MARANA TOWN COUNCIL
REGULAR COUNCIL MEETING
NOTICE AND AGENDA
11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, December 20, 2022, at or after 6:00 PM

Ed Honea, Mayor
Jon Post, Vice Mayor
Patti Comerford, Council Member
Jackie Craig, Council Member
Herb Kai, Council Member
John Officer, Council Member
Roxanne Ziegler, Council Member

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Marana Town Council and to the general public that the Town Council will hold a meeting open to the public on December 20, 2022, at or after 6:00 PM located in the Council Chambers of the Marana Municipal Complex, 11555 W. Civic Center Drive, Marana, Arizona.

ACTION MAY BE TAKEN BY THE COUNCIL 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*.

As a courtesy to others, please turn off or put in silent mode all electronic devices.

Meeting Times

Welcome to this Marana Town Council meeting. Regular Council meetings are usually held the first and third Tuesday of each month at 6:00 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. Contact the Town Clerk or watch for posted agendas for other meetings. This agenda may be revised up to 24 hours prior to the meeting. In such a case a new agenda will be posted in place of this agenda.

Speaking at Meetings

If you are interested in speaking to the Council 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 Town Clerk prior to the convening of the meeting.

All persons attending the Council meeting, whether speaking to the Council or not, are expected to observe the Council 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 under Agendas and Minutes. For questions about the Council meetings, special services or procedures, please contact the Town Clerk, at (520) 382-1999, Monday through Friday from 8:00 AM to 5:00 PM.

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 under Agendas and Minutes.

REGULAR COUNCIL MEETING

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE/INVOCATION/MOMENT OF SILENCE

APPROVAL OF AGENDA

CALL TO THE PUBLIC
At this time any member of the public is allowed to address the Town Council on any issue within the jurisdiction of the Town Council, except for items scheduled for a Public Hearing at this meeting. The speaker may have up to three minutes to speak. Any persons wishing to address the Council must complete a speaker card located outside the Council Chambers and deliver it to the Town Clerk prior to the commencement of the meeting. Individuals addressing a meeting at the Call to the Public will not be provided with electronic technology capabilities beyond the existing voice amplification and recording capabilities in the facilities. Pursuant to the Arizona Open Meeting Law, at the conclusion of Call to the Public, individual members of the Council may respond to criticism made by those who have addressed the Council, and may ask staff to review the matter, or may ask that the matter be placed on a

future agenda.

PROCLAMATIONS

MAYOR AND COUNCIL REPORTS: SUMMARY OF CURRENT EVENTS

MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

PRESENTATIONS

CONSENT AGENDA
The Consent Agenda contains items requiring action by the Council which are generally routine items not requiring Council discussion. A single motion and affirmative vote will approve all items on the Consent Agenda, including any resolutions or ordinances. Prior to a motion to approve the Consent Agenda, any Council member may remove any item from the Consent Agenda and that item will be discussed and voted upon separately.

C1 Resolution No. 2022-129: Relating to Administration; rescinding Resolution No. 2021-126 which approved the Marana Public Art Policy (Libby Shelton)

C2 Resolution No. 2022-130: Relating to Budget; approving the transfer of up to $750,000 in budgeted expenditure authority from the General Fund contingency line item to the Technology Services Department budget in the fiscal year 2022-2023 budget for the purchase and installation of computer hardware (Yiannis Kalaitzidis)

C3 Resolution No. 2022-131: Relating to Development; approving the Final Plat for Villagio Lots 5-7 located north of Tangerine Road and west of Thornydale Road within Section 31, Township 11 South and Range 13 East (Brian D. Varney)

C4 Approval of the Regular Council Meeting Summary Minutes of December 6, 2022 (David L. Udall)

LIQUOR LICENSES

BOARDS, COMMISSIONS AND COMMITTEES

B1 Resolution No. 2022-132: Relating to Benefits; appointing Thomas Plantz and Franklin Garrett as Trustees for the Marana Health Care Benefits Trust for four-year terms, retroactively effective from November 20, 2021 (Curry Hale)

B2 Resolution No. 2022-133: Relating to Boards, Commissions, and Committees; making an appointment to the Town of Marana Utilities Board (David L. Udall)

COUNCIL ACTION

A1 PUBLIC HEARING: Ordinance No. 2022.028: Relating to Development; approving a rezoning of approximately .53 acres of Block C of the final block plat for Willow Ridge, located at the southeast corner of Cortaro Farms Road and Sandy Desert Trail, from R-16 (Residential) to NC (Neighborhood Commercial); approving a modification of a rezoning condition of Marana Ordinance No. 2004.07, which approved the rezoning for the 104-acre Willow Ridge development, to delete a condition that prohibits two-story construction within 300 feet of Cortaro Farms Road as it applies to Block C, a 3.81-acre parcel (Brian Varney)

A2 PUBLIC HEARING: Resolution No. 2022-134: Relating to Development; adopting a minor amendment to the Marana 2040 General Plan to provide that proposed major amendments to the general plan shall be presented at a public hearing within twelve months of when the amendment is proposed (Jane Fairall)

A3 Ordinance No. 2022.029: Relating to Development; adopting development impact fees for street facilities, parks and recreation facilities, water facilities, water resources, and wastewater facilities; accepting and approving the technical fee reports identifying benefit areas and facilities needs; and providing an effective date (Fausto Burruel, Jim Conroy, Jing Luo)

ITEMS FOR DISCUSSION / POSSIBLE ACTION

EXECUTIVE SESSIONS

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

E1 Executive Session pursuant to A.R.S. §38-431.03 (A), Council 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).

E2 Executive Session pursuant to A.R.S. § 38-431.03(A)(1) for discussion, consideration, and possible interviews of candidates for appointment to the Town of Marana Utilities Board.

FUTURE AGENDA ITEMS

Notwithstanding the Mayor's discretion regarding the items to be placed on the agenda, if three or more Council members request that an item be placed on the agenda, it must be placed on the agenda for the second regular Town Council meeting after the date of the request, pursuant to Marana Town Code Section 2-4-2(B).

ADJOURNMENT

Council-Regular Meeting **C1**

Meeting Date: 12/20/2022

To: Mayor and Council

Submitted For: Libby Shelton, Deputy Town Attorney

From: Libby Shelton, Deputy Town Attorney

Date: December 20, 2022

Strategic Plan Focus Area:
Cherished Heritage

Subject: Resolution No. 2022-129: Relating to Administration; rescinding Resolution No. 2021-126 which approved the Marana Public Art Policy (Libby Shelton)

Discussion:

The Town of Marana Strategic Plan Five includes a goal to embed heritage in policy and planning to ensure continued preservation of Marana's Heritage. An identified strategy to achieve this goal includes expanding the current art policy to require the integration of public art into public and private development projects that captures Marana's heritage.

The current Town of Marana Art Policy, adopted by Resolution No. 2021-126 on September 7, 2021, does not address private development projects and is not focused on Marana's heritage. Additionally, the current Art Policy requires formation of a community input group. Since the Public Art Policy's Adoption, the community input group has not been formed. Moreover, the current Public Art Policy potentially delays development projects by not clearly being integrated into the development process in a collaborative manner.

Before the end of fiscal year 2023, Town staff intend to bring forth to Town Council a revised Public Art Policy that will embody the "Cherished Heritage" focus area of Strategic Plan 5 and align productively with ongoing development projects.

Staff Recommendation:
Staff recommends approval of this resolution.

Suggested Motion:
I move to adopt Resolution No. 2022-129, rescinding Resolution No. 2021-126 which approved the Marana Public Art Policy.

Attachments

Resolution No. 2022-129

MARANA RESOLUTION NO. 2022-129

RELATING TO ADMINISTRATION; RESCINDING RESOLUTION NO. 2021-126 WHICH APPROVED THE TOWN OF MARANA PUBLIC ART POLICY

WHEREAS on September 7, 2021, the Town Council adopted Resolution No. 2021-126 approving the Town of Marana Public Art Policy; and

WHEREAS on September 6, 2022, the Town Council adopted the Town of Marana Strategic Plan 5 ("Strategic Plan 5"); and

WHEREAS Strategic Plan 5 includes Cherished Heritage as a Focus Area with a goal to embed heritage in policy and planning to ensure continued preservation of Marana's heritage; and

WHEREAS to achieve this goal, Strategic Plan 5 provides that the Town will expand the current art policy to require the integration of public art into public and private development projects that captures Marana's heritage; and

WHEREAS the Public Art Policy adopted via Resolution No. 2021-126 does not achieve the heritage goals of Strategic Plan 5 ; and

WHEREAS Town staff intends to bring forward a revised Public Art Policy that both furthers the goals of Strategic Plan 5 and aligns productively with development projects; and

WHEREAS the Town Council finds that adopting this resolution rescinding the Public Art Policy is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that Resolution No. 2021-126 adopted by the Marana Town Council on September 7, 2021, and the Town of Marana Public Art Policy it approved are hereby rescinded.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 20th day of December, 2022.

Mayor Ed Honea

ATTEST:

David L. Udall, Town Clerk

APPROVED AS TO FORM:

Jane Fairall, Town Attorney

Council-Regular Meeting **C2**

Meeting Date: 12/20/2022

To: Mayor and Council

From: Yiannis Kalaitzidis, Finance Director

Date: December 20, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Resolution No. 2022-130: Relating to Budget; approving the transfer of up to $750,000 in budgeted expenditure authority from the General Fund contingency line item to the Technology Services Department budget in the fiscal year 2022-2023 budget for the purchase and installation of computer hardware (Yiannis Kalaitzidis)

Discussion:

The budget for fiscal year 2022-2023 was adopted on June 21, 2022, which set the legal level of budgetary control at the department level for the General Fund and at the fund level for all other funds. Council approval is required for budgetary transfers between General Fund departments, between funds, and for any transfer of contingency.

The purpose of this item is to request the transfer of budget authority from the General Fund contingency line item to the Technology Services Department of up to $750,000 for the purchase and installation of computer hardware in Marana Police Department patrol vehicles.

After the beginning of the current fiscal year, staff were informed that the current computer hardware used by officers in patrol vehicles would likely experience connectivity issues because our current service provider plans to discontinue use of 1-3G bands on their towers. Due to the range limitations of remaining 4G band, computer hardware patrol vehicles might not be able to easily connect in the majority of the Town making it more difficult for officers to perform their duties while on patrol.

Staff researched alternatives, including other providers, and has not been able to find an efficient and effective alternative for our current equipment.

As a result, staff recommends updating the computer hardware as soon as possible to avoid connectivity issues and potential negative impacts on operations. Staff has identified equipment that will provide the necessary operational capability to the Town's officers, while also updating our platforms to the latest 5G technology. This replacement was already being discussed to be implemented for the upcoming fiscal year.

Considering the current unexpected connectivity and operational issues, staff recommends purchasing the computer hardware in the current fiscal year through the use of contingency budget capacity for one-time projects such as this one.

Financial Impact:

Fiscal Year:	2023
Budgeted Y/N:	N
Amount:	$750,000

The requested budget transfer of up to $750,000 does not increase the overall expenditure amount for the General Fund or the Town's budget. The transfer would only move Contingency budgetary authority to the Technology Services department within the General Fund. Funding would be provided from prior year savings accumulated and shown as available fund balance.

Staff Recommendation:

Staff recommends approval of the budget transfer from the General Fund Contingency line item to the Technology Services department.

Suggested Motion:

I move to adopt Resolution No. 2022-130, approving the transfer of up to $750,000 in budgeted expenditure authority from the General Fund contingency line item to the Technology Services Department budget in the fiscal year 2022-2023 budget for the purchase and installation of computer hardware.

Attachments

Resolution No. 2022-130

MARANA RESOLUTION NO. 2022-130

RELATING TO BUDGET; APPROVING THE TRANSFER OF UP TO $750,000 IN BUDGETED EXPENDITURE AUTHORITY FROM THE GENERAL FUND CONTINGENCY LINE ITEM TO THE TECHNOLOGY SERVICES DEPARTMENT BUDGET IN THE FISCAL YEAR 2022-2023 BUDGET FOR THE PURCHASE AND INSTALLATION OF COMPUTER HARDWARE

WHEREAS on June 21, 2022, the Town Council adopted the fiscal year 2022-2023 budgetary document and overall financial plan which set the legal level of budgetary control at the department level for the General Fund and at the fund level for all other funds; and

WHEREAS at the beginning of the current fiscal year, staff learned that the computer hardware in Marana Police Department patrol vehicles would experience connectivity issues due the our current service provider discontinuing use of 1-3G band on their towers; and

WHEREAS following research of alternative options, including other providers, Town staff has determined that replacement of the current computer hardware in the vehicles is required; and

WHEREAS delaying the purchase of the new computer hardware until the next fiscal year may result in connectivity issues and negatively impact operations; and

WHEREAS the purchase and installation of the new computer hardware in the patrol vehicles will cost up to $750,000; and

WHEREAS transferring amounts within the fiscal year 2022-2023 budget will not significantly impact the General Fund; and

WHEREAS the Council finds that the reallocations addressed by this resolution are in the best interest of the Town of Marana and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, AS FOLLOWS:

SECTION 1. The transfer of up to $750,000 in budgeted expense authority from the General Fund contingency line item to the Technology Services Department budget in the fiscal year 2022-2023 budget is hereby approved.

SECTION 2. 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 this resolution.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 20th day of December, 2022.

Mayor Ed Honea

ATTEST:

David L. Udall, Town Clerk

APPROVED AS TO FORM:

Jane Fairall, Town Attorney

Council-Regular Meeting **C3**

Meeting Date: 12/20/2022

To: Mayor and Council

From: Brian Varney, Senior Planner

Date: December 20, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Resolution No. 2022-131: Relating to Development; approving the Final Plat for Villagio Lots 5-7 located north of Tangerine Road and west of Thornydale Road within Section 31, Township 11 South and Range 13 East (Brian D. Varney)

Discussion:

Request
Old Lobo Villagio, LLC is requesting approval of a final plat consisting of three commercial lots on approximately 4.54 acres of land located north of Tangerine Road and west of Thornydale Road. The proposed plat is located within the Tangerine / Thornydale Specific Plan, and the land use designation is Commercial.

Land Use
The proposed plat is a resubdivision of the existing Lot 1 of the final plat for Villagio Lot 1 Resubdivision - Lots 1 & 4. The proposed lot sizes are: 76,227 square feet (Lot 5), 32,991 square feet (Lot 6), and 36,635 square feet (Lot 7). The maximum building height allowed is two stories, up to 40 feet.

Access and Traffic Circulation
The subdivision will be accessed from both Tangerine Road and Thornydale Road.

Utilities
Water service will be provided to the subdivision by Tucson Water. Wastewater service will be provided by Pima County Regional Wastewater.

Staff Recommendation:

Staff has reviewed the request against the requirements of the Tangerine / Thornydale Specific Plan, the Marana Town Code, and the Marana General Plan. This final plat is in substantial conformance with all required development regulations, and staff recommends approval.

Suggested Motion:

I move to adopt Resolution No. 2022-131, approving the final plat for Villagio Lots 5-7.

Attachments

Resolution No. 2022-131
Villagio Lots 5-7 Final Plat
PRV2206-009 V57 Map
PRV2206-009 V57 App

MARANA RESOLUTION NO. 2022-131

RELATING TO DEVELOPMENT; APPROVING THE FINAL PLAT FOR VILLAGIO LOTS 5-7 LOCATED NORTH OF TANGERINE ROAD AND WEST OF THORNYDALE ROAD WITHIN SECTION 31, TOWNSHIP 11 SOUTH AND RANGE 13 EAST

WHEREAS, on July 5, 2006, the Town Council adopted Ordinance No. 2006.20, approving the Tangerine / Thornydale Specific Plan; and

WHEREAS, on October 2, 2007, the Town Council adopted Ordinance No. 2007.24, approving an amendment to the Tangerine / Thornydale Specific Plan; and

WHEREAS, on June 3, 2008, the Town Council adopted Resolution No. 2008-71, approving a final plat for Villagio, Lots 1-3, Blocks "A" and "B"; and

WHEREAS, on May 16, 2017, the Town Council adopted Resolution No. 2017-040, approving the final plat for Villagio Lot 1 Resubdivision – Lots 1 & 4; and,

WHEREAS Old Lobo Villagio, LLC has applied for approval of the final plat for Villagio Lots 5-7 located north of Tangerine Road and west of Thornydale Road; and,

WHEREAS the Mayor and Town Council, at its December 6, 2022 meeting, determined that the final plat for Villagio Lots 5-7 should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA that the final plat for Villagio Lots 5-7 is hereby approved.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 20th day of December, 2022.

Mayor Ed Honea

ATTEST:

David L. Udall, Town Clerk

APPROVED AS TO FORM:

Jane Fairall, Town Attorney

FINAL PLAT FOR VILLAGIO LOTS 5-7

BEING A RESUBDIVISION OF LOT 1 OF FINAL PLAT FOR VILLAGIO LOT 1 RESUBDIVISION – LOTS 1 & 4, SEQUENCE NO. 20171420087

DEDICATION

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE ALL AND THE ONLY PARTIES HAVING ANY FEE TITLE INTEREST IN THE LAND SHOWN ON THIS PLAT, AND WE CONSENT TO THE SUBDIVISION OF THIS LAND IN THE MANNER SHOWN ON THIS PLAT.

WE, THE UNDERSIGNED, OUR SUCCESSORS AND ASSIGNS, DO HEREBY HOLD THE TOWN OF MARANA, ITS EMPLOYEES, OFFICERS, AND AGENTS HARMLESS FROM AND AGAINST ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF THESE LANDS NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE, FLOOD, OR RAINFALL. NATURAL DRAINAGE SHALL NOT BE ALTERED, DISTURBED, OR OBSTRUCTED WITHOUT THE APPROVAL OF THE TOWN OF MARANA.

OLD LOBO VILLAGIO, LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA)
) SS
COUNTY OF PIMA)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS THIS _____ DAY OF_____,

2022, BY RON B. AULT, MANAGER OF OLD LOBO VILLAGIO, LLC, AN ARIZONA LIMITED LIABILITY

COMPANY, ON BEHALF OF THE LLC.

_____
NOTARY PUBLIC

TOWN OF MARANA APPROVALS

BY _____ P.E. _____
MARANA TOWN ENGINEER/DEVELOPMENT ENGINEER DATE

BY _____ _____
MARANA PLANNING MANAGER DATE

I, _____, CLERK OF THE TOWN OF MARANA HEREBY CERTIFY

THAT THIS PLAT WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF MARANA ON

THE _____ DAY OF _____, 20_____,

BY _____ _____
CLERK OF THE TOWN OF MARANA DATE

RECORDING

SEQ:_____

FEE:_____

STATE OF ARIZONA)
) SS
COUNTY OF PIMA)

I HEREBY CERTIFY THAT THE INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST

OF: LSRS LAND SURVEYING

DATE:_____

TIME:_____

WITNESS MY HAND AND OFFICIAL SEAL, DAY AND YEAR ABOVE WRITTEN.
GABRIELLA CAZARES-KELLY, COUNTY RECORDER.

BY: _____
DEPUTY

PIMA COUNTY APPROVAL

BY _____ _____
PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT DATE

ASSURED WATER SUPPLY

THE UNDERSIGNED CERTIFIES THAT IT IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY AND WILL PROVIDE WATER SERVICE TO THIS SUBDIVISION.

BY _____

ITS _____ _____
CITY OF TUCSON WATER DEPARTMENT DATE

ASSURANCES

THE TOWN OF MARANA DOES NOT REQUIRE THE SUBDIVIDER TO PROVIDE SUBDIVISION ASSURANCES FOR THIS SUBDIVISION. ANY SUBDIVISION IMPROVEMENTS REQUIRED BY ARIZONA REVISED STATUTES SECTION 9-463.01(C)(8) AND MARANA TOWN CODE SECTION 17-5-4 HAVE BEEN PROVIDED.

BY _____ _____
TOWN OF MARANA DATE

AREA

LOT 5 CONTAINS 76,227 SQUARE FEET OR 1.7499 ACRES
LOT 6 CONTAINS 32,991 SQUARE FEET OR 0.7574 ACRES
LOT 7 CONTAINS 36,635 SQUARE FEET OR 0.8410 ACRES
SUBDIVISION CONTAINS 145,853 SQUARE FEET OR 3.3483 ACRES (NET)

BASIS OF BEARING

BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 31, WHICH BEARS NORTH 00°06'36" WEST.

OWNER

OLD LOBO VILLAGIO LLC
4414 E. BLANCHE DR.
PHOENIX, AZ 85032
CONTACT: RON AULT
PH: (602) 493-5505

SURVEYOR

LSRS LAND SURVEYING
5031 E. SLEEPY RANCH RD.
CAVE CREEK, AZ 85331
CONTACT: JAY VANLANDSCHOOT
PH: (480) 650-4006

CERTIFICATION OF ENGINEER

I HEREBY CERTIFY THAT THE FLOODPLAIN LIMITS AND EROSION HAZARD SETBACKS AS SHOWN ON THIS PLAT WERE PREPARED UNDER MY DIRECTION.

_____
JENNIFER J. SMITH P.E. #44734



CERTIFICATION OF SURVEY

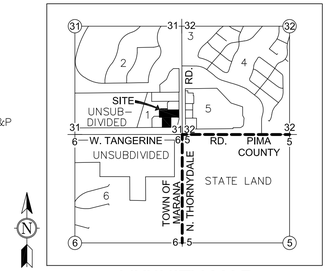
I HEREBY CERTIFY THAT THE BOUNDARY SURVEY AS SHOWN ON THIS PLAT WAS PERFORMED UNDER MY DIRECTION AND THAT ALL EXISTING AND PROPOSED SURVEY MONUMENTS AND MARKERS SHOWN ARE CORRECTLY DESCRIBED. I FURTHER CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION.

_____
JAY VANLANDSCHOOT R.L.S. #45763



SUBDIVISIONS

1 VILLAGIO, BOOK 63, PAGE 79, M&P
2 TORTOLITA VISTAS, BOOK 62, PAGE 44, M&P
3 TANGERINE CROSSING BLOCK 3, BOOK 65, PAGE 28, M&P
4 TANGERINE CROSSING, BOOK 60, PAGE 87, M&P
5 TANGERINE CROSSING COMMERCIAL CENTER, BOOK 61, PAGE 46, M&P
6 SKYRANCH, BOOK 58, PAGE 58, M&P



VICINITY MAP

3"=1 MILE

SOUTHEAST 1/4 SECTION 31 AND
SOUTHWEST 1/4 SECTION 32
TOWNSHIP 11 SOUTH, RANGE 13 EAST, AND
NORTHEAST 1/4 SECTION 6 AND
NORTHWEST 1/4 SECTION 5
TOWNSHIP 12 SOUTH, RANGE 13 EAST,
GILA & SALT RIVER MERIDIAN,
TOWN OF MARANA,
PIMA COUNTY, ARIZONA

SHEET INDEX

1 COVER SHEET AND NOTES
2 SUBDIVISION SHEET

GENERAL NOTES

1. THE GROSS AREA OF THIS SUBDIVISION IS 197,601 SQUARE FEET OR 4.5363 ACRES, WHICH IS CALCULATED TO THE CENTERLINES OF THORNYDALE ROAD AND TANGERINE ROAD.

2. THE TOTAL NUMBER OF LOTS IS 3.

3. ZONING OF THE PROPERTY IS "SP" – TANGERINE/THORNYDALE SPECIFIC PLAN.

4. DEVELOPMENT IN THIS SUBDIVISION IS GOVERNED BY THE ORIGINAL SPECIFIC PLAN ADOPTED BY ORDINANCE NO. 2006.20, AS AMENDED BY THE SPECIFIC PLAN AMENDMENT ADOPTED BY ORDINANCE NO. 2007.24.

5. THE SUBDIVISION IS LOCATED IN THE COMMERCIAL (C) LAND USE DESIGNATION OF THE TANGERINE/THORNYDALE SPECIFIC PLAN AND IS SUBJECT TO THE "C" LAND USE DEVELOPMENT STANDARDS AND COMMERCIAL DESIGN STANDARDS.

6. MINIMUM PERIMETER SETBACKS: 20 FEET

7. MAXIMUM BUILDING HEIGHT: 2 STORIES, UP TO 40 FEET (INCLUDING ARCHITECTURAL EMBELLISHMENTS)

8. BASIS OF BEARINGS IS THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 31, WHICH BEARS NORTH 00°06'36" WEST.

9. NO FURTHER LOT SPLITTING SHALL BE DONE WITHOUT THE WRITTEN APPROVAL OF THE TOWN OF MARANA.

10. APPROVAL OF THIS PLAT DOES NOT AFFIRM, CERTIFY, OR APPROVE ANY LAND DIVISION THAT MAY BE CONTRARY TO STATE LAW, NOR DOES IT CERTIFY THE EXISTENCE OF, OR COMPLIANCE WITH, ANY DEED RESTRICTIONS OR EASEMENTS.

11. ALL NEW AND EXISTING UTILITIES WITHIN OR CONTIGUOUS TO THE SITE SHALL BE PLACED UNDERGROUND EXCEPT ELECTRICAL TRANSMISSION LINES CARRYING 48KV OR GREATER, AND THOSE LINES WHICH CAN BE SHOWN TO EXIST IN CURRENT OR FUTURE ELECTRICAL TRANSMISSION CORRIDORS.

12. THE AREA BETWEEN 100-YEAR FLOOD LIMITS REPRESENTS AN AREA THAT MAY BE SUBJECT TO FLOODING FROM A 100-YEAR FREQUENCY FLOOD AND ALL LAND IN THIS AREA WILL BE RESTRICTED TO USES THAT ARE COMPATIBLE WITH FLOODPLAIN MANAGEMENT AS APPROVED BY THE FLOODPLAIN ADMINISTRATOR.

13. THE PROFESSIONAL ENGINEER OF RECORD SHALL CERTIFY AS TO THE FORM, LINE, AND FUNCTION OF ALL PUBLIC AND PRIVATE ROADWAYS AND DRAINAGE STRUCTURES BEFORE THE RELEASE OF ASSURANCES.

14. TOTAL MILES OF NEW PUBLIC OR PRIVATE STREETS IS 0.

15. INSTALLATION OF ITEMS SUCH AS LANDSCAPING, IRRIGATION, SIGNAGE, MONUMENTS, WALLS AND DRAINAGE IMPROVEMENTS IN THE PUBLIC RIGHTS-OF-WAY SHALL REQUIRE A PERPETUAL LICENSE AGREEMENT FOR INSTALLATION, MAINTENANCE AND INDEMNIFICATION. THIS DOCUMENT SHALL BE EXECUTED PRIOR TO FINAL APPROVAL OF LANDSCAPE PLANS OR IMPROVEMENT PLANS ALLOWING INSTALLATION WITHIN THE PUBLIC RIGHTS-OF-WAY.

16. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF TUCSON WATER SERVICE AREA, WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY UNDER A.R.S. 45-576.

17. A CROSS ACCESS AND VEHICULAR AND PEDESTRIAN INGRESS/EGRESS EASEMENT AND SHARED PARKING AGREEMENT IS RECORDED IN DOCKET 13146, PAGE 650.

18. COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS SUBDIVISION HAVE BEEN RECORDED IN DOCKET 13146, PAGE 650; IN DOCKET 13332, PAGE 547; AND IN SEQUENCE NO. 20170480113, IN THE OFFICE OF THE RECORDER OF PIMA COUNTY, ARIZONA.

FINAL PLAT FOR
VILLAGIO LOTS 5-7

BEING A RESUBDIVISION OF LOT 1 OF FINAL PLAT FOR VILLAGIO LOT 1 RESUBDIVISION – LOTS 1 & 4, SEQUENCE NO. 20171420087, RECORDS OF PIMA COUNTY, ARIZONA, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 11 SOUTH, RANGE 13 EAST, OF THE GILA AND SALT RIVER MERIDIAN, TOWN OF MARANA, PIMA COUNTY, ARIZONA.

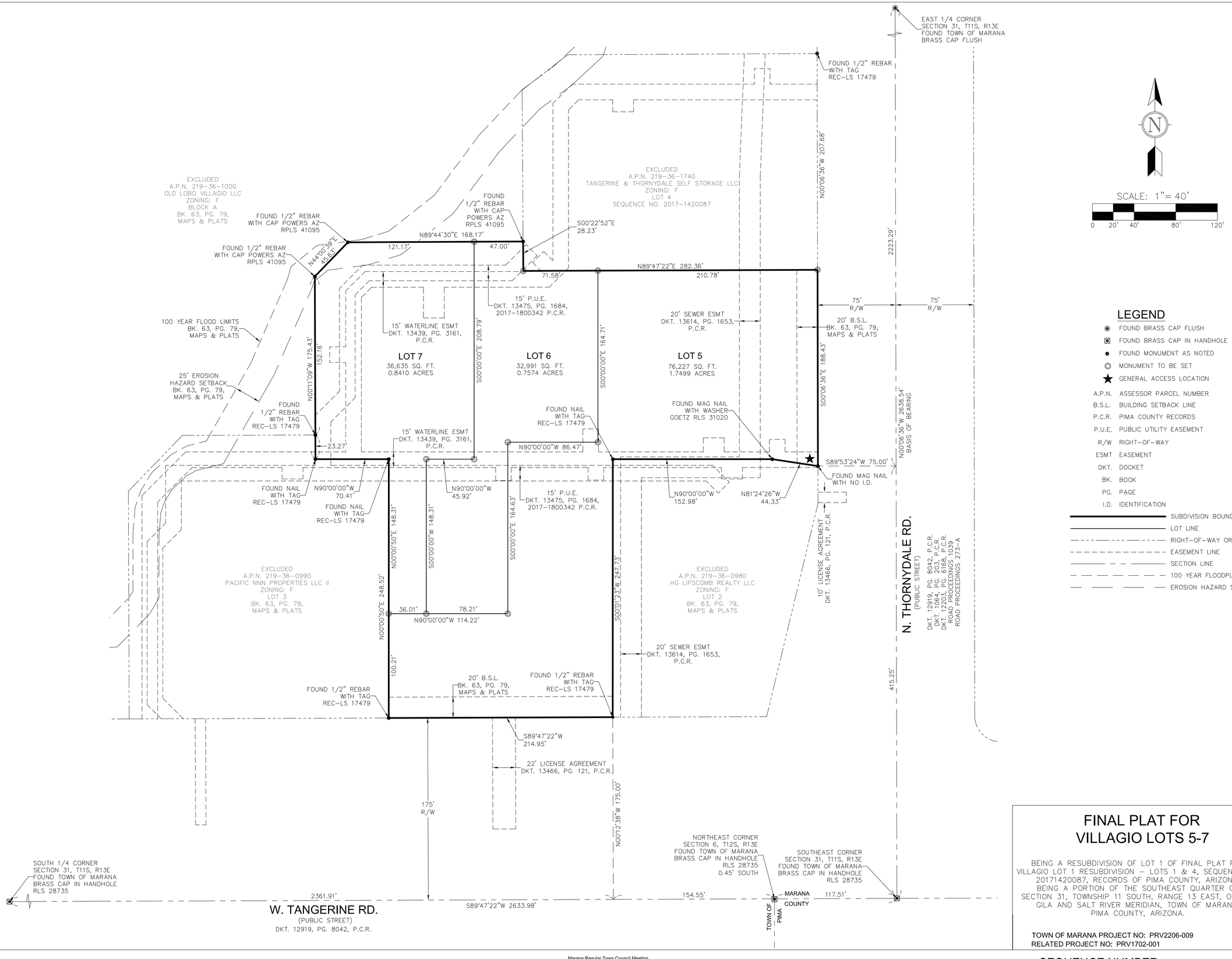
TOWN OF MARANA PROJECT NO: PRV2206-009
RELATED PROJECT NO: PRV1702-001

PROJ. NO: 22015
CAD FILE: 22015_FP
DATE: 11/2/22
DRAWN: JV
SCALE: NTS
REVISIONS:

SHEET 1 of 2

SEQUENCE NUMBER

SEQUENCE NUMBER _____



LEGEND

- FOUND BRASS CAP FLUSH
- FOUND BRASS CAP IN HANDHOLE
- FOUND MONUMENT AS NOTED
- MONUMENT TO BE SET
- GENERAL ACCESS LOCATION

A.P.N.	ASSESSOR PARCEL NUMBER
B.S.L.	BUILDING SETBACK LINE
P.C.R.	PIMA COUNTY RECORDS
P.U.E.	PUBLIC UTILITY EASEMENT
R/W	RIGHT-OF-WAY
ESMT	EASEMENT
DKT.	DOCKET
BK.	BOOK
PG.	PAGE
I.D.	IDENTIFICATION

- SUBDIVISION BOUNDARY LINE
- LOT LINE
- RIGHT-OF-WAY OR ADJOINER LINE
- EASEMENT LINE
- SECTION LINE
- 100 YEAR FLOODPLAIN LINE
- EROSION HAZARD SETBACK LINE

REGISTERED LAND SURVEYOR
45763
JAY
VANLANDSCHOOT
Date Signed 11/2/22
ARIZONA U.S.A.
Expires 3/31/2025

FINAL PLAT FOR VILLAGIO LOTS 5-7

BEING A RESUBDIVISION OF LOT 1 OF FINAL PLAT FOR VILLAGIO LOT 1 RESUBDIVISION – LOTS 1 & 4, SEQUENCE NO. 20171420087, RECORDS OF PIMA COUNTY, ARIZONA, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 11 SOUTH, RANGE 13 EAST, OF THE GILA AND SALT RIVER MERIDIAN, TOWN OF MARANA, PIMA COUNTY, ARIZONA.

TOWN OF MARANA PROJECT NO: PRV2206-009
RELATED PROJECT NO: PRV1702-001

PROJ. NO:	22015
CAD FILE:	22015_FP
DATE:	11/2/22
DRAWN:	JV
SCALE:	1"=40'
REVISIONS:	

SHEET 2 of 2

SEQUENCE NUMBER

SEQUENCE NUMBER

Town of Marana Planning

PRV2206-009 Final Plat for Villagio Lots 5-7





Legend

- Marana Town Limits
- Parcel Labels
- Parcels (Black)

Notes

0.1 0 0.07 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

MARANA AZ

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: Villagio Lot 1 Replat			
Description of Project: Commercial		Number of Lots: 3	
Parcel No.(s): 219-36-1730		Gross Area (Acres): 3.35	
Project Address: 3864 W. Tangerine Rd.			
Ref. Project No.:			

CONTACT INFORMATION

Owner: Old Lobo Villagio LLC	Contact Name: Ron Ault		
Address: 4414 E. Blanche Dr.	City: Phoenix	State: AZ	Zip: 85032
Email: ron@aultcompanies.com	Phone No.: (602) 493-5505		
Applicant: See above	Contact Name:		
Address:	City:	State:	Zip:
Email:	Phone No.:		
Consultant/Engineer: SBL Engineering LLC	Contact Name: Craig Baker		
Address: 1957 E. Sunburst Lane	City: Tempe	State: AZ	Zip: 85284
Email: info@sbl-eng.com	Phone No.: (480) 290-9630		

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.)

Ron B Ault		5-28-22
Applicant Name (PRINT)	Signature	Date

FOR OFFICIAL USE ONLY

Revision Date 03/29/2019

Project No._____ **Date Received**_____

Council-Regular Meeting **C4**

Meeting Date: 12/20/2022

To: Mayor and Council

From: David L. Udall, Town Clerk/Assistant Town Attorney

Date: December 20, 2022

Subject: Approval of the Regular Council Meeting Summary Minutes of December 6, 2022 (David L. Udall)

Attachments

Regular Council Meeting Summary Minutes, 12/06/2022

MARANA TOWN COUNCIL
REGULAR COUNCIL MEETING

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, December 6, 2022, at or after 6:00 PM

Ed Honea, Mayor
Jon Post, Vice Mayor
Patti Comerford, Council Member
Jackie Craig, Council Member
Herb Kai, Council Member
John Officer, Council Member
Roxanne Ziegler, Council Member

SUMMARY MINUTES

CALL TO ORDER AND ROLL CALL

Mayor Honea called the meeting to order at 6:01 PM and directed the Town Clerk to call the roll. **Council Member Comerford**, **Council Member Officer**, and **Council Member Ziegler** were absent. All other Council Members were present, constituting a quorum.

PLEDGE OF ALLEGIANCE/INVOCATION/MOMENT OF SILENCE: Led by **Mayor Honea.**

APPROVAL OF AGENDA

Council Member Kai moved to approve the agenda as presented. Vice Mayor Post seconded the motion. Motion passed, 4-0.

CALL TO THE PUBLIC

David Morales addressed the Council regarding the mission and current financial needs of the Disabled American Veterans (DAV) Chapter 4 volunteer organization.

The following 16 individuals addressed the Council regarding lighted baseball field reservations for youth baseball and softball sports: **Todd McGee, Joseph Kiser, Sarah Romic, Virgil Robinett, Deanna Kiser, Heidi Weimholt, Maricus Mindoro, Payton Romic, Abigail Castilblanco, Stacey Hughes, Cary Smith, Regina Smith, Ava Smith, Erika Castilblanco, Vanessa Perez,** and **John Anderson**. Comments related generally to field reservations, field maintenance, the need for additional lighted baseball fields, and the differences between the Baja Fastpitch softball organization and the Little League organization.

PROCLAMATIONS

MAYOR AND COUNCIL REPORTS: SUMMARY OF CURRENT EVENTS

Mayor Honea highlighted the Peach Program at Estes Elementary School, the Town's Service Awards Ceremony, and the Police Department's recent Badge Pinning and Promotion Ceremony.

MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Town Manger Terry Rozema said the Town issued 35 single-family residential permits in November. Last November, there were 86 total permits issued. He said Holiday Festival had been canceled due to weather, but the Christmas tree lighting show would be available daily, on the hour between 5:00 PM and 9:00 PM, until December 28, 2022. He commented on the upcoming Concerts in the Courtyard event on December 15, 2022.

PRESENTATIONS

CONSENT AGENDA

C1 Resolution No. 2022-123: Relating to Development; approving a release of assurances for Cortaro Ranch Phase II Lots 1 through 6 and Common Areas "A" and "B" as modified and accepting public improvements for maintenance (Jason Angell)

C2 Resolution No. 2022-124: Relating to Liquor Licenses; appointing the Town Clerk as the Town Council's designee to review extended premises and special event liquor license applications and make recommendations to the Arizona Department of Liquor License and Control; rescinding Resolution Nos. 2001-50 and 2018-081 (Luke Fischer)

C3 Relating to Procurement; ratifying the Town Manager's approval of a change order to the Airport MIRL, PAPI, & Beacon Replacement (AP026) project in the amount of $3,059.25; authorizing the transfer of appropriations, if necessary, for the change order;

and authorizing the Town Manager or designee to execute the necessary documents to effectuate the change order (Fausto Burruel)

C4 Approval of Regular Council Meeting Summary Minutes of November 15, 2022 and Special Council Meeting Summary Minutes of November 22, 2022 (David L. Udall)

Vice Mayor Post moved to approve the consent agenda. Council Member Kai seconded the motion. Motion passed, 4-0.

LIQUOR LICENSES

BOARDS, COMMISSIONS AND COMMITTEES

COUNCIL ACTION

A1 Ordinance No. 2022.027: Relating to Finance; amending the Town of Marana comprehensive fee schedule to reduce the Signature Event Vendor Fee - Non Food Vendor - Single; approving and authorizing a retroactive, partial waiver of the Signature Event Vendor Fee - Non Food Vendor - Single for the 2022 Fall Festival and the 2022 Holiday Festival signature events; and establishing an effective date (Wayne Barnett)

Parks and Recreation Deputy Director Wayne Barnett presented on this item. **Mr. Barnett** explained the Signature Event Vendor Fee - Non Food Vendor - Single was erroneously adjusted to $150.00 for fiscal year 2023. The fee was intended to be adjusted to $125.00. For both the Fall Festival and Holiday Festival signature events, Town staff inadvertently charged vendors the intended fee of $125.00 instead of the approved fee of $150.00.

This resolution retroactively and partially waives $25.00 of the charged fees for the Fall Festival and Holiday Festival events and amends the comprehensive fee schedule going forward so the fee is what it was intended to be for fiscal year 2023.

Vice Mayor Post moved to adopt Ordinance No. 2022.027. Council Member Kai seconded the motion. Motion passed, 4-0.

