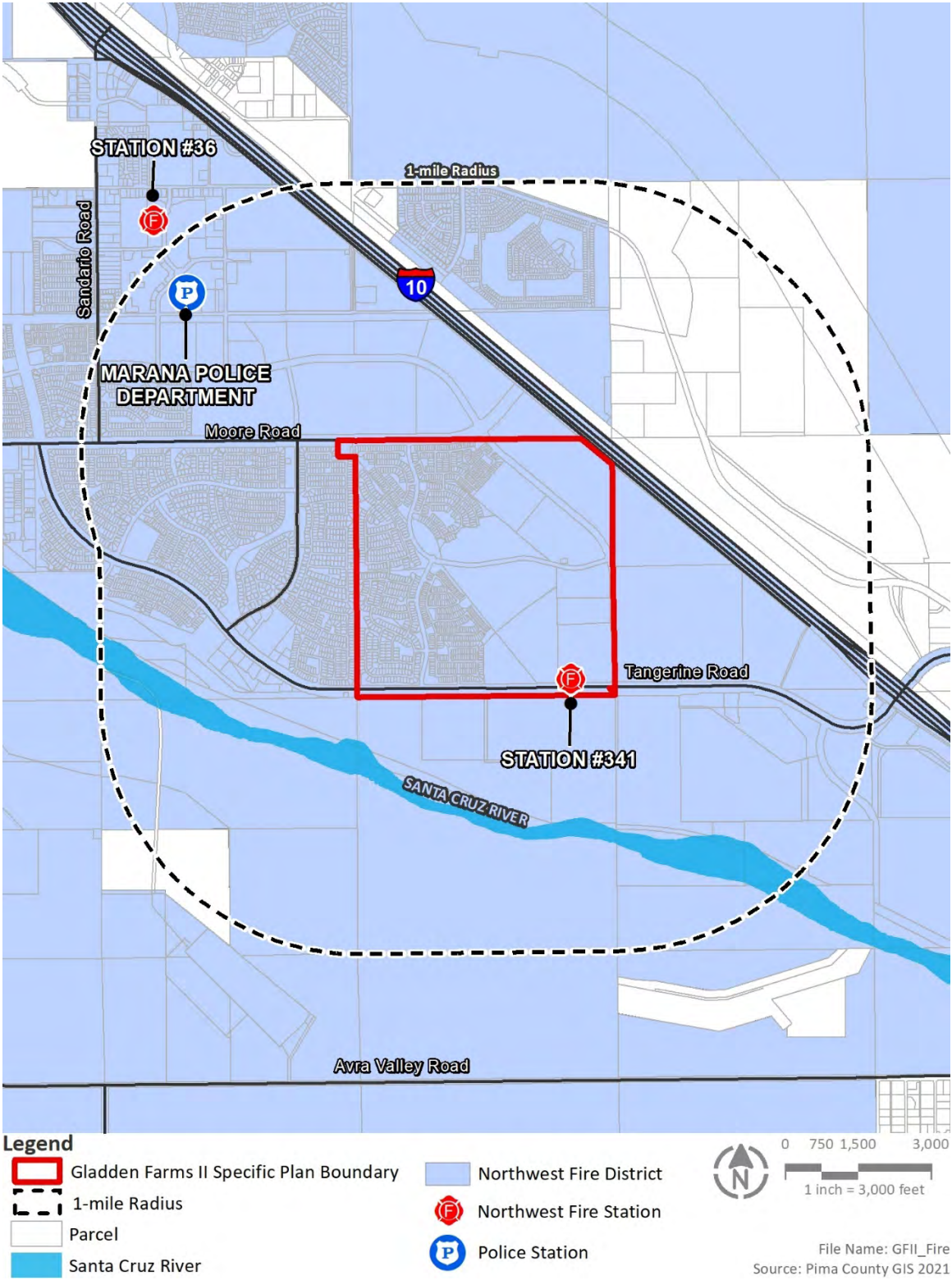
Tim Rowe

Tim Rowe, P.E., Development Review Engineer (Wastewater)
Pima County Development Review Division

TR/tr
Copy: Project



Exhibit II.M.2: Fire Service



3. Water

a. *Existing Wells*

Four wells are located on the project site. Two of them are owned by the Cortaro-Marana Irrigation District (CMID) and two are owned by Evco Farms, Inc. according the Arizona Department of Water Resources. Well #604813 is located in the eastern part of the property and is owned by CMID. Well #604812 is located in the southeast corner and is also owned by CMID. Both CMID wells are used for irrigation purposes. Wells #638525 and #638527 are owned by Evco Farms, Inc. and are used for domestic water purposes and will be removed by this development. Well #638525 is located in the northwest corner and #638527 is located along the Tangerine Road alignment.

See Exhibit II.M.3.a: Existing Water Lines and Wells.

b. *Water Service Letter*

The project site is located within the Town of Marana Water Service area. Therefore, water supply is assured. This does not imply that there is currently water service to the project site. A water service agreement between the developer and the Town of Marana is needed.

See Exhibit II.M.3.b: Water Service Letter.

c. *Non-Potable Water Use*

All new developments in Northwest Marana are required by the Town to implement a non-potable water system. Non-potable water use is required for the irrigation of landscaped open areas, recreation sites, and public facilities.



Exhibit II.M.3.a: Existing Water Lines and Wells

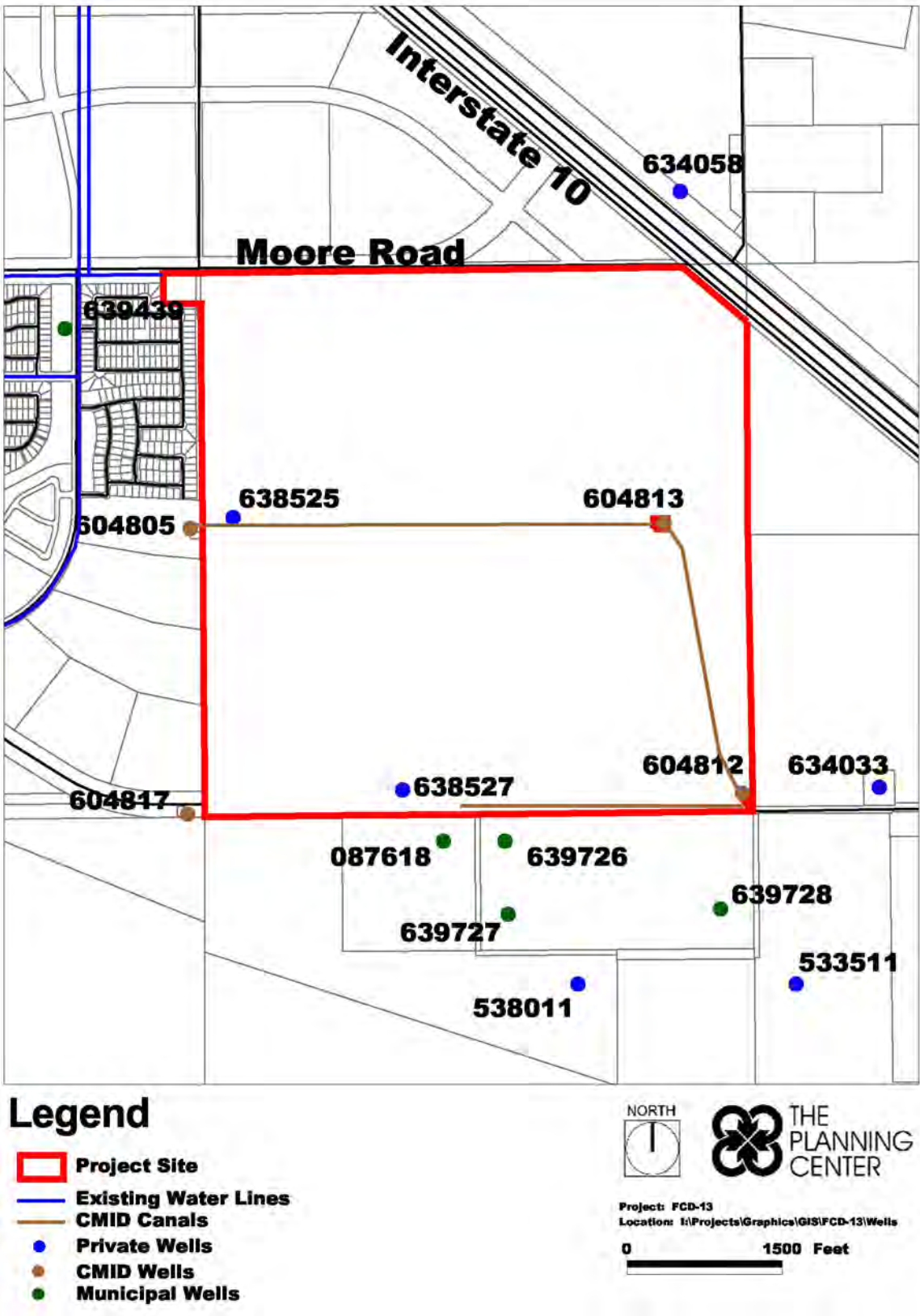
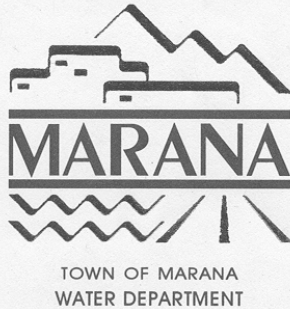


Exhibit II.M.3.b: Water Service Letter



RECEIVED
OCT 19 2004

October 18, 2004

The Planning Center
110 South Church
Suite 6320
Tucson, Az. 85653
Attn: Megan Johnson

Dear Ms. Johnson:

Re: **Pacheco Farms Specific Plan**
Specific Plan for $\pm$ 633 acres at Tangerine Road and Interstate 10 FCD-13

WATER SUPPLY

The Town of Marana has been designated by the State of Arizona, Department of Water Resources, as having an assured water supply. This does not mean that water service is currently available to the proposed development. The development does lie within the boundary of the Town of Marana water service area.

WATER SERVICE

The approval of water meter applications is subject to the availability of water service at the time an application is made. The developer shall be required to submit a water service agreement identifying water use, fire flow requirements and all major on-site and off-site water facilities.

The developer at his own expense shall construct a water distribution system to serve the development and transfer title of the system to the Town of Marana, in consideration the Town of Marana shall operate, maintain and service the system.

The comments made herein are valid for a period of one year only. If you have any questions, please do not hesitate to call our office at 382-2570.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Brad DeSpain".

C. Brad DeSpain
Utilities Director

5100 W. INA ROAD

TUCSON, ARIZONA 85743

PHONE: (520) 382-2570

FAX: 382-2590



4. Schools

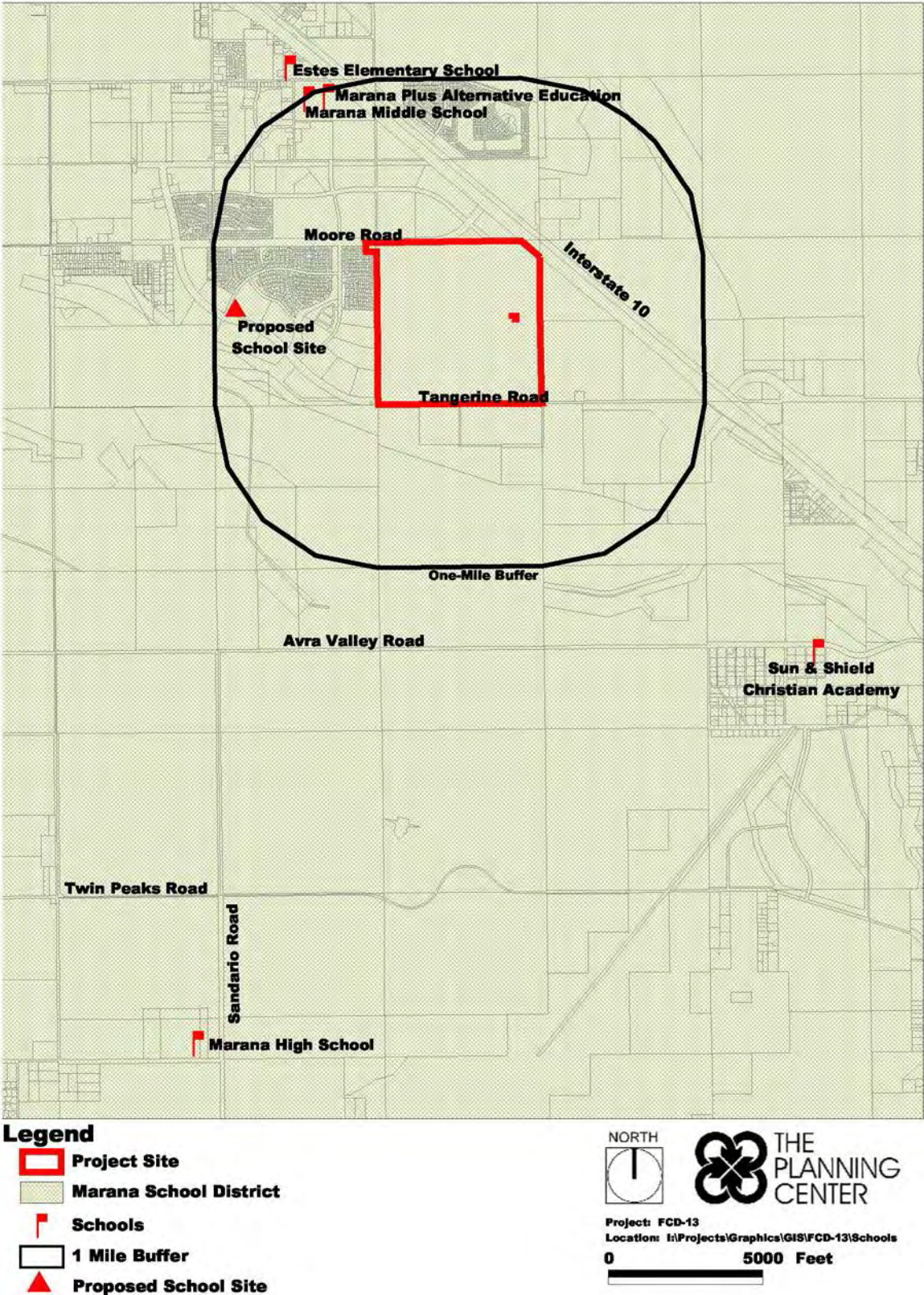
The project site is located within the Marana Unified School District. Estes Elementary School, Marana Middle School and the Marana Plus Alternative Education are located approximately one mile north of the project site. In addition, one school site will be dedicated within Gladden Farms I that may accommodate children from Gladden Farms II in the future. For now, the schools that will serve this development are:

- Estes Elementary School, 11279 West Grier Road (approximately 1 mile northwest of the project area).
- Marana Middle School, 11279 West Grier Road (approximately 1 mile northwest of the project area).
- Marana High School, 12000 West Emigh Road (approximately 4 miles southwest of the project area).

See Exhibit II.M.4: Schools.



Exhibit II.M.4: Schools



5. Private Utilities

a. *Natural Gas*

El Paso Natural Gas controls a gas line bisecting the project site. The gas line easement is approximately 60 feet wide and runs through the property from the northwest corner to the southeast corner; it will remain in place.

Southwest Gas Corporation has existing facilities in the area and will provide natural gas service to the site.

b. *Cortaro-Marana Irrigation District*

There are two wells and three irrigation ditches on the project site that are currently controlled by the Cortaro-Marana Irrigation District (CMID). Well #604813 is in the southeastern corner of the project site. Well #604812 is on the eastern side of the project, approximately half-way between the southern and northern boundaries. There is an irrigation canal from the southeast corner that connects the two wells. A second irrigation canal runs in an east-west direction bisecting the property and the third canal also runs in an east-west direction along the southern boundary. See Exhibit II.M.3.a: Existing Water Lines and Wells, for the location of the wells and canals.

c. *Communications*

Telephone service and line installation is available in this area through Qwest Communications.

Comcast Cable has cable services in the area and will likely provide service to the property.

d. *Power*

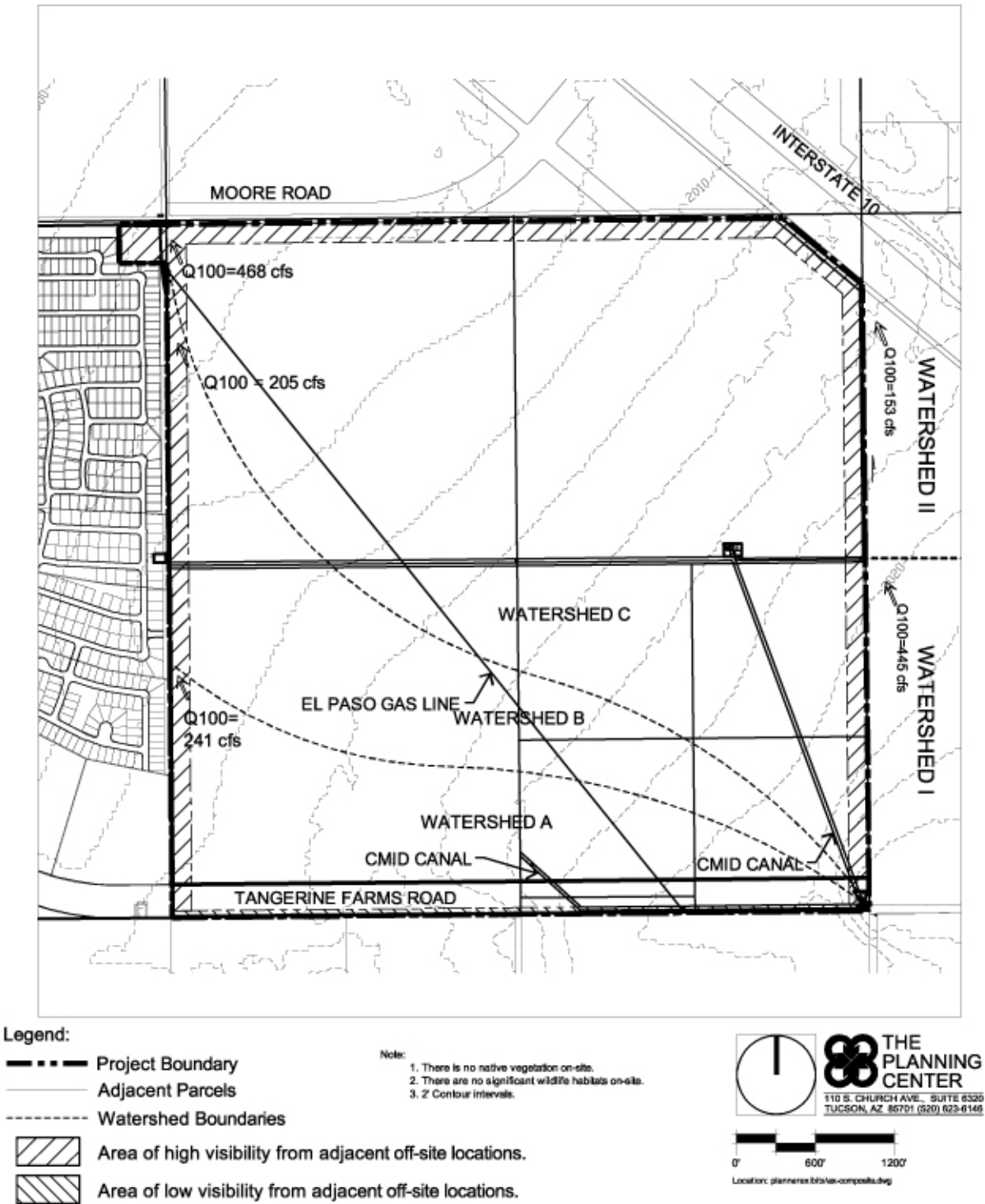
The project site will be served by Tucson Electric Power.

N. **McHarg Composite Map**

Information regarding topography, hydrology, vegetation, wildlife and views has been combined to form the McHarg Composite Map displayed as Exhibit II.N: Composite Map.



Exhibit II.N: Composite Map



GLADDEN FARMS II SPECIFIC PLAN



III. DEVELOPMENT PLAN



- Provide a framework for the management and administration of this Specific Plan.

C. *Relationship to Adopted Plans*

The Marana General Plan designates the project as Master Planned Area (MPA) per adoption of the Marana General Plan, *Make Marana 2040*, by Town Council in 2019 and ratification by voters in 2020. The purpose of the MPA is to allow flexibility in site planning and design. Active specific plans in the Town are characterized by a variety of intensities and uses, including low to high density residential, differing scales of commercial development, industrial and employment related uses, and significant open space and natural areas.

This Specific Plan will provide a mix of housing types including single-family attached and detached as well as multi-family options. The mix is intended to provide diverse housing products/choices as outlined by the Marana General Plan; however, an overall density of 4-RAC is maintained.

D. *Compatibility with Adjoining Development*

The Gladden Farms II Specific Plan seeks to be compatible with the existing and planned development in the area. Gladden Farms I is just west of the project site. The same Master Developer is responsible for both Gladden Farms I and Gladden Farms II. As such, the Master Developer will create an integrated community that reflects the same extensive design considerations and theme. While each neighborhood within the respective developments will have unique identifying features, they will be compatible in look, quality of development, and amenities offered to the residents. Both Gladden Farms developments combine a mixture of residential densities with commercial, office, and recreational land uses to promote a village commercial theme. In addition, the two communities will be connected via local roads and paseos to promote community interaction.

North of Moore Road is the Rancho Marana Specific Plan. Currently, the land is vacant, but Rancho Marana is planned for a mixture of residential densities and office and commercial uses. The planned uses adjacent to Moore Road, which this Specific Plan will front, include Employment Center and Medium Density Residential. The recently adopted Vanderbilt Farms Block Plat is the first step of this development.

South of the project site lies the Pima County Tangerine Road Landfill. Though the landfill has been deactivated for several years, it will be buffered by vegetation and Tangerine Farms Road.

Agricultural land is currently to the east of the project site. It was originally planned for intense commercial use under the Shops at Tangerine and I-10 Motorplex. After years of inactivity the property is now being reimagined under the proposed The Crossroads at Gladden Specific Plan, which is being developed by the same Master Developer as Gladden I and II and will use similar regulations and standards to create a cohesive community. This plan will



replace the intense commercial use with a blend of uses including transitional, commercial, and commerce park. Clark Farms Boulevard will be constructed between Gladden Farms II and the property to the east. Land uses within Gladden II transition in density/intensity to blend with mix of uses associated with The Crossroads at Gladden.

E. Land Use Concept Plan

The Gladden Farms II Specific Plan encompasses approximately 636 acres in Northwest Marana, north of Tangerine Road, south of Moore Road, and east of the Gladden Farms I community. While this Plan does not include the Gladden Farms I community, the ultimate goal is to have Gladden Farms I and II function as a single community. As such, Gladden Farms II has been designed to transition from the residential uses along the western boundary to commercial uses in the east. The residential densities along in the west will feature 6,000 and 7,000 square foot lots, similar to those in Gladden Farms I. The densities increase to the east with High Density Residential (HDR) which allows the option for attached units. The increase in density provides an appropriate transition to the commercial areas on the eastern boundary.

The land use concept designates blocks along the eastern boundary for commercial use. Due to the proximity to Interstate 10, it is anticipated that the property to the east of Gladden Farms II will be developed as an intense regional commercial use: making residential uses less appropriate in this area. The commercial land use within the Specific Plan area is generally intended to serve the residents of Gladden Farms with neighborhood commercial services. It is possible that Blocks 29 may have higher intensity uses because it is located at a major intersection.

Gladden Farms II Amendment #3 replaces the Commercial designation on Blocks 38B and 43 with High Density Residential. See *Exhibit III.E.1: Land Use Concept Plan*. The increased demand for housing coupled with the current state of commercial development makes residential development a more effective use of these blocks. The change to residential use adds another 100 housing units to Gladden II, increasing the maximum number of allowed units from 2,345 to 2,445. See *Third Amendment Gladden Farms Specific Plan Land Use Table*. The High Density Residential continues the transition in density across Gladden II and blends with proposed changes to the commercial intensity for the property to east. New opportunities for commercial and employment uses to serve the Gladden communities and general area are proposed within The Crossroads at Gladden Specific Plan to the east. Block 38A retains its Commercial designation. It has been purchased by the Marana Unified School District for a future school.

Three blocks are designated for Transitional Use. Blocks 28 and 34 are being platted for residential use. Due to the small size of Block 44 in the northwest corner, it is not appropriate for high density housing or large retail uses.

The remaining areas of the Specific Plan include high-density and single-family detached residential options. The High Density Residential areas are concentrated along Tangerine Road and Clark Farms Boulevard. This designation supports a variety of housing types,



including single-family attached, small-lot single-family detached, and multi-family housing. The central and western portions of the site are composed of single-family detached residential lots ranging in size from 6,000 to over 7,000 square feet.

An open space overlay zone has been established to demonstrate the approximate location of the paseo system throughout the property.

See the Land Use Table and Exhibits III.E.1: Land Use Concept Plan and III.E.2: Land Use Designation Map.



Third Amendment
Gladden Farms Specific Plan Land Use Table

Block	Gross Acres	Net Acres	Land Use	Target for Lots/Units
26	28.7	20.7	SFD-6	96**
27	36.9	31.1	HDR	173**
28	27.8	23.2	TR	136***
29	64.1	57.8*	C	N/A
30	45.7	29.6	SFD-7	136**
31	26.1	22.3	SFD-6	115**
32	3.0	2.0	P	N/A
33	37.7	29.2	SFD-6	139
34	37.6	33.6	TR	178***
35	32.0	27.2	SFD-6	82**
36	27.4	20.5	HDR	88**
37	46.3	31.1	HDR	212***
38A	15.0	12.0	C	N/A
38B	13.93	11.1	HDR	220
39	48.2	32.4	SFD-7	123**
40	31.2	25.6	HDR	88**
41	32.9	20.2	HDR	119**
42	36.5	28.5	HDR	157***
43	28.75	20.8	HDR	383
44	2.3	1.4	TR	N/A
Total Acres	636.3	495.5		2,445
Open Space Overlay Zone/Drainage	72.2			
Roads	68.9			

Total Units: 2,445 (projected unit mix of 1,842 single-family lots and 603 individual units of multi-family housing)

Overall Density: 4 RAC

*Areas updated based on the block plat.

**Number of platted lots.

***Number of lots based on preliminary plat.

KEY:

SFD-7: Single-Family Detached

SFD-6: Single-Family Detached

HDR: High Density Residential

TR: Transitional

C: Commercial

P: Park



Exhibit III.E.1: Land Use Concept Plan

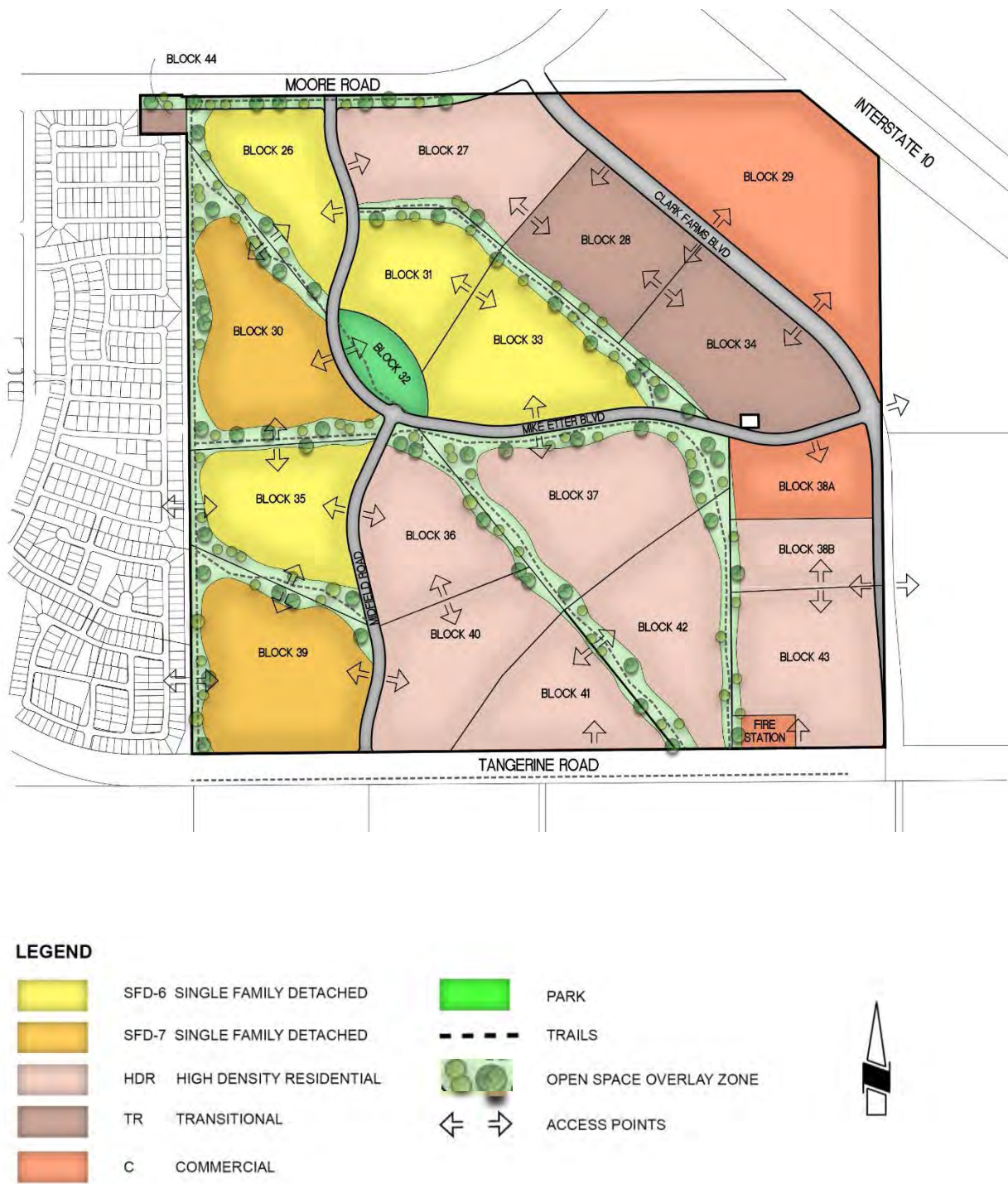


Exhibit III.E.2: Land Use Designation Map



F. Grading Concept

The entire site has been used for agriculture, and therefore, has been graded. This project proposes re-grading the entire site in order to create the paseos and the development areas.

Prior to site disturbance, additional geotechnical studies will be completed.

G. Post Development Hydrology

On-site developed flows will be retained in the paseos and retention basins within each development area. Per the drainage requirements for the Town of Marana, any new development is required to provide retention for the 100-year storm event and the 10-year storm event. In addition, engineered facilities are required to drain the basins within 36 hours.

H. Environmental Resources

Any above-ground storage tanks will be removed from the property and properly disposed. The on-site septic system will be abandoned in accordance with Pima County regulations.

I. Viewsheds

The project site is relatively flat with no significant topographical features. It is surrounded by vacant land to the north and east. Northwest Fire District Station #341 was recently constructed within the Specific Plan on Tangerine Road west of the Clark Farms alignment. The station is one story in height. The deactivated landfill and sand and gravel are the only uses to the south of the project site. Houses in the Gladden Farms I development are surrounded by a perimeter wall, and residents will not be able to see the project area from the ground floor level. From a second floor perspective, residents will see a development of similar densities and characteristics. The open space paseos will offer visual relief and view corridors throughout the development, preserving the distant viewshed.

The areas of the project with the highest visibility from adjacent off-site locations are located on the perimeter of the site, specifically the portion of the site adjacent to the I-10 Frontage Road and Moore Road. A landscaped buffer will be established along the major arterials within the right-of-way, helping to enhance the appearance of the project from neighboring properties.

J. Circulation Concept Plan

The Gladden Farms II Circulation Plan establishes the general layout for arterial and collector roads while accommodating all modes of transportation-auto, bicycle, and pedestrian. The arterial roads adjacent to the property and the collector roads within the development will have multi-use lanes and sidewalks to accommodate bicyclists and pedestrians. In addition, the roads will connect to the open space paseos throughout the property, linking bicyclists and pedestrians to the regional trail system.



The primary access points into the development will be along Moore Road and Clark Farms Boulevard on the northern boundary of the property and Tangerine Farms Road and Clark Farms Boulevard along the southern and eastern boundaries. Tangerine Road is easily accessible from Interstate 10 as there is already an entrance ramp at Tangerine Road. A traffic interchange is planned for Moore Road as well. Both Moore Road and Tangerine Road currently have rights-of-way of 250 feet. The 250-foot right-of-way accommodates a 4-lane divided road with a 90-foot landscape buffer and an 8-foot meandering trail on one side and a 20-foot landscape buffer with sidewalk on the opposite side of the road. In addition, the new proposed Clark Farms Boulevard alignment will be extended from the Rancho Marana development, and it has a four-lane 150-foot right-of-way and run parallel to the frontage road.

The arterial roads will provide access to interior collector streets that will create the spine infrastructure for the development. Mike Etter Boulevard and Midfield Road will have a 90-foot right-of-way that will accommodate 2 travel lanes of traffic, multi-use lanes, and sidewalks. Residential streets branching off of the spine roads provide access to the individual subdivisions. Local street connections will be established between this Specific Plan and Gladden Farms I to create interconnectivity between the two developments.

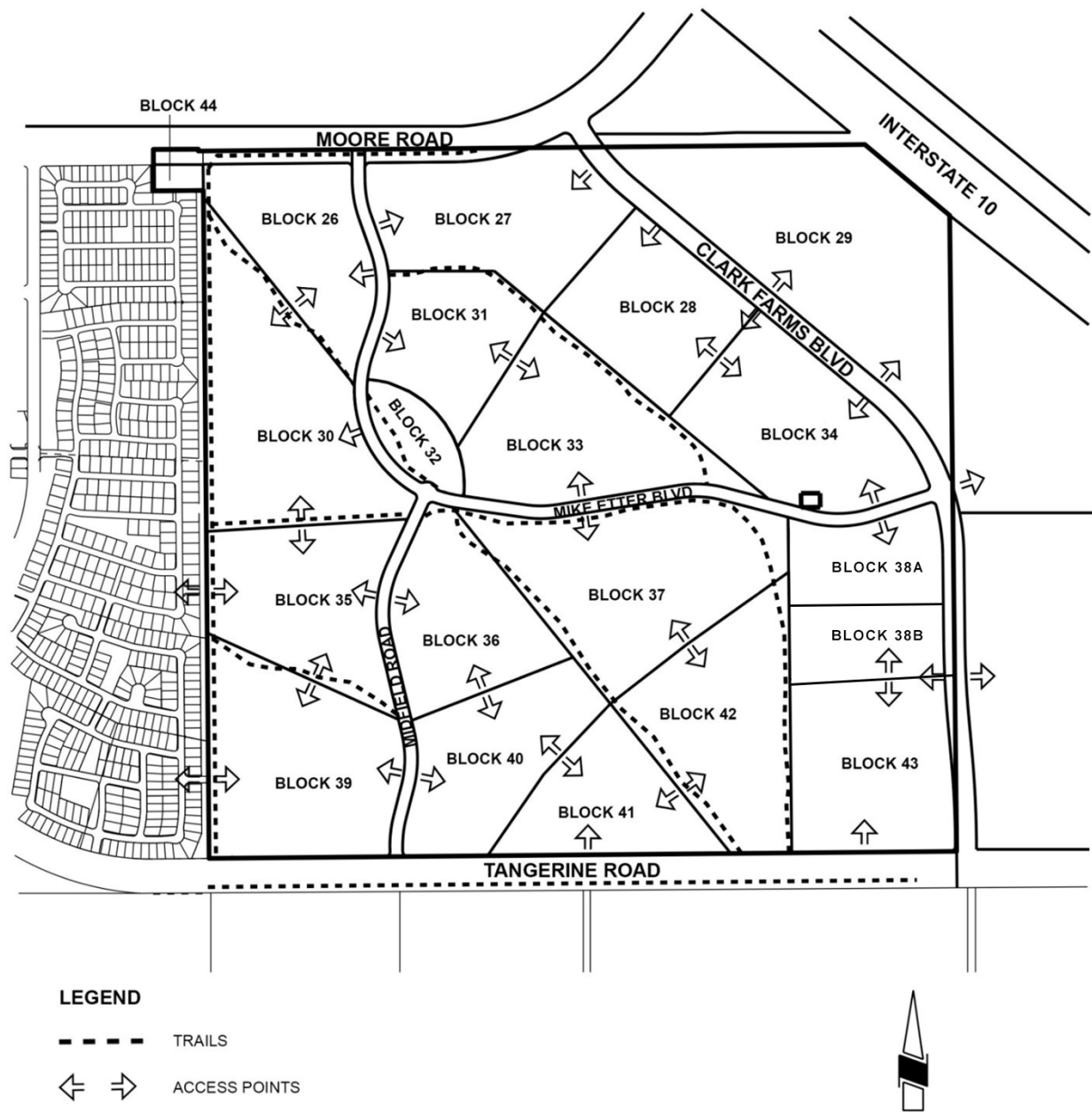
The Gladden Farms II community facilities district has been formed to assist the Master Developer construct the back-bone infrastructure for the project.

Construction of all interior roads will be the responsibility of the Master Developer. Slope and utility easements for internal roadways may extend beyond the minimum right-of-way.

See Exhibit III.F: Circulation Concept Plan.



Exhibit III.F: Circulation Concept Plan



K. Landscape Concept

The landscape concept for the Gladden Farms II Specific Plan is based on the Gladden Farms I concept to the west. Together, the projects will promote a common theme based on the philosophy of compatibility with the historic agricultural/rural setting and the suburban community. Coordinated landscaping will be incorporated into all areas of the Gladden Farms II Specific Plan including streetscapes, residential and commercial parcels, and community open space. Each subdivision will be designed as a unique neighborhood while using common elements to integrate it with the entire community. This is achieved through the use of common agricultural themes and icons interwoven into the project, creating a unified community that retains individual identity for all aspects of the Specific Plan.

