MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
NOTICE AND AGENDA
11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, November 30, 2022, at or after 6:00 PM

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

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Marana Planning Commission and to the general public that the Planning Commission will hold a meeting open to the public on November 30, 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 COMMISSION ON ANY ITEM LISTED ON THIS AGENDA. Revisions to the agenda can occur up to 24 hours prior to the meeting. Revised agenda items appear in *italics*.

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

Meeting Times
Regular Commission meetings are usually held on the last Wednesday of each month at 6:00 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.

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

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

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

Agendas
Copies of the Agenda are available the day of the meeting inside the Council Chambers or online at www.maranaaz.gov.

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

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

REGULAR COMMISSION MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION/MOMENT OF SILENCE

ROLL CALL

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

APPROVAL OF AGENDA

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

A. Approval of the Planning Commission Meeting Summary Minutes of October 26, 2022.

B. Public Hearings

1. **PCM2210-001 Willow Ridge Zoning Ordinance Condition Modification;** A request for a recommendation to the Town Council approving a modification of a rezoning condition of Marana Ordinance No. 2004.07, which rezoned approximately 104.6 acres of land generally located along the south side of Cortaro Farms Road east of Hartman Lane, to remove a rezoning condition that prohibits two-story construction within 300 feet of Cortaro Farms Road as it applies to Block C of the Final Block Plat for Willow Ridge, a 3.81-acre parcel located at the southeast corner of Cortaro Farms Road and Sandy Desert Trail (Brian D. Varney)

2. **PCZ2211-001 Willow Ridge Block C Rezoning;** A request for a recommendation to the Marana Town Council for approval to rezone approximately .51 acres of land from R-16 (Residential) to NC (Neighborhood Commercial). The rezoning area is generally located south of Cortaro Farms Road and east of Sandy Desert Trail within a portion of Section 25, Township 12S and Range 12E. (Brian D. Varney)

3. **PCZ2207-0001 Wentz 154 Rezoning**; A request for a recommendation to the Marana Town Council for approval to rezone approximately 154.5 acres of land from Zone A (Small Lot Zone) to R-4 (Residential) located between W Marana Rd and W Grier Rd, east of N Wentz Rd in the SW1/4 of Section 20, Township 11S, Range 11E. (Scott S. Radden)

4. **A request for a recommendation to the Marana Town Council for approval of 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)

C. Commission Action

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

D. Informational Items/Possible Action Items

1. Discussion of and possible rescheduling or cancellation of December 28, 2022 Planning Commission Meeting.

FUTURE AGENDA ITEMS

EXECUTIVE SESSIONS

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

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

ADJOURNMENT

Planning Commission Regular Meeting
Meeting Date: 11/30/2022

To: Planning Commission

From: Terri Byler, Executive Assistant

Date: November 30, 2022

Subject: **Approval of the Planning Commission Meeting Summary Minutes of October 26, 2022.**

Attachments

Planning Commission Meeting Summary Minutes of October 26, 2022

MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, October 26, 2022, at or after 6:00 P.M.

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

SUMMARY MINUTES

DRAFT

CALL TO ORDER

Chairman Schnee called the meeting to order at 6:00 PM.

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

ROLL CALL

Chairman Schnee directed the Planning Commission secretary to call roll. Commissioner McIntyre was absent. The Planning Commission secretary stated a quorum was present.

CALL TO THE PUBLIC

APPROVAL OF AGENDA

Commissioner Flint moved to approve the agenda as presented. Vice Chair Hill seconded the motion. Motion passed, 6-0.

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

Approval of the Regular Planning Commission Meeting Summary Minutes of September 28, 2022.

Commissioner Flint moved, and Vice Chair Hill seconded, the motion approving the minutes. Motion passed, 6-0.

PUBLIC HEARING

COMMISSION ACTION

1. DPP2206-004: Stack Self Storage; A request for approval of a development plan review application for Stack Self-Storage within the Silverbell Road Corridor Overlay District. The property subject to this application is located at 8705 N. Coachline Boulevard at the northwest corner of Silverbell Road and Coachline Boulevard. (Brian D. Varney)

Senior Planner Brian Varney and Steven Vasquez; Rick Engineering presented on this item. Copies of both PowerPoint presentations are on file in the Town Clerk's Office.

- Location: 8705 N. Coachline Blvd. NWC of Silverbell Rd. & Coachline Blvd.
- Zoning: "SP" Specific Plan – Continental Ranch.
- Land use designation: "C" Commercial.
- Proposed development: Drive-up and climate-controlled self-storage facility (northern portion of the site) and two retail/commercial buildings (southern portion of the site.)
- Approximately 91,000 S.F. of storage and 10,800 S.F. of commercial retail.
- Plan presented to the Continental Ranch Community Association Architectural Review Committee and received approval with condition.
- Building height will be limited to single-story.
- Office hours: 9:30 AM to 6:00 PM
- Storage unit access: 6:00 AM to 9:00 PM via code access from gated entries.
- No outdoor storage or truck/van rentals.
- SRCOD requires approval of the development plan by the Planning Commission.
- The proposed development plan complies with the SRCOD standards, Continental Ranch Specific Plan, and the Marana Town Code.