A2 Resolution No. 2022-125: Relating to Development; amending the infrastructure improvements plan supporting development impact fees for parks and recreation facilities by shifting the anticipated development impact fee funding among certain projects and by reducing the cost provided for the Twin Peaks District Park Land Acquisition and Phase 1 Development project without changing the amount of the parks impact fees or the level of service; authorizing the transfer of up to $650,000 in budgeted

expense authority from the Santa Cruz Shared Use Path at Cal Portland Project line item to the Gladden Farms Baseball Field Improvements line item within the impact fee fund (Jim Conroy)

Parks and Recreation Director Jim Conroy presented on this item. A copy of the PowerPoint presentation is on file with the Town Clerk's Office. **Mr. Conroy** explained this resolution would amend the parks and recreation infrastructure improvements plan to shift funding to the Gladden Farms Baseball Field Improvements line item due to rising costs resulting from inflation. He said the project should be completed by summer of 2023.

Council Member Kai moved to adopt Resolution No. 2022-125. Vice Mayor Post seconded the motion. Motion passed, 4-0.

A3 Resolution No. 2022-126: Relating to Intergovernmental Relations; adopting a 2023 Town of Marana Legislative Policy Priority Program and authorizing and directing those authorized to lobby on behalf of the Town of Marana to represent and pursue it (Andrea Caicedo)

Assistant to the Town Manager Andrea Caicedo presented on this item, which involved the Town's new legislative policy priority program designed to guide lobbying activities during the 2023 legislative session. The new program removes the COVID-19 relief-related priority and adds the following four new priorities:

- Oppose legislation curtailing the Town's zoning and permitting authority and support legislation to preserve the public's participation in the process.
- Support legislation providing additional state resources to address the statewide housing shortage crisis through increased allocations to the state housing trust fund and innovative public-private partnerships to create affordable workforce housing.
- Support initiatives enhancing tourism in Southern Arizona, including efforts to attract film in various motion media productions.
- Support initiatives to preserve and enhance the Town's ability to strategically plan for and respond to emergencies and properly support public safety personnel.

Vice Mayor Post moved to adopt Resolution No. 2022-126. Council Member Kai seconded the motion. Motion passed, 4-0.

A4 Resolution No. 2022-127: Relating to Public Works; approving and authorizing the Mayor to sign an Acquisition Agreement & Administrative Settlement and the Town Engineer to execute all other documentation necessary for the purchase of property rights

needed from Preot LLC for the Twin Peaks Rattlesnake Pass Improvement Project, Town of Marana Project No. ST073 (George Cardieri)

Real Property Manager George Cardieri presented on this item. A copy of the PowerPoint presentation is on file with the Town Clerk's Office. **Mr. Cardieri** said Town staff was seeking the Council's approval of an administrative settlement between the Town and a property owner impacted by the Twin Peaks Rattlesnake Pass Improvement Project. **Mr. Cardieri** explained the settlement was in the best interests of the Town because the Town will avoid a costly condemnation process and it would allow the Town to timely obtain necessary geotechnical data for necessary for the project.

Council Member Kai asked about the acreage size of the subject property and the price per square foot in the settlement. **Mr. Cardieri and Town Attorney Jane Fairall** explained that an executive session [Item E2 below] was scheduled for this item, and that the confidential terms of the negotiation could be discussed in that setting. **Mayor Honea** asked if **Council Member Kai** would like to go into executive session. **Council Member Kai** said it was not necessary.

Vice Mayor Post moved to adopt Resolution No. 2022-127. Council Member Kai seconded the motion. Motion passed, 4-0.

A5 Resolution No. 2022-128: Relating to Real Estate; accepting the offer of just compensation from Pima County for property rights needed for the Continental Ranch Regional Pump Station Force Main Augmentation Project and authorizing the Town Engineer to execute the Acquisition Agreement, conveyance instruments, and any and all other associated documents (George Cardieri)

Mr. Cardieri presented on this item. A copy of the PowerPoint presentation is on file with the Town Clerk's Office. **Mr. Cardieri** explained that the County presented the Town with an offer of just compensation for easement rights they need for a County project, and the offer was based on an appraisal. Town staff has reviewed the appraisal and found it was fair and reasonable. The County also gave Town staff the opportunity to review the grant of easement document, which Town staff was able to adjust in light of a Town parking lot project.

Council Member Kai moved to adopt Resolution No. 2022-128. Vice Mayor Post seconded the motion. Motion passed, 4-0.

ITEMS FOR DISCUSSION / POSSIBLE ACTION

D1 Relating to Development and Public Works; update, discussion, and possible direction regarding public and private projects and development applications on the Town's Marana Current and Proposed Projects internet site (Jason Angell)

Development Services Director Jason Angell provided an update on various projects and development applications in the Town, as currently listed on the following website:

https://experience.arcgis.com/experience/9bcda179c412496a8be2a5af29727745/

During the presentation, **Mr. Angell** answered questions about the various projects.

EXECUTIVE SESSIONS

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

E1 Executive Session pursuant to A.R.S. §38-431.03 (A), Council 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).

E2 Executive session pursuant to A.R.S. § 38-431.03(A)(4) and (7) to discuss with the Town's attorneys and representatives the terms of a proposed purchase of needed property rights for the Twin Peaks Rattlesnake Pass Improvement Project from Preot, LLC (this item relates to and should occur, if at all, before Council Action A4 on tonight's agenda).

FUTURE AGENDA ITEMS

Notwithstanding the Mayor's discretion regarding the items to be placed on the agenda, if three or more Council members request that an item be placed on the agenda, it must be placed on the agenda for the second regular Town Council meeting after the date of the request, pursuant to Marana Town Code Section 2-4-2(B).

Mayor Honea asked for future agenda items. There were no future agenda items.

ADJOURNMENT

Mayor Honea asked for a motion to adjourn the meeting.

Vice Mayor Post moved to adjourn the meeting. Council Member Kai seconded the motion. Motion passed, 4-0. Meeting adjourned at 7:13 PM.

CERTIFICATION

I hereby certify that the forgoing are the true and correct minutes of the Marana Town Council meeting held on December 6, 2022. I further certify that a quorum was present.

_____

David L. Udall, Town Clerk

DRAFT

Council-Regular Meeting **B1**

Meeting Date: 12/20/2022

To: Mayor and Council

Submitted For: Curry C. Hale, Human Resources Director

From: Libby Shelton, Deputy Town Attorney

Date: December 20, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Resolution No. 2022-132: Relating to Benefits; appointing Thomas Plantz and Franklin Garrett as Trustees for the Marana Health Care Benefits Trust for four-year terms, retroactively effective from November 20, 2021 (Curry Hale)

Discussion:

On August 6, 2019, the Council adopted Resolution No. 2019-068, establishing the Marana Health Care Benefits Trust (MHCBT) and approving the Trust Document. The MHCBT fulfills a statutory requirement of A.R.S. Section 11-981 that the Town establish a trust fund for the Town's self-funded insurance program. The Trust Document provides for five Trustees, with no more than one Trustee being a Town employee, and no Trustees being a member of the Council.

On October 15, 2019, the Council adopted Resolution No. 2019-107, establishing a special council committee to receive and review applications for and make recommendations to the Town Council regarding appointment of Trustees for the MHCBT. The special council committee voted to recommend to the full Town Council the appointment of Cameron Lewis and Matthew Haertzen to serve 4-year terms and Thomas Plantz and Franklin Garret to serve 2-year terms. For the fifth Trustee, Town staff recommended that the Council appoint the Town's Finance Director, Yiannis Kalaitzidis, to serve as a Trustee with a 4-year term.

On November 19, 2019, the Council adopted Resolution No. 2019-118 appointing

Thomas Plantz and Franklin Garret to serve 2-year terms as Trustees for the MHCBT. As their terms expired on November 20, 2021 and they have continued to serve well and faithfully as MHCBT Trustees, this resolution would appoint Thomas Plantz and Franklin Garret to serve 4-year terms as Trustees for the MHCBT retroactively effective from November 20, 2021.

Staff Recommendation:

Staff recommends approval of the Resolution.

Suggested Motion:

I move to adopt Resolution No. 2022-132, appointing Thomas Plantz and Franklin Garrett as Trustees for the Marana Health Care Benefits Trust for four-year terms, retroactively effective from November 20, 2021.

Attachments

Resolution No. 2022-132

MARANA RESOLUTION NO. 2022-132

RELATING TO BENEFITS; APPOINTING THOMAS PLANTZ AND FRANKLIN GARRETT AS TRUSTEES FOR THE MARANA HEALTH CARE BENEFITS TRUST FOR FOUR-YEAR TERMS, RETROACTIVELY EFFECTIVE FROM NOVEMBER 20, 2021

WHEREAS on August 6, 2019, the Town Council adopted Resolution No. 2019-068 establishing the Marana Health Care Benefits Trust (MHCBT) and approving the Trust Document, to satisfy the requirements of Arizona Revised Statutes (A.R.S.) Section 11-981; and; and

WHEREAS the Trust Document provides that there shall be five Trustees for the MHCBT, and that each Trustee shall serve a four-year term, except that the initial terms for the first five Trustees shall be as follows: two Trustees to serve an initial term of two years; and three Trustees to serve an initial term of four years; and

WHEREAS on November 19, 2019, the Town Council adopted Resolution No. 2019-118 appointing the initial Trustees for the MHCBT, including appointing Thomas Plantz and Franklin Garrett to serve two-year terms; and

WHEREAS Trustee Plantz's and Trustee Garrett's two-year terms expired on November 20, 2021; however, Trustees Plantz and Garrett have continued to serve well and faithfully as MHCBT Trustees; and

WHEREAS Town staff recommends that Trustee Plantz and Trustee Garrett be appointed as Trustees for four-year terms, retroactively effective from November 20, 2021; and

WHEREAS the Town Council finds that adopting this resolution is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that Thomas Plantz and Franklin Garrett are hereby appointed as Trustees for the Marana Health Care Benefits Trust for four-year terms retroactively effective from November 20, 2021.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 20th day of December, 2022.

Mayor Ed Honea

ATTEST:

David L. Udall, Town Clerk

APPROVED AS TO FORM:

Jane Fairall, Town Attorney

Council-Regular Meeting **B2**

Meeting Date: 12/20/2022

To: Mayor and Council

From: David L. Udall, Town Clerk/Assistant Town Attorney

Date: December 20, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Resolution No. 2022-133: Relating to Boards, Commissions, and Committees; making an appointment to the Town of Marana Utilities Board (David L. Udall)

Discussion:

Title 16 of the Marana Town Code establishes the Town of Marana Utilities Board. Pursuant to Marana Town Code Section 16-1-3, the Utilities Board shall manage and operate the water, wastewater, streetlight, electric, and other utility functions of the Town, while the Water Director maintains responsibility for the daily operations of the Town's water and wastewater services. The Utilities Board is a seven-member Board consisting of the Water Director, the Finance Director, two Town employees appointed by the Town Manager, and three Council-appointed members who are either Town residents or Town utility customers.

As currently constituted, the Utilities Board consists of Deputy Town Manager Erik Montague, Chief Water Quality Operator Louis Valencia (both of whom were appointed by the Town Manager), Water Director Jing Lou, Finance Director Yiannis Kalaitzidis, Mr. Ronson Chee, and Mr. Jeff Biggs (both Council-appointed members). The third Council-appointed position is currently vacant following a resignation by Mr. Mark Johnson.

Town staff has solicited applications for the vacant Council-appointed position and has received applications from Emily Bridson and Alexis Sosa. These applicants meet the requirements set forth in the Marana Town Code for appointment to the Utilities

Board, and copies of their applications are attached to this agenda item for the Council's review. The Council-appointed member will begin serving immediately upon appointment and will serve for the duration of Mr. Johnson's four-year term, ending on March 16, 2025.

Pursuant to Marana Town Code Section 2-6-2(E), the Council may do one or more of the following at tonight's meeting:

1. Interview one or more applicants either in public or in an executive session scheduled for that purpose.
2. Make one or more appointments.
3. Order the solicitation of additional applications.
4. Take any other action it deems appropriate.

An executive session has been scheduled on tonight's agenda, should the Council desire to conduct interviews in executive session.

Staff Recommendation:

Council's pleasure.

Suggested Motion:

I move to adopt Resolution No. 2022-133, appointing _____ to the Town of Marana Utilities Board.

Attachments

Resolution No. 2022-133

Application Materials - Emily Bridson

Application Materials - Alexis Sosa

MARANA RESOLUTION NO. 2022-133

RELATING TO BOARDS, COMMISSIONS, AND COMMITTEES; MAKING AN APPOINTMENT TO THE TOWN OF MARANA UTILITIES BOARD

WHEREAS Title 16 of the Marana Town Code establishes the Town of Marana Utilities Board and requires that its membership consist of the Town Water Director, two Town employees appointed by the Town Manager, the Town Finance Director, and three Council-appointed members who are either Town residents or utility customers of the Town; and

WHEREAS the Utilities Board, as currently constituted, consists of Deputy Town Manager Erik Montague, Chief Water Quality Operator Louis Valencia (both of whom were appointed by the Town Manager), Water Director Jing Lou, Finance Director Yiannis Kalaitzidis, Mr. Ronson Chee, and Mr. Jeff Biggs (both of whom were appointed by the Town Council); and

WHEREAS the third Council-appointed position is currently vacant following a resignation by Mr. Mark Johnson; and

WHEREAS the Mayor and Council find that the appointment addressed by this resolution is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that _____ is hereby appointed to the Town of Marana Utilities Board effective immediately and shall serve for the duration of Mr. Johnson's four-year term, ending on March 16, 2025.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 20th day of December 2022.

Mayor Ed Honea

ATTEST:

David L. Udall, Town Clerk

APPROVED AS TO FORM:

Jane Fairall, Town Attorney

Board and Commission Application
Town Clerk

Submitted On:
Nov 7, 2022, 06:43PM MST

Board or Commission	Planning Commission
Please upload your resume here.	Emily Bridson Resume Fall 2022.pdf
First Name	Emily
Last Name	Bridson
Email	[redacted]
Full Address	**Street Address:** [redacted] **City:** [redacted] **State:** [redacted] **Zip:** 85741
How many years have you lived at this address?	I moved to Arizona in August of 2022.
How many years have you lived in Marana?	Less than 6 months
Phone Number (Daytime)	[redacted]
Phone Number (cell or home)	[redacted]
Occupation	Fundraising and communications
Employer	Sister Jose Women''s Center
What is your vision for the Town?	Sustainable growth with a focus on recruiting unique businesses to Marana.
What are some of the most important concerns or issues that you think the Town will have to face in the next 5 - 10 years?	The tremendous need for housing and the balance with sustainable, thoughtful development.
What do you see as the Town's best asset to bring visitors and new residents to the Town?	Amazing hiking in our backyards and a close commute/drive to Tucson and surrounding areas.
Please explain your professional background	I have experience in operations and public policy. I served on my city''s planning commission before being elected as a city commissioner. My former city had 54,000 residents and was a first-ring suburb, similar to Marana. I have a strong grasp of development issues as well as working with local businesses to ensure they are able to grow with our help.

Describe your experience working with a Council-appointed board or commission	I am a former elected official that has served on various local and county boards and commissions. The list includes: - planning commission - parks and recreation commission - city/county building authority (Kent County, MI) - arts commission - 50th anniversary celebration committee - enhanced access (Kent County, MI) - vice-chair of Kalamazoo County solid waste management planning committee
Describe a time when you had to stand firm and make a tough or unpopular decision	I advocated for a neighboring city to hire the appropriate amount of firefighters they need to run their city''s emergency services. For a very long time, they used our city''s services, which our taxpayers paid for, which was unfair. Eventually, this was changed, but because it was a historical decision that had been going on for a long time, it was hard for some to see past. It was the right thing to do and I am glad I took a stand to correct this for taxpayers.
If appointed by the Council you will be representing all of the Town of Marana in your decisions. Describe how you will maintain your objectivity in making decisions for locations other than your own residence.	Being a former elected official, I have experience being impartial and looking at what is best for the city as a whole while taking into consideration constituents'' opinions.
Full Name	**First Name:** Marshall **Last Name:** Kilgore
Full Address	**City:** Comstock Park **State:** MI
Relationship	Former co-host of community conversations
Phone Number	[redacted]
Full Name	**First Name:** Eric-John **Last Name:** Szczpaniak
Full Address	**Street Address:** [redacted] **City:** [redacted] **State:** [redacted] **Zip:** [redacted]
Relationship	Friend
Phone Number	[redacted]
Phone Number	[redacted]
Name of Business	NA
Person with Interest	NA

Type of Interest	NA
Additional Information	
Have any of the above businesses conducted any business (e.g. supplier of goods or services, contractor, consultant) with the Town of Marana in the past 24 months?	No
If Yes, please explain	
Are you, a relative, or any member of your household an employee of the Town of Marana?	No
If Yes, please explain	
List by name any compensated lobbyist with whom you, or a relative, or a member of your household shares any direct economic interest such as a partnership, joint venture or similar business relationship.a?	NA
Signature Data	First Name: Emily Last Name: Bridson Email Address: [redacted]  Signed at: November 7, 2022 6:42pm America/Phoenix
Full Date	**Month:** 11 **Day:** 7 **Year:** 2022

EMILY BRIDSON

Marana, AZ · [redacted]

PROFILE

Municipal and county leader who values a collaborative approach to building a resilient and thriving community. Expertise in public policy, having been a former non-partisan elected official. Strong history of leading municipal, county, and non-profit boards. My professional background includes fiscal oversight, operations, planning, and project management. I am a fellow of Michigan Political Leadership Program and hold two graduate degrees, including an MBA.

PROFESSIONAL EXPERIENCE

August 2022- Present [Sister Jose Women's Center]
Donor Engagement Manager
Responsible for raising $1.91M dollars to fund our operations and ensure the organization grows in a sustainable manner.

- Oversee a staff member and interns to ensure engaging, quality assets.
- Lead social media, PR, fundraising appeals, and donor database.
- Engage with donors on a daily basis and re-imagine special events.

2021-July 2022[Spectrum Health]
Patient Services Representative
This part-time role began after resigning from Republic Services to run for office full-time in 2021. I started in the vaccination clinics to help our community during the pandemic and it evolved to a cardiology center role after the clinics closed.

2020 [Republic Services]
Operations Manager
This leadership role oversaw 60 team members and the daily operations for the Kalamazoo hauling division.

- Oversaw hiring and personnel decisions to find great fits for critical roles.
- Created weekly newsletter for my team to create a positive culture.
- Worked with EGLE, environmental services, maintenance, and procurement to ensure we followed all rules and guidelines.
- Strategic oversight to exceed daily KPIs to deliver upon customer service excellence.

Leadership Trainee
This 18-month program was cut short due to the emergence of the global pandemic. It was designed as a training program to learn all aspects of the waste hauling and recycling industry.

2017-2021 [City of Kentwood]
Kentwood City Commissioner
This seat represents 54,000 constituents and works with the mayor, commissioners, police and fire chiefs, and department directors to make decisions and move the city forward by listening to feedback from all.

- Elected to serve constituents by visiting over 6,600 voters at their homes and creating a robust social media presence.
- Oversaw an annual budget of $36 million and ensured taxpayer funds were spent in a responsible manner.
- Introduced and passed public policy, hired city vendors, engaged with constituents to find solutions to issues, and represented the city at various public events.

- Monthly WKTV Community Media current affairs podcast host and program creator. Achieved success in community activism/civic engagement, which has given me experience with public relations, personal branding, cross-cultural communication, asset creation, and social media strategy.
- Advocated for immigrants and refugees and those who do not have a voice in local government and our greater community. I recruited candidates to serve on our commissions so that we achieve inclusive representation.

2018-July 2019 [Padnos]

Manager of Paper and Plastics

This role led 15 team members and reported to the Vice President of Paper and Plastics.

- Led the merger of two business units and the construction of new offices spaces, while retaining high performers. Led change management activities under new leadership with different cultural norms.
- Oversaw AP and AR process improvement initiatives to pay customers on time and ensure we collected payments in under 60 days.
- Recruited, interviewed, hired, trained, and motivated new team members to implement "right people in the right seats." Conducted weekly one-on-ones to optimize daily tasks and created open communication and personal development plans.
- Wrote new job descriptions for team members so that their tasks aligned with expectations and outcomes. During this time, I evaluated compensation to make sure it was competitive for market conditions and retention.

Operations Manager

This role led a team of 25 team members and reported to the Vice President of Paper and ran the daily operations of the Paper business unit. *This role changed in 2019 due to an internal business unit merger and new leadership.

- Managed the P&L which included expenditures, budgeting, and cost center reports. This allowed us to be profitable in a down market due to the Chinese National Sword.
- Led a manufacturing plant and created KPIs, evaluated inventory and floor space and began the work to move from a push to a pull system. This also included production management, OEE, and creating operating budgets and expense controls.
- Partnered with purchasing, finance, and business units to reduce operational expenses and allocate expenses to appropriate cost centers.
- Developed the business unit's 2019 strategic plan and budget with feedback from team members.
- Reduced freight expenditures by implementing a gross margin analysis and a monthly review of key accounts that sales representatives would then be responsible for renegotiating contracts and pricing.
- Created "Daily Downloads", a twice-weekly email to all team members so we stayed connected whether we worked in the office or on the road. I led daily Rock calls to talk about goals and any barriers we had.

2014-2017 [CQL Incorporated]

Enterprise Strategic Engagement Executive

Leveraged relationship management, research, cold calling and influencing skills to position for new enterprise eCommerce contracts with companies ranging from $5 million - $2 billion in annual revenue. The goal was to create contracts and onboard customers to generate additional revenue streams.

- Acquired R.G. Barry brands within first 6 months in position, which was the first new brand in over a year.
- Partnered with 3rd party integrators and digital agencies to add expertise to meet client needs.
- Wrote customized proposals for proposed projects.
- Created marketing materials (white papers, blogs, social media communication, paper and electronic assets).
- Expanded CQL's brand from a local company to a regional brand that included globally-recognized companies.

Account Manager and Process Improvement

Built a pipeline of opportunities, while navigating growing project demands and delivering on marketing initiatives; led projects ranging from $10,000 to $350,000+ delivering custom software, digital marketing, eCommerce, and design.

- Drove sales pipeline and marketing strategy development, increasing sales from $3.3 million to $4.7 million in two years while delivering upon customer expectations.

- Researched and implemented first organizational-wide CRM, including lead management, email and social media functionality, and outbound newsletter; delivered CRM training and led efforts for updates and customizations.
- Led team of designers and developers on web, software, and mobile application projects, including the implementation of custom enterprise resource planning systems, managing timelines and communication.

2013-2014 [Actavis Pharma *(now Allergan)*]
Professional Sales Specialist
Managed Grand Rapids territory of OB/GYNs, urologists, and primary care physicians; worked to increase women's health market share. *This position ended when Actavis was acquired by Allergan.

- Served as expert on disease state knowledge and trained and mentored colleagues.
- Gained trust and developed new relationships with specialty customers while surpassing sales goals.

2012-2013 [Sunovion Pharmaceuticals]
Therapeutic Specialist
Oversaw Grand Rapids territory of allergists, ENTs, pulmonologists, and primary care physicians. *I was hired to launch a new product and after one year, they downsized our whole division.

- Launched Zetonna product in a one-up territory, earning a national sales ranking in 2013.
- Created and delivered professional development opportunities leading the district's continuing education program.
- Traveled throughout Michigan to create lasting relationships with physicians and staff.

2011-2012 [Heart of West Michigan United Way]
Account Manager
Led capital campaigns with organizations such as Spectrum Health, Fifth Third Bank, Van Andel Institute, Bissell, and Wolverine Worldwide; drove new business opportunities by researching needs, managing relationships, and tapping into the personal networks of the organization's board of directors. *I left United way when I was recruited back to pharmaceutical sales and promptly began pursuing an MBA.

- Implemented strategies to exceed the $4.5 million annual campaign objective by 2.5%. This was done by choosing compelling speakers that would resonate with specific audiences.
- Solicited major gifts by meeting with the CEOs in my business portfolio.
- Led, trained, inspired and provided accountability for a team of three while managing hundreds of accounts.
- Updated internal accounting practices to provide consistency in internal and external fundraising reports.

2003-2011 [Merck & Co., Inc.]
Senior Customer Representative
Delivered $4.6 million in annual product sales, managing a diverse portfolio of revolving pharmaceutical products requiring execution of local managed care wins, launching four brands and winning multiple regional and national sales awards.

- Improved clinical outcomes and access to medications through collaboration with physicians and staff, hospitals, urgent care centers, and community health departments.
- Partnered with the marketing department to revamp product messaging and launch new materials.
- Hosted customer education programs to facilitate disease state and product understanding.
- Rolled out new FDA-compliant products and educated physicians and staff on product details.

EDUCATION & SPECIAL LEARNING PROGRAMS

- Master of Business Administration, Northwood University
- Master of Science in Athletic Administration, Michigan State University
- Bachelor of Arts in Liberal Studies, University of Central Florida
- Michigan Political Leadership Program, Michigan State University

COMMUNITY LEADERSHIP EXPERIENCE

- Former City/County Building Authority board member
- Former Kalamazoo County Solid Waste committee vice-chair
- Former Kentwood Planning and Parks and Recreation commissioner
- Former Humane Society of West Michigan board member
- Former Habitat for Humanity Lansing board member
- Former TEDxGrandRapids board member

From: Emily Bridson
To: David Udall
Subject: Re: Marana Board Application
Date: Wednesday, November 9, 2022 4:53:38 PM
Attachments: image001.png

PLEASE BE CAUTIOUS
THIS MESSAGE AND SENDER COME FROM OUTSIDE THE TOWN OF MARANA. IF YOU DID NOT EXPECT THIS MESSAGE, PROCEED WITH CAUTION. VERIFY THE SENDER'S IDENTITY BEFORE PERFORMING ANY ACTION, SUCH AS CLICKING ON A LINK OR OPENING AN ATTACHMENT.

Hi David,

Thank you so much for the email and clarifying this for me. Yes, I saw the Utilities board and I would like to apply for that position. (On the drop down list online, it had other choices, so I thought those might be open as well.)

Please let me know if you need other information from me,

Emily

On Wed, Nov 9, 2022 at 1:54 PM David Udall <dudall@maranaaz.gov> wrote:

> Good Afternoon Ms. Bridson,
>
> I am in receipt of your application to the serve on the Marana Planning Commission. We currently do not have an opening on the Commission, but we have advertised a vacancy on the Marana Utilities Board. Is that the position you meant to apply for? If so, please respond by email and I will add the email to your application materials.
>
> Thank you,
>
> ***David Udall***
>
> *Town Clerk*
>
> *Town of Marana*
>
> *11555 W. Civic Center Dr.*
>
> *Marana, AZ 85653*
>
> *dudall@maranaaz.gov*

(520) 382-3492



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Emily Bridson

M: [redacted] | [redacted]

Board and Commission Application
Town Clerk

Submitted On:
Nov 8, 2022, 08:56PM MST

Board or Commission	Utilities Board
Please upload your resume here.	Alexis Sosa MBA UOFA.docx
First Name	Alexis
Last Name	Sosa
Email	[redacted]
Full Address	**Street Address:** [redacted] **City:** [redacted] **State:** [redacted] **Zip:** [redacted]
How many years have you lived at this address?	3
How many years have you lived in Marana?	3
Phone Number (Daytime)	[redacted]
Phone Number (cell or home)	[redacted]
Occupation	Graduate Teaching Assistant
Employer	University of Arizona
What is your vision for the Town?	My vision for the town would be one for the benefit of its constituents. Where all decisions come to benefit those who live here in our community and take an interest in the town''s short and long-run plans, benefits, and strategies. The town needs to listen to its citizens while taking into consideration real-world problems that we face as a township that is rapidly growing. My vision for the town is to allow those who have lived here for so long to continue to feel like it has the same old Marana spirit with added benefits for them and those come to appreciate our town.
What are some of the most important concerns or issues that you think the Town will have to face in the next 5 - 10 years?	Within the next 5-10 years, the town will face issues with population growth, transportation, increasing traffic, and water allocation. Population growth comes from the expanded housing efforts here in Marana and with our population growing we will need to plan strategically to serve our citizens. This population growth means more kids in our communities and ensuring their educational opportunities are competitive throughout

	other schools in the state. We will also need to ensure we are planning to provide enough resources so we keep business in Marana and dollars spent within our community. Transportation for Marana will be something that will need to be addressed as we are a car-dependent community due to our close proximity to Tucson. With more and more individuals moving to Marana we need to find alternatives to transportation in and out of town. The increased inflow and outflow of traffic is also something that will have to be addressed. With more and more businesses moving into the Marana Main area and Tangerine Road we will need to address any concerns about congestion with more traffic during peak times. Water allocation has been a topic at hand for Arizona for years as we share the smallest portion of the allocation from the Colorado River. As a town, we need to make this a priority that we monitor closely to ensure we are planning accordingly for our community not just to thrive now but in the future.
What do you see as the Town's best asset to bring visitors and new residents to the Town?	One intangible asset to bringing new residents and visitors to our town is our safety and low crime rates. With Marana having a great Police Department and good culture within our small communities, safety can attract new residents and visitors. Marana with an expanding population and is one of the fastest growing municipalities in Arizona allows it to attract new residents and visitors. With good data-driven decisions, we can continue to ensure that our resources are appropriately managed to benefit our communities.
Please explain your professional background	I am a former Security Coordinator in the health care setting and Probation Officer of the Superior Court. I am a safety-minded individual who thinks about the general benefit of public resources to our Citizens. This is combined with my forward-thinking mindset as I move into business acquiring my MBA at the University of Arizona to see how I can position any business I work for in a more advantageous position than they were before in reference to their area of interest. I am versed in report writing, coordinating efforts across groups, allocating resources, working with limited resources, working using data to lead to better decision-making, and having an interest in the general public''s well-being. I believe I can combine these efforts and skills in my service to the town to create an environment for all to enjoy in Marana.

Describe your experience working with a Council-appointed board or commission	I am currently on a Diversity Equity and Inclusion board that has set forth a strategic plan for the Eller College of Management. I work across departments with other individuals to collaborate, build and work on issues to find new solutions using surveys, data, and segmenting. We are now working on implementing these strategies while aligned with our budget. As an undergrad, I worked with the Student Board of Governance and worked to implement a job shadowing and information session process with undergrads to connect them with Alumni from the U of A. This allows them to make more informed decisions on majors of choice, career paths, and financial decisions. At Pima County Adult Probation I worked on the Retention Committee Board to implement strategies and recommendations to the board to help with retention efforts.
Describe a time when you had to stand firm and make a tough or unpopular decision	When I was a Security Coordinator I had to make the tough decision to implement blocked training dates across departments that might conflict with people''s designated vacation plans. The hospital was losing employees on shift due to them not meeting their training standards. In the end, I had to choose to pick these training blocks to ensure training was completed and we had employees the floor to reduce overtime costs.
If appointed by the Council you will be representing all of the Town of Marana in your decisions. Describe how you will maintain your objectivity in making decisions for locations other than your own residence.	I plan to maintain my objectivity by looking at the issues at hand through the lens of the Marana Citizens. As I will look to contribute toward solutions that benefit our community as a whole and not individuals or select groups. I plan to ensure I collaborate with my constituents and look for their advice, opinions, and educated decisions on the topics we cover. I plan to make decisions based on data gathered and not merely on intuition to make decisions rooted in facts.
Full Name	**First Name:** Alexis **Last Name:** Sosa
Full Address	
Relationship	Previous Supervisor
Phone Number	[redacted]
Full Name	**First Name:** James **Last Name:** Rashan
Full Address	
Relationship	Director of MBA Program
Phone Number	[redacted]
Phone Number	[redacted]

Name of Business	NA
Person with Interest	NA
Type of Interest	NA
Additional Information	
Have any of the above businesses conducted any business (e.g. supplier of goods or services, contractor, consultant) with the Town of Marana in the past 24 months?	No
If Yes, please explain	
Are you, a relative, or any member of your household an employee of the Town of Marana?	No
If Yes, please explain	
List by name any compensated lobbyist with whom you, or a relative, or a member of your household shares any direct economic interest such as a partnership, joint venture or similar business relationship.a?	NA
Signature Data	First Name: Alexis Last Name: Sosa Email Address: [redacted]  Signed at: November 8, 2022 8:45pm America/Phoenix
Full Date	**Month:** 11 **Day:** 11

ALEXIS SOSA

[redacted] • [redacted] • [redacted]

PROFILE SUMMARY

- Master in Business Administration candidate experienced in strategic analysis, interpersonal skills, organizational development, security and risk management.
- Critical thinker and relationship builder who provides strategic recommendations on performance management, process improvements, and creative solutions using historical reports, assessments, and data.
- A self-motivated individual with the ability to handle sensitive information, evaluate data and translate it to give meaningful insight to interested parties

EDUCATION

University of Arizona, Eller College of Management, Tucson, AZ — May 2024
Master of Business Administration Candidate
- Graduate Assistant Teacher

University of Arizona, Tucson, AZ — May 2021
Bachelor of Science in Public Policy and Administration & Criminal Justice
Concentration: Management

PROFESSIONAL EXPERIENCE

Pima County Superior Court, Tucson, AZ — October 2019 – August 2022
Probation Officer
- Communicated recommendations using sensitive information in Court proceedings to Judges for 75 probationers, while working cross-functionally with Prosecutors, Public Defenders, and Treatment Coordinators in order to reach agreements on creative solutions for programming, supervision, and community safety.
- Met with 75 probationers monthly in their homes and in the office to provide coaching on budgeting skills, compliance with Superior Court regulations, and provide creative solutions.
- Worked cross-functionally with for-profit agencies, non-profits, and treatment providers to compile reports of probationers' monthly progress in order to gauge decision-making in formal court processes.
- Auditing of case files using strong analytical skills to identify any discrepancies in formal Court documents to ensure the integrity of sensitive information in the Pima County Superior Court reporting processes.
- Conducted monthly statistical audit to collect data on assigned caseload in order to provide a report detailing process improvement suggestions for success rates, recommendations, and proper distribution of court materials.
- Ensured the integrity of probationer and victim information in accordance with Arizona's revised statute, and communicated public information to interested parties in a professional manner as allowed within the boundaries of the law.

Tucson Medical Center, Tucson, AZ — June 2017 –October 2019
Security coordinator
- Conducted professional monthly training and development of 600 hospital staff throughout a year ensuring the verbal and physical crisis training for clinical, social work, and support staff to ensure compliance with training standards.
- Facilitated tabletop sessions working cross-functionally with clinical, social work, and support departments to find creative ways to develop, prepare, and implement safety and security policy procedures,
- Coordinated with security leadership, clinical leadership, and support staff leadership to find creative solutions to reducing physical events with patients by 25%.
- Maintained sensitive employee training records to ensure integrity and compliance with hospital policy, adhering to health care standard guidelines to increase employee availability and reduce payroll due to overtime.
- Supervised employee's on shift as a lead officer facilitating decisions to solve problems with clinical leadership and delegated workload between officers in an 8-12 hour shift.

ADDITIONAL INFORMATION

- **Skills:** English and Spanish (Fluent)
- **Interests:** Diversity, Equity, and Inclusion Faculty and Student Board - Graduate Student Chair, Community Food Bank Volunteer and Walk the Fight, Run the Distance Mohammed Ali Parkinson Center Annual 5k volunteer
- **Honors:** Summa Cum Laude, Student Board of Governance for School of Government and Public Policy

Council-Regular Meeting **A1**

Meeting Date: 12/20/2022

To: Mayor and Council

From: Brian Varney, Senior Planner

Date: December 20, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: PUBLIC HEARING: Ordinance No. 2022.028: Relating to Development; approving a rezoning of approximately .53 acres of Block C of the final block plat for Willow Ridge, located at the southeast corner of Cortaro Farms Road and Sandy Desert Trail, from R-16 (Residential) to NC (Neighborhood Commercial); approving a modification of a rezoning condition of Marana Ordinance No. 2004.07, which approved the rezoning for the 104-acre Willow Ridge development, to delete a condition that prohibits two-story construction within 300 feet of Cortaro Farms Road as it applies to Block C, a 3.81-acre parcel (Brian Varney)

Discussion:

Request

Lazarus & Silvyn, PC is requesting approval to rezone approximately .53 acres of land from R-16 (Residential) to Neighborhood Commercial (NC). The rezoning area is a .53-acre portion of Block C of the Willow Ridge Final Block Plat, located at the southeast corner of Cortaro Farms Road and Sandy Desert Trail. Approximately 3.28 acres of the 3.81 acre Block C is zoned Neighborhood Commercial (NC) and approximately .53 acres is zoned R-16. If approved, the proposed rezoning will establish a uniform zoning of Neighborhood Commercial (NC) for the entire parcel. Staff has processed this as a non-site analysis rezoning pursuant to Section 17-3-1 B.1 of the Marana Town Code. The applicant is proposing to rectify a split-zoned property within a larger area that was rezoned and platted as Willow Ridge.

As a separate request, Lazarus and Silvyn, PC is requesting a modification of

Condition No. 6 of Marana Ordinance No. 2004.07, adopted by the Marana Town Council on April 20, 2004, approving a rezoning for the 104-acre Willow Ridge development. Condition No. 6 of the rezoning ordinance stipulates the following: "No two-story construction shall be provided within three hundred (300) feet of Cortaro Farms Road on the north and along the westerly property line, as delineated in the site analysis and tentative development plan". The applicant is requesting a modification to Condition No. 6 that would allow two-story construction within 300 feet of Cortaro Farms Road only on the 3.81-acre Block C of the Willow Ridge Final Block Plat.
The approved rezoning established a maximum building height of 24-feet within the Neighborhood Commercial (NC) zoned area. The property owners would like to develop the site with a two-story home product and find the 24-foot height allowance adequate for their planned residential product but feel they are unable to develop the site with a two-story prohibition.

History
The Willow Ridge rezoning was approved by the Town Council's adoption of Ordinance No. 2004.07 on April 20, 2004. The Final Block Plat for Willow Ridge was subsequently approved by the Town Council on September 6, 2005 by the adoption of Resolution No. 2005-115. Sheet 3 of the final block plat indicates that the boundary of the Neighborhood Commercial (NC) zoning differs from the boundary of Block C as it was ultimately platted. This difference resulted in the .53-acre area subject to this rezoning application. Both documents are included as attachments to this report.

Marana General Plan
The 2040 Marana General Plan designates Block C with the land use category of Commercial (C).

Surrounding Land Use and Zoning
Block C is bordered to the north by Cortaro Farms Road. Beyond Cortaro Farms Road is land zoned R-144 (Residential) that has been developed by the New Life Bible Fellowship as a church facility. West of the subject property is Sandy Desert Trail, a collector street that serves residential development as well as the Tucson Community Church, south of Cortaro Farms Road. Beyond Sandy Desert Trail is Block B of the Willow Ridge Final Block Plat, an undeveloped 4.24 acre parcel zoned Neighborhood Commercial (NC). Block C is bordered on the south and east by Willow Vista, a single-family residential subdivision, as well as the 2.0 acre Block F of the Willow Ridge Final Block Plat, zoned R-6 (Residential) and developed with a single-family residence.

Land Use Analysis
[Pertaining to the request for modification of Condition No. 6 of Marana Ordinance No. 2004.07]

Staff review of the documents pertaining to the 2004 rezoning of Willow Ridge revealed the zoning condition restricting two-story construction within 300 feet of Cortaro Farms Road and along the west property boundary was proposed by the property owner in an effort to maintain potential mountain views of the residents of the Oshrin Park subdivision in Pima County, south and west of Willow Ridge. After

review of the staff reports, meeting minutes, and other documents pertinent to the rezoning, it is unclear whether the restriction was self-imposed by the property owner or made as a concession to a request from nearby property owners. The restriction was included in the staff reports to both the Planning Commission and the Town Council, thereby, indicating that the restriction was probably not imposed by either body.

The general area surrounding the site has changed considerably over the past 18 years including major improvements to Cortaro Farms Road, the development of church sites north of Cortaro Farms Road, and the development of the Willow Ridge Commons subdivision which includes a large quantity of two-story homes. A review of the site and surrounding area indicates that visibility to the north and east from Oshrin Park is more significantly impacted by the development in the Willow Ridge Commons subdivision than from similarly sized development adjacent to Cortaro Farms Road. Due to the fact that building heights on Block C shall be restricted to 24 feet per Condition No. 7 of Ordinance No. 2004.07, the adjacency of Block C to an arterial roadway, and the fact that other buildings of similar or greater height exist in the immediate area, the applicant feels that two-story construction on the 3.81-acre parcel does not present a negative impact to the surrounding neighborhoods.