Plant materials appropriate for this climate will be used and will contribute toward the creation of a community that is modern but still maintains the rural feel. Landscape plant materials shall be either indigenous vegetation or agricultural vegetation that is resistant to cotton root-rot. All proposed plant materials must be selected from the Gladden Farms II approved plant list.

See Appendix B: Plant Palette.

L. Open Space, Recreation, Parks and Trails Concept

Gladden Farms II will feature a two-acre neighborhood park in Block 32 at the intersection of Midfield Road and Mike Etter Boulevard. This park is centrally located and will be accessible from the open space paseo system that has come to define the Gladden Farms community. The open park space will be wrapped into the land planning and connectivity of the adjacent residential Blocks 31 and 33. This Park will be maintained by the Gladden Farms Community Association and will be for the use of Gladden Farm I and II residents.

An extensive open space paseo system will link all areas of the Specific Plan to the regional trail system and the Gladden Farms I Regional Park in the adjacent Gladden Farms I Regional Park. The open space system will be installed by the Master Developer and maintained by the Gladden Farms Community Association. The paseos will include a minimum 12-foot multi-use trail for pedestrians and bicyclists. The multi-use trail will meander throughout the property, creating a visually appealing trail, to enhance the users' experience. The paseos will be landscaped with drought-tolerant vegetation with some areas of turf to aid in drainage of the property. The turf will be used in limited areas and shall have smooth curving edges-not engineered straight lines.

The park and the open space will count for the required dedication of 185 square feet per single-family residence or on-site recreation area. 140-square feet for townhomes, and 100 square feet for apartments for private on-site recreation areas, per the Town of Marana Park System Master Plan for blocks contiguous with the two-acre neighborhood park (Blocks 31 and 33). Builders within the remaining blocks will be required to meet the dedication requirement (185 square feet per single family residence. 140 square feet for townhomes.



and 100 square feet for apartments) within these blocks through the provision of pocket parks or other active recreation areas.

See Exhibit III.K: Open Space Concept Plan.



Exhibit III.K: Open Space Concept Plan



M. Cultural Resources

According to a report written by SWCA Environmental Consultants, no significant cultural resource sites were found on the property. The Arizona State Museum concurs with these findings per a letter dated April 6, 2005, addressed to Ms. Andrea Calabro at the Town of Marana. No further archaeological work needs to be completed prior to development. If any human remains or funerary items are discovered during construction, the Arizona State Museum will be contacted pursuant to A.R.S. §41-865.

N. Infrastructure and Public Facilities

1. Sewer

The Master Developer had entered into a Sewer Service Agreement with Pima County, that since has been transferred to the Town of Marana Water Department. A Sewer Basin Report was completed in 2006 and was approved by the County.

2. Fire Service

Gladden Farms II has been annexed into the Northwest Fire District.

3. Water

Potable

A water service agreement has been completed between the Town of Marana and the Master Developer as part of the Gladden Farms II Development Agreement. Updates to this agreement are anticipated as part of the forthcoming Amended Development Agreement.

Non-potable

As in Gladden Farms I, a two-line water system will be installed, as necessary, to allow for the use of non-potable water, provided by the Cortaro Marana Irrigation District (CMID), to be used for irrigation of common areas, recreation areas, and public facilities.

4. Schools

The property is within the Marana Unified School District. Gladden Farms Elementary School is one mile west of the project in Gladden Farms I. Estes Elementary School, Marana Middle School and the Marana Plus Alternative Education facility are located approximately one mile northwest of the project site. Marana High School is located approximately 5 miles south of the project site. A new high school is planned approximately one and a half miles northwest of Gladden Farms II. MUSD anticipates that the elementary school within Gladden Farms I will accommodate the students from Gladden Farms II. As such, the Master Developer has agreed to voluntarily contribute \$1,200 per house to MUSD at the time building permits are issued.



It is anticipated that the project will have 1,842 single-family residential units and 603 multi-family units at buildout. Marana Unified School District (MUSD) does not have accurate data for the number of students generated by apartments and townhomes so the multipliers from the Amphitheater School District (ASD) are used because it is in the closest proximity of MUSD. Using the formulas from MUSD and ASD, it is estimated that the project will generate a total of 854 school-aged children, unless any portion of this Specific Plan is developed as an age-restricted community:

Single-Family Residential:

K-6: $.25 \times 1,842 \text{ units} = 461 \text{ school age children}$

7-12: $.15 \times 1,842 \text{ units} = 276 \text{ school age children}$

Multi-Family Residential:

Elementary K-5: $0.103 \times 603 \text{ units} = 62 \text{ school age children}$

Middle School 6-8: $0.043 \times 603 \text{ units} = 26 \text{ school age children}$

High School 9-12: $0.048 \times 603 \text{ units} = 29 \text{ school age children}$

5. Private Utilities

a. *Natural Gas*

Southwest Gas will provide gas service to the residents of Gladden Farms

The El Paso Natural Gas Line that bisects the property will be left as open space. All landscaping within the gas line easement will be completed in accordance to El Paso Natural Gas Co. standards. In general, shrubs and turf are acceptable landscape materials within the easement right-of-way, while trees are not.

b. *Cortaro Marana Irrigation District*

The Master Developer will work with CMID to address placing the existing canals underground. CMID will also provide non-potable water for landscaped common areas.



GLADDEN FARMS II SPECIFIC PLAN



IV. DEVELOPMENT REGULATIONS



A. *Purpose and Intent*

These regulations will serve as the primary mechanism for the implementation of the Gladden Farms II Specific Plan. The Gladden Farms II Specific Plan Development and Design Standards establish the intensity and character of the development by prescribing site-specific standards that are tailored to the unique qualities of the project. The regulations contained within this section provide an appropriate amount of flexibility to anticipate future needs and to achieve compatibility with surrounding land uses.

These development regulations apply to the 636 acres of land in the Gladden Farms II Specific Plan. Land Use designations within the Specific Plan shall be as follows:

- Single-Family Detached 7 (SFD-7)
- Single-Family Detached 6 (SFD-6)
- High Density Residential (HDR)
- Transitional (TR)
- Commercial (C)

B. *General Provisions*

1. Applicability of Town of Marana Land Development Code

If an issue, condition, or situation arises or occurs that is not addressed by this Specific Plan, the applicable portions of the Town of Marana Land Development Code that are in place at the time of development shall apply.

2. Building Code

All construction within the Specific Plan area shall comply with the currently adopted versions of the International Building Code, the plumbing code, the International Mechanical Code, the National Electric Code, the Town of Marana Outdoor Lighting Code, the Uniform Plumbing Code, the International Residential Code, and the fire code as applicable for the specific project at time of permitting.

3. Additional Uses

Whenever a use has not been specifically listed as being a permitted use in the particular zone classification within the Specific Plan, it shall be the duty of the Town Planning Director to determine if said use is: (1) consistent with the intent of the zone, and (2) compatible with other listed permitted uses. Any person aggrieved by the determination may appeal that decision to the Marana Town Council.



C. *Development Standards*

The following standards have been assigned to each land use designation within the Gladden Farms II Specific Plan Area. Each designation has a list of permitted, accessory, conditional, and prohibited uses along with development standards to ensure quality of design.

1. **Single-Family Detached 7 (SFD-7)**

a. *Permitted Uses*

- Single-Family Detached Residential
- Parks and Open Space
- Recreation Facilities
- Public Education Facilities
- Religious Institutions

b. *Accessory Uses*

Residential Accessory Uses: The following accessory buildings and uses may be located on the same lot with a permitted dwelling, provided that any permanent building or structure shall be harmonious with the architectural style of the main building and further provided that all residential uses are compatible with the residential character of the neighborhood:

- Swimming Pools, Spas, and Other Related Structures
- Patios, Tool Sheds, Children Playhouses, etc.
- Home Occupations
- Guest Homes

c. *Conditional Uses*

- Child Care Facilities
- Private Education Facilities
- Group Homes

d. *Development Standards*

- Minimum Lot Area: 7,000 square feet
- Minimum Lot Width: None
 - o Corner lots to be platted 5 feet wider than typical lot width or a minimum 5-foot common space shall be placed on all corners.
- Minimum Lot Depth: None
- Minimum Setbacks
 - o Front: 10 feet
 - May be reduced to 5 feet with side-loaded garage*
 - Front porch: 5 feet*
 - Side-loaded garage: 5 feet*



- *May not encroach into the required public utility easement.
- Front-loaded garage: 20 feet
- o Side: 0 feet
 - Must provide a 3-foot access easement on adjacent property for z-lot lines
 - Street: 10 feet
 - Accessory structures: 5 feet
- o Rear: 15 feet
 - May be reduced to 5 feet if front-loaded garage is recessed 10 feet or more from the front living area
 - May be reduced to 5 feet with rear-loaded garage
 - Patio structures: 5 feet if open on 3 sides
 - Accessory structures: 5 feet
- Maximum Building Height: 30 feet
- Building Separation
 - o Between primary and accessory: 6 feet
- Maximum Lot Coverage (building and structures): 55%
- Minimum Common Open Space per Dwelling Unit : 185 square feet



2. Single-Family Detached 6 (SFD-6)

a. *Permitted Uses*

- Single-Family Detached Residential
- Parks and Open Space
- Recreation Facilities
- Public Education Facilities
- Religious Institutions

b. *Accessory Uses*

Residential Accessory Uses: The following accessory buildings and uses may be located on the same lot with a permitted dwelling, provided that any permanent building or structure shall be harmonious with the architectural style of the main building and further provided that all residential uses are compatible with the residential character of the neighborhood:

- Swimming Pools, Spas, and Other Related Structures
- Patios, Tool Sheds, Children Playhouses, etc.
- Home Occupations
- Guest Homes

c. *Conditional Uses*

- Child Care Facilities
- Private Education Facilities
- Group Homes

d. *Development Standards*

- Minimum Lot Area: 6,000 square feet
- Minimum Lot Width: None
 - o Corner lots to be platted 5 feet wider than typical lot width or a minimum 5-foot common space shall be placed on all corners.
- Minimum Lot Depth: None
- Minimum Setbacks
 - o Front: 10 feet
 - May be reduced to 5 feet with side-loaded garage*
 - Front porch: 5 feet*
 - Side-loaded garage: 5 feet*
 - *May not encroach into the required public utility easement.
 - Front-loaded garage: 20 feet
 - o Side: 0 feet
 - Must provide a 3-foot access easement on adjacent property for z-lot lines
 - Street: 10 feet
 - Accessory structures: 5 feet



- o Rear: 15 feet
 - May be reduced to 5 feet if front-loaded garage is recessed 10 feet or more from the front living area
 - May be reduced to 5 feet with rear-loaded garage
 - Patio structures: 5 feet if open on 3 sides
 - Accessory structures: 5 feet
- Maximum Building Height: 30 feet
- Building Separation
 - o Between primary and accessory: 6 feet
- Maximum Lot Coverage (buildings and structures 55%
- Minimum Common Open Space per Dwelling Unit: 185 square feet



3. High Density Residential (HDR)

a. *Permitted Uses*

- Multi-Family Residential
- Small-Lot Single-Family Detached
- Single-Family Residential Attached
- Parks and Open Space
- Community Recreation Facilities
- Religious Institutions

b. *Accessory Uses*

- Carports and Garages
- Swimming Pools, Spas, and Other Related Structures
- Tennis courts

c. *Conditional Uses*

- Childcare facilities
- Group homes
- Educational facilities

d. *Development Standards—Multi-Family Residential*

- Minimum Site Area: 1 acre
- Maximum Density: 20 RAC
- Minimum Site Setbacks
 - o Front: 20 feet
 - o Side: 20 feet
 - o Rear: 20 feet
- Maximum Building Height: 40 feet
- Building Separation: Per Building Code
- Minimum Private Open Space per Dwelling Unit (patio, balcony, or a combination thereof): 100 square feet
- Minimum Common Open Space per Dwelling Unit: 100 square feet

e. *Development Standards—Small-Lot Single-Family Detached*

- Minimum Lot Size: 3,500 square feet
 - o The number of 3,500 square foot lots shall be limited to no more than 33% of the total lot count
- Minimum Lot Width: None
 - o Corner lots to be platted 5 feet wider than typical lot width or a minimum 5-foot common space shall be placed on all corners.
- Minimum Lot Depth: None
- Minimum Setbacks
 - o Front: 10 feet
 - May be reduced to 5 feet with rear- or side-loaded garage*



- Front porch: 5 feet*
 - Front-loaded garage: 20 feet
 - Side-loaded garage: 5 feet*
 - *May not encroach into the public utility easement, if required.
 - o Side: 0 feet
 - Must provide a 3-foot access easement on adjacent lot for z-lot lines
 - Accessory structures: 5 feet
 - o Rear: 10 feet
 - Patio structures: 5 feet if open on 3 sides
 - May be reduced to 5 feet with rear-loaded garage
 - Maximum Building Height: 30 feet
 - Building Separation: 6 feet
 - Maximum Lot Coverage: 55%
 - Minimum Common Open Space per Dwelling Unit: 185 square feet
- f. *Development Standards—Single-Family Residential Attached*
- Minimum Area per Dwelling Unit: 3,500 square feet
 - Minimum Lot Width: None
 - Minimum Lot Depth: None
 - Minimum Perimeter Setback: 20 feet
 - Minimum Lot Setbacks:
 - o Front: 10 feet
 - May be reduced to 5 feet with rear or side-loaded garages*
 - Front porch: 5 feet*
 - Front-loaded garage: 20 feet
 - Side-loaded garage: 5 feet*
 - *May not encroach into the public utility easement, if required
 - o Street:
 - 8 feet
 - o Side: 0 feet
 - Accessory structures: 5 feet
 - o Rear: 10 feet
 - Can be reduced to 5 feet with rear-loaded garage
 - Patio structures: 5 feet if open on 3 sides
 - Accessory structures: 5 feet
 - Maximum Building Height: 30 feet
 - Building Separation: 0 feet
 - Maximum Lot Coverage: 55%
 - Minimum Private Open Space per Dwelling Unit (patio, balcony, or combination thereof): 100 square feet
 - Minimum Common Open Space per Dwelling Unit: 140 square feet



4. Transitional Zone (TR)

a. *Permitted Uses*

- Any Use Listed in High Density Residential*
- Professional/ General Office
- Dental and Medical Office or Clinic
- Personal Services
- Government/Public Service Facilities
- Retail and Wholesale Uses**
- Restaurant and Food Service**
- Model Home Sales Center

*Single-Family Residential Attached and Multi-Family not allowed in Block 44

**Not allowed in Block 44

b. *Accessory Uses*

- Carports and Garages
- Swimming Pools, Spas, and Other Related Structures
- Tennis courts

c. *Conditional Uses*

- Child care facilities
- Group homes
- Educational facilities
- Restaurant and Food Service with drive-thru service

d. *Development Standards—Residential*

- See High Density Residential

e. *Development Standards—Non-Residential*

- Minimum Site Area: None
- Maximum Lot Coverage: 35%
- Minimum Setbacks
 - o Front (Street): 25 feet
 - o Side: 20 feet
 - o Rear: 20 feet
 - o Adjacent to residential land use designation: 1 foot for every foot in building height, half of the setback shall be landscaped; minimum 25-foot setback with a minimum 15-foot landscape buffer
- Maximum Building Height: 50 feet***

***May not exceed 30 feet in Block 44.



5. Commercial (C)

a. *Permitted Uses*

- Banks and Financial Institutions
- Professional/ General Office
- Dental and Medical Office or Clinic
- Restaurant (including carry-out and drive-thru)
- Retail and Wholesale Uses
- Recreational Uses
- Personal Services
- Government/Public Service Facilities
- Religious Uses
- Daycare
- Supermarkets
- Private Schools
- Laundromats
- Home Improvement Centers
- Pet and Pet Supply Stores
- Theaters, not including drive-ins
- Medical/Healthcare/Extended Care Facilities,* *including*:
 - o Acute Care Hospital with helicopter landing*
 - o Surgical Center*
 - o Endoscopy Center*
 - o Specialty Hospital*
 - o Emergency Care Center*
 - o Urgent Care Center*
 - o Physical Therapy*
 - o Rehabilitation Center*
 - o Extended Care Facility*
 - o Home Health Service*
 - o Birthing Center*
 - o Health Maintenance Organization or Similar Direct Care Provider*
 - o Outpatient Imaging or Testing Center*
 - o Permanent emergency diesel fuel storage (in conjunction with hospital)*
 - o Parking Structures*
 - o Other hospital related uses subject to approval by the Planning Director*
- Automobile Sales*
- Personal Storage*
- Lodging Facilities*

*These uses only allowed in Block 29

b. *Conditional Uses*

- Automobile Service Stations



- Car Washes
- Convenience Stores
- Multi-Family Residential

c. *Development Standards*

- Minimum Site Area: None
- Maximum Lot Coverage: 35%
- Minimum Site Setbacks
 - o Front (Street): 25 feet
 - o Side: 20 feet
 - o Rear: 20 feet
 - o Adjacent to residential: 40 feet
- Maximum Building Height: 50 feet
- Maximum Hospital Building Height: 80 feet
- Building Separation: Per Building Code

6. Park

a. *Permitted Uses*

- Dog Park
- Play Equipment
- Ramadas and Picnic Tables
- Recreation Centers
- Trails
- Water Splash Park
- Pool



D. Design Standards

The Gladden Farms II Specific Plan will adhere to the Residential Design Guidelines (Ordinance 2005-18) adopted by the Marana Town Council. This Specific Plan will also adhere to its own design standards. Together, these design standards will provide a reference for the planning and designing of residential, commercial, recreational, and all other development within this Specific Plan. The design standards have been separated into two categories: Town Enforced and Design Review Committee Enforced. Standards for all other categories within this Specific Plan will be reviewed by the Gladden Farms Design Review Committee (DRC) and enforced by the Town of Marana, as applicable.

The architectural character of Gladden Farms II will reflect the rural and agricultural heritage of the Town of Marana. There will be a mix of architectural styles, including Spanish Colonial, Mission, Spanish Eclectic, Pueblo, and Territorial.

All proposed structures in Gladden Farms II shall be consistent with the standards contained herein and shall require architectural approval from the DRC. In addition, a more extensive design standards manual will be created for this project to ensure a high-quality development. This document will be submitted to the Town before the development of the property. It will be utilized by the DRC and Master Developer to guide the development of the community.

The intent of these standards is to guide the development of a specified architectural context and to help in the selection of materials and colors. The standards are to be used to achieve project continuity and a standard of quality while establishing a greater visual identity.

1. Town Enforced Residential Design Standards

a. General

The following standards shall apply to the entire Gladden Farms II Specific Plan.

- All styles shall reflect the rural and agrarian heritage of Northwest Marana. These include Spanish Colonial, Mission, Spanish Eclectic, Pueblo, and Territorial.
- Residential and educational facilities must be provided with insulation or otherwise designed to reduce the interior noise level to Ldn 45 or less.
- Roofs shall be made of tile, slate or concrete shingles, metal, or other material indigenous to the style of architecture.
- Single-family detached land use designations and higher density residential land use designations shall be separated by a collector street, open space (including the open space paseo system), or a 40-foot landscaped buffer.



b. *Layout*

- Every neighborhood within the Specific Plan shall be accessible from an open space paseo that is integrated into the neighborhood design.
- All utilities shall be placed underground with the exception of high voltage electric.
- Primary entrances to apartment buildings shall be located so they are easily identifiable from interior driveways and parking areas.
- Buildings shall be sited to maximize views through the site to parks, plazas, open spaces, mountains, etc.
- Front setbacks shall vary up to 5 feet on attached units to create variation in building form.
- Lots within the HDR designation shall be a mixture of sizes.

c. *Design—Single-Family Detached*

- Exterior design theme and detailing shall be extended a minimum of 8 feet on the sides of houses.
- Two-story houses must have at least two distinct masses visible from the street.
- The minimum street frontage shall be 30 feet for all single-family detached residential lots.

d. *Design—Single-Family Attached and Multi-Family*

- Façades of long buildings shall be architecturally subdivided into shorter segments. This can be accomplished through vertical architectural features, varying the setback of portions of the building along the main façade, and change in color or material in appropriate places. These features should be placed a minimum of every 25 feet to a maximum of every 50 feet.
- There shall be no more than 6 attached townhomes in one grouping.
- Outdoor spaces such as balconies, patios, or porches are required for multi-family and single-family attached units.
- Architectural detailing shall be provided on all side and rear windows.
- Visitor parking shall be provided at a ratio of one space per dwelling unit, unless the Planning Director determines otherwise.

e. *Garages*

- Garages shall be a minimum of 400 square feet with an interior dimension of 20 feet by 20 feet. This applies to the standard two car garage. It does not apply to additional garage space.
- For attached units, 1-car garages are acceptable with the approval of the Planning Director at the time of preliminary plat submittal.
- Tandem garages are acceptable for the attached units.



2. Design Review Committee Enforced Residential Design Standards

a. *General*

- All Town Enforced standards will also be reviewed by the DRC for compliance.
- A particular style should not dominate the entire project area, but rather, a cultivated theme should result in integrating building designs and project areas, each with their own character.
- The architectural character of each planning area should be visually perceived from the street.
- All structures and community features shall be coordinated in architectural materials, details, and quality.
- Ducts, pipes, gutters, downspouts, and similar equipment are to be painted to match the surface of the building or may be painted a complementary accent color.
- To the extent possible, buildings shall be designed and oriented to take advantage of solar access.

b. *Layout*

- Variations in architectural style, building setbacks and street layout shall be incorporated into each neighborhood design.
- There shall be a diversity of lot sizes and dimensions.

c. *Design—Single-Family Detached*

- Chimneys shall be rock, stone, brick or of a finish material (such as stucco) identical to the accompanying structure and shall include a chimney cap.
- All parking structures/decks, either free-standing or attached, shall incorporate the same design elements as the accompanying structure or dwelling.
- Consistent architectural detail and features shall be provided on side and rear elevations.
- Windows shall be varied and relate to the selected architectural style.
- The use of front porches is encouraged.

d. *Design—Single-Family Attached and Multi-Family*

- Multi-family and single-family attached buildings shall use compatible architectural characteristics as adjacent development to blend in and avoid a monotonous exterior.
- The scale of multi-family buildings should be compatible with surrounding residential neighborhoods. A large box-like apartment complex shall be avoided.
- A variety of heights, colors, setbacks, and stepbacks are encouraged.
- Four-sided architecture shall be required.



- e. *Garages*
 - Reduce the prominence of the garage by locating it off the public street for attached units.
 - Garage doors must be painted a complementary accent color to the main building.
- f. *Roof*
 - Roof design shall be visually integrated into the overall building architecture.
 - Flat roofs shall include proportionately sized parapet features.
 - Attached housing units shall maintain separate identifiable roof forms.

3. Town Enforced Commercial Design Standards

- a. *Layout*
 - Entrances shall be located along arterial and collector roads.
 - All loading and service areas shall be placed on the side or rear of the building and shall have an appropriately sized screen wall. They shall not be visible from the front or adjacent properties.
 - Trash areas shall be centrally located and properly screened with walls and solid doors similar in design to the project architecture.
 - Single-family detached units and commercial shall be separated by a collector street, open space (including the open space paseo system), or a 40-foot landscaped buffer.
- b. *Design*
 - Define building entrances through the use of building recesses, projections, colonnades, space frames or other appropriate architectural features.
 - Ducts, pipes, gutters, downspouts, and similar equipment are to be painted to match the surface of the building or may be painted a complementary accent color.
 - Primary building entries shall be positioned so they are immediately identifiable from the interior driveways and parking areas.
- c. *Roofs*
 - Roofs shall be made of tile, slate or concrete shingles, wood shingles, or metal.
 - All roof screens shall be continuous.
- d. *Exterior Finish Materials*
 - Permitted exterior finish materials include masonry (concrete, glass, or brick), wood, textured or exposed aggregate, stone or stone veneer.



- The use of pre-fab, all-metal steel is prohibited. Finished metal details within architecturally designed structures may be used.
- e. *Storage*
 - Materials, supplies, and equipment shall be stored inside a building or behind a screen wall such that they are not visible from streets and adjacent properties.
- f. *Off-Street Loading and Service Areas*
 - Conceal all service areas and storage areas within the building, or screen those exterior areas with solid masonry or stucco stud walls.
- g. *Mechanical Equipment*
 - Exterior components of plumbing, processing, heating, cooling, and ventilation systems shall not be visible to an individual standing on the ground or ground-floor elevation from an adjacent property.
 - Screen roof- and ground-mounted equipment from all sides. Mechanical equipment must be covered by continuous grills or louvers.
 - Exterior junction receptacles for electrical or irrigation purposes shall be landscaped to screen from view in accordance with Tucson Electric Power standards.
 - Exterior receptacles shall be painted to match the main building or a complementary color to the main building.
- h. *Refuse Containers*
 - Trash areas shall be retained in central locations. These locations shall be completely enclosed by a screen wall with solid doors constructed of materials and colors that are architecturally compatible to the main structure(s).

4. Design Review Committee Enforced Commercial Design Standards

All Town Enforced standards will also be reviewed by the DRC for compliance.

- a. *Layout*
 - Create plazas, courtyard spaces, and pedestrian walkways through coordinated placement and orientation of buildings.
 - Buildings should be sited to maximize views through the site to parks, plazas, open spaces, mountains, etc.
 - Commercial areas shall be pedestrian friendly and include pedestrian spaces with amenities such as furniture. The furniture should be located in a convenient space that does not obstruct entrances, exits, or paths.
 - Buildings will be designed to minimize the visual impact of parking lots.



b. *Design*

- Commercial buildings shall be encouraged to use a variety of surfaces, textures, shapes, multi-planed roofs, and wall articulation.
- Design building mass and fenestration in proper proportion and scale with the site, adjacent streets, and developments.
- Architectural styles shall follow the agricultural theme of the Specific Plan and must be approved by the DRC.
- Long, unarticulated building facades should be avoided through the use of window panels, reveals, recesses, projections and other decorative elements such as molding and arches.
- Building entries may be illuminated with soffit, bollard, step or other comparable lighting.

c. *Exterior Finish Materials*

- Windows should be of lightly reflective glass, tinted bronze, blue, or green glass or transparent glass.
- Reflective glass may be used to limit transfer of heat while maximizing available sunlight for interior illumination.
- Building materials and landscaping shall be consistent with adjacent, non-residential buildings to create an overall sense of unity in design.

5. Streets

The streets within Gladden Farms II are designed to create a safe and effective circulation system. The arterial and collector roads will have multi-use lanes and sidewalks to promote alternative modes of transportation and connectivity to the multi-use trail system. Appropriate traffic-calming techniques, designed per the Town's standards and approved by the Town, may be included in the design. All streets will conform to Town of Marana Street Standards, including curbing and pedestrian/bicycle accommodation.

a. *Arterial Roads*

Tangerine Road and Moore Road are arterial roads with 250-foot future rights-of-way. Both will be 4-lane divided roads with multi-use lanes and landscaped buffers on both sides. There will a 100-foot buffer with an 8-foot-wide meandering multi-use trail, and the opposite side will feature a 20-foot landscape buffer with a sidewalk. Gladden Farms I has already built the 100-foot buffer along the south side of Moore Road adjacent to their property. Gladden Farms II will continue this with the same quality design and integrity.

Clark Farms will be constructed by the Master Developer from Moore Road to the point where it reaches the eastern property boundary. From



this point south, the cost of building the road will be shared between Gladden II and the developer of the adjacent property to the east in accordance with the conditions the Town has imposed on the adjacent property. It will have a 150-foot right-of-way to accommodate 4 lanes of traffic.

b. *Collector Roads*

Mike Etter Boulevard and Midfield Road will have 90-foot rights-of-way that accommodate 2 travel lanes of traffic, multi-use lanes, and sidewalks on both sides.

c. *Local Roads*

Local roads will be constructed in accordance with Town requirements.

6. Open Space

Open space within a community contributes to quality of life by offering recreational opportunities and providing a buffer between varying land use intensities. Gladden Farms II will create a vital open space amenity through the use of paseos designed to connect all areas of the community. Access to the paseos from backyard gates is prohibited. Rather, access will be provided from public areas and streets. The paseo system will be under the control of the homeowners' association.

a. *Multi-Use Trail*

A multi-use trail will be provided throughout the paseo system. It will provide critical linkage opportunities for pedestrian and bicycle users for the entire project area. Multi-use trails shall be a minimum of 12-feet wide with 2-foot shoulders and constructed of asphalt or concrete. The trails shall be landscaped according to the landscape standards outlined in this plan.

b. *Common Areas*

Common areas will be located throughout the entire site in the form of multi-use paseos and neighborhood pocket parks to be used by all residents within Gladden Farms I and II communities. All common areas will be under control of the homeowners association.

c. *Drainage*

Within each paseo, a partially grass-lined drainage facility will likely be developed. The grass edge is to be smooth and sweeping but not following the actual edge of the drainage improvement. The improvements shall have smooth, curving edges-not engineered straight lines. The slope of the sides of the channel shall vary and, in most cases, shall not be



steeper than 3:1. If the drainage channels utilize rip-rap, adequate space for trees to grow shall be provided within the channels.

d. *Irrigation*

Non-potable water will be provided by CMID and will be available for landscaped open areas, including the buffer and streetscape areas along arterial and collector roads. Until non-potable water supply is available, potable water may be used.

e. *Outdoor Furniture*

Street furniture may include trash receptacles, benches, bus shelters, planters, bicycle racks, bollards, and information displays

7. **Landscaping**

a. *General*

- All trees will be required to meet the Arizona Nurseryman's Association standards as to caliper.
- The Builder shall be responsible for tree installation and the prompt replacement of diseased or dead specimens for a period of one year from the date of occupancy permit issuance.
- Streetscapes shall be maintained year-round by the homeowners association. Deceased plants shall be replaced promptly with materials comparable in size to existing plants.
- Installation of street trees, including automatic irrigation, should be completed prior to the issuance of occupancy permit for the residence. The Master Developer may require the installation of trees in vacant lots for the purpose of logical, orderly development.
- Tree selection shall conform to the approved tree list in Appendix B: Plant Palette.

b. *Residential*

- The trees are to be 15-gallon minimum as well as 24-inch box size.
- On corner lots, multiple trees within the 5-foot easement or the 5-foot common area, depending on the plat, are required.
- In addition to the street trees, each front yard is required to have an additional tree and six shrubs informally planted or ground cover.
- Minimum shrub size shall be one gallon.

c. *Commercial*

- In commercial areas there shall be one tree per every four parking stalls.
- A minimum of 30% of the trees are to be 24-inch box size; the balance shall be a minimum of 15 gallon size.
- No trees or shrubs shall be planted within 10 feet of any commercial



entry driveway.

- Service areas shall have a 6-foot minimum dense landscape screen and a 5-foot minimum buffer wall.
- Prior to the preparation of a final landscape plan, a landscape architect must review impacts on underground utilities.
- Adjoining parcels for future phase development will have the required streetscape fully implemented when the first phase of development occurs.
- Off-street parking areas shall include a minimum 3-foot screen wall adjacent to parking stalls to screen the parked cars from the public right-of-way.

d. *Street*

- Street trees should establish a distinctive street scene along arterials and collectors.
- Street trees are required on all internal residential streets.
- Street trees shall be a minimum of 24-inch box or 20-gallon size.
- Trees to be located at 40 feet on the center, plus or minus.
- Trees shall be planted in accordance with the approved residential design standards.
- Trees must be provided at a minimum of one tree per lot; however, spacing may vary within individual neighborhoods.

e. *Open Space*

- The paseos and buffers should be planted with drought-resistant plants. Green drought-tolerant plant material is preferred and cactus should be minimized.
- Trees are to be a minimum of 15-gallon size with 25% being 24-inch box or 20-gallon size.
- Shrubs are to be a minimum of 5-gallon size.
- Groundcover is to be a minimum of 1-gallon size.
- Orchard areas shall contain a minimum of 20 trees.
- The paseo planting design shall be compatible with streetscape and adjacent development improvements.
- Turf areas are allowed in the paseos.

f. *Irrigation*

Irrigation for all landscaping, including streetscapes, buffers, and open space will utilize a non-potable water system provided by CMID. Until the supply is in place, potable water may be used.

8. Monumentation

a. *Project Entry*

Project entry monuments for Gladden Farms II will be constructed by the Master Developer. There will be two types of entry monuments, Major



and Minor. The Major monuments will announce the primary entrance to the development along Tangerine Road at Clark Farms Boulevard. The Minor monuments will announce the secondary entries at Tangerine Road and Midfield Road, Moore Road at Mike Etter Boulevard and at the point where Clark Farms Blvd. enters the Specific Plan on the north boundary of the project.

For traffic visibility purposes, no structure between 30 and 72 inches in height relative to the adjacent roadways shall be placed within an intersection's sight visibility triangles

b. *Residential Parcels*

Each entry into a subdivision will be unique in character but will have common elements that tie into the overall Gladden Farms II community theme. Each subdivision shall have a minimum of one primary entry feature and may have more than one secondary or tertiary entry features. Entry features shall comply with the Town of Marana sight visibility triangle requirements. The residential entry monuments shall be approved by the DRC and built by the Builder.

c. *Commercial Parcels*

Commercial developments may have their own entry monumentation, but must have common elements that tie into the overall community theme. Village perimeter walls that are developed along arterial or collector edge shall be compatible with entry monumentation by incorporating similar materials.

9. Signs

Signs are an essential element within a planned community because they provide a sense of identity and visual orientation. They provide visual communication for residents and visitors while reflecting an image of connectivity throughout the community. Signs should be designed with the character of development and should be at a consistent scale and style throughout the community. These sign guidelines and regulations shall apply to all developments within this Specific Plan area. It is intended that the uniform application of these provisions provide the basis for an integrated visual character and continuity through all project phases. These sign standards are in addition to those issued by the Town of Marana.

a. *General Regulations*

The following sign regulations are intended to provide equitable standards for the protection of property values, visual aesthetics and the public health, safety, and general welfare for the residents of Gladden Farms II.



These regulations apply to all signs:

- All light sources, either internal or external, provided to illuminate signs shall be placed or directed away from public streets, highways, sidewalks or adjacent premises to not cause glare or reflection that may constitute a traffic hazard or nuisance.
- Any sign located on vacant or unoccupied property that was erected for a business which no longer exists or any sign which pertains to a time, event or purpose which no longer exists shall be removed within 45 days after the use has been abandoned.
- All signs shall be designed free of bracing, angle-iron, guy wires, cables or similar devices.
- The exposed backs of all signs visible to the public shall be suitably covered, finished, and properly maintained.
- All signs shall be maintained in good repair including display surfaces, which shall be kept neatly painted or posted.
- Any sign which does not conform to the provisions contained herein shall be made to conform or shall be removed.
- The height of all signs shall be measured vertically from the highest point of the sign to the average finished grade beneath the sign, exclusive of any part of the sign not included in the area calculations.
- All sign lighting shall adhere to the Town of Marana Outdoor Lighting Code.
- All traffic-related signs (including street name signs) shall conform to the latest edition of the Manual on Uniform Traffic Control Devices.

b. *Prohibited Signs*

The following signs shall be prohibited in all zones within the project area:

- Inflatable signs.
- Rooftop signs.
- Signs on trailers or painted on the sides of disabled or parked vehicles.
- Rotating, revolving, or flashing signs.
- Signs advertising or displaying any unlawful act, business or purpose.
- Any sign, notice or advertisement affixed to any street right-of-way, public sidewalk, crosswalk, curb, lamp post, hydrant, tree, telephone pole, lighting system, or upon any fixture of the fire or police alarm system of the Town of Marana.
- Any strings or pennants, banners or streamers, clusters of flags, strings of twirlers or propellers, flares, sky dancers, balloons and similar attention-getting devices, including noise-emitting devices, with the exception of the following:
 - o Pennants, banners, balloons, or flags used for special events such as grand openings or in conjunction with subdivision sales offices, tract entry points, and other similar events.



- o National, state, local governmental, institutional or corporate flags properly displayed.
- o Holiday decoration, in season, used for an aggregate period of 90 days in any one calendar year.

c. *Design Standards*

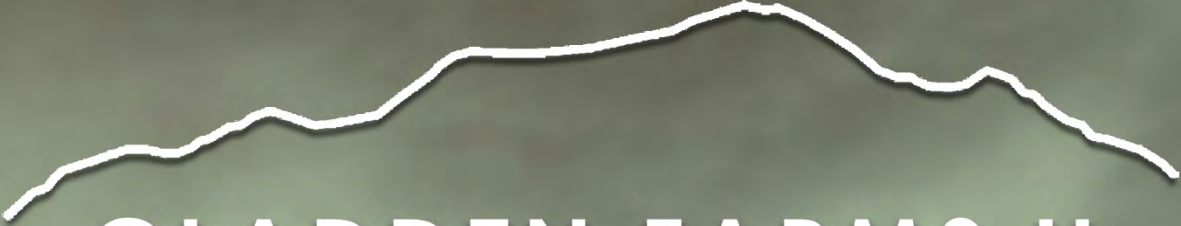
Sign standards that establish maximum number and location will be included in the design standards manual created for this project to be submitted to the Town at a later date. These standards will provide a basis for the developer and the jurisdiction to design, pattern, and regulate a consistent sign program.

10. Walls and Fencing

The following standards apply to all walls and fencing throughout the project. More extensive standards will be submitted prior to the development process.

- All screen walls shall use graffiti resistant paint or materials.
- Two-rail white vinyl fencing may be used in conjunction with certain landscape treatments including orchard areas and other formal tree plantings. Other fence types must be approved by the DRC.
- Fences of sheet or corrugated iron, steel, aluminum, asbestos, or any type of chain-link fencing are specifically prohibited.
- Walls constructed at major community entry points and along community streets shall be consistent with the project's theme area in materials and design.
- Alternative walls and fences within the project area shall be consistent with the architectural theme of the planned area, reflecting materials and design of the architectural theme and must be approved by the DRC.
- The Master Developer shall determine where walls and fencing may be placed in Gladden Farms II, with the idea to eliminate walls and fencing as appropriate.
- Walls and fences throughout the project area must be consistent with the architectural theme of the project.





GLADDEN FARMS II SPECIFIC PLAN



V. IMPLEMENTATION & ADMINISTRATION



A. Purpose

This section of the Specific Plan outlines the implementation of development on the project site. It identifies the responsible party to ensure the project is built in coordination with infrastructure improvements, providing a continuity of design. This section also provides guidance regarding general administration of and amendment procedures to the Specific Plan.