General discussion among the Planning Commission consisted of the following:

Commissioner Flint expressed concern with the location of the dumpster enclosure; at the entrance of the parking lot.

Mr. Vasquez noted the dumpster enclosure is surrounded by a masonry wall and landscaping.

Chairman Schnee liked the layout and building height.

No further comments or concerns from the Commission

DRAFT

Motion to approve, subject to the recommended conditions by Chairman Schnee, seconded by Commissioner Duncan. Motion passed, 6-0.

INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS

Discussion of and possible rescheduling or cancellation of the November 30, 2022 Planning Commission Meeting.

Development Services Director Jason Angell noted November 30, 2022 would be the next scheduled meeting.

The Planning Commission noted they would not be traveling for the holidays and would be available to meet.

The meeting date will be left as originally scheduled.

FUTURE AGENDA ITEMS

ADJOURNMENT

Chairman Schnee asked for a motion to adjourn the meeting.

Commissioner Duncan moved to adjourn the meeting. The motion passed, 6-0. The meeting adjourned at 6:17 PM.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on October 26, 2022. I further certify that a quorum was present.

DRAFT

Terri Byler, Planning Commission Secretary

Planning Commission Regular Meeting

Meeting Date: 11/30/2022

To: Planning Commission

From: Brian Varney, Senior Planner

Date: November 30, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: **PCM2210-001 Willow Ridge Zoning Ordinance Condition Modification;** A request for a recommendation to the Town Council approving a modification of a rezoning condition of Marana Ordinance No. 2004.07, which rezoned approximately 104.6 acres of land generally located along the south side of Cortaro Farms Road east of Hartman Lane, to remove a rezoning condition that prohibits two-story construction within 300 feet of Cortaro Farms Road as it applies to Block C of the Final Block Plat for Willow Ridge, a 3.81-acre parcel located at the southeast corner of Cortaro Farms Road and Sandy Desert Trail (Brian D. Varney)

Discussion:

Request
Lazarus & Silvyn, PC is requesting a recommendation to the Town Council for approval to modify 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, located at the southeast corner Cortaro Farms Road and Sandy Desert Trail.

Approximately 3.30 acres of Block C is zoned Neighborhood Commercial (NC) and approximately .51 acres of the parcel is zoned R-16 (Residential). The approved rezoning established a maximum building height of 24-feet within the 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.

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 on 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 an NC (Neighborhood Commercial) zoned property that remains undeveloped. 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 Willow Ridge, zoned R-6 and developed with a single-family residence.

Land Use and Analysis
Staff review of the documents pertaining to the 2004 rezoning of Willow Ridge revealed the zoning

condition restricting two-story construction within a depth of 300 feet along the west and north property boundaries of the rezoning area 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 build-out of Willow Ridge Commons subdivision with 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 the subject property building heights shall be restricted to 24 feet per Condition No. 7 of the rezoning ordinance as well as the adjacency to an arterial roadway and among other buildings of similar or greater height, 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 by Town staff in The Daily Territorial, and all property owners within 300 feet of the boundary of the rezoning area were noticed by mail of the date, time, and topic of the public hearing. Additional notice was posted at various locations within the community.

Staff Recommendation:

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

1. Compliance with all applicable provisions of the Town’s codes and ordinances current at the time of any subsequent development including, but not limited to, requirements for public improvements and payment of application fees and applicable development impact fees.

Suggested Motion:

I move to recommend to the Town Council approval of PCM2210-001, Willow Ridge Zoning Ordinance Condition Modification, subject to the recommended conditions.

Attachments

PCM2210-001 WRZCM Application
PCM2210-001 WRZCM Context Map
PCM2210-001 WRZCM Project Narrative
PCM2210-001 WRZCM Rezoning Tent Dev Plan
PCM2210-001 WRZCM Ordinance No. 2004.07

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: Change Conditio

PROJECT INFORMATION

Project Name: Cortaro Farms & Sandy Desert Change of Condition	
Description of Project: multi-family residential (townhomes)	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.: (480)993-7690		
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 09:14:31 -07'00'	10/27/2022
Applicant Name (PRINT)	Signature	Date