Citizen Participation
The applicant mailed a letter to each of the property owners within 300 feet of the subject property advising them of the applications submitted to the Town. The letter provided the opportunity for the property owners to contact and meet with the applicants to discuss the project, if desired. The Willow Ridge Homeowner's Association reached out to the applicants to discuss the applications in detail. The applicants offered to meet with the HOA at any time if additional discussion was desired.

Public Notification
This public hearing was appropriately noticed in The Daily Territorial, and all property owners within 300 feet of the boundary of the rezoning area were noticed by United States mail of the date, time, and topic of the public hearing. Additional notice was posted at various locations within the community.

Case Analysis 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, this rezoning 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 commercial 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 an excessive storm runoff, water, air, or noise pollution, excessive nighttime lighting, or other nuisances;
   Based on the recommended requirements and conditions, this rezoning is compatible with the surrounding area and does not appear to 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;
   With the acceptance of the recommended conditions, this rezoning conforms with the goals and policies of the general plan, the land development code, and other town regulations and guidelines. Approval of this rezoning will eliminate the current split-zoning of the property.

5. The zoning districts and existing land uses of the surrounding properties;
   Based on the recommended requirements and conditions, this rezoning 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 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 into 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 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 Town Council to consider. Should the Town Council choose to approve this item, staff recommends the approval be based upon the recommended findings and subject to the conditions set forth in the draft ordinance attached.

Planning Commission Recommendation

The requested rezoning and zoning ordinance condition modification were considered at a public hearing before the Marana Planning Commission on November 30, 2022. The Planning Commission voted unanimously 7-0 to recommend to the Town Council approval of both requests subject to the recommended conditions.

Suggested Motion:

I move to adopt Ordinance No. 2022.028, approving the Willow Ridge Block C Rezoning and the Willow Ridge Zoning Ordinance Condition Modification subject to the recommended conditions set forth in the draft ordinance.

Attachments

Ordinance No. 2022.028
Exhibit A to Ordinance
PCZ2211-001 WRR Narrative
PCM2210-001 WRR Narrative
PCZ2211-001 - PCM2210-001 WRR Maps
PCZ2211-001 - PCM2210-001 WRR Final Block Plat
PCZ2211-001 - PCM2210-001 WRR Ordinance No. 2004.07
PCZ2211-001 - PCM2210-001 Application

MARANA ORDINANCE NO. 2022.028

RELATING TO DEVELOPMENT; APPROVING A REZONING OF APPROXIMATELY .53 ACRES OF BLOCK C OF THE FINAL BLOCK PLAT FOR WILLOW RIDGE, LOCATED AT THE SOUTHEAST CORNER OF CORTARO FARMS ROAD AND SANDY DESERT TRAIL, FROM R-16 (RESIDENTIAL) TO NC (NEIGHBORHOOD COMMERCIAL); APPROVING A MODIFICATION OF A REZONING CONDITION OF MARANA ORDINANCE NO. 2004.07, WHICH APPROVED THE REZONING FOR THE 104-ACRE WILLOW RIDGE DEVELOPMENT, TO DELETE A CONDITION THAT PROHIBITS TWO-STORY CONSTRUCTION WITHIN 300 FEET OF CORTARO FARMS ROAD AS IT APPLIES TO BLOCK C, A 3.81-ACRE PARCEL

WHEREAS the Mayor and Council of the Town of Marana adopted Marana Ordinance No. 2004.07 on April 20, 2004, approving a rezoning of approximately 104.6 acres of land located along the south side of Cortaro Farms Road east of Hartman Lane and west of Star Grass Drive, known as Willow Ridge, from R-144 (Residential, Single-Family) and R-36 (Residential, Single-Family) to NC (Neighborhood Commercial), R-6 (Residential, Single-Family), and R-16 (Residential, Single-Family); and

WHEREAS approval of the rezoning was subject to a number of conditions including Condition No. 6 which states "No two-story construction shall be provided within three-hundred (300) feet of Cortaro Farms Road on the north and along the westerly property line, as delineated in the site analysis and tentative development plan"; and

WHEREAS, on September 14, 2005, the Final Block Plat for Willow Ridge Blocks A through F was recorded in the office of the Pima County Recorder at Book 60 Maps and Plats Page 22; and

WHEREAS Block C of the Final Block Plat for Willow Ridge ("Block C") is a 3.81-acre parcel located south of Cortaro Farms Road and east of Sandy Desert Trail, of which approximately 3.28 acres is zoned NC (Neighborhood Commercial) and approximately .53 acres is zoned R-16 (Residential, Single-Family) per Ordinance No. 2004.07; and

WHEREAS Lazarus & Silvyn, P.C., representing an entity under contract to purchase Block C (the "Property Owner"), has submitted an application to rezone the R-16-zoned portion of Block C, as described and depicted in Exhibit 'A' attached to and incorporated in this ordinance by this reference (the "Rezoning Area"), to NC (this "Rezoning"); and

WHEREAS Lazarus & Silvyn, P.C., has also submitted an application to delete Condition No. 6 of Ordinance No. 2004.07 as it applies to Block C; and

WHEREAS the Marana Planning Commission held a public hearing to consider this Rezoning and condition modification on November 30, 2022, and voted unanimously 7-0 to recommend that the Town Council approve this Rezoning and condition modification; and

WHEREAS the Marana Mayor and Town Council held a public hearing on December 20, 2022, to consider this Rezoning and condition modification and determined that they should be approved.

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

Section 1. The zoning of the Rezoning Area is hereby changed from R-16 to NC.

Section 2. Except as set forth in Section 3 below, this Rezoning is subject to the conditions of Ordinance No. 2004.07, the violation of which shall be treated in the same manner as a violation of the Marana Town Code (but which shall not cause a reversion of this Rezoning), and which shall be binding on the Property Owner and its successors in interest (all of whom are collectively included in the term "Property Owner.")

Section 3. Section 2, Condition 6 of Marana Ordinance No. 2004.07 is hereby deleted only as it applies to Block C of the Final Block Plat for Willow Ridge Blocks A through F. The condition shall remain in place for all other portions of the Willow Ridge Final Block Plat that are subject to the condition.

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 this ordinance.

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 of this ordinance.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 20th day of December, 2022.

Mayor Ed Honea

ATTEST:

David L. Udall, Town Clerk

APPROVED AS TO FORM:

Jane Fairall, Town Attorney

On Point Surveying, PLLC
onpointsurveygroup@gmail.com
(520)490-2467

LEGAL DESCRIPTION

A portion of Block C of Willow Ridge as shown in Book 60 of Maps and Plats at Page 22 in the Office of the Pima County Recorder, situated in the Southeast Quarter of Section 25, Township 12 South, Range 12 East, Gila and Salt River Meridian, Pima County, Arizona, more particularly described as follows:

BEGINNING at the northeast corner of said Block C monumented by a 1½ inch aluminum capped rebar stamped RLS 13019;

Thence South 00°27'22" East, upon the east line of said Block C, a distance of 205.99 feet to a ½ inch rebar tagged RLS 22759;

Thence South 89°32'18" West, upon a southern line of said Block C, a distance of 147.82 feet to a ½ inch rebar tagged RLS 52699;

Thence South 00°29'11" East, upon an eastern line of said Block C, a distance of 82.88 feet to a ½ inch rebar tagged RLS 22759;

Thence South 89°28'27" West, upon the southern line of said Block C, a distance of 170.06 feet to a ½ inch rebar tagged RLS 12537;

Thence South 89°34'06" West, upon said southern line, a distance of 37.28 feet to a ½ inch rebar tagged RLS 22759;

Thence South 83°20'25" West, upon said southern line, a distance of 47.13 feet to a point on the zoning boundary as shown in Book 60 of Maps and Plats at Page 22;

Thence North 72°59'49" East, upon said zoning boundary, a distance of 186.35 feet;

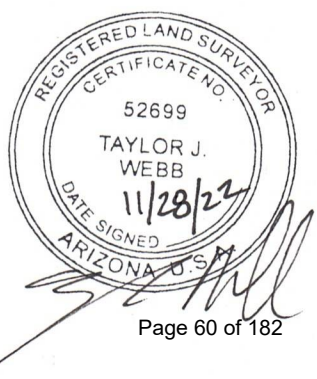
Thence North 00°39'16" East, upon said zoning boundary, a distance of 60.00 feet;

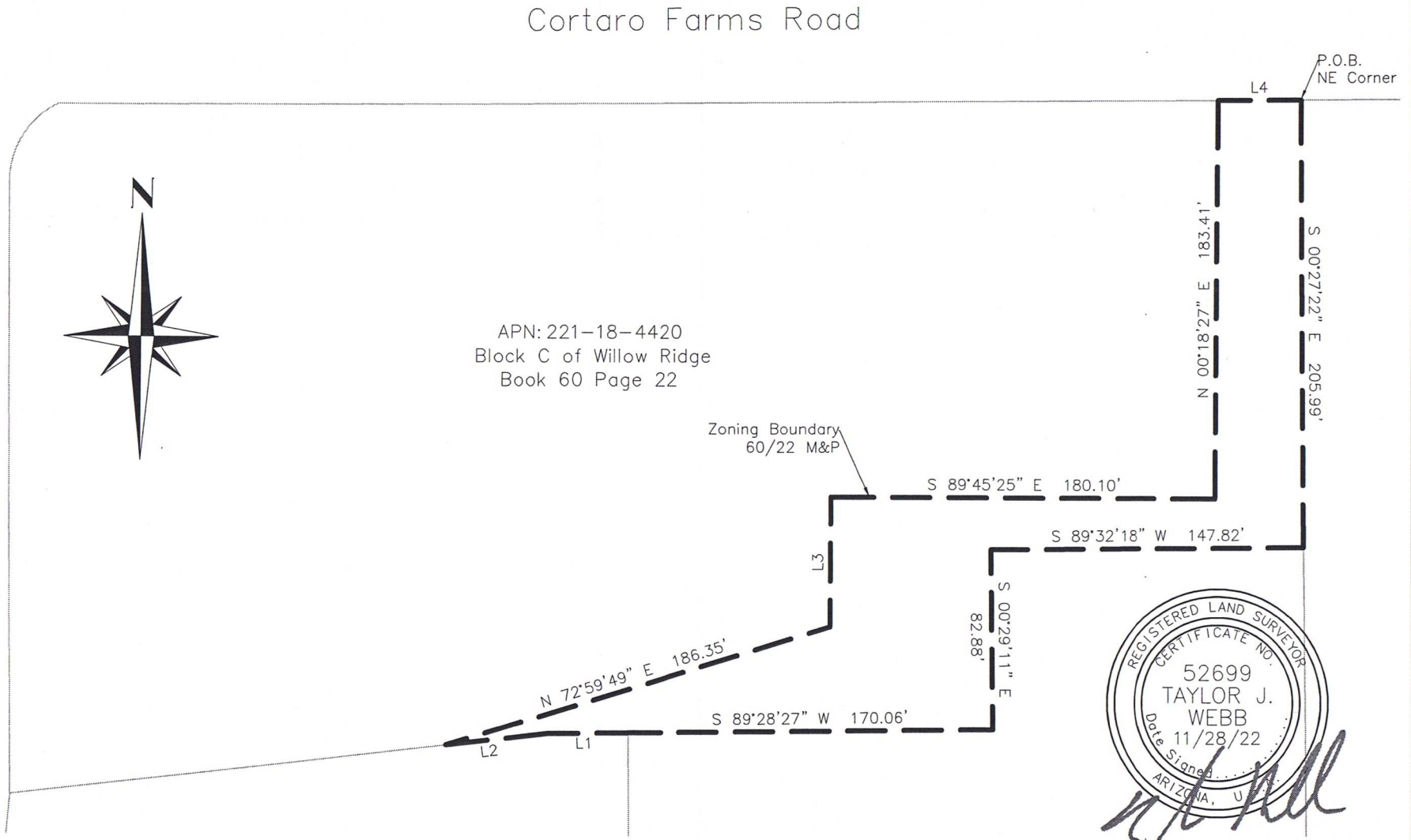
Thence South 89°45'25" East, upon said zoning boundary, a distance of 180.10 feet;

Thence North 00°18'27" East, upon said zoning boundary, a distance of 183.41 feet to a point on the north line of said Block C;

Thence North 89°40'02" East, upon said north line, a distance of 39.65 feet to **THE POINT OF BEGINNING**.

Described portion contains 22937.9 square feet or 0.53 acres, more or less.





LINE	BEARING	DISTANCE
L1	S 89°34'06" W	37.28'
L2	S 83°20'25" W	47.13'
L3	N 00°39'16" E	60.00'
L4	N 89°40'02" E	39.65'

A Portion of Block C of Willow Ridge as Recorded in Book 60 of Maps and Plats at Page 22, Situated in the Southeast Quarter of Section 25, Township 12 South, Range 12 East, Gila and Salt River Meridian, Pima County, Arizona

On Point Surveying, PLLC
(520)490-2467 or (520)279-1884
onpointsurveygroup@gmail.com

Marana Regular Town Council Meeting
December 20, 2022
Page 61 of 182

Exhibit A to Marana Ordinance No. 2022.028

Law Offices of
Lazarus & Silvyn, P.C.

November 23, 2022

Mr. Steve Cheslak
Planning Manager
Town of Marana Development Services Department
11555 W. Civic Center Drive
Marana, AZ 85653

SUBJECT: Minor Rezoning Request at Cortaro Farms & Sandy Desert

Dear Mr. Cheslak:

DSW Capital-1, LLC ("DSW") is under contract to purchase approximately 3.8 acres of property (Assessor Parcel No. 221-18-4420) at the southeast corner of Cortaro Farms Road and Sandy Desert Trail (the "Property") within the Town of Marana ("Town"). (See Location Map, provided as Attachment 1.) The Property, which is also identified as Block C of Willow Ridge Final Block Plat ("Block Plat"), is primarily zoned Neighborhood Commercial ("NC") with a smaller area zoned Residence Zone ("R-16"), which occurred as part of the larger 2004 Willow Ridge Rezoning ("2004 Rezoning"). (See Attachment 2, Existing Zoning.) DSW is interested in developing the Property as a multi-family residential ("MFR") project with townhomes (the "Project"). This letter serves as a request to rezone the portion of Block C currently zoned R-16 to NC in order to establish a uniform zoning throughout the Property.

Minor Rezoning Request

The majority of the Property (approx. 3.3 acres) is zoned NC, and the remaining approximately 0.4 acres at the southeast corner of the Property is zoned R-16. The Property was rezoned from R-144 to Neighborhood Commercial Zone ("NC") and Residential Zone 16 ("R-16") on April 20, 2004, as part of the 2004 Rezoning. (See 2004 Rezoning Ordinance, Attachment 3.)

According to the 2004 Rezoning Site Analysis ("Site Analysis"), the Property was part of an official Town annexation program, in which the zoning of approximately 104.6 acres was translated from Pima County zoning designations to the Town's R-144 and R-36 zones. The subsequent 2004 Rezoning was a request to rezone to a combination of R-16, R-6 and NC. The reason for excluding the R-16 portion of the Property from being rezoned to NC is unclear.

206 E. Virginia Avenue | Phoenix, AZ 85004-1110
602.340.0900 | Fax 602.340.8955

5983 E. Grant Road, Suite 290 | Tucson, AZ 85712-2365
520.207.4464 | Fax 520.300.9662

Marana's General Plan, Make Marana 2040, Future Land Use Map designates the entire Property as Commercial. The Property's intended NC zoning is consistent with Make Marana 2040's Commercial future land use designation, which is described as follows:

> *The Commercial category includes areas that comprise both community and regional commercial development…The existing zoning districts consistent with this land use category are: A, B, E, CO, NC, VC, RR, RC, RV, BU, DN, DT.*

The Town's R-16 zone does not permit MFR uses. Along with commercial uses, the NC zone allows MFR uses, including DSW's proposed townhome concept, which is subject to the Town's Multi-Family Residential 2 zone ("MR-2") development standards.

Conclusion

In order to develop the Project as proposed, we are requesting a rezoning of the R-16 area to NC zone to align with the zoning across the majority of the Property through the Town's simplified rezoning process.

Enclosed is a letter from the Property owner authorizing the Project team to take actions necessary to obtain zoning entitlements and other development-related approvals. (See Attachment 4.) Thank you for your consideration. Please do not hesitate to contact me if you have any questions or require additional information: (520) 207-4464 or via email at RLarge@LSLawAZ.com.

Sincerely,



Robin M. Large
Senior Land Use Planner
Lazarus & Silvyn, P.C.

Enclosures:

1 – Location Map
2 – Existing Zoning Map
3 – 2004 Rezoning Ordinance
4 – Property Owner Authorization

cc: Mr. Michael Sarabia
Ms. Keri Silvyn, Esq.

Law Offices of
Lazarus & Silvyn, P.C.

October 27, 2022

Mr. Steve Cheslak
Planning Manager
Town of Marana Development Services Department
11555 W. Civic Center Drive
Marana, AZ 85653

SUBJECT: Change of Condition Request at Cortaro Farms & Sandy Desert

Dear Mr. Cheslak:

DSW Capital-1, LLC ("DSW") is under contract to purchase approximately 3.8 acres of property (Assessor Parcel No. 221-18-4420) at the southeast corner of Cortaro Farms Road and Sandy Desert Trail (the "Property") within the Town of Marana ("Town"). (See Location Map, provided as Attachment 1.) DSW is interested in developing the Property as a multi-family residential ("MFR") project featuring townhome products (the "Project"). This letter serves as a request to modify a condition of the Property's rezoning to permit the development of two-story townhomes on the Property within the 24-foot height limitation, as described below.

Background

Marana's General Plan, *Make Marana 2040*, Future Land Use Map designates the entire Property, which is also identified as Block C of the Willow Ridge Final Block Plat, as Commercial. The Property is currently split-zoned Neighborhood Commercial ("NC") and Residence Zone ("R-16"), approved as part of the larger 2004 Willow Ridge Rezoning ("2004 Rezoning") and subject to rezoning conditions listed in Marana Ordinance No. 2004.07 (Attachment 2). Rezoning Condition #6 limits development to single-story construction within 300 feet of Cortaro Farms Road while Rezoning Condition #7 limits height to 24 feet. The conditions read as follows:

6. *No two-story construction shall be provided within three hundred (300) feet of Cortaro Farms Road on the north and along the westerly property line, as delineated in the site analysis and tentative development plan.*
7. *Building heights shall be restricted to 24' within the NC zone.*

206 E. Virginia Avenue | Phoenix, AZ 85004-1110
602.340.0900 | Fax 602.340.8955
5983 E. Grant Road, Suite 290 | Tucson, AZ 85712-2365
520.207.4464 | Fax 520.300.9662

The Tentative Development Plan ("TDP") approved with the 2004 Rezoning identifies the 300-foot setback described in Rezoning Condition #6. (See Attachment 3.) Even though the 24-foot height limitation could support two-story construction, the Property is limited to single-story construction due to Rezoning Condition #6.

Analysis

The origin of Rezoning Condition #6 is unclear, although the context in which the 2004 Rezoning was approved has certainly changed. The Property is adjacent to Cortaro Farms Road, a 4-lane arterial roadway, on its northern boundary, Sandy Desert Trail (a two-lane collector) on its western boundary, and residential uses to the east and south. With the widening of Cortaro Farms Road from Interstate 10 to Thornydale Road, this part of the Town has significantly grown in the years since the 2004 Rezoning was approved. There are now numerous taller religious and commercial structures along Cortaro Farms Road and many two-story homes within Willow Vista to the south and Willow Ridge Commons to the southwest.

The deletion of Rezoning Condition #6, while complying with Rezoning Condition #7, will support development that is compatible with existing land uses in the neighborhood. Although the 2004 Rezoning envisioned future commercial uses on the Property, MFR is also a permitted use in the NC zone. The proposed townhome project will provide a more compatible transition of land uses between the busy arterial street on the north and the lower-density residential uses to the south than the gas station and retail/restaurant uses originally contemplated with the 2004 Rezoning.

This Project also responds to current local demands for housing opportunities outside of the traditional single-family home and apartment rentals. The housing supply that resulted from residential overbuilding in the years leading up to the 2008 housing crisis has largely been absorbed, and new housing construction is not keeping up with today's housing demands, which are for smaller homes at attainable price points. Certain demographics, including Millennials and Baby Boomers, are seeking alternatives that are located in urbanized areas with convenient access to businesses, personal services and entertainment amenities and that are free from the maintenance burden of large homes and yards. This Project contributes to fulfilling this niche in the local housing market and necessitates two-story construction to be economically feasible.

Conclusion

The Project's two-story design conflicts with the 2004 Rezoning's Condition #6 that limits development on the Property to single-story construction although Rezoning Condition #7 permits a maximum building height of 24 feet. DSW has indicated that developing within the 24-foot height limit is feasible, provided the ability to construct two-story homes. Permitting the construction of two-story homes that honor the building height limitations imposed during the 2004 Rezoning will support the development of this Project, which will have no negative impacts on the surrounding uses.

Enclosed is a letter from the Property owner authorizing the Project team to take actions necessary to obtain zoning entitlements and other development-related approvals. (See Attachment 4.) Please do not hesitate to contact me if you have any questions or require additional information: (520) 207-4464 or via email at RLarge@LSLawAZ.com. Thank you for your consideration.

Sincerely,

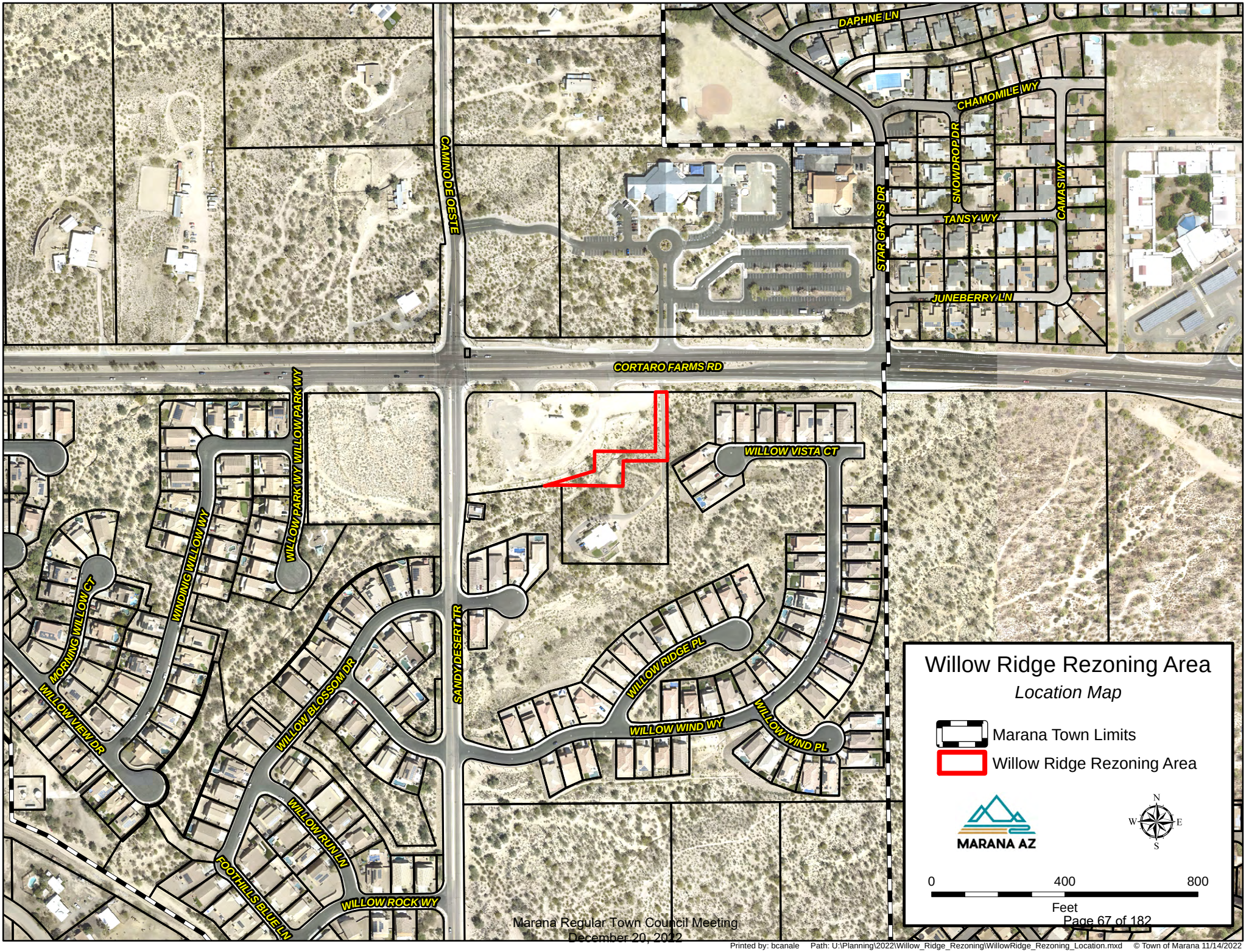


Robin M. Large
Senior Land Use Planner
Lazarus & Silvyn, P.C.

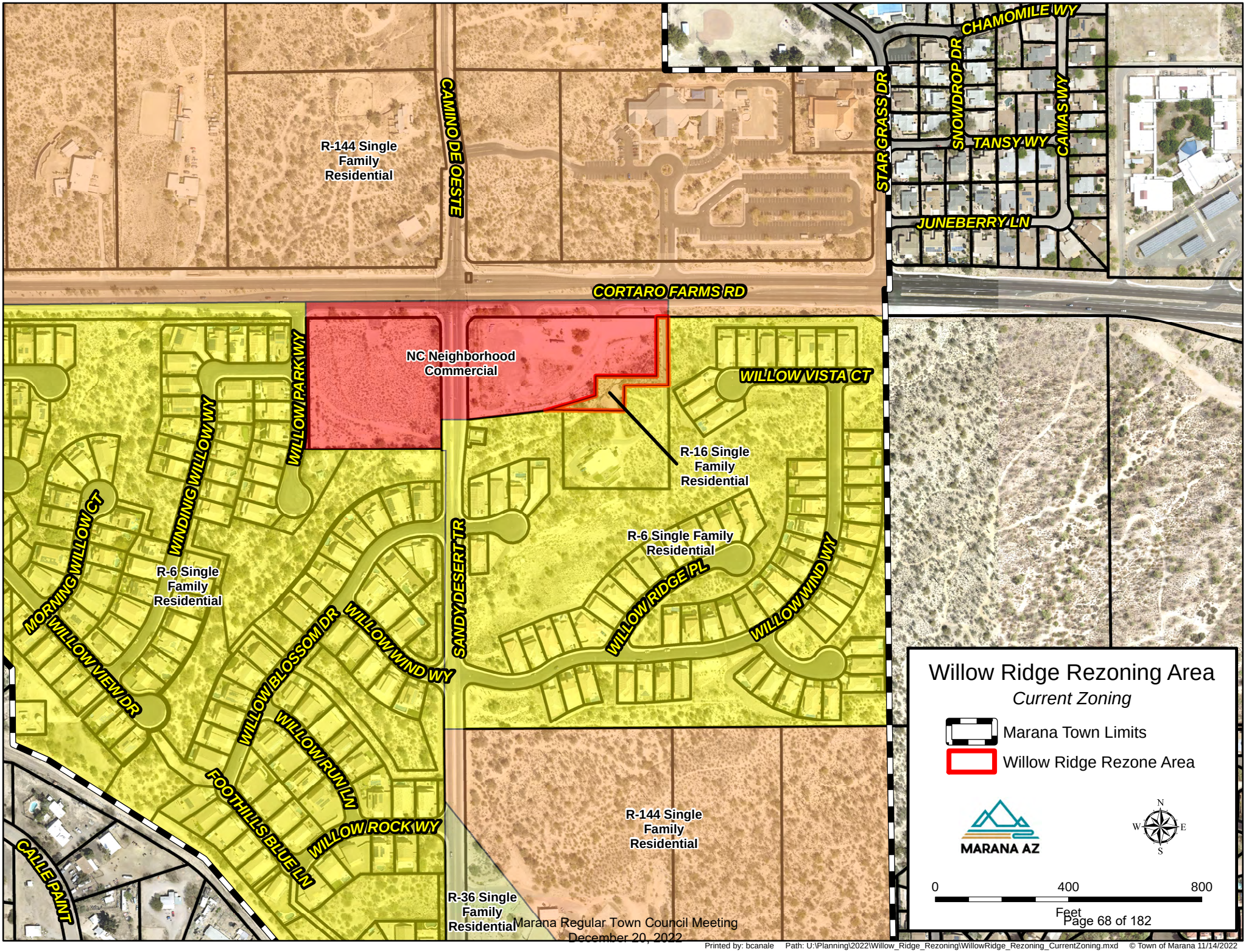
Enclosures:

1 – Location Map
2 – Marana Ordinance No. 2004.07
3 – Tentative Development Plan
4 – Property Owner Authorization

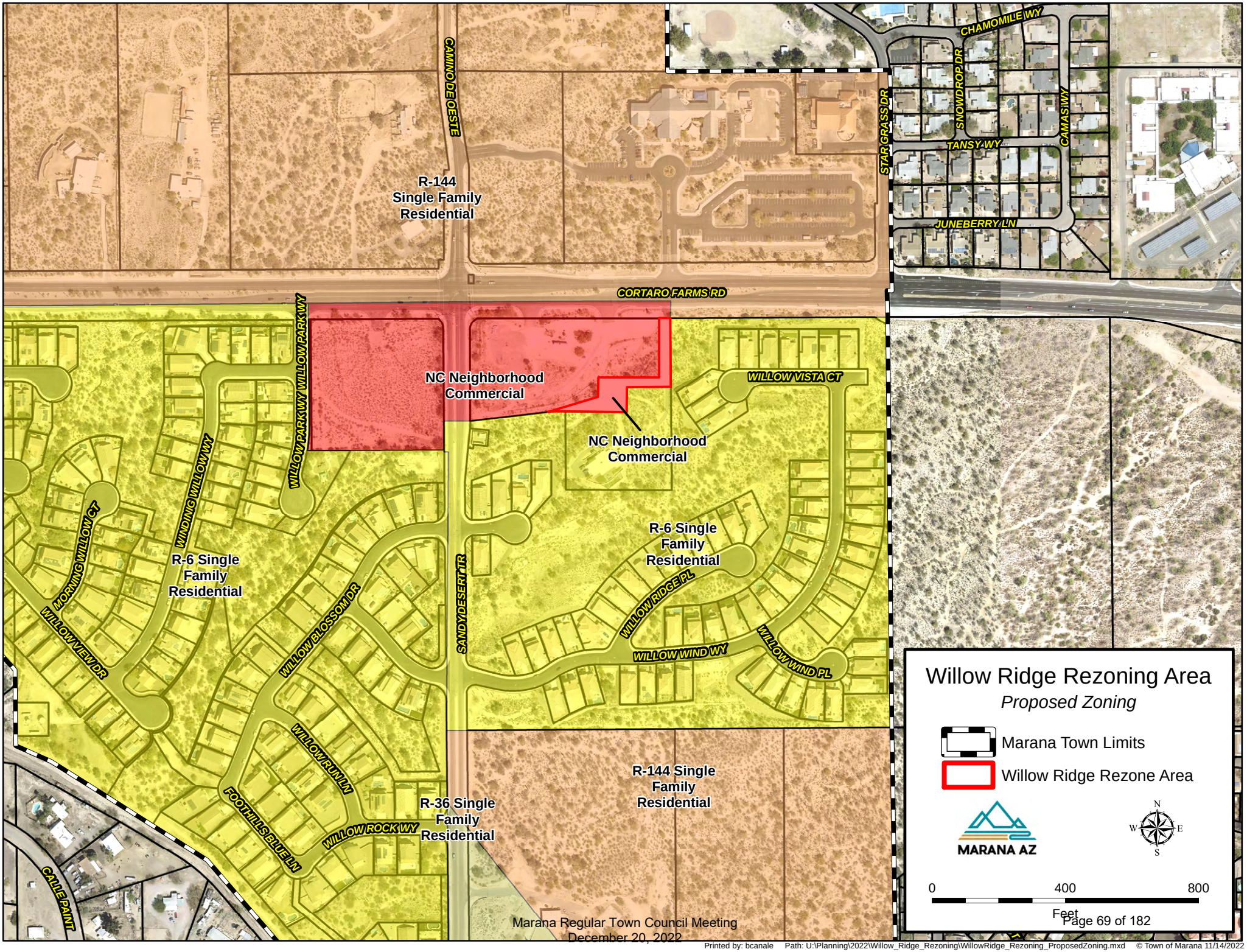
cc: Mr. Michael Sarabia
Ms. Keri Silvyn, Esq.



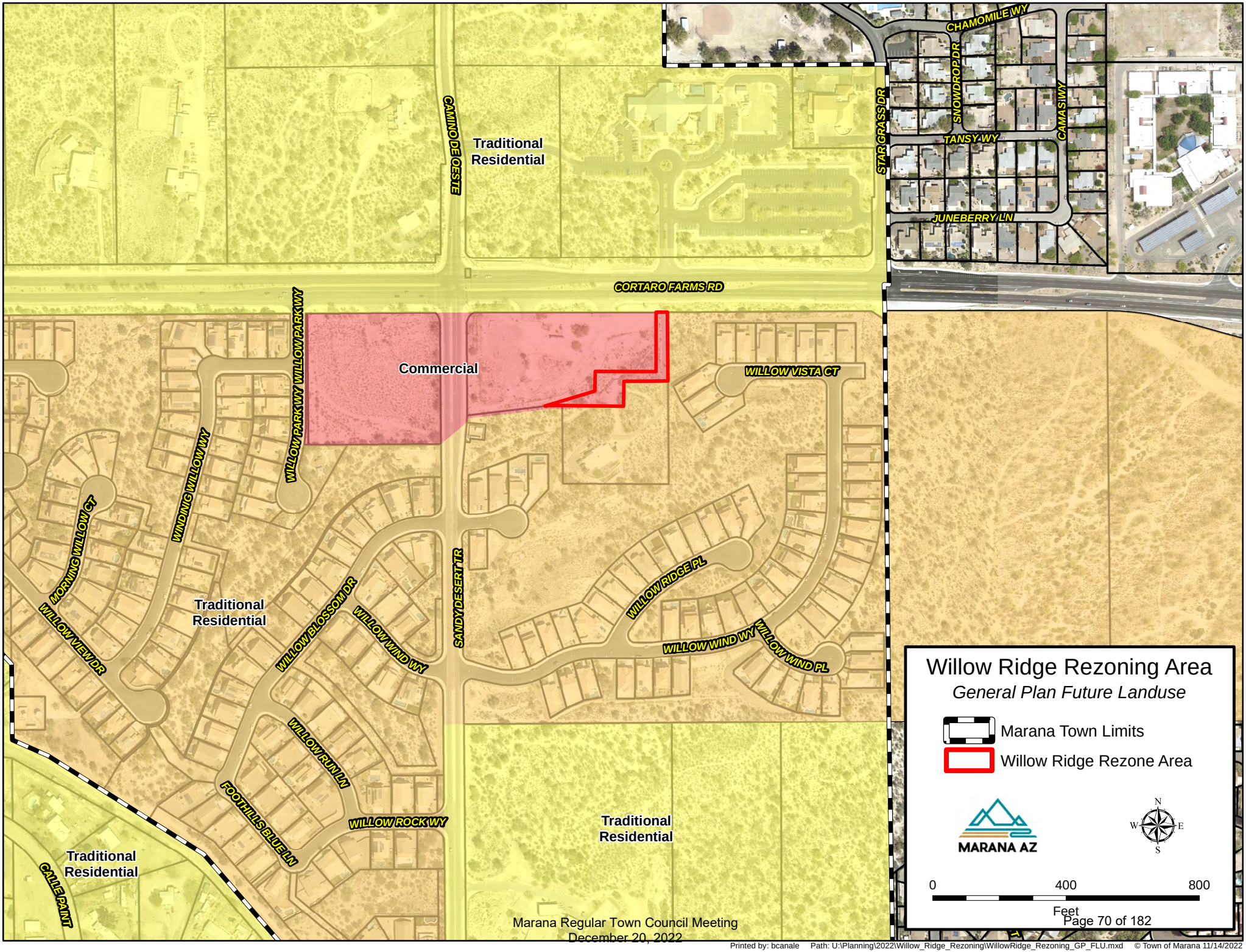
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FINAL BLOCK PLAT
WILLOW RIDGE
BLOCKS A THRU F

GENERAL NOTES

1. THE GROSS AREA OF THIS SUBDIVISION IS 4,484,846 SQ. FT., OR 102.96 ACRES.
2. EXISTING AND PROPOSED ZONING:
   BLOCK A: R-6 (SINGLE FAMILY RESIDENTIAL WITH 6,000 SQ. FT. MINIMUM LOT SIZE)
   BLOCKS B AND C: NC (NEIGHBORHOOD COMMERCIAL USES)
   BLOCKS D, E AND F: R-16 (CUSTOM LOT SINGLE FAMILY RESIDENCE WITH 16,000 SQ. FT. MINIMUM LOT SIZE)
3. THE PROPOSED NUMBER OF BLOCKS IS 6.
4. BLOCK AREAS:

	GROSS	AREA TO BE DEDICATED	NET AREA
BLOCK "A"	60.30 AC	2.69 AC	57.61 AC
BLOCK "B"	4.24 AC	0.64 AC	3.60 AC
BLOCK "C"	4.92 AC	1.11 AC	3.81 AC
BLOCK "D"	12.63 AC	0.88 AC	11.75 AC
BLOCK "E"	18.86 AC	0.00 AC	18.86 AC
BLOCK "F"	2.00 AC	0.00 AC	2.00 AC

   THE AREAS INCLUDE TOTAL OPEN SPACE OF APPROXIMATELY 39 AC
5. TOTAL MILES OF NEW PUBLIC STREETS PER THIS PLAT IS 0.5 MI.
6. THIS PLAT IS SUBJECT TO THE REZONE CONDITIONS ADOPTED BY ORDINANCE 2004.07 AND THE DEVELOPMENT AGREEMENT ADOPTED BY RESOLUTION 2004-49.
7. NO FURTHER BLOCK SPLITTING SHALL BE DONE WITHOUT THE WRITTEN APPROVAL OF THE TOWN OF MARANA COUNCIL.
8. THE BASIS OF BEARING: GRID NORTH, ARIZONA STATE PLANE COORDINATE SYSTEM 1983, CENTRAL ZONE. N89°40'15"E, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 12 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA.
9. THE BASIS OF ELEVATION (NAVD 88) FOR THIS PROJECT IS:
   PCHD "CORT 1N", "+" CHISELED N RIM SEWER MH, ±19'E AND 40'N OF W 1/4 CORNER SECTION 25, ELEV=2163.96;
   #4 REBAR TAGGED "AMLA TRAV PT" ± 421'W AND 121'S OF CTR 1/4 CORNER SECTION 25, ELEV=2235.44;
   PCHD "CORT 5" "+" CHISELED E RIM SEWER MH, ±49'W AND 118'S OF E 1/4 CORNER SECTION 25, ELEV=2300.28.
10. UPON COMPLETION OF ALL PHASES OF DEVELOPMENT, THE 100-YEAR FREQUENCY FLOOD SHALL BE ENTIRELY CONTAINED WITHIN THE RIGHT OF WAY OF THE PAVED STREETS AND WITHIN THE DRAINAGE AREAS.
11. DEVELOPER SHALL COVENANT TO HOLD THE TOWN OF MARANA, ITS SUCCESSORS AND ASSIGNS, HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGE RELATED TO THE USE OF THIS DEVELOPMENT AS SHOWN HEREON, NOW AND IN THE FUTURE, BY REASON OF FLOODING, FLOWING EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOW OR RAINFALL.
12. ALL TOWN OF MARANA STANDARD SURVEY MONUMENTS TO BE SET SHALL BE SHOWN ON THE FINAL PLAT.
13. THE PROPERTY OWNERS SHALL TRANSFER WITH A FINAL PLAT, BY THE APPROPRIATE ARIZONA DEPARTMENT OF WATER RESOURCES FORM, THOSE WATER RIGHTS BEING IGR TYPE-1 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-1 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 TO SAID LAND.
14. ANY UTILITIES THAT MAY HAVE TO BE RELOCATED AS RESULT OF THIS DEVELOPMENT WILL BE DONE SO AT NO EXPENSE TO THE TOWN OF MARANA, PIMA COUNTY AND/ OR CORTARO-MARANA IRRIGATION DISTRICT.
15. RELOCATION AND PROTECTION OF C.M.I.D. PROPERTIES SHALL BE AT NO EXPENSE TO THE DISTRICT. DEVELOPER WILL PROVIDE NEW IRRIGATION IN A MUTUALLY ACCEPTABLE LOCATION AND AN EASEMENT IN FAVOR OF CMID. THE IRRIGATION WELL SITE SHALL DISCHARGE AT A RATE OF 4.00 C.F.S. AND SHALL BE POWERED BY T.E.P., 480 VOLT WITH APPROPRIATE CONTROLS INSTALLED BY AN ELECTRICAL ENGINEERING PLAN AND SHALL BE SURROUNDED BY A 5 FOOT BLOCKWALL.
16. A PERMIT AND LICENSE SHALL BE OBTAINED FROM C.M.I.D. PRIOR TO CONSTRUCTION ACTIVITY OR DISTURBANCE WITHIN C.M.I.D. PROPERTY.
17. C.M.I.D. IS UNDER NO OBLIGATION, NOR ARE THERE ANY PLANS TO REPLACE OPEN CANALS ON SURROUNDING PROPERTIES OR ELSEWHERE.
18. CONSTRUCTION OF THIS PROJECT MUST BE SCHEDULED TO AVOID ANY INTERRUPTIONS IN C.M.I.D. IRRIGATION SERVICE. ALL INTERRUPTIONS SHALL BE COORDINATED WITH C.M.I.D. AND APPROVED BY THE DISTRICT MANAGER PRIOR TO THEIR OCCURRENCE.
19. ENGINEERING AND CONSTRUCTION OF THIS PROJECT SHALL ENSURE FUTURE ACCESS IS MAINTAINED TO C.M.I.D. PROPERTY, EASEMENTS AND INFRASTRUCTURE.
20. C.M.I.D. PROPERTY, EASEMENTS, OR ROW SHALL NOT BECOME A COMPONENT OF ANY DRAINAGE SOLUTION AND MUST MAINTAIN CURRENT ELEVATIONS UNLESS OTHERWISE APPROVED OR DESIRED BY C.M.I.D.
21. THE AREA BETWEEN THE 100-YEAR FLOOD LIMITS REPRESENTS AN AREA THAT MAY BE SUBJECT TO FLOODING FROM A 100-YEAR FREQUENCY FLOOD AND ALL USES IN THIS AREA SHALL BE RESTRICTED TO USES THAT ARE COMPATIBLE WITH FLOODPLAIN MANAGEMENT AS APPROVED BY THE FLOODPLAIN ADMINISTRATOR.
22. ALL NEW UTILITIES SERVING THIS DEVELOPMENT SHALL BE UNDERGROUND.
23. THE PROFESSIONAL ENGINEER OF RECORD SHALL CERTIFY AS TO THE FORM, LINE, AND FUNCTION OF ALL PUBLIC AND PRIVATE ROADWAYS AND DRAINAGE STRUCTURES BEFORE RELEASE OF ASSURANCES.
24. APPROVAL OF THIS PLAN DOES NOT CERTIFY, AFFIRM, OR APPROVE ANY LAND DIVISION THAT MAY BE CONTRARY TO STATE LAW, NOR DOES IT CERTIFY THE EXISTENCE OR COMPLIANCE WITH ANY DEED RESTRICTIONS OR EASEMENTS.
25. LANDS WITHIN THIS PROJECT SHALL CONTINUE TO BE SUBJECT TO TAX AND/OR ASSESSMENTS BY THE CORTARO-MARANA IRRIGATION DISTRICT AND CORTARO WATER USERS ASSOCIATION.
26. ANY BUILDING OVER 3,600 SQUARE FEET UNDER ROOF MUST BE EVALUATED BY THE NORTHWEST FIRE DISTRICT FOR ADDITIONAL FIRE PROTECTION MEASURES. ANY DWELLING HAVING LIMITED ACCESS IN EXCESS OF 150-FEET, OR 12% ACCESS GRADE, OR LOW CLEARANCE MUST BE EVALUATED BY THE NORTHWEST FIRE DISTRICT FOR ADDITIONAL FIRE PROTECTION MEASURES. RESIDENTIAL FIRE FLOW FOR THIS PROJECT IS 1,000 GPM.
27. A HOMEOWNERS' ASSOCIATION SHALL BE FORMED TO ACCEPT RESPONSIBILITY FOR MAINTENANCE, CONTROL, SAFETY AND LIABILITY OF DRAINAGE EASEMENTS AND COMMON AREAS.
28. THE WATER COMPANY THAT SHALL SERVE THIS SUBDIVISION IS TOWN OF MARANA MUNICIPAL WATER DEPARTMENT.
29. THE DEVELOPER SHALL COMPLETE THE NEW WELL SITE PRIOR TO AUTHORIZATION OF OCCUPANCY.
30. THE DEVELOPER SHALL PROVIDE AUTHORIZED ACCESS TO THE WELL SITE BY EASEMENT AND/OR BY PUBLIC RIGHT OF WAY.
31. THE DEVELOPER SHALL PROVIDE A DEED TO THE NEW WELL SITE AND A TITLE INSURANCE POLICY TO CORTARO-MARANA IRRIGATION DISTRICT (CMID).