B. Proposed Changes to Zoning Ordinance

The Development Regulations section of the Specific Plan addresses only those areas that differ from the Town of Marana Land Development Code. If an issue, condition, or situation arises that is not covered or provided for in this Specific Plan, those regulations in the Town of Marana Land Development Code that are applicable for the most similar issue, condition or situation shall be used by the Planning Director as the guidelines to resolve the unclear issue, condition or situation.

C. General Implementation Responsibilities

The implementation of the Gladden Farms II Specific Plan is the responsibility of the Master Developer, the Builder, the Gladden Farms Community Association (which will have separate committees to review the design features) and the Town of Marana. The Gladden Farms II development will be integrated with the Gladden Farms Community Association to the west. The purpose of having one large community association is to ensure that residents of both developments will have rights to all the amenity areas in both projects and provide consistency in fee structure.

The Master Developer, referenced herein as FC/M Gladden II, LLC, is the entity responsible for providing the basic infrastructure needs including roads, sewer, and water in a timely and efficient manner. The Master Developer forms the community association and the design review committees and is responsible for recording the Master CC&R's.

The Builder is the purchaser of a development area(s), or portions of a development area, and is responsible for building within their area(s) of ownership.

The Gladden Farms Community Association (Association) has been set up by the Master Developer. During this time, the Master Developer, or its designee, has the power to appoint and remove board members until such time that the Master Developer relinquishes control or all planning areas have been conveyed to non-builder owners. The Association shall administer the property, prepare the budget, assign and collect fees, and review architectural design.

The Town of Marana Development Services will be responsible for ensuring all policies and standards laid out in this Specific Plan are adhered to during its review of all development in Gladden Farms II.



The Town of Marana Mayor and Council approved the formation of a Community Facilities District within Gladden Farms I in 2004. The purpose of this district is to assist with the construction and implementation of major infrastructure. The intent of the Master Developer is to enter into a similar agreement with the Town of Marana to form a Community Facilities District within Gladden Farms II.

D. Development Review Procedure

All development plans and subdivision plats within Gladden Farms II shall be subject to and implemented through the review and approval process adopted by the Town of Marana. In addition, all development is subject to the building permit process as outlined by the Town of Marana.

Prior to submitting preliminary and final subdivision plats and/or development plans to the Town, applicants must submit all plans to the Master Developer for approval. The Master Developer and the Association reserve the right to review any design or architectural aspect of the development that affects the exterior appearance of any structure or area of land. This includes the review of signage, landscaping, entry features, street standards, and architecture for conformance to the Development Regulations and Design Guidelines outlined in this Specific Plan.

E. Design Review Process

The Gladden Farms Community Association has created the New Construction Review Committee and the Modification Committee to review development within the two project areas. The New Construction Review Committee shall review submittals from builders for all original construction prior to submitting plans for Town Review. The Modification Committee shall review submittals from subsequent property owners making changes to existing construction or changes/additions to exterior landscape and/or hardscape. All development is subject to review by the Association and the appropriate committee. The applicable plans and documents, as deemed necessary by the Association shall be submitted along with a Design Review Application (Appendix D) and the required design fees as follows:

New construction - \$500 per floor plan

Modification to existing improvements – No fee with the following exception: The Association reserves the right to require plan review by an outside consultant, in which case the applicant will be responsible for fees charged by the outside consultant.

Design Review Applications may be submitted to:

Gladden Farms Community Association
Attn: Kristina Allen, Community Manager
c/o CCMC
3005 West Ina Road
Tucson, Arizona, 85642

F. Phasing

The development will likely consist of four phases, beginning in the northwest corner. The initial site work will begin in 2017. Infrastructure such as roads, sewer, water and grading will be constructed and extended in accordance to the build out of the project. Construction of the houses is estimated to begin the following year. The spine infrastructure needed to serve the blocks will be in place by the time the certificates of occupancy are issued for said blocks.

Phase I may include Blocks 35, 39, 40 and 36. Phase II may include Blocks 26, 30 and 41. Blocks 27, 31, 33, 37, and 42 may be included in Phase III. The final phase, Phase IV, may include Blocks 28, 29, 34, 38, 43 and 44.

The purpose of the phasing plan is to relate infrastructure requirements to proposed development. Although the sequence is implied, development of phases may occur in a different order or concurrently, at the discretion of the Master Developer, as long as the related infrastructure is adequately in place. Change in the phasing order can occur due to unforeseen factors affecting development. Flexibility is needed within the Specific Plan to address these changing needs while still maintaining a timely development.

G. Specific Plan Administration

1. Enforcement

The Gladden Farms II Specific Plan shall be administered and enforced by the Town of Marana Development Services Department in accordance with the provisions of the Specific Plan and the applicable provisions of the Town of Marana Land Development Code.

2. Administrative Change

Certain changes to the explicit provisions in the Specific Plan may be made administratively by the Town of Marana Planning Director, provided said changes are not in conflict with the overall intent as expressed in the Gladden Farms II Specific Plan. Any changes must conform to the goals and objectives of the Plan.

The Planning Director's decision regarding administrative changes and determination of substantial change as outlined below shall be subject to appeal by the Town Council. Categories of administrative change include, but are not limited to:

- The addition of new information to the Specific Plan maps or text that does not change the effect of any regulations or guidelines, as interpreted by the Planning Director;
- Changes to the community infrastructure planning and alignment such as roads, drainage, water, and sewer systems that do not increase the development capacity in the Specific Plan area;
- Changes to development plan boundaries due to platting. Minor adjustments to development plan areas, drainage areas and other technical refinements to the Specific Plan due to adjustments in final road alignments will not require an amendment to the Specific Plan but will require staff approval; or
- Changes to development regulations that are in the interest of the community and do not affect health or safety issues.

3. Substantial Change

This Specific Plan may be substantially amended by the same procedure as it was adopted. Each request shall include all sections or portions of the Gladden Farms II Specific Plan that are affected by the change. The Planning Director shall determine if the amendment would result in a substantial change in plan regulations, as defined in the Town of Marana Land Development Code.

4. Interpretation

The Planning Director shall be responsible for interpreting the provisions of this Specific Plan. Appeals to the Planning Director's interpretation may be made to the Board of Adjustment within 15 days from the date of the interpretation.

If any provision of the Design Standards is considered ambiguous or unclear, the Planning Director shall be responsible for interpreting the intent of the Design Standards.

5. Fees

Fees will be assessed as indicated by the Town's adopted fee schedule that is in place at the time of development.

6. Annual Report

At the platting stage, the Master Developer will provide Town staff with a Monitoring Program outlined in Appendix D of the Northwest Area Marana Plan. This will provide Town of Marana staff with information to assess the impact of proposed developments on existing infrastructure and determine the needs for future development.

GLADDEN FARMS II SPECIFIC PLAN



VI. APPENDICES



Appendix A: Legal Description

Order No.: 21008977-JK - D

EXHIBIT "ONE"

That part of Section 35, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, lying South and West of the Southwest right of way line of the relocated Tucson-Picacho Highway, Federal Interstate Project 94, as it existed on May 15, 1950;

EXCEPT THEREFROM the right of way for Moore Road, formerly Grier Road, over the North 30 feet thereof, as shown on the map recorded in Book 2 of Road Maps, Pages 126 through 129;

AND EXCEPT THEREFROM the following two well sites belonging to Cortaro Water Users' Association:

Marana Well No. 13

That portion of the Southeast quarter of the Southeast quarter of Section 35, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, particularly bounded and described as follows:

BEGINNING at a point which is 62.5 feet Northerly and 25 feet Westerly from the Southeast corner of said Section 35;

THENCE Westerly 62.5 feet from and parallel to the South boundary line of said Section 35, a distance of 26.8 feet to a point which intersects the Northeast right-of-way line of the Cortaro Water Users' Lateral No. 6-1/2;

THENCE in a Northwesterly direction along the said right-of-way line of Cortaro Water Users' Lateral No. 6-1/2 a distance of 109.3 feet to a point;

THENCE Easterly, 150 feet from and parallel to the South boundary line of said Section 35, a distance of 92.25 feet to a point;

THENCE Southerly 25 feet from and parallel to the East boundary line of said Section 35, a distance of 87.5 feet to the POINT OF BEGINNING;

Marana Well No. 14

That portion of the Southeast quarter of the Northeast quarter of Section 35, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, particularly bounded and described as follows:

BEGINNING at a point which is 938.65 feet Westerly and 50 feet Northerly from the East quarter corner of said Section;

THENCE Westerly 50 feet from and parallel to the East and West center line of said Section 35, a distance of 135 feet to a point;

THENCE Northerly 1073.65 feet from and parallel to the East line of the said Southeast quarter of the Northeast quarter of Section 35, 100 feet to a point;



Appendix A: Legal Description

Order No.: 21008977-JK - D

THENCE Easterly 150 feet from and parallel to the East and West center line of said Section 35, 135 feet to a point;

THENCE Southerly 938.65 feet from and parallel to the East line of the said Southeast quarter of the Northeast quarter of Section 35, 100 feet to the POINT OF BEGINNING;

AND EXCEPT THEREFROM the following portion conveyed to Cortaro Marana Irrigation District in the Deed recorded in Docket 1968, Page 585:

BEGINNING at a point on the North line of said Section 35, said point being South 89°49'00" West, 591.06 feet from the Northeast corner of said Section 35;

THENCE South 49°37'00" East along the Southwesterly right of way line of Interstate 10, 357.77 feet;

THENCE South 49°53'00" East, 419.03 feet to the East line of said Section 35;

THENCE South 0°15'00" East, 32.81 feet along said East line;

THENCE South 49°53'00" West, 448.44 feet;

THENCE North 49°37'00" West, 386.97 feet to the aforesaid North line of Section 35;

THENCE North 89°49'00" East, 38.44 feet to the POINT OF BEGINNING;

AND EXCEPT THEREFROM a strip of land 110 feet in width conveyed to the State of Arizona, by and through its State Highway Commission in the Deed recorded in Docket 2003, Page 408 described as follows:

BEGINNING at the point of intersection of the existing Southwest right of way line of the existing Casa Grande-Tucson Highway with the East line of Section 35, from whence the Northeast corner of said Section 35 bears Northerly 359.70 feet;

THENCE North 49°53'00" West along said existing Southwest right of way line, a distance of 325.42 feet;

THENCE North 49°37'00" West continuing along said existing Southwest right of way line, a distance of 229.27 feet, to a point on the North line of said Section;

THENCE Westerly along said North section line, a distance of 169.15 feet;

THENCE South 49°37'00" East 357.77 feet;

THENCE South 49°53'00" East 419.03 feet to a point on the aforesaid East line of Section 35;

THENCE Northerly along East section line, a distance of 144.38 feet, to the POINT OF BEGINNING;

AND EXCEPT THEREFROM the East 50 feet of the South 35 feet of the Southeast quarter of said Section 35, conveyed to Pima County in the Deed recorded in Docket 6411, Page 1237.



Appendix A: Legal Description

Exhibit "B"

The South 292.00 feet of the North 322.00 feet of the East 357.00 feet of the Northeast quarter of the Northeast quarter of Section 34, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona.

Exhibit B to Marana Ordinance 2006.03



Appendix B: Plant Palette

A. Tree Palette

1. Arterial and Collector Street Trees

Acacia salicina	Willow Acacia
Acacia smallii	Sweet Acacia
Acacia stenophylla	Shoestring Acacia
Celtis reticulate	Western Hackberry
Cercidium praecox	Palo Brea
Chilopsis linearis 'Lois Adams'	Desert Willow
Cupressus arizonica	Arizona Cypress
Eucalyptus microtheca	Coolibah Tree
Eucalyptus polyanthemos	Silver Dollar Gum
Fraxinus velutina	Arizona Ash
Pinus eldarica	Afghan Pine
Prosopis chilensis	Chilean Mesquite
Prosopis glandulosa	Honey Mesquite
Prosopis velutina	Velvet Mesquite
Quercus buckleyi	Redrock Oak
Quercus polymorpha	Monterey Oak
Quercus virginiana	Southern Live Oak

2. Local Street Trees

Acacia salicina	Willow Acacia
Acacia stenophylla	Shoestring Acacia
Fraxinus velutina	Arizona Ash
Prosopis chilensis	Chilean Mesquite
Prosopis glandulosa	Honey Mesquite
Prosopis hybrid	Thornless Mesquite
Prosopis velutina	Velvet Mesquite
Quercus buckleyi	Redrock Oak
Quercus polymorpha	Monterey Oak
Quercus virginiana	Southern Live Oak

3. Orchard Trees

Acacia smallii	Sweet Acacia
Celtis reticulate	Western Hackberry
Chilopsis linearis 'Lois Adams'	Desert Willow
Fraxinus velutina	Arizona Ash
Juglans major	Walnut
Quercus buckleyi	Redrock Oak
Quercus polymorpha	Monterey Oak



Appendix B: Plant Palette

4. Mesquite Bosque Trees

Prosopis hybrid	Thornless Mesquite
Prosopis velutina	Velvet Mesquite

5. Open Space Trees

Acacia berlandieri	Fern Acacia
Acacia salicina	Willow Acacia
Acacia smallii	Sweet Acacia
Celtis reticulata	Western Hackberry
Cercidium floridum	Blue Palo Verde
Cercidium praecox	Palo Brea
Chilopsis linearis 'Lois Adams'	Desert Willow
Fraxinus velutina	Arizona Ash
Juglans major	Walnut
Prosopis chilensis	Chilean Mesquite
Prosopis glandulosa	Honey Mesquite
Prosopis hybrid	Thornless Mesquite
Prosopis velutina	Velvet Mesquite
Quercus buckleyi	Redrock Oak
Quercus polymorpha	Monterey Oak
Quercus virginiana	Southern Live Oak

6. Palm Trees

Palm trees may only be used in commercial development areas.

Brahea armata	Mexican Blue Fan Palm
Butia capitata	Pindo Palm
Chamaerops humilis	Mediterranean Fan Palm
Cycas revolute	Sago Palm
Phoenix canariensis	Canary Island Date Palm
Sabel palmetto	Palmetto Palm
Trachycarpus fortunei	Windmill Palm
Washington filifera	Mexican Fan Palm
Washington robusta	California Fan Palm



Appendix B: Plant Palette

B. Shrub Palette

1. Ornamental Grasses

Carex buechananii	Leather Leaf Sedge
Festuca glauca	Blue Fescue
Liriope muscari	Lilyturf
Muhlenbergia capillaries 'Regal Mist'	Regal Mist Deer Grass
Muhlenbergia spp.	Deer Grass
Nolina microcarpa	Bear Grass
Pennisetum setaceum 'Rubrum'	Purple Fountain Grass
Stipa tenuissima	Mexican Feather Grass

2. Shrubs

Anicanthus quadrifidus wrightii	Mexican Flame Brush
Acacia berlandieri	Fern Acacia
Callinadra eriophylla	Pink Fairy Duster
Cordia boissieri	Texas Olive
Dalea bicolor	Silver Dalea
Dalea frutescens	Black Indigo
Dalea pulchra	Indigo Bush
Dodonea viscosa	Green Hopseed Bush
Ericameria larcifolia	Terpentine Bush
Ilex vomitoria	Youpon
Larrea tridentata	Creosote Bush
Leucophyllum spp.	Texas Ranger/Rain Sage
Lysiloma thornberi	Feather Tree
Myrtus communis	Myrtle
Nandina domestica	Heavenly Bamboo
Nerium oleander 'Petite Pink'	Petite Pink Oleander
Nerium oleander 'Sister Agnes'	Sister Agnes Oleander
Punica granatum	Pomegranate
Punica granatum 'Nana'	Dwarf Pomegranate
Rosmarinus officinalis prostrates	Trailing Rosemary
Simmonsia chinensis	Jojoba

3. Ground Covers

Acacia redolens	Freeway Acacia
Calylophus dummondii	Calylophus
Dalea capitata	Golden Dalea
Dalea greggii	Trailing Indigo Bush
Lantana spp	Lantana
Oenothera stubbei	Chihuahun Primrose
Rosmarinus officinalis prostrates	Trailing Rosemary
Verbena tenuisecta	Sand Verbena



Appendix B: Plant Palette

4. Accents

Agave geminiflora	Twin Flowered Agave
Chrysactinia mexicana	Damiantia
Dasyllirion acrotriche	Green Desert Spoon
Dasyllirion longissimum	Toothless Desert Spoon
Dasyllirion wheeleri	Desert Spoon
Dietes bicolor	Fortnight Lily
Encelia farinose	Brilliebush
Gaura lindheimeri	Gaura
Hermerocallis hybrids	Day Lily
Hesperalo parviflora	Red Yucca
Hymenoxys acaulis	Angelita Daisy
Viguiera stenoloba	Golden Eye
Yucca baccata	Banana Yucca
Yucca elata	Soap Tree
Yucca recurvifolia	Weeping Yucca
Yucca rigida	Blue Yucca



Appendix C: Citizen Participation Plan

The State of Arizona's Growing Smarter legislation has established new requirements for towns, cities, and counties to better evaluate and subsequently respond to growth issues. A major element of this framework includes enhanced public participation and notification procedures.

According to the Arizona Revised Statutes (A.R.S.) 9-641.06 (B), *"the procedures shall provide for:*

- a. The broad dissemination of proposals and alternatives;*
- b. The opportunity for written comments;*
- c. Public hearings after effective notice;*
- d. Open discussions, communications programs and information services; and*
- e. Consideration of public comments."*

The following information outlines the public participation plan for Gladden Farms II:

Representatives for Gladden Forest, LLC and The Planning Center will conduct a neighborhood meeting prior to the Planning and Zoning Commission public hearing. Section 10.02.C of the Town of Marana Land Development Code requires all property owners within 300 feet be notified of a proposed rezoning. All residents living within Gladden Farms I will be invited as well as all neighboring property owners within a 300-foot radius of the project site.

Town of Marana Planning staff will be provided with a copy of the list and map used to notify the property owners for the meeting. Additionally, a summary of each neighborhood meeting and attendance sheet will be provided to staff.



Appendix D: Design Review Application

GLADDEN FARMS COMMUNITY ASSOCIATION DESIGN REVIEW APPLICATION - NEW CONSTRUCTION COMMITTEE

Send completed
application to:

Gladden Farms Community Association
C/O CCMC
333 E. Wetmore Road, Suite 250
Tucson, AZ 85705-1758

Date:

Builder:

Parcel:

A. General

Mailing Address:

City/State/zip:

Building Plan Architect:

Phone:

Landscape Architect:

Phone:

B. Building Data

Plan Number: _____ Livable Square Footage: _____ Max. Height: _____
Plan Number: _____ Livable Square Footage: _____ Max. Height: _____
Plan Number: _____ Livable Square Footage: _____ Max. Height: _____
Plan Number: _____ Livable Square Footage: _____ Max. Height: _____

C. Application Checklist

The following information must be included with your application package:

- ___ 1. Design Review Fee: \$500.00 per floor plan, payable to Gladden Farms Community Association.
- ___ 2. Three (3) full size sets of certified architectural plans complete with floor and elevation plans and mechanical & electrical plans
- ___ 3. Three (3) half-size sets of certified architectural plans complete with floor and elevation plans.
- ___ 4. Three (3) sets of typical front yard landscape plan alternatives to be offered to homebuyers.
- ___ 5. Exterior Color Schemes, including paint and roof tile samples and light reflectivity value information:
Brand of Paint: _____ Roof Tile Supplier: _____
- ___ 6. Building Construction Type (frame, masonry, etc.): _____
- ___ 7. Stucco Pattern: _____
- ___ 8. Patios: Indicate type of materials to be used: _____
- ___ 9. Type of color and finish of: Entry door _____ Windows _____
- ___ 10. Exterior lighting: Picture must be provided. All exterior lighting must be shielded in design so that the light source is not visible.
- ___ 11. Location of HVAC equipment must be shown on all floor plans. Ground-mounted units must be concealed by a solid enclosure on all sides visible to a neighboring property.
- ___ 12. Type of finish to be used on driveways and walkways: _____
- ___ 13. Fencing: A typical fence layout must be provided:
Size of block: _____ Color: _____
- ___ 14. Entry features, landscape or hardscape paving features to add interest, and common area landscape plans.
- ___ 15. Model layout plan, including lot designation, footprint of home, landscaping, fencing, parking lot layout and material used, and plan to convert to typical planting scheme.
- ___ 16. Entry way permanent and temporary marketing signs (see exhibit T-1a)



Appendix D: Design Review Application

Gladden Farms Community Association
Design Review Application—New Construction Committee
Page 2

B. Additional Notes _____

APPLICANT ACKNOWLEDGMENT:

The substantial of this application in no way constitutes approval of the proposed plan. Written notification of the committee's decision will be supplied to the Applicant as soon as possible after submission of all requested information. Such approval shall not constitute an approval, ratification or endorsement of the quality or architectural or engineering soundness of the proposed improvements and neither the Committee nor the Association shall have any liability for any defects in the plans, specification or improvements. Construction must not begin until the Committee has reviewed and approved the plans in writing. As Applicant, I have read and understand the Design Guidelines and applicable CC&Rs concerning design and construction in Gladden Farms. As Applicant, I acknowledge that the persons reviewing the plans and specifications will change with time and that the opinions on aesthetic matters, as well as interpretation and application of the guidelines, may vary accordingly. In addition, I acknowledge that it may not always be possible to identify objectionable features of proposed improvements until the improvements have been completed, in which case it may be unreasonable to require changes to the improvements involved. However, the Committee may refuse to approve similar proposals in the future. I agree to pay any costs incurred by the Association if I fail to meet the standards established by the Committee and the Board of Directors.

Submitted by:

Signature _____ Print Name _____ Date _____
Email address: _____
Fax Number _____ Cell _____
Proposed start date of construction: _____
Company Name: _____
Address: _____



Appendix D: Design Review Application

GLADDEN FARMS COMMUNITY ASSOCIATION DESIGN REVIEW APPLICATION MODIFICATIONS COMMITTEE

Send completed
application to:

Gladden Farms Community Association
C/O CCWC
333 E. Wetmore Road, Suite 250
Tucson, AZ 85705-1753

Date: _____ Builder: _____ Parcel: _____

A. General
Mailing Address: _____ City/State/zip: _____
Building Plan Architect: _____ Phone: _____
Landscape Architect: _____ Phone: _____

B. Building Data
Plan Number: _____ Livable Square Footage: _____ Max. Height: _____

C. Application Checklist

The following information must be included with your application package. Checked items are mandatory for all applications.

- _____ 1. Design Review fee is not due, but may be requested if professional review is deemed advisable.
- _____ 2. Three (3) full sets of architectural plans.
- _____ 3. Exterior Color Schemes, including paint and/or roof tile samples
Brand of Paint: _____ Roof Tile Supplier: _____
- _____ 4. Building Construction Type (frame, masonry, etc.): _____
- _____ 5. Stucco Pattern: _____
- _____ 6. Patios: Indicate type of materials to be used: _____
- _____ 7. Type of color and finish of: Entry door: _____ Windows: _____
- _____ 8. Exterior lighting: Picture must be provided. All exterior lighting must be shielded in design so that the light source is not visible.
- _____ 9. Location of mechanical equipment must be shown on all floor plans. Ground-mounted equipment must be concealed by a solid enclosure on all sides visible to a neighboring property.
- _____ 10. Type of finish to be used on driveways and walkways: _____
- _____ 11. Fencing: A typical fence layout must be provided:
Size of block: _____ Color: _____
- _____ 12. Landscape plan
- _____ 13. Playset or Shed: _____
- _____ 14. Window Tinting (attach sample): _____



Appendix D: Design Review Application

**Gladden Farms Community Association
Design Review Application—Modifications Committee
Page 2**

A. Additional Notes _____

APPLICANT ACKNOWLEDGMENT:

The substantial of this application is no vote constitutes approval of the proposed plan. Written notification of the committee's decision will be supplied to the Applicant as soon as possible after submission of all requested information. Such approval shall not constitute an approval, ratification or endorsement of the quality or architectural or engineering soundness of the proposed improvements and neither the Committee nor the Association shall have any liability for any defects in the plans, specification or improvements. Construction must not begin until the Committee has reviewed and approved the plans in writing. As Applicant, I have read and understand the Design Guidelines and applicable CCRs concerning design and construction in Gladden Farms. As Applicant, I acknowledge that the persons reviewing the plans and specifications will change with time and that the opinions on aesthetic matters as well as interpretation and application of the guidelines may vary accordingly. In addition, I acknowledge that it may not always be possible to identify objectionable features of proposed improvements until the improvements have been completed, in which case it may be unreasonable to require changes to the improvements involved. However, the Committee may refuse to approve similar proposals in the future. I agree to pay any costs incurred by the Association if I fail to meet the standards established by the Committee and the Board of Directors. The Committee may, but is not required to, perform a site analysis, communicate with neighboring property owners, or charge a fee when professional assistance is needed.

Submitted by: _____

Signature _____ Print Name _____ Date _____

Email address: _____

Fax Number _____ Cell _____

Proposed start date of construction: _____



Appendix E: Definitions

Automobile Service Stations: Including gas stations and quick lube shops but not including auto repair, body and fender work, painting facilities or mechanical or steamrack washracks.

Guest Home: Living quarters, without a kitchen, for guests, relatives, or servants on the premises in an accessory building or attached to the principal residence.

Home Occupation: As defined by the Town of Marana Land Development Code.

Lot Coverage: The area of a site occupied by structures.

Multi-Family: As defined by the Town of Marana Land Development Code.

Personal Services: Personal services include, but are not limited to, barber shops; beauty salons and day spas; clothes pressing and tailoring; massage therapy studios; exercise facilities including personal training and yoga studios; and shoe repair.

Retail: Sale of tangible personal property for any purpose other than retail.

Wholesale: Sale of tangible personal property for resale by a licensed retailer, for consumption by an ultimate purchaser.



DOCKET: 12758
PAGE: 2247
NO. OF PAGES: 2
SEQUENCE: 20060470593
03/10/2006
RES 14:48

MAIL
AMOUNT PAID \$ 8.00

MARANA RESOLUTION NO. 2006-38

RELATING TO DEVELOPMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH FC/M GLADDEN II, L.L.C., REGARDING THE GLADDEN FARMS II DEVELOPMENT PROJECT.

WHEREAS FC/M GLADDEN II, L.L.C. has presented the Gladden Farms II Specific Plan to the Town Council for consideration, governing the proposed Gladden Farms II development project; and

WHEREAS FC/M GLADDEN II, L.L.C and the Town desire to enter into a development agreement to further clarify the obligations of the parties relative to the development of the Gladden Farms II development project; and

WHEREAS, the Mayor and Council find that the terms and conditions of the Gladden Farms II Development Agreement are in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that the development agreement between the Town of Marana and FCM Gladden II, L.L.C, attached to and incorporated by this reference in this resolution as Exhibit A is hereby approved, and the Mayor is hereby authorized to execute it for and on behalf of the Town of Marana.

IT IS FURTHER RESOLVED that the Town's Manager and staff are hereby directed and authorized to undertake all other and further tasks required or beneficial to carry out the terms, obligations, and objectives of the aforementioned agreement.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF
MARANA, ARIZONA, this 7th day of March, 2006.



ATTEST:

Jocelyn C. Bronson
Jocelyn C. Bronson, Town Clerk

Ed Honea
Mayor Ed Honea

APPROVED AS TO FORM:


Frank Cassidy, Town Attorney

100001833.DOC.B

FJC/cds 2/28/06



Appendix F: Development Agreement

Exhibit A to Marana Resolution No. 2006-38, entitled **GLADDEN FARMS II DEVELOPMENT AGREEMENT**, by and between the Town of Marana and FC/M GLADDEN II, L.L.C., was recorded separately on March 10, 2006, at Docket 12758, Page 2249 in the Office of the Pima County Recorder.

FILED 2006 OCT 10 PM 4:10



Appendix F: Development Agreement

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: M.S.
DEPUTY RECORDER
1966 PE3
MARANA
TOWN OF MARANA
ATTN: TONY CLERK
11555 W CIVIC CENTER DR
MARANA AZ 85653



DOCKET: 12758
PAGE: 2249
NO. OF PAGES: 23
SEQUENCE: 20060470594
03/10/2006
AG 14:48
MAIL
AMOUNT PAID \$ 17.00

GLADDEN FARMS II DEVELOPMENT AGREEMENT

TOWN OF MARANA, ARIZONA

THIS DEVELOPMENT AGREEMENT ("this Agreement") is made by and between the TOWN OF MARANA, an Arizona municipal corporation (the "Town"), and FC/M GLADDEN II, L.L.C., an Arizona limited liability company (the "Developer"). The Town and the Developer are collectively referred to in this Agreement as the "Parties," each of which is sometimes individually referred to as a "Party."

RECITALS

General Background

A. The Developer owns approximately 633.28 acres of land located in the Town limits, as depicted on the map attached as Exhibit "A" and legally described on Exhibit "B" (the "Property").

B. The Developer proposes to develop the Property as Gladden Farms II ("Gladden II").

C. The Developer and the Town desire that Gladden II be developed in a manner consistent with the development regulations that now apply to the Property, as amplified and supplemented by this Agreement.

D. The Town and the Developer acknowledge that the development of the Property pursuant to this Agreement will result in planning and economic benefits to the Town and its residents.

E. The Developer has made and by this Agreement will continue to make a substantial commitment of resources for public and private improvements on the Property.

F. The Parties understand and acknowledge that this Agreement is a "Development Agreement" within the meaning of, and entered into pursuant to the terms of, A.R.S. § 9-500.05.

Land Use Background

G. The following are among the development regulations that now apply to the Property (collectively, the "Development Regulations"):

i) The Town's written rules, regulations, procedures, and other policies relating to the development of land, whether adopted by the Mayor and Council or by Town Staff (collectively the "Marana Development Code").

ii) The future development of the Property shall be subject to the Gladden Farms II Specific Plan as adopted by the Town on March 7, 2006, as amended from time to time (the "Specific Plan").

H. The Property consists of all land included in the Specific Plan except for the approximately 2.39 acre parcel located at the southwest corner of Moore and Postvale Roads.

I. This Agreement is consistent with the portions of the Town's General Plan applicable to the Property.

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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Exhibit A to Marana Resolution 2006-38

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Gladden Farms II
Specific Plan

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Appendix F: Development Agreement

Transportation Infrastructure Background

J. Tangerine Road west of I-10 (referred to in this Agreement as "Tangerine Farms Road") is currently anticipated to be realigned and extended by the Town to improve the geometry of the freeway interchange and to serve as a major arterial roadway for northwest Marana.

K. The right-of-way for Tangerine Farms Road immediately west of Gladden II, through the development project referred to in this Agreement as "Gladden I" and depicted in the subdivision plat entitled "Gladden Farms" recorded in the Pima County Recorder's office at Book 55 of Maps and Plats Page 60, has been dedicated to the Town.

L. Tangerine Farms Road from Moore Road on the west through Gladden I and Gladden II and extending to its intersection with I-10 is currently anticipated to be constructed by a municipal improvement district or other special district to be established by the Town for that purpose.

M. The Town believes that unless and until Tangerine Farms Road is constructed and open to the public, enabling vehicular access from Gladden I and Gladden II via a realigned Tangerine Farms Road that does not feed onto the frontage road and instead leads directly to the I-10 interchange, the transportation infrastructure in the vicinity of Gladden II may not be sufficient to accommodate intensive development of the Property.

Water Background

N. The provisions of this Agreement relating to water service are entered into and authorized by Title 14 of the Marana Town Code as it may be amended from time to time (the "Marana Municipal Water Code").

O. The Developer desires for the Town to provide water service to Gladden II.

P. To secure water service from the Town for Gladden II, the Developer proposes to install those certain water infrastructure improvements referred to in this Agreement as the "Developer-Installed Water Facility."

Q. The Developer desires that the Town take ownership of, operate, and service the Developer-Installed Water Facility.

R. The Town is willing to accept the Developer-Installed Water Facility and permit it to be connected to the Town water system provided it meets Town standards and the work is done in accordance with Town requirements.

S. Water and sewer infrastructure is currently anticipated to be connected through Gladden II as needed to serve the "Commercial Property" as defined in the Tangerine Commerce Park Right-of-Way Exchange and Development Agreement recorded in the Pima County Recorder's office at Docket 12706, Page 1578. This Commercial Property is referred to in this Agreement as the "Tangerine Commerce Park Commercial Property," and the owner obligated by that agreement to pay for the water and sewer upgrades to serve the Tangerine Commerce Park Commercial Property is referred to in this Agreement as the "Tangerine Commerce Park Commercial Property Owner."

Development Impact Fees Background

T. The Town has adopted certain development impact fees for roads, public parks, gravity water storage, renewable water resources and water system infrastructure, pursuant to A.R.S. § 9-463.05.

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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Appendix F: Development Agreement

U. The Developer will be entitled to credit pursuant to A.R.S. § 9-463.05(B)(3) toward the payment of the Town's adopted development impact fees based on the required dedication of lands and improvements for public parks, arterial roadways, water gravity storage and renewable water resources and water system capacity infrastructure provided or to be provided by the Developer in connection with the development of Gladden II.

V. The Parties desire to address development impact fee credits applicable to Gladden II, based on currently anticipated developer-financed infrastructure.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises and agreements set forth in this Agreement, the Parties hereby agree as follows:

Article 1. Development.

1.1. Development review. The Property shall be developed in a manner consistent with the Development Regulations and this Agreement, which together establish the basic land uses, and the densities, intensities and development regulations that apply to the land uses authorized for the Property. Provided that the Developer is not in default in any obligations of the Development Regulations or this Agreement, and further provided that the construction of Tangerine Farms Road is substantially complete in accordance with paragraph 1.3 below, upon the Developer's compliance with the applicable development review and approval procedures and substantive requirements of the Development Regulations, the Town agrees to issue such permits or approvals for Gladden II as may be requested by the Developer.

1.2. Total residential units. The total number of residential units of all types in Gladden II shall not exceed 2,539.

1.3. No building permits until completion of Tangerine Farms Road Improvements. The Developer shall not submit to the Town applications for any commercial or residential building permits on the Property until the following infrastructure improvements are substantially complete, open to the public and dedicated to the Town:

1.3.1. The final four-lane divided Tangerine Farms Road from the east boundary of Gladden I to the east boundary of Gladden II, either by a district pursuant to Article 2 and Article 3 or by the Developer pursuant to Article 4, ~~and~~.

1.3.2. ~~Construction of a realigned Tangerine Farms Road east of the Property, enabling vehicular traffic to access the Tangerine/L-10 interchange directly, without the need to use the frontage road.~~

1.4. Zoning and plat conditions. The Developer agrees to fulfill all conditions outlined in the Development Regulations.

1.5. Aviation easement and noise attenuation. Developer shall record an aviation easement and shall provide noise attenuation as part of the design and construction of homes in Gladden II so that a maximum interior noise level of 45 decibels is achieved within each home.

1.6. Determination of no hazard to air navigation. Developer shall submit an FAA 7460 form to the Federal Aviation Administration and receive a "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration before any construction or alteration of greater height than an imaginary surface extending outward and upward at a 100 to 1 slope for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of the Airport.

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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Gladden Farms II
Specific Plan

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Appendix F: Development Agreement

1.7. Archaeological/historic resources. Development of the Property shall meet all Town requirements set forth in Title 2 and Title 20 of the Marana Development Code related to Archaeological and Historic Resources.

1.8. Site built construction and building permits. All construction on any portion of the Property, whether sold in bulk or individually, whether subdivided or not, shall be site built and shall require building permits.

1.9. Compliance with residential design standards. All residential construction on any portion of the Property shall be constructed in accordance with the then current residential design standards as adopted by the Town of Marana, and any construction for which building permits have not yet been applied for as of the effective date of the residential design standards shall comply with those residential design standards.

Article 2. Bond-Funded Public Infrastructure Improvements

2.1. Applicability. The provisions of Article 2 and Article 3 shall only apply and become effective if the Town establishes not later than December 31, 2007 a municipal improvement district or other special district for the purpose of financing and constructing the Tangerine Farms Road Improvements.

2.2. Tangerine Farms Road Improvements. The Town shall construct and thereafter maintain approximately 3.8 miles of Tangerine Farms Road as a four-lane divided roadway from the Tangerine Road/I-10 interchange and extending westward to Moore Road, with curbs and gutters, median breaks and turn lanes for proposed major street intersections, street lights, a multi-use pathway, a 16" potable water main, a 8" non-potable water main, landscaping, and other associated public improvements (collectively the "Tangerine Farms Road Improvements").

Article 3. Participation in Tangerine Farms Road Improvements Cost

3.1. Definitions. The following definitions shall apply to this Article:

3.1.1. The "Allocated Assessment" is $(C \div F) \times T$, where C is the Gladden II Property Frontage, F is the Total Frontage, and T is the Total Improvement Cost. The "Allocated Assessment" for Gladden II may be some other amount established and agreed upon in writing by and among the Parties.

3.1.2. "Frontage" is distance in linear feet measured from the centerline of the right-of-way for the Tangerine Farms Road Improvements.

3.1.3. The "Gladden II Property Frontage" is the frontage of Gladden II along the Tangerine Farms Road Improvements.

3.1.4. "Individual Parcel Improvement Costs" are costs that predominately benefit an individual parcel, such as traffic signals, conduit for future traffic signals, water and sewer improvements to the extent necessary to serve an individual parcel and that do not benefit all of the land fronting on the Tangerine Farms Road Improvements, the proposed park underpass within Gladden I and undergrounding of Cortaro Marana Irrigation District facilities for purposes other than road crossings.

3.1.5. The "Total Improvement Cost" is the construction cost of the Tangerine Farms Road Improvements together with all related engineering, legal, financial and incidental costs. The Total Improvement Cost shall not include Individual Parcel Improvement Costs.



Appendix F: Development Agreement

3.1.6. The "Total Frontage" is the total combined frontage of all privately owned land on both sides of the Tangerine Farms Road Improvements.

3.2. Assessment allocation. The Developer shall pay the Allocated Assessment and the Individual Parcel Improvement Costs attributable to Gladden II not later than the cash collection period (see A.R.S. § 48-590(B)) or, if not so paid, they will be assessed against Gladden II as set forth in paragraph 3.3 below.