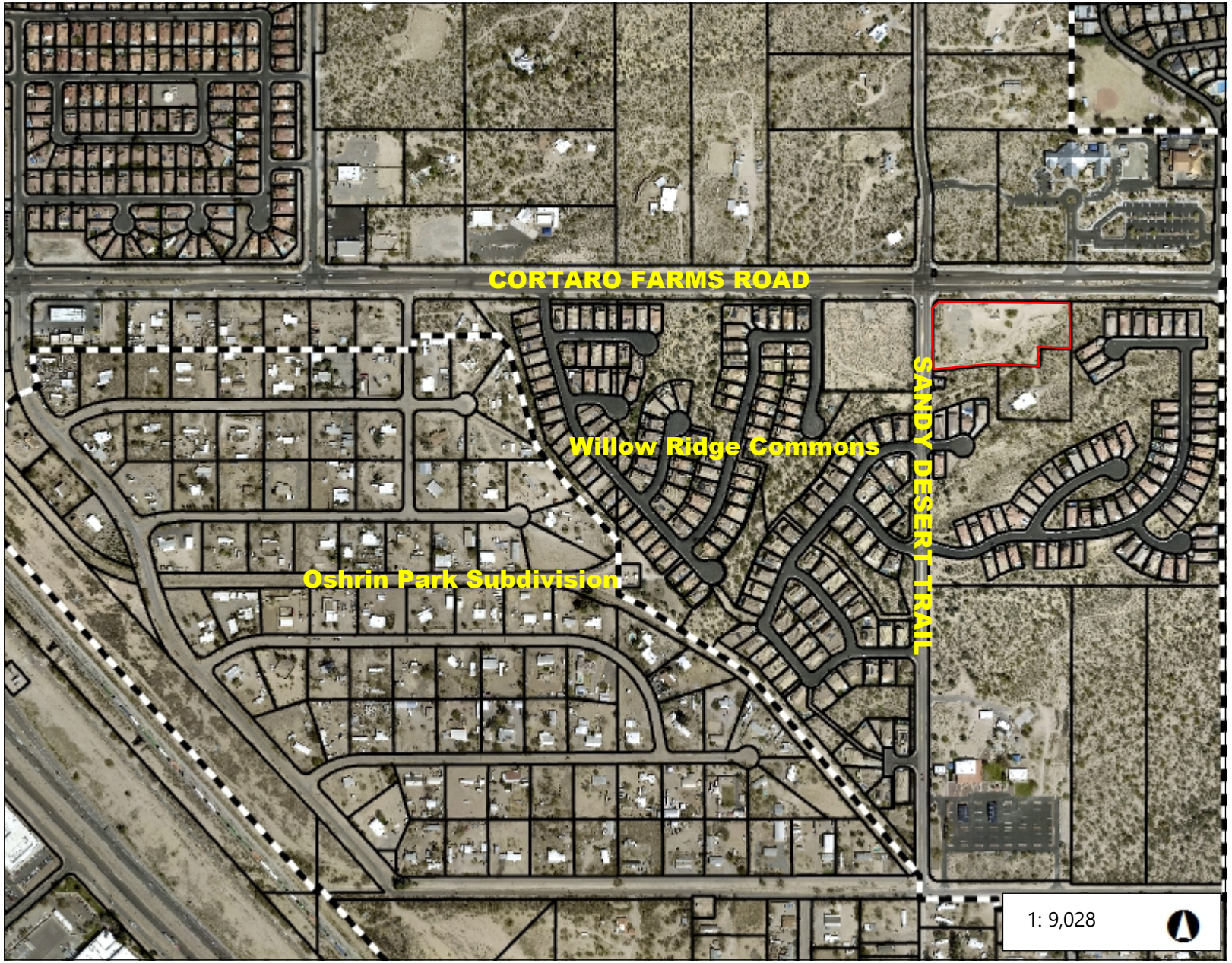
FOR OFFICIAL USE ONLY

Project No._____ **Date Received**_____

Revision Date 03/29/2019

Town of Marana Planning

PCM2210-001 Willow Ridge Zoning Condition Modification





Legend

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

Notes

0.3 0 0.14 0.3 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

© Latitude Geographics Group Ltd.

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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,