OWNERS

MESSINGER/LEWIN FAMILY, LLC
9351 KOSTNER AVENUE
SKOKIE, IL 60076

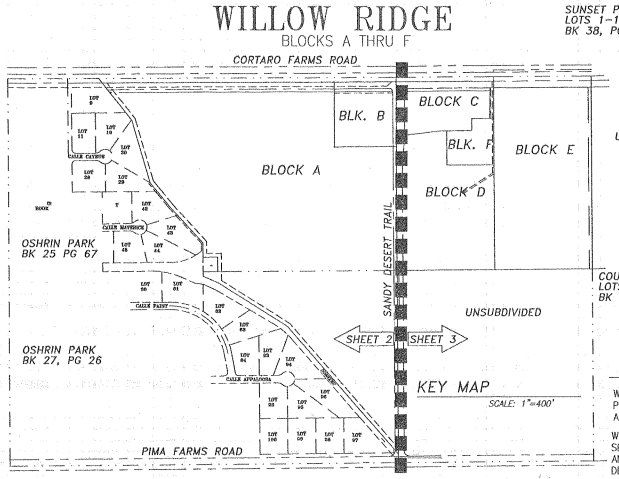
RICHARD R. GENTRY SR. & GENEVA TR
4945 W. CORTARO FARMS RD
TUCSON, AZ 85742

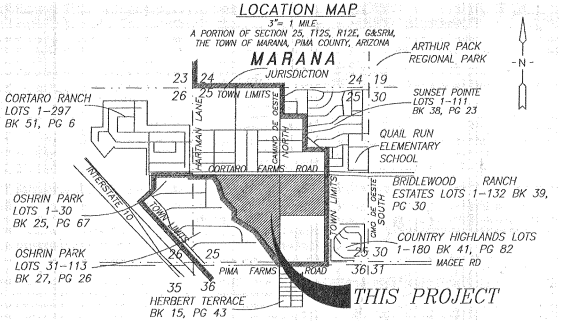
CORTARO ROAD 20 ACRES 7226
ATTN: ROBR INVESTMENTS MG
1636 N. SWAN RD, STE 206
TUCSON, AZ 85712

DEVELOPER

CPE DEVELOPMENT COMPANY, INC. An Arizona Corporation
3561 E. Sunrise Drive Suite 105
Tucson, AZ 85718
(520) 529-3800

CPE CONSULTANTS
CPE Consultants, LLC
1555 EAST BROADWAY
TUCSON, ARIZONA 85719
520.545.7001





WATER ADEQUACY

THIS DEVELOPMENT LIES WITHIN AN AREA DESIGNATED AS HAVING AN ASSURED WATER SUPPLY

BY _____ 8/30/05
TOWN OF MARANA — DATE

ASSURANCES

ASSURANCES IN THE FORM OF AN IRREVOCABLE LETTER OF CREDIT, NUMBER FGAC-05277 DRAWN ON Fidelity Guarantee A.C. BANK AS RECORDED IN DOCKET _____ PAGE _____, HAS BEEN PROVIDED TO GUARANTEE STREET, DRAINAGE, AND UTILITY IMPROVEMENTS (ELECTRIC, TELEPHONE, GAS, CABLE TV, SEWER AND WATER) IN THIS SUBDIVISION.

BY: _____ 9-8-05
TOWN OF MARANA — DATE

APPROVALS

TOWN OF MARANA APPROVALS:

BY: _____ P.E. 8-31-05
TOWN ENGINEER / SUBDIVISION ENGINEER — DATE

BY: _____ 9-8-05
for MARANA PLANNING DIRECTOR — DATE

I, Jocelyn Bronson, CLERK OF THE TOWN OF MARANA, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA ON THE 6th DAY OF Sept., 2005

BY: _____ 9-8-05
TOWN CLERK — DATE

PIMA COUNTY APPROVALS:

BY: _____ 26 AUG 05
PIMA COUNTY DEPT. OF WASTEWATER MANAGEMENT — DATE

LEGEND

- FOUND POINT AS NOTED
- FOUND #4 REBAR LS 13187
- MONUMENT TO BE SET BY AN ARIZONA RLS
- (M) BEARING/DISTANCE MEASURED
- (C) BEARING/DISTANCE CALCULATED
- MARANA TOWN LIMITS
- SHEET MATCHLINE
- CENTERLINE
- SECTION LINE
- EASEMENT LINE
- BLOCK BOUNDARY
- SETBACK LINE
- RIGHT-OF-WAY LINE
- EROSION HAZARD BUILDING SETBACK LINE
- 100-YR FLOODPLAIN LIMITS
- ZONING BOUNDARY

RECORDING DATA

STATE OF ARIZONA } S.S.
COUNTY OF PIMA

FEE: $ 44.00

No 20051790014

THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF CPE CONSULTANTS, L.L.C. AN ARIZONA LIMITED LIABILITY COMPANY

ON THIS 14th DAY OF September 2005.

AT 10:09 A.M. IN BOOK 60 OF MAPS AND PLATS AT PAGE 22 THEREOF.

F. ANN RODRIGUEZ, PIMA COUNTY RECORDER

BY Yvette M Cardozal
DEPUTY

Maps not picked up in 45 days will be recycled yes 9-14-2005

CERTIFICATION OF SURVEY

I HEREBY CERTIFY THAT THE BOUNDARY SURVEY SHOWN ON THIS PLAT WAS PERFORMED UNDER MY DIRECTION AND THAT ALL EXISTING AND/OR PROPOSED SURVEY MONUMENTS AND MARKERS SHOWN ARE CORRECTLY DESCRIBED.

J. LEONARD FONTES JR. — RLS 22759

CERTIFICATION OF ENGINEERING

I HEREBY CERTIFY THAT THE 100 YEAR FLOOD PRONE LIMITS AND EROSION HAZARD SETBACKS SHOWN ON THIS PLAT WERE REVIEWED AND SHOWN UNDER MY SUPERVISION.

STEVEN S. TIPTON — PE 37888

RELATED CASE # PCZ-03142

DEDICATION

WE, THE UNDERSIGNED INDIVIDUALS OR ENTITIES, HEREBY WARRANT THAT WE ARE PRESENTLY EACH THE TITLEHOLDERS TO PORTIONS OF THE PROPERTY AS REFERENCED BY THIS PLAT AND THE ONLY PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND SHOWN ON THIS PLAT AND EACH OF THE TITLEHOLDERS CONSENT TO THE SUBDIVISION OF THEIR SAID LAND IN THE MANNER SHOWN HEREON.

WE HEREBY DEDICATE TO THE PUBLIC ALL RIGHTS-OF-WAY SHOWN HEREON, INCLUDING ALL INGRESS/EGRESS EASEMENTS. UTILITY EASEMENTS AS SHOWN HEREON ARE DEDICATED TO THE TOWN OF MARANA, PIMA COUNTY AND ALL UTILITY COMPANIES FOR THE PURPOSES OF ACCESS, INSTALLATION AND MAINTENANCE OF UNDERGROUND UTILITIES AND PUBLIC SEWERS. EXCLUSIVE EASEMENTS FOR TOWN USES AS SHOWN HEREON ARE HEREBY DEDICATED TO THE TOWN OF MARANA.

WE, THE UNDERSIGNED INDIVIDUALS OR ENTITIES THAT ARE PRESENTLY EACH THE TITLEHOLDERS TO PORTIONS OF THE PROPERTY WITH WHICH THIS PLAT AND THIS DEDICATION ARE CONCERNED AND OUR SUCCESSOR(S) AND ASSIGNS IN TITLE TO PORTIONS OF SAID PROPERTY DO AGREE THAT DURING THE TIME THAT EACH OF US REMAINS A TITLEHOLDER TO A PORTION OF SAID PROPERTY AND FOR THAT PERIOD OF TIME ONLY THAT PARTICULAR TITLEHOLDER SHALL SAVE THE TOWN OF MARANA, ITS SUCCESSORS AND ASSIGNS, THEIR EMPLOYEES, OFFICERS AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF SAID LANDS NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE, FLOOD, OR RAINFALL. IT IS FURTHER UNDERSTOOD AND AGREED THAT NATURAL DRAINAGE SHALL NOT BE ALTERED, DISTURBED OR OBSTRUCTED WITHOUT APPROVAL OF THE MARANA TOWN COUNCIL. IT IS FULLY UNDERSTOOD AND AGREED THAT IMMEDIATELY UPON ANY OF THE PARTIES HERETO TRANSFERRING ITS TITLE TO A THIRD PARTY, THE TRANFERRING PARTY SHALL NO LONGER BE SUBJECT TO THE TERMS OF THIS PARAGRAPH AND SHALL BE FULLY RELEASED FROM ANY OBLIGATION WHATSOEVER UNDER SAID TERMS.

MESSINGER /LEWIN FAMILY, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY:

BY _____ MANAGER DATE: 8/23/05

STATE OF ILLINOIS } S.S.
COOK COUNTY

ON THIS 23rd DAY OF AUGUST 2005, BEFORE ME THE UNDERSIGNED, PERSONALLY APPEARED IS ACKNOWLEDGED TO BE THE OFFICER BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

11/19/2008 — MY COMMISSION EXPIRES

"OFFICIAL SEAL" FOTINI S. GIAKOUMIS NOTARY PUBLIC STATE OF ILLINOIS My Commission Expires 11/19/2008

NOTARY PUBLIC

RICHARD R. GENTRY,SR. AND GENEVA R. GENTRY, AS TRUSTEE: OF THE RICHARD R. GENTRY,SR. AND GENEVA R. GENTRY TRUST U/A DTD 8/22/00:

BY _____ DATE: 8-22-2005

STATE OF ARIZONA } S.S.
PIMA COUNTY

ON THIS 22ND DAY OF August 2005, BEFORE ME THE UNDERSIGNED, PERSONALLY APPEARED IS ACKNOWLEDGED TO BE THE OFFICER BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES

OFFICIAL SEAL Notary Public - State of Arizona Pima County My Comm. Expires Jan. 31, 2009

NOTARY PUBLIC

CORTARO ROAD/20 ACRES 7226, A PARTNERSHIP:

BY _____ DATE: 8/19/05

STATE OF ARIZONA } S.S.
PIMA COUNTY

ON THIS 19th DAY OF August 2005, BEFORE ME THE UNDERSIGNED, PERSONALLY APPEARED IS ACKNOWLEDGED TO BE THE OFFICER BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

5-10-2008 — MY COMMISSION EXPIRES

NOTARY PUBLIC

Official Seal Notary Public State of Arizona County of Pima CHRISTINA BARNES My Commission Expires May 10, 2008

FINAL BLOCK PLAT WILLOW RIDGE — BLOCKS A THRU F — A PORTION OF SECTION 25, T12S, R12E, G&SRM, THE TOWN OF MARANA, PIMA COUNTY, ARIZONA	DATE: AUGUST 2005
	CPE JOB NO. 150
	SCALE: AS NOTED
PRV-04124F	SHEET 1 OF 4

BOOK 60 PAGE 22-1

BOOK 60 PAGE 22

MATCHLINE SEE SHEET 3

45.0' OF PUBLIC ROW TO BE DEDICATED TO TOWN OF MARANA BY THIS PLAT

BLOCK B
184,856.92 SF
GROSS AREA 4.24 AC
AREA DEDICATED TO ROW 0.64 AC
NET AREA 3.60 AC
UNSUBDIVIDED NC ZONING
30' PUBLIC WATER EASEMENT BY THIS PLAT
S00°30'10"E 439.76'

N89°40'15"E 420.36'
S89°40'15"W 384.08'
N89°40'15"E 420.36'

ZONING BOUNDARY

SHEETFLOOD AREA WITHIN BLOCKS 'A' AND 'B'
PROPERTY BOUNDARY D<1 FOOT
(PER APPROVED DRAINAGE REPORT)

CORTARO FARMS ROAD

S89°40'15"W 1553.07'

30' EXIST ROW (BK 2 PG 123 RM)

45.0' OF PUBLIC ROW TO BE DEDICATED TO TOWN OF MARANA BY THIS PLAT

30' EXIST ROW (BK 2 PG 123 RM)

N89°40'15"E 2636.81'

1574.62'

35' EXIST SEWER EASEMENT DKT 7925, PG 1014

618.13'

WEST QUARTER CORNER SECTION 25
FND 2" BCSM, 0.5' BELOW SURFACE

BLOCK A
2,626,761.36 SF
GROSS AREA 60.30 AC
AREA DEDICATED TO ROW 2.69 AC
NET AREA 57.61 AC
UNSUBDIVIDED
R6 ZONING

S89°39'51"W 1217.88'

SEE DETAIL "A"

EXIST. 30' INGRESS, EGRESS EASEMENT BOOK 27 PG. 26 M&P

EXIST. WELL SITE

EXIST. WATER EASEMENT DKT 1063, PG 1918

FD. #4 REBAR LS 27739

FD. #4 REBAR LS 27739 (BENT)

FD. #4 REBAR LS 4785 (ACCEPTED)

N 57°44'44" W 553.55'(M) 553.00'(R)

50.00' DRAINAGEWAY BK 27, PG 26 M&P

N42°33'01"W 330.00'

N 39°17'35" W 138.59'

N 39°19'18" W 77.46'

TOWN OF MARANA, TOWN LIMITS

FND #4 REBAR LS 27739 (ACCEPTED)

FND #4 REBAR LS 27739 (ACCEPTED)

FND #4 REBAR LS 27739 (ACCEPTED)

N16°26'57"W 449.48'

261.03'

N 39°44'40" W 318.68'

DRAINAGEWAY BOOK 27 PG. 26 M&P

EXIST. 30' INGRESS, EGRESS EASEMENT BOOK 27 PG. 26 M&P DKT 1236, PG 433

DRAINAGEWAY

N 40°50'10" W 1153.00' (R) 1152.71' (M)

TOWN OF MARANA, TOWN LIMITS
25' RIGHT OF EASEMENT BOOK 107, PG 151

PIMA FARMS ROAD
R/W PER DKT 7244, PG 824
R/W PER DKT 6916, PG 761

45.00'
30.00'

LOT 97
LOT 96
LOT 98
LOT 95
LOT 99
LOT 94
LOT 92
LOT 100
LOT 93
LOT 63
LOT 64
LOT 62
LOT 61
LOT 43
LOT 44
LOT 42
LOT 60
LOT 30
LOT 29
LOT 41
LOT 45
LOT 10

CALLE APPALOOSA

SUBDIVIDED
SH ZONING

CALLE PAINT

CALLE MAVERICK

CALLE CAYEUSE

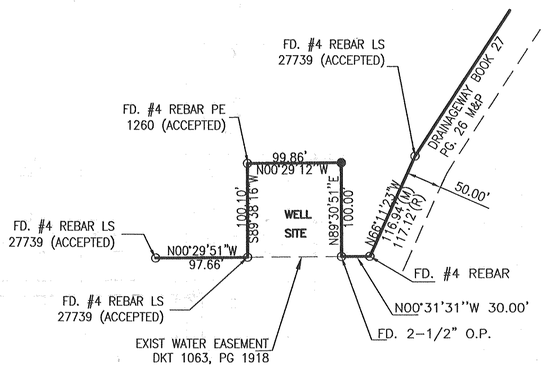
OSHRIN PARK
LOTS 1–30
BK 25, PG 67 M&P

OSHRIN PARK
LOTS 31–113 BK
27, PG 26 M&P

N

100 0 100 200 300

Scale 1" = 100'



DETAIL "A"

NTS

REGISTERED LAND SURVEYOR CERTIFICATE NO. 22759 J. LEONARD FONTES JR. Date Signed 8-8-05

Professional Engineer CERTIFICATE NO. 37888 STEVEN SCOTT TIPTON Date Signed 8-8-05 ARIZONA U.S.A.

CPE CONSULTANTS
CPE Consultants, LLC
1555 EAST BROADWAY
TUCSON, ARIZONA 85719
520.545.7001

FINAL BLOCK PLAT
WILLOW RIDGE
BLOCKS A THRU F

A PORTION OF SECTION 25, T12S, R12E, G&SRM, THE TOWN OF MARANA, PIMA COUNTY, ARIZONA

PRV-04124F

DATE	AUGUST 2005
CPE JOB NO.	150
SCALE:	1"=100'
SHEET	2
OF	4

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E. 1/4 CORNER SECTION 25
FD #4 REBAR

SE CORNER SECTION 25
FD BCSM

FD BCSM

100 0 100 200 300
Scale 1" = 100'

UNSUBDIVIDED SR ZONING

TOWN OF MARANA, TOWN LIMITS

FD A.C.R.
LS 7599 (ACCEPTED)

S 00°34'50" E 1286.13'
1241.13'(C) 1241.02'(M)

S 00°30'09" E 1316.35'

1322.29'

1323.91'
S 89°27'32" W
600.06'

1/16 COR
(CALCULATED)

30' (2/123 RM)
N89°40'15"E
75.11'

FD. #4 REBAR
LS 13187 (ACCEPTED)

20' EXISTING UTILITY/ ACCESS
EASEMENT DKT 4465, PG 546

45.0' ROW (DKT 7684 PG 1044)

30' ROW (2/123 RM)

BLOCK E
821,718.99 SF
GROSS AREA 18.86 AC
NET AREA 18.86 AC

UNSUBDIVIDED R16 ZONING

ZONING BOUNDARY

661.55'

UNSUBDIVIDED
R-144 ZONING

15.00' DKT 7761 PG 950

661.15'(M)

N89°40'15"E 661.27' (C)
N89°40'49"E 661.22' (M)

EXIST ROW

EXIST ROW
10' UTILITY EASEMENT
DKT. 4424 PG. 918

20' PRIVATE ACCESS EASEMENT TO BLOCK F
DEDICATED BY THIS PLAT

FD. A.C.R.
LS 1052 (ACCEPTED)

FD #4 REBAR
LS 14975 (ACCEPTED)

1324.07'

N00°29'11"W 583.72'

N 00°38'21" W 658.35' (C) 658.47' (M)

318.80'

251.10'

FD #4 REBAR
PCDOT

S89°30'49"W
147.94'

UNSUBDIVIDED R16
ZONING

BLOCK F
87,142.15 SF
2.00 AC

58.82'

10' UTILITY EASEMENT
DKT 4424 PAGE 918

S89°40'15"W 318.00'

S00°29'11"E
82.88'

BLOCK C
214,184.39 SF
GROSS AREA 4.92 AC
AREA DEDICATED
TO ROW 1.11 AC
NET AREA 3.81 AC

S89°30'49"W
207.20'
170.06'

235.05' N00°29'11"W

20.00'

N89°30'49"E
37.23'

BLOCK D
550,235.29 SF
GROSS AREA 12.63 AC
AREA DEDICATED TO ROW 0.88 AC
NET AREA 11.75 AC

UNSUBDIVIDED R16 ZONING

S 89°35'22" W

662.52'

TUCSON COMMUNITY CHURCH, INC.
PARCEL NO. 221-16-025C

45.00'

30.00'

S 89°27'32" W

CORTARO FARMS ROAD

PIMA FARMS ROAD

661.14'(M) 45.00'

N89°40'15"E
BASIS OF BEARING

581.15'

N89°40'15"E

UNSUBDIVIDED NC ZONING

45.0' PUBLIC ROW TO BE
DEDICATED TO TOWN OF
MARANA BY THIS PLAT

FD #4 REBAR
ATTACHED TAG LS 13187

57.50' PUBLIC ROW TO BE
DEDICATED TO TOWN OF MARANA
BY THIS PLAT

ZONING BOUNDARY

11.06'

C2

N05°25'04"E 174.53'

N00°30'10"W 292.53'

368.87'

S00°30'10"E 439.76'

S00°30'10"E 364.59'

70.89'

N00°30'10"W 740.74'

N 00°30'10"W 919.13'

848.24'

S00°30'10"E 848.31'

39.50'

LS 1052 (ACCEPTED)
FD. A.C.R.

39.50' ROW TO BE DEDICATED
TO TOWN OF MARANA BY SEPARATE INSTRUMENT
DKT 2618 PG 281

SANDY DESERT TRAIL

S 00°30'34" E 1256.36'(M)

S00°30'33"E 1229.86'

FUTURE CMID
REPLACEMENT WELL

LS 4785 (ACCEPTED)
FD. #4 REBAR

TOWN OF MARANA, TOWN LIMITS

SOUTH QUARTER CORNER SECTION 25
FND MAG NAIL

63.00'

R/W PER DKT 7244, PG 824
R/W PER DKT 6916, PG 761

C1

BLOCK B

BLOCK A

22.50'

SEE SHEET 2

22.50' PUBLIC ROW
TO BE DEDICATED TO TOWN OF MARANA
BY THIS PLAT

30' PUBLIC WATER ESMT
BY THIS PLAT

62.0' SANDY DESERT DRIVE
PUBLIC RIGHT-OF-WAY TO BE
DEDICATED TO TOWN OF MARANA
BY THIS PLAT

22.5' SANDY DESERT DRIVE
PUBLIC RIGHT-OF-WAY TO BE
DEDICATED TO TOWN OF MARANA
BY THIS PLAT

FD #4 REBAR

25' RIGHT OF ESMT
BK 107 PG 151

PCHD
REFERENCE

N89°40'15"E

CTR 1/4
COR SEC 25

S00°30'10"E

S89°40'15"W 2639.30'

N89°40'15"E 2639.30'

PCHD
REFERENCE

PCHD
REFERENCE

ROW CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	34.24'	40.00'	49°02'57"	18.25'
C2	44.68'	40.00'	64°00'17"	25.00'

REGISTERED LAND SURVEYOR
CERTIFICATE
22759
J. LEONARD
FONTES JR.
ARIZONA U.S.A.

Registered Professional Engineer (Civil)
CERTIFICATE NO.
37888
STEVEN SCOTT
TIPTON
Date signed 8-8-05
ARIZONA U.S.A.

CPE
CONSULTANTS

CPE Consultants, LLC
1555 EAST BROADWAY
TUCSON, ARIZONA 85719
520.545.7001

FINAL BLOCK PLAT
WILLOW RIDGE
BLOCKS A THRU F

A PORTION OF SECTION 25, T12S, R12E, G&SRM,
THE TOWN OF MARANA,
PIMA COUNTY, ARIZONA

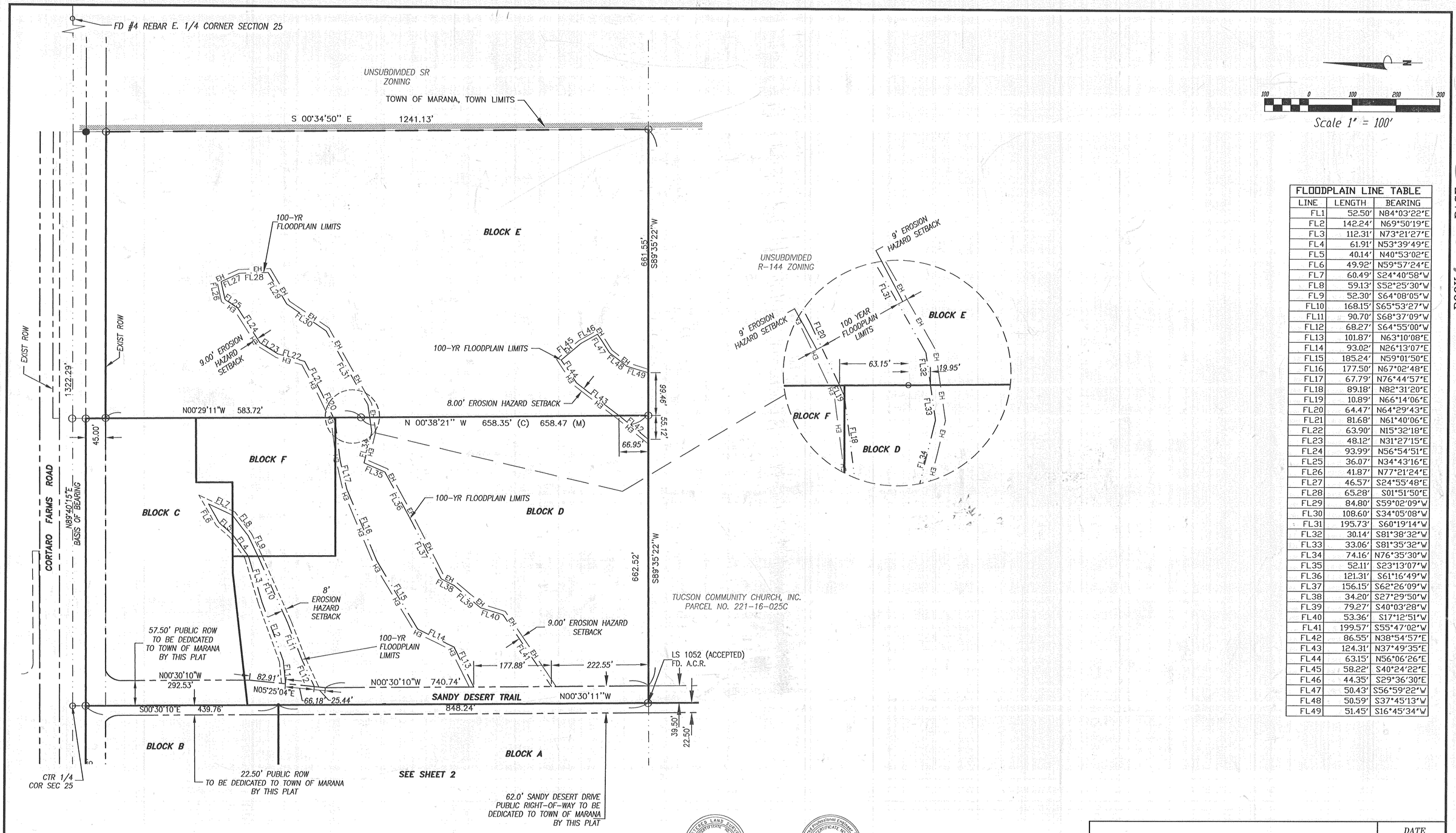
PRV-04124F

DATE	AUGUST 2005
CPE JOB NO.	150
SCALE:	1" =100'
SHEET	3
OF	4

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P:\Jobs\150 Willow Ridge Block Plat\cad\FINAL BLOCK PLAT\BPL-3.dwg, 8/8/2005 1:44:31 PM, TBF



FLOODPLAIN LINE TABLE		
LINE	LENGTH	BEARING
FL1	52.50'	N84°03'22"E
FL2	142.24'	N69°50'19"E
FL3	112.31'	N73°21'27"E
FL4	61.91'	N53°39'49"E
FL5	40.14'	N40°53'02"E
FL6	49.92'	N59°57'24"E
FL7	60.49'	S24°40'58"W
FL8	59.13'	S52°25'30"W
FL9	52.30'	S64°08'05"W
FL10	168.15'	S65°53'27"W
FL11	90.70'	S68°37'09"W
FL12	68.27'	S64°55'00"W
FL13	101.87'	N63°10'08"E
FL14	93.02'	N26°13'07"E
FL15	185.24'	N59°01'50"E
FL16	177.50'	N67°02'48"E
FL17	67.79'	N76°44'57"E
FL18	89.18'	N82°31'20"E
FL19	10.89'	N66°14'06"E
FL20	64.47'	N64°29'43"E
FL21	81.68'	N61°40'06"E
FL22	63.90'	N15°32'18"E
FL23	48.12'	N31°27'15"E
FL24	93.99'	N56°54'51"E
FL25	36.07'	N34°43'16"E
FL26	41.87'	N77°21'24"E
FL27	46.57'	S24°55'48"E
FL28	65.28'	S01°51'50"E
FL29	84.80'	S59°02'09"W
FL30	108.60'	S34°05'08"W
FL31	195.73'	S60°19'14"W
FL32	30.14'	S81°38'32"W
FL33	33.06'	S81°35'32"W
FL34	74.16'	N76°35'30"W
FL35	52.11'	S23°13'07"W
FL36	121.31'	S61°16'49"W
FL37	156.15'	S62°26'09"W
FL38	34.20'	S27°29'50"W
FL39	79.27'	S40°03'28"W
FL40	53.36'	S17°12'51"W
FL41	199.57'	S55°47'02"W
FL42	86.55'	N38°54'57"E
FL43	124.31'	N37°49'35"E
FL44	63.15'	N56°06'26"E
FL45	58.22'	S40°24'22"E
FL46	44.35'	S29°36'30"E
FL47	50.43'	S56°59'22"W
FL48	50.59'	S37°45'13"W
FL49	51.45'	S16°45'34"W

REGISTERED LAND SURVEYOR CERTIFICATE NO. 22759 J. LEONARD FONTES

Registered Professional Engineer CERTIFICATE NO. 37888 STEVEN SCOTT TIPTON Date signed 9-15-05 ARIZONA U.S.A.

CPE CONSULTANTS
CPE Consultants, LLC
1555 EAST BROADWAY
TUCSON, ARIZONA 85719
520.545.7001

FINAL BLOCK PLAT
WILLOW RIDGE
BLOCKS A THRU F

A PORTION OF SECTION 25, T12S, R12E, G&SRM,
THE TOWN OF MARANA,
PIMA COUNTY, ARIZONA

PRV-04124F

DATE: AUGUST 2005
CPE JOB NO. 150
SCALE: 1" =100'
SHEET 4 OF 4

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P:\Jobs\150 Willow Ridge Block Plat\cad\FINAL BLOCK PLAT\BPL-4.dwg, 8/8/2005 1:43:42 PM, TBF

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: TFM
DEPUTY RECORDER
8047 PE2

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

DOCKET: 12292
PAGE: 6656
NO. OF PAGES: 8
SEQUENCE: 20040841064
04/30/2004
ORDIN 16:45

MAIL

AMOUNT PAID $ 9.50

MARANA ORDINANCE NO. 2004.07

RELATING TO DEVELOPMENT; REZONING THE 104.6-ACRE WILLOW RIDGE PROPERTY ALONG THE SOUTH SIDE OF CORTARO FARMS ROAD EAST OF HARTMAN LANE AND WEST OF STAR GRASS DRIVE TO R-6 (60.8 ACRES), R-16 (34.1 ACRES) AND NC (9.7 ACRES).

WHEREAS, Ron Asta represents the property owners of approximately 104.6 acres of land located within Section 25, Township 12 South, Range 12 East, as described and depicted on Exhibit "A", attached hereto and incorporated herein by this reference; and

WHEREAS, the Marana Planning Commission held public hearings March 31, 2004, and at said meeting voted to recommend that the Town Council approve said rezone, adopting the recommended staff 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 April 20, 2004 and has determined that the rezoning is in conformity with the General Plan and should be approved, subject to conditions.

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

Section 1. The zoning of approximately 104.6 acres located within Section 25, Township 12 South, Range 12 East, on the south side of Cortaro Farms Road, east of Hartman Lane and west of Star Grass (the "Rezoning Area"), is hereby changed from Zones "R-144" (Single Family Residential, 144,000 sq. ft. minimum lot size) and "R-36" (Single Family Residential, 36,000 minimum lot size) to 9.7 acres of "NC" (Neighborhood Commercial), 60.8 acres of "R-6 (Single Family Residential 6,000 sq. ft. minimum lot size) and 34.1 acres of "R-16 (Single Family Residential 16,000 sq. ft. minimum lot size).

Section 2. The purpose of this rezoning is to allow the use of the Rezoning Area for single family detached homes and Neighborhood Commercial, 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 provisions of the Town's codes, ordinances and policies of the General Plan as current at the time of any subsequent development, including, but not limited to, requirements for public improvements.

2. Subject to Article 5 of the Willow Ridge Development Agreement, this rezoning is valid for five years from the date of Town Council approval; if the developer fails to have a final subdivision plat recorded prior to the five years the Town may initiate the necessary action to revert the property to the original zoning, upon action by the Town Council.
3. The ultimate development proposed by this rezoning shall be consistent with the adopted Willow Ridge Development Agreement.
4. The applicant shall provide a direct connection from the south extension of Camino de Oeste to Pima Farms Road, including the dedication of right-of-way at no cost to the Town substantially consistent with the Tentative Development Plan. This will provide access to a signalized intersection for the surrounding residents, at the extension of Camino de Oeste and Cortaro Farms Road.
5. The property owner shall not cause any lot split of any kind without the written consent of the Town of Marana.
6. No two-story construction shall be provided within three hundred (300) feet of Cortaro Farms Road on the north and along the westerly property line, as delineated in the site analysis and tentative development plan.
7. Building heights shall be restricted to 24' within the NC zone.
8. The proposed auto service station in NC zone shall require a conditional use permit.
9. The NC zoned property shall not be allowed to be developed at the R-6 standards.
10. Lots in the R-16 zone shall be limited to a maximum grading disturbance of ten thousand (10,000) square feet, as identified in the site analysis and tentative development plan. During the platting process the necessary covenant shall be established to protect the natural open space, outside of the ten thousand square feet of grading area.
11. Custom lots that develop on 15% or greater slopes shall comply with Marana's HDZ ordinance per Title 19 of the Marana Land Development Code.
12. The proposed grading limits of the custom lot area shall be clustered into the best, buildable site areas that preserve as much connective high resource value habitat as possible. Individual Native Plant Permits shall be required for the R-16 zoned lots, to protect and preserve the high resource vegetation.
13. All slope and drainage treatments shall be aesthetically designed and engineered (where necessary) to "naturalize" the built environment. The developer and custom lot owner shall mitigate drainage improvements and slopes with vegetation, natural rock, riprap, textures, and colors characteristic of the natural, onsite desert environment to minimize the negative interface between the built environment and the natural environment.
14. The west fifty foot (50') buffer along Oshrin Park shall be designed with a minimum fourteen foot (14') pathway, for vehicle and pedestrian users, and an equestrian path along the west side of the Cortaro-Marana Irrigation District (CMID) irrigation easement. In addition the area east of the CMID channel shall be revegetated with desert plants and cacti that are transplanted from the site.

20220211
3556

15. The required vegetation inventory shall specifically locate high-density saguaro, ironwood and palo verde communities and specimen multi-armed saguaro's and ironwood and palo verde trees that are over fifteen feet in height.

16. The layout adjustments shall be driven by preservation of mature multi-armed saguaros with a minimum thirty foot (30') circumference of preserved under-story vegetation.

17. All of the saguaro spears of 14' and less shall be preserved in place or transplanted onsite or into Marana's existing parks, community centers, or natural preserve areas.

18. A minimum of seventy-five percent (75%) of the 20'-30' ironwood trees shall be preserved in place or transplanted onsite or into Marana's existing parks, community centers, or natural preserve areas.

19. At the time that the local roads are staked the applicant shall retain a biologist to be onsite to protect valuable habitat and specimen trees where possible and determine the primary do not disturb areas based on vegetation coverage and habitat.

20. No approval, permit or authorization of the Town of Marana authorizes the applicant and/or the landowner to violate any applicable federal or state laws or regulations, or relieves the applicant and/or the landowner from responsibility to ensure compliance with all applicable federal and state laws and regulations, including the Endangered Species Act and the Clean Water Act. You are advised to retain appropriate expert and/or consult with the appropriate federal and state agencies to determine any action necessary to assure compliance with applicable laws and regulations.

21. The applicant shall dedicate, or cause to have dedicated, at no cost to the Town, the additional right-of-way along Cortaro Farms Road to provide the south 75-foot half right-of-way of the ultimate 150-foot Cortaro Farms Road right-of-way. .