3.3. Bonds. If the Allocated Assessment and the Individual Parcel Improvement Costs attributable to Gladden II are not paid during the cash collection period (see A.R.S. § 48-590(B)), the Town shall sell municipal bonds with a term of at least 15 years for purposes of amortizing the Total Improvement Cost over the term of the bond and for funding or reimbursing the Total Improvement Cost. Thereafter Gladden II shall be assessed the principal and interest on the Allocated Assessment and the Individual Parcel Improvement Costs attributable to Gladden II as required for repayment of the bonds.

3.4. Assessment reallocation. Upon division or subdivision of Gladden II, the Town shall reallocate the assessment among the parcels in direct proportion to the benefit received by each parcel.

3.5. Consent to assessment. The Developer hereby agrees to execute a standard improvement district waiver agreement prepared by the Town's bond counsel, in which the Developer (among other things) (i) consents to a levy of assessment for the Allocated Assessment; (ii) waives any and all objections to formation of an assessment district to implement the terms of this Agreement; and (iii) agrees to take all steps necessary to levy and confirm assessments against Gladden II.

Article 4. Developer Funding of Infrastructure if District is Not Formed

4.1. Applicability. The provisions of this Article shall only apply and become effective if the Town fails to establish a municipal improvement district or other special district for the purpose of financing and constructing the Tangerine Farms Road Improvements not later than December 31, 2007, as provided in Article 2 and Article 3.

4.2. Developer-Constructed Tangerine Farms Road Improvements. The Developer shall construct and thereafter dedicate to the Town at no cost Tangerine Farms Road as a four-lane divided roadway within the Tangerine Farms right-of-way dedicated pursuant to paragraph 6.1 below, with curbs and gutters, median breaks and turn lanes for proposed major street intersections, street lights, a multi-use pathway, a 16" potable water main, a 8" non-potable water main, landscaping, and other associated public improvements, and including connection and transition to the existing paved two-lane Tangerine Road immediately east of the Property (collectively the "Developer-Constructed Tangerine Farms Road Improvements").

4.3. CFD financing. Nothing in this Article shall preclude funding of the Developer-Constructed Tangerine Farms Road Improvements with a CFD formed pursuant to Article 6.

Article 5. Water

5.1. Conversion of irrigation water rights. Within sixty days after the effective date of this Agreement or sixty days after the Property ceases to be used for farming, whichever occurs last, the Developer shall file all necessary documentation to the Arizona Department of Water Resources (ADWR) to convert all irrigation water rights for the Property to Type I non-irrigation water rights.

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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Appendix F: Development Agreement

5.2. Transfer of water rights to the Town. Within sixty days after approval of any final plat for Gladden II, the Developer shall file all necessary documentation to transfer to the Town, in a manner prescribed by ADWR, all water rights on lands dedicated to the Town by that final plat. On lands not dedicated to the Town, the Developer shall transfer extinguishment credits to the Town, in a manner prescribed by ADWR, upon request by the Town.

5.3. Water service. The Town shall provide a designation of assured water supply, will provide actual water service to the Property, and will provide a "will serve letter" for the property at Developer's request.

5.4. Non-potable system. In compliance with the Northwest Marana Area Plan, the Developer shall develop and construct a secondary non-potable irrigation system, dedicated to the Town, to distribute non-potable water throughout the Property consistent with the Town's non-potable water system policy as it exists at the time the water improvements are constructed.

5.5. Cortaro-Marana Irrigation District ("CMID"). The Developer will work with CMID to enter into a formal agreement concerning the construction and maintenance of necessary irrigation systems and well sites to perpetuate the ability for CMID to have their users irrigate as necessary as well as the under-grounding of CMID canals at the Developers Cost.

5.6. General provisions relating to water service.

5.6.1. Developer installation of the Developer-Installed Water Facility. The Developer shall at its own expense design and install the water infrastructure improvements required to serve Gladden II, and such additional and oversized water infrastructure improvements the Town reasonably determines necessary, funded by the Town or other parties, as shown on water plans prepared by Developer and approved by the Town (the "Facility Plan"). The water infrastructure improvements depicted on the Facility Plan are referred to in this Agreement as the "Developer-Installed Water Facility," and shall conform to the design standards of the City of Tucson Water Department and the Marana Municipal Water Code and special specifications and details as approved by the Town and by this reference made a part of this Agreement. The Facility Plan shall include a plan note identifying the Developer-Installed Water Facility as a new water facility and shall show any and all alterations to the existing water system. Construction and installation of the Developer-Installed Water Facility in accordance with the Facility Plan, including without limitation all labor, materials, equipment, supplies, and tools required for the construction and installation, is referred to in this Agreement as the "Water Work."

5.6.2. Water Work by licensed contractor. The Water Work shall be performed by a contractor properly licensed by the State of Arizona as determined by the Arizona Registrar of Contractors. In addition to any other contractor's license classifications required by the Arizona Registrar of Contractors, the contractor shall hold contractor's license classifications A, A-12 and A-16.

5.6.3. Payment of connection fees. Before any service connections are made from the Town's water system to the Developer-Installed Water Facility, the Developer shall pay to the Town the connection fees and any other fees required by the Marana Municipal Water Code.

5.6.4. Anticipated cost per meter. The total charge for each ¾" x ¾" water meter to be installed on the Property is currently anticipated to be \$2,367 per meter, which includes a \$500 connection charge (Town Code § 14.7.2(B)), a \$400 installation charge (Town Code

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Appendix F: Development Agreement

§ 14.7.2(B)), and the \$1,467 gravity storage and renewable resource development impact fee (Marana Ordinance No. 2005.25), but does not include the \$864 water system infrastructure development impact fee (Marana Ordinance No. 2005.25). The applicable development impact fees are further addressed in Article 8. The amounts set forth in this paragraph do not include the \$75 security deposit (Town Code § 14.7.2(B)), which will be owed by each individual home purchaser upon establishment of service.

5.6.5. Developer-Installed Water Facility acceptance by Town. No service connections shall be made from the Town's water system to the Developer-Installed Water Facility until the Developer-Installed Water Facility has been accepted by the Town in accordance with the Marana Municipal Water Code.

5.6.6. Frontage requirement. Any property connecting onto a water main shall have a minimum of fifteen feet of frontage on that main. A water easement or other utility easement shall not constitute frontage for purposes of this paragraph.

5.6.7. Meter application requirements. A meter application will be accepted only if the property to be served fronts the waterline. Only one water meter application will be allowed per legal description unless the Developer can provide the Town with plans indicating the type of improvement or development taking place on the land that justifies more than one meter. If any portion of the property served by the water meter is sold, the owner of the portion of land that fronts the water main shall have all rights associated with the water meter unless other arrangements are made with and approved by the Town of Marana Water Utility prior to the sale.

5.6.8. Developer's certification. By execution of this Agreement, Developer certifies that it shall comply with the Facility Plan and all other specifications applicable to the Water Work and agrees with and approves the location of all service lines as depicted on the Facility Plan.

5.6.9. Termination for lack of Water Work. Approval of the Facility Plan shall lapse if more than one year has passed since the date of the Facility Plan's approval and the Water Work has not begun, or if the Water Work is discontinued for a period of one year.

5.7. Engineering and inspection of Water Work.

5.7.1. Registered civil engineer. The Developer shall employ a registered civil engineer to design, lay out, establish control lines for and certify the layout of the Water Work according to the Facility Plan.

5.7.2. Town inspector's authority. Any inspector authorized by the Town shall have full inspection authority over the Water Work.

5.7.3. Inspection provisions. The Developer shall furnish the Town's inspector with all facilities reasonably necessary to inspect the Water Work. The Water Work shall be subject to Town inspection at all times. Defective Water Work shall be corrected in a manner satisfactory to the Town's inspector. Inspection by the Town is for the purpose of ensuring compliance with plans and specifications only. The Town makes no guarantee as to the safety or engineering soundness of plans prepared by Developer or any contractor.

5.7.4. Payment of Town inspector's overtime cost. If scheduling by Developer's contractor reasonably requires the Town's inspector to work overtime, the Developer or Developer's contractor shall pay the Town for any additional salaries, expenses or employee

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TOWN OF MARANA



Appendix F: Development Agreement

benefits relating to the overtime. For purposes of this paragraph, overtime is any time over 40 hours worked in a seven-day work period, any time over eight hours worked Monday through Friday, and any time worked on weekends and legal holidays observed by the Town.

5.8. Preconstruction procedure for Water Work

5.8.1. Request to begin construction. The Developer shall submit a written request to begin construction to the Town five working days before the Water Work is to commence.

5.8.2. Construction permit. A construction permit for the Water Work shall not be issued prior to the effective date of this Agreement.

5.8.3. Start and completion of the Water Work. No portion of the Water Work shall begin until the Town has issued a construction permit specifying the starting date and a reasonable time for completion.

5.8.4. Progress of the Water Work. The Water Work shall be commenced and carried on at such points and in such order as may be directed by the Town.

5.8.5. Materials sampling and testing. Materials shall be available for sampling and testing by the Town prior to being used in the Water Work. Materials that fail to meet Town specification shall be removed from the site.

5.8.6. Permits and approvals. The Developer shall, at Developer's expense, obtain all necessary permits and licenses for the Water Work, pay all fees and comply with all laws, ordinances and regulations relating to the Water Work.

5.9. Construction of Water Work.

5.9.1. Developer's presence on site. The Developer, or Developer's designated agent, shall be present at all times during performance of the Water Work. The name of the Developer's designated agent and the contractor performing the Water Work shall be furnished to the Town before the Water Work begins. Instructions given by the Town to the designated agent shall be deemed to have been given to the Developer.

5.9.2. Competence and diligence. The Developer shall employ only competent and efficient laborers, mechanics or artisans on the Water Work, and the Developer agrees to perform the Water Work diligently to complete the Water Work on or before the completion date given in the notice to proceed.

5.9.3. Paving. The Developer shall identify and locate all water valves prior to paving and set valve boxes to final grade after paving.

5.9.4. Alterations to the existing Town water system. The Developer shall, at Developer's expense, make any and all alterations to the existing water system either on-site or off-site necessitated by paving, drainage, or other improvements caused by the development of the Property.

5.9.5. Worksite safety. The Developer shall require all contractors and subcontractors performing any portion of the Water Work to comply with all safety requirements of the Occupational Safety and Hazards Act as set forth by the Federal Government and as implemented by the State of Arizona. The Developer or its contractors shall be solely responsible for all fines or other penalties provided for by law for any violations of the Occupational Safety Hazards Act.

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Appendix F: Development Agreement

5.10. Dedication of the Developer-Installed Water Facility.

5.10.1. Transfer of the Developer-Installed Water Facility to the Town. Upon the Town's final acceptance of the Water Work, the Developer shall at no cost grant, bargain, sell, convey, transfer and deliver to the Town the Developer-Installed Water Facility free and clear of all liens, claims, charges or encumbrances.

5.10.2. Two-year warranty. The Developer guarantees the Water Work to be free from all failures due to poor workmanship or materials for a period of two years from the date of the Town's final acceptance of the Water Work.

5.10.3. Other conflicting construction prohibited. The Developer shall not construct or allow the construction of any utility, building, or other improvement that would interfere with the operation or maintenance of the Developer-Installed Water Facility.

5.10.4. Developer's obligation to maintain finished grade. The Developer guarantees that all service lines, meters, and meter boxes on the Property will be to finished grade and that Developer will remain responsible for raising or lowering said services as required until the Property is fully developed.

5.10.5. Acceptance by the Town. The Town shall accept title to and take possession of the Developer-Installed Water Facility when the Water Work has been completed to the satisfaction of the Town. Subject to the Developer's continuing obligations under this Agreement, the Town shall operate and service the Developer-Installed Water Facility after taking over possession of it under this paragraph.

Article 6. Other Public Facilities and Infrastructure Requirements.

6.1. Road right-of-way dedications. The Developer shall dedicate to the Town the following right-of-way as shown on the right-of-way plans prepared by the Town's consulting engineer most recently prior to the applicable dedication. The Developer may make these dedications subject to and reserving to the Developer any rights needed for purposes of obtaining possible future reimbursement from community facilities district financing for the Developer's contribution of right-of-way or public infrastructure.

6.1.1. Not later than sixty days after the effective date of this Agreement, the right-of-way for Tangerine Farms Road. If construction of a Tangerine Farms Road through this right-of-way results in a need to realign this right-of-way, the Town and the Developer shall cooperate to adjust the right-of-way boundaries provided that the total amount of land within the Tangerine Farms Road right-of-way dedicated by the Developer shall remain substantially the same.

6.1.2. With the recording of the final block plat for Gladden II or within 60 days of demand by the Town, the right-of-way for Moore Road.

6.1.3. With the recording of the final block plat for Gladden II or within 60 days of demand by the Town, the right-of-way for Clark Farms Road.

6.2. Transportation improvements. The Developer shall fund the design and construction of all transportation improvements the Town reasonably determines necessary to serve Gladden II, and shall dedicate to the Town without cost any and all right-of-way necessary for these transportation improvements, including without limitation the following (using street names as set forth on Exhibit "C," attached):

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6.2.1. Mike Etter Boulevard. The Developer shall provide a four-lane divided cross-section in a 110-foot right-of-way for the entire length of Mike Etter Boulevard.

6.2.2. Clark Farms Boulevard. The Developer shall build Clark Farms Boulevard as a 150-foot four-lane divided roadway through Gladden II.

6.2.3. Traffic signals. When deemed warranted by the Town (but in any event not later than final release of assurances for the final subdivision within Gladden II), the Developer shall pay the total estimated cost of the Town's design and construction of traffic signals at the following intersections:

6.2.3.1. Tangerine Farms Road and Southfield Road.

6.2.3.2. Tangerine Farms Road and Mike Etter Boulevard.

6.2.3.3. Moore Road and Mike Etter Boulevard.

6.2.3.4. Mike Etter Boulevard and Southfield Road.

6.2.3.5. Mike Etter Boulevard and Pacheco Farms Road.

6.2.3.6. Clark Farms Boulevard and Pacheco Farms Road.

6.2.4. Approach lanes. The Developer shall provide two lanes of approach in the following locations concurrently with the initial construction of the applicable roadway:

6.2.4.1. Southbound Southfield Road at Tangerine Farms Boulevard.

6.2.4.2. Northbound Southfield Road at Mike Etter Boulevard.

6.2.4.3. Southbound Pacheco Farms Road at Mike Etter Boulevard.

6.2.4.4. Northbound Pacheco Farms Road at Clark Farms Boulevard and the southbound approach of the private driveway within Block 4 that aligns with Pacheco Farms Road at Clark Farms Boulevard. The north and southbound approaches shall consist of two lanes each, one of which shall be an exclusive left-turn lane and the other a through/right-turn lane.

6.2.5. Turn lanes. The Developer shall design and construct the following turn lanes concurrently with the initial construction of the applicable roadway:

6.2.5.1. A westbound left-turn lane and an eastbound right-turn lane on Moore Road at its intersection with Mike Etter Boulevard.

6.2.5.2. An eastbound right-turn lane and a westbound left-turn lane on Mike Etter Boulevard at its intersection with Southfield Road.

6.2.5.3. A westbound right-turn lane and an eastbound left-turn lane on Mike Etter Boulevard at its intersection with Pacheco Farms Road.

6.2.5.4. Right-turn and left-turn lanes on both approaches of Clark Farms Boulevard to its intersection with Pacheco Farms Road.

6.2.6. Other traffic studies and revised transportation improvements. The Developer shall provide additional traffic studies during the platting and development plan process for Gladden II. The Developer shall pay for and/or provide additional transportation improvements and dedications the Town reasonably requires based on the findings of those studies. The Town Engineer is authorized to waive, in writing, any transportation

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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improvement required by this Article if a traffic study approved by the Town indicates that Gladden II may be safely served without the waived transportation improvement.

6.3. Onsite private recreational facilities. Private recreational facilities shall be constructed on a site of a size not smaller than required by the Marana Development Code. Site and facility design and phasing shall be approved by the Town Parks & Recreation Director and Planning Director.

6.4. Fire protection. Before a certificate of occupancy is issued for any dwelling unit on the Property, the Developer shall have completed or shall provide evidence to the Town's satisfaction that Developer has made a diligent effort to complete the process of having the Property annexed into the Northwest Fire District.

6.5. Contribution in lieu of school land dedication. The Developer or its assignee shall contribute \$1,200 per residential unit (the "School Fee") due and payable to the Marana Unified School District upon the issuance of the residential building permit. If the Town or the Marana Unified School District adopts an impact fee for schools in the future, the School Fee shall be credited against those future school impact fees.

6.6. Bank protection. In compliance with Town Ordinance No. 99.02, Developer shall pay \$500.00 per acre of affected Property for bank protection. The total obligation of Developer for Gladden II is \$316,640 (\$500 x 633.28 affected acres). Developer shall pay this obligation on a pro-rata basis for each block, calculated and established by the Town in connection with approval of the final block plat for Gladden II, before the Town approves for that block either a subdivision into individual residential subdivision lots or a commercial development plan.

6.7. Sewer oversizing to serve offsite property. Sewer service for the Tangerine Commerce Park Commercial Property is currently anticipated to occur by extending sewer lines proposed to be installed in Gladden II to the Tangerine Farms Right-of-Way and in future Tangerine Farms Road.

6.7.1. Sewer extension and oversizing. Unless the Town first receives the notice described in subparagraph 6.7.2 below, when development proceeds in Gladden II, Developer shall install sewer lines of a size sufficient to serve the Tangerine Commerce Park Commercial Property to the future north right-of-way line of Tangerine Farms Road at the southern boundary of Gladden II, provided that the Tangerine Commerce Park Commercial Property Owner pays in advance to the Developer all costs associated with providing sewer service to the extent necessary to serve the Tangerine Commerce Park Commercial Property, and specifically the following:

6.7.1.1. To the extent oversizing is required for the Tangerine Commerce Park Commercial Property, the incremental additional cost of oversizing Gladden II's sewer to serve the Tangerine Commerce Park Commercial Property, and

6.7.1.2. Any cost for the extension of the sewer beyond where it would be needed to serve residential development within Gladden II, and

6.7.1.3. Any other sewer costs reasonably imposed by Pima County Wastewater Management to serve the Tangerine Commerce Park Commercial Property and that would not otherwise be incurred within Gladden II.

6.7.2. Alternative sewer service. If the sewer lines in Gladden II have not yet been oversized (see subparagraph 6.7.1 above) and the Tangerine Commerce Park Commercial

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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Appendix F: Development Agreement

Property Owner provides written notice to the Town that an alternate method for obtaining sewer service on the Tangerine Commerce Park Commercial Property has been secured, subparagraph 6.7.1 above shall not apply.

6.8. Compliance with state and federal laws and regulations. No approval, permit or authorization of the Town authorizes the Developer to violate any applicable federal or state laws or regulations, or relieves the Developer from the responsibility to ensure compliance with all applicable federal and state laws and regulations, including but not limited to the Endangered Species Act and Clean Water Act.

Article 7. Infrastructure Financing

7.1. Responsibility for financing infrastructure improvements. Upon request of the Developer, the Town staff shall process any request for a community facilities district ("CFD") pursuant to A.R.S. § 48-701, *et seq.* and the Town's Guidelines for Establishment of Community Facilities Districts, and the Town Council shall reasonably consider such request for a CFD.

Article 8. Development Impact Fees and Credits

8.1. General provisions applicable to the determination of all development impact fees and credits. For purposes of determining the correct amount of any development impact fees and credits, the following general rules shall apply:

8.1.1. Calculation of credits based on total number of lots anticipated as of the time of payment. Development impact fee credits for development impact fees that are charged only to residential lots shall be determined by dividing the total value of applicable credits for Gladden II by the total then-anticipated number of lots in Gladden II, determined based on the actual number of lots shown on final subdivision plats for Gladden II and the Town's best estimate of the number of lots anticipated in blocks not yet subdivided into individual lots.

8.1.2. Actual construction and dedication as condition of credit. Credits shall be given against development impact fees only to the extent the Developer's construction and dedication or transfer of rights to the Town as anticipated in the calculation of the credit has been completed or is in progress to the reasonable satisfaction of the Town.

8.1.3. Future fee revisions. If the Town amends its development impact fees applicable to Gladden II, the fee per lot shall be the then-applicable fee minus the credit calculated for that particular fee.

8.1.4. Future impact fees. If the Town adopts an impact fee not addressed in this Article 8 for the same infrastructure for which Developer has dedicated land or made improvements or paid a voluntary fee pursuant to this Agreement, Developer shall be entitled to a credit as set forth in A.R.S. § 9-463.05, and the credit shall be calculated in a manner consistent with this Article 8.

8.1.5. Credits for other improvements not addressed in this Agreement. Any credits for infrastructure construction and dedication by the Developer beyond what is addressed in this Agreement shall be determined in accordance with A.R.S. § 9-463.05(B) as it may be amended from time to time.

8.2. Arterial roadway development impact fees and credits.

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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Appendix F: Development Agreement

8.2.1. Total value. Of the improvements addressed in this Agreement, the Developer shall be entitled to credits against the Town's arterial roadway development impact fees for the following:

8.2.1.1. Tangerine Farms Road. The full principal amount (not including interest) of the Developer's contributions to the Tangerine Farms Road Improvements Cost (see Article 3 above), including the value of the Tangerine Farms Road right-of-way as determined in the development impact fee study supporting the establishment of the arterial roadway development impact fee.

8.2.1.2. Clark Farms Boulevard. The value of road right-of-way conveyed to the Town and the actual construction costs for Clark Farms Boulevard (see paragraph 6.2.2 above).

8.2.2. Current fee. As of the date of this Agreement, the Town's arterial roadway development impact fee that would apply to Gladden II before the credit is \$5,941 per lot.

8.3. Park development impact fees and credits.

8.3.1. Total value. The Developer does not currently anticipate providing any park lands or undertaking any park construction in connection with Gladden II that is addressed in the Town's park impact fee ordinance (Ordinance No. 2005.11).

8.3.2. Credit per lot. There is no credit against the Town's park development impact fee for Gladden II as a result of any of the improvements addressed in this Agreement.

8.3.3. Current fee. As of the date of this Agreement, the Town's park development impact fee is \$2,884 per lot.

8.4. Gravity storage and renewable resource development impact fees and credits.

8.4.1. Total value. The Developer does not currently anticipate providing any gravity water storage or renewable water resources in connection with Gladden II.

8.4.2. Credit per lot. There is no credit against the Town's of gravity water storage and renewable water resources impact fee for Gladden II as a result of any of the improvements addressed in this Agreement.

8.4.3. Current fee. As of the date of this Agreement, the Town's gravity storage and renewable resource development impact fee is \$1,467 for each single family residential lot served by a $\frac{1}{4}$ " x $\frac{3}{4}$ " meter.

8.5. Water system infrastructure development impact fees and credits.

8.5.1. Current fee. As of the date of this Agreement, the Town's water system infrastructure development impact fee is \$864 for each single family residential lot served by a $\frac{1}{4}$ " x $\frac{3}{4}$ " meter.

8.5.2. Credit. Developer is entitled to full credit against the Town's water system infrastructure impact fee as a result of providing the following water system infrastructure capacity improvements:

8.5.2.1. Two potable water wells, each capable of supplying peak daily demand; and

8.5.2.2. One reservoir providing 125% of average daily demand plus fire flow; and



Appendix F: Development Agreement

8.5.2.3. Booster station capacity capable of serving peak daily demand plus fire flow or peak hour demand, whichever is greater.

Article 9. Cooperation and Alternative Dispute Resolution.

9.1. Appointment of representatives. To further the commitment of the Parties to cooperate in the progress of the Development, the Town and the Developer each shall designate and appoint a representative to act as a liaison between the Town and its various departments and the Developer. The initial representative for the Town (the "Town Representative") shall be the Development Services Administrator, and the initial representative for the Developer shall be Dean Wingert or a replacement to be selected by the Developer. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties to this Agreement and the development of the Property.

9.2. Timing. The Town acknowledges the necessity for prompt review by the Town of all plans and other materials (the "Submitted Materials") submitted by the Developer to the Town hereunder or pursuant to any zoning procedure, permit procedure, or other governmental procedure pertaining to the development of the Property and agrees to use its best efforts to accomplish such prompt review of the Submitted Materials whenever possible.

9.3. Default; remedies. If either Party defaults (the "Defaulting Party") with respect to any of that Party's obligations under this Agreement, the other Party (the "Non-Defaulting Party") shall be entitled to give written notice in the manner prescribed in Article 11 to the Defaulting Party, which notice shall state the nature of the default claimed and make demand that such default be corrected. The Defaulting Party shall then have (i) twenty days from the date of the notice within which to correct the default if it can reasonably be corrected by the payment of money, or (ii) thirty days from the date of the notice to cure the default if action other than the payment of money is reasonably required, or if the non-monetary default cannot reasonably be cured within sixty days, then such longer period as may be reasonably required, provided and so long as the cure is promptly commenced within sixty days and thereafter diligently prosecuted to completion. If any default is not cured within the applicable time period set forth in this paragraph, then the Non-Defaulting Party shall be entitled to begin the mediation and arbitration proceedings set forth in paragraphs 9.4 and 9.5 below. The Parties agree that due to the size, nature and scope of the Development, and due to the fact that it may not be practical or possible to restore the Property to its condition prior to Developer's development and improvement work, once implementation of this Agreement has begun, money damages and remedies at law will likely be inadequate and that specific performance will likely be appropriate for the enforcement of this Agreement. This paragraph shall not limit any other rights, remedies, or causes of action that either party may have at law or in equity.

9.4. Mediation. If there is a dispute under this Agreement which the Parties cannot resolve between themselves, the Parties agree that there shall be a forty-five day moratorium on arbitration during which time the Parties agree to attempt to settle the dispute by nonbinding mediation before commencement of arbitration. The mediation shall be held under the commercial mediation rules of the American Arbitration Association. The matter in dispute shall be submitted to a mediator mutually selected by Developer and the Town. If the Parties cannot agree upon the selection of a mediator within seven days, then within three days thereafter the Town and the Developer shall request the presiding judge of the Superior Court in and for the County of Pima, State of Arizona, to appoint an independent mediator. The mediator selected shall have at least five years' experience in mediating or arbitrating disputes relating to real

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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Gladden Farms II
Specific Plan

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estate development. The cost of any such mediation shall be divided equally between the Town and the Developer. The results of the mediation shall be nonbinding on the Parties, and any Party shall be free to initiate arbitration after the moratorium.

9.5. Arbitration. After mediation (paragraph 9.4 above) any dispute, controversy, claim or cause of action arising out of or relating to this Agreement shall be settled by submission of the matter by both Parties to binding arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules and in a manner consistent with the Arizona Uniform Arbitration Act, A.R.S. § 12-501 *et seq.*, and judgment upon the award rendered by the arbitrator(s) may be entered in a court having jurisdiction. The Town and the Developer shall each appoint one impartial arbitrator, and the arbitrators shall appoint a third arbitrator to act as chairman pursuant to Section R-13 of the American Arbitration Association Commercial Arbitration Rules.

Article 10. Protected Development Rights

To ensure reasonable certainty, stability and fairness to the Developer and the Town for a reasonable period of time, the Developer and the Town agree that the zoning designations, uses, and densities that now apply to the Property, as amended by this Agreement, shall remain in effect and shall not be changed for a period of seven years after the first issuance of commercial or residential building permits on the Property (see paragraph 1.3 above) without the agreement of the Developer.

Article 11. Notices and Filings.

All notices, filings, consents, approvals and other communications provided for in or given in connection with this Agreement shall be validly given, filed, made, transmitted or served if in writing and delivered personally or sent by registered or certified United States mail, postage prepaid, if to (or to such other addresses as any Party may from time to time designate in writing and deliver in a like manner):

To the Town:
Town of Marana
Town Manager
11555 W. Civic Center Drive Bldg A-3
Marana, Arizona 85653-7006

To the Developer:
Dean Wingert
FC/M Gladden II, L.L.C.
333 E. Wetmore Suite #250
Tucson, Arizona 85705-1748

Article 12. General Terms and Conditions.

12.1. **Term.** This Agreement shall become effective upon its execution by all the Parties and the effective date of the resolution or action of the Town Council approving this Agreement (the "Effective Date"). The term of this Agreement shall begin on the Effective Date and, unless sooner terminated by the mutual consent of the Parties, shall automatically terminate and shall thereafter be void for all purposes on the twentieth anniversary of the Effective Date. If the Parties determine that a longer period is necessary for any reason, the term of this Agreement may be extended by written agreement of the Parties. The Developer shall be entitled to

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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Appendix F: Development Agreement

terminate this Agreement if the Town materially impairs the development entitlements on the Property granted by this Agreement.

12.2. Waiver. No delay in exercising any right or remedy shall constitute a waiver of that right or remedy, and no waiver by the Town or the Developer of the breach of any covenant of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other covenant or condition of this Agreement.

12.3. Attorney's fees. If any Party brings a lawsuit against any other Party to enforce any of the terms, covenants or conditions of this Agreement, or by reason of any breach or default of this Agreement, the prevailing Party shall be paid all reasonable costs and reasonable attorneys' fees by the other Party, in an amount determined by the court and not by the jury. Nothing in the use of the word "lawsuit" in the preceding sentence shall constitute a waiver of paragraph 9.5 above, requiring disputes to be resolved by binding arbitration.

12.4. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such counterparts and such signature pages all attached to a single instrument so that the signatures of all Parties may be physically attached to a single document.

12.5. Headings. The descriptive headings of this Agreement are intended to be used to assist in interpreting the meaning and construction of the provisions of this Agreement.

12.6. Recitals. The Recitals set forth at the beginning of this Agreement are hereby acknowledged and confirmed to be accurate.

12.7. Exhibits. Any exhibit attached to this Agreement shall be deemed to have been incorporated in this Agreement by reference with the same force and effect as if fully set forth in the body of this Agreement.

12.8. Further acts. Each of the Parties shall execute and deliver all documents and perform all acts as reasonably necessary, from time to time, to carry out the matter contemplated by this Agreement. Without limiting the generality of the foregoing, the Town shall cooperate in good faith and process promptly any requests and applications for plat or permit approvals or revisions, and other necessary approvals relating to the development of the Property by the Developer and its successors.

12.9. Time Essence. Time is of the essence for purposes of this Agreement.

12.10. Successors. All of the provisions of this Agreement shall inure to the benefit of and be binding upon the successors, assigns and legal representative of the Parties except as provided in paragraph 12.11 below. Unless and until the Town consents to an assignment of rights and obligations under this Agreement, the Town may enforce the Developer's obligations under this Agreement against the predecessor and successor in interest, the assignor and assignee, and the principal and legal representative. If there is a complete assignment of all rights and obligations of the Developer under this Agreement and the Town approves the assignment, the liability of the assigning party under this Agreement shall terminate effective upon the assumption of those liabilities by the assignee. The Town may not unreasonably withhold, delay or condition its approval of assignment under this paragraph. A transfer of all or any portion of Gladden II into a land trust with the Developer as beneficiary is not an assignment under this paragraph, and the Town hereby expressly consents to such a transfer into a land trust.

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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TOWN OF GLENDALE



THESE

Appendix F: Development Agreement

in full force and effect, but the provision requiring the act shall be deemed to permit the Town to act at its discretion, and if the Town fails to act, the Developer shall be entitled to terminate this Agreement.

12.20. Governing law. This Agreement is entered into in Arizona and shall be construed and interpreted under the laws of Arizona, and the Parties agree that any litigation or arbitration shall take place in Pima County, Arizona. Nothing in the use of the word "litigation" in the preceding sentence shall constitute a waiver of paragraph 9.5, requiring disputes to be resolved by binding arbitration.

12.21. Interpretation. This Agreement has been negotiated by the Town and the Developer, and no party shall be deemed to have drafted this Agreement for purposes of construing any portion of this Agreement for or against any party.

12.22. Recordation. The Town shall record this Agreement in its entirety in the office of the Pima County Recorder no later than ten days after it has been executed by the Town and the Developer.

12.23. No developer representations. Except as specifically set forth in this Agreement, nothing contained in this Agreement shall be deemed to obligate the Town or the Developer to complete any part or all of the development of the Property.

12.24. Approval. If any Party is required pursuant to this Agreement to give its prior written approval, consent or permission, such approval, consent or permission shall not be unreasonably withheld or delayed.

12.25. Force majeure. If any Party shall be unable to observe or perform any covenant or condition of this Agreement by reason of "force majeure," then the failure to observe or perform such covenant or condition shall not constitute a default under this Agreement so long as such Party shall use its best effort to remedy with all reasonable dispatch the event or condition causing such inability and such event or condition can be cured within a reasonable amount of time. "Force majeure," as used in this paragraph, means any condition or event not reasonably within the control of such party, including without limitation, "acts of God," strikes, lock-outs, or other disturbances of employer/employee relations; acts of public enemies; orders or restraints of any kind of government of the United States or any state thereof or any of their departments, agencies, or officials, or of any civil or military authority; insurrection; civil disturbances; riots; epidemics; landslides; lightning; earthquakes; subsidence; fires; hurricanes; storms; droughts; floods; arrests, restraints of government and of people; explosions; and partial or entire failure of utilities. Failure to settle strikes, lock-outs and other disturbances of employer/employee relations or to settle legal or administrative proceedings by acceding to the demands of the opposing Party or Parties, in either case when such course is in the judgment of and unfavorable to a Party shall not constitute failure to use its best efforts to remedy such a condition.

12.26. Conflict of interest. This Agreement is subject to A.R.S. § 38-511, which provides for cancellation of contracts in certain instances involving conflicts of interest.

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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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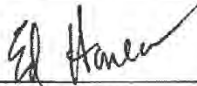


Appendix F: Development Agreement

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the last date set forth below their respective signatures.

TOWN:

THE TOWN OF MARANA, an Arizona
municipal corporation

By: 

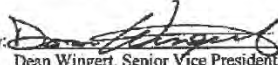
Ed Honea, Mayor

Date: 3-8-06

OWNER:

FC/M GLADDEN II, L.L.C., an Arizona
limited liability company

By: FOREST CITY LAND GROUP, INC., an
Ohio corporation, its Manager

By: 

Dean Wingert, Senior Vice President

Date: 3-07-06

ATTEST:


Jocelyn C. Bronson, Clerk

APPROVED AS TO FORM:

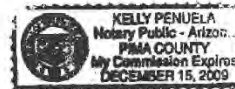

Frank Cassidy, Town Attorney
STATE OF ARIZONA)
County of Pima)

The foregoing instrument was acknowledged before me on this 07 day of MARCH, 2006 by Dean Wingert, Senior Vice President of FOREST CITY LAND GROUP, INC., an Ohio corporation, Manager of FC/M GLADDEN II, L.L.C. an Arizona limited liability company, on behalf of the LLC.

My commission expires:

12-15-2009


Notary Public



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GLADDEN FARMS II DEVELOPMENT AGREEMENT

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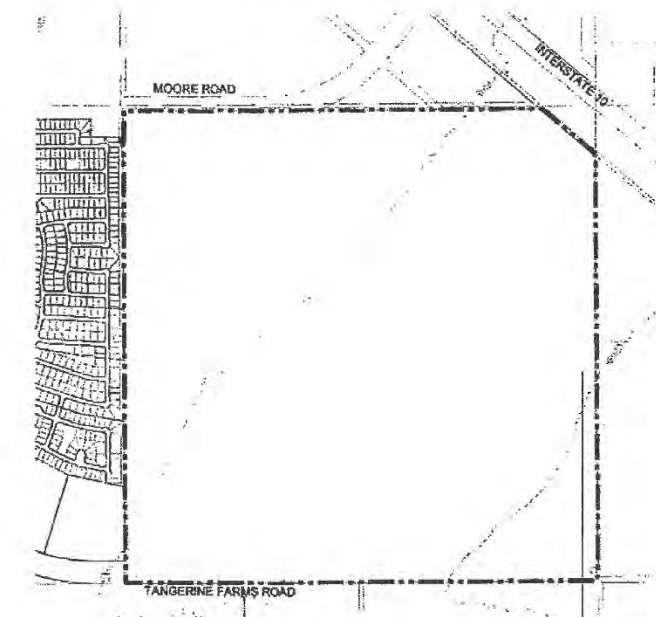
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Gladden Farms II
Specific Plan

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EXHIBIT "A"



Legend:
--- Project Boundary
--- Adjacent Parcels



 Gladden Farms II
Specific Plan

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Appendix F: Development Agreement

	Legal Description
<p data-bbox="899 468 1084 485">Order No.: 21009877-JK - D</p> <p data-bbox="680 506 915 541">EXHIBIT "B"</p> <p data-bbox="467 569 1084 638">That part of Section 35, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, lying South and West of the Southwest right of way line of the relocated Tucson-Picacho Highway, Federal Interstate Project 94, as it existed on May 15, 1950;</p> <p data-bbox="467 657 1084 707">EXCEPT THEREFROM the right of way for Moore Road, formerly Grier Road, over the North 30 feet thereof, as shown on the map recorded in Book 2 of Road Maps, Pages 123 through 128;</p> <p data-bbox="467 726 1084 756">AND EXCEPT THEREFROM the following two well sites belonging to Cortaro Water Users' Association:</p> <p data-bbox="467 774 605 791">Marana Well No. 13</p> <p data-bbox="467 810 1084 861">That portion of the Southeast quarter of the Southeast quarter of Section 35, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, particularly bounded and described as follows:</p> <p data-bbox="467 879 1084 911">BEGINNING at a point which is 62.5 feet Northerly and 25 feet Westerly from the Southeast corner of said Section 35;</p> <p data-bbox="467 930 1084 982">THENCE Westerly 62.5 feet from and parallel to the South boundary line of said Section 35, a distance of 26.8 feet to a point which intersects the Northeast right-of-way line of the Cortaro Water Users' Lateral No. 6-1/2;</p> <p data-bbox="467 1001 1084 1033">THENCE in a Northwesterly direction along the said right-of-way line of Cortaro Water Users' Lateral No. 6-1/2 a distance of 109.3 feet to a point;</p> <p data-bbox="467 1052 1084 1083">THENCE Easterly, 150 feet from and parallel to the South boundary line of said Section 35, a distance of 92.25 feet to a point;</p> <p data-bbox="467 1102 1084 1134">THENCE Southerly 25 feet from and parallel to the East boundary line of said Section 35, a distance of 87.5 feet to the POINT OF BEGINNING;</p> <p data-bbox="467 1152 605 1169">Marana Well No. 14</p> <p data-bbox="467 1188 1084 1239">That portion of the Southeast quarter of the Northeast quarter of Section 35, Township 11 South, Range 11 East, Gila and Salt River Meridian, Pima County, Arizona, particularly bounded and described as follows:</p> <p data-bbox="467 1257 1084 1289">BEGINNING at a point which is 938.65 feet Westerly and 50 feet Northerly from the East quarter corner of said Section;</p> <p data-bbox="467 1308 1084 1339">THENCE Westerly 50 feet from and parallel to the East and West center line of said Section 35, a distance of 135 feet to a point;</p> <p data-bbox="467 1358 1084 1390">THENCE Northerly 1073.65 feet from and parallel to the East line of the said Southeast quarter of the Northeast quarter of Section 35, 100 feet to a point;</p> <div data-bbox="428 1455 617 1495">  Gladden Farms II Specific Plan </div>	

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Appendix F: Development Agreement

Legal Description

Order No.: 21008977-JK - D

THENCE Easterly 150 feet from and parallel to the East and West center line of said Section 35, 135 feet to a point;

THENCE Southerly 938.65 feet from and parallel to the East line of the said Southeast quarter of the Northeast quarter of Section 35, 100 feet to the POINT OF BEGINNING;

AND EXCEPT THEREFROM the following portion conveyed to Cortaro Marana Irrigation District in the Deed recorded in Docket 1888, Page 585:

BEGINNING at a point on the North line of said Section 35, said point being South 89°49'00" West, 591.06 feet from the Northeast corner of said Section 35;

THENCE South 49°37'00" East along the Southwesterly right of way line of Interstate 10, 357.77 feet;

THENCE South 49°53'00" East, 419.03 feet to the East line of said Section 35;

THENCE South 0°15'00" East, 32.81 feet along said East line;

THENCE South 49°53'00" West, 448.44 feet;

THENCE North 49°37'00" West, 386.97 feet to the aforesaid North line of Section 35;

THENCE North 89°49'00" East, 38.44 feet to the POINT OF BEGINNING;

AND EXCEPT THEREFROM a strip of land 110 feet in width conveyed to the State of Arizona, by and through its State Highway Commission in the Deed recorded in Docket 2003, Page 408 described as follows:

BEGINNING at the point of intersection of the existing Southwest right of way line of the existing Casa Grande-Tucson Highway with the East line of Section 35, from whence the Northeast corner of said Section 35 bears Northerly 359.70 feet;

THENCE North 49°53'00" West along said existing Southwest right of way line, a distance of 325.42 feet;

THENCE North 49°37'00" West continuing along said existing Southwest right of way line, a distance of 229.27 feet, to a point on the North line of said Section;

THENCE Westerly along said North section line, a distance of 169.15 feet;

THENCE South 49°37'00" East 357.77 feet;

THENCE South 49°53'00" East 419.03 feet to a point on the aforesaid East line of Section 35;

THENCE Northerly along East section line, a distance of 144.38 feet, to the POINT OF BEGINNING;

AND EXCEPT THEREFROM the East 50 feet of the South 35 feet of the Southeast quarter of said Section 35, conveyed to Pima County in the Deed recorded in Docket 8411, Page 1237.