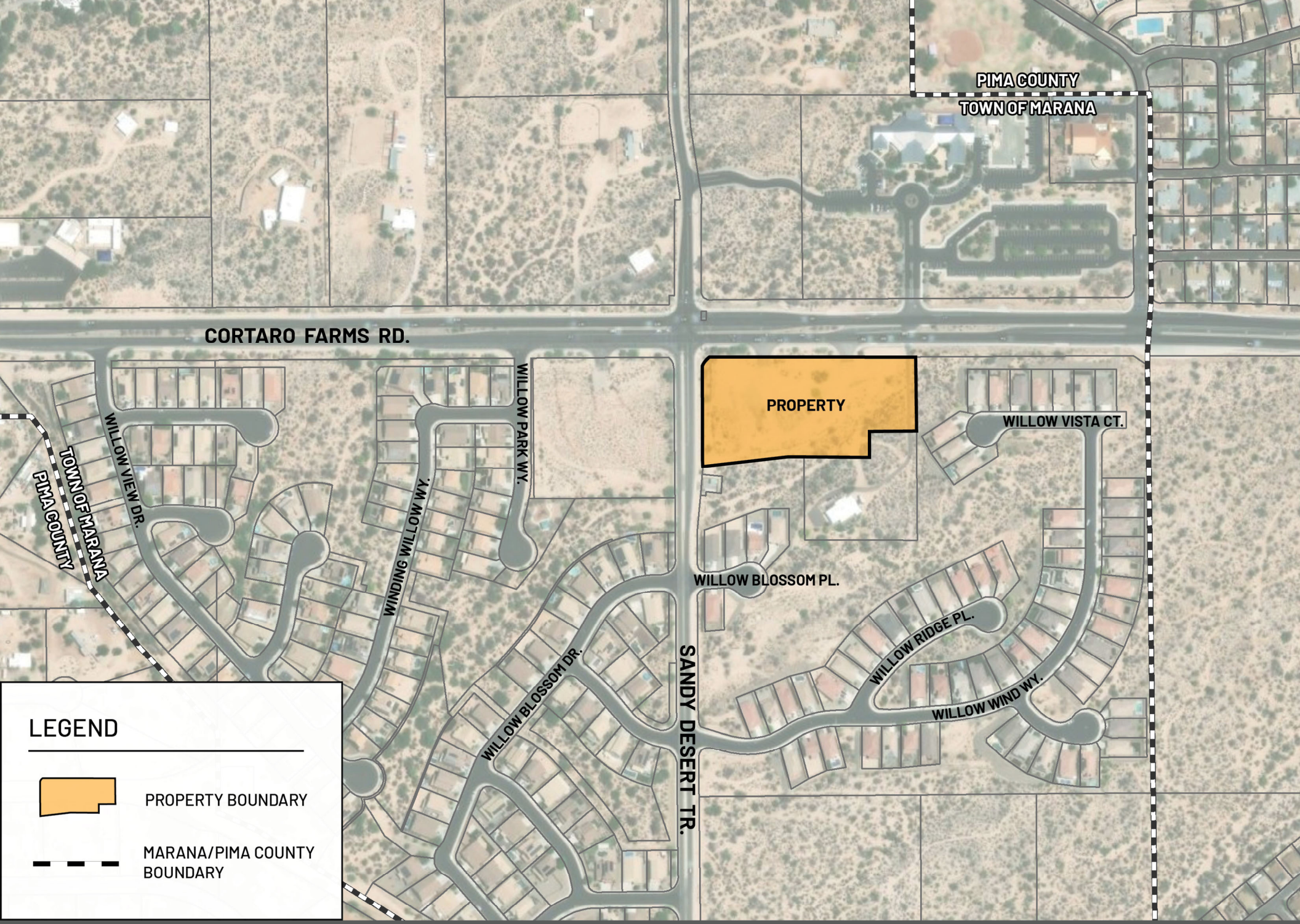


Robin M. Large
Senior Land Use Planner
Lazarus & Silvyn, P.C.

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.