22. A water service agreement and a master water plan shall be submittede applicant, and accepted by the Utilities Director prior to the approval of the first plat, by the Town Council.

23. The applicant shall work with CMID to maintain the necessary irrigation system and well sites to perpetuate the ability for CMID to have their users irrigate as necessary.

24. The applicant shall develop a reclaimed water irrigation system, dedicated to the Town, to distribute irrigation water to all properties and recreation areas within this development.

25. A sewer service agreement and master sewer plan shall be submitted, by the Developer, and accepted by Pima County Wastewater Management and the Town Engineer prior to the approval of the first plat by the Town Council.

26. Conservation easements for each lot and along open space corridors shall be recorded by final plat.

27. A Class III archeological survey for all onsite un-surveyed areas and any further recommended archeological testing and mitigation shall be required prior to the issuance of grading permits.

28. The applicant shall include detailed residential and commercial design guidelines with the first preliminary plat or development plan submittal.

29. Where applicable, in the R-6 zoned area a wrought iron view fence shall be constructed on top of the drainage stem wall for a combined maximum height not to exceed 6', in the open space

corridor. In the R-16 zone to encourage wildlife migration the additional view fencing on top of the drainage stem wall will not be allowed.

30. The applicant shall not receive a Certificate of Occupancy from the Town of Marana until the improvements to Cortaro Farms Road are in place.

31. The applicant shall modify the street sections to provide sidewalks on both sides of the local streets in the R-6 residential area. Sidewalks on one side of the street may be acceptable for the lower density (R-16) residential area, subject to review and approval of the Town.

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. 2004.07.

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.

Section 5. The Mayor is authorized to execute this Ordinance upon receipt by the Town of a fully executed Willow Ridge Development Agreement in substantially the form approved by the Council on April 20, 2004.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 20th day of April, 2004.

Mayor BOBBY SUTTON, JR.

Dated: 04/26/04

ATTEST:

Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:

Frank Cassidy, Town Attorney

TOWN OF MARANA CORPORATE SEAL ARIZ. 1977

20060950 12/22/2006

EXHIBIT A

PRELIMINARY
LEGAL DESCRIPTION
WILLOW RIDGE REZONING
ASSESSORS TAX PARCELS:
221-15-023A, 221-15-023B, 221-16-026B, & 221-16-026C

THREE PARCELS OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 12 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

R-6 PARCEL

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 25, SAID POINT ALSO BEING ON THE CENTERLINE OF RIGHT-OF-WAY OF CORTARO FARMS ROADWAY AS RECORDED IN BOOK 2 OF ROAD MAPS AT PAGE 123, RECORDS OF PIMA COUNTY, ARIZONA;

THENCE CONTINUING ALONG SAID CENTERLINE N 89°40'19" E, A DISTANCE OF 677.09 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING N 89°40'19" E, ALONG SAID CENTERLINE, A DISTANCE OF 1473.83 FEET;

THENCE DEPARTING SAID CENTERLINE, S 00°14'26" W, A DISTANCE OF 446.74 FEET;

THENCE N 89°40'41" E, A DISTANCE OF 495.08 FEET;

THENCE S 00°27'28" E, A DISTANCE OF 871.10 FEET;

THENCE S 00°32'28" E, A DISTANCE OF 1256.41 FEET;

THENCE N 40°50'17" W, A DISTANCE OF 1153.00 FEET;

THENCE N 57°40'37" W, A DISTANCE OF 553.00 FEET;

THENCE N 66°04'39" W, A DISTANCE OF 117.12 FEET;

THENCE N 00°37'38" E, A DISTANCE OF 30.33 FEET;

THENCE N 89°38'57" E, A DISTANCE OF 99.40 FEET;

THENCE N 00°39'32" W, A DISTANCE OF 99.88 FEET;

THENCE S 89°32'06" W, A DISTANCE OF 99.51 FEET;

20222190009

THENCE N 00°41'42" W, A DISTANCE OF 98.00 FEET;

THENCE N 42°33'37" W, A DISTANCE OF 330.00 FEET;

THENCE N 39°13'52" W, A DISTANCE OF 216.34 FEET;

THENCE N 16°29'05" W, A DISTANCE OF 449.58 FEET;

THENCE N 38°43'35" W, A DISTANCE OF 260.59 FEET;

THENCE N 00°19'54" W, A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING.

EXCEPT ANY PORTION LYING WITHIN SAID CORTARO ROAD RIGHT-OF-WAY AS IT CURRENTLY EXISTS.

SAID PARCEL CONTAINING 60.8 ACRES, MORE OR LESS.

NC PARCEL

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 25, SAID POINT ALSO BEING ON THE CENTERLINE OF RIGHT-OF-WAY OF CORTARO FARMS ROADWAY AS RECORDED IN BOOK 2 OF ROAD MAPS AT PAGE 123, RECORDS OF PIMA COUNTY, ARIZONA;

THENCE CONTINUING ALONG SAID CENTERLINE N 89°40'19" E, A DISTANCE OF 2150.92 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID CENTERLINE, S 00°14'26" W, A DISTANCE OF 446.74 FEET;

THENCE N 89°40'41" E, A DISTANCE OF 495.08 FEET;

THENCE N 72°59'39" E, A DISTANCE OF 453.88 FEET;

THENCE N 00°39'06" E, A DISTANCE OF 60.00 FEET;

THENCE S 89°45'35" E, A DISTANCE OF 180.10 FEET;

THENCE N 00°18'17" E, A DISTANCE OF 258.35 FEET TO A POINT ON THE CENTERLINE OF SAID CORTARO ROAD RIGHT-OF-WAY;

THENCE CONTINUE ALONG SAID CENTERLINE S 89°40'11" W, A DISTANCE OF 622.44 FEET;

THENCE CONTINUE ALONG SAID CENTERLINE S 89°40'19" W, A DISTANCE OF 493.75 FEET TO THE POINT OF BEGINNING.

1 2022 0900

EXCEPT ANY PORTION LYING WITHIN SAID CORTARO ROAD RIGHT-OF-WAY AS IT CURRENTLY EXISTS.

SAID PARCEL CONTAINING 9.7 ACRES, MORE OR LESS.

R-16 PARCEL

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 25, SAID POINT ALSO BEING ON THE CENTERLINE OF RIGHT-OF-WAY OF CORTARO FARMS ROADWAY AS RECORDED IN BOOK 2 OF ROAD MAPS AT PAGE 123, RECORDS OF PIMA COUNTY, ARIZONA;

THENCE CONTINUING ALONG SAID CENTERLINE N 89°40'19" E, A DISTANCE OF 2644.67 FEET TO THE POINT OF BEGINNING;

THENCE N 89°40'11E" ALONG SAID CENTERLINE, A DISTANCE OF 622.44 FEET;

THENCE DEPARTING SAID CENTERLINE, S 00°18'17" W, A DISTANCE OF 74.94 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S 00°18'17" W, A DISTANCE OF 183.41 FEET;

THENCE N 89°45' 35" W, A DISTANCE OF 180.10 FEET;

THENCE S 00°39'06" W, A DISTANCE OF 60.00 FEET;

THENCE S 72°59'39" W, A DISTANCE OF 453.88 FEET;

THENCE S 00°27'28" E, A DISTANCE OF 871.10 FEET;

THENCE N 89°33'46" E, A DISTANCE OF 1323.73 FEET;

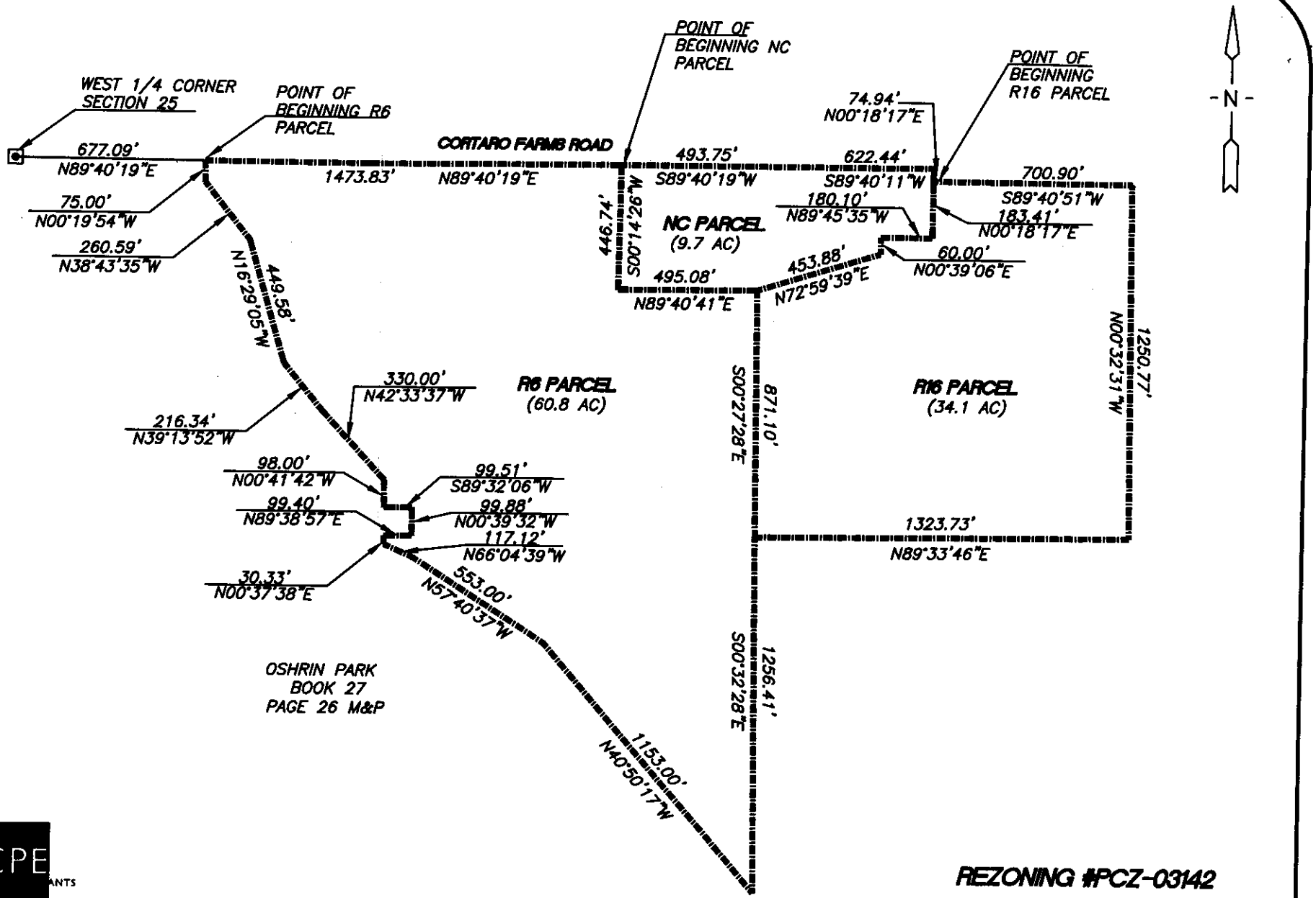
THENCE N 00°32'31", A DISTANCE OF 1250.77 FEET;

THENCE S 89°40'51" W, A DISTANCE OF 700.90 FEET TO THE POINT OF BEGINNING.

EXCEPT ANY PORTION LYING WITHIN SAID CORTARO ROAD RIGHT-OF-WAY AS IT CURRENTLY EXISTS.

SAID PARCEL CONTAINING 34.1 ACRES, MORE OR LESS.

RECEIVED 12/20/2022



CPE ANTS
CPE Consultants, LLC
1555 EAST BROADWAY
TUCSON, ARIZONA 85719
520.545.7001

REZONING #PCZ-03142
PRELIMINARY LEGAL DESCRIPTION
DATE 4/13/04
JOB NO. 111.1

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: Cortaro Farms & Sandy Desert Rezoning	
Description of Project: minor (simplified) rezoning from R-16 to NC	Number of Lots: 1
Parcel No.(s): 221-18-4420	Gross Area (Acres): 3.8 ac
Project Address: 4957/4987 W. Cortaro Farms Road (SEC Cortaro Farms Road and Sandy Desert Trail)	
Ref. Project No.: PCZ0312-001 (Willow Ridge Rezone)	

CONTACT INFORMATION

Owner: John Thomason Price Revocable Trust	Contact Name: Richard Benner		
Address: 7540 N. La Cholla Blvd., Ste. A	City: Tucson	State: AZ	Zip: 85741
Email: richard.benner@hc21st.com	Phone No.:		
Applicant: Lazarus & Silvyn, P.C.	Contact Name: Keri Silvyn & Robin Large		
Address: 5983 E. Grant Rd., Ste. 290	City: Tucson	State: AZ	Zip: 85712
Email: RLarge@LSLawAZ.com	Phone No.: (520) 207-4464		
Consultant/Engineer: Grenier Engineering	Contact Name: Jason Morse		
Address: 6300 E. El Dorado Plaza, Ste. A120	City: Tucson	State: AZ	Zip: 85715
Email: JMorse@greniereng.com	Phone No.: (520) 326-7082		

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.)

Robin Large	Robin Large Digitally signed by Robin Large Date: 2022.10.27 09:14:04 -07'00'	10/27/2022
Applicant Name (PRINT)	Signature	Date

FOR OFFICIAL USE ONLY

Revision Date 03/29/2019

Project No._____ **Date Received**_____

Council-Regular Meeting **A2**

Meeting Date: 12/20/2022

To: Mayor and Council

From: Jane Fairall, Town Attorney

Date: December 20, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: PUBLIC HEARING: Resolution No. 2022-134: Relating to Development; adopting a minor amendment to the Marana 2040 General Plan to provide that proposed major amendments to the general plan shall be presented at a public hearing within twelve months of when the amendment is proposed (Jane Fairall)

Discussion:

A general plan is an official planning policy document that is designed to help guide community growth and development. Pursuant to Arizona Revised Statutes (A.R.S.) §9-461.05, the State of Arizona requires all municipalities to adopt a general plan and update it every ten years. The Town of Marana updated its General Plan in December 2019, which was ratified by the voters in the 2020 election.

A.R.S. § 9-461.06 and the General Plan define a major amendment as a substantial alteration of the Town's land use mixture or balance as established in the General Plan land use element. In accordance with state law in effect at the time of its adoption, the General Plan provides that the Town Council may only consider major amendments once a year at a single public hearing held for this purpose, and that requests for major amendments must be submitted within the same calendar year they will be heard. In the last legislative session, the State legislature adopted HB2482 (attached), signed by the governor on April 22, 2022, which amends A.R.S. § 9-461.06 to require that proposed major amendments be presented in a public hearing within twelve months of the proposal being made. The change is on page 3 of the attached PDF.

The proposed amendment, as set forth in the attached draft resolution, will amend the General Plan to conform to the new timeframe set forth in state law for hearing proposed major amendments to the General Plan.

Proper notice of this public hearing was published in the Daily Territorial.

Staff Recommendation:

Staff recommends approval of the minor amendment to the General Plan.

Suggested Motion:

I move to adopt Resolution No. 2022-134, adopting a minor amendment to the Marana 2040 General Plan to provide that proposed major amendments to the general plan shall be presented at a public hearing within twelve months of when the amendment is proposed.

Attachments

Resolution No. 2022-134

HB 2482

MARANA RESOLUTION NO. 2022-134

RELATING TO DEVELOPMENT; ADOPTING A MINOR AMENDMENT TO THE MARANA 2040 GENERAL PLAN TO PROVIDE THAT PROPOSED MAJOR AMENDMENTS TO THE GENERAL PLAN SHALL BE PRESENTED AT A PUBLIC HEARING WITHIN TWELVE MONTHS OF WHEN THE AMENDMENT IS PROPOSED

WHEREAS Town of Marana Resolution 2019-120 adopted the Marana 2040 General Plan and called for an August 4, 2020 primary election for voter ratification as required by A.R.S. § 9-461.06 paragraph M; and

WHEREAS the Marana 2040 General Plan was ratified by the voters on August 4, 2020; and

WHEREAS A.R.S. § 9-461.06 and the General Plan itself define a major amendment as a substantial alteration of the Town's land use mixture or balance as established in the General Plan land use element; and

WHEREAS in accordance with state law in effect at the time of its adoption, the General Plan provides that the Town Council may only consider major amendments once a year at a single public hearing held for this purpose, and that requests for major amendments must be submitted within the same calendar year they will be heard; and

WHEREAS the 55th Arizona Legislature adopted HB2482, signed by the governor on April 22, 2022, which amends A.R.S. § 9-461.06 to require that proposed major amendments be presented in a public hearing within twelve months of the proposal being made; and

WHEREAS the General Plan amendment adopted by this resolution does not meet the definition of a major amendment, and is therefore a minor amendment; and

WHEREAS the Town of Marana has provided the notice and held the public hearings required for the adoption of the General Plan amendment adopted by this resolution; and

WHEREAS the Mayor and Council of the Town of Marana find that this resolution is in the best interests of the Town of Marana and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana 2040 General Plan Chapter 1 (Introduction) is hereby amended as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

Major Amendments

The General Plan must identify changes or modifications that constitute major amendments to the Plan. Arizona law defines a major amendment as any change that would represent a "substantial alteration" in the land use mixture or balance established in the existing General Plan. The Town Council ~~may only~~ shall consider major amendments ~~once a year~~ at a ~~single~~ public hearing held for this purpose within 12 months of when the proposed amendment is made~~. Requests for major amendments must be submitted within the same calendar year they will be heard.~~ Prior to the Council hearing, the Planning Commission shall hold two or more public hearings on the proposed major amendment at different locations. At least two-thirds of the members of the Town Council must approve a General Plan major amendment. The Council may not enact a major amendment as an emergency measure. The Town of Marana identifies the following changes as major amendments, effecting a substantial alteration of the Town's land use mixture or balance:

1. A text change that is in conflict with, or significantly alters, the goals and policies of the Plan.

2. A change to the Future Land Use Map that constitutes a major amendment per Table 1-1.

SECTION 2. The Town Manager and staff are hereby directed and authorized to modify the General Plan documentation and undertake all other and further tasks required or beneficial to carry out the terms and objectives of this resolution.

SECTION 3. All resolutions, orders, or actions of the Town, or parts thereof that are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 20th day of December, 2022.

Mayor Ed Honea

ATTEST:

David L. Udall, Town Clerk

APPROVED AS TO FORM:

Jane Fairall, Town Attorney

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

CHAPTER 166

HOUSE BILL 2482

AN ACT

AMENDING SECTION 9-461.06, ARIZONA REVISED STATUTES; RELATING TO MUNICIPAL PLANNING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 9-461.06, Arizona Revised Statutes, is amended to read:

9-461.06. Adoption and amendment of general plan; expiration and readoption

A. In municipalities that have territory in a high noise or accident potential zone as defined in section 28-8461, the legislature finds that in general plans and amendments to general plans land use compatibility with the continued operation of a military airport or ancillary military facility as defined in section 28-8461 is a matter of statewide concern.

B. The general plan and any amendment to such plan shall be adopted or readopted in the manner provided in this article.

C. The governing body shall:

1. Adopt written procedures to provide effective, early and continuous public participation in the development and major amendment of general plans from all geographic, ethnic and economic areas of the municipality. 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.

(e) Consideration of public comments.

2. Consult with, advise and provide an opportunity for official comment by public officials and agencies, the county, school districts, associations of governments, public land management agencies, the military airport if the municipality has territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, other appropriate government jurisdictions, public utility companies, civic, educational, professional and other organizations, property owners and citizens generally to secure maximum coordination of plans and to indicate properly located sites for all public purposes on the general plan.

D. At least sixty days before the general plan or an element or major amendment of a general plan is noticed pursuant to subsection E of this section, the planning agency shall transmit the proposal to the planning commission, if any, and the governing body and shall submit a copy for review and further comment to:

1. The planning agency of the county in which the municipality is located.

2. Each county or municipality that is contiguous to the corporate limits of the municipality or its area of extraterritorial jurisdiction.

3. The regional planning agency within which the municipality is located.

4. The Arizona commerce authority or any other state agency that is subsequently designated as the general planning agency for this state.

5. The department of water resources for review and comment on the water resources element, if a water resources element is required.

6. If the general plan or an element or amendment of the general plan is applicable to territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, the military airport.

7. If the general plan or an element or major amendment of the general plan is applicable to property in the high noise or accident potential zone of a military airport or ancillary military facility as defined in section 28-8461, the attorney general. For the purposes of this paragraph, "major amendment" means a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element.

8. Any person or entity that requests in writing to receive a review copy of the proposal.

E. If the municipality has a planning commission, after considering any recommendations from the review required under subsection D of this section, the planning commission shall hold at least one public hearing before approving a general plan or any amendment to such plan. When the general plan or any major amendment is being adopted, planning commissions in municipalities ~~having~~ WITH populations ~~over~~ OF MORE THAN twenty-five thousand persons shall hold two or more public hearings at different locations within the municipality to promote citizen participation. Notice of the time and place of a hearing and availability of studies and summaries related to the hearing shall be given at least fifteen and not more than thirty calendar days before the hearing by:

1. Publication at least once in a newspaper of general circulation published or circulated in the municipality, or if there is none, the notice shall be posted in at least ten public places in the municipality.

2. Such other manner in addition to publication as the municipality may deem necessary or desirable.

F. Action by the planning commission on the general plan or any amendment to the plan shall be transmitted to the governing body of the municipality.

G. Before adopting the general plan, or any amendment to it, the governing body shall hold at least one public hearing. Notice of the time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the planning commission as specified in subsection E of this section.

H. The adoption or readoption of the general plan or any amendment to such plan shall be by resolution of the governing body of the municipality, after notice as provided for in subsection E of this section. The adoption or readoption of or a major amendment to the

general plan shall be approved by affirmative vote of at least two-thirds of the members of the governing body of the municipality. All major amendments to the general plan proposed for adoption by the governing body of a municipality shall be presented at a ~~single~~ public hearing ~~during the calendar year~~ WITHIN TWELVE MONTHS OF WHEN the proposal is made. The general plan, or any amendment to the plan, shall be endorsed in the manner provided by the governing body to show that it has been adopted by the governing body. If the municipality includes property in the high noise or accident potential zone of a military airport or ancillary military facility as defined in section 28-8461, the governing body of the municipality shall send notice of the approval, adoption or readoption of the general plan or major amendment to the general plan to the attorney general by certified mail, return receipt requested, within three business days after the approval, adoption or readoption. If the attorney general determines the approval, adoption or readoption of the general plan or major amendment to the general plan is not in compliance with section 28-8481, subsection J, the attorney general shall notify the municipality by certified mail, return receipt requested, of the determination of noncompliance. The municipality shall receive the notice from the attorney general within twenty-five days after the notice from the municipality to the attorney general is mailed pursuant to this subsection. The effective date of any approval, adoption or readoption of, or major amendment to, the general plan shall be thirty days after the governing body's receipt of the attorney general's determination of noncompliance. Within thirty days after the receipt of a determination of noncompliance by the attorney general as prescribed by this section, the governing body of the municipality shall reconsider any approval, adoption or readoption of, or major amendment to, the general plan that impacts property in the high noise or accident potential zone of a military airport or ancillary military facility as defined in section 28-8461. If the governing body reaffirms a prior action subject to an attorney general's determination of noncompliance pursuant to this section, the attorney general may institute a civil action pursuant to section 28-8481, subsection L. If the governing body timely sends notice pursuant to this subsection and the attorney general fails to timely notify the governing body of a determination of noncompliance, the general plan or major amendment to the general plan shall be deemed to comply with section 28-8481, subsection J. If the motion to adopt or readopt a general plan or an amendment to the general plan fails to pass, the governing body may reconsider the motion in any manner allowed by the governing body's rules of procedure, but any subsequent motion for the adoption or readoption of the general plan or a major amendment to the general plan must be approved by an affirmative vote of at least two-thirds of the members of the governing body. For the purposes of this subsection, "major amendment" means a substantial alteration of the municipality's land use mixture or

balance as established in the municipality's existing general plan land use element. The municipality's general plan shall define the criteria to determine if a proposed amendment to the general plan effects a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element.

I. If the municipality does not have a planning commission, the only procedural steps required for the adoption of the general plan, or any amendment to such plan, shall be those provided in this article for action by the governing body.

J. A copy of the adopted general plan of a municipality shall be sent to the planning agency of the county within which the municipality is located, and such plan or any portion of the plan may be adopted as a part of the county general plan.

K. A general plan, with any amendments, is effective for up to ten years ~~from~~ AFTER the date the plan was initially adopted and ratified pursuant to subsection M of this section, or until the plan is readopted pursuant to this subsection and ratified pursuant to subsection M of this section or a new plan is adopted pursuant to this subsection and ratified pursuant to subsection M of this section, and becomes effective. On or before the tenth anniversary of the plan's most recent adoption, the governing body of the municipality shall either readopt the existing plan for an additional term of up to ten years or shall adopt a new general plan as provided by this article.

L. Except for general plans that are required to be submitted to the voters for ratification pursuant to subsection M of this section, the adoption or readoption of a general plan, and any amendment to a general plan, shall not be enacted as an emergency measure and is subject to referendum as provided by article IV, part 1, section 1, subsection (8), Constitution of Arizona, and title 19, chapter 1, article 4.

M. The governing body of a city or town having a population of more than two thousand five hundred persons but less than ten thousand persons and whose population growth rate exceeded an average of two ~~per cent~~ PERCENT per year for the ~~ten year~~ TEN-YEAR period before the most recent United States decennial census, and any city or town having a population of ten thousand or more persons, shall submit each new general plan adopted pursuant to subsection K of this section to the voters for ratification at the next regularly scheduled municipal election or at a special election scheduled at least one hundred twenty days after the governing body adopted the plan pursuant to section 16-204. The governing body shall include a general description of the plan and its elements in the municipal election pamphlet and shall provide public copies of the plan in at least two locations that are easily accessible to the public and may include posting on the municipality's official internet website. If a majority of the qualified electors voting on the proposition approves

the new plan, it shall become effective as provided by law. If a majority of the qualified electors voting on the proposition fails to approve the new plan, the current plan remains in effect until a new plan is approved by the voters pursuant to this subsection. The governing body shall either resubmit the proposed new plan, or revise the new plan as provided by this section, for subsequent submission to the voters at the next regularly scheduled municipal election or at a special election scheduled at least one hundred twenty days after the governing body readopted the new or revised new plan. All subsequent adoptions and submissions of the new plan or revised plans must comply with the procedures prescribed by this section until the plan is ratified.

N. In applying an open space element or a growth element of a general plan, a municipality shall not designate private land or state trust land as open space, recreation, conservation or agriculture unless the municipality receives the written consent of the landowner or provides an alternative, economically viable designation in the general plan or zoning ordinance, allowing at least one residential dwelling per acre. If the landowner is the prevailing party in any action brought to enforce this subsection, a court shall award fees and other expenses to the landowner. A municipality may designate land as open space without complying with the requirements of this subsection if the land was zoned as open space and used as a golf course pursuant to a zoning ordinance adopted pursuant to article 6.1 of this chapter before May 1, 2000 and the designation does not impose additional conditions, limitations or restrictions on the golf course, unless the land is state trust land that was not planned and zoned as open space pursuant to title 37, chapter 2, article 5.1.

O. A person, after having participated in the public hearing pursuant to subsection H of this section, may file a petition for special action in superior court to review the governing body's decision that does not comply with the mandatory requirement prescribed in section 9-461.05, subsection C, paragraph 1, subdivision (g) within thirty days after the governing body has rendered its decision. The court may affirm, reverse or remand to the governing body, in whole or in part, the decision reviewed for further action that is necessary to comply with the mandatory requirements prescribed in section 9-461.05, subsection C, paragraph 1, subdivision (g).

APPROVED BY THE GOVERNOR APRIL 22, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 22, 2022.

Council-Regular Meeting **A3**

Meeting Date: 12/20/2022

To: Mayor and Council

Submitted For: Fausto Burruel, Public Works Director

From: Fausto Burruel, Public Works Director

Date: December 20, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: Ordinance No. 2022.029: Relating to Development; adopting development impact fees for street facilities, parks and recreation facilities, water facilities, water resources, and wastewater facilities; accepting and approving the technical fee reports identifying benefit areas and facilities needs; and providing an effective date (Fausto Burruel, Jim Conroy, Jing Luo)

Discussion:

The Town has been moving through the process to update its impact fees, last updated in 2017, to address additional infrastructure needs within the Town and to account for changes in growth patterns. On September 20, 2022, the Town Council adopted updated growth assumptions via the land use assumptions report (LUA), a street facilities infrastructure improvement plan (IIP), a parks and recreation IIP, a water IIP, and a wastewater IIP.

The Town gave public notice on September 23, 2022 of the intent to assess development impact fees for streets, parks, water and wastewater facilities. Draft fee reports for these impact fees were published and have been available at the Marana Municipal Complex and on the Town's website. Comments were taken during the intervening period and during a formal public hearing on November 1, 2022. Based on comments and discussion, final reports have been prepared and are attached to this item.

Town staff will be discussing the final analysis regarding the proposed development impact fee program and asking council to formally adopt development fees for streets, parks, water and wastewater facilities.

Also of note is that the Lower Santa Cruz River Levee fee of $500 per acre was re-affirmed in 2017 and will be re-affirmed, unchanged, by this process.

Financial Impact:

The development impact fee program will generate revenue for the Town that is primarily restricted to capital construction in accordance with the various impact fee benefit areas and proposed projects used to calculate the fee. By adopting the fees, the Town takes on the legal obligation to construct the capital facilities used to justify the fees within 10 years or must reimburse the fees. Revenues and expenditures associated with the collection and use of impact fees will be incorporated within the appropriate fiscal year's budget.

Staff Recommendation:

Staff recommends the adoption of Ordinance 2022.029 adopting development impact fees for street facilities, parks and recreation facilities, water facilities, water resources, and wastewater facilities.

Suggested Motion:

I move to adopt Ordinance No. 2022.029, adopting development impact fees for street facilities, parks and recreation facilities, water facilities, water resources, and wastewater facilities; accepting and approving the technical fee reports identifying benefit areas and facilities needs; and providing an effective date.

Attachments

Ordinance No. 2022.029
Draft Parks Fee Report
Draft Streets Fee Report
Draft Water & Wastewater Fee Report

MARANA ORDINANCE NO. 2022.029

RELATING TO DEVELOPMENT; ADOPTING DEVELOPMENT IMPACT FEES FOR STREET FACILITIES, PARKS AND RECREATION FACILITIES, WATER FACILITIES, WATER RESOURCES, AND WASTEWATER FACILITIES; ACCEPTING AND APPROVING THE TECHNICAL FEE REPORTS IDENTIFYING BENEFIT AREAS AND FACILITIES NEEDS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS the Town is authorized by the Arizona municipal development impact fee enabling statute, A.R.S. § 9-463.05, to assess and collect development impact fees to offset costs to the Town associated with providing necessary public services to a development; and

WHEREAS the Town adopted the existing parks and recreation development impact fees by the adoption of Ordinance No. 2014.012, as amended by Ordinance No. 2017.029, and adopted the existing water and wastewater fees by the adoption of Marana Ordinance No. 2014.013, as amended by Ordinance No. 2017.029; and

WHEREAS the Town adopted the existing street impact fees for the northeast and south benefit areas by the adoption of Ordinance No. 2014.012, as amended by Ordinance No. 2017.029, and adopted the existing street impact fees for the northwest benefit area by the adoption of Ordinance No. 2017.029; and

WHEREAS land use assumptions and infrastructure improvement plans for street, parks and recreation, water, and wastewater facilities prepared in accordance with A.R.S. § 9-463.05 were approved by the Town Council's adoption of Resolution No. 2022-100 on September 20, 2022; and

WHEREAS the Town Council amended the infrastructure improvement plan for parks and recreation by adoption of Resolution No. 2022-125 on December 6, 2022; and

WHEREAS draft 2022 development impact fee reports for street facilities, parks and recreation facilities, water facilities, water resources, and wastewater facilities prepared in accordance with A.R.S. § 9-463.05 were published for public comment on September 30, 2022; and

WHEREAS a public hearing on amended street facilities, parks and recreation facilities, water facilities, water resources, and wastewater facilities development impact fees was held by the Marana Town Council on November 1, 2022; and

WHEREAS the Town has finalized its 2022 development impact fee reports for street facilities, parks and recreation facilities, water facilities, water resources, and

wastewater facilities that identify the relevant benefit areas and determine the fair-share development impact fees attributable to the typical single-family residence, which shall be used as the equivalent demand unit ("EDU"), within the benefit areas, except for parks and recreation fees for non-residential development, which uses the number of jobs per 1,000 square foot of development as the service unit to determine the fair-share parks and recreation development impact fees attributable to the typical identified category of non-residential development.

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

Section 1. The following reports, full copies of which were included in the Town Council's agenda materials for the December 20, 2022 meeting, are hereby accepted and approved:

A. Town of Marana Impact Fee Study Streets Facilities Development Fee Report dated December 5, 2022 (the "Streets Fee Report")

B. Town of Marana Water Infrastructure, Water Resources, and Water Reclamation Impact Fee Report dated December 8, 2022 (the "Water Fee Report")

C. Town of Marana Impact Fee Study Update and Parks Infrastructure Improvement Plan dated September 20, 2022, revised December 6, 2022 (the "Parks Fee Report")

Section 2. The existing Parks and Recreation Facilities Development Impact Fee for residential development as adopted by Ordinance No. 2014.012 and amended by Ordinance No. 2017.029 is hereby increased to $2,529.63 per EDU. The collection of the increased Parks and Recreation Facilities Development Impact Fee for residential development as adopted by this ordinance shall begin on March 6, 2023, replacing the Parks and Recreation Facilities Development Impact Fee adopted by Ordinance No. 2017.029.

Section 3. The Parks and Recreation Facilities Development Impact Fee for non-residential development is hereby adopted, as follows:

A. The Parks and Recreation Facilities Impact Fee benefit area for non-residential development is hereby established and shall be the same as the benefit area for residential development, as depicted in the Parks Fee Report.

B. The Parks and Recreation Facilities Development Impact Fee for non-residential development shall be as follows:

Land Use Category	Parks and Recreation Development Impact Fee
Retail	$224.00 per 1,000 sf
High Traffic Retail	$870.00 per 1,000 sf
Office	$385.00 per 1,000 sf
Hotel	$9.00 per 1,000 sf
Industrial	$288.00 per 1,000 sf
Medical	$288.00 per 1,000 sf

C. Town Staff shall collect the Parks and Recreation Facilities Development Impact Fee for non-residential development upon issuance of a building permit within the Parks and Recreation Facilities Development Impact Fee benefit area, unless a development agreement provides otherwise.

D. When assessing the Parks and Recreation Facilities Development Impact Fee for non-residential development, Town staff shall give credit for the required dedication of public sites and improvements provided by the property owner that correspond to the infrastructure improvements plan for parks and recreation facilities, as provided by law.

E. All Parks and Recreation Facilities Development Impact Fees for non-residential development collected by the Town shall be held and disbursed in accordance with the requirements of A.R.S. § 9-463.05.

F. The collection of the Parks and Recreation Facilities Development Impact Fee for non-residential development shall begin on March 6, 2023.

Section 4. The existing Northeast Street Facilities Development Impact Fee as adopted by Ordinance No. 2014.012 and amended by Ordinance No. 2017.029 is hereby increased to $4,767 per EDU. The collection of the Northeast Street Facilities Development Impact Fee in the amount adopted by this ordinance shall begin on March 6, 2023, replacing the Northeast Street Facilities Development Impact Fee adopted by Marana Ordinance No. 2017.029.

Section 5. The existing Northwest Street Facilities Development Impact Fee as adopted by Ordinance No. 2017.029 is reduced to $2,304 per EDU. The collection of the reduced Northwest Street Facilities Development Impact Fee as adopted by this ordinance shall begin on January 20, 2023, replacing the Northwest Street Facilities Development Impact Fee adopted by Marana Ordinance No. 2017.029.

Section 6. The existing South Street Facilities Development Impact Fee as adopted by Ordinance No. 2014.012 and amended by Ordinance No. 2017.029 is hereby increased to $4,655 per EDU. The collection of the increased South Street Facilities Development Impact Fee as adopted by this ordinance shall begin on March 6, 2023, replacing the South Street Facilities Development Impact Fee adopted by Ordinance No. 2017.029.

Section 7. In accordance with A.R.S. § 9-463.05(R), the Town of Marana hereby gives notice that it will continue the collection of the Lower Santa Cruz River Levee Fee, originally adopted under ordinance 99.02, as described in Section 4 of Marana Ordinance No. 2014.012.

Section 8. Water Infrastructure Development Impact Fees as adopted by Ordinance No. 2014.013 and amended by Ordinance No. 2017.029 are hereby amended as follows:

A. The North Marana, Twin Peaks, Saguaro Bloom, and Palo Verde Water Infrastructure Development Impact Fee Benefit Areas as adopted by Ordinance

No. 2017.029 are hereby revised as depicted in in Figure 3 of the Water Facilities Infrastructure Improvements Plan adopted by Resolution No. 2022-100 on September 20, 2022, as they may be expanded from time to time by water main extensions. The Airport Water Infrastructure Development Impact Fee Benefit Area is hereby eliminated as a separate benefit area and is incorporated into the Twin Peaks Benefit Area as depicted in Figure 3 of the Water Facilities Infrastructure Improvements Plan adopted by Resolution No. 2022-100 on September 20, 2022. The Falstaff Water Infrastructure Development Impact Fee Benefit Area is hereby eliminated, due to the Town's 2020 sale of the Falstaff area water system assets.

B. Water Infrastructure Development Impact Fees for the North Marana and Twin Peaks Water Infrastructure Development Impact Fee Benefit Areas are amended as follows (with meter sizes larger than 8" calculated using standard industry ratios):

Water Infrastructure Benefit Area	**Water Meter Size**								
	5/8"	**3/4"**	**1"**	**1.5"**	**2"**	**3"**	**4"**	**6"**	**8"**
North Marana	$3,356	$5,033	$8,388	$16,776	$26,841	$50,327	$83,878	$167,756	$268,410
Twin Peaks	$2,967	$4,450	$7,416	$14,832	$23,731	$44,496	$74,159	$148,318	$237,308

C. The existing Water Infrastructure Development Impact Fees for the Saguaro Bloom Water Infrastructure Development Impact Fee Benefit Area are hereby retained and confirmed in the following amounts (with meter sizes larger than 8" calculated using standard industry ratios):

Water Infrastructure Benefit Area	**Water Meter Size**								
	5/8"	**3/4"**	**1"**	**1.5"**	**2"**	**3"**	**4"**	**6"**	**8"**
Saguaro Bloom	$838	$1,257	$2,095	$4,189	$6,703	$13,408	$20,950	$41,900	$67,040

D. The Palo Verde Water Infrastructure Development Impact Fee remains at zero as provided by Ordinance No. 2017.029.

E. The collection of Water Infrastructure Development Impact Fees pursuant to this ordinance for the Saguaro Bloom Water Infrastructure Development Impact Fee Benefit Area shall begin on January 20, 2023.

F. The collection of Water Infrastructure Development Impact Fees as revised by this ordinance for the North Marana and Twin Peaks Water Infrastructure Development Impact Fee Benefit Areas shall begin on March 6, 2023.

Section 9. Water Resources Development Impact Fees as adopted by Ordinance No. 2014.013 and amended by Ordinance No. 2017.029 are hereby amended as follows:

A. The Water Resources Development Impact Fees are amended as follows (with meter sizes larger than 8" calculated using standard industry ratios):

Water Resources Development Fee	**Water Meter Size**								
	5/8"	**3/4"**	**1"**	**1.5"**	**2"**	**3"**	**4"**	**6"**	**8"**
	$5,358	$8,036	$13,394	$26,787	$42,859	$80,360	$133,933	$267,865	$428,584

B. Water meter sizes are determined by the total number of fixtures. In cases where the number of fixtures may be served by a 5/8" meter, but a 3/4" meter is required only for the purpose of providing adequate flows for a residential sprinkler system, the Town will charge the Water Resources Development Impact Fee for a 5/8" meter.

C. The collection of the Water Resources Development Impact Fee as amended by this ordinance shall begin on March 6, 2023.

Section 10. Wastewater Facilities Development Impact Fees as adopted by Ordinance No. 2014.013 and amended by Ordinance No. 2017.029 are hereby amended as follows:

A. The Wastewater Facilities Development Impact Fee Benefit Area as adopted by Ordinance No. 2017.029 is hereby revised as set forth in the 2022 wastewater facilities infrastructure improvements plan adopted by Resolution No. 2022-100 on September 20, 2022.