Gladden Farms II
Specific Plan

THENCE CORNER



Gladden Farms II
Specific Plan

Appendix F: Development Agreement

EXHIBIT C



Planning Commission Meeting

Meeting Date: 08/25/2021

To: Planning Commission

From: Cynthia Ross, Senior Planner

Date: August 25, 2021

Strategic Plan Focus Area:

Not Applicable

Subject: PCZ2103-003: Cypress Gardens Rezoning. A request for a recommendation to the Marana Town Council for approval of a rezoning of approximately 47 acres of land from R-6 (Residential) to R-4 (Residential) generally located on the northwest corner of Barnett Road and Sandario Road. (Cynthia Ross)

Discussion:

Request

Cypress Green Gardens LLC, represented by Paradigm Land Design LLC, is requesting a recommendation to the Marana Town Council for approval to rezone approximately 46.4 acres of land from R-6 (Residential) to R-4 (Residential) for the purpose of revising the existing Cypress Gardens subdivision.

Location

The property is located on the northwest corner of Barnett Road and Sandario Road in a portion of Section 28, Township 11S, Range 11E, and is approximately a quarter mile west of the Marana Civic Center complex.

Background

The property has been subject to several development approvals in the past. The original 2001 rezoning (Ordinance 2001.16) changed the property from Zone A (Small Lot Zone) to R-7 (Residential) for a proposed 183 lot subdivision and was approved with conditions to provide buffering for the Yoem Pueblo subdivision located east of the subject property, across Sandario Road. In 2013, Town staff determined that a number of the 2001 rezoning conditions warranted revision in order to conform to applicable State law and to accurately reflect and conform to the current Town of Marana policies and standard conditions. Ordinance 2013.020 addressed the irregularities and revised certain conditions of rezoning found in Ordinance 2001.16. In 2017, the property was final platted with 165 lots at 3.6 residences per acre (RAC) by Resolution 2017-057.

Land Use Proposal

The proposed rezoning asks to permit a higher density residential subdivision with 217 homes and a RAC of 4.67. The proposed subdivision will feature a mix of lot sizes ranging from 4,400 square feet to over 6,000 square feet, with an average minimum lot size of approximately 5,000 square feet. The Preliminary Development Plan shows the lot layout of the two types of lots offered: 136 lots located on the western half of the subdivision proposes 40' x 110' lots, and 81 lots located on the eastern half of the subdivision proposes 50' x 120' lots. Homes built in Cypress Gardens will be a mix of single and two-story in accordance with Marana residential development guidelines.

Recreation and Trails

The recreation area size and design will adhere to the Town's recreational design standards. Central open space corridors with landscaping and decomposed granite walking paths will connect the open space areas between two recreation areas within the development. The smaller of the two recreation

areas in the central portion of the project will include a ramada and seating. The larger recreation area in the northern portion of the project within the drainage basin will include a small activity field, ramada, and play structure. The basin has been designed so that most of the amenities will not be inundated except in the largest of storms. An important design consideration was providing safe and convenient pedestrian access to the main recreation area, which is separated from the homes south of the proposed extension of Bill Gaudette Drive. The developers have proposed installing a pedestrian underpass beneath the proposed extension. The ultimate pedestrian connection to the park will be determined by the Town Engineer.

Compatibility to Adjoining Development

The subject property's location, adjacent to three roads, minimize the potential for this development to impact adjacent landowners. Rear yard walls and landscape buffers will be provided along these boundaries to alleviate any additional impacts to the existing residences. A masonry wall will be provided on the western portion of the future extension of Bill Gaudette Drive, where the right-of-way and a small portion of the subdivision is adjacent to the property line of the Valley of the Sun Mobile Home & RV Park, in order to block the headlights from the subdivision traffic. This area will also include open space that will be utilized as a recreation area and for storm water management, creating a wide open space buffer.

Yoem Pueblo

Minimizing impacts to the Yoem Pueblo residents and the ceremonial activities that occur onsite were cause for several additional buffering requirements in previous zoning actions that are honored in this rezoning proposal and included as conditions in this rezoning ordinance. Conditions include: (1) a perimeter subdivision wall along the Sandario Road frontage shall consist of a minimum six foot high decorative block wall; (2) increased plant materials within the minimum ten-foot bufferyard on Sandario Road; (3) required notification to potential buyers that Yoem Pueblo, a cultural resource is located across Sandario Road and contains sacred grounds that have active Tribal ceremonies on an ongoing basis; (4) no vehicular access permitted from Sandario Road closer than 700-feet north of Barnett Road, this includes the ~600 linear feet of Pascua Yaqui frontage plus an additional separation.

Access and Circulation

Two subdivision access points are proposed onto Sandario Road: a north entrance via the proposed Bill Gaudette Drive and a south entrance located midway through the subdivision. Additional turning lanes on Sandario Road will be provided where warranted.

Infrastructure and Public Utilities

Marana Water will serve this subdivision. An extension of Marana's public water system may be required to be constructed by the developer. This development will connect to the existing Town of Marana sewer line in Sandario Road. No offsite sewer improvements are anticipated to be necessary. The property is located within the Tucson Electric Power service area. Existing overhead lines will be undergrounded to accommodate the proposed development. Southwest Gas will supply natural gas services to this development.

Marana General Plan

The Make Marana 2040 General Plan designates the property as Traditional Neighborhood (TN) and is included in the "Central Growth Area", which is projected to become the main "Downtown" area for the Town of Marana. The Traditional Neighborhood category allows for a range of residential densities between 2 dwelling units per acre to 18 dwelling units per acre. The 217 homes proposed on the 46.4 acre property result in a density of 4.67 RAC, which is consistent with the existing Traditional Neighborhood land use designation.

Citizen Participation

An attached memorandum summarizes Paradigm Land Design's public outreach efforts which have taken the form of a virtual online neighborhood meeting and mailings to property owners within 300 feet of the property

Public Notification

This public hearing was properly noticed in the Daily Territorial newspaper, and all property owners within 300 feet of the rezoning area were noticed by U.S. Mail of the date, time, and topic of the public hearing. Additional notices were posted at various locations within the community and on the Town website. At the time of this report, no letters of protest or comment have been received by Town staff.

Case Analysis and Review Criteria

Pursuant to Marana Town Code Section 17-3-1(D), the Planning Commission and the Town Council shall consider the following questions, at a minimum, in reviewing an application for rezoning:

1. Any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development;

Based upon the requirements and conditions, the rezoning amendment does not appear to be detrimental to the character of the area due to installation of public facilities or any other rezoning changes.

2. The degree to which the proposed zoning will benefit the community; whether there will be benefits derived by the community, or area, by granting the proposed rezoning;

With the acceptance of the recommended conditions, this rezoning will benefit the community by providing additional residential options.

3. Whether the proposed rezoning is compatible with the surrounding area or whether there will be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new use will generate such as excessive storm runoff, water, air, or noise pollution, excessive nighttime lighting, or other nuisances.

Based on the recommended requirements and conditions, the rezoning amendment is compatible with the surrounding area and does not appear to be adversely impact the adjacent street network or generate such excessive storm runoff, water, air, or noise pollution, excessive nighttime lighting, or other nuisances.

4. Whether the proposal conforms with and is in furtherance of the implementation of the goals and policies of the general plan, other adopted plans, and the goals, objectives and policies of the land development code, and other town regulations and guidelines, including goals and policies relating to economic development;

The rezoning amendment conforms with the goals and policies of the general plan, the land development code, and other town regulations and guidelines.

5. The zoning districts and existing land uses of the surrounding properties;

Based on the recommended requirements and conditions, the rezoning amendment is compatible with the surrounding properties zoning and existing land use.

6. That the existing and proposed transportation infrastructure is suitable and adequate to serve the traffic anticipated to be generated by the proposed development;

With the acceptance of the recommended conditions, the existing and proposed transportation infrastructure is suitable and adequate to serve the traffic anticipated to be generated by the proposed development.

7. Whether the existing and proposed utility infrastructure, public facilities, and public services are suitable and adequate to serve the proposed rezoning area;

Based upon the rezoning requirements and conditions, there is adequate utility infrastructure, public facilities, and public services in the area to serve the proposed rezoning area.

8. Whether the subject property is suitable for the uses to which it has been restricted under the existing zoning classification;

Based upon the rezoning requirements and conditions, the subject property is suitable for the proposed uses.

9. Whether the rezoning is compatible with the adjacent neighborhood, especially residential neighborhood stability and character;

Based upon the rezoning requirements and conditions, this rezoning amendment is compatible with the adjacent neighborhood in area stability and character.

10. If applicable, the length of time the subject property has remained vacant as zoned:

The subject property has remained vacant since annexation in to the Town.

11. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs:

Based upon the rezoning amendment subject area location, there is an adequate supply of land available in the area and the surrounding community to accommodate the zoning and community needs.

Staff Recommendation:

This is a discretionary item for the Planning Commission to consider. Should the Planning Commission wish to recommend approval of this item to Town Council, staff recommends the approval be subject to 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 substantial conformance with the conceptual land use 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 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 the Marana Water 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 any gated or emergency access, must be accepted by the Northwest Fire District prior to Town Council consideration of a final plat for any portion of the Rezoning Area.
8. The maximum number of single family detached residential lots within the Rezoning Area shall not exceed 217.
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 the Marana Water Reclamation Department, 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 Marana Water Reclamation Department 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 Army Corps of Engineers and the State Historic Preservation Office, if federal permits are required for the development of the Rezoning Area.
12. The Property Owners shall not cause any lot split of any kind without the written consent of the Town of Marana.
13. Prior to issuance of a building permit and pursuant to Marana Ordinance No. 99.02, the Property Owners within the Lower Santa Cruz River Levee Benefit Area shall reimburse the Town for the project's proportionate share for the construction of the Lower Santa Cruz River Levee.
14. The Property Owners shall install a non-potable system to serve the common open space areas and other landscape amenities, as accept by the Cortaro-Marana Irrigation District.
15. The Property Owners shall notify potential buyers that some or all of the property in the Rezoning Area is subject to an annual tax and assessment by Cortaro-Marana Irrigation District and Cortaro Water User's Association.
16. The property owner shall ensure safe pedestrian access to the main recreation area, which is separated from the homes south of the proposed extension of Bill Gaudette Drive, by installing a pedestrian underpass beneath the proposed extension or another safe pedestrian connection treatment determined by the Town Engineer.
17. The perimeter subdivision wall along the Sandario Road frontage shall consist of a minimum six foot high decorative block wall.
18. The plant materials within the minimum 10-foot bufferyard along the Sandario frontage, from the southern access point to Barnett Road shall be planted with a minimum of six trees (50% 24-inch box or greater) 12 shrubs, and 15 – one gallon ground cover / accent plants per 1,000 square feet of area.
19. The Property Owners shall notify potential buyers that Yoem Pueblo, a cultural resource, is located across Sandario Road and contains sacred grounds that have active Tribal ceremonies on an ongoing basis.
20. Vehicular access from Sandario Road to the Rezoning Area must be located more than 700-feet north of Barnett Road.
21. The property contains potentially suitable habitat for the burrowing owl. Please note that the Western Burrowing Owl is protected under the Federal Migratory Bird Treaty Act of 1918 and State Law Titles 17-101 and 17-235. Per the Act and state law, a qualified biologist (certified by AZ Game & Fish Dept. - AZGFD) must perform a survey 30 days prior to the start of grading. If a burrowing owl is detected during the survey, AZGFD will coordinate with the property owner to exclude or move the owls without causing delay to the project.
22. The Property Owners shall notify potential buyers that an avigation easement has been recorded

on this property in the Pima County Recorder's Office at Sequence No. 20141900040.

23. The Property Owners shall notify potential buyers that the Rezoning Area falls in the Airport Influence Zone as delineated in the Make Marana 2040 General Plan, and is subject to frequent overflight by general aviation aircraft.

Suggested Motion:

I move to recommend to the Town Council approval of the Cypress Gardens Rezoning (PCZ2103-003) subject to the recommended conditions.

Attachments

Application

Location Map

Cypress Gardens Rezoning Site Analysis

Applicant Public Outreach Summary



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: _____ |

PROJECT INFORMATION

Project Name:

Description of Project:

Number of Lots:

Parcel No.(s):

Gross Area (Acres):

Project Address:

Ref. Project No.:

CONTACT INFORMATION

Owner:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

Applicant:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

Consultant/Engineer:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

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.)

Applicant Name (PRINT)

Signature

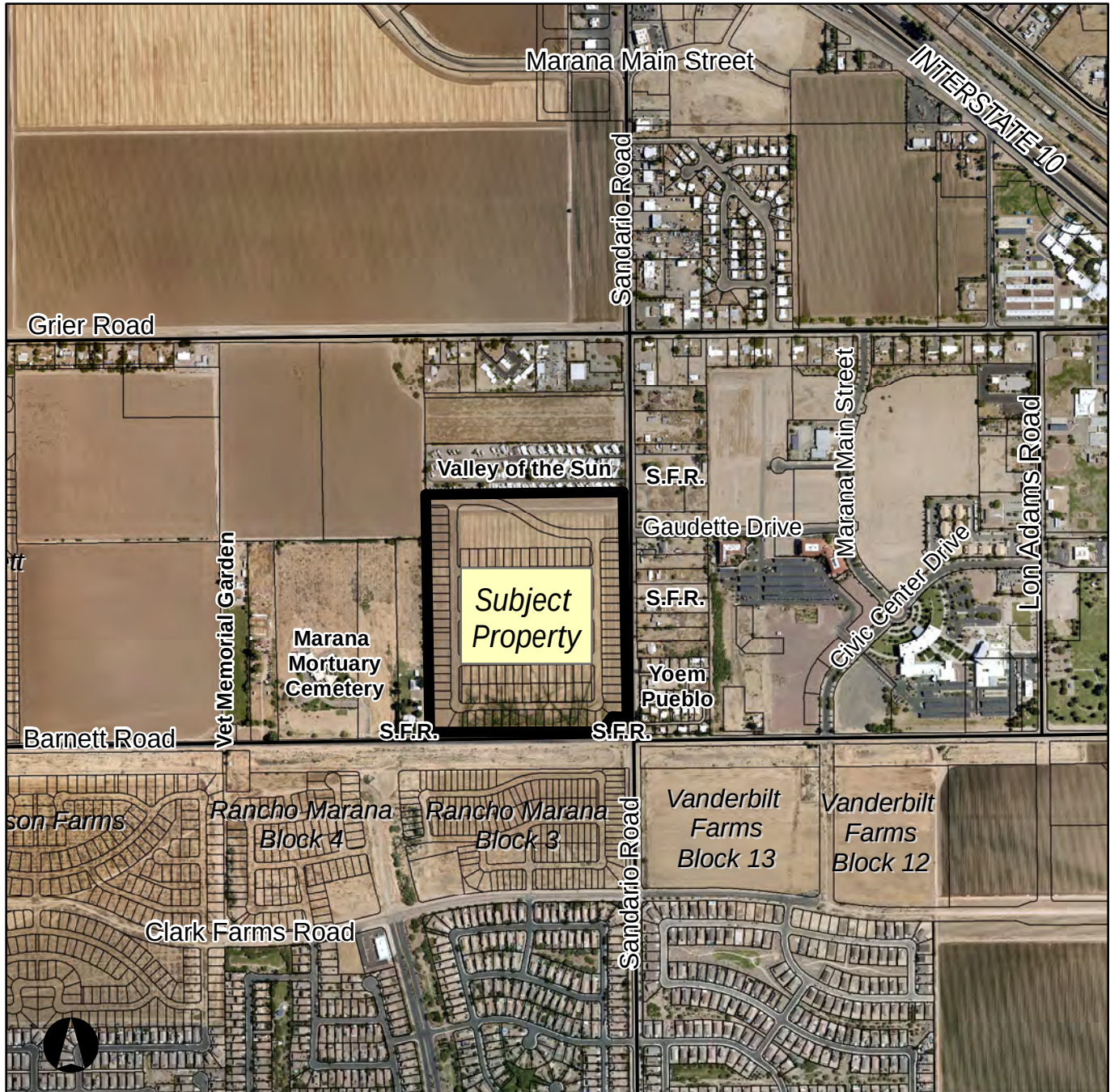
Date

FOR OFFICIAL USE ONLY

Revision Date 03/29/2019

Project No. _____

Date Received _____



Data Disclaimer: The Town of Marana provides this map information "As Is" at the request of the user with the understanding that it is not guaranteed to be accurate, correct or complete and conclusions drawn from such information are the responsibility of the user. In no event shall The Town of Marana become liable to users of these data, or any other party, for any loss or direct, indirect, special, incidental, or consequential damages, including but not limited to time, money, or goodwill, arising from the use or modification of the data.

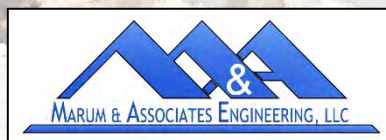
CYPRESS GARDENS REZONING SITE ANALYSIS (PCZ2103-003)

PREPARED BY:



**CONTACT: PAUL OLAND
GPO@PARADIGMLAND.US
(520) 664-4304**

IN COLLABORATION WITH:



JULY 2021

PARADIGM #19ARB01

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I. INTRODUCTION

A. BACKGROUND

The Cypress Gardens property (the "Property") is 46.4± acres located at the northwest corner of the intersection of Barnett Road and Sandario Road in Marana, Arizona. The Property has been subject to several development approvals in the past:

- Ordinance 2001.16: Rezoning from "A" Zone (Small Lot) to R-6. This rezoning proposed 183 lots (3.9 homes per acre) and was approved with conditions added by Town Council to provide additional buffering for the Yoem Pueblo subdivision across Sandario Road from the Property.
- Ordinance 2013.020: Rezoning conditions revision. Conditions of approval were stricken and added to address provisions inconsistent with 2013 Town of Marana policies and actions that occurred between 2001 and 2013, and to conform the 2001 rezoning conditions to then-current (2013) policies and standard conditions.
- Resolution 2017.057: Final plat (and preliminary plat) of 165 lots (3.6 homes per acre), which is still in place today.

B. PROJECT OVERVIEW

In response to demand for smaller home sites in this vicinity this rezoning is proposed to permit the development of a residential neighborhood featuring somewhat smaller lot sizes than the existing plat. The proposed subdivision of 217 homes (4.7 homes per acre vs. 3.6 per the existing plat) will feature a mix of lot sizes ranging from 4,400 square feet to over 6,000 square feet, with an average minimum lot size of approximately 5,000 square feet. Cypress Gardens is bounded by Sandario Road to the east, Barnett Road to the south, single-family residential and undeveloped parcels to the west, and the Valley of the Sun Mobile Home & RV Park to the north. The Pascua Yaqui Yoem Pueblo subdivision is across Sandario Road from the Property. The additional buffering considerations mentioned above for the Yoem Pueblo will be honored in this rezoning request. The Make Marana 2040 General Plan's "Traditional Neighborhood" designation indicates that residential densities can range between 2 - 18 homes per acre which is appropriate for the Cypress Gardens property, as proposed. This document has been prepared in support of a request to rezone the Property from "R-6 Residential" to "R-4 Residential".

C. PRIMARY OBJECTIVES

- Provide much needed high-quality, energy efficient, single-family detached homes for new residents wishing to live in the Town of Marana. Homebuyers continue to exhibit strong demand for new homes in this northwest part of the Tucson metropolitan area.
- Provide a variety of lot sizes to accommodate moderate-income families.
- Construct a residential community that is compatible with both existing and future surrounding land uses.
- Fulfill elements of the Town of Marana Strategic Plan by creating meaningful open space, and trail connectivity.
- Improve upon the previous design and make better use of the land and surrounding infrastructure.

Being bound on two of its four sides by major roads, Cypress Gardens will have minimal impact on nearby landowners. Land to the south is already zoned and/or under development as residential subdivisions within Rancho Marana. Land to the north contains the Valley of the Sun Mobile Home & RV Park. Land to the west is largely undeveloped and contains the Marana Mortuary Cemetery, and land to the east contains single-family residential and downtown Marana.



II. INVENTORY & ANALYSIS

The purpose of the Inventory & Analysis section of this document is to catalog the various developmental opportunities and constraints impacting the Property in order to provide a meaningful and relevant context for the development proposal detailed in Section III of this document. Through careful consideration of these existing conditions a design can be deemed compatible with its surroundings and appropriate for the area.

A. EXISTING LAND USES

1. Site Location

The Property is currently platted with 165 lots and open space totaling approximately 46.4 acres located at the northwest corner of the intersection of Barnett Road and Sandario Road within Section 28, Township 11 South, Range 11 East, Town of Marana, Arizona. See Exhibit II-A-1: Site Location Map.

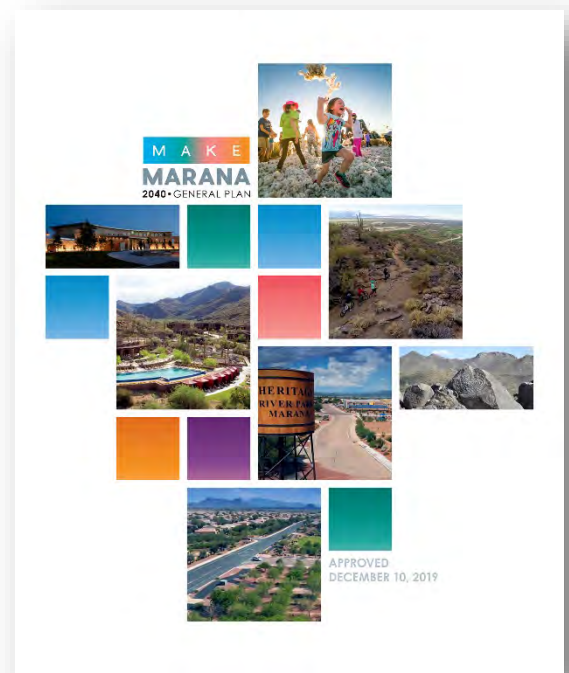
The Project's administrative address is 13401 N. Sandario Rd., Marana, AZ 85653.

2. Existing Land Uses, Onsite Zoning & General Plan

The Property is currently undeveloped and vacant. See Exhibit II-A-2: Existing Land Uses.

As discussed earlier in this document, the Property is currently zoned R-6 (Residential) with a minimum lot size of 6,000 square feet. The R-6 zoning was established in 2001 and some conditions of approval were revised in 2013. Ordinance 2013.020 is provided on the following pages. See Exhibit II-A-4: Existing Zoning.

The Make Marana 2040 General Plan designates the Property as Traditional Neighborhood and is included in the "Central Growth Area". As stated in the General Plan, this Central Growth Area is projected to become the main "Downtown" area for the Town of Marana. With lots of space for growth, this area is envisioned to include event and gathering spaces, shops, entertainment destinations, and employment opportunities. New residential developments such as Cypress Gardens will help support robust commercial activity throughout Downtown. This project will provide a variety of housing types and price ranges to promote growth in Downtown Marana. See Exhibit II-A-3: Existing General Plan Land Uses.



Rezoning Ordinance 2013.020

T
P
T
S.

F. ANN RODRIGUEZ, RECORDER
Recorded By: JNC
DEPUTY RECORDER
4917

SMARA
TOWN OF MARANA
PICKUP



SEQUENCE: 20132350125
NO. PAGES: 4
ORDIN 08/23/2013
10:54
PICK UP
AMOUNT PAID: \$7.00

MARANA ORDINANCE NO. 2013.020

RELATING TO DEVELOPMENT; AMENDING MARANA ORDINANCE NO. 2001.16, REZONING APPROXIMATELY 44 ACRES OF LAND AT THE NORTHWEST CORNER OF SANDARIO AND BARNETT ROADS FROM "ZONE A" TO "R-6," BY REVISING THE CONDITIONS OF REZONING TO CONFORM TO INTERVENING TOWN ACTIONS, CURRENT TOWN POLICIES, AND CURRENT ARIZONA LAW

WHEREAS the Mayor and Council adopted Marana Ordinance No. 2001.16 on November 20, 2001, rezoning approximately 44 acres of land at the northwest corner of Sandario and Barnett Roads from "Zone A" to "R-6;" and,

WHEREAS the Town Attorney has advised that condition of rezoning number 2 of Marana Ordinance No. 2001.16, which calls for automatic reversion, is inconsistent with the procedures mandated by A.R.S. § 9-462.01 (E); and

WHEREAS no notice and public hearing were provided with respect to any reversion of this rezoning as required by A.R.S. § 9-462.01 (E), so there has been no reversion of this rezoning; and

WHEREAS the conditions of rezoning numbers 3, 4, 5, 6, 8, 10, 11, 14, 15, and 16 set forth in Marana Ordinance No. 2001.16 include provisions inconsistent with Town of Marana actions that have occurred in the intervening years and current Town of Marana policies; and

WHEREAS this ordinance makes other revisions to the conditions of rezoning to conform to current Town of Marana policies and standard conditions; and

WHEREAS the Mayor and Council find that these condition modifications are insubstantial enough not to require or benefit from Planning Commission consideration, and that this ordinance is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Ordinance No. 2001.16 is hereby amended by revising the conditions of rezoning as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

1. Compliance with all provisions of the Town's Codes, Ordinances and policies of the General Plan, and the Northwest Marana Area Plan current at the time of any subsequent development, including, but not limited to, requirements for public improvements.
2. ~~This rezoning is valid for three years from the date of Town Council approval provided that if the developer fails to have a plat recorded prior to the three~~

Rezoning Ordinance 2013.020 (cont'd)

- years the property shall revert to the original zoning without further action by the Town Council. ~~[Deleted]~~
3. The Developer shall dedicate Sandario to a maximum of 45-foot half-width right-of-way and ~~Barnett to a maximum of 75-foot half-width right-of-way and a 60-foot full width right-of-way to provide for the extension of Bill Gaudette Drive, for street purposes, or as accepted by the Town. In the event an infrastructure development project requiring additional right-of-way along Sandario or Barnett is programmed in the approved Capital Improvement Plan for the Town,~~ The developer shall convey the subject right-of-way upon demand by the Town or by plat.
 4. The Developer shall dedicate, if applicable, their share of the loop road (new Sandario connecting to Tangerine) a minimum of 250 feet full right-of-way, inclusive of the linear park element. In the event an infrastructure development project requiring additional right-of-way along the Loop Road is programmed in the approved Capital Improvement Plan for the Town, and is aligned within this property, the developer shall convey the subject right-of-way upon demand by the Town. ~~[Deleted]~~
 5. The Developer shall provide, if needed, to the Development Services Administrator's Town Engineer's satisfaction, the necessary off site roadway dedications and improvements as deemed necessary by the Town's ~~Development Services Administrator~~ Planning Director and Town Engineer to support the proposed development of the site.
 6. The Developer shall provide a proportionate financial share in regional transportation improvements and other major infrastructure improvements, that include but are not limited to upgrades to the Tangerine/I-10 and Marana/I-10 interchanges, and Moore Road/I-10 interchange, as identified in the Northwest Marana Area Plan and the Marana Master Transportation Plan. ~~[Deleted]~~
 7. A water service agreement and master water plan must be submitted, by the Developer, and accepted by the Utilities Director prior to the approval of the first preliminary plat, by the Town Council.
 8. A sewer service agreement and master sewer plan must be submitted, by the Developer, and accepted by ~~Pima County Wastewater Management~~ the Utilities Director and the Town Engineer prior to the approval of the first preliminary plat by the Town Council.
 9. The property owner shall transfer with the final plat, by the appropriate Arizona Department of Water Resources form, those water rights being IGR, Type I or Type II to the Town of Marana for the Town providing designation of assured water supply and water service to said property. If Type I or Type II are needed on said property, the Town and developer/landowner shall arrive at an agreeable solution to the use of those water rights appurtenant to said land.

Rezoning Ordinance 2013.020 (cont'd)

10. Prior to the issuance of a building permit and pursuant to Marana Ordinance No. 99.02 the property owner(s) within the Lower Santa Cruz River Levee Benefit Area shall ~~enter into a Development Agreement with the Town of Marana to reimburse the Town for this project's proportionate share for the cost of construction of the Lower Santa Cruz River Levee.~~
11. The Developer shall develop an irrigation system, dedicated to the Town, to distribute irrigation water to all ~~properties common area and open space containing landscaping~~ within this development as directed by the Marana Utilities Department.
12. Potential buyers shall be notified that some or all of the property in this rezoning is subject to an annual tax and assessment by Cortaro Marana Irrigation District and Cortaro Water Users' Association.
13. Prior to Town Council review the applicant shall address the comments of the Cortaro-Marana Irrigation District to their satisfaction and provide staff with written clearance.
14. ~~The developer shall enter into a Development Agreement to provide an in-lieu contribution for off-site parkland and park facility development as accepted by the Town, prior to approval of a Final Plat. [Deleted]~~
15. ~~Prior to submittal of a subdivision plat the applicant shall provide written verification that the site has been annexed into the Northwest Fire/Rescue District. [Deleted]~~
16. The perimeter subdivision wall adjacent to the 10-foot bufferyard along the Sandario Road frontage, ~~from the southern access point to Barnett Road,~~ shall consist of a minimum six (6) foot high decorative block wall.
17. The plant materials within the minimum 10-foot bufferyard along the Sandario frontage, ~~from the southern access point to Barnett Road~~ shall be planted with a minimum of six (6) trees (50% 24-inch box or greater), twelve (12) shrubs, and fifteen (15) - 1 gallon ground cover / accent plants per one thousand (1,000) square feet of area.
18. Potential buyers shall be notified that Yoem Pueblo, a cultural resource is located across Sandario Road and contains sacred grounds that have active Tribal ceremonies on an ongoing ~~base-basis.~~
19. No vehicular access shall be permitted from Sandario Road closer than 700-feet north of Barnett Road, this includes the ~600 linear feet ~~l.f.~~ of Pascua Yaqui frontage plus an additional separation.
20. An avigation easement shall be recorded for this property prior to approval of the final plat.
21. The Developer shall pay an in lieu fee of \$16,820 as the Developer's fair-share contribution for the construction of a multi-use path or sidewalk within the Sandario Road right-of-way along the east boundary of the property, payable upon the Town's request or at the time of platting, whichever occurs first.

Rezoning Ordinance 2013.020 (cont'd)

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed as of the effective date of this ordinance; provided, however, that this repeal shall not affect the rights and duties that matured or penalties that were incurred and proceedings that were begun before the effective date of the repeal.

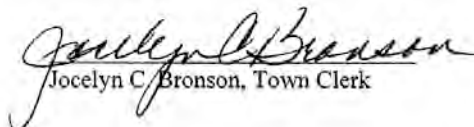
SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. This ordinance is effective on September 20, 2013.

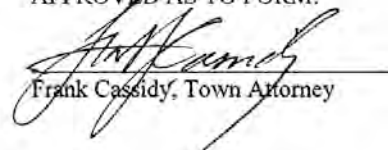
PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 20th day of August, 2013.


Mayor Ed Honea

ATTEST:


Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:


Frank Cassidy, Town Attorney



3. Avigation Easement

The Property is within the airport influence area for aircraft utilizing Marana Regional Airport and is subject to an existing avigation easement (Pima County Recorder Sequence #2014190040) that is perpetual and runs with the land. A note will be placed on the final plat notifying future residents of the easement.

4. Existing Adjacent Zoning and Land Uses

a. Surrounding Zoning & Land Uses

The Property is surrounded by properties featuring the following zoning designations and land uses. See Exhibit II-A-2: Existing Land Uses and Exhibit II-A-4: Existing Zoning.

N:	Existing zoning:	A-Small Lot Zone
	Existing land use:	Valley of the Sun Mobile Home & RV Park
NE:	Existing zoning:	A-Small Lot Zone
	Existing land use:	Sandario Road and Undeveloped Land
E:	Existing zoning:	A-Small Lot Zone
	Existing land use:	Sandario Road, the current western terminus of Bill Gaudette Drive, the Yoem Pueblo Subdivision, and the Marana Health Center and Municipal Complexes Beyond
SE:	Existing zoning:	Rancho Marana Specific Plan
	Existing land use:	The Intersection of Sandario Rd. & Barnett Road, Residential, and Undeveloped Land (Vanderbilt Farms)
S:	Existing zoning:	Rancho Marana Specific Plan
	Existing land use:	Barnett Rd. and Undeveloped Land (Rancho Marana Block 3)
SW:	Existing zoning:	Rancho Marana Specific Plan
	Existing land use:	Barnett Rd. and Undeveloped Land (Rancho Marana Block 4)
W:	Existing zoning:	A-Small Lot Zone & Las Pilas Specific Plan
	Existing land use:	Residential, Undeveloped Land, and the Marana Mortuary Cemetery
NW:	Existing zoning:	Las Pilas Specific Plan
	Existing land use:	Undeveloped Land

b. Surrounding Building Heights

Nearby structures are a mix of single and two-story. Some buildings within the Marana Municipal Complex and Marana Health Center campus are 3-story.

c. Nearby Pending Rezoning

There are no pending rezonings within one-quarter mile. The Remington Ranch rezoning is just over one-quarter mile to the southwest.

d. Nearby Approved Rezoning

There are no recently approved rezonings within one-quarter mile.

e. Nearby Approved Subdivisions & Development Plans

The Pascua Yaqui Yoem Pueblo subdivision is across Sandario Road from the Property. The Yoem Pueblo property has been occupied with houses and other buildings for many years and was subject to a formal subdivision plat in 2016. Minimizing impacts to the Yoem Pueblo residents and the ceremonial activities that occur onsite were cause for several additional buffering requirements in previous zoning actions. Those buffering requirements will be honored as part of this rezoning proposal.

The Rancho Marana Specific Plan is across Barnett Road, directly south of Cypress Gardens. Rancho Marana Blocks 1 and 2 (Solara) are completely built out. Rancho Marana Block 3 is approved for 128 lots and Rancho Marana Block 4 is approved for 81 lots, but construction has yet to begin.