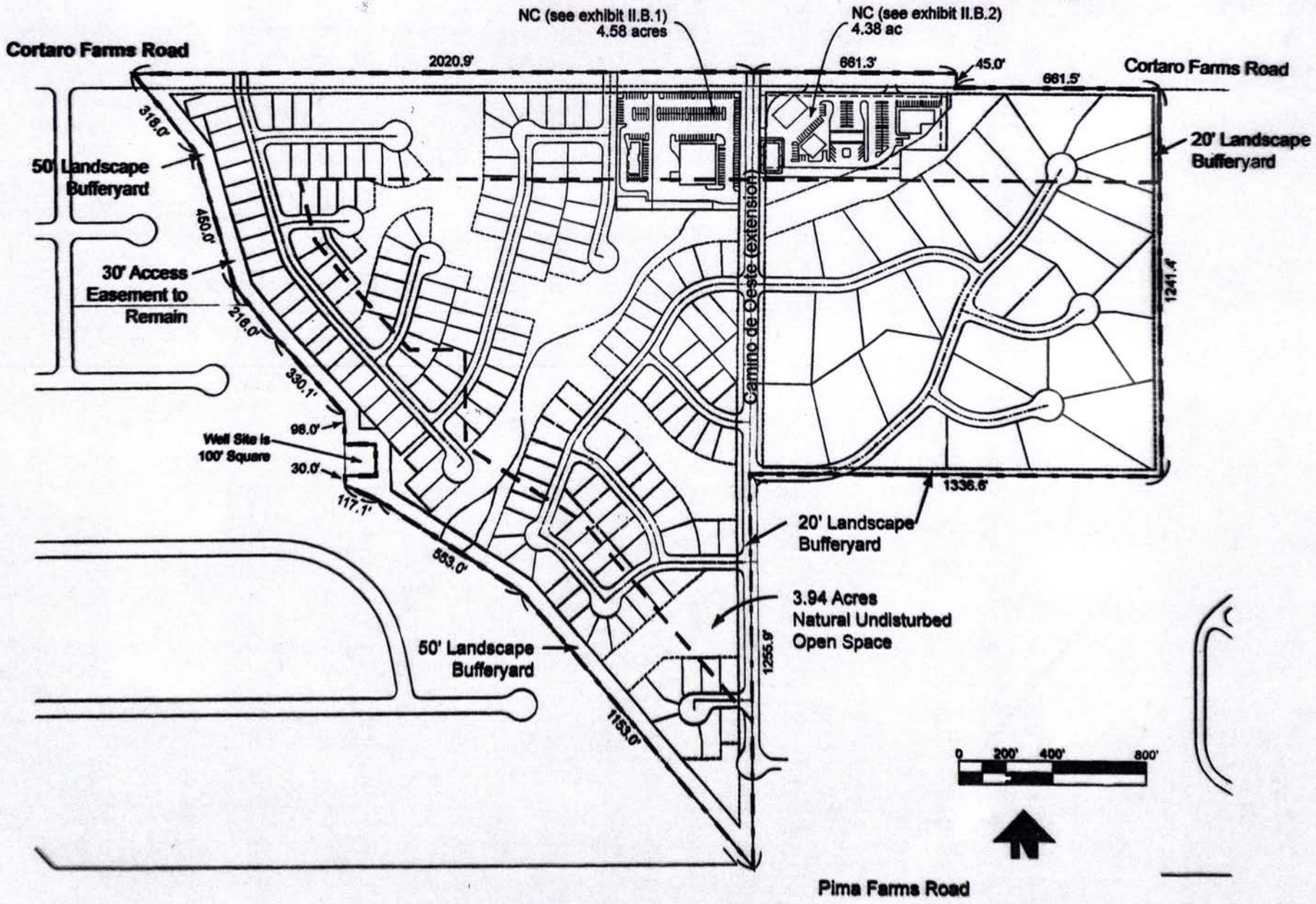
Location Map

NORTH

DO NOT SCALE MAP - FOR REFERENCE ONLY

0 150 300 600 Feet

Exhibit II.B:
Tentative Development Plan
Willow Ridge



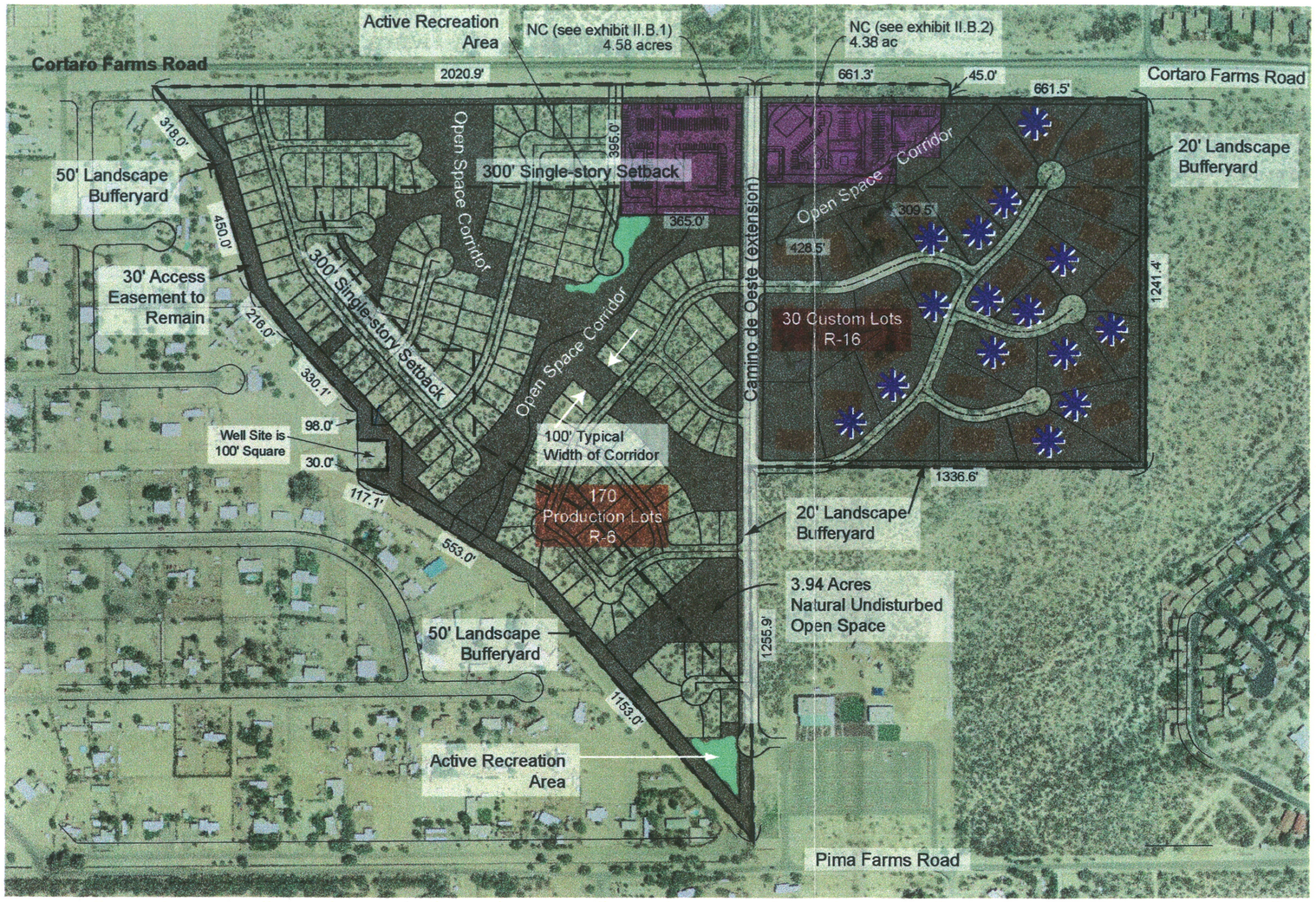


TABLE OF REGULATIONS

LOT SIZES	REQ'D	PROPOSED
R-16	16,000 SF	16,000 - 60,000 SF
R-6	6,000 SF	6,840 SF (60x114)
NC	0-15 AC	4.38 - 4.58 AC (MAX)
BLDG HTS.		
R-16	25'	25'
R-6	25'	25'
NC	30'	24'

REZONING ACREAGE	REQ'D	PROPOSED
R-16	N/A	34.03 AC
R-6	N/A	59.98 AC
NC	N/A	8.96 AC
DENSITIES		
R-16	2.25 RAC	0.88 RAC
R-6	6.0 RAC	2.83 RAC
NC	N/A	N/A

LOT COVERAGE	REQ'D	PROPOSED
R-16	50%	50%
R-6	50%	50%
NC	35%	35%

Exhibit II.B:
Tentative Development Plan
Willow Ridge

Notes

1. Site area 102.97 acres
   Existing zoning SR and SH (County)
   Translation zoning R144 and R36 (Marana)
   Proposed zones: R-16, R-6, NC (Marana)

2. Natural Undisturbed Open Space: 25.41 acres
   Natural Open Space: 13.05 acres
   Active Recreational Open Space: 0.73 acres
   Total Open Space: 39.19 acres

2a. Natural undisturbed open space includes approximately one-third open space corridors, custom lot areas outside building envelopes and high density area at southern triangle.

3. Public Equestrian & Pedestrian Trails to be provided by easement along west boundary.

4. No 2-story construction within 300' of Cortaro Farms Road and 300' of west boundary.

5. All signage to conform to Title 16, Marana Land Development Code. Separate signage to be provided for each commercial corner, the subdivision east of Camino de Oeste and the subdivision west of Camino de Oeste.

6. See post development topography, section II.D. for grading concepts.

7. Typical ROW width for local streets: 46'

8. Minimum open space corridor width is 100 feet.

9. Building setback line from Cortaro Farms Road: 30' (scenic)
   Building setback line from Camino de Oeste: 20'

* Marana HDZ Restricted Lots

0 200' 400' 800'