B. The Wastewater Facilities Development Impact Fees as adopted by Ordinance No. 2014.013 and amended by Ordinance No. 2017.029 are hereby amended as follows (with meter sizes larger than 8" calculated using standard industry ratios):

Wastewater Facilities Development Impact Fee	**Water Meter Size**								
	5/8"	**3/4"**	**1"**	**1.5"**	**2"**	**3"**	**4"**	**6"**	**8"**
	$4,995	$7,493	$12,488	$24,975	$39,960	$74,925	$124,874	$249,748	$399,597

C. The collection of Wastewater Facilities Development Impact Fees as amended by this ordinance shall begin on March 6, 2023.

Section 11. All other fees established or addressed by Ordinance Nos. 2014.012, 2014.013, and 2017.029 shall remain unchanged, and all provisions of Ordinance Nos. 2014.012, 2014.013, and 2017.029, including without limitation all those relating to the administration, crediting, and accounting of the fees, shall remain in place and are unchanged by this ordinance.

Section 12. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

Section 13. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

Section 14. 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 15. This ordinance shall become effective on January 20, 2023.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 20th day of December, 2022.

Mayor Ed Honea

ATTEST:

David L. Udall, Town Clerk

APPROVED AS TO FORM:

Jane Fairall, Town Attorney

Town of Marana

Impact Fee Study Update and Parks Infrastructure Improvement Plan

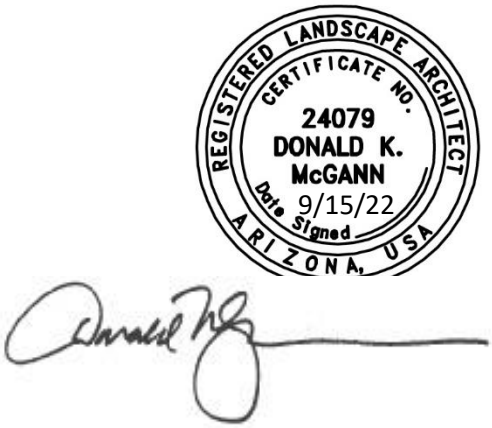
Public Report

September 20, 2022

Revised December 6, 2022

Prepared by
Town of Marana Parks and Recreation Department
Town of Marana Engineering Division
McGann & Associates, Landscape Architects

Town of Marana



Impact Fee Study Update and Parks Infrastructure Improvement Plan

Public Report

September 20, 2022
Revised December 6, 2022

Prepared by
Town of Marana Parks and Recreation Department
Town of Marana Engineering Division
McGann & Associates, Landscape Architects
September 20, 2022

Town of Marana Mayor and Council

Ed Honea – Mayor
Jon Post – Vice Mayor
Patti Comerford – Councilmember
Herb Kai – Councilmember
Roxanne Ziegler – Councilmember
John Officer – Councilmember
Jackie Craig – Councilmember

Key Staff

Terry Rozema – Town Manager
Fausto Burruel, P.E. – Public Works Director and Acting Town Engineer
Jane Fairall, Town Attorney
Jim Conroy, Director, Parks and Recreation Department
Wayne Barnett, Deputy Director, Parks and Recreation Department

Project Consultants (As subconsultant to Psomas)

McGann & Associates Inc.
Landscape Architects
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Tucson, Arizona 85704
(520) 297-9540

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Town of Marana
Impact Fee Study Update and
Parks Infrastructure Improvement Plan

Part 1
Introduction and Methodology

Introduction:

In accordance with Arizona Revised Statute (ARS) §9-463.05 the Town of Marana assesses and collects Development Impact Fees to help pay for the construction of new parks and recreational facilities as needed to meet the increased demands placed on the municipal park system by new development.

As a precedent to the collection of Development Impact Fees, §9-463.05 requires that an Infrastructure Improvement Plan (IIP) be prepared to identify the required improvements. Per the subject statute, the IIP is defined as:

> *"…. a written plan that identifies each necessary public service or facility expansion that is proposed to be the subject of a development fee and otherwise complies with the requirements of this section and may be the municipality's capital improvements plan."*

Included in this document is the Town of Marana's updated Park Infrastructure Improvement Plan. This new IIP replaces the 2017 IIP which was adopted by Marana Resolution 2017-090 on September 19, 2017. This new plan includes fee schedules and a list of capital improvements that are projected to be constructed over the next ten years.

Methodology:

This Impact Fee Study Update employs an incremental expansion method that identifies the Town's existing level of service and projects the level of service assumptions over the next ten years as the community grows. The existing level of service for parks and recreation facilities is assigned a value based on the cost of replacement. The value of the parks and recreation system is adjusted to subtract outstanding debt on existing facilities, the balance collected, unspent impact fees, developer fee credits and the cost of the Impact Fee Study.

Demand for an expanded park system will be driven by both residential and non- residential development. The primary driver will be residential development. As new homes are built in the community, the residents that occupy these homes will use the various park resources available to them. The secondary driver will be new non-residential development. As offices, retail outlets, medical offices, and other non-residential facilities are constructed, these facilities will create jobs for individuals including those living outside of the Town. These employees will use Town Park facilities before or after work or during lunch-time breaks.

Based on the above, the service units for residential development will be Equivalent Dwelling Units (EDU's). The service unit for non-residential development will be 1,000 S.F. of Non-Residential Development.

The adjusted value of the existing parks and recreation facilities is then distributed across the existing level of community development to calculate a value of the existing parks system per service unit. The adjusted value of the existing parks and recreation facilities relative to current development is then projected onto new development using estimates for future development found in the Town's land use assumptions.

Using this methodology, the Town's existing level of parks and recreation service is maintained as the community grows and the expansion of parks and recreation facilities necessary to meet the demand of growth has a supplemental funding source in development impact fees.

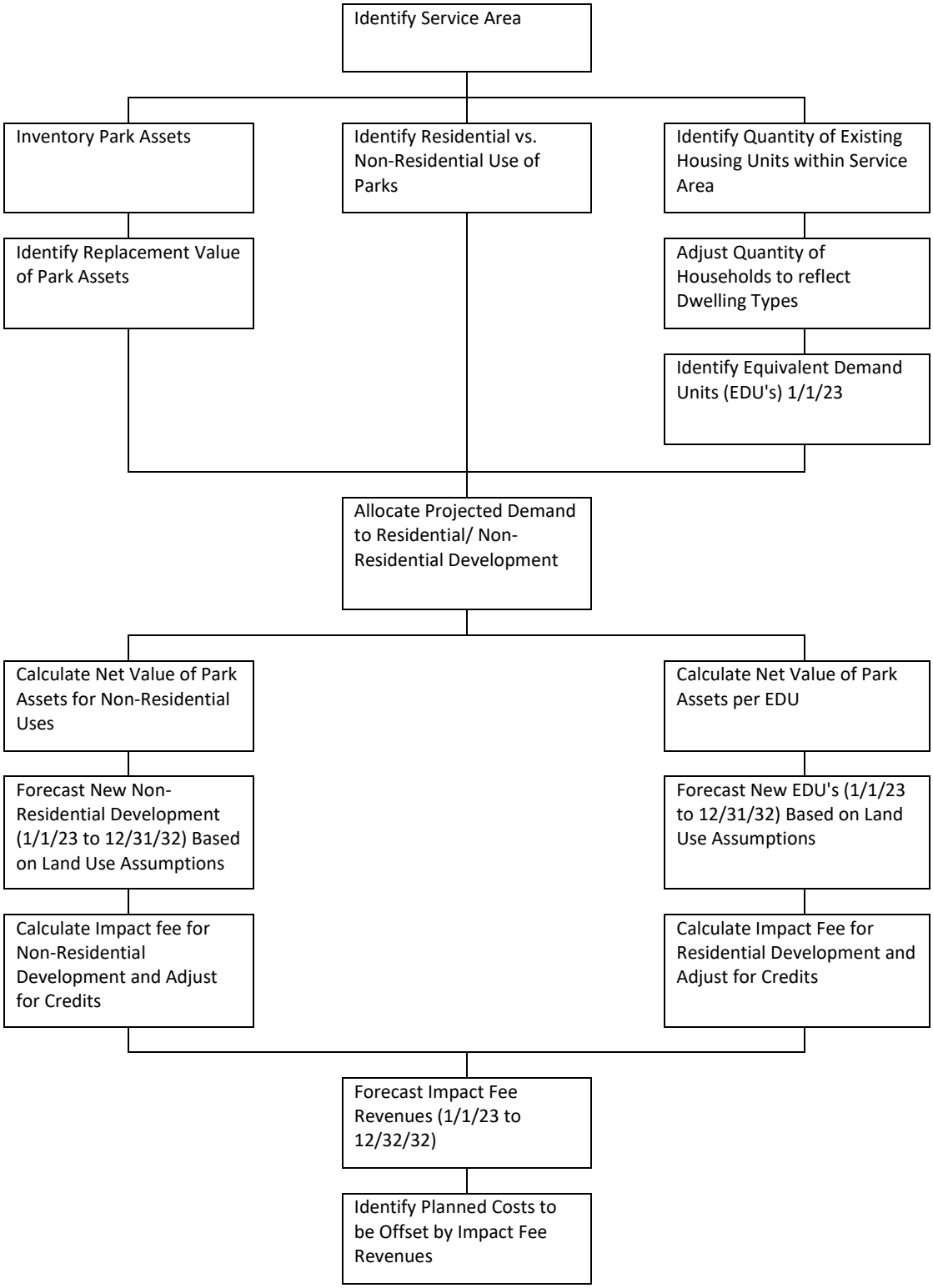
The advantages of using this incremental expansion method over other methods (e.g., a general standards based or plan-based method), include the following:

- The fee is based on the existing level of service provided by the Town instead of a national standard that fails to account for local jurisdictional variations.

- The incremental expansion method more accurately identifies the value of existing level of service compared to estimating a general cost per acre of developed parkland. Existing level of service is valued by assigning replacement costs to inventoried park assets.

- The incremental expansion method is flexible because the impact fee is based on existing level of service. Consequently, the Town may fine tune capital improvements identified in the IIP to meet changing community recreation needs. A standards-based approach based on the Parks and Recreation Master Plan would require an update to the Master Plan and a re-calculation of the impact fees to meet changing community needs.

Figure 1: Methodology Flow Chart



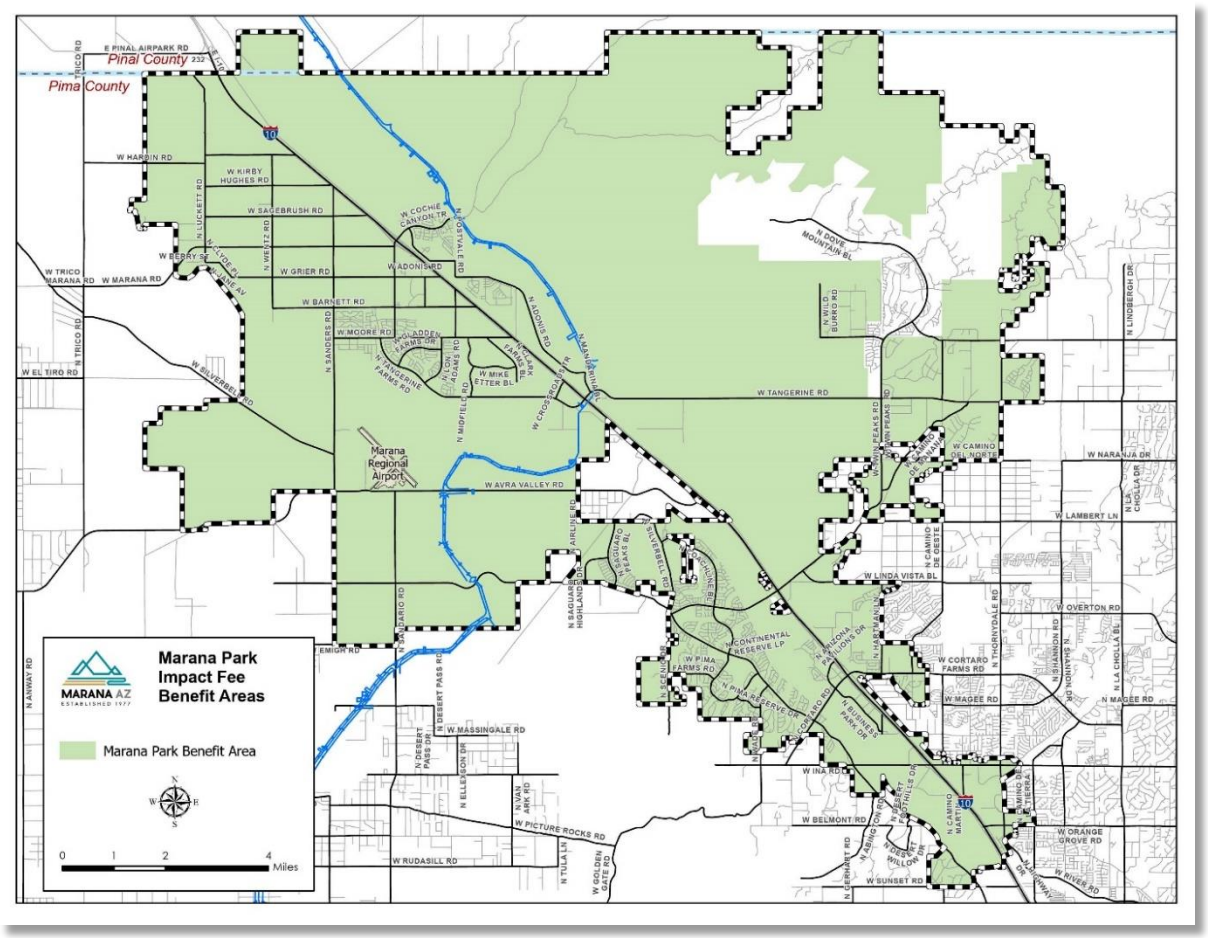
Service Area:

Service areas are defined in ARS §9-463.05 (T)9 as:

> *"… any specified area within the boundaries of a municipality in which development will be served by necessary public services or facility expansions and within which a substantial nexus exists between the necessary public services or facility expansions and the development being served as prescribed in the infrastructure improvements plan."*

For purposes of this Impact Fee Study Update, there is one service area identified for the Town of Marana. This service area is shown in Figure 2, below. The service area includes all areas within the jurisdictional boundaries of the Town with the exception of lands within the Dove Mountain Specific Plan boundary. The Dove Mountain area is excluded based on a Town approved Development Agreement. For the remainder of the Town, the most densely developed areas are where existing municipal parks and recreation facilities are located. These densely developed areas are served by the Town's existing parks and other recreation facilities. It is in areas of new development that park and recreation facility expansion is needed to meet the demands created by growth.

Figure 2: Service Area



Consequently, new facilities that expand the parks and recreation system will directly benefit residents in areas of new growth in keeping with the legislative requirements for collecting development impact fees. There is, however, a need for additional trails to serve the developed areas of Marana. Since the Town is committed to providing a uniform level of service across the entire town, a single service area will be used.

Inventory of Existing Parks:

Provided on the following pages is a chart that summarizes the assets associated with the Town of Marana's existing park system. It includes only improvement types that would be eligible for impact fee funding and excludes items not eligible based on ARS §9-463.05. Per ARS §9-463.05.A, development impact fees may be used:

> *"… to offset costs to the municipality associated with providing necessary public services to a development, including the costs of infrastructure, improvements, real property, engineering and architectural services, financing and professional services required for the preparation or revision of a development fee pursuant to this section, including the relevant portion of the infrastructure improvement plan."*

Per ARS §9-463.05.B and 9-463.05.T., development impact fees may not be used for:

> *"Construction, acquisition or expansion of public facilities or assets other than necessary public services or facility expansions identified in the infrastructure improvements plan."*
>
> *"Repair, operation or maintenance of existing or new necessary public services or facility expansions."*
>
> *"Upgrading, updating, expanding, correcting or replacing existing necessary public services to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards."*
>
> *"Upgrading, updating, expanding, correcting or replacing existing necessary public services to provide a higher level of service to existing development."*
>
> *"Administrative, maintenance or operating costs of the municipality."*
>
> *"… vehicles, equipment or that portion of any facility that is used for amusement parks, aquariums, aquatic centers, auditoriums, arenas, arts and cultural facilities, bandstand and orchestra facilities, bathhouses, boathouses, clubhouses, community centers greater than three thousand square feet in floor area, environmental education centers, equestrian facilities, golf course facilities, greenhouses, lakes, museums, theme parks, water reclamation or riparian areas, wetlands, zoo facilities or similar recreational facilities, but may include swimming pools."*

Replacement Value:

Replacement values as shown on the following chart are based on:

- Replacement values identified in the 2017 plan escalated to reflect inflation in construction costs through January 1, 2023.
- Recent park construction project bids for similar facilities.
- Published construction cost data reports.

Figure 3: Inventory Table - Existing Parks and Replacement Value	Continental Ranch Park	Continental Reserve park	Crossroads at Silverbell Park	El Rio Neighborhood Park	Gladden Farms Park	Honea Heights Park	Ora Mae Harn Park	Saguaro Bloom Park	San Lucas Park	Tangerine Sky Park	Wade McLean Park	Wild Burro Trailhead	Sanders Road Trailhead	North Coachline Boulevard Trailhead	Total Facility Units	Replacement Value Per Unit	**Total Replacement Valve**
Acres (Total)	11.9	9.23	48.27	1.3	25.7	1.0	34.72	22.0	13.49	17.98	4.23	2.0	0.8	1.5	194.12		
Acres (Eligible)	11.9	9.23	30.0	1.3	25.7	1.0	30.0	22.0	13.49	17.98	4.24	2.0	0.8	1.5	171.14		
Real Property																	
Real Property - Eligible Park Sites	11.9	9.23	30.00	1.3	25.7	1	30.0	22.0	13.49	17.98	4.23	2.0	0.8	1.5	171.14	$30,000.00	$5,134,200.00
Buildings and Structures:																	
Community Center - Allowable Portion (SF)							3,000	1							3,000	$450.00	$1,350,000.00
Restroom Buildings	1	1	3		3		3		1	1	1	1			16	$165,000.00	$2,640,000.00
Concessions	1	1	1				1				1				5	$235,000.00	$1,175,000.00
Operations and Maintenance Building			1						1						2	$470,000.00	$940,000.00
Storage Building	1	1													2	$180,000.00	$360,000.00
Group Ramada (+/- 30' x 60' - Site Built or Pre-Eng.))			1				1			1					3	$130,000.00	$390,000.00
Picnic Ramada - (+/- 30' x 30' - Site Built or Pre-Eng.)		1	5		1	1	1	1	2	2	1			1	16	$85,000.00	$1,360,000.00
Picnic Ramada - Small - (Pre-Engineered)	4			1		1	6		2	2	1	1	1		17	$15,000.00	$255,000.00
Fields:																	
Multi-Sport Rectangular Fields with Lights			2		2		1								5	$400,000.00	$2,000,000.00
Multi-Sport Rectangular Fields w/o Lights									2		1				3	$150,000.00	$450,000.00
Slow Pitch Softball Fields with Lights			1				1								2	$560,000.00	$1,120,000.00
Fast Pitch Softball Fields with Lights			2				4								6	$355,000.00	$2,130,000.00
Fast Pitch Softball Fields w/o Lights	4	2									1				9	$200,000.00	$1,800,000.00
Courts:																	
Basketball Courts - with Lights	2	1	2				1		1	1					8	$150,000.00	$1,200,000.00
Basketball Courts - w/o Lights				.5		.5		1							2	$70,000.00	$140,000.00
Tennis Courts - with Lights	2	1	1				1								5	$150,000.00	$750,000.00
Tennis Courts - w/o Lights								1							1	$95,000.00	$95,000.00
Pickleball Courts - with Lights							3								3	$65,000.00	$195,000.00
Pickleball Courts - w/o Lights															0	$40,000.00	$0.00
Sand Volleyball Courts - with Lights			2						1						3	$36,000.00	$108,000.00
Sand Volleyball Courts - w/o Lights								1							1	$17,000.00	$17,000.00
Playgrounds and Play Structures:																	
Play Structures / Surfacing (2-5 Year)	1	1	2	1	1		2	1	1	1					11	$165,000.00	$1,815,000.00
Play Structures / Surfacing (5-12 Year)	1	1	1		1	1	1	1	1	1					9	$125,000.00	$1,125,000.00
Swings / Surfacing		1	1	1	1	1	1	1	1	1					9	$50,000.00	$450,000.00
Zip Line										1					1	$80,000.00	$80,000.00
Fabric Shade Canopies	2			1	2	1	8	2	2	1					19	$30,000.00	$570,000.00
Special Use Facilities:																	
Off-Leash Dog Park			1				1	1	1	1					5	$250,000.00	$1,250,000.00
Skate / Wheel Park	1														1	$1,200,000.00	$1,200,000.00
Aquatic Facilities:																	
Swimming Pool							1								1	$5,000,000.00	$5,000,000.00
Splash Pad			1		1										2	$500,000.00	$1,000,000.00

Figure 3: (Continued) Inventory Table - Existing Parks and Replacement Value	Continental Ranch Park	Continental Reserve park	Crossroads at Silverbell Park	El Rio Neighborhood Park	Gladden Farms Park	Honea Heights Park	Ora Mae Harn Park	Saguaro Bloom Park	San Lucas Park	Tangerine Sky Park	Wade McLean Park	Wild Burro Trailhead	Sanders Road Trailhead	North Coachline Blvd. Trailhead	Total Facility Units	Replacement Value Per Unit	**Total Replacement Value**
Miscellaneous Public Use Facilities:																	
Horseshoe Pits	2		2				1								5	$3,000.00	$15,000.00
Benches	10	6	7	1	15		22	10	12	8	4	1		2	98	$750.00	$73,500.00
Picnic Tables	8	10	32	1	14	7	39	4	6	13		1		2	137	$1,450.00	$191,800.00
Barbecue Grills	2	4	8		3	2	9		5	6				1	40	$600.00	$24,000.00
Bleachers	8	2	6		2	1	5				2				26	$3,000.00	$78,000.00
Exercise Stations - Fitness Area		1					10		6						17	$1,500.00	$25,500.00
Trash Receptacles	14	8	43	3	9	4	52	10	10	10	2			1	166	$300.00	$49,800.00
Drinking Fountains	7	4	8	1	3	3	8		3	1	1			1	40	$3,500.00	$140,000.00
Bicycle Racks	1	1	1	1	3	1	1	1	1	1					12	$800.00	$9,600.00
Supporting Infrastructure:																	
Park Access / Circulation Drives (LF)	1,500	430	3,000	107	3,160	400	2,200	1,100	950	1,300				330	14,477	$85.00	$1,230,545.00
Paved Parking Spaces (EA)	133	59	305	9	231	12	202	67	51	60		79	1	27	1,1,243	$1,250.00	$1,553,750.00
Electrical Service - Average (Acre)															171.14	$11,000.00	$1,882,540.00
Potable Water Service - Average (Acre)															171.14	$2,000.00	$342,280.00
Sanitary Sewer System - Private / On-Site (Acre)															171.14	$2,500.00	$427,850.00
Fencing (Acre)															171.14	$7,350.00	$1,257,879.00
Signage (Acre)															171.14	$3,000.00	$513,420.00
Parking Lot and Security Lighting (Acre)															171.14	$14,000.00	$2,395,960.00
Irrigation Booster Pumps		1	1		1				1						4	$10,000.00	$40,000.00
Landscape and Irrigation:																	
Landscape - Turf Areas Other than Fields (Acres)	2.7	1.9	2.34	.32	1.21	.02	9.96	.77	2.68	.97	1.5				24.37	$30,000.00	$731,100.00
Landscape - Trees (EA)	75	40	407	15	239	15	110	25	72	50	24			20	1,092	$300.00	$327,600.00
Turf Irrigation System - Other than Fields (SF)	2.7	1.9	2.34	.32	1.21	.02	9.96	.77	2.68	.97	1.5				24.37	$22,000.00	$536,140.00
Drip Irrigation System (Acres)															171.14	$3,500.00	$598,990.00
Automated Irrigation Control System - Med - Large	1	1	1		1		1	1	1	1				1	9	$7,500.00	$67,500.00
Automated Irrigation Control System - Small				1		1					1			1	4	$2,500.00	$10,000.00
Hardscape / Pedestrian Paving:																	
Accessible Walkways - Concrete (LF)	3,300	1,100	6,500		2,770	520	5,300	2,050	960	2,400				220	25,120	$48,00	$1,205,760.00
HC Ramps	2	2	3		6	1	3	6	2	2				1	28	$900.00	$25,200.00
Pathways and Trails:																	
Loop Shared-Use Pathways															18.22	$400,000.00	$7,288,000.00
Loop Road / Highway Underpasses															3	$300,000.00	$900,000.00
In-Park Shared-Use Pathways - Asphalt (LF)		450	6.850	500	2,600				3,200	3,150					9,900	$15.00	$148,500.00
In-Park Decomposed Granite Pathways (LF)								2,700							2,700	$4.00	$10,800.00
Single Track Trails (Miles)															45.6	$93,500.00	$4,263,600.00
																Total	**$57,329,614.00**

Allocation of Asset Value:

ARS §9-463.05(B)13 provides:

> *If development fees are assessed by a municipality, the fees shall be assessed against commercial, residential and industrial development…*

In-as-much as residential and non-residential development will impact the need for additional parks, it is necessary to allocate asset value to each so that a proportionate share can be assessed to each type of development. This allocation is based on Residential Hours and Non-Resident (Inflow Commuter) Hours each year. The Inflow Commuter Hours are hours non-residents will spend at jobs within the Town.

According to U.S. Census Bureau web application OnTheMap (2019 US Census), there are 10,640 Inflow Commuters working within the Town of Marana. The 2019 Census also identifies the resident population of Marana to be 49,030. Based on this data, the allocation of asset value is calculated as follows:

Figure 4: Cost Allocation

		Hour Allocation			**Cost Allocation**	
Marana Residents (2019 Census)	Inflow Commuters (2019 Census)	Residential Hours (*)	Non-Residential Hours (**)	Total Hours	Residential	Non-Residential
49,030	10,064	429,502,800	16,102,400	445,605,200	96%	4%

(*) Residential Hours / Year: 8,760 (24 Hours / Day x 365 Days)
(**) Non-Residential Hours / Year: 1,600 (50 Weeks / Year x 4 Days per Week x 8 Hours / Day)

Based on the total park asset value of $57,329,614.00 (See Section 4) and the cost allocation noted above, the asset value allocated to residential and non-residential land uses is as follows:

Figure 5: Asset Value by Land use Type

Land Use Type	**Total Asset Value**	**Cost Allocation (%)**	**Asset Value**
Residential	$57,329,614.00	96%	$55,036,429.
Non-Residential	$57,329,614.00	4%	$2,293,185.

Part 2
Impact Fee Calculation for Residential Development

Town of Marana

Service Units - Residential:

ARS §9-463.05 requires that service units be defined in an impact fee study and used as the basis for impact fee collection. This Impact Fee Study uses an Equivalent Demand Unit (EDU) as the service unit for the park impact fee for residential uses.

To calculate an EDU, housing unit types are weighted in relation to single-family detached housing. The weight of each housing type reflects a park service multiplier derived from the average household size for each housing type based on United States Census Bureau statistics. The average household size for a single-family detached housing unit is 2.7 while the average household size of a multi-family/single-family attached housing unit is 1.8. The park service multiplier for a single-family detached residence is therefore 1.0 while the park service multiplier for a multi-family/single-family attached dwelling unit is 0.67. The sum of these weighted dwelling units by housing type results in total EDUs for the Town.

Unlike impact fee studies for parks improvements, impact fee studies for transportation infrastructure expansion often use land use categories that are identified through analysis of vehicle usage and trip data that is available locally and is part of published transportation planning literature. Because there is no data on visits to existing parks, the Impact Fee Study for Parks and Recreation Facilities makes use of the differentiation between single-family and multi-family residential units and their average household sizes to fine tune the definition of service units for the purpose of establishing a park impact fee.

Figure 6: Service Units as Equivalent Demand Units

Housing Type	Average Household Size (Persons)	Equivalent Demand Units
Single Family Detached	2.7 (*)	1.00
Multi-Family / Single Family Attached	1.8 (*)	0.67

(*) Reference: U.S. Census Bureau

Figure 7: Total Quantity of Existing Equivalent Demand Units (EDU's) - January 1, 2023:

Housing Type	Dwelling Units (January 1, 2023)	Multiplier	Service Units (EDU's) (January 1, 2023)
Single Family Detached	16,679	1.00	16,679
Multi-Family / Attached	2,220	0.67	1,487
		Total - January 1, 2023	**18,166**

Necessary Public Services - Existing:

As required in ARS §9-463.05(E)1, an IIP must include:

> *"A description of the existing necessary public services in the service area and the costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards, which shall be prepared by qualified professionals licensed in this state, as applicable."*

In addition, ARS §9-463.05(E)2 requires:

> *"An analysis of the total capacity, the level of current usage and commitments for usage of capacity of the existing necessary public services, which shall be prepared by qualified professionals licensed in this state, as applicable."*

In response to the required analysis of existing, necessary public park services, an inventory of parks and recreation assets throughout the Town of Marana has been compiled. (See Section 4 of this document). The inventory was based on data provided by the Town of Marana Parks and Recreation Department and lists existing park amenities by facility (site) with an identified replacement cost. The inventory excludes park acreage beyond the 30-acre limit referenced in ARS §9463.05(T)7(g).

The existing level of service provided by the Town's current parks and recreation facilities is quantified by distributing the value of the existing parks and recreation facilities over the total number of existing EDUs in the Town. The existing number of EDUs is described in Figure 5. Figure 3 describes the total value of existing parks and recreation infrastructure. The existing level of service provided by the Town of Marana's park infrastructure is quantified by dividing the total value of the existing infrastructure (See Section 4) by the existing number of EDUs (Figure 5).

Figure 8: Existing Park Value by Equivalent Demand Unit

	Credits	Offsets	Total
Total Replacement Value *	$55,036,429.00		
Impact Fee Account Balance	$150.00		
Outstanding Impact Fee Credits		$0.00	
Outstanding Park Debt		$0.00	
Subtotal	$55,036,279.00		
Adjusted Existing Park Value			$55,036,279.00
Divided by EDU			18,166
Net Value per EDU			$3,029.63

(* As allocated to residential development)

Projected Service Units for New Development:

ARS §9-463.05(E)5 requires and IIP to include:

> *"The total number of projected service units necessitated by and attributable to new development in the service area based on the approved land use assumptions and calculated pursuant to generally accepted engineering and planning criteria."*

The Town of Marana has developed Land Use Assumptions that estimate the number of new dwelling units expected over the next ten years. Figure 9 presents the existing and future dwelling units in the 10-year window based on the Town's Land Use Assumptions. The final result is the number of new EDUs expected over the next ten years.

Figure 9: Park Equivalent Demand Units (January 1, 2023 to December 31, 2032)

Housing Type	**Dwelling Units (1/1/23)**	**Park Service Unit Multiplier**	**Service Units - EDU's (1/1/23)**
Single Family Detached	16,679	1.00	16,679
Multi-Family / Single Family Attached	2,220	0.67	1,487
Total EDU's - (1/1/23)			18,166
Housing Type	**Dwelling Units (12/31/32)**	**Park Service Unit Multiplier**	**Service Units - EDU's (12/31/32)**
Single Family Detached	28,361	1.00	28,361
Multi-Family / Single Family Attached	4,480	0.67	3,002
Total EDU's - (12/31/32)			31,363
New EDU's (1/1/23 to 13/31/32)			**13,197**

Projected Park Impact Fee Revenue (January 1, 2023 to December 31, 2032):

ARS §9-463.05(E)6 requires an IIP to include:

> *"The projected demand for necessary public services or facility expansions required by new service units for a period not to exceed ten years."*

Figure 10 calculates the total expected revenue from impact fees collected between January 1, 2023 and December 31, 2032 based on the estimated number of new EDUs (Figure 9) and updated impact fee. The total projected revenue does not include development credits.

Figure 10: Projected Park Impact Fee Revenue - (1/1/23 to 12/31/23) (Before Credits)

Service Area	New EDU's	Impact Fee / EDU (Before Credits)	Projected Revenue 1/1/23 to 12/31/32 (Before Credits)
Town-wide	13,197	$3,029.63	$39,982,027.11

ARS §9-463.05(E)7 requires an IIP to include:

> *"A forecast of revenues generated by new service units other than development fees, which shall include estimated state-shared revenue, highway users revenue, federal revenue, ad valorem property taxes, construction contracting or similar excise taxes and the capital recovery portion of utility fees attributable to development based on the approved land use assumptions, and a plan to include these contributions in determining the extent of the burden imposed by the development as required in subsection B, paragraph 12 of this section."*

The Town of Marana collects no property tax to include in revenue forecasts. However, the Town does collect a 4% construction sales tax and also receives revenue from the state related to gas taxes. It is recommended that **Five Hundred Dollars ($500.00)** of the sales tax be credited on a per EDU basis, resulting in a fee of **Two Thousand Five-Hundred and Twenty-Nine Dollars and Sixty-Three cents ($2,529.63) per EDU**. Figure 11 calculates the projected revenue and percent of planned costs covered by this revenue forecast. The remainder of the sales tax credit would be credited against the yet-to-be-calculated Street Facilities fee.

It is recommended that the credits associated with HURF/VLT be applied fully to the street facilities fee. If approved, no additional credits would be applied to the Parks and Recreational Facilities fee.

Figure 11: Projected Park Impact Fee Revenue - January 1, 2023 to December 31, 2032 (After Credits):

Service Area	New EDU's	Impact Fee / EDU (Less the $500.00 Credit)	Projected Revenue (1/1/23 to 12/31/32)
Town-wide	13,197	$2,529.63	$33,383,527.00

In summary, the Impact Fee Update and Infrastructure Improvement Plan will result in a final calculation of the Impact Fee per EDU of **Two Thousand Five-Hundred and Twenty-Nine Dollars and Sixty-Three Cents ($2,529.63).**

Part 3
Impact Fee Calculation for Non-Residential Development

Service Units – Non-Residential Development:

ARS §9-463.05 requires that service units be defined in an impact fee study and used as the basis for impact fee collection. This Impact Fee Study uses Jobs per 1,000 S.F. as the service unit for non-residential development.

There are several categories of non-residential development, and each will result in a different quantity of jobs per square foot of development. These categories, and the quantity of jobs that will be created per 1,000 square foot of new development, are identified in the Land Use Assumptions (Table 4) and are summarized below.

Figure 12: Jobs per 1,000 S.F. – Non-Residential Land Uses

Non-Residential Land Use Category	S.F. per Job	Jobs per 1,000 S.F. of New Non-Residential Development
Retail	600	1.67
High Traffic Retail	200	5.00
Office	400	2.50
Industrial	500	2.00
Hotel	1,800	0.56
Medical	500	2.00

The Land Use Assumptions (Table 5) also include projections of the quantity of jobs that will be created by new non-residential development. These projections are summarized below:

Figure 13: New Job Projections (January 1, 2023 to December 31, 2032)

Non-Residential Land Use Category	New Jobs (From Land Use Assumptions)
Retail	2,327
High Traffic Retail	2,212
Office	370
Industrial	2,993
Hotel	-
Medical	682
Total New Jobs	**8,584**

Park Impact Fee – Non-Residential Development:

The park expansion and development costs allocated to non-residential development equals 4% of the cost of required improvements or $1,665,918.00. (4% x $41,647,945, the value of required improvement needed to maintain the current level of service). This cost will be borne by the 8,584 new jobs that will be created within the town, resulting in a fee of $194.00 per job.

Figure 14: Non-Residential Impact Fees per Job (Without Development Classification)

Total Cost Allocated to Non-Residential Development	Projected Quantity of New Jobs (1/1/23 to 12/31/32)	Non-Residential Impact Fee per Job
$1,665,918.00	8,584	$194.00

To properly assess this fee, the quantity of jobs must be related to square feet of new development. Figure 15 below summarizes this calculation.

Figure 15: Non-Residential Impact Fees per 1,000 S.F. of Development (Before Credits)

Non-Residential Land Use Category	Jobs per 1,000 S.F. of new Development	Impact Fee per Job	Impact Fee per 1,000 SF of New Non-Residential Development
Retail	1.67	$194.00	$324.00
High Traffic Retail	5.00	$194.00	$970.00
Office	2.50	$194.00	$485.00
Industrial	2.00	$194.00	$388.00
Hotel	0.56	$194.00	$109.0
Medical	2.00	$194.00	$388.00

As noted in Section 9 of this report, the Town collects a 4% construction sales tax with these revenues contributing to park expansion and development. It is recommended that **One Hundred Dollars ($100.00)** of the sales tax revenue be credited on a per 1,000 S.F. of new non-residential development basis. With this credit, the adjusted impact fees, by development type, are identified below.

Figure 16: Non-Residential Impact Fees Per 1,000 S.F. of Development (After Credits)

Non-Residential Land Use Category	Impact Fee per 1,000 S.F. of New Non-Residential Development Prior to $100.00 Adjustment	**Proposed Impact Fee per 1,000 S.F. of New Non-Residential Development**
Retail	$324.00	**$224.00**
High Traffic Retail	$970.00	**$870.00**
Office	$485.00	**$385.00**
Industrial	$388.00	**$288.00**
Hotel	$109.0	**$9.00**
Medical	$388.00	**$288.00**

Projected Park Impact Fee – Non-Residential Development:

The projected revenues to be collected from non-residential development fees for the period between 1/2/23 and 12/32/32 are summarized below.

Figure 17: Projected Impact Fee Revenues – Non-Residential Development

Non-Residential Land Use Category	New Jobs	Jobs per 1,000 S.F.	Development Scope (1,000 S.F.)	Fee per 1,000 S.F.	Projected Revenue
Retail	2,327	1.67	1,393	$224.00	$312,032.00
High Traffic Retail	2,212	5.00	442	$870.00	$384,540.00
Office	370	2.50	148	$385.00	$56,980.00
Industrial	2,993	2.00	1,497	$288.00	$431,136.00
Hotel	-	0.56	0.00	$9.0	$0.00
Medical	682	2.00	341	$288.00	$98,208.00
Total Projected Revenue – Non-Residential Development					**$1,282,896.00**

Part 4
Parks Capital Improvement Program

Projected Park Impact Fee – Residential and Non-Residential Development:

The combined revenues projected to be collected from both residential and non-residential development fees for the period between 1/2/23 and 12/32/32 are summarized below.

Figure 18: Projected Impact fee Revenues – Residential and Non-Residential Development

Projected Revenues – Residential Development	$33,383,527.00
Projected Revenues – Non-Residential Development	$1,282,896.00
Total Revenues (1/1/23 to 12/31/32)	$34,666,423.00

Necessary Public Services - New Development:

ARS §9-463.05(E)3 requires:

> *"A description of all or the parts of the necessary public services or facility expansions and their costs necessitated by and attributable to development in the service area based on the approved land use assumptions, including a forecast of the costs of infrastructure, improvements, real property, financing, engineering and architectural services, which shall be prepared by qualified professionals licensed in this state, as applicable."*

In response to the statutory mandate for a description of parks and recreation facility expansion projects required to meet the demand of new growth, the Town of Marana has developed the Ten-Year Capital Improvement Plan for park facilities. This plan is summarized in Figure 19 below. Impact fees that are collected between January 1, 2023 and December 31, 2032 will be directed to the capital improvements identified in Figure 19 with the understanding that A.R.S. §9-463.05 allows that:

> *"…a municipality may amend an infrastructure improvements plan adopted pursuant to this section without a public hearing if the amendment addresses only elements of necessary public services in the existing infrastructure improvements plan and the changes to the plan will not, individually or cumulatively with other amendments adopted pursuant to this subsection, increase the level of service in the service area or cause a development fee increase…".*

Figure 19 - Parks Capital Improvement Plan - January 1, 2023 to December 31, 2032:

Project	Development Cost
El Rio Disc Golf Course	$288,334.00
El Rio Recreation Area - Loop Access Parking Lot	$204,237.00
Gladden Farms Baseball Field Improvements	$1,200,000.00
Gladden Farms Lighted Soccer Fields	$286,636.00
Tortolita Preserve Trailhead, Trails, and Fencing	$156,181.00
Honea Heights Park - Phase 2 Improvements	$1,261,461.00
Continental Ranch Park to Loop Extension	$420,487.00
New Competition Swimming Pool (50 Meter)	$3,934,557.00
Ora Mae Harn Park Facility Expansion	$1,784,066.00
Saguaro Bloom Park - Phase 1	$1,600,375.00
Saguaro Bloom Park - Phase 2	$4,805,566.00
Gladden Farms Bike Park	$1,201,391.00
Twin Peaks Park District Park - Land Acquisition and Phase 1 Development	$16,695,888.00
Mandarina Community Park	$7,568,766.00
Impact Fee Study	$60,000.00
Total	**$41,467,945.00**
Amount Funded by Parks Impact Fee	**$34,666,423.00**
Amount Funded by Construction Sales Tax Credits	**$6,801,522.00**

Additional Information related to these projects is provided below.