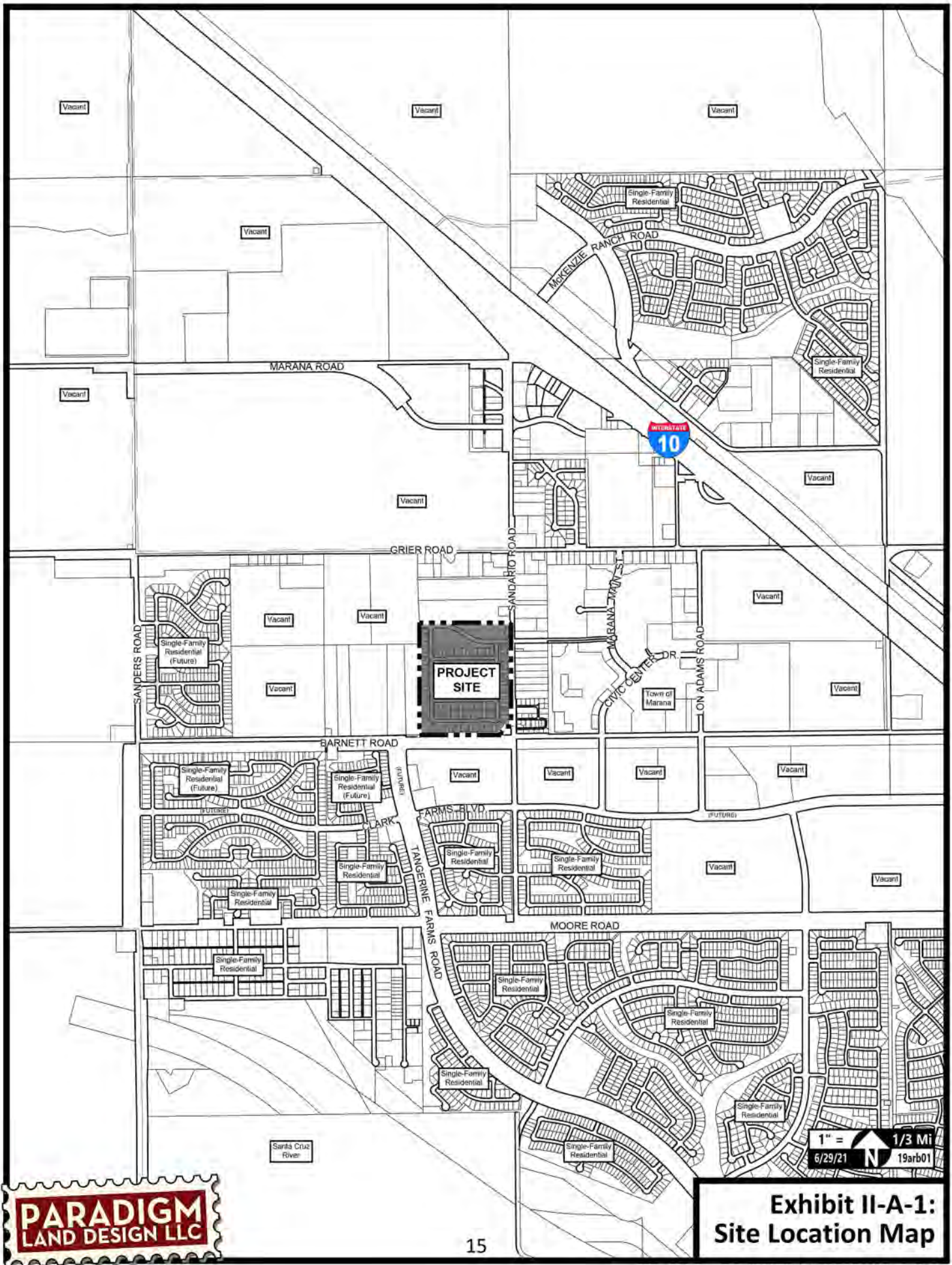
The Farm Field Five subdivision, also a part of the Rancho Marana Specific Plan, is approximately one-quarter mile southeast of Cypress Gardens and is currently under construction.

f. Architectural Styles used in Adjacent Properties

Architectural styles of site-built homes east of Cypress Gardens are typical of most unplanned development in rural Marana, which is a mix of traditional and contemporary southwest homes. Architectural styles in surrounding subdivisions under construction will be mainly wood frame homes that utilize stucco and stone veneer and have either a flat or gabled tile roof.



Residences built within this Project will be subject to the Town of Marana Residential Design Standards, which apply to developments in which any lot is 16,000 square feet or less in size.



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LAND DESIGN LLC

**Exhibit II-A-1:
Site Location Map**

Notes

1. There are no existing structures or billboards on the subject property.
2. Nearby building heights range between 1 - 3 stories.

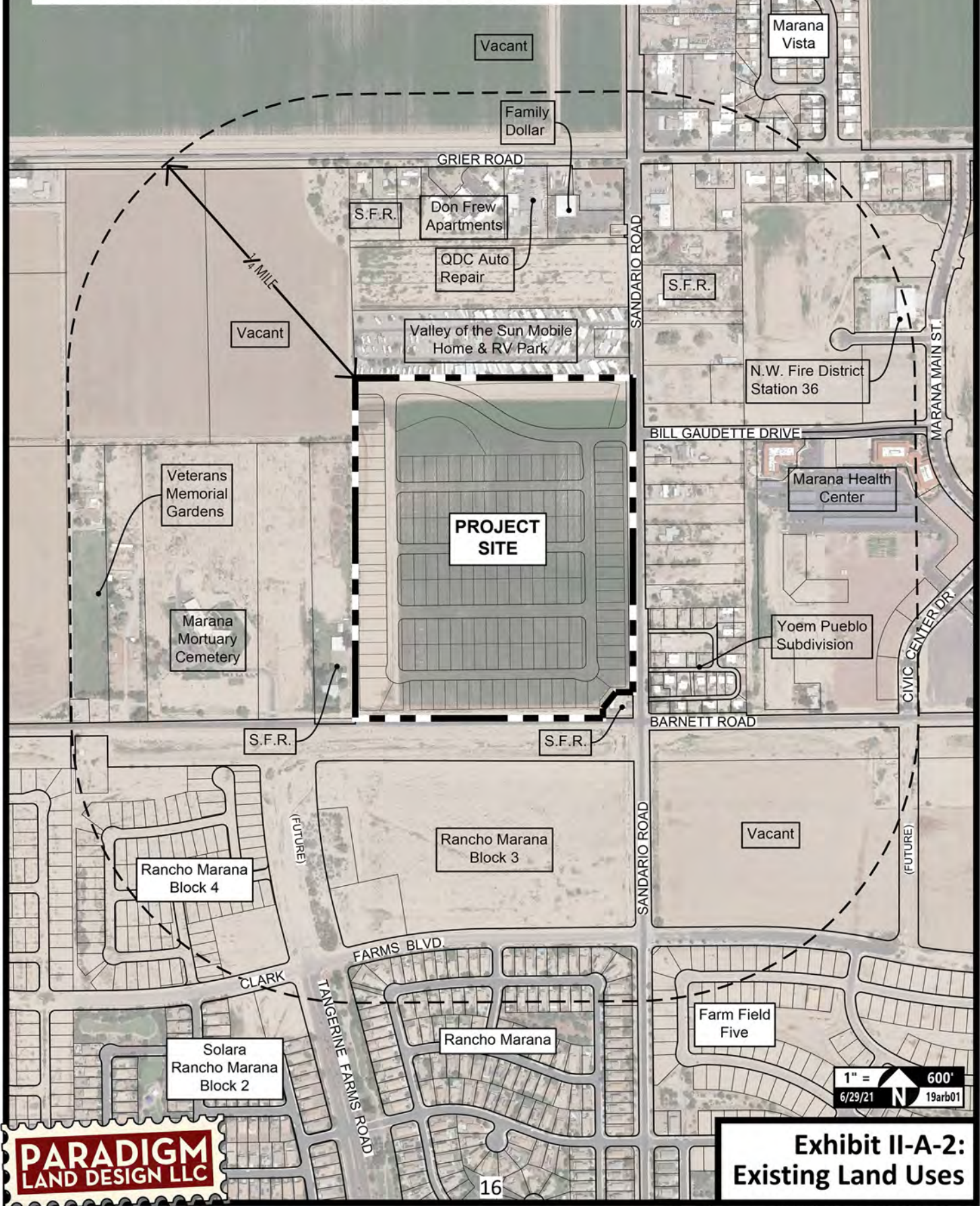
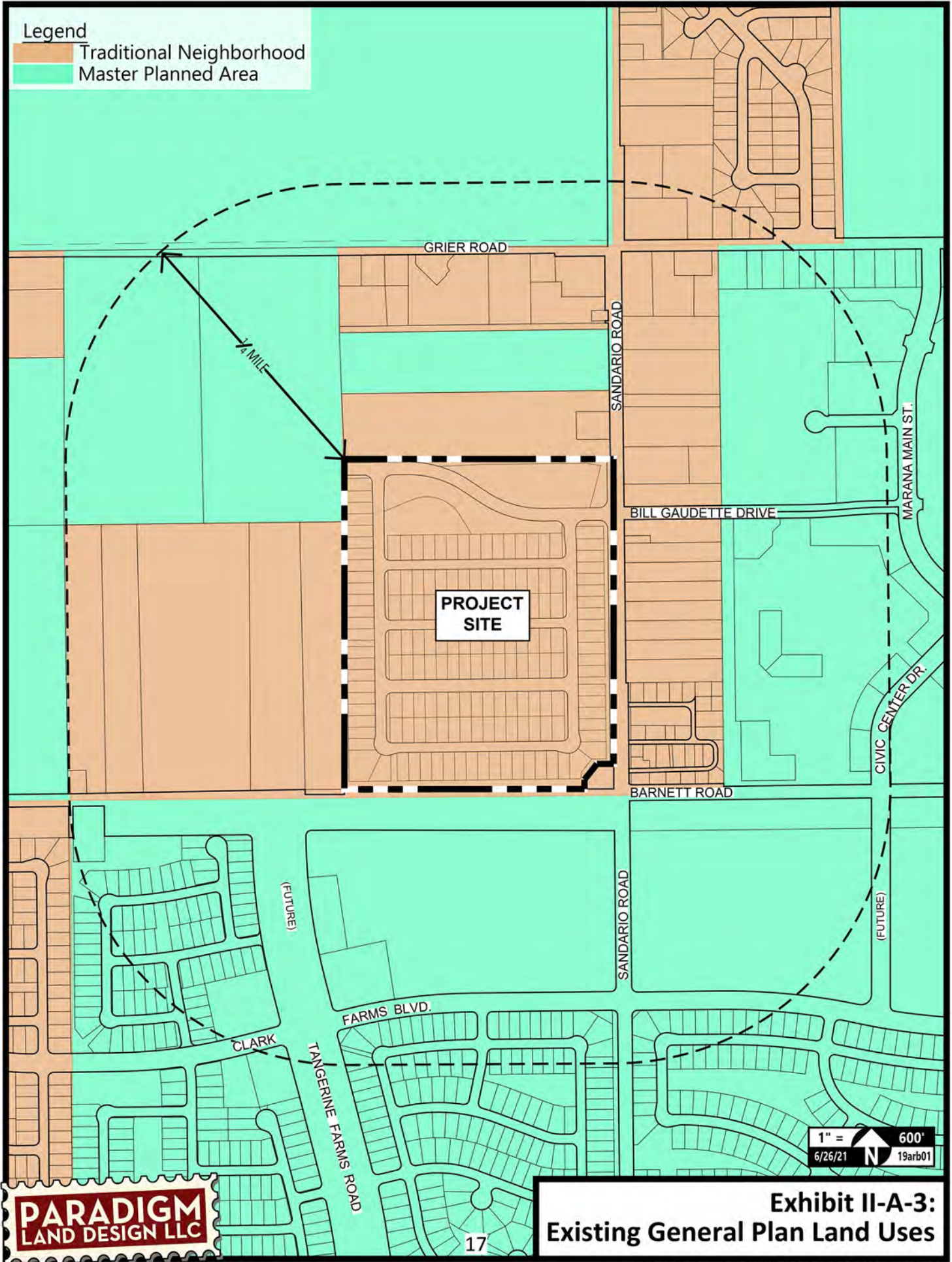


**Exhibit II-A-2:
Existing Land Uses**

Legend

- Traditional Neighborhood
- Master Planned Area

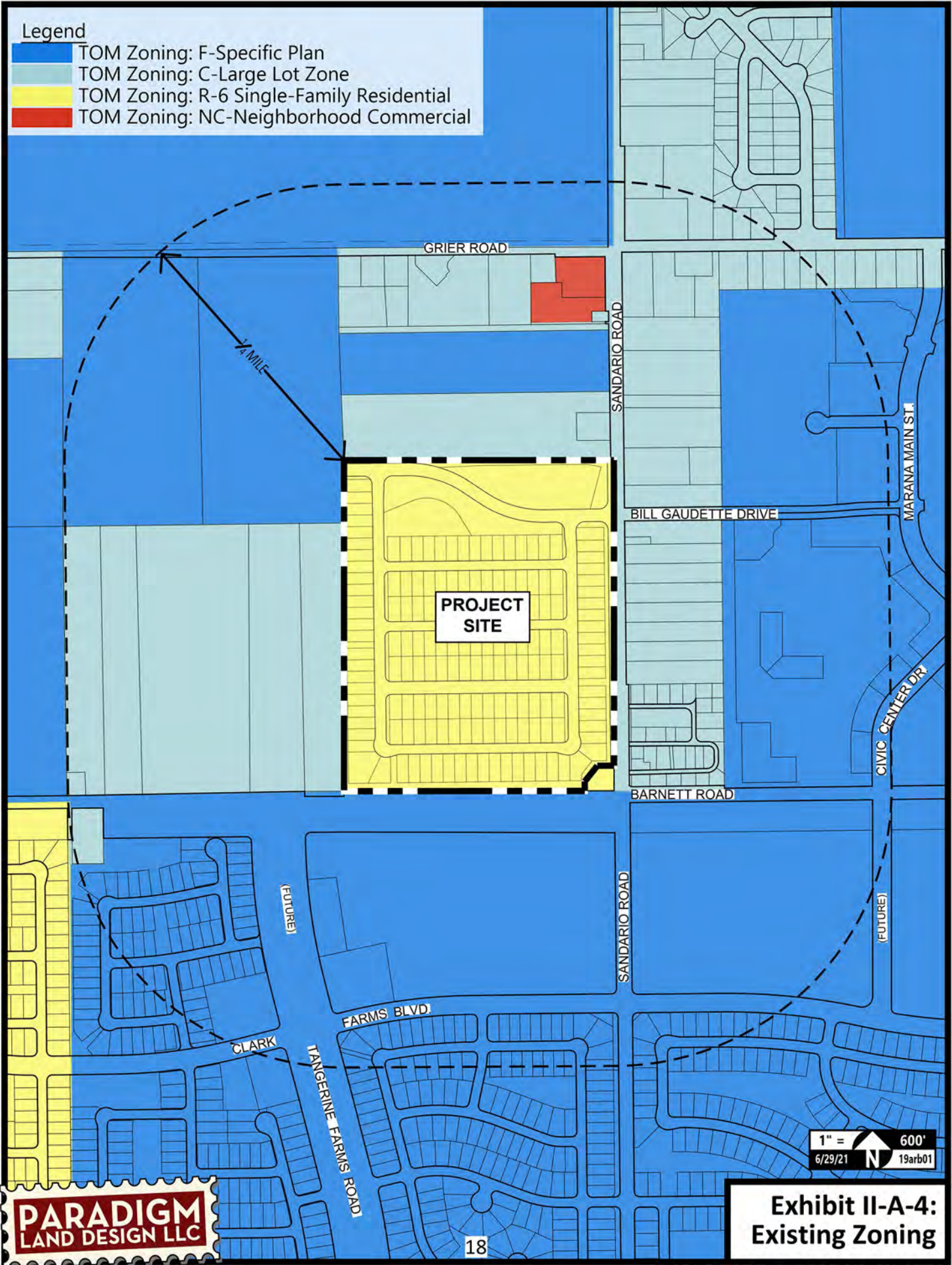


PARADIGM
LAND DESIGN LLC

**Exhibit II-A-3:
Existing General Plan Land Uses**

Legend

- TOM Zoning: F-Specific Plan
- TOM Zoning: C-Large Lot Zone
- TOM Zoning: R-6 Single-Family Residential
- TOM Zoning: NC-Neighborhood Commercial



PARADIGM
LAND DESIGN LLC

B. TOPOGRAPHY AND SLOPE**1. Topographic Characteristics**

The topography of Cypress Gardens is characterized by extremely flat terrain due to historic farming activity. The property generally slopes downward from southeast to northwest. Elevations range from approximately 1,987 feet above sea level at the southeast corner to 1,982 feet above sea level at the northwest corner of the property. The site does not contain any hillside conservation areas, rock outcrops, slopes of 15% or greater, or other significant topographic features. See Exhibit II-B-1: Topography.

2. Pre-Development Slope*a. Average Cross-Slope*

The pre-development average cross-slope of the subject property is approximately 0.35%, according to the following formula:

C = Contour Interval

L = Length of Topographic Contours

A = Acreage of Site

$(C \times L \times 0.0023) / A = \text{Average Cross Slope}$

$(1' \times 7,229' \times 0.0023) / 46.4 = 0.35\%$

b. Average Overall Slope

The pre-development average overall slope is 0.3% from the southeast corner to the northwest corner of the project boundary.



Notes

1. There are no hillside or conservation areas, rock outcrops or slopes of $\geq 15\%$ on site.

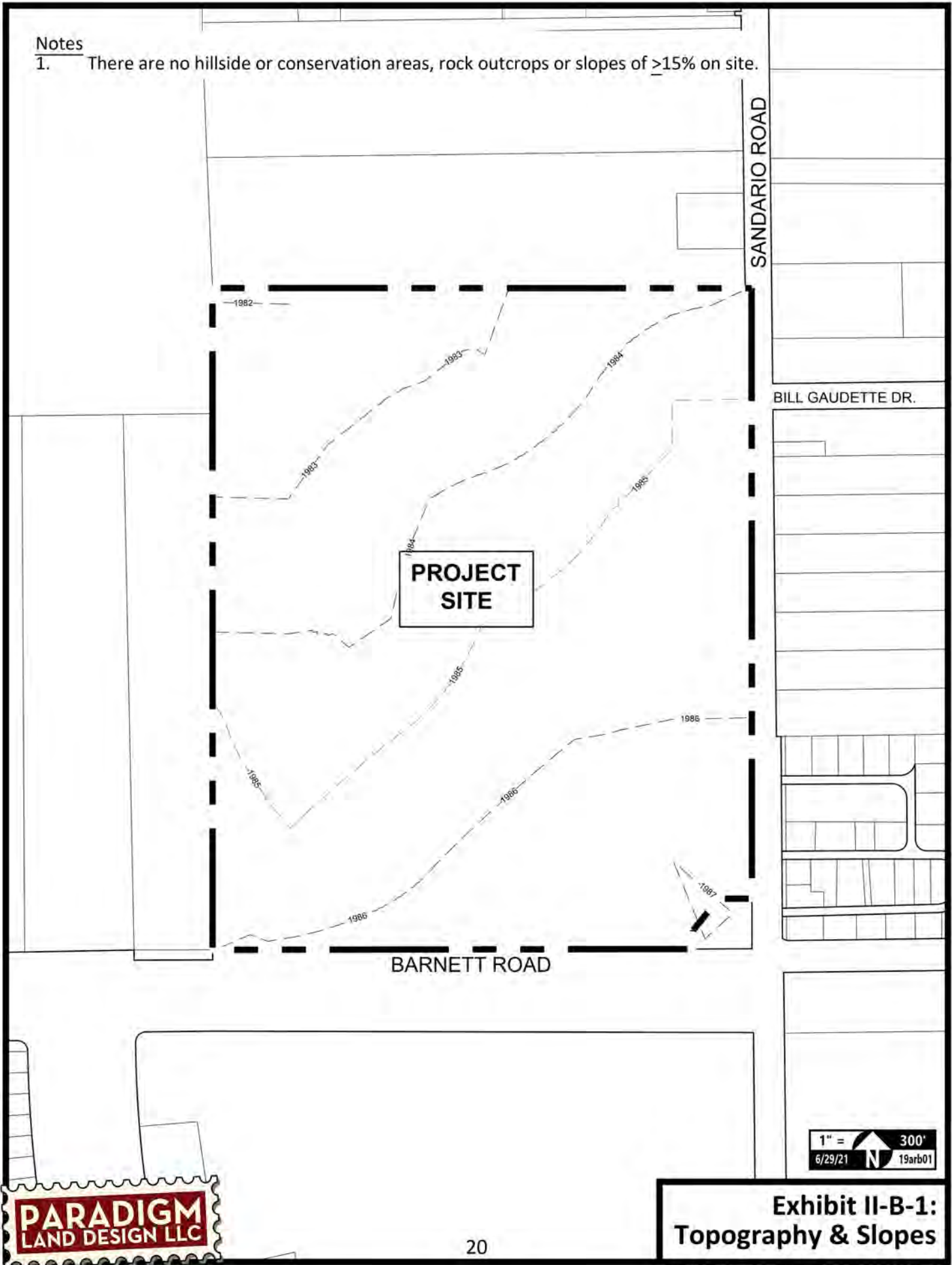


**Exhibit II-B-1:
Topography & Slopes**

C. HYDROLOGY

This section of the site analysis describes pre-development onsite hydrologic and hydraulic characteristics.

1. Offsite Features Affecting Site

The Barnett Channel / Basin intercepts runoff approaching the area from the southeast. Stormwater from Barnett Road is intercepted by two irrigation canals along the southern property boundary (see picture, below). The southern canal is within a 25' CMID easement onsite. The northern canal is private and just serves the onsite farming operation.



2. Acreage of Upstream Offsite Watersheds

The general drainage pattern in this region has runoff moving to the northwest and there are no offsite watersheds contributing to Cypress Gardens due to the aforementioned Barnett Channel / Basin and irrigation canals.

3. Onsite Hydrology Characteristics

There are no well-defined onsite watershed boundaries due to the sheet flow conditions present throughout the undeveloped properties in the project vicinity. Areas of sheet flooding are present across the entire Property, and generally drain toward the northwest corner of the Property. As mentioned above, a CMID irrigation canal exists within a 25' easement along the Property's southern edge. CMID has been notified that no encroachment is proposed into that easement. Any detailed engineering related to that CMID facility, such as undergrounding, will be addressed during the platting stage.

a. 100-year Floodplains with Peak Discharges ≥ 50 CFS

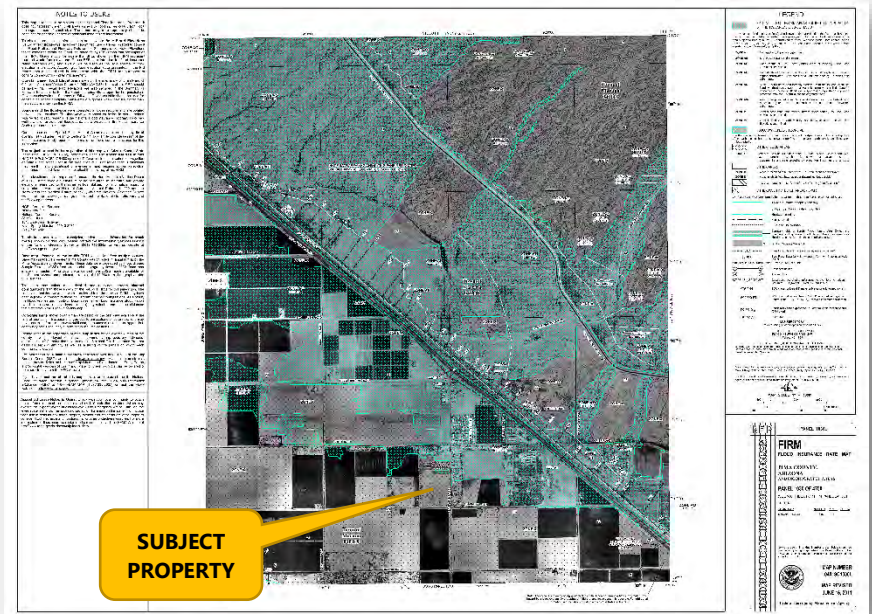
All peak discharges entering and exiting the site, as well as their contributing drainage areas have been shown on Exhibit II-C-1: Onsite Hydrology.

b. Areas of Sheet Flooding and Average Depths

Areas of sheet flooding are present across this entire development site.

c. Federally mapped floodways and floodplains

The FEMA Flood Insurance Rate Map Panel 04019C1030L shows nearly the entire property to be in shaded Zone X which indicates "areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood". A small area in the northeast corner of the site is designated AO-1, indicating possible sheet flow with depths of up to one foot during a 1% annual chance flood. That area lies north of the Gaudette Road alignment and will be used for stormwater management. See Exhibit II-C-1: Onsite Hydrology.



4. Existing Drainage Conditions along the Downstream Property Boundary

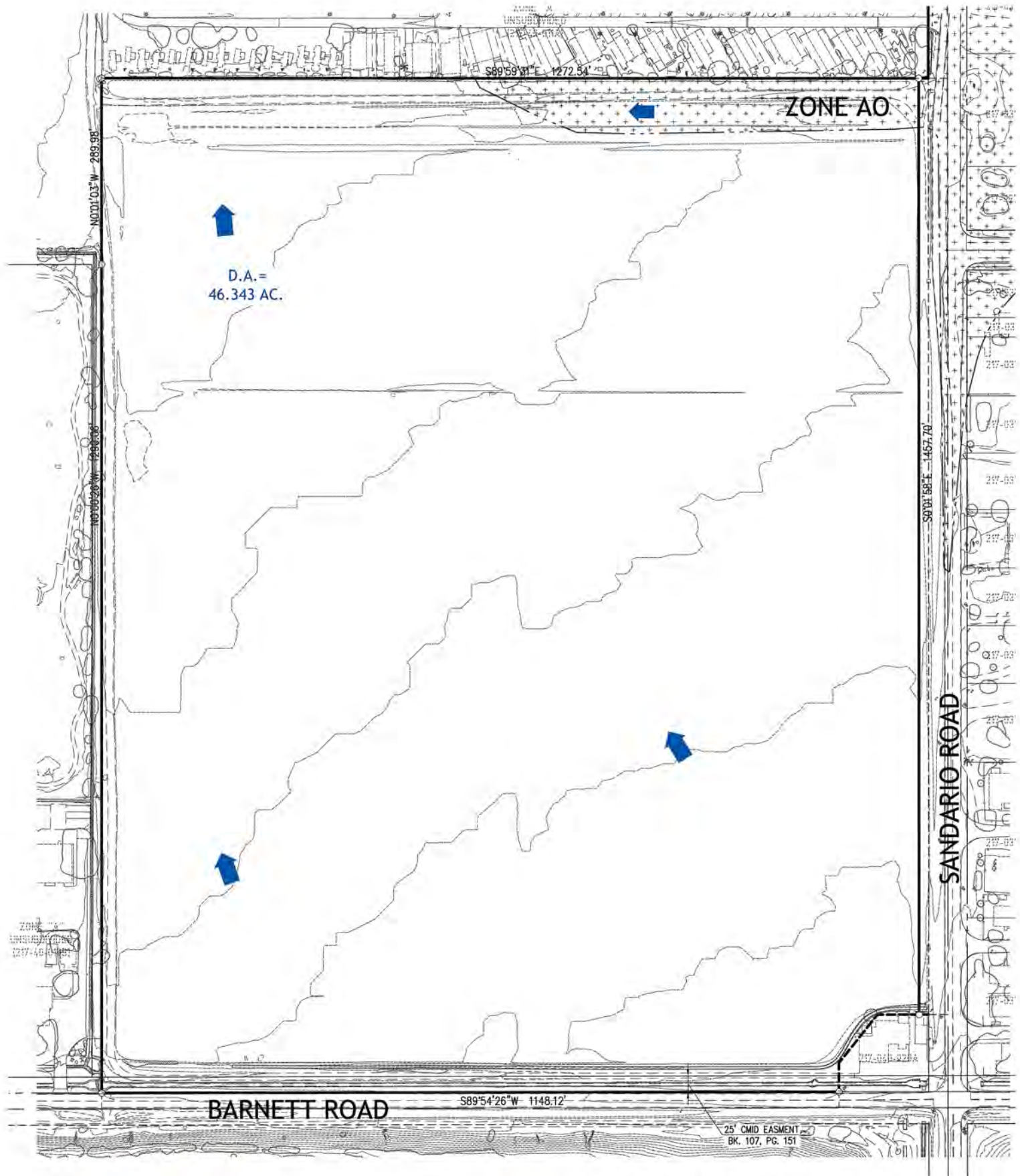
Stormwater runoff leaves the site along the north and west boundary via irrigation canals and sheet flow.

**Direction of Stormwater Flow Along
Western Downstream Boundary**



**Direction of Stormwater Flow Along
Northern Downstream Boundary**





D. VEGETATION**1. On-site Vegetative Communities**

Cypress Gardens has historically been used for agriculture purposes. Thus, there is no existing native vegetation onsite. There are no significant or native species within the limits of the subject property.

2. Significant, Threatened, or Endangered Flora

No threatened or endangered flora are known to exist on site.

3. Vegetative Densities

Vegetative density of the subject site is 0% plant cover. See Exhibit II-D-1: Vegetation.



Note

1. The site is void of any native vegetation.

**PROJECT
SITE**

SANDARIO ROAD

BILL GAUDETTE DR.

BARNETT ROAD

1" = 300'
6/29/21 N 19arb01

PARADIGM
LAND DESIGN LLC

**Exhibit II-D-1:
Vegetation**

E. WILDLIFE

The Arizona Game and Fish Department's online review tool has been consulted, and the Environmental Review report, dated January 3, 2021, indicates that several federally listed species have been known to exist in the vicinity of this development. Any protected species encountered onsite will be handled according to applicable regulatory criteria. See Exhibit II-E-1: AZGFD Report.

Exhibit II-E-1: AZGFD Report

Arizona Environmental Online Review Tool Report



Arizona Game and Fish Department Mission

To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:

Cypress Gardens

Project Description:

Single-family residential development

Project Type:

Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

Contact Person:

Clay Goodwin

Organization:

Paradigm Land Design LLC

On Behalf Of:

PIMA

Project ID:

HGIS-12562

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HabiMap Arizona data, specifically Species of Greatest Conservation Need (SGCN) under our State Wildlife Action Plan (SWAP) and Species of Economic and Recreational Importance (SERI), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

Locations Accuracy Disclaimer:

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

Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Recommendations Disclaimer:

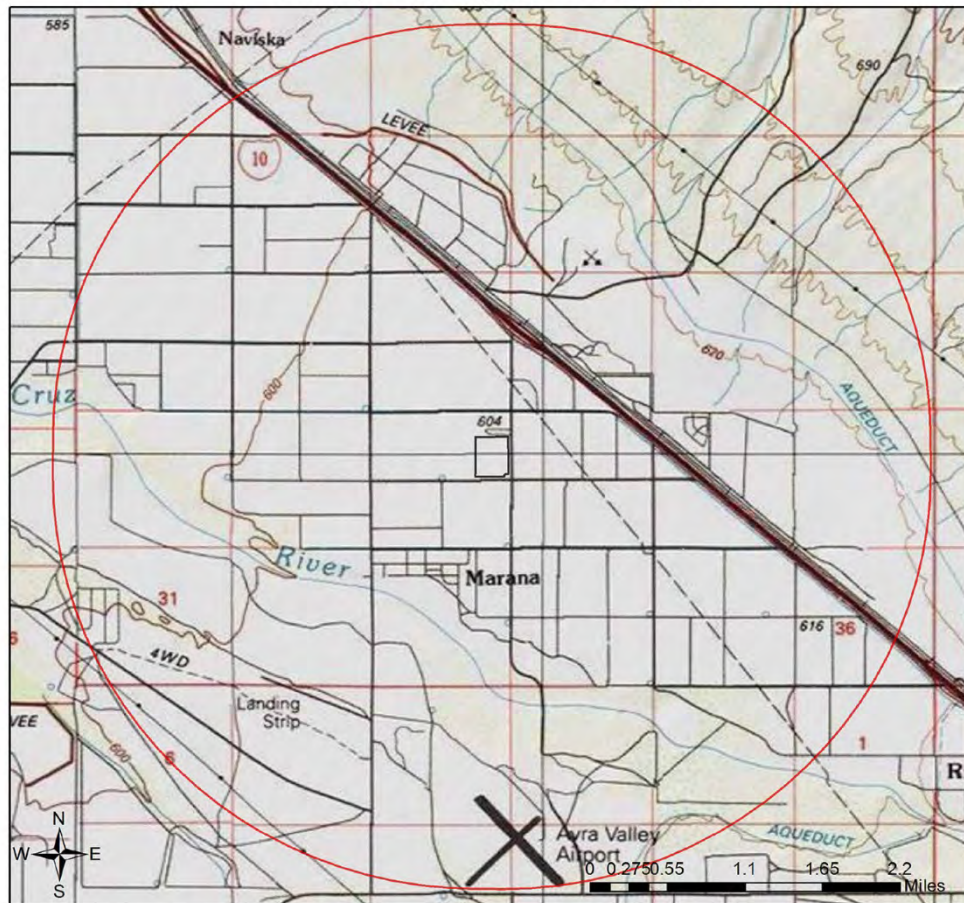
1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366
Or
PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Cypress Gardens
USA Topo Basemap With Locator Map



- ☐ Project Boundary
- ☐ Buffered Project Boundary

Project Size (acres): 42.99

Lat/Long (DD): 32.4483 / -111.2191

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T11S, R11E

USGS Quad(s): MARANA

Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap



Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Cypress Gardens

Web Map As Submitted By User



- ☐ Project Boundary
- ☐ Buffered Project Boundary

Project Size (acres): 42.99
Lat/Long (DD): 32.4483 / -111.2191
County(s): Pima
AGFD Region(s): Tucson
Township/Range(s): T11S, R11E
USGS Quad(s): MARANA

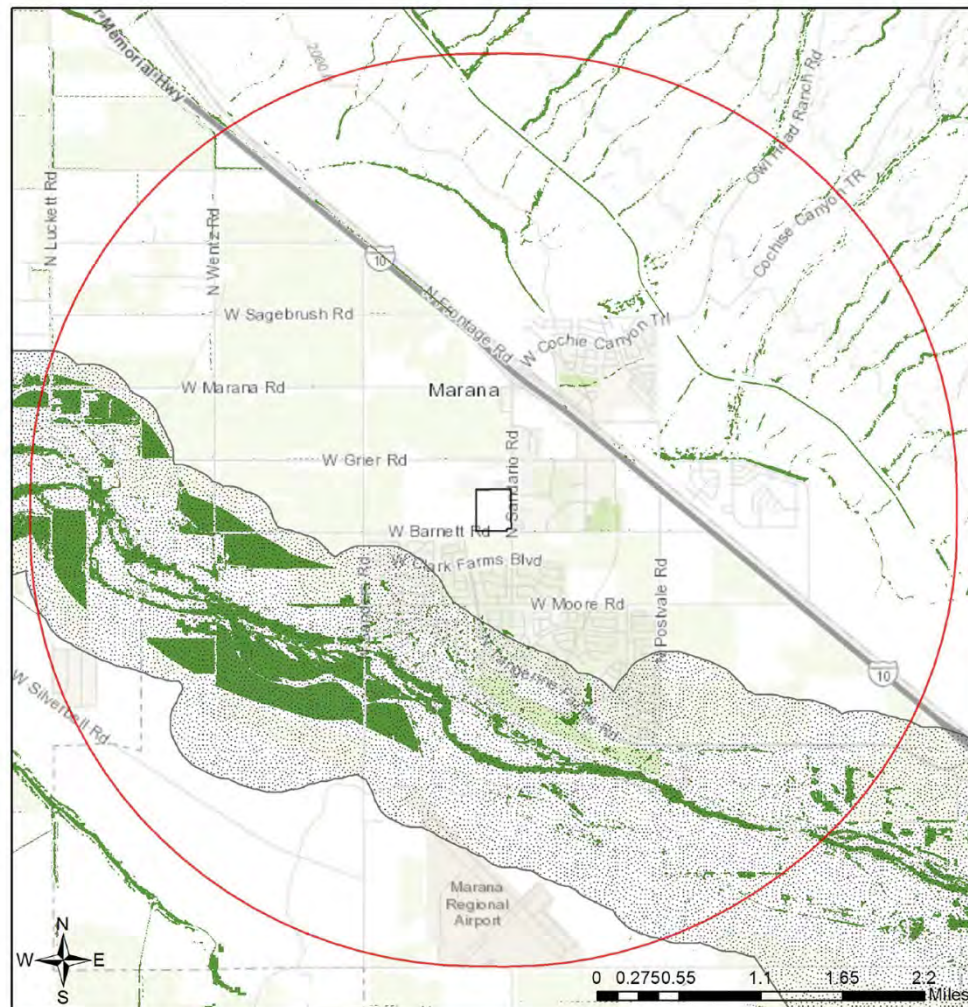
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Cypress Gardens Important Areas



- Project Boundary
- Buffered Project Boundary
- Wildlife Connectivity
- Important Connectivity Zones
- Pinal County Riparian
- Critical Habitat
- Important Bird Areas

Project Size (acres): 42.99
Lat/Long (DD): 32.4483 / -111.2191
County(s): Pima
AGFD Region(s): Tucson
Township/Range(s): T11S, R11E
USGS Quad(s): MARANA

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Township/Ranges and Land Ownership

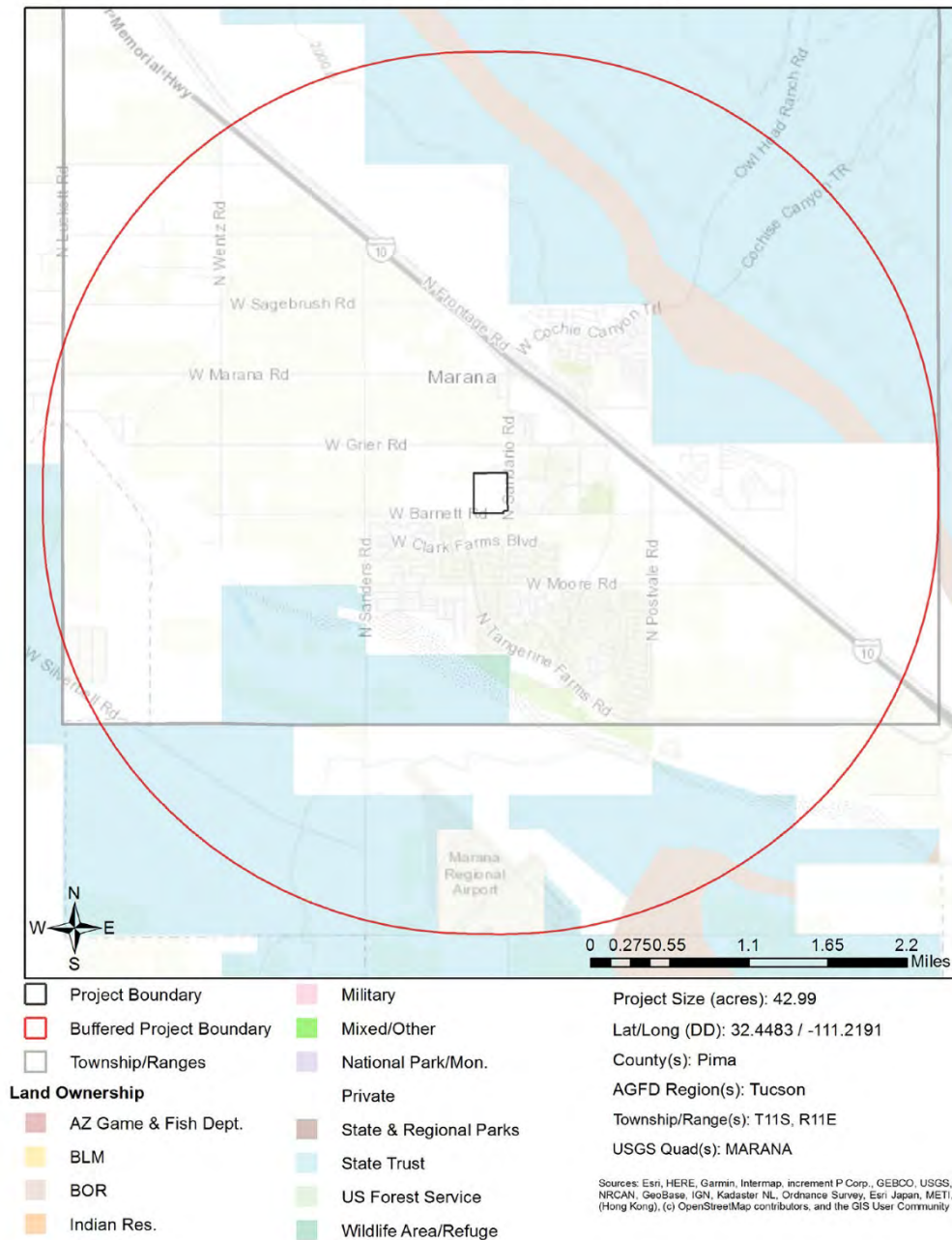


Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Special Status Species Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Aquila chrysaetos</i>	Golden Eagle	BGA		S		1B
<i>Athene cunicularia hypugaea</i>	Western Burrowing Owl	SC	S	S		1B
<i>Chionactis occipitalis klauberi</i>	Tucson Shovel-nosed Snake	SC				1A
<i>Coccyzus americanus</i>	Yellow-billed Cuckoo (Western DPS)	LT	S			1A
<i>Glaucidium brasilianum cactorum</i>	Cactus Ferruginous Pygmy-owl	SC	S	S		1B
<i>Gopherus morafkai</i>	Sonoran Desert Tortoise	C	S	S		1A
<i>Heloderma suspectum</i>	Gila Monster					1A
<i>Sigmodon ochrognathus</i>	Yellow-nosed Cotton Rat	SC				1C

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/statusdefinitions/>

No Special Areas Detected

No special areas were detected within the project vicinity.