N

CPE CONSULTANTS
ENGINEERING
PLANNING
SURVEYING

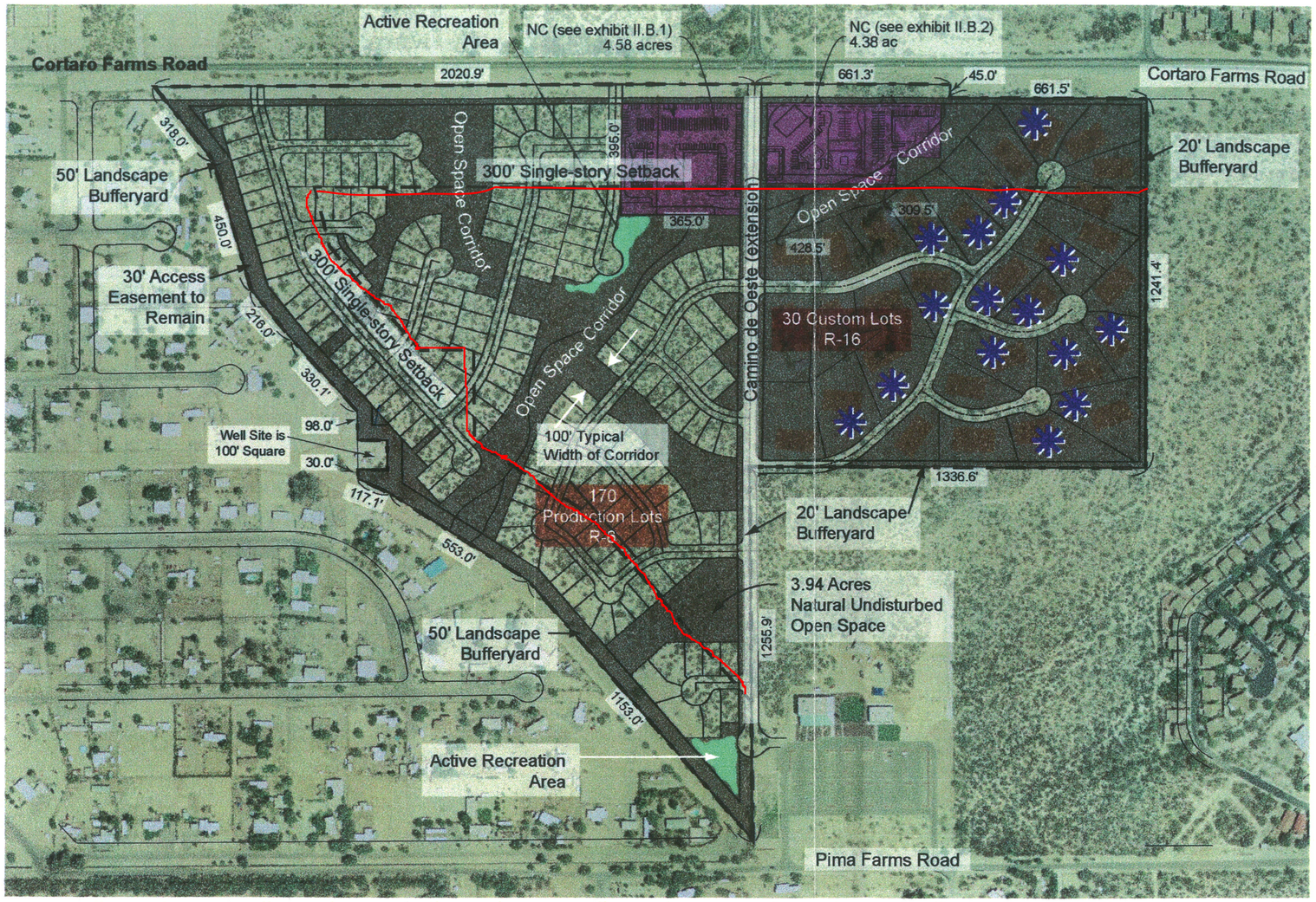


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R-16	25'	25'
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REZONING ACREAGE	REQ'D	PROPOSED
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R-6	N/A	59.98 AC
NC	N/A	8.96 AC
DENSITIES		
R-16	2.25 RAC	0.88 RAC
R-6	6.0 RAC	2.83 RAC
NC	N/A	N/A

LOT COVERAGE	REQ'D	PROPOSED
R-16	50%	50%
R-6	50%	50%
NC	35%	35%

Exhibit II.B:
Tentative Development Plan
Willow Ridge

Notes

1. Site area 102.97 acres
   Existing zoning SR and SH (County)
   Translation zoning R144 and R36 (Marana)
   Proposed zones: R-16, R-6, NC (Marana)

2. Natural Undisturbed Open Space: 25.41 acres
   Natural Open Space: 13.05 acres
   Active Recreational Open Space: 0.73 acres
   Total Open Space: 39.19 acres

2a. Natural undisturbed open space includes approximately one-third open space corridors, custom lot areas outside building envelopes and high density area at southern triangle.

3. Public Equestrian & Pedestrian Trails to be provided by easement along west boundary.

4. No 2-story construction within 300' of Cortaro Farms Road and 300' of west boundary.

5. All signage to conform to Title 16, Marana Land Development Code. Separate signage to be provided for each commercial corner, the subdivision east of Camino de Oeste and the subdivision west of Camino de Oeste.

6. See post development topography, section II.D. for grading concepts.

7. Typical ROW width for local streets: 46'

8. Minimum open space corridor width is 100 feet.

9. Building setback line from Cortaro Farms Road: 30' (scenic)
   Building setback line from Camino de Oeste: 20'

* Marana HDZ Restricted Lots

0 200' 400' 800'

N

CPE CONSULTANTS
ENGINEERING
PLANNING
SURVEYING

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.

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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.

20042021
03566

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

20050620

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

20040690 12/22/2004

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;

20222160009

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 0 0 0 2 2 0 9 1

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;