El Rio Disc Golf Course:

This project involves the construction of an 18-hole disc golf course. The course will provide a safe and appropriate location where this activity can occur. It will allow disc golf activities to be moved from other community parks, where it occurs on an informal basis, to this new location. The course will have the capacity to serve both existing users and new / future residents who engage in this recreational activity enabling the Parks and Recreation Department to maintain a consistent level of service.

El Rio Recreation Area – Loop Access Parking Lot:

The El Rio Recreation Area is a district or zone within the Town's Park system that includes (or will include) the El Rio Neighborhood Park, the El Rio Disc Golf Course, and portions of the Loop shared-use pathway. As the community's population grows, there will be increased demand for access to these facilities and other recreational facilities that can be accessed via the Loop. The proposed parking lot will allow the Town to continue to provide safe and legal access to these facilities consistent with the increased demand resulting from anticipated population growth.

Gladden Farms Baseball Field Improvements:

This project involves the installation of field lights and the construction of other related improvements that will change the fields from daytime-only use fields to daytime and evening use fields. The improvements will enable the Town to significantly expand the hours of operation and the number of teams / individuals who can use and benefit from access to this facility. It will help the Parks and Recreation Department to maintain a consistent level of service related baseball / softball field availability.

Gladden Farms Park New Lighted Soccer Fields:

The scope of the project includes the construction of two new natural turf, multi-sport / soccer fields within the existing boundaries of Gladden Farms Park. Improvements will include the fields, field lights to expand the potential hours of operation, and the parking area / restrooms required for public use. The project will increase the quantity of fields available to the community in response the anticipated increase in population and assist the Parks and Recreation Department in their efforts to maintain a consistent level of service related to multi-sport field availability.

Tortolita Preserve Trailhead, Trails, and Fencing:

As the population of the Town grows, there has been a steady increase in the number of residents using the Tortolita Preserve. The proposed Tortolita Preserve trailhead development and trail expansion project will enhance access, extend the length of the trail system, maintain site security, and allow additional residents to use this facility consistent with the increased demand resulting from population growth.

Honea Heights Park – Phase 2 Improvements:

The Honea Heights Park Phase 2 development project will include the construction of two new lighted multi-sport / soccer fields and supporting site improvements. The project will increase the quantity of fields available to the community in response the anticipated increase in population allowing the Parks and Recreation Department to maintain a consistent level of service.

Continental Ranch Park to Loop Connection:

The scope of this project consists of the construction of an accessible shared-use pathway that will connect the Continental Ranch Community Park with the Loop shared-use pathway system. As the community's population grows and the extent of the Loop pathway system expands, there is a need to provide new access facilities to maintain the same level of service for Marana residents. This project will contribute to addressing that need.

New Competition Swimming Pool:

The scope of this project involves the construction of a new competition swimming pools that will allow the Town to continue to provide swimming pool access to the growing number of Marana residents. Improvements will include the pool and the associated mechanical and water filtration / purifications equipment, only.

Ora Mae Harn Park Facility Expansion:

The scope of this project will involve the construction of a new racquet sport area with lighted pickleball and tennis courts. It will also include the construction of a new lighted multi-sport field and the expansion of the park's pathway system. The project will enable the Town to address increased demand for these facilities due to population growth and continue to provide the same level of service.

Saguaro Bloom Park Phase 1:

The new Saguaro Bloom Park (Phase 1) will include sport courts, playgrounds, picnic facilities, restrooms, and related site improvements and is being developed in response to population growth. It will allow the Parks and Recreation Department to provide these basic recreational resources to new residents, consistent with the resources it provides current residents.

Saguaro Bloom Park Phase 2:

Phase 2 of the Saguaro Bloom Park will include two lighted diamond (baseball / softball) fields, a lighted multi-sport / soccer field, an expanded dog park, and related facilities. As with Phase 1 of this project, it will allow the Parks and Recreation Department to provide these basic recreational resources to new residents, consistent with the resources it provides current residents.

Gladden Farms Bike Park:

The Gladden Farms Bike Park will include bike trails, a pump track, and similar features that can be used by Town residents. Outdoor recreation trends indicate that more and more individuals, both children and adults, are now choosing to engage in this recreational activity. Some of these activities currently occur within the Tortolita Preserve but as demand grows, it will be important to expand the areas available to the public so that the same level of service can be maintained.

Twin Peaks District Park Land Acquisition and Phase 1 Development:

The Twin Peaks District Park will be a new park as identified in the Town's Parks and Recreation 2020-2030 Master Plan. The park will be centrally located and will serve existing and new residents from throughout the Marana community. Proposed (Phase 1) facilities will include lighted fields, courts, playgrounds, picnic facilities, a dog park, and the supporting infrastructure. The park will be a component of the park system's expansion as needed to maintain a consistent level of service.

Mandarina Community Park:

Mandarina Community Park will be a new park and will similarly expand the recreational facilities available to residents while maintaining the same level of service for existing and new residents. Improvements planned for the park include lighted multi-sport / soccer fields, sport courts, ramadas, picnic facilities, and the infrastructure needed to support these improvements.

Summary of Projected Revenues and Planned Costs:

Provided below is a summary of projected revenues, projected costs, and Impact fees for various types of new development.

Figure 20: Summary of Projected Revenues and Planned Costs

Projected Revenues – Residential Development Impact Fees (1)	$33,383,527.00
Projected Revenues – Non-Residential Development Impact Fees (2)	$1,282,896.00
Total	**$34,666,423.00**
Planned Costs (3)	**$34,666,423.00**
Revenues as Percent of Planned Costs	**100%**

(1) See Figure 11 – Section 9
(2) See Figure 17 – Section 12
(3) See Figure 19 – Section 14

Figure 21 - Summary of Park Impact Fees:

Residential		
Single Family Residence (1 EDU)	$2,529.63	Per Dwelling Unit
Multi-Family Residential Unit (.67 EDU)	$1,694.85	Per Dwelling Unit
Non-Residential		
Retail	$224.00	Per 1,000 S.F.
High Traffic Retail	$870.00	Per 1,000 S.F
Office	$385.00 (4)	Per 1,000 S.F.
Hotel	$9.00	Per 1,000 S.F.
Industrial	$288.00	Per 1,000 S.F.
Medical	$288.00	Per 1,000 S.F.

(4) When the IIP portion of this report was adopted on September 20, 2022, this fee was erroneously listed as $285.00. The correct amount is $385.00, as calculated on pages 11-1 and 11-2, Figures 15 and 16, of this report.

Town of Marana

Impact Fee Study

Streets Facilities

Development Fee Report

Public Report

DRAFT

Prepared by

PSOMAS

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Tucson, AZ 85705

Prepared for

MARANA AZ
CELEBRATING 40 YEARS

11555 West Civic Center Drive
Marana, AZ 85653

Psomas Project No. 7TMA150123
December 5, 2022

Town of Marana Mayor and Council

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1. INTRODUCTION

The Town of Marana collects development fees to offset some of the infrastructure costs associated with growth. The Town's ordinance and fee structure complies with Arizona Revised Statute (ARS) §9-463.05. This report provides revised development fee studies, project lists, and fee schedules necessary to implement the update of its street impact fees.

The statute prescribes in detail development fee assessment procedures and programs. It limits the types of "necessary public services" which the fees can fund. A municipality must develop two preliminary products prior to calculating the fees for each service category: a set of land use assumptions and an infrastructure improvements plan (IIP). These documents were adopted by the Town Council on September 20, 2022.

As described in the Streets Facilities Infrastructure Improvements Plan (Streets IIP), the Town has three service areas for street improvements. The service areas are shown in Figure 1 on page 5. Note that this figure is slightly different than the one shown in the IIP because of the preexisting exemption for the Dove Mountain development.

This Development Fee Report defines terminology and identifies the maximum recommended fees to be collected to fund the Streets IIP. This report is an update of the Streets Facilities Fee Report approved and adopted by Town Council in December 2017.

2. STREETS FACILITIES FEE CATEGORIES

Streets facilities fees are assessed based on a development's size, type, and service area. The fees are divided into eight land use categories including residential, retail, high traffic retail, industrial, general office, medical facility, institutional, and recreation. Residential development and retail/service uses are further refined in subcategories. Definitions for these categories and subcategories are provided here, based on commonly used land use descriptions found in ITE's *Trip Generation* publication (ITE).

"Single Family Residential" (SFR) refers to all detached or attached residential structures characteristic of a primary residence, even if the residence is subsequently rented. Duplexes, Triplexes, Condominiums, Townhomes, as well as mobile homes and manufactured homes on individual parcels are assessed at the SFR rate. See also ITE Land Use Category 210.

"Multi-Family Residential" refers to development where more than a single residential unit occurs on a single lot. This includes apartments, student housing, and mobile home parks. See also ITE Land Use Category 220.

"Age Restricted Residential" refers to communities that restrict residents to those who are at least 55 years old with no one in the household under age 18. See ITE Land Use Categories 251 and 252.

"Hotel/Motel" refers to temporary lodging facilities including hotels, motels, time shares/fractional shares, and recreational vehicle parks. See ITE Land Use Categories 310, 320, and related categories.

"Congregate Care" refers to group housing that is typified by a central eating facility, smaller rooms, and a higher level of care for its tenants. This includes nursing homes, group homes, and other similar uses. See ITE Land Use Category 253.

"Retail Services" include myriad land uses providing retail sales, discount sales, and related services. See ITE Land Use Categories 800-899.

"High Traffic Retail" includes, but is not limited to, fast food restaurants, service stations, convenience stores, and high-turnover restaurants. See ITE Land Use Categories 853 and 900-999.

"Industrial" uses include all light and heavy industry, industrial parks, manufacturing, warehousing, mini-storage, and utilities. See ITE Land Use Categories 100-199.

"Office" includes all office uses, office parks, corporate headquarters, governmental offices, business parks, and research and development (R&D) parks. Doctor, dentist, and veterinary offices, clinics, and urgent care facilities fall under this category instead of medical facilities. See ITE Land Use Category 710 and related categories.

"Medical Facility" includes hospitals, micro hospitals, stand-alone emergency rooms, and other similar uses. See ITE Land Use Categories 610 and 630.

"Institutional" includes churches, schools, colleges, and universities, cemeteries, libraries, fraternal lodges, and day care centers. See ITE Land Use Categories 500-599.

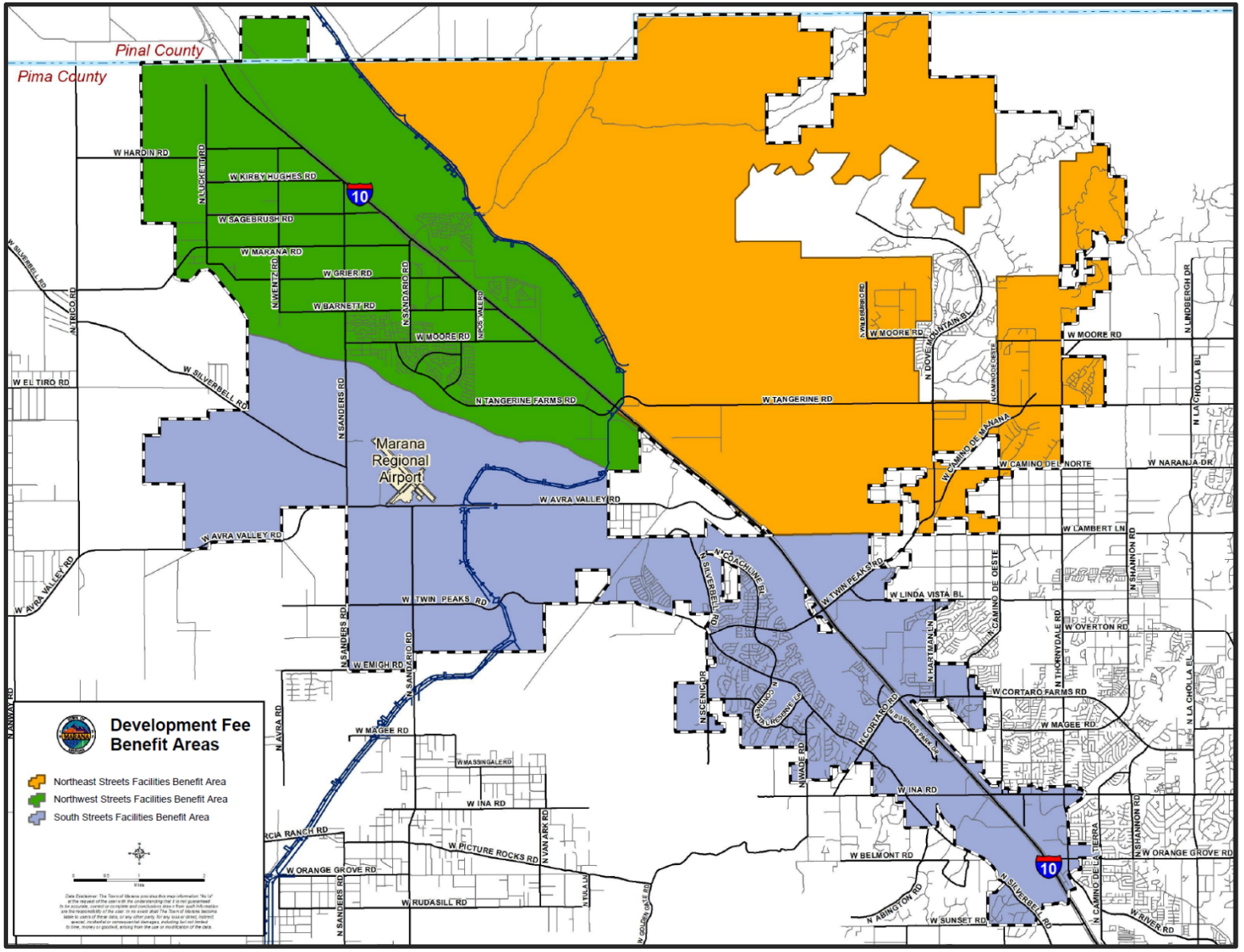
"Recreation" includes parks, camp grounds, golf courses, bowling alleys, movie theaters, racetracks, skating rinks, tennis courts, health/fitness clubs, and community recreational centers. See ITE Land Use Categories 400-499.

Additional definitions for terms used in the Streets IIP and in this report include the following:

"Equivalent Demand Unit (EDU)" is the demand for streets infrastructure created by a typical single family residence, or SFR. The average vehicle-miles of travel created by a SFR on the arterial/major collector network is one service unit, or EDU. The demand for streets infrastructure for other land uses is the ratio of its demand compared to that of a SFR, expressed in EDU. For example, the EDU/unit for one multi-family residential unit is 0.6 EDU. This definition differs from the Parks Fee study, which uses the ratio of household size (number of occupants) instead.

"Service Unit" means a standardized measure of infrastructure capacity consumption, use, generation or discharge attributable to an individual unit of development calculated pursuant to generally accepted engineering or planning standards for a particular category of necessary public services or facility expansions. In this Fee Report, the terms service unit and EDU are interchangeable.

Figure 1. Streets Facilities Benefit Areas



3. STREETS FACILITIES AND FUNDABLE IMPROVEMENTS

A list of proposed streets improvements to be funded between 2023 and 2032 is shown in Table 1 of the Streets IIP. That exhibit, titled "Necessary Streets Facilities, Existing and Future" is hereby incorporated by reference. The list includes projects in each of the three service areas, and total costs of improvements is $213,576,744. The total cost of the improvements is greater than the cost attributable to new development from 2023 to 2032, which totals $110,623,843, as shown in Table 1 below. The table also includes the cost of two updates to the impact fee studies during the 10-year period, estimated at $90,000 each, split proportionally (by EDUs) between the three service areas. These costs are eligible expenditures of development fees pursuant the definitions of necessary public services in A.R.S. §9-463.05(7)G.

The table also reflects the exemption of Dove Mountain from the northeast benefit area, including adjusted costs for the projects and the future impact fee (see additional discussion in Section 4). Per the existing agreement, the Town of Marana is responsible for impact fees which would have otherwise been paid by Dove Mountain.

Table 1. Gross Fee by Service Area

	Estimated EDUs by Service Area	Project Costs by Service Area	Impact Fee Study Costs	Total Costs by Service Area	Raw Streets Fee Per EDU
Northwest	9,618	$55,490,082	$105,813	$55,595,895	$5,780.29
Northeast (excluding Dove Mountain)*	1,789	$14,725,469	$19,680	$14,745,149	$8,242.76
Northeast (Dove Mountain)*	1,600	$13,170,819	$17,602	$13,188,421	$8,242.76
South	3,355	$27,237,473	$36,905	$27,274,378	$8,130.58
TOTALS	**16,362**	**$110,623,843**	**$180,000**	**$110,803,843**	**N/A**

*Dove Mountain costs will be borne by the Town of Marana per an existing agreement. See text.

4. DEVELOPMENT FEES FOR STREETS FACILITIES

The analysis of maximum recommended fees for the various land use categories, as applied to the three service areas, takes into consideration numerous factors. These include the trip generation rates, percent of primary trips, length of travel on the major collector/arterial system, and the current expected cost of building additional roadway capacity. These factors are inherent in the summary matrix provided in Table 2, which defines the recommended maximum base fee for each combination of land use and service area. (Additional detail is provided in Appendix B.) This table also includes fee offsets for the construction sales tax (CST) as applicable, which was detailed in the IIP. The CST credit described in the Streets IIP is split between the Streets Fee and the Parks Fee. The Parks fee credit is $500 per residential unit for single family, multi-family, and age restricted units and is $100 per unit, room, or 1,000 square feet as applicable for all other uses; the remainder is credited to the Streets Fee.

As examples, the recommended maximum base development fees for single family residences are $2,304 for the Northwest service area, $4,767 for the Northeast service area, and $4,655 for the South service area. The recommended maximum fees for other land uses are proportional to their relative EDU factors and allowable offsets. Note that fees for the "Retail and Services" category are assessed on a build-up basis. For example, a 150,000 square foot development in the South service area would be charged $86,025 for the first 15,000 square feet plus $9,800 times 135 for the remaining 135,000 square feet, for a total base fee of $1,409,025.

Fees are assessed not only for new capacity, but also for available capacity built in advance by the Town in anticipation of new development. The value of these completed capacity projects is factored into the analysis on a pro rata basis of construction costs and the utilization of these facilities by an expanded population and business base. These projects include portions of Tangerine Road, Twin Peaks Road, Moore Road, Cortaro Road, Silverbell Road, and Ina Road, as shown in Appendix B.

Table 2. Recommended Maximum Street Facilities Fee

Land Use Category	Unit	EDUs per Unit	Raw Fees*			Construction Sales Tax**	Base Fees***		
			Northwest	Northeast	South		Northwest	Northeast	South
Residential									
Single Family Residential	Dwelling Unit	1.0	$ 5,780	$ 8,243	$ 8,131	$ 3,476	**$ 2,304**	**$ 4,767**	**$ 4,655**
Multi-Family	Dwelling Unit	0.6	$ 3,468	$ 4,946	$ 4,878	$ 1,392	**$ 2,076**	**$ 3,554**	**$ 3,486**
Hotel/Motel	Rooms	0.5	$ 2,890	$ 4,121	$ 4,065	$ 1,095	**$ 1,795**	**$ 3,026**	**$ 2,970**
Congregate Care	Dwelling Unit	0.2	$ 1,156	$ 1,649	$ 1,626	$ 1,060	**$ 96**	**$ 589**	**$ 566**
Single Family Residential (age restricted	Dwelling Unit	0.4	$ 2,312	$ 3,297	$ 3,252	$ 3,476	**N/A**	**N/A**	**N/A**
Multi-Family Residential (age restricted	Dwelling Unit	0.3	$ 1,734	$ 2,473	$ 2,439	$ 1,392	**$ 342**	**$ 1,081**	**$ 1,047**
Retail and Services ****									
< 15,000 sf	1000 sf	0.9	$ 5,202	$ 7,418	$ 7,318	$ 1,583	**$ 3,619**	**$ 5,835**	**$ 5,735**
>15,000 sf						*Total fee for first 15,000 sq ft:*	**$ 54,285**	**$ 87,525**	**$ 86,025**
	1000 sf	1.4	$ 8,092	$ 11,540	$ 11,383	$ 1,583	**$ 6,509**	**$ 9,957**	**$ 9,800**
High Traffic Retail	1000 sf	1.9	$ 10,983	$ 15,661	$ 15,448	$ 2,186	**$ 8,797**	**$ 13,475**	**$ 13,262**
Industrial	1000 sf	0.4	$ 2,312	$ 3,297	$ 3,252	$ 2,186	**$ 126**	**$ 1,111**	**$ 1,066**
General Office	1000 sf	0.8	$ 4,624	$ 6,594	$ 6,504	$ 2,186	**$ 2,438**	**$ 4,408**	**$ 4,318**
Medical Facility	1000 sf	1.1	$ 6,358	$ 9,067	$ 8,944	$ 4,687	**$ 1,671**	**$ 4,380**	**$ 4,257**
Institutional	1000 sf	0.3	$ 1,734	$ 2,473	$ 2,439	$ 2,468	**N/A**	**N/A**	**$ N/A**
Recreation	1000 sf	0.3	$ 1,734	$ 2,473	$ 2,439	$ 2,240	**N/A**	**$ 233**	**$ 199**

*Raw fees are the development fees before construction sales tax credits are applied.

** Construction sales tax credit for single family residential, multi-family, single family (age restricted) and multi-family (age restricted) has been reduced by $500 and for all other uses has been reduced by $100 to account for that portion of the CST credit applied to the Parks and Recreational Facilities fee.

***Base fees are the raw fees after applying the construction sales tax credits.

****Retail developments will pay the total fee for the first 15,000 sq ft (as applicable) plus the base fee for their category for each additional square foot of building area. For example, the impact fees for a 150,000-sq ft development in the South benefit area would be $86,025 for the first 15,000 sf plus ($9,800 x 135) for the remaining 135,000 sf, for a total base fee of $1,409,025.

The fees shall be determined by the Town utilizing the land use intensity factors contained in the fee tables, i.e., number of dwelling units or 1000s of square feet of building area. Portions of a development that do not generate traffic impacts may be excluded from the calculation of fees at the discretion of the Town.

Examples of such ancillary uses which would not generate traffic impacts include maintenance and storage facilities on a golf course or an outdoor car wash at an auto dealership. Fees shall be assessed to governmental uses including school districts, fire districts, water companies, and public utilities. The Town of Marana is a municipal corporation exempt from streets facilities development fees.

The Dove Mountain development is removed in its entirety from the streets facilities development fee northeast benefit area due to a prior agreement between the Town and the developer. This exemption does not alter the technical analysis or the resulting fee calculation. The fee study considers the exemption of approximately 1,300 single family and 500 multi-family dwelling units representing approximately 1600 EDUs anticipated in the Land Use Assumptions for Dove Mountain over the next 10 years. The subtraction of these EDUs does not change the result of the fee analysis because the total fees for the benefit area were reduced accordingly (i.e. the portion which Dove Mountain would have paid was removed from the total). The Town of Marana is obligated to provide any streets facilities project funding which otherwise would have been paid by Dove Mountain.

As a matter of sound fiscal policy, the streets fees should be reviewed, and if necessary, adjusted, every two years concurrent with the mandatory biennial audit. At a minimum, upon consideration by the Mayor and Council, adjustment should be made for the Construction Cost Index, which shall not exceed a five percent increase in the fee.

5. GUIDANCE ON SPECIAL FEE STUDIES

5.1. NEED FOR SPECIAL FEE STUDIES

In some cases, there will be a need for a special impact fee study because the routine application of the fee table is deemed unfair to either the developer or the Town. This might occur if the projected traffic from a proposed development has a significantly different trip generation rate or trip length, or if there is no strong nexus between the land use and the funded facilities. An example of this would include a student housing project where vehicle use is low, alternate modes are provided, and trip distances are short. Conversely, an industrial use might overburden a roadway structural section such that the roadway design basis used in the fee calculation is exceeded. In such a case, additional structural capacity would be needed for the proposed loading rather than adding travel lanes.

One use which is likely to require a special fee study is a logistics facility. These facilities generally dedicate most or all of their floor space to moving product, as opposed to a more typical industrial facility which includes a large amount of space for production and smaller amount of space for shipping/receiving. In addition, logistics facilities are likely to have a higher heavy truck percentage and higher overall trip generation than a “typical” industrial facility of the same size, and therefore, are expected to have a greater impact on the streets network.

For these examples (and other unusual situations), either the developer or the Town would request a special impact fee study be conducted. The study could be conducted by a qualified consultant on behalf of the developer, or by Town staff. The Town remains the final decision maker on these matters, including the need for a special study, who conducts it, and its ultimate approval resulting in a modified fee.

5.2. TIMING OF SPECIAL FEE STUDIES

Special fee studies may be initiated by a developer or by the Town. In the case of developer-initiated studies, the developer shall submit to the Town a letter of justification prior to conducting a special fee study. The letter shall state the reasons why a special study is necessary. If Town staff concurs that a special study is justified, staff will then decide if the study will be conducted in-house at no cost to the developer, or by a mutually agreed upon and qualified third party, at the expense of the developer. The Town shall render a determination on the request within two weeks of submittal. Special fee studies must be justified, prepared, submitted, and approved (if appropriate) prior to the time when streets facilities development fees are due. Special studies may not be conducted retroactively or after development fees have been paid to the Town. Requests for full or partial refunds after payment of the fees are not allowed.

In cases where the Town initiates a special fee study, the Town shall notify the developer in writing not later than four weeks after a developer submits a tentative plat in the case of a subdivision, development plan, or building permit request. The Town shall conduct a special fee study and make a modified fee determination prior to the time fees are due. A developer may appeal the Town's findings to the Town Council in a manner prescribed by Town ordinances and codes. The Town may not conduct a special study or modify fees retroactively or after development fees have been paid to the Town.

In no case shall special fee studies be conducted due to simple disagreement with the Town's cost estimates, ITE trip generation rates, or projects defined in the Infrastructure Improvements Plan for Streets Facilities. Developer-initiated fee studies will generally be disallowed if the project can readily be reused for other more intense purposes.

5.3. PERSONS PREPARING SPECIAL FEE STUDIES

Due to the highly technical nature of development fee calculations, special fee studies shall be prepared by qualified professional(s), as defined by statutes. For studies conducted by a third party on behalf of the developers, the Town shall approve the selection of the person or firm preparing the study in advance of the study's submittal to the Town.

5.4. CONTENT OF SPECIAL FEE STUDIES

Special fee studies may be prepared as a freestanding report or as a supplement to a traffic impact report required by the Town as a precondition of development approval. Special fee studies shall include the following elements:

- *Introduction* describing the project location, land use, and intensity. State the assigned Marana case number.
- *Justification for the Study*, which may be a reiteration of the approved letter of request.
- Technical analysis of the elements of fee basis, resulting in a new or revised EDU calculation used to estimate the impact fee. The technical analysis may consider the existing uses of the site.
- Detailed cost estimate of proposed development to determine construction cost credit. This cost estimate may ultimately be utilized by the Town for building permitting use.
- Recalculation of the proposed Streets facilities development fee to be paid by the developer, based on the revised EDU calculation. The fee recalculation may also consider credits for prior Streets facilities development fee payments to the Town and existing uses on the site.
- Summary of findings, briefly restating the contents of the study.
- Appendices, providing any supporting information such as field data, technical publications, and market information. Include copies of the letter of request for a special study and the approval of the request.
- Seal of professional registrant as required by R4-30-304, Use of Seals, Arizona State Board of Technical Registration.

6. GUIDANCE ON FEE CREDITS

Fee credits are allowed under three circumstances:

Credit for Prior Fees. If a streets facilities development fee has been paid previously to the Town for an approved development on the same site, the Town shall adjust the amount of the new impact fee due by subtracting the previous payment amount, uninflated, from the total due.

Credit for Existing Uses. The demand for roadway capacity from a conforming developed site may be subtracted from the impacts of a proposed new use or reuse in a special fee study. Replacement of existing conforming uses of the same type and scale (number of EDU) will have no fee assessed. Credit shall not be given for nonconforming existing uses under any circumstances.

Credit for Improvements in the IIP. A developer may be credited for making improvements contained in the IIP at an amount not greater than the estimated cost contained in the most current IIP, which includes right-of-way costs. Partial improvements shall be credited on a pro rata basis as determined by the Town. Dedications-of-rights of way only shall be credited based on the presumptive right-of-way unit costs used in the preparation of the Streets IIP, which is $45,000 per acre**.**

Appendix A
List of Preparers

Psomas

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Staff Participants

Fausto Burruel, P.E., Public Works Director & Acting Town Engineer

Jane Fairall, Town Attorney

Appendix B

Assessed Costs by Project and Service Area

	Road Project	Limits		Project Type	# of Lanes	Classification	Volume Before Improvements	Existing Volume (veh/day)	Existing Capacity (veh/day)	Future Volume (veh/day)	Future Capacity (veh/day)	Traffic from Development	% of Capacity used by development	Total Improvement Costs	Cost of New Two-Lane Roadway	Outstanding Impact Fee Credits / Debt Service	Cost of Vehicular Improv (80%)	Cost of bike/ped improv (20%)	Cost Attributable to Develoment = (Vehicular Cost * % Capacity used) + 100% of ped/bike improvements
Northwest	Marana Main Street	Sandario Rd	Grier Rd	New	2	Collector	0	0	N/A	3,000	13,990	3,000	21%	$ 3,255,000					$ 3,255,000
	Marana Main Street	Tangerine Farms Rd	Sandario Rd	Legacy	2	Collector	0	1,000	16,730	4,300	16,730	3,300	20%			$ 873,000			$ 873,000
	Tangerine Farms Road	I-10 (Tangerine TI)	Clark Farms	Legacy	4	Arterial	0	13,500	37,610	27,500	37,610	14,000	37%			$ 3,018,397			$ 3,018,397
	Clark Farms	Riccati Dr	Despain Dr	Legacy	3	Collector	0	3,200	17,567	8,700	17,567	5,500	31%						
	Tangerine Farms Road	Clark Farms	I-10 (Marana TI)	New	4	Arterial	0	0	N/A	10,000	30,620	10,000	33%	$ 15,977,000	$ 7,484,400				$ 7,484,400
	Marana Road Interchange, Phase 1	N/A	N/A	Interchange Reconstruct	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	$ 6,753,000					$ 6,753,000
	Clark Farms	Despain Dr	Lon Adams Rd	New	3	Collector	0	0	N/A	10,000	14,690	10,000	68%	$ 4,520,000			$ 3,616,000	$ 904,000	$ 3,365,622
	Clark Farms	Lon Adams Rd	Tangerine Farms Rd	New	4	Collector	0	0	N/A	9,000	30,620	9,000	29%	$ 25,313,000	$11,774,700				$ 11,774,700
	Adonis Road	Grier Rd	Tangerine Rd	New	2	Collector	0	0	N/A	10,000	15,930	10,000	63%	$ 20,601,000			$ 16,480,800	$4,120,200	$ 14,465,963
	Tangerine Road Interchange	N/A	N/A	Interchange Reconstruct	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	$ 4,500,000					$ 4,500,000
Northeast	Tangerine Road, Phase 1	Dove Mountain Blvd	Town Limits	Completed Capacity	4	Arterial	14,444	15,400	37,610	20,400	37,610	5,000	13%	$ 6,189,000			$ 4,951,200	$1,237,800	$ 1,896,029
	Tangerine Road, Phase 2	I-10 (Tangerine TI)	Dove Mountain Blvd	Improvement	4	Arterial	N/A	8,000	16,730	14,000	37,610	6,000	16%	$ 42,537,000			$ 34,029,600	$8,507,400	$ 13,936,211
	Twin Peaks Road	Lambert Ln	Tangerine Rd	Completed Capacity	4	Arterial	0	16,000	37,610	23,500	37,610	23,500	62%			$ 3,642,259			$ 3,642,259
	Moore Road	Camino De Oeste	Thornydale Rd	Completed Capacity	2	Collector	0	3,000	13,990	7,000	16,730	7,000	42%			$ 291,788			$ 291,788
	Cayton Road	Dove Mountain Blvd	Thornydale Rd	New	2	Collector	0	0	N/A	5,400	13,990	5,400	39%	$ 6,630,000					$ 6,630,000
	Tangerine Road Interchange	N/A	N/A	Interchange Reconstruct	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	$ 1,500,000					$ 1,500,000
South	Twin Peaks Interchange	N/A	N/A	Legacy	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%			$ 3,757,886			$ 3,757,886
	Twin Peaks Road	I-10	Lambert Ln	Legacy	4	Arterial	0	22,000	37,610	33,000	37,610	11,000	29%						
	Twin Peaks Road/Rattlesnake Pass	Saguaro Highlands Dr	Silverbell Rd	Expansion	4	Collector	N/A	12,500	16,730	22,700	37,610	10,200	27%	$ 18,001,838			$ 14,401,470	$3,600,368	$ 7,506,111
	Cortaro Road	I-10	Camino de Oeste	Completed Capacity	4	Arterial	23,000	25,000	37,610	29,000	37,610	4,000	11%	$ 8,134,735			$ 6,507,788	$1,626,947	$ 2,319,081
	Silverbell Road	Ina Rd	Cortaro Rd	Completed Capacity	4	Arterial	9,800	14,000	37,610	22,500	37,610	8,500	23%	$ 21,068,682			$ 16,854,946	$4,213,736	$ 8,023,017
	Ina Road	I-10	Silverbell Rd	Completed Capacity	4	Arterial	12,848	26,000	16,730	32,300	37,610	6,300	17%	$ 9,000,000			$ 7,200,000	$1,800,000	$ 3,006,062
	Silverbell Road	Ina Rd	Sunset Rd	Expansion	4	Arterial	N/A	10,000	16,730	16,000	37,610	6,000	16%	$ 8,013,159			$ 6,410,527	$1,602,632	$ 2,625,316

TOWN OF

Marana

Water Infrastructure, Water Resources, and Water Reclamation Impact Fee Report

Final Draft Report / December 8, 2022

RAFTELIS

RAFTELIS

December 8, 2022

Ms. Jing Luo, PhD, PE
Director
Marana Water Department
Town of Marana
11555 W. Civic Center Dr.
Tucson, AZ 85653

Subject: Draft Water Infrastructure, Water Resources, and Water Reclamation Impact Fee Report

Dear Ms. Luo,

Raftelis is pleased to provide this Draft Water Infrastructure, Water Resources, and Water Reclamation Impact Fee Report (Report) for the Town of Marana (Town) to determine utility impact fees to recover the cost of serving new development within the Town. The Town's utility impact fees were last updated in 2017. The Town anticipates a rapid pace of growth over the next 10 years and needed to revise its impact fees to ensure that the costs of providing water infrastructure, water resources, and water reclamation service to these new customers are appropriately recovered from them.

We have carefully reviewed the Town's infrastructure improvements plans (IIP) and Land Use Assumptions (LUA) documents to understand the growth and capacity required to serve new development over the next 10 years. Based on these documents, discussions with Town staff and other Town consultants, we have applied industry standard methodologies to determine utility impact fees which comply with Arizona Revised Statutes (ARS) § 9-463.05.

This report summarizes the key findings and recommendations related to the development of the impact fees. It has been a pleasure working with you, and we thank you and Town staff for the support provided during the course of this study.

Sincerely,

Todd Cristiano
Senior Manager

Collin Drat
Manager

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1. Executive Summary

1.1. Introduction

The Town of Marana (Town) retained Raftelis to conduct a comprehensive update to its water infrastructure, water resources, and water reclamation impact fees pursuant to the requirements of Arizona Revised Statutes (ARS) § 9-463.05 (Statute). These fees were last updated in 2017. The requirements of the Statute include 3 major components to determine fees:

1. **Land Use Assumptions (LUA) Report**, which identifies the level of residential and non-residential growth anticipated in the Town's utility service area from January 1, 2023 to December 31, 2032 (the Study Period). This document was developed by the Town and Psomas.

2. **Infrastructure Improvements Plan (IIP) Reports**, which identifies the current and future facilities required to serve development identified in the LUA. The Town retained Westland Resources, Inc. to develop the water infrastructure and water resources IIP (Water IIP) and HDR to develop the water reclamation IIP (Sewer IIP).

3. **Impact Fee Report (Fee Report)**, the subject of this document, which outlines the calculation of impact fees, which will appropriately recover the costs of the identified infrastructure improvements to support growth throughout the Study Period.

This report includes updates to the following fees:

Water Infrastructure Impact Fees. These fees recover the cost of water system improvement to serve new development within the North Marana, Twin Peaks, and Saguaro Bloom benefit areas.

Water Resources Impact Fees. These system-wide fees recover the cost to secure water resources for new customers, which include 50% of the Town's water reclamation facility (WRF), whose effluent is used for groundwater recharge, and the cost of acquiring additional water resources. Currently, reclaimed water/effluent makes up 22% of Marana's designation of assured water supply authorized by Arizona Department of Water Resources (ADWR).

Water Reclamation Impact Fees. These system-wide fees recover the cost incurred to provide wastewater collection and treatment services to new customers within Marana's Water Reclamation Designated Management Area (DMA) and includes the cost wastewater collection system improvements, and 50% of the cost of the Town's WRF.

1.2. Findings and Conclusions

Arizona Revised Statutes §9-463.05 (Statute) identifies the specific requirements for municipalities to assess impact fees. Impact fees can only be calculated and assessed for expansion-related existing or proposed improvements included in an approved IIP. The IIP must be tied to the LUA or growth projections that are tied to the service area in which fees will be enacted. The Statute also provides for strict notification, public hearing, and implementation schedules, among other provisions.

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This fee report describes the methodology used to determine impact fees which recover the cost of growth anticipated in the Town over the next ten years (2023 – 2032). The proposed fees are anticipated to be effective 75 days after they are formally adopted by the Town Council. **Table 1** compares the existing and calculated fees. The fees calculated in this report represent supportable fees under the Statute. The Town may choose to adopt fee levels up to these amounts and still be within the legal requirements of the Statute.

Table 1: Comparison of Existing and Calculated Fees

Description	Water Infrastructure			Water Resources [1]	Water Reclamation
	North Marana	Twin Peaks	Saguaro Bloom		
Existing					
5/8" [1]	$ 2,331	$ 2,740	$ 838	$ 3,050	$ 3,930
3/4" [1]	3,497	4,110	1,257	4,575	5,895
1"	5,828	6,850	2,095	7,626	9,824
1 1/2"	11,656	13,700	4,189	15,251	19,648
2"	18,650	21,920	6,703	24,402	31,437
Calculated Fee					
5/8" [1]	$ 3,356	$ 2,967	$ 838	$ 5,358	$ 4,995
3/4" [1]	5,033	4,450	1,257	8,036	7,493
1"	8,388	7,416	2,095	13,394	12,488
1 1/2"	16,776	14,832	4,189	26,787	24,975
2"	26,841	23,731	6,703	42,859	39,960
Change					
5/8"	$ 1,025	$ 227	$ -	$ 2,308	$ 1,065
3/4"	1,536	340	-	3,461	1,598
1"	2,560	566	-	5,768	2,664
1 1/2"	5,120	1,132	-	11,536	5,327
2"	8,191	1,811	-	18,457	8,523

[1] Water meter sizes are determined by the total number of fixtures. In cases where the number of fixtures may be served by a 5/8" meter, but a ¾" meter is required ONLY for the purpose of providing adequate flows for a residential sprinkler system, the Town will charge a Water Resources impact fee based on a 5/8" meter.

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2. Introduction

2.1. Report Organization and Relationship to Other Reports

Our report to the Town includes the following sections:

1. Executive Summary
2. Introduction
3. Water Infrastructure Fees
4. Water Resources Fees
5. Water Reclamation Fees

The recommendations outlined in this report are based on information from the Town's Water and Sewer IIP reports. References to those reports are made throughout and this report is intended to be read alongside those reports.