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Aix sponsa</i>	Wood Duck					1B
<i>Ammospermophilus harrisi</i>	Harris' Antelope Squirrel					1B
<i>Anaxyrus retiformis</i>	Sonoran Green Toad			S		1B
<i>Athene cunicularia hypugaea</i>	Western Burrowing Owl	SC	S	S		1B
<i>Botaurus lentiginosus</i>	American Bittern					1B
<i>Buteo regalis</i>	Ferruginous Hawk	SC		S		1B
<i>Calypte costae</i>	Costa's Hummingbird					1C
<i>Chilomeniscus stramineus</i>	Variable Sandsnake					1B
<i>Chionactis annulata</i>	Resplendent Shovel-nosed Snake	SC				1C
<i>Cistothorus palustris</i>	Marsh Wren					1C
<i>Colaptes chrysoides</i>	Gilded Flicker			S		1B
<i>Coluber bilineatus</i>	Sonoran Whipsnake					1B
<i>Corynorhinus townsendii pallescens</i>	Pale Townsend's Big-eared Bat	SC	S	S		1B
<i>Crotalus tigris</i>	Tiger Rattlesnake					1B
<i>Dipodomys spectabilis</i>	Banner-tailed Kangaroo Rat			S		1B
<i>Empidonax wrightii</i>	Gray Flycatcher					1C
<i>Euderma maculatum</i>	Spotted Bat	SC	S	S		1B
<i>Eumops perotis californicus</i>	Greater Western Bonneted Bat	SC		S		1B
<i>Glaucidium brasilianum cactorum</i>	Cactus Ferruginous Pygmy-owl	SC	S	S		1B
<i>Gopherus morafkai</i>	Sonoran Desert Tortoise	C	S	S		1A
<i>Haliaeetus leucocephalus</i>	Bald Eagle	SC, BGA	S	S		1A
<i>Heloderma suspectum</i>	Gila Monster					1A

Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Incilius alvarius</i>	Sonoran Desert Toad					1B
<i>Kinosternon sonoriense sonoriense</i>	Desert Mud Turtle			S		1B
<i>Lasiurus blossevillii</i>	Western Red Bat		S			1B
<i>Lasiurus xanthinus</i>	Western Yellow Bat		S			1B
<i>Leptonycteris yerbabuenae</i>	Lesser Long-nosed Bat	SC				1A
<i>Lepus alleni</i>	Antelope Jackrabbit					1B
<i>Melanerpes uropygialis</i>	Gila Woodpecker					1B
<i>Melospiza lincolni</i>	Lincoln's Sparrow					1B
<i>Melospiza aberti</i>	Abert's Towhee		S			1B
<i>Micrathene whitneyi</i>	Elf Owl					1C
<i>Micruroides euryxanthus</i>	Sonoran Coralsnake					1B
<i>Myiarchus tyrannulus</i>	Brown-crested Flycatcher					1C
<i>Myotis velifer</i>	Cave Myotis	SC		S		1B
<i>Myotis yumanensis</i>	Yuma Myotis	SC				1B
<i>Nyctinomops femorosaccus</i>	Pocketed Free-tailed Bat					1B
<i>Oreoscoptes montanus</i>	Sage Thrasher					1C
<i>Oreothlypis luciae</i>	Lucy's Warbler					1C
<i>Panthera onca</i>	Jaguar	LE				1A
<i>Passerculus sandwichensis</i>	Savannah Sparrow					1B
<i>Perognathus longimembris</i>	Little Pocket Mouse	No Status				1B
<i>Phrynosoma goodei</i>	Goode's Horned Lizard					1B
<i>Phrynosoma solare</i>	Regal Horned Lizard					1B
<i>Phyllorhynchus browni</i>	Saddled Leaf-nosed Snake					1B
<i>Progne subis hesperia</i>	Desert Purple Martin			S		1B
<i>Setophaga petechia</i>	Yellow Warbler					1B
<i>Sphyrapicus nuchalis</i>	Red-naped Sapsucker					1C
<i>Spizella breweri</i>	Brewer's Sparrow					1C
<i>Sturnella magna</i>	Eastern Meadowlark					1C
<i>Tadarida brasiliensis</i>	Brazilian Free-tailed Bat					1B
<i>Toxostoma lecontei</i>	LeConte's Thrasher			S		1B
<i>Troglodytes pacificus</i>	Pacific Wren					1B
<i>Vireo bellii arizonae</i>	Arizona Bell's Vireo					1B
<i>Vulpes macrotis</i>	Kit Fox	No Status				1B

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Callipepla gambelii</i>	Gambel's Quail					

Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Pecari tajacu	Javelina					
Puma concolor	Mountain Lion					
Zenaida asiatica	White-winged Dove					
Zenaida macroura	Mourning Dove					

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

Project Type Recommendations:

Fence recommendations will be dependant upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barbless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 18". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on Wildlife Friendly Guidelines page, which is part of the Wildlife Planning button at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

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

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize potential introduction or spread of exotic invasive species. Invasive species can be plants, animals (exotic snails), and other organisms (e.g., microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g., livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before leaving the site. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants, <https://agriculture.az.gov/>. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control, <https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/water/quality/?cid=stelprdb1044769> The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information <https://www.azgfd.com/hunting/regulations>.

Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

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

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

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

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

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

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found on the Wildlife Friendly Guidelines portion of the Wildlife Planning page at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

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

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

Based on the project type entered, coordination with Arizona Department of Water Resources may be required (<https://new.azwater.gov/>).

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

Exhibit II-E-1: AZGFD Report (cont'd)

Arizona Game and Fish Department
Project ID: HGIS-12562

project_report_cypress_gardens_40900_42196.pdf
Review Date: 1/3/2021 01:04:17 PM

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife at PEP@azgfd.gov or at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/> and <https://www.azgfd.com/Wildlife/LivingWith/>.

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

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

Project Location and/or Species Recommendations:

HDMS records indicate that one or more **Listed, Proposed, or Candidate** species or **Critical Habitat** (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at <http://www.fws.gov/southwest/es/arizona/> or:

Phoenix Main Office

9828 North 31st Avenue #C3
Phoenix, AZ 85051-2517
Phone: 602-242-0210
Fax: 602-242-2513

Tucson Sub-Office

201 N. Bonita Suite 141
Tucson, AZ 85745
Phone: 520-670-6144
Fax: 520-670-6155

Flagstaff Sub-Office

SW Forest Science Complex
2500 S. Pine Knoll Dr.
Flagstaff, AZ 86001
Phone: 928-556-2157
Fax: 928-556-2121

HDMS records indicate that **Western Burrowing Owls** have been documented within the vicinity of your project area. Please review the western burrowing owl resource page at:

<https://www.azgfd.com/wildlife/speciesofgreatestconservneed/burrowingowlmanagement/>.

HDMS records indicate that **Sonoran Desert Tortoise** have been documented within the vicinity of your project area.

Please review the Tortoise Handling Guidelines found at: <https://www.azgfd.com/wildlife/nongamemanagement/tortoise/>

F. SOILS AND GEOLOGY

1. Soils

Soils in the vicinity of this development are classified by the U.S. Natural Resources Conservation Service (NRCS) as 100% "Soil Group A" hydrologic soil group (Vinton-anthony sandy loam), 100% "Soil Group B" hydrologic soil group (Agua very fine sandy loam and Gila loam, 0 to 1 percent slopes), and 100% "Soil Group C" (Grabe silty clay loam). Detailed geotechnical investigation will be performed prior to development. See Exhibit II-F-1: Hydrologic Soils.

2. Geology

Cypress Gardens lies within the Santa Cruz River basin valley. According to the Arizona Geological Survey's online Geologic Map of Arizona (data.azgs.az.gov/geologic-map-of-arizona/) the subject property's geology is described as "Quaternary Surficial deposits, undivided (0-2 Ma): Unconsolidated to strongly consolidated alluvial and eolian deposits. This unit includes coarse, poorly sorted alluvial fan and terrace deposits on middle and upper piedmonts and along large drainages; sand, silt and clay on alluvial plains and playas; and wind-blown sand deposits."

Legend

- Soil Group: A (100%)
- Soil Group: B (100%)
- Soil Group: C (100%)

SANDARIO ROAD

BILL GAUDETTE DR.

PROJECT
SITE

BARNETT ROAD

1" = 300'
6/29/21 N 19arb01

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Exhibit II-F-1:
Hydrologic Soils

G. VIEWSHEDS**1. Viewsheds from Adjacent Properties**

Primary views from the site are of the Tortolita Mountains and Catalina Mountains to the east, and the Tucson Mountains to the south. Due to the extremely flat nature of the site and the surrounding areas and the distances to these mountains, these views are minimal. Development of Cypress Gardens will not block these views for the existing homes in the area. See Exhibit II-G-1: Viewsheds and Exhibit II-G-2: Viewshed Photographs.

**2. Views which may be Blocked by the Proposed Development**

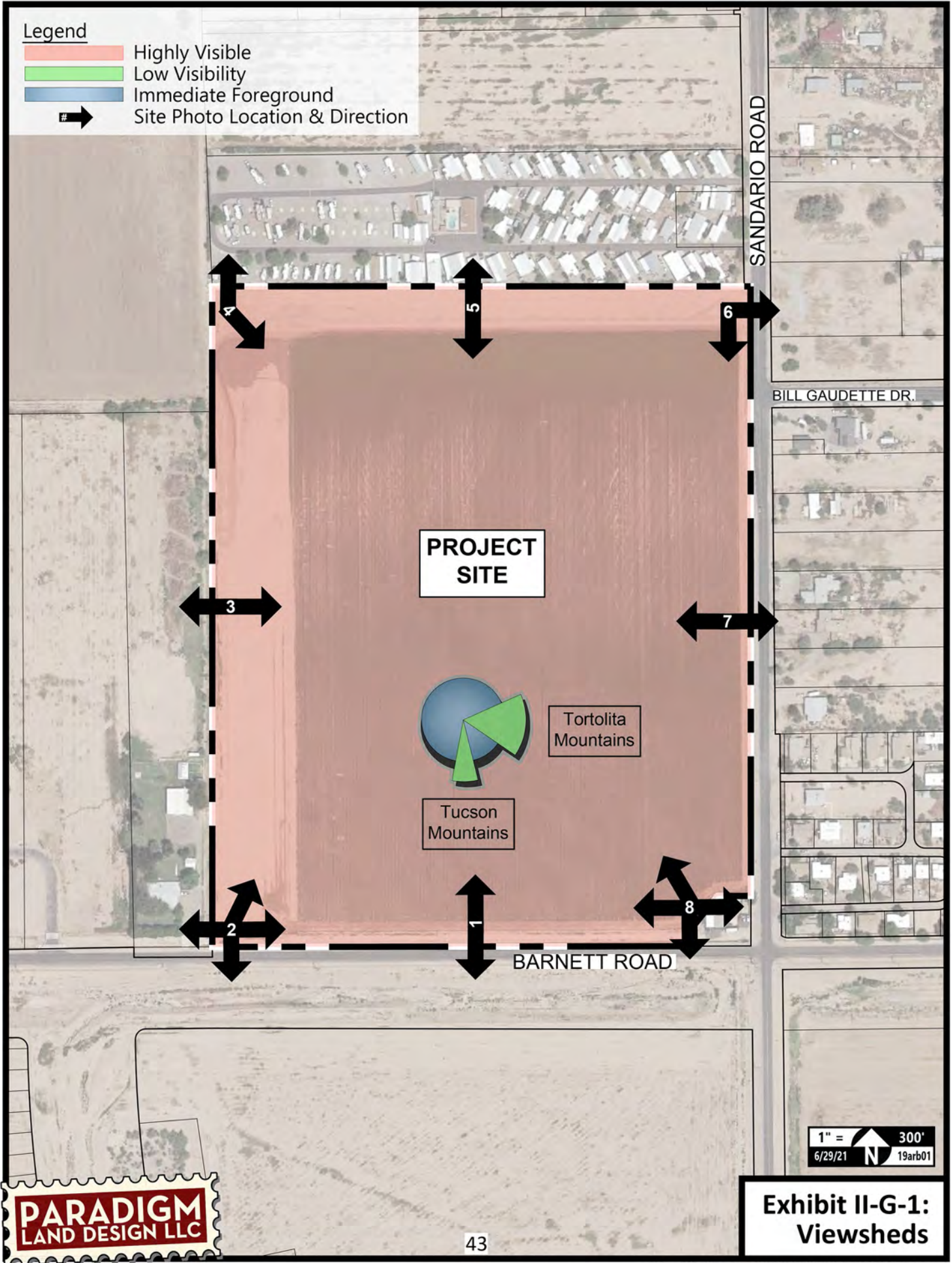
None.

3. Site Visibility

Due to the lack of existing vegetation and the relatively even and flat nature of the topography, views into the subject property are excellent and have no sight restrictions across the entire property.

Legend

- Highly Visible
- Low Visibility
- Immediate Foreground
- Site Photo Location & Direction



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Exhibit II-G-2: Viewshed Photographs

Photo Location #1: Looking North across the Property



Photo Location #1: Looking South from the Property



Exhibit II-G: Viewshed Photographs (cont'd)

Photo Location #2: Looking Northeast across the Property



Photo Location #2: Looking East along the Southern Boundary



Exhibit II-G: Viewshed Photographs (cont'd)

Photo Location #2: Looking West from the Property



Photo Location #2: Looking South from the Property



Exhibit II-G: Viewshed Photographs (cont'd)

Photo Location #3: Looking East across the Property



Photo Location #3: Looking West from the Property



Exhibit II-G: Viewshed Photographs (cont'd)

Photo Location #4: Looking Southeast across the Property



Photo Location #4: Looking North from the Property



Exhibit II-G: Viewshed Photographs (cont'd)

Photo Location #5: Looking South across the Property



Photo Location #5: Looking North from the Property



Exhibit II-G: Viewshed Photographs (cont'd)

Photo Location #6: Looking South along Sandario Road



Photo Location #6: Looking East from the Property



Exhibit II-G: Viewshed Photographs (cont'd)

Photo Location #7: Looking West across the Property



Photo Location #7: Looking East from the Property



Exhibit II-G: Viewshed Photographs (cont'd)

Photo Location #8: Looking South from the Property



Photo Location #8: Looking East from the Property



Exhibit II-G: Viewshed Photographs (cont'd)

Photo Location #8: Looking Northwest across the Property



Photo Location #8: Looking West across the Property



H. TRAFFIC

The Property is within a developing area of Marana, so nearby trunk roadway infrastructure has been getting built in phases over the years as various developments have been constructed. This project, in fact, will contribute its fair share to the regional roadway network by constructing approximately one-quarter mile of Bill Gaudette Drive, terminating at the Property's western edge where it will eventually be extended further when the Las Pilas Specific Plan develops. Vehicular access in the area is generally uncomplicated and existing traffic volumes are relatively low. Access to the Property is only available via Sandario Road (and the Project's extension of Bill Gaudette Drive) because Barnett Road, which forms the Property's southern boundary, is planned to be abandoned by the Town of Marana in the future.

The original rezoning of the Property in 2001 included a restriction that no vehicular access should be available to Sandario Road within 700 feet of Barnett Road. This restriction is being honored as part of this rezoning request.

The "Cypress Green Gardens Traffic Impact Analysis" by M Esparza Engineering LLC, dated 6/17/2021 has been submitted as a standalone report and provides additional details about the existing roadway system in the project vicinity.



1. Existing / Proposed Offsite Streets between the Development and Nearest Arterial Streets

None. The site is adjacent to Barnett Road and Sandario Road, both of which are collector streets. The 2045 P.A.G. Regional Mobility and Accessibility Plan proposes to widen Marana Road to a 4-lane roadway, with multi-use lanes and sidewalks from Trico Road to Interstate-10. It also proposes to widen Moore Road to a 4-lane divided roadway with bike lanes and sidewalks from Sanders Road to Adonis Road. Both projects are within a mile of Cypress Gardens, and the existing arterial roadway system has ample capacity to support this project.

2. Nearby Arterial Intersections

The three existing arterial intersections within a mile of the site that will carry traffic generated by this development are Marana Road / Sandario Road / Interstate-10, Moore Road / Sanders Road, and Moore Road / Tangerine Farms Road. All three are unsignalized.

3. Nearby Arterial Streets

All the traffic generated by this project will be accommodated by Sandario Road and Barnett Road. In the future, Tangerine Farms Road will be extended further north from its current terminus at Clark Farms Boulevard. That construction will presumably include a roughly 200-foot westward extension of Bill Gaudette Road from the Property to Tangerine Farms Road. Once that connection is made, future residents of this Project will have more immediate access to Tangerine Farms Road, which is a regional arterial roadway. See Exhibit II-H-1: Roadway Network.

Roadway Name	Planned Right-of-Way Width	Exist. Lanes	Median Type	Speed Limit	General Plan Designation
Barnett Road	60'+	2	None	35 mph	Other Existing Main Road
Clark Farms Boulevard	90'	3	None	40 mph	Collector
Grier Road (East of Future Tangerine Farms Rd.)	90'	2	None	35 mph	Collector
Grier Road (West of Future Tangerine Farms Rd.)	150'	2	None	35 mph	Arterial
Sandario Road	90'	2	None	35 mph	Collector
Moore Road	250'	2	None	35 mph	Arterial
Sanders Road	250'	2	None	45 mph	Arterial
Tangerine Farms Road (Future)	250'+	4	Raised	45 mph	Arterial
Interstate 10	Varies	6	Depressed	75 mph	Interstate

4. Nearby Bicycle / Pedestrian Ways

There are no dedicated pedestrian or bicycle facilities nearby. In the future, Tangerine Farms Road will include such facilities approximately 200 feet west of the Property.



I. RECREATION AND TRAILS

The Ora Mae Harn District Park is just half a mile to the east and is easily accessible from Cypress Gardens via Barnett Road. This public park features an adult softball field, basketball court, a lighted multi-purpose/soccer field, several ramadas with grills, open space grass areas, pickleball courts, a tennis court, a community center and pool with patios and restrooms, two playground areas, youth baseball and softball fields, and walking paths.



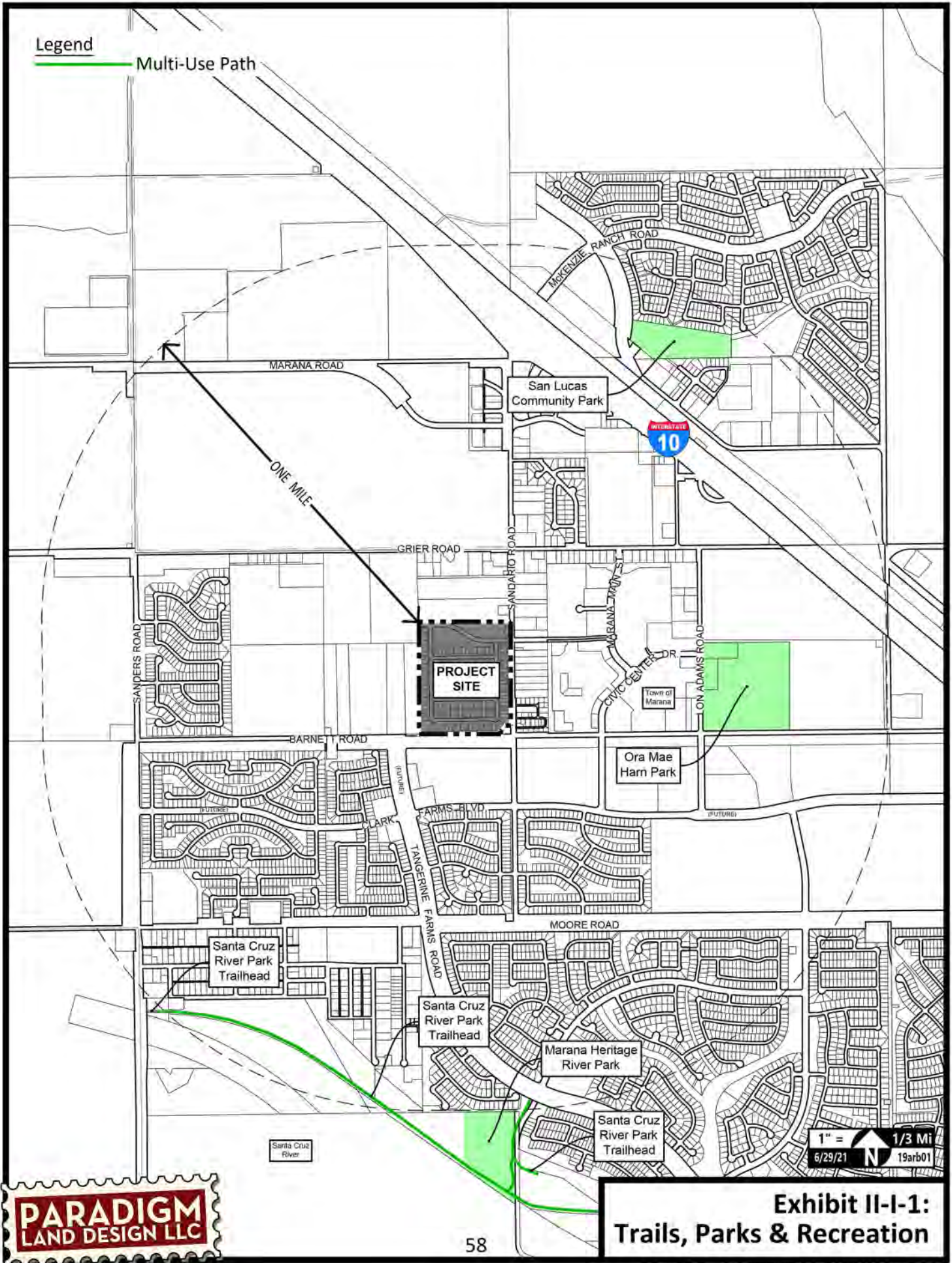
The Marana Heritage River Park is just over a mile south of Cypress Gardens and will be easily accessible via Tangerine Farms Road once it is connected to Barnett Road. This public park features a pavilion with a grill, paved multi-use path system that provides access to the Juan Bautista de Anza National Historic Trail and the Santa Cruz River Park Shared Use Path, restrooms, and 40 community garden plots. The Gladden Farms Community Park is approximately a mile and a half to the southeast of Cypress Gardens. This public park features a splash pad, two little league fields, a soccer/multi-use field, ramada with a grill and picnic area, playground, restrooms, and access to the Santa Cruz River Park Shared Use Path. The San Lucas Community Park is approximately one mile to the northeast of Cypress Gardens. It is located north of Interstate-10, so pedestrian connectivity is very limited.

The paved multi-use path along Tangerine Farms Road provides pedestrian connectivity to the Town's broader trail system.

See Exhibit II-I-1: Trails, Parks & Recreation.

Legend

Multi-Use Path



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J. CULTURAL, ARCHAEOLOGICAL, AND HISTORIC RESOURCES**1. Onsite Resources**

No cultural resources are known to exist on the subject property. If any are found during construction, State and local antiquities laws and protocols will be followed.

2. Archaeological Records

The Cypress Gardens property was surveyed for cultural resources by PAST in 2013. Nothing of significance was found and so it was determined that the development of this parcel could proceed within any further work.

K. EXISTING INFRASTRUCTURE AND PUBLIC FACILITIES**1. Sewer**

Cypress Gardens is within the Marana Wastewater service area. It will connect to the existing sewer system in Sandario Road. No septic systems are believed to be within 100 feet of the subject property. See Exhibit II-K-1: Existing Wells & Septic Systems.

2. Water

This project is within the Marana Water service area. No public or private wells are believed to exist within 100' of the site. See Exhibit II-K-1: Existing Wells & Septic Systems.

3. Natural Gas

The property is located within the Southwest Gas service area.

4. Electric

The property is located within the Tucson Electric Power service area. Overhead electric (poles) exist along the south side of Barnett Road and the west side of Sandario Road.

5. Fire Service

The property is within the Northwest Fire District. Station 36 is just over one-quarter mile east of the site and is easily accessible via Bill Gaudette Drive and Marana Main Street.

6. Police Service

The property is located within the Town of Marana Police service area. The Main Station is located just under a half mile east of the site and is easily accessible via Bill Gaudette Drive, Marana Main Street and then Civic Center Drive.

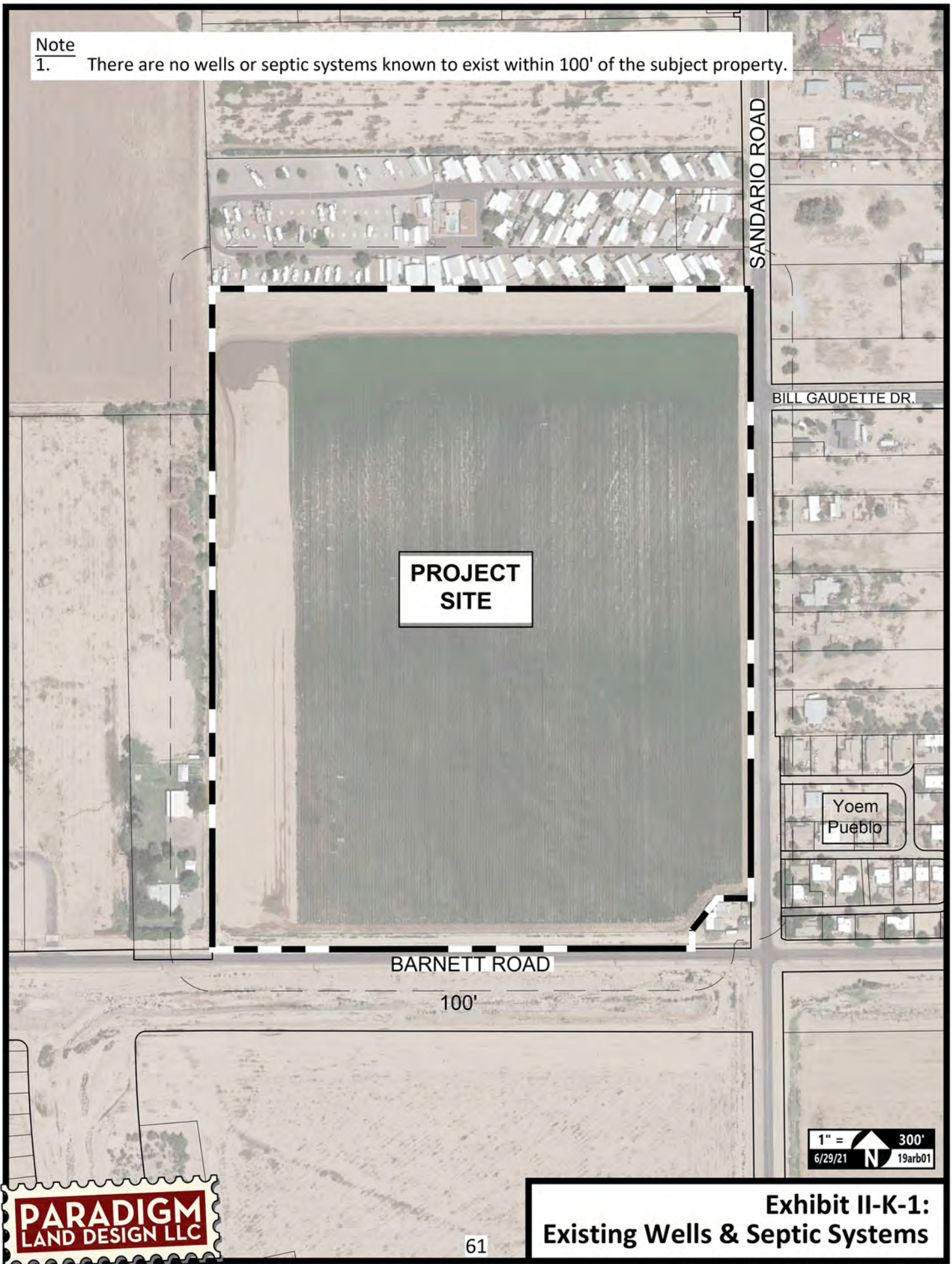
7. CMID

Two irrigation canals exist onsite along the Property's southern boundary. The southernmost canal is within a 25' CMID easement and will be undergrounded as part of this project. The northern canal is a private canal just serving the onsite farming operation, so it will be removed from service upon development of the Property.



Note

1. There are no wells or septic systems known to exist within 100' of the subject property.



L. MCHARG COMPOSITE MAP DISCUSSION**1. Physical Constraints**

Being a farm field with adequately deep sanitary sewer connections available nearby, the Property's flat topography doesn't present a development constraint. Previous and ongoing agricultural activities onsite have also minimized potential impacts to native flora and fauna.

Other utilities are also conveniently available to serve development of the Property.

Viewsheds of nearby landowners do not present a constraint due to the very flat nature of the vicinity coupled with the relative lack of significant vistas.

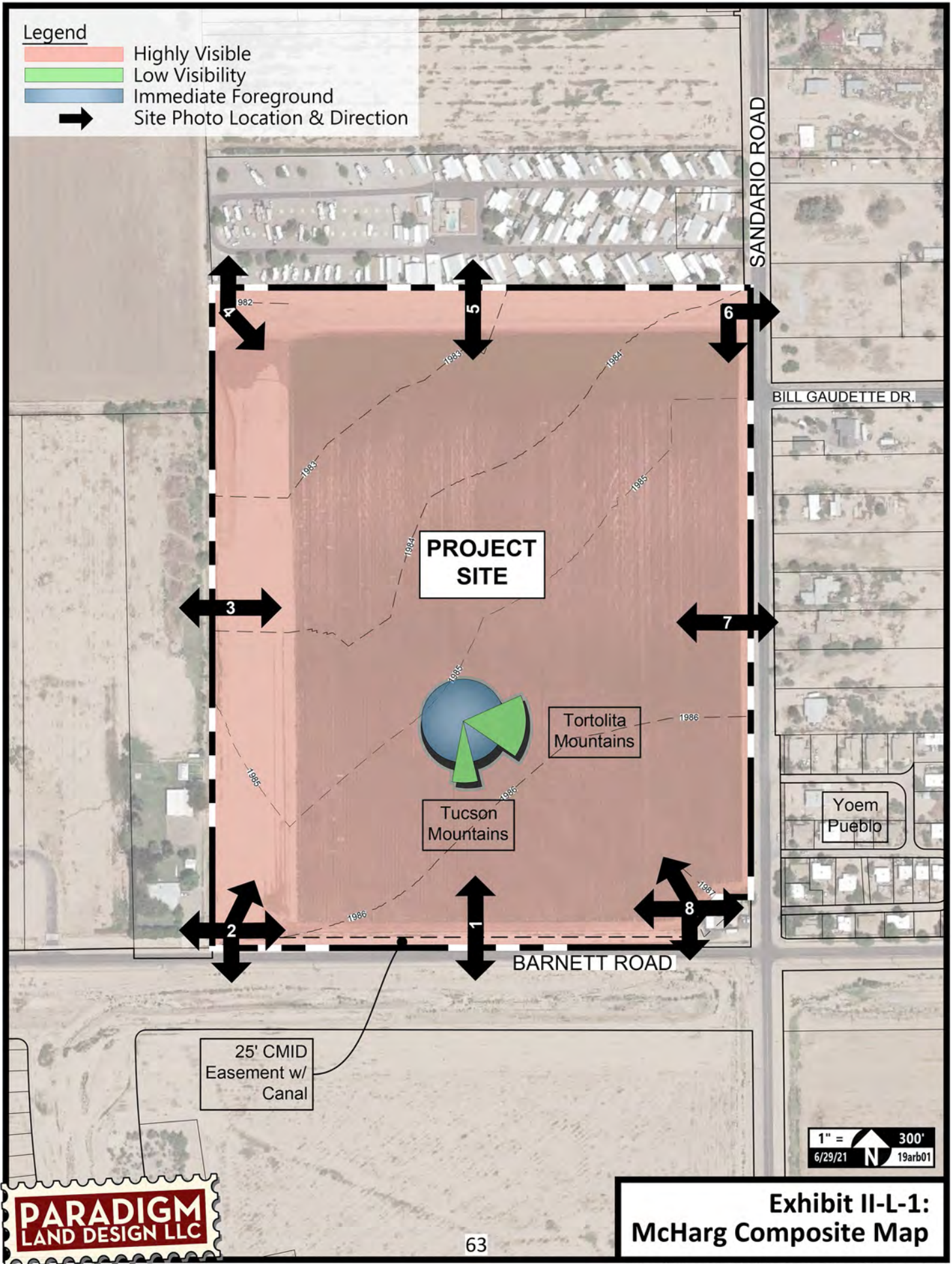
Two irrigation canals exist onsite along the Property's southern boundary, both of which intercept stormwater flowing north across Barnett Road. The southernmost canal is within a 25' CMID easement and will be undergrounded as part of this project. The northern canal is a private canal just serving the onsite farming operation, so it will be removed from service upon development of the Property.

2. Sociocultural Constraints

The Pascua Yaqui Yoem Pueblo subdivision is across Sandario Road from the Property. The Yoem Pueblo property has been occupied with houses and other buildings for many years. Minimizing impacts to the Yoem Pueblo residents and the ceremonial activities that occur onsite were cause for several additional buffering requirements in previous zoning actions. Those buffering requirements will be honored as part of this rezoning proposal.

Legend

- Highly Visible
- Low Visibility
- Immediate Foreground
- Site Photo Location & Direction



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III. LAND USE PROPOSAL

A. PURPOSE & INTENT

This section describes how the development responds to the opportunities and constraints described in the Inventory & Analysis section of this document, along with the Town of Marana Land Development Code. As evidenced by the site plan, this proposed rezoning has been crafted after careful and responsive consideration of the site's context.

B. RELATIONSHIP TO TOWN OF MARANA ADOPTED PLANS

The Make Marana 2040 General Plan designates this property as Traditional Neighborhood, which permits a wide range of densities: 2-18 homes per acre. Other projects in the area have densities within this range (See Table Below). Responsible utilization of significant public investment in current and future roadway and utility infrastructure projects in the vicinity of this site suggests development of the property should be in conformance with this residential density range.

Nearby Subdivisions with Similar Lot Sizes	
Subdivision	Minimum Lot Size
SC Ranch	40' x 110'
Gladden Farms Blks. 36 & 40	40' x 120'
Rancho Marana Blk. 3	40' x 122'
Gladden Farms Blk. 27	45' x 120'
Gladden Farms Blks. 36 & 40	45' x 120'

The Town of Marana Strategic Plan calls for new developments and neighborhoods to create areas with meaningful open space, trail connectivity, and active recreation areas. Cypress Gardens will fulfill all these requirements and will also adhere to the Town's recreational design standards that were recently approved by Town Council.

C. COMPATIBILITY TO ADJOINING DEVELOPMENT

This property's location adjacent to two major roads minimizes the potential for this development to impact nearby landowners. Rear yard walls and landscape buffers will be provided along these boundaries to alleviate any additional impacts to the existing residence at the northwest corner Sandario and Barnett Roads. Along the northern edge of this property, adjacent to the Valley of the Sun Mobile Home & RV Park, a block wall will be provided along the future extension of Bill Gaudette Drive where the right-of-way is adjacent to the property line. This area will also include open space that will be utilized as a recreation area and for stormwater management, creating a wide-open space buffer. The western boundary of the property is adjacent to a single-family residence. A block wall and landscape buffer will be provided along this property edge to minimize impacts to the single residence. The Pascua Yaqui Yoem Pueblo subdivision is across Sandario Road from the Property. The Yoem Pueblo across Sandario from the Property has been occupied with houses and other buildings for many years. Minimizing impacts to the Yoem Pueblo residents and

the ceremonial activities that occur onsite were cause for several additional buffering requirements in previous zoning actions (See Section II.A.). Those buffering requirements will be honored as part of this rezoning proposal. Cypress Gardens has a proposed density of 4.7 homes per acre, which is in line with other rezonings approved in the project vicinity.