2.2. Impact Fee Methodology

Impact fees are one-time fees assessed to new development in the Town to fund the additional capacity required to serve new development; the impact fee represents the unit cost of this capacity. The Statute states that a municipality may assess fees to offset the costs to provide necessary public services. This includes the cost of infrastructure, improvements, property, architectural services, financing and professional services to develop the fees. Under Arizona law the development of the fees must meet the following requirements:

- Provide a beneficial use to the development
- Fees must be calculated based on an IIP
- Fees must not exceed the proportionate share of capacity costs of public facilities, based on service units, needed to provide the necessary public services to the development
- Costs for necessary public service shall not exceed the current level of service (LOS)
- Fees may only be used to fund projects identified in the approved infrastructure improvements plan for expansion-related facilities. Fee cannot be used to correct existing deficiencies or to fund operating expenses.

An impact fee is designed to recover the capital cost of system capacity dedicated to or "used up" by new development. There are three generally accepted methodologies used to calculate impact fees. They are described below.

- ***Recoupment (Buy-in).*** New development pays its proportionate share of existing facilities that have available capacity to serve growth. Revenue from these fees is 'recouped' by existing rate payers thereby compensating them for their initial investment to serve existing and future growth.

- ***Incremental Expansion.*** This method develops the existing level of service for each of the facilities based on specific characteristics of the facility. It is assumed there are no existing deficiencies or future capacity in facility infrastructure. New development pays for its proportionate share of growth-related facilities that is sufficient to maintain current LOS standards. Revenue from fees under incremental expansion will be reserved for funding future development.

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- ***Hybrid.*** This method considers the amount and cost of available capacity along with the cost and amount of future capacity. The available capacity costs and future capacity costs are divided by the sum of available and projected capacity to calculate the unit costs (per EDU) of the service.

For this study, Raftelis used the following approaches for each impact fee:

- Water Infrastructure – Incremental
- Water Resources – Hybrid
- Water Reclamation – Hybrid

2.3. Reliance on External Data

Throughout the project, the Town provided Raftelis with a variety of information including financial reports and projected capital expenditures for each fee area. Raftelis has reviewed the data for reasonableness and general representation of cost and related activities. Raftelis did not independently assess or verify the accuracy of such data – historic or projected. We have relied on this data in the formulation of our findings and recommendations, as well as in the preparation of this report. After the projects are completed, there will be differences between actual and projected data, and the differences will be reconciled in a future impact fee study. Raftelis takes no responsibility for the accuracy of the costs and/or projections provided by or prepared on behalf of the Town by others, nor does Raftelis have any responsibility for updating this report for events occurring after this report has been finalized. The primary sources of information relied upon for this report are the "Water Facilities Infrastructure Improvement Plan" (Water IIP) prepared by Westland Resources, Inc and the "Wastewater Facilities Infrastructure Improvement Plan (Sewer IIP)" prepared by HDR.

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3. Water Infrastructure Fees

3.1. Benefit Areas

Currently, the Town's water service area is comprised of seven (7) individual water systems:

1. North Marana
2. Tangerine Business Park
3. Hartman Vistas
4. Picture Rocks
5. Marana Airport
6. Saguaro Bloom
7. Palo Verde

In addition to these 7 water systems, the Town also wheels water to customers through the City of Tucson's (City) water system, pursuant to an intergovernmental agreement (IGA) with the City. The Town's water system will become increasingly interconnected as the improvements are completed. Accordingly, many of the identified projects will benefit more than one water system. To recognize these shared benefits, the Water IIP consolidates the 7 water systems to the 5 benefit areas identified in **Table 2** below. The Town's Water IIP identifies infrastructure improvements in 5 water systems (North Marana, Tangerine Business Park, Hartman Vista, Picture Rocks, and Marana Airport) only. No infrastructure improvements have been identified for Palo Verde or the IGA area. The fee for the Saguaro Bloom benefit area recovers the cost of debt issued by the Town to fund growth related infrastructure improvements. The existing Saguaro Bloom fees will continue to be collected until the previous cost/debt is repaid.

Table 2: Water Infrastructure Benefit Areas

Water Systems	Benefit Areas
North Marana	North Marana
Tangerine Business Park	
Hartman Vistas	Twin Peaks
Picture Rocks	
Marana Airport	
Saguaro Bloom	Saguaro Bloom
Palo Verde	Palo Verde
IGA	IGA

Source(s): Water IIP p. 1-2

3.2. Water Infrastructure EDUs

The Town's water system must deliver water to customers at appropriate pressures under average and peak conditions. The projects identified in the Water IIP are based on engineering design criteria which are: 1) the same for all benefit areas and 2) the same for new customers as for existing customers.[1] The level of service for the

[1] See Water IIP p. 2-4 for further detail on level of service for water customers.

Town's water systems is expressed in terms of equivalent dwelling units (EDUs) with one EDU equal to the demand of one single family residence.

The Town's LUA report projects the level and type of development which is anticipated to occur over the Study Period. Using these projections, the Water IIP then develops a projection of EDUs for the Study Period. **Table 3** identifies the projected number of EDUs by benefit area. The total number of EDUs included in the Water IIP is 12,205. While the Water IIP anticipates 850 additional EDUs in the Saguaro Bloom water system and 546 EDUs in the IGA area, there are no water infrastructure projects associated with these benefit areas. Accordingly, only 10,809 EDUs are included as the basis for the water infrastructure impact fee calculation.

Table 3: Water Infrastructure EDUs by Benefit Area

IIP Benefit Areas	Study Period Growth
North Marana	8,821
Twin Peaks	1,988
Saguaro Bloom	850
Palo Verde	-
IGA	546
Grand Total	**12,205**

Source(s): Water IIP Table 4

3.3. Water Infrastructure Impact Fee Costs

Expansion-related capital costs include the cost of infrastructure improvements required to support growth in the two benefit areas, as well as other costs which support the funding and delivery of these improvements. In both cases the costs represent the *incremental* costs to serve new development during the Study Period.

Table 4 lists the 15 expansion-related projects that are required to serve the EDUs added over the Study Period. Projects 1-6 will address development needs throughout both the North Marana and Twin Peaks benefit areas. The remaining projects are specific to supporting growth in either the North Marana benefit area or the Twin Peaks benefit area. The cost of projects 1 through 4 will be 50% funded through the water infrastructure impact fee with the remainder funded through water rates or other funding sources. The Marana Park Reservoir project, which partially addresses an existing deficiency, will be partially funded through impact fees and a partially forgivable WIFA loan, which will be repaid through water rates. This is in proportion to the storage deficiency in the North Marana benefit area. The Town has been approved for another WIFA loan for the Twin Peaks and Picture Rocks interconnect projects. This loan includes $3,454,431 in principal forgiveness, with the balance ($1,000,982) funded by the water infrastructure impact fee. All other projects will be 100% impact fee funded.

In addition to the infrastructure improvements identified above, there are three other costs which will be recovered via the water infrastructure impact fee. The Town issued bonds to construct improvements to support development in the Hartman Vistas water system (included in the consolidated Twin Peaks benefit area). The remaining payments for these bonds total $1,573,010 and will be recovered via the Twin Peaks impact fee. Costs for a water system master plan ($150,000[2]) and the next impact fee study ($60,000), have also been included for both the North Marana and Twin Peaks benefit areas.

[2] Per Water IIP p. 22

Table 4: Water Infrastructure Impact Fee Costs

#	Description	Total Cost	% Fee Funded	$ Included
	Project Costs			
1	50% Airport Connection to NRWWDS Pipeline	$ 4,050,163	50%	$ 2,025,081
2	50% Partnered NRWWDS Project	7,471,788	50%	3,735,894
3	50% Marana Booster at NRWWDS	4,215,549	50%	2,107,775
4	50% Blending Plan	120,000	50%	60,000
5	B-Zone Booster and Transmission Line	4,413,278	100%	4,413,278
6	B-Zone Reservoir	617,700	100%	617,700
7	C-Zone Booster	1,819,375	100%	1,819,375
8	Tangerine 16" with Break Tanks	5,307,960	100%	5,307,960
9	Tangerine 16" at I-10	2,634,128	100%	2,634,128
10	Marana Park Well	991,302	100%	991,302
11	Marana Park Reservoir	4,566,723	78%	3,566,723
12	Sanders Road 24" Pipeline	4,878,502	100%	4,878,502
13	Twin Peaks/Picture Rocks Interconnect	4,455,413	22%	1,000,982
14	Honea East Well	216,550	100%	216,550
15	Heritage Park Water Plant	5,328,123	100%	5,328,123
	Subtotal: Project Costs	$ 51,086,554	76%	$ 38,703,373
	Other Costs			
16	Master Plan	$ 150,000	100%	$ 150,000
17	Impact Fee Study	60,000	100%	60,000
18	Hartman Debt Service Reimbursements	1,573,010	100%	1,573,010
	Subtotal: Other Costs	$ 1,783,010		$ 1,783,010
	Total Water Impact Fee Costs	**$ 52,869,564**		**$ 40,486,383**

Source(s): Project Costs (Water IIP Table 18), Hartman Vistas Debt and Master Plan (Water IIP p. 22)

3.4. Water Infrastructure Fees and Projected Revenue

Table 5 shows the water infrastructure impact fee calculation per EDU. As noted above, the Water IIP has identified water infrastructure projects for the North Marana and Twin Peaks benefit areas only. Projects which support growth in both benefit areas have been allocated to each benefit area in proportion to the projected Study Period EDUs. North Marana represents 82% of the Study Period EDUs of the North Marana and Twin Peaks benefit areas combined. Accordingly, the North Marana fee has been allocated 82% of these costs, with the balance (18%) included in the Twin Peaks fee. The remaining projects have been allocated directly based on the benefit area they support. The master plan ($150,000) and the impact fee study ($60,000) will support both benefit areas and have been allocated in proportion to Study Period EDUs.

The calculation also includes a credit for the fund balance in the water infrastructure impact fee fund. This balance represents the difference between the fees which have been collected to date and the project costs which have been incurred and provides credit for funds collected in previous years in advance of the projects being constructed. As noted above, the project costs indicated below represent the incremental cost to serve the Study Period EDUs only. Accordingly, the fee per EDU is calculated by summing the costs, by benefit area, and dividing by the incremental Study Period EDUs.

Table 5: Water Infrastructure Impact Fee per EDU

Description	System-Wide	North Marana	Twin Peaks
Impact Fee Costs			
50% Airport Connection to NRWWDS Pipeline	$ 2,025,081	$ 1,652,627 [1]	$ 372,455 [1]
50% Partnered NRWWDS Project	3,735,894	3,048,785 [1]	687,109 [1]
50% Marana Booster at NRWWDS	2,107,775	1,720,111 [1]	387,664 [1]
50% Blending Plan	60,000	48,965 [1]	11,035 [1]
B-Zone Booster and Transmission Line	4,413,278	3,601,584 [1]	811,694 [1]
B-Zone Reservoir	617,700	504,092 [1]	113,608 [1]
C-Zone Booster	1,819,375	-	1,819,375
Tangerine 16" with Break Tanks	5,307,960	5,307,960	-
Tangerine 16" at I-10	2,634,128	2,634,128	-
Marana Park Well	991,302	991,302	-
Marana Park Reservoir	3,566,723	3,566,723	-
Sanders Road 24" Pipeline	4,878,502	4,878,502	-
Twin Peaks/Picture Rocks Interconnect	1,000,982	-	1,000,982
Honea East Well	216,550	216,550	-
Heritage Park Water Plant	5,328,123	5,328,123	-
Master Plan	150,000	122,412 [1]	27,588 [1]
Impact Fee Study	60,000	48,965 [1]	11,035 [1]
Hartman Debt Service Reimbursements	1,573,010	-	1,573,010
Total Impact Fee Costs	$ 40,486,383	$ 33,670,829	$ 6,815,554
Divided by: New EDUs	10,809	8,821	1,988
Equals: Infrastructure Cost per EDU		**$ 3,817**	**$ 3,428**
Less: Balance on 8/23/2022	$ 4,993,825	$ 4,075,357 [1]	$ 918,468 [1]
Divided by: New EDUs	10,809	8,821	1,988
Equals: Credit for Balance per EDU		**$ 462**	**$ 462**
Water Infrastructure Fee per EDU (Infrastructure Cost - Balance)		**$ 3,355**	**$ 2,967**

Source(s): Impact Fee Costs (Table 4), Balance on 8/23/2022 (per Town), EDUs (Table 3)

[1] Split proportionate to EDUs

Table 6 indicates the calculated water infrastructure impact fees. The Town's fee structure is based on water meter size, with a 5/8" meter representing the size for a 1 EDU customer. The fee is scaled up based on the capacity of each larger size meter, relative to the 5/8" meter size based on meter flow equivalency ratios from the American Water Works Association (AWWA) and rounded to the nearest $1. As noted above, the water infrastructure impact fees for Saguaro Bloom will remain at their current levels.

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Table 6: Water Infrastructure Impact Fees by Meter Size

Size	Ratio [1]	North Marana	Twin Peaks	Saguaro Bloom
1 EDU	1	$ 3,355	$ 2,967	$ 838
Calculated Fee by Size (Rounded)				
5/8"	1	$ 3,356	$ 2,967	$ 838
3/4"	1.5	5,033	4,450	1,257
1"	2.5	8,388	7,416	2,095
1 1/2"	5	16,776	14,832	4,189
2"	8	26,841	23,731	6,703
3"	15	50,327	44,496	13,408
4"	25	83,878	74,159	20,950
6"	50	167,756	148,318	41,900
8"	80	268,410	237,308	67,040

Source(s): Fee per EDU (Table 5)

[1] AWWA Manual M1, 7th Edition p. 386

Table 7 illustrates the impact fee revenue that will be realized over the Study Period if development occurs at the pace identified in the Town's LUA report and Water IIP.

Table 7: Water Infrastructure Impact Fee Revenue Projection

Year	North Marana			Twin Peaks			Total Revenue
	EDUs	Fee	Revenue	EDUs	Fee	Revenue	
2023	837	$ 3,356	$ 2,808,972	228	$ 2,967	$ 676,476	$ 3,485,448
2024	837	3,356	2,808,972	229	2,967	679,443	3,488,415
2025	837	3,356	2,808,972	229	2,967	679,443	3,488,415
2026	837	3,356	2,808,972	229	2,967	679,443	3,488,415
2027	837	3,356	2,808,972	229	2,967	679,443	3,488,415
2028	927	3,356	3,111,012	168	2,967	498,456	3,609,468
2029	927	3,356	3,111,012	169	2,967	501,423	3,612,435
2030	927	3,356	3,111,012	169	2,967	501,423	3,612,435
2031	927	3,356	3,111,012	169	2,967	501,423	3,612,435
2032	928	3,356	3,114,368	169	2,967	501,423	3,615,791
Total	**8,821**		**$ 29,603,276**	**1,988**		**$ 5,898,396**	**$ 35,501,672**

Source(s): Fee per EDU (Table 6), EDUs (Water IIP Table 4)

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4. Water Resources Fees

4.1. Benefit Areas

The water resources fee is a system-wide fee because the need for water resources is the same per EDU, regardless of where that EDU is located. Accordingly, the water resources fee recommended in this report (described in further detail below) is the same for all water systems including the IGA areas.

4.2. Water Resources EDUs

The Water IIP identifies an average day demand of 270 gallons per day (gpd) of renewable water resources for 1 EDU. The anticipated growth of 12,205 EDUs will increase the Town's water resource needs to 7,371 acre-feet per year (AFY). The Town will meet the needs of existing and new customers from three sources: recharge of the effluent from the Town's Water Reclamation Facility (WRF), the purchase of Non-Indian Agricultural Central Arizona Project water (NIA/CAP), and the purchase of renewable water supplies with a 100-year assurance. The projected EDUs which can be served from each source are indicated in **Table 8**. Note that the EDUs for the Marana WRF represent the full capacity of the plant (including a 1.5 mgd expansion), in recognition of all the customers (existing and future) who will benefit from the renewable water supply provided by the WRF.

Table 8: Water Resources EDUs

Description	Acre-Feet	GPD	GPD/EDU	EDUs
Marana WRF (Phase I&II)	3,360	3,000,000	270	11,111
NIA/CAP	242	216,044	270	800
Add'l Water Resources	773	690,090	270	2,556
Total	**4,375**	**3,906,134**		**14,467**

Source(s): Water IIP p. 24-26

4.3. Water Resources Impact Fee Costs

In order to calculate the per EDU (unit) cost of water resources, the cost of the water reclamation facility (WRF) acquisition and expansion, the cost of recharge basins, the cost of acquiring renewable water supply, and the costs supporting the funding and delivery of renewable resources are included to calculate the total costs. This *total* cost represents the *total* cost to serve all customers (existing and new). Then the unit cost is calculated by dividing the *total* cost by *total* customers benefiting from these projects.

4.3.1. WATER RECLAMATION FACILITY (WRF) COSTS

In addition to its water reclamation function, the Town's WRF also serves as a source of renewable water supply. As indicated above, the Town's WRF (Phase I & II) will meet 3,360 acre-feet of the projected water resources needs for Town customers. The treated effluent (reclaimed water) from the WRF will be recharged generating groundwater recharge credits, which are an important source of the Town's water supply. Currently, reclaimed water/treated effluent represents 22% of Marana's designation of assured water supply authorized by Arizona Department of Water Resources (ADWR).

The existing WRF has a capacity of 1.5 million gallons per day (mgd) and was acquired and expanded to its current capacity at a cost of $50.5 million. The Town's General Fund contributed $3.1 million, reducing the cost to

$47.4 million. The remaining funding came from a combination of loans from the Town's Transportation, Water, and Wastewater Funds. The loans include the cost of the original acquisition (2013), the expansion to 1.5 mgd (2017A) and the recharge project (2017C). The total cost of the existing WRF and recharge basins, including the cost of financing the project, is $80.4 million. The Town's $3.1 million contribution reduces the cost to be recovered from impact fees to $77.3 million.

As noted in the Water IIP (p. 25) and the Sewer IIP (p. 14), the WRF is projected to reach capacity by 2027. Accordingly, the Sewer IIP recommends a 1.5 mgd (Phase II) expansion to the WRF by 2027. The design and construction cost of the 1.5 mgd WRF and recharge basin expansion is $43.2 million.[3] The total cost, including the projected cost to finance the project is $69.3 million.[4]

As noted above, the WRF serves a dual role for water reclamation and as a source of renewable water supply. Accordingly, 50% of the WRF costs have been included in the water resources fee and 50% have been included in the water reclamation fee described in **Section 5** of this report.

4.3.2. ADDITIONAL WATER RESOURCES COST

Over the Study Period the Town will acquire an additional 1,015 AFY of water supplies from NIA/CAP and the purchase of renewable water supplies with a 100-year assurance. The Water IIP includes the cost of 242 AFY[5] of NIA/CAP water at a cost of $1,072,743 over the Study Period. The remaining renewable resource acquisition included in the Water IIP is 773 AFY of market purchases which are available from a variety of potential water sources. The purchase will provide 773 AFY, for 100 years, at an estimated cost of $11,500 per acre-foot.[6] The cost under those terms would be $8,889,500. Purchases will be made as supplies are available and contracts are negotiated. The costs of capital projects that are particularly designed and constructed to generate long-term water credits shall also be considered as eligible expenses for water resources acquisition. An alternative approach would be to purchase water annually from the Central Arizona Groundwater Replenishment District (CAGRD). The cost for CAGRD water is approximately $800 per acre-foot per year, but the required 773 acre-feet would need to be purchased every year. The cost of the CAGRD alternative would be $61,840,000 over the same 100-year period.[7]

Costs for an integrated water resources plan ($435,000[8]) and the next impact fee study ($60,000), have also been included. **Table 9** indicates the water resources costs which are included in the water resources impact fee calculation.

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[3] See Water IIP p. 25
[4] Based on a 20-year loan at 5% annual interest. See Appendix A for estimated principal and interest payments.
[5] See Water IIP p. 26
[6] This estimate is based upon known dollar amounts used in current negotiations between several Arizona municipalities and entities owning groundwater outside of an AMA that have the legal right to deliver groundwater into an AMA.
[7] 773 acre-feet per year x $800 per acre-foot x 100 years
[8] Per Water IIP p. 23

Table 9: Water Resources Impact Fee Costs

Project Description	Total Cost	% Fee Funded	$ Included
Water Reclamation Facility (WRF)			
WRF 2013 Principal and Interest	$ 34,527,164	50%	$ 17,263,582
WRF 2017A Principal and Interest	32,096,067	50%	16,048,033
WRF 2017C Principal and Interest	4,702,544	50%	2,351,272
WRF Loaned from Transportation Fund	2,400,000	50%	1,200,000
WRF Loaned from Water Fund	367,388	50%	183,694
WRF Loaned from Wastewater Fund	3,169,279	50%	1,584,640
WRF Expansion Principal and Interest	62,847,780	50%	31,423,890
Recharge Expansion Principal and Interest	6,427,056	50%	3,213,528
Subtotal: Water Reclamation Facility (WRF)	$ 146,537,278		$ 73,268,639
All Other Water Resources			
NIA/CAP	1,072,743	100%	1,072,743
Additional Water Resources	8,889,500	100%	8,889,500
Subtotal: All Other Water Resources	$ 9,962,243		$ 9,962,243
Other Costs			
Integrated Water Resources Plan	$ 435,000	100%	$ 435,000
Impact Fee Study	60,000	100%	60,000
Subtotal: Other Costs	495,000		495,000
Total Water Resources Impact Fee Cost	**$ 156,994,521**		**$ 83,725,882**

Source(s): WRF Costs (per Town), Expansion Costs (Water IIP p. 25 amortized 20 years @ 5%), NIA/CAP, Additional Water Resources (Water IIP p. 26), Integrated Water Resource Plan (Water IIP p. 23)

4.4. Water Resources Fees and Projected Revenue

Table 10 indicates the water resources impact fee calculation per EDU. The fee includes 50% of WRF costs in recognition of the fact that the facility serves as a source of renewable water supply in addition to its role in water reclamation. The remaining costs relate specifically to water resources. 100% of these costs have been included in the water resources impact fee calculation. The calculation also includes a credit for the impact fee fund balance in the water resources impact fee fund. This balance represents the difference between impact fees which have been collected to date and the costs which have been incurred and provides credit for funds collected in previous years in advance of the costs being incurred. The resources costs indicated below represent the total cost to serve all customers (existing and new). Accordingly, the resources cost per EDU is calculated by dividing the total cost by the EDUs supported by the three sources of renewable resources (WRF, NIA/CAP and Additional Water Resources). The credit for the beginning balance is divided by new EDUs.

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Table 10: Water Resources Impact Fee per EDU

Description	System-Wide	Water Resources
Impact Fee Costs		
WRF 2013 Principal and Interest	$ 34,527,164	$ 17,263,582
WRF 2017A Principal and Interest	32,096,067	16,048,033
WRF 2017C Principal and Interest	4,702,544	2,351,272
WRF Loaned from Transportation Fund	2,400,000	1,200,000
WRF Loaned from Water Fund	367,388	183,694
WRF Loaned from Wastewater Fund	3,169,279	1,584,640
WRF Expansion Principal and Interest	62,847,780	31,423,890
Recharge Expansion Principal and Interest	6,427,056	3,213,528
NIA/CAP	1,072,743	1,072,743
Additional Water Resources	8,889,500	8,889,500
Integrated Water Resources Plan	435,000	435,000
Impact Fee Study Expenses	60,000	60,000
Total Impact Fee Costs	$ 156,994,521	$ 83,725,882
Divided by: Total EDUs		14,467
Equals: Resources Cost per EDU		**$ 5,787**
Less: Balance on 8/23/2022	$ 5,248,244	$ 5,248,244
Divided by: New EDUs		12,205
Equals: Credit for Balance per EDU		**$ 430**
Water Resources Fee per EDU (Resources Cost - Balance)		**$ 5,358**

Source(s): Impact Fee Costs (Table 9), Balance on 8/23/2022 (per Town), EDUs (Table 8)

Table 11 indicates the calculated water resources impact fees. The Town's fee structure is based on water meter size, with a 5/8" meter representing the size for a 1 EDU customer. The fee is scaled up based on the capacity of each larger size meter, relative to the 5/8" meter size based on meter flow equivalency ratios from the American Water Works Association (AWWA) and rounded to the nearest $1.

Table 11: Water Resources Impact Fees by Meter Size

Size	Ratio [1]	System-Wide [2]
1 EDU	1	$ 5,358
Calculated Fee by Size (Rounded)		
5/8" [2]	1	$ 5,358
3/4" [2]	1.5	8,036
1"	2.5	13,394
1 1/2"	5	26,787
2"	8	42,859
3"	15	80,360
4"	25	133,933
6"	50	267,865
8"	80	428,584

Source(s): Fee per EDU (Table 10)

[1] AWWA Manual M1, 7th Edition p. 386
[2] Water meter sizes are determined by the total number of fixtures. In cases where the number of fixtures may be served by a 5/8" meter, but a ¾" meter is required ONLY for the purpose of providing adequate flows for a residential sprinkler system, the Town will charge a Water Resources impact fee based on a 5/8" meter.

Table 12 illustrates the impact fee revenue that will be realized over the Study Period if development occurs at the pace identified in the Town's LUA report and Water IIP.

Table 12: Water Resources Impact Fee Revenue Projection

Year	System-Wide		Total Revenue
	EDUs	Fee	
2023	1,334	$ 5,358	$ 7,147,572
2024	1,335	5,358	7,152,930
2025	1,336	5,358	7,158,288
2026	1,336	5,358	7,158,288
2027	1,336	5,358	7,158,288
2028	1,104	5,358	5,915,232
2029	1,105	5,358	5,920,590
2030	1,106	5,358	5,925,948
2031	1,106	5,358	5,925,948
2032	1,107	5,358	5,931,306
Total	**12,205**		**$ 65,394,390**

Source(s): Fee per EDU (Table 11), EDUs (Water IIP Table 4)

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5. Water Reclamation Fees

5.1. Benefit Areas

The Town provides sewer service within the Designated Management Area (DMA), which is generally the western portion of the Town and areas beyond the Town limits to the west and south. Generally this coincides with the North Marana and Saguaro Bloom water benefit areas. The Town also provides service to the Marana Regional Airport, though—as noted below—no sewer projects have been identified for the Marana airport system. The Town's water reclamation fee is the same throughout the Town's sewer service area because the nature of the service provided does not vary throughout the Town's sewer service area.

5.2. Water Reclamation EDUs

The projects identified in the Sewer IIP are based on engineering design criteria which are: 1) the same throughout the Town's active sewer area and 2) the same for new customers as for existing customers.[9] The level of service for the Town's sewer system is expressed in terms of the number of equivalent dwelling units (EDUs) with one EDU equal to the demand of one single family household.

The Town's LUA report projects the level and type of development which is anticipated to occur over the Study Period. Using these projections, the Sewer IIP then develops a projection of EDUs for the Study Period. The Sewer IIP projects that 9,267[10] EDUs will be added over the Study Period. These incremental EDUs will be used to determine the cost per EDU for expansion related collection system projects. In addition to the collection system costs, the water reclamation fees will also recover the cost of the Town's WRF, which serves existing and new customers. This component of the fee will be calculated using total EDUs which can be served by the WRF (including the 1.5 mgd expansion noted in Section 4). **Table 13** indicates the EDUs for the water reclamation fee calculation.

Table 13: Water Reclamation EDUs

Description	GPD	GPD/EDU	EDUs
Existing Flow	842,278	139.6	6,034
New EDUs [1]	1,293,673	139.6	9,267
Additional Capacity	864,049	139.6	6,189
Total	**3,000,000**		**21,490**

Source(s): Flow and GPD/EDU (Sewer IIP Table 7-2), New EDUs (Sewer IIP Table 7-1)

[1] Excludes Airport

5.3. Water Reclamation Impact Fee Costs

The costs which are eligible for inclusion in the water reclamation impact fee are a portion of the cost of the WRF, and the cost of constructing collection system improvements to support growth throughout the Town's active sewer area. In order to calculate the per EDU (unit) cost of the WRF, the cost of the water reclamation facility (WRF)

[9] See Sewer IIP p. 4-8 for further detail on level of service for sewer customers.
[10] 9,267 excludes 40 EDUs anticipated to be added at the Marana Regional Airport, which is a separate, standalone sewer system, with no projects identified in the Sewer IIP.

acquisition and expansion, the cost of recharge basins, and the financing costs are included to calculate the total costs. This *total* cost represents the *total* cost to serve all benefiting customers (existing and new). Then the unit cost is calculated by dividing the *total* cost by *total* customers.

The remaining costs represent the *incremental* cost to serve new customers only.

5.3.1. WATER RECLAMATION FACILITY COSTS

As described in Section 4, the WRF is projected to reach its capacity by 2027. Accordingly, the Sewer IIP recommends a 1.5 mgd expansion to 3 mgd prior to 2027. The cost to construct the expansion to the WRF and recharge basins is $39.2 million and $4.0 million, respectively, for a total project cost of $43.2 million. The total cost of the expansion, including the cost to finance the project, is $69.3 million.[11] The cost for the Town's existing WRF was $80.4 million (including the cost of financing), $3.1 million of which was funded by the Town, reducing the cost to $77.3 million. As noted in **Section 4**, given the dual role of the WRF 50% of WRF costs are allocated to the water resources fee and 50% of WRF costs are allocated to the water reclamation fee.

5.3.2. COLLECTION SYSTEM COSTS

The Sewer IIP has identified $27.6 million in collection system improvements which are needed to support growth during the Study Period. Improvement 1 has been completed and was developer funded, therefore no costs were included. Improvements 3 through 7 will be funded 50% by impact fees and 50% by American Recovery Plan Act (ARPA) funds available to the Town. Improvements 2, 9, 10 and 11 will be funded 100% by impact fees. Improvement 8, as identified in Table 8-2 of the Sewer IIP, is the WRF expansion and is shown under the "Water Reclamation Facility (WRF)" heading.

Costs for a sewer master plan ($180,000) and the next impact fee study ($60,000), have also been included. **Table 14** indicates the water reclamation costs which are included in the water reclamation impact fee calculation.

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[11] Based on a 20-year loan at 5% annual interest. See Appendix A for estimated principal and interest payments.

Table 14: Water Reclamation Impact Fee Costs

Project Description	Total Cost	% Fee Funded	$ Included
Water Reclamation Facility (WRF)			
WRF 2013 Principal and Interest	$ 34,527,164	50%	$ 17,263,582
WRF 2017A Principal and Interest	32,096,067	50%	16,048,033
WRF 2017C Principal and Interest	4,702,544	50%	2,351,272
WRF Loaned from Transportation Fund	2,400,000	50%	1,200,000
WRF Loaned from Water Fund	367,388	50%	183,694
WRF Loaned from Wastewater Fund	3,169,279	50%	1,584,640
WRF Expansion Principal and Interest	62,847,780	50%	31,423,890
Recharge Expansion Principal and Interest	6,427,056	50%	3,213,528
Subtotal: Water Reclamation Facility (WRF)	$ 146,537,278		$ 73,268,639
Collection System			
Improvement 1	$ -	100%	$ -
Improvement 2	325,297	100%	325,297
Improvement 3 [1]	2,745,062	50%	1,372,531
Improvement 4 [1]	3,066,315	50%	1,533,158
Improvement 5 [1]	1,696,982	50%	848,491
Improvement 6 [1]	3,034,513	50%	1,517,257
Improvement 7 [1]	3,371,261	50%	1,685,631
Improvement 9	3,034,513	100%	3,034,513
Improvement 10	5,809,844	100%	5,809,844
Improvement 11	4,500,690	100%	4,500,690
Subtotal: Collection System	$ 27,584,477		$ 20,627,411
Sewer Master Plan	$ 150,000	100%	$ 150,000
Impact Fee Study	60,000	100%	60,000
Total Water Reclamation Impact Fee Cost	**$ 174,331,755**		**$ 94,106,049**

Source(s): WRF Costs (per Town), WRF Expansion Costs (Sewer IIP Table 8-2 amortized 20 years @ 5%), Recharge Expansion Costs (Water IIP p. 25 amortized 20 years @ 5%), Collection System Costs (Sewer IIP Tables 8-2 and 8-3)

[1] 50% funded by ARPA Grant

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5.4. Water Reclamation Fees and Projected Revenue

Table 15 indicates the water reclamation impact fee calculation. The fee includes 50% of WRF costs in recognition of the fact that the facility serves as a source of renewable water supply in addition to its role in water reclamation. The remaining costs (Collection System and Other) relate specifically to water reclamation. The calculation also includes a credit for the impact fee fund balance in the water reclamation impact fee fund. This balance represents the difference between impact fees which have been collected to date and the costs which have been incurred and provides credit for funds collected in previous years in advance of the costs being incurred. To determine a cost per EDU, the calculation below segregates the costs which are incurred to serve existing and new customers (WRF) from those incurred to serve new development only (collection system, sewer master plan, new impact fee study). The costs incurred to serve all customers are divided by total EDUs. As described above total EDUs represent the

full capacity of the WRF (3 mgd), expressed on an EDU basis. The costs incurred to serve new customers only are divided by new EDUs only. The credit for the beginning balance is divided by new EDUs.

Table 15: Water Reclamation Fee per EDU

Description	System-Wide	Water Rec Share
WRF Costs		
WRF 2013 Principal and Interest	$ 34,527,164	$ 17,263,582
WRF 2017A Principal and Interest	32,096,067	16,048,033
WRF 2017C Principal and Interest	4,702,544	2,351,272
WRF Loaned from Transportation Fund	2,400,000	1,200,000
WRF Loaned from Water Fund	367,388	183,694
WRF Loaned from Wastewater Fund	3,169,279	1,584,640
WRF Expansion Principal and Interest	62,847,780	31,423,890
Recharge Expansion Principal and Interest	6,427,056	3,213,528
Subtotal: Water Reclamation Facility (WRF)	$ 146,537,278	$ 73,268,639
Divided by: Total EDUs		21,490
Equals: WRF Cost per EDU		**$ 3,409**
Collection System Costs		
Improvement 1	$ -	$ -
Improvement 2	325,297	325,297
Improvement 3	2,745,062	1,372,531
Improvement 4	3,066,315	1,533,158
Improvement 5	1,696,982	848,491
Improvement 6	3,034,513	1,517,257
Improvement 7	3,371,261	1,685,631
Improvement 9	3,034,513	3,034,513
Improvement 10	5,809,844	5,809,844
Improvement 11	4,500,690	4,500,690
Subtotal: Collection System	$ 27,584,477	$ 20,627,411
Divided by: New EDUs		9,267
Equals: Collection System Cost per EDU		**$ 2,226**
Sewer Master Plan	$ 150,000	$ 150,000
Impact Fee Study	$ 60,000	$ 60,000
Divided by: New EDUs		9,267
Equals: Impact Fee Study and Master Plan Cost per EDU		**$ 23**
Less: Balance on 8/23/2022	$ 6,144,392	$ 6,144,392
Divided by: New EDUs		9,267
Equals: Credit for Balance per EDU		**$ 663**
Water Reclamation Fee per EDU (WRF + Collection + IF Study - Balance)		**$ 4,995**

Source(s): Impact Fee Costs (Table 14), Balance on 8/23/2022 (per Town), EDUs (Table 13)

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Table 16 indicates the maximum recommended water reclamation impact fees. The Town's fee structure is based on water meter size, with a 5/8" meter representing the size for a 1 EDU customer. The fee is scaled up based on the capacity of each larger meter size, relative to the 5/8" meter size based on meter flow equivalency ratios from the American Water Works Association (AWWA) and rounded to the nearest $1.

Table 16: Water Reclamation Impact Fees by Meter Size

Size	Ratio [1]	System-Wide
1 EDU	**1**	**$ 4,995**
Calculated Fee by Size (Rounded)		
5/8"	1	$ 4,995
3/4"	1.5	7,493
1"	2.5	12,488
1 1/2"	5	24,975
2"	8	39,960
3"	15	74,925
4"	25	124,874
6"	50	249,748
8"	80	399,597

Source(s): Fee per EDU (Table 15)

[1] AWWA Manual M1, 7th Edition p. 386

Table 17 illustrates the impact fee revenue that will be realized over the Study Period if development occurs at the pace identified in the Town's LUA report and Sewer IIP.

Table 17: Water Reclamation Impact Fee Revenue Projection

Year	System-Wide		Total Revenue
	EDUs [1]	Fee	
2023	931	$ 4,995	$ 4,650,345
2024	931	4,995	4,650,345
2025	931	4,995	4,650,345
2026	931	4,995	4,650,345
2027	931	4,995	4,650,345
2028	923	4,995	4,610,385
2029	923	4,995	4,610,385
2030	922	4,995	4,605,390
2031	922	4,995	4,605,390
2032	922	4,995	4,605,390
Total	**9,267**		**$ 46,288,665**

Source(s): Fee per EDU (Table 16), EDUs (Sewer IIP Table 7-1)

[1] EDUs spread equally from 2023-2027 and 2028-2032

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APPENDIX A

Debt Service Schedules

Appendix A1 – WRF Expansion Debt Service Schedule

Year	Principal	Interest	Total	Water Resources (50%)	Water Reclamation (50%)
1	$ 1,184,333	$ 1,958,056	$ 3,142,389	$ 1,571,195	$ 1,571,195
2	1,243,550	1,898,839	3,142,389	1,571,195	1,571,195
3	1,305,728	1,836,661	3,142,389	1,571,195	1,571,195
4	1,371,014	1,771,375	3,142,389	1,571,195	1,571,195
5	1,439,565	1,702,824	3,142,389	1,571,195	1,571,195
6	1,511,543	1,630,846	3,142,389	1,571,195	1,571,195
7	1,587,120	1,555,269	3,142,389	1,571,195	1,571,195
8	1,666,476	1,475,913	3,142,389	1,571,195	1,571,195
9	1,749,800	1,392,589	3,142,389	1,571,195	1,571,195
10	1,837,290	1,305,099	3,142,389	1,571,195	1,571,195
11	1,929,154	1,213,235	3,142,389	1,571,195	1,571,195
12	2,025,612	1,116,777	3,142,389	1,571,195	1,571,195
13	2,126,893	1,015,496	3,142,389	1,571,195	1,571,195
14	2,233,237	909,152	3,142,389	1,571,195	1,571,195
15	2,344,899	797,490	3,142,389	1,571,195	1,571,195
16	2,462,144	680,245	3,142,389	1,571,195	1,571,195
17	2,585,251	557,138	3,142,389	1,571,195	1,571,195
18	2,714,514	427,875	3,142,389	1,571,195	1,571,195
19	2,850,239	292,150	3,142,389	1,571,195	1,571,195
20	2,992,751	149,638	3,142,389	1,571,195	1,571,195
Total	$ 39,161,113	$ 23,686,667	$ 62,847,780	$ 31,423,890	$ 31,423,890

Source: Project Cost - Sewer IIP Table 8-2

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Appendix A2 – Recharge Basins Expansion Debt Service Schedule

Year	Principal	Interest	Total	Water Resources (50%)	Water Reclamation (50%)
1	$ 121,114	$ 200,238	$ 321,353	$ 160,676	$ 160,676
2	127,170	194,183	321,353	160,676	160,676
3	133,529	187,824	321,353	160,676	160,676
4	140,205	181,148	321,353	160,676	160,676
5	147,215	174,137	321,353	160,676	160,676
6	154,576	166,777	321,353	160,676	160,676
7	162,305	159,048	321,353	160,676	160,676
8	170,420	150,933	321,353	160,676	160,676
9	178,941	142,412	321,353	160,676	160,676
10	187,888	133,464	321,353	160,676	160,676
11	197,283	124,070	321,353	160,676	160,676
12	207,147	114,206	321,353	160,676	160,676
13	217,504	103,849	321,353	160,676	160,676
14	228,379	92,973	321,353	160,676	160,676
15	239,798	81,554	321,353	160,676	160,676
16	251,788	69,564	321,353	160,676	160,676
17	264,378	56,975	321,353	160,676	160,676
18	277,597	43,756	321,353	160,676	160,676
19	291,476	29,876	321,353	160,676	160,676
20	306,050	15,303	321,353	160,676	160,676
Total	$ 4,004,766	$ 2,422,290	$ 6,427,056	$ 3,213,528	$ 3,213,528

Source: Project Cost - Water IIP p. 25

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