D. LAND USE PROPOSAL

In response to continuing strong demand for smaller lots in this part of Marana Cypress Gardens is proposed to be rezoned from R-6 Residential to R-4 Residential. This will allow more efficient use of the land, which is currently agricultural, and surrounding infrastructure. A parallel goal is to maintain or increase compatibility with neighboring properties, resulting in a better all-around development on this Property that is only a quarter mile from the Marana Civic Center Complex.

Cypress Gardens' proposed average minimum lot size of approximately 5,000 square feet is designed to blend with previously approved nearby rezonings and existing neighbors. The recently adopted R-4 zoning development standards will be utilized. Homes built in Cypress Gardens will be a mix of single- and two-story, in accordance with Marana residential development guidelines. Sandario Road, with a varying right-of-way width of up to 90 feet, and Barnett Road, with a varying right-of-way width of up to 225 feet (including the channel/basin area), act as significant buffers along half of the project perimeter, and additional mitigation measures are planned as described in the preceding section.

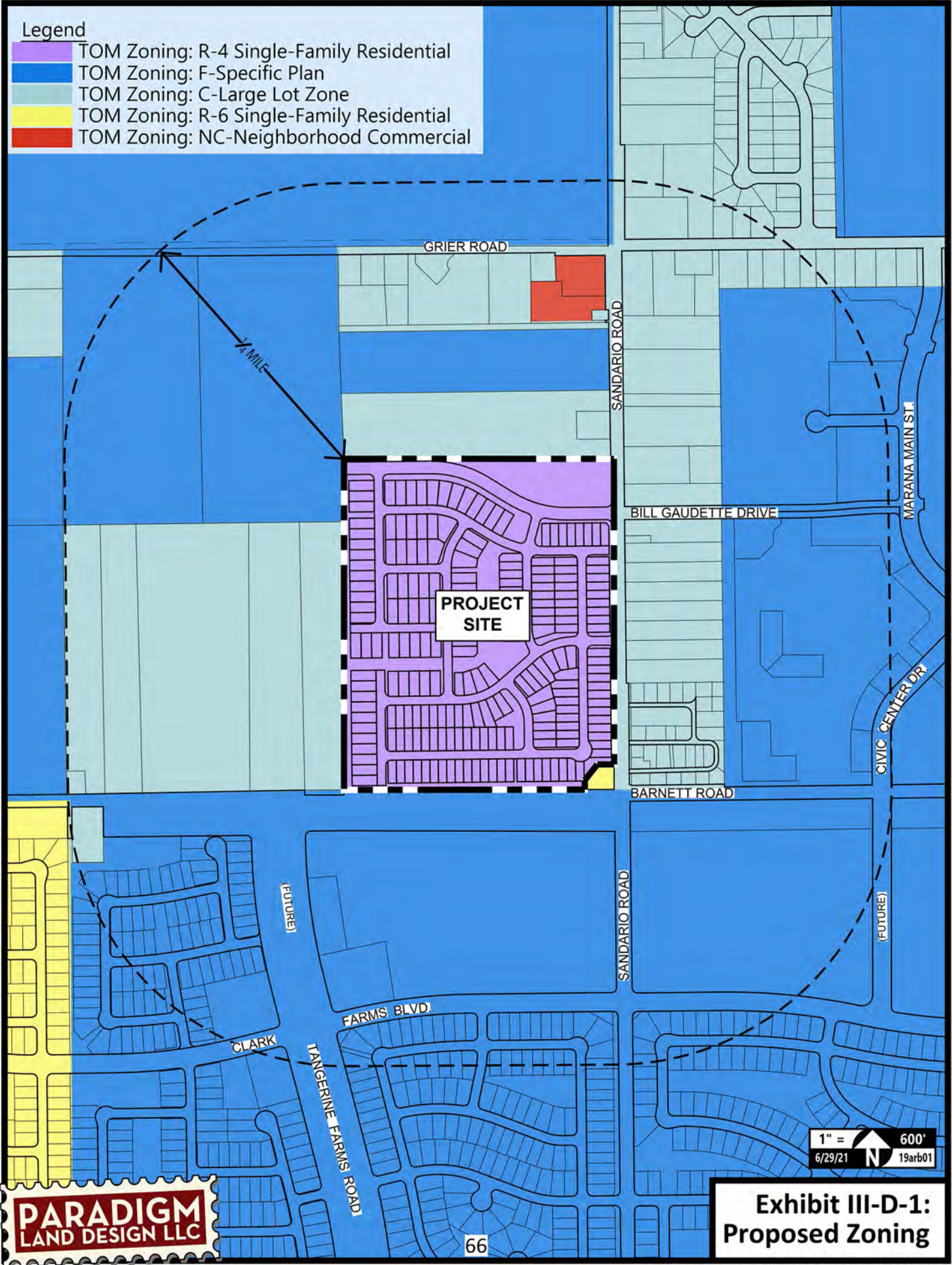
The Property's overall size of roughly 46 acres and its rectangular shape of approximately 1,290 feet by 1,580 feet makes visual and physical access to recreational amenities a key design consideration. Central open space corridors with decomposed granite walking paths will allow residents to traverse the open space areas between two recreation areas within the development. The smaller of the two recreation areas is proposed in the central portion of the project and will include a ramada and seating. The larger recreation area is proposed in the northern portion of the project within the drainage basin, and will include a small activity field, ramada, and play structure. The basin has been designed so that most of the amenities will not be inundated except in the largest of storms. Sidewalks throughout the project provide strong pedestrian connectivity from all homes to the onsite open spaces and also to the surrounding roadway system.

Cypress Gardens will have minimal impact to traffic, drainage, wildlife, and other typical effects of development. If entry signage is desired by the home builder, it will be installed at the project entries on Sandario Road and Bill Gaudette Drive. The design and dimensions of such signage will be determined during the platting phase.

Please see Exhibit III-D-2: Preliminary Development Plan (PDP).

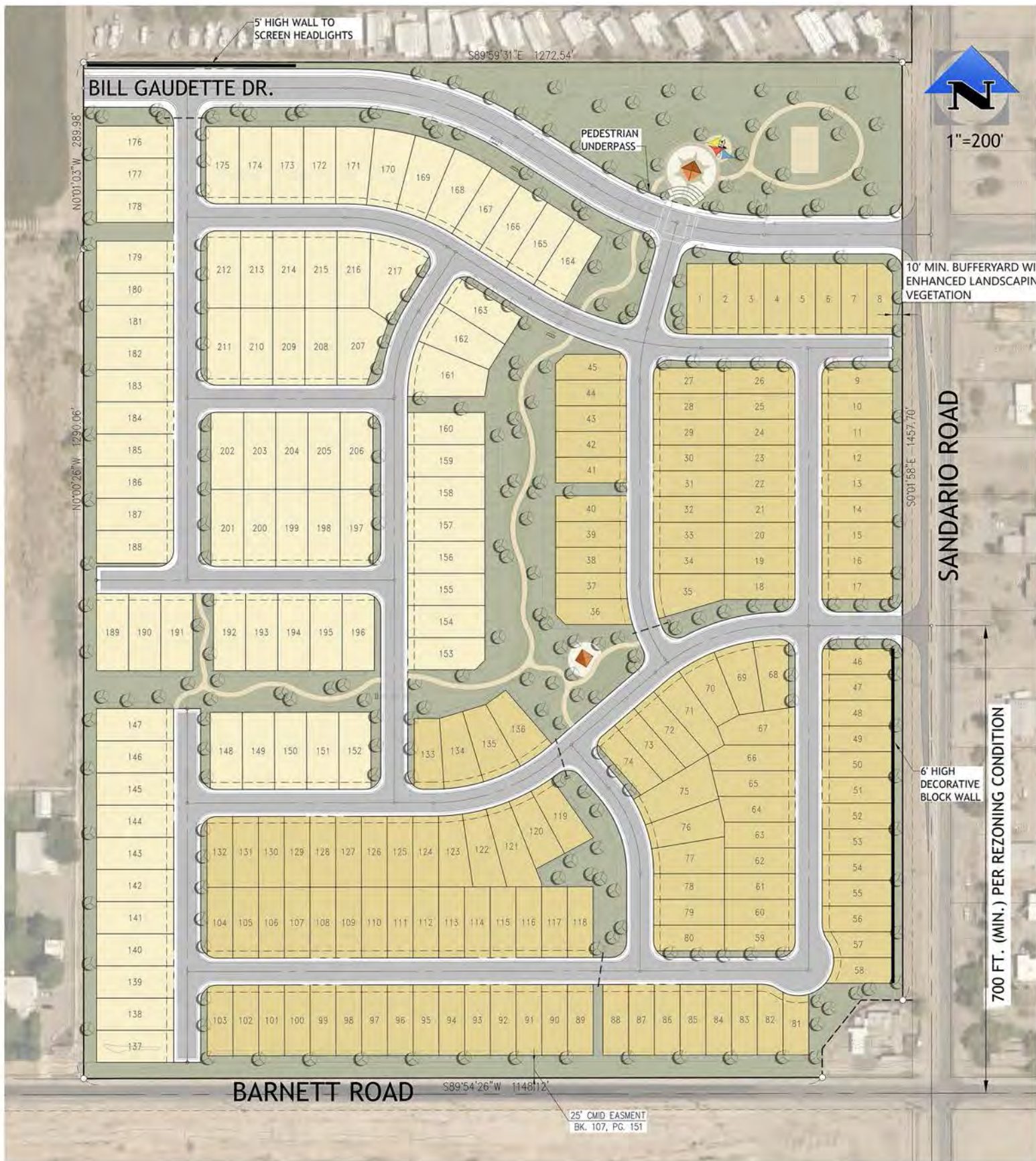
Legend

- TOM Zoning: R-4 Single-Family Residential
- TOM Zoning: F-Specific Plan
- TOM Zoning: C-Large Lot Zone
- TOM Zoning: R-6 Single-Family Residential
- TOM Zoning: NC-Neighborhood Commercial



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**Exhibit III-D-1:
Proposed Zoning**



YIELD SUMMARY:

40'x110' LOTS
(136 TOTAL)

50'x120' LOTS
(81 TOTAL)

217 TOTAL LOTS

CYPRESS GARDENS

LOTS 1-217

MARANA • ARIZONA

**EXHIBIT III-D-2:
PRELIMINARY DEVELOPMENT PLAN**

E. GRADING CONCEPT

Because this site has historically been used for agricultural purposes, the site has been mass graded for decades. The site will be mass graded so improvements within this project can be located at or near existing grade, subject to drainage requirements, subject to drainage requirements. The Project may need imported fill dirt to maintain minimum sanitary sewer gravity slopes.

See Exhibit III-E-1: Preliminary Grading Plan.

NOTE: GRADES ARE APPROXIMATE
AND ARE SUBJECT TO FINAL DESIGN.



BARNETT ROAD

SANDARIO ROAD

25' CMID EASMENT
BK. 107, PG. 151



CYPRESS GARDENS

LOTS 1-217
MARANA * ARIZONA

EXHIBIT III-E-1:
PRELIMINARY GRADING PLAN

F. POST-DEVELOPMENT HYDROLOGY

Cypress Gardens, as currently planned, will be designed to store runoff from the 100-year rainfall/runoff event followed by a 10-year event per the Northwest Marana Drainage Policy. As previously mentioned, no runoff from offsite sources is anticipated to affect the site. Runoff due to rainfall over this subdivision will be managed in the subdivision streets, channels, and basins. The streets will accept runoff from the lots and convey that runoff towards scuppers and spillways that will direct that runoff into the onsite channels and stormwater disposal basins. The runoff storage depth in those onsite basins is not anticipated to exceed 2.5-feet as upper basins flow into lower basins via the onsite stormwater management systems. Onsite basins are to be sized to accept the runoff volume due to the 100-year event plus the 10-year event less the reduction credit associated with infiltration that occurs during a 24-hour period between storm events. Stored runoff is to be disposed of within 36-hours after the 10-year event is over. In addition to the infiltration through the onsite basin floors, Dry Wells and Exfiltration Trenches within the onsite basins are being considered for stormwater disposal. Runoff will approach the large onsite basin north of Bill Gaudette Drive via culverts/passageway beneath that road. An overflow weir is to be located at the downstream corner of that large basin per the Northwest Marana Drainage Policy.

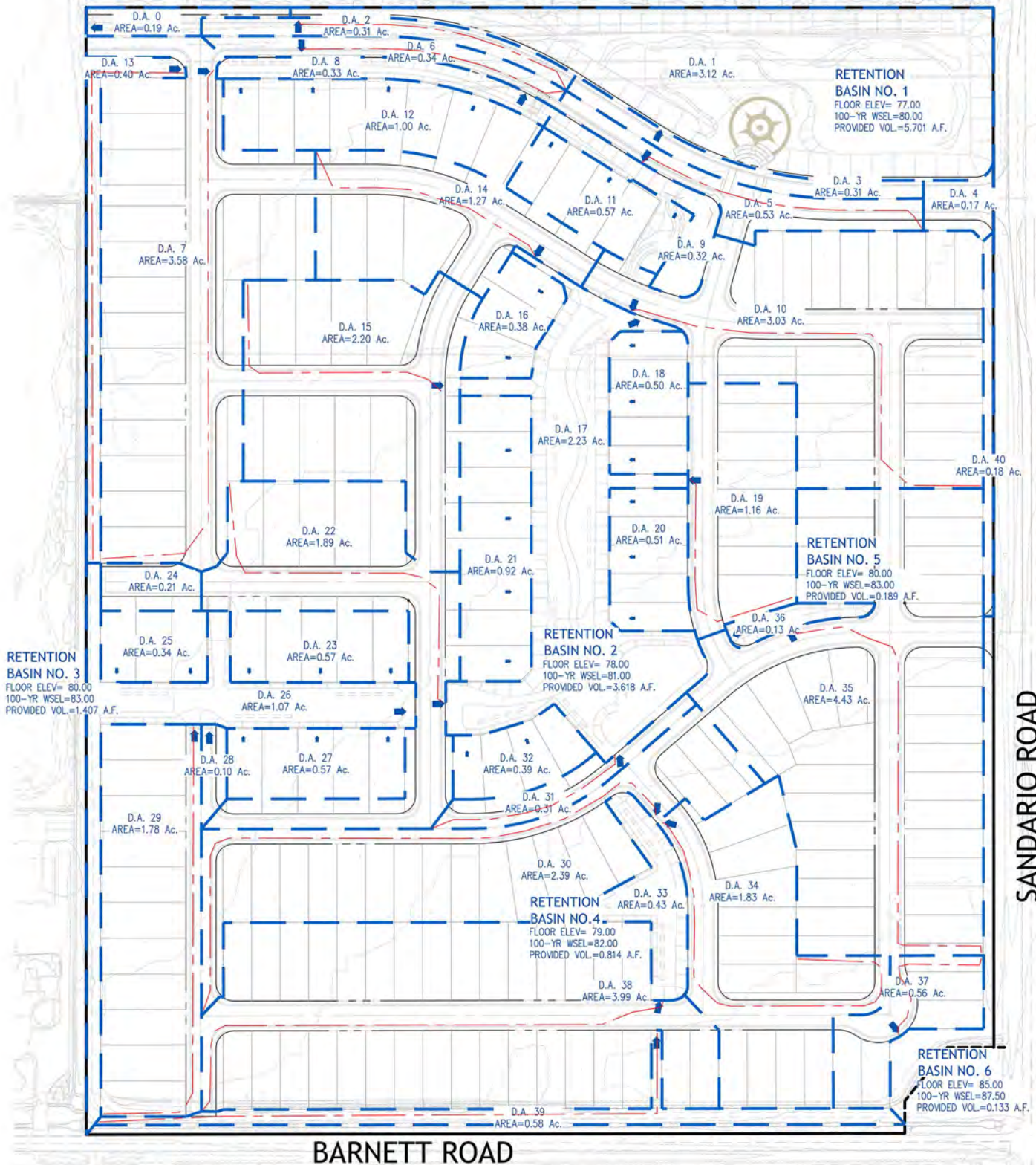
Onsite drainage patterns will be modified from the northwesterly draining cultivated field to store runoff within the interior of the subdivision. Under developed conditions, drainage will continue to drain northwesterly to the large basin at the northern portion of the site which will have an overflow provision to the northwest consistent with the existing drainage patterns of this cultivated field.

No drainage Impacts upstream or downstream are anticipated with the design of the stormwater management systems shown on these Cypress Gardens plans.

The small portion of the site in FEMA Zone AO-1 lies north of the Gaudette Road alignment and will be used for stormwater management.

All building pads will be designed to be a minimum of 1 foot above adjacent 100-year flood elevations.

See Exhibit III-F-1: Post-Development Hydrology.

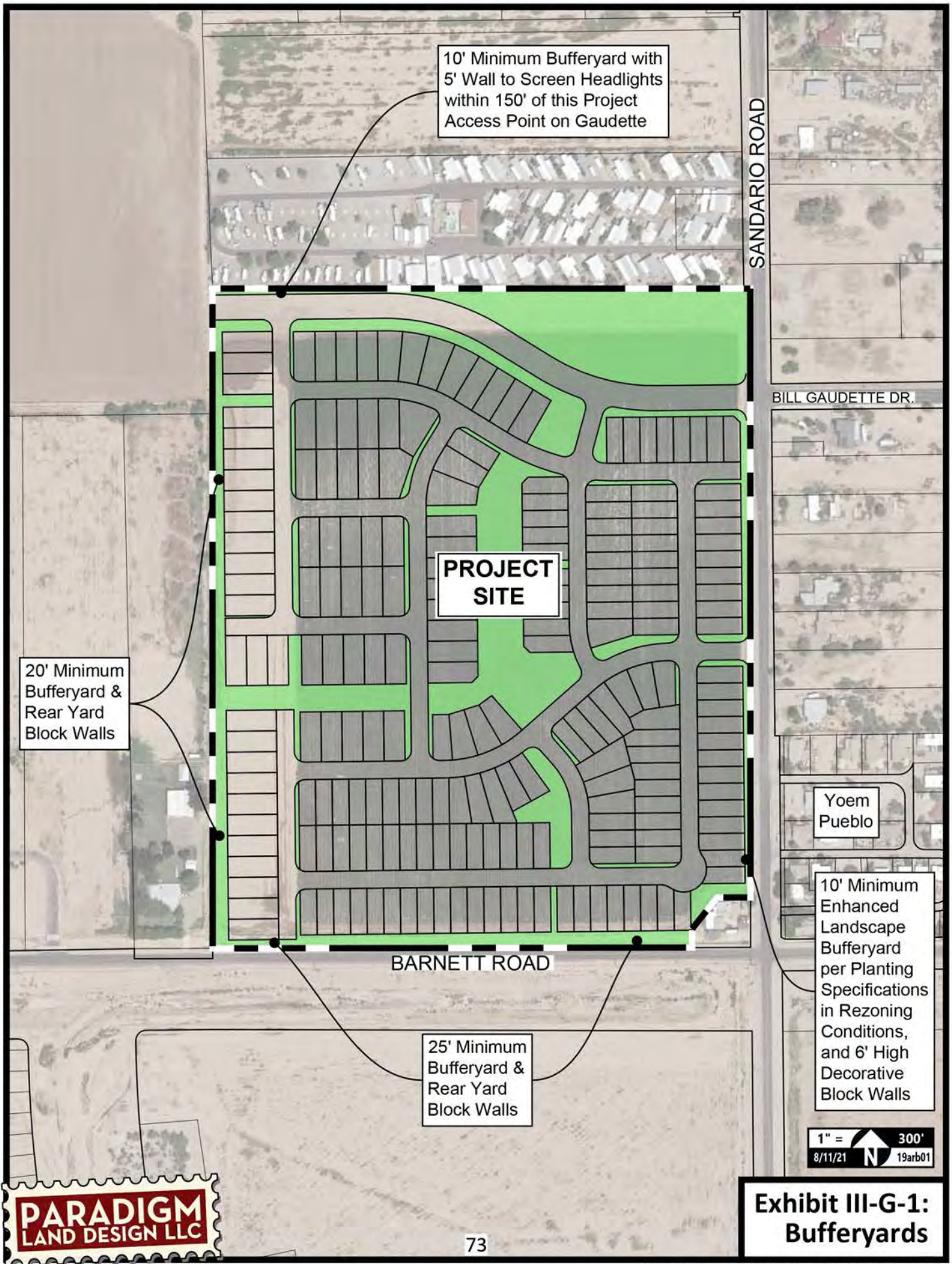


G. VEGETATION & LANDSCAPING

The Marana Land Development Code, Environmental Resource Preservation, Native Plant and Landscape Requirements, allows for this type of subdivision development. Being a farm field, Cypress Gardens has no existing native vegetation anywhere on site. Native plants will be reintroduced throughout the subdivision and open space areas to help blend this new subdivision with the surrounding land uses and minimize the heat island effect. Native plants are drought tolerant and uniquely suited for the local climate, and further meet the primary objective of development a sustainable and environmentally sensitive residential community.

Open space is primarily located along northern boundary of the property and connected to the southern boundary via a central open space corridors with walking paths. Landscaping will be installed throughout the open spaces and around the perimeter of the property to meet Marana's perimeter landscape bufferyard standards. Of special note are the requirements from previous zoning actions to provide additional buffering near the Yoem Pueblo, specifically to provide a 6' high decorative block wall and additional landscaping along Sandario Road (See Section II.A.). These previous buffering commitments have been carried forward and honored in this current development proposal. All installed landscaping will be drought tolerant per Marana guidelines. A landscape plan will be submitted at the time of plat review.

See Exhibit III-G-1: Bufferyards.



H. WILDLIFE

There are no primary wildlife corridors that run through the property.

No more than 30 days before grading, a 100% area survey must be completed by a qualified wildlife biologist, for the Western Burrowing Owl, with a copy of the survey form send to the Town prior to issuance of a grading permit.

I. VIEWSHEDS

Extraordinary views are not available from or across the property due to existing, relatively flat topography coupled with the distance to surrounding mountain ranges. However, perimeter buffer areas mitigate the project's minimal impacts to surrounding viewsheds.

J. TRAFFIC

Two connections are proposed to the existing public street system. Both entrances are proposed onto Sandario Road, with one via Bill Gaudette Drive, and with no connections being proposed to Barnett Road. The design prohibits cut through traffic and creates safer neighborhood traffic movement. The northern connection to Sandario Road is an extension of Bill Gaudette Drive, which in the future will extend west to a future extension of Tangerine Farms Road approximately 215 feet west of the Property. Cypress Gardens is expected to generate approximately 2,048 total daily trips.

Additionally, the southern connection to Sandario Road is 700 feet north of Barnett Road, in accordance with the rezoning conditions to provide additional buffering for the Yoem Pueblo (See Section II.A.).

Turns lanes on Sandario Road will be provided where warranted.

The "Cypress Green Gardens Traffic Impact Analysis" by M Esparza Engineering LLC, dated 6/17/2021 has been submitted as a standalone report.

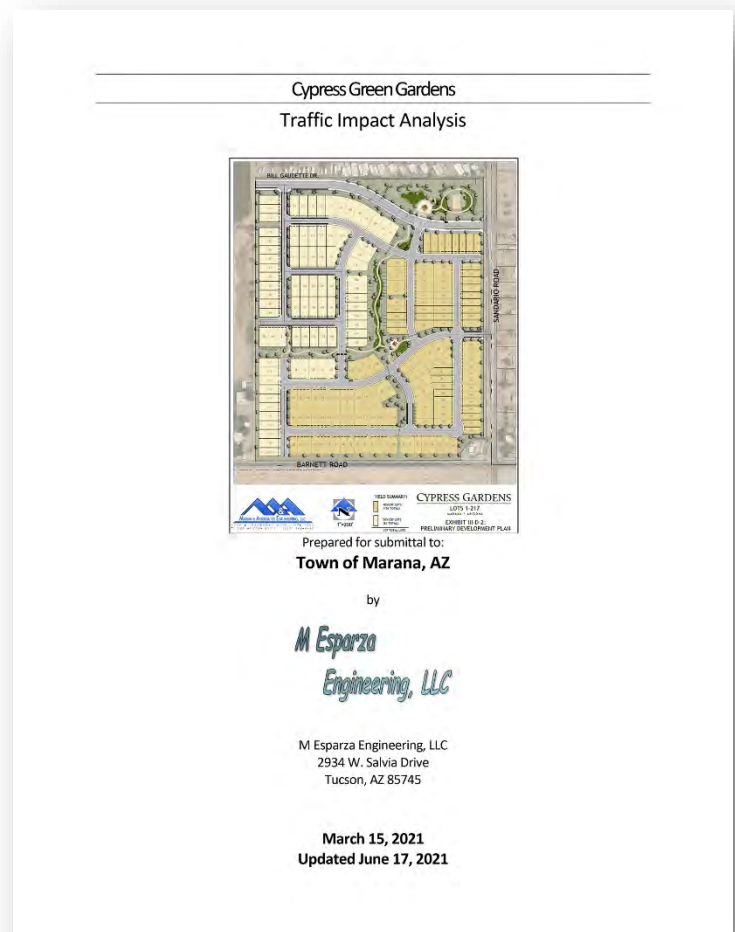




**Exhibit III-J-1:
Proposed Roadway Network**

K. PUBLIC UTILITIES**1. Water**

Marana Water will serve this subdivision. An extension of Marana's public water system may be required to be constructed by the developer.

2. Sewer

This development will connect to the existing Town of Marana sewer line in Sandario Road. No offsite sewer improvements are anticipated to be necessary.

3. Electric

The property is located within the Tucson Electric Power service area. Existing overhead lines will be undergrounded as necessary to accommodate the proposed development.

4. Natural Gas

Southwest Gas will supply natural gas services to this development.

5. Telecommunications

The development is within the Century Link service area.

6. CMID

The existing canal along the southern property boundary of the Property will be undergrounded. Engineering for that effort will occur during the platting process. Additionally, the project developer will work with CMID during the platting process to determine if providing non-potable water to this project is feasible.





INVESTMENT
(217-45-0161)

(G-80-09)
RIM=82.79
N. INV.=71.24
S. INV.=71.24

NEW 8" SEWER STUB
FOR FUTURE
CONNECTION (PUBLIC)

NEW 10" PVC
SEWER (PUBLIC)

EXIST. MH#4
(G-2003-024)
RIM=84.25
N. INV.=71.99
S. INV.=71.99

EXIST. MH#13
(G-80-09)
RIM=85.06
INV.=74.42
(BLOCK-OUT TO WEST)

NEW 10" PVC
SEWER (PUBLIC)

POINT OF CONNECTION TO
EXISTING PUBLIC SEWER

NEW 8" PVC
SEWER (PUBLIC)

NEW 8" PVC
SEWER (PUBLIC)

NEW 8" PVC
SEWER (PUBLIC)

EXISTING 8" VCP PUBLIC
SEWER (G-99-128)

EXIST. MH#4
(G-2003-024)
RIM=85.25
N. INV.=72.91
S. INV.=72.91

EXIST. MH#14
(G-80-09)
RIM=85.98
INV.=1975.80

POINT OF CONNECTION TO
EXISTING PUBLIC SEWER

NEW 8" PVC
SEWER (PUBLIC)

EXIST. MH#5
(G-2003-024)
RIM=86.55
N. INV.=73.92
S. INV.=73.92

EXIST. MH#15
(G-80-09)

EXISTING 12" PVC PUBLIC
SEWER (G-2003-024)

NEW 8" PVC
SEWER (PUBLIC)

EXIST. MH#16
(G-99-128)
RIM=87.64
N. INV.=77.74
S. INV.=77.79

EXIST. MH#4907-01
(G-99-128)

EXIST. MH#6
(G-2003-024)
RIM=88.77
N. INV.=74.98
S. INV.=75.00

ZONE "A"
UNSUBDIVIDED
(217-45-0008)

BARNETT ROAD

SANDARIO ROAD

NOTE: SEWER CONCEPT DEPICTED SUBJECT
TO FINAL DETAILED DESIGN ANALYSIS.

LEGEND

- PLANNED PUBLIC SEWER & MANHOLE
- EXISTING PUBLIC SEWER (AS NOTED)

CYPRESS GARDENS

LOTS 1-217

MARANA * ARIZONA

EXHIBIT III-K-2:
PRELIMINARY SEWER PLAN



2730 E. BROADWAY BLVD., STE. 250
TUCSON ARIZONA 85716 (520) 448-4440

L. PUBLIC SERVICE IMPACTS

1. Police

Cypress Gardens is within Marana's town limits, and law enforcement jurisdiction. Impacts to Marana's police services will be minimal due to the projects' close proximity to the main Marana Police Department station.

2. Fire

This project will be protected by the Northwest Fire District.

3. Trash & Recycling

The Town of Marana does not provide trash and recycling services. Cypress Gardens' homeowners will contract with a private solid waste pick-up provider.

4. Schools

The Marana Unified School District uses a student generation factor of 0.25 per home for elementary students and 0.1 per home for secondary students. Cypress Gardens' change from 165 to 217 homes results in an impact to the district of 52 more homes, this will generate approximately 13 elementary students and 5 secondary students. Estes Elementary School, Gladden Farms Elementary School, Marana Middle School and MCAT High School all have capacity to absorb this number of students. See Exhibit III-L-1: School District Letter, which confirms that nearby Marana school District facilities have capacity for more houses than are currently proposed within this development.

5. Parks

It is expected that residents of Cypress Gardens will utilize the proposed onsite recreation areas and trail system, as well as the Ora Mae Harn District Park, all of which have or will have the capacity to meet recreational needs of future residents. Sidewalks throughout Cypress Gardens provide connectivity to existing sidewalks on Bill Gaudette Drive, which connect to other pedestrian facilities ultimately connecting to Ora Mae Harn Park.

Exhibit III-L-1: School District Letter

GOVERNING BOARD

Maribel Lopez, Ed.D., President
Hunter Holt, Vice President
Tom Carlson, Member
John Lewandowski, Member
Dan Post, Member



ADMINISTRATION

Daniel Streeter, Ed.D., Superintendent
Carolyn Dumluer, Ed.D., Assistant Superintendent
Kristin Reidy, Assistant Superintendent
Dan Contorno, Chief Financial Officer

February 18, 2021

Mr. Paul Oland
Paradigm Land Design

RE: Rezoning of Cypress Gardens Concept Plan

Dear Mr. Oland,

Thank you for informing us of the rezoning proposal of Cypress Gardens. The change from 165 homes to 217 homes results in an impact to the district of 52 more homes. Marana Unified School District currently uses a factor of .25 students per home for elementary and .1 students per home for secondary. The rezoning change of 52 homes could generate about 13 elementary and 5 secondary students.

These future potential students can be supported by the following schools with their current enrollment/capacity numbers shown; Estes Elementary School (508/787), Marana Middle School (997/1438), and Marana High School (2088/2385). All schools have capacity for the impact this proposed development may have on our student population under current conditions.

Thank you for supporting the development of quality homes and businesses in our community. Marana Unified School District knows that one of the keys to the continued success of our wonderful community is the quality of our children's education. This belief is held so strongly that we have multiple developers providing the school district with rooftop impact development fees. The district uses these funds to ensure that necessary infrastructure is in place to support growth and maintain an inspiring education for every child. Voluntary developer participation in this process is an invaluable investment in our community. Please contact the Marana Schools Finance Office at 520-682-4756 to learn more about participation.

Please contact Dan Contorno at 520-682-4756, or myself at 520-616-4521 if you have any further questions.

Sincerely,

Russell Federico, M.Ed.
Executive Director of Bond and Capital Projects
Marana Unified School District

Inspiring students to learn today and lead tomorrow.

11279 W. Grier Road • Marana, Arizona 85653 • (520) 682-3243 • www.maranausd.org

M. RECREATION & TRAILS

A central open space corridor with decomposed granite pedestrian path is located through the center of the site. It will connect the recreation area in the northern portion of the site to a small pocket park in the middle of the site and to existing and future trails nearby. This central green space will be accessible to all homeowners and highly visible to address Crime Prevention Through Environmental Design (CPTED) considerations. Trail connections will be provided at multiple locations within the neighborhood, so residents have an alternative to the sidewalk system. An important design consideration was providing safe and convenient pedestrian access to the main recreation area, which is separated from the proposed homes by the proposed extension of Bill Gaudette Drive. To address this issue the developers will install a pedestrian underpass beneath Bill Gaudette Drive, as shown on the Preliminary Development Plan. The recreation area size and design will adhere to the Town's recreational design standards that were recently approved by Town Council.



The development's open space, including all onsite recreational amenities, will be owned, and maintained by the HOA. All installed landscaping will be on an underground drip irrigation system until established. If turf is used, it will be irrigated from a secondary non-potable source as long as the non-potable source is available at the boundary of the project at the time of development.

During previous development efforts an in-lieu fee was paid to the Town of Marana for installation of a sidewalk along Sandario Road. The sidewalk was never built, so disposition of the in-lieu fee funds will be coordinated during the platting phase.

N. CULTURAL, ARCHAEOLOGICAL & HISTORIC RESOURCES

The site was previously surveyed for cultural resources by PAST in 2013. Nothing of significance was found and so it was determined that the development of this parcel could proceed without any further survey work.



TO:	Town of Marana Development Services Dept. 11555 West Civic Center Drive Marana, AZ 85653	FROM:	Paul Oland
		DATE:	8/5/2021
PROJECT:	Cypress Gardens Rezone (PCZ2103-003) Public Outreach Summary	PROJECT #:	19arb01

An online neighborhood meeting was held on January 14th, 2021. Notifications of the meeting were sent to all landowners within 300' of the project. 17 notifications were mailed. Two nearby landowners attended the meeting but did not express notable concern once we finished discussing the proposal. One of the attendees is the owner of the Valley of the Sun Mobile Home & RV Park, which is directly north of the subject property. He asked about vehicle headlights possibly affecting his residents as future homeowners within Cypress Gardens exit northbound onto Gaudette Drive in the northwestern portion of the project. In response, we explained that a block wall would be constructed along the shared property boundary where the Gaudette Drive right-of-way is adjacent to Valley of the Sun.

In March we were contacted by the owner of the home at the southeast corner of Cypress Gardens. We discussed the project and she asked if a wall would be built around the project. We responded that the future homes' individual back yards would be walled, but that no perimeter wall is proposed. We have not been contacted by other nearby landowners since then.

We also reached out to Peter Yucupicio at the Pascua Yaqui Tribe at Yoem Pueblo and explained the proposal. A follow-up email was sent with additional details and the site plan. No response has been received.

Attached to this summary is a copy of the neighborhood meeting invitation letter (which a site plan of the proposed Cypress Gardens site plan) and the mailing list.



TO: Project Neighbors **DATE:** 12/29/2020

FROM: Paul Oland

PROJECT: Cypress Gardens Rezoning **PROJECT #:** 19arb01

SUBJECT: Neighborhood Meeting Notification

Dear Neighbor,

The Cypress Gardens property, which is located at the northwest corner of Barnett Road and Sandario Road, was designed and approved several years ago under the R-6 zoning regulations, featuring 165 home sites. Northwest Marana has grown significantly since then, and the housing product demand has changed as well. Homebuilders and homebuyers are opting for a housing product that aligns better with a smaller lot size, so we propose to rezone Cypress Gardens from R-6 to R-3.5 to allow for smaller lots to be constructed. The Make Marana 2040 General Plan designates this property as "Traditional Neighborhood", which connotes an appropriate residential density of 2 – 18 homes per acre. Cypress Gardens' 217 homes equate to just under five homes per acre, which is well within the General Plan's suggested density. Additionally, the proposed Cypress Gardens site plan complies with the Town's current draft recreation area standards, which will increase the amount of recreational area provided. The existing and proposed site plans are shown on the back of this letter.

A web-based informational meeting will be held on Thursday, January 14th from 6:00 pm – 7:30 pm. If you'd like to join the meeting please go to <https://tinyurl.com/cypress-jan14> or join the meeting via phone by calling (623) 469-4514 and entering Conference ID: 635 448 53#. The purpose of the meeting will be to present basic information about the proposed development, answer questions, and listen to comments and suggestions from our neighbors.

If you have any questions, please do not hesitate to contact me at (520) 664-4304, GPO@ParadigmLand.US, or by mail at:

Paradigm Land Design LLC
7090 N Oracle Rd, Suite 178-193
Tucson, AZ 85704

Thank you.



PROJECT #: 19arb01

DATE: 12/29/2020



BARNETT FAMILY TR
PO BOX 66
MARANA AZ 85653

BEJARANO LAZARO & AMELIA JT/RS
13300 N SANDARIO RD
MARANA AZ 85653

BOEGEL FILICE LLC
PO BOX 2274
SANTA CRUZ CA 95063

DEWEY BRUCE G & EARLENE REVOC TR
15955 W SANDY ST
MARANA AZ 85653

DEWEY DOUG & TAWNIA CP/RS
13460 N SANDARIO RD
MARANA AZ 85653

GINN CHARLES E LIVING TR
13250 N SANDARIO RD
MARANA AZ 85653

KMS CV 2 LLC
5225 E PIMA ST
TUCSON AZ 85712

MARANA HEALTH CENTER INC
PO BOX 188
MARANA AZ 85653

MURRIETA FAMILY LIVING TR
ATTN: ROBERTO & MARIA DEL CARMEN
13344 N SANDARIO RD
MARANA AZ 85653

MURRIETA REVOC FAMILY TR
ATTN: CECILIA MURRIETA TR
3924 W MANDARIN CIR
TUCSON AZ 85741

PASCUA YAQUI TRIBE
ATTN: LAND OFFICE
7474 S CAMINO DE OESTE
TUCSON AZ 85746

PETERSEN JARED R & SELINA MARIE
12140 W BARNETT RD
MARANA AZ 85653

RAHE JOHN SAMUEL III
13201 N SANDARIO RD
MARANA AZ 85653

SAMUELSON TRUST NO 1
00000

SKRAMSTAD LARRY D & DENELDA M
10501 N MAYBROOK AVE
MARANA AZ 85653

TITLE SECURITY AGENCY LLC TR 201812-T
ATTN: MERITAGE HOMES OF AZ INC
3275 W INA RD STE 220
TUCSON AZ 85741

TOWN OF MARANA
MARANA MUNICIPAL COMPLEX
11555 W CIVIC CENTER DR
MARANA AZ 85653