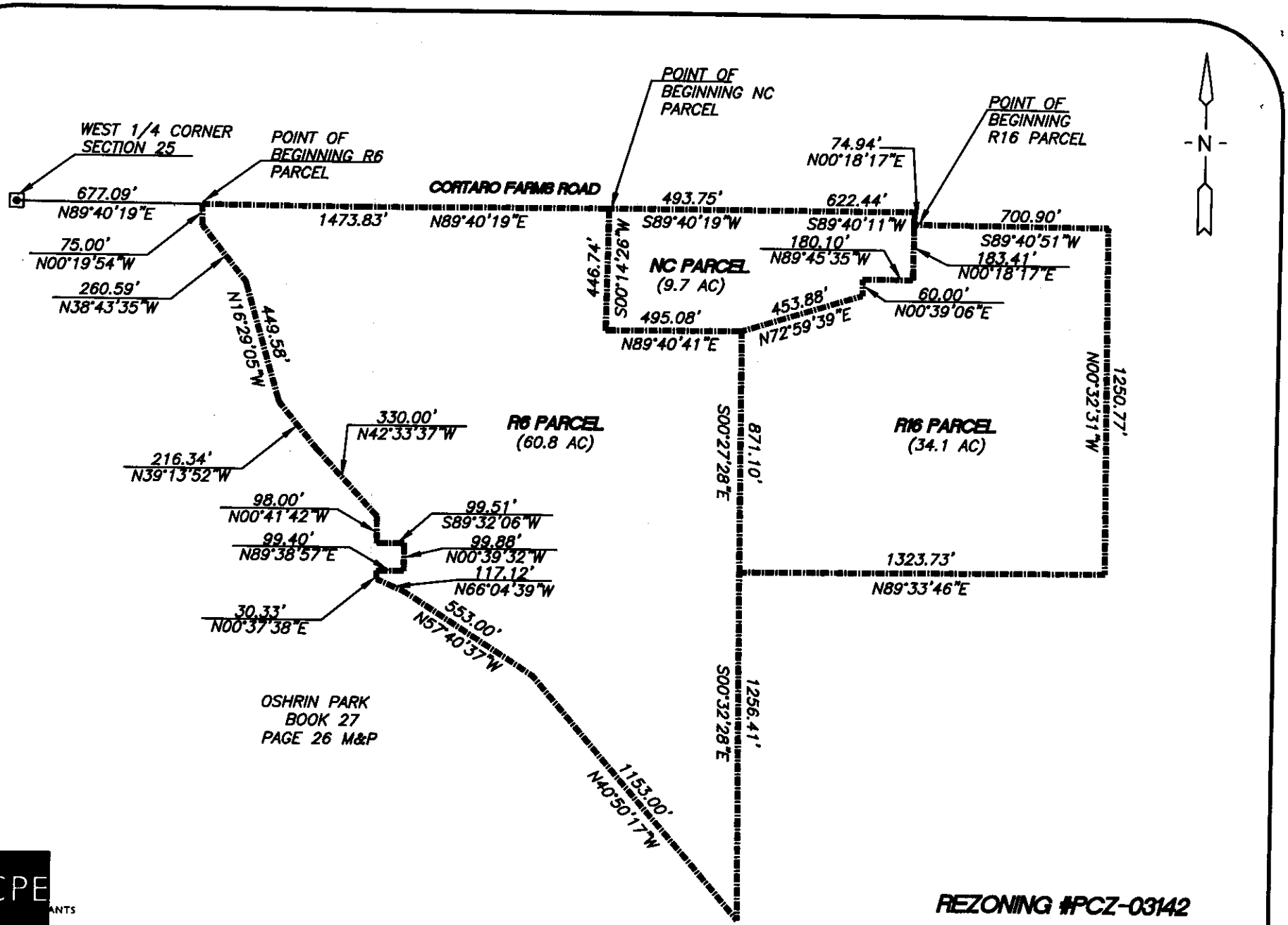
THENCE N 00°32'31", A DISTANCE OF 1250.77 FEET;

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.

20070020021



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

Law Offices of
Lazarus & Silvyn, P.C.

November 3, 2022

Dear Neighbor:

Our firm, Lazarus & Silvyn, P.C., represents DSW Capital-1, LLC ("DSW"), which 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*.) DSW is interested in developing the Property with townhomes (the "Project"). DSW has submitted two requests to the Town to enable the development of the Project. The first request is to correct a zoning boundary error from a prior rezoning through the minor rezoning process. The second request is 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.

Minor Rezoning

The Property is primarily zoned Neighborhood Commercial ("NC") with a smaller area (less than 12 percent of the Property) zoned Residence Zone ("R-16"). This zoning was established as part of the larger 2004 Willow Ridge Rezoning ("2004 Rezoning"). Town staff confirmed that leaving a portion of the Property zoned R-16 was likely an oversight during the 2004 Rezoning process, and the intent was to rezone the entire Property to NC. (See enclosed *Existing Zoning* map.) NC permits both commercial uses and multi-family residential use, including townhomes. While the 2004 Rezoning envisioned future commercial uses (gas station and retail/restaurant) on the Property, the proposed townhome Project, provides a more compatible transition of land uses between the heavily travelled Cortaro Farms Road on the north and the lower-density residential uses to the south.

Due to what appears to be an inadvertent zoning line discrepancy from the 2004 Rezoning, we are requesting a rezoning of the R-16 area to the NC zone to align with the zoning across the majority of the Property.

Change of Zoning Condition

The Property is subject to a list of rezoning conditions included in the ordinance adopting the 2004 Rezoning. Rezoning Condition #6 limits development to single-story construction while Rezoning Condition #7 limits the building height to 24 feet. The Project proposes complying with the 24-foot height limitation if 2-stories can be constructed within that height limit. The deletion of Rezoning Condition #6, while complying with Rezoning Condition #7, will support

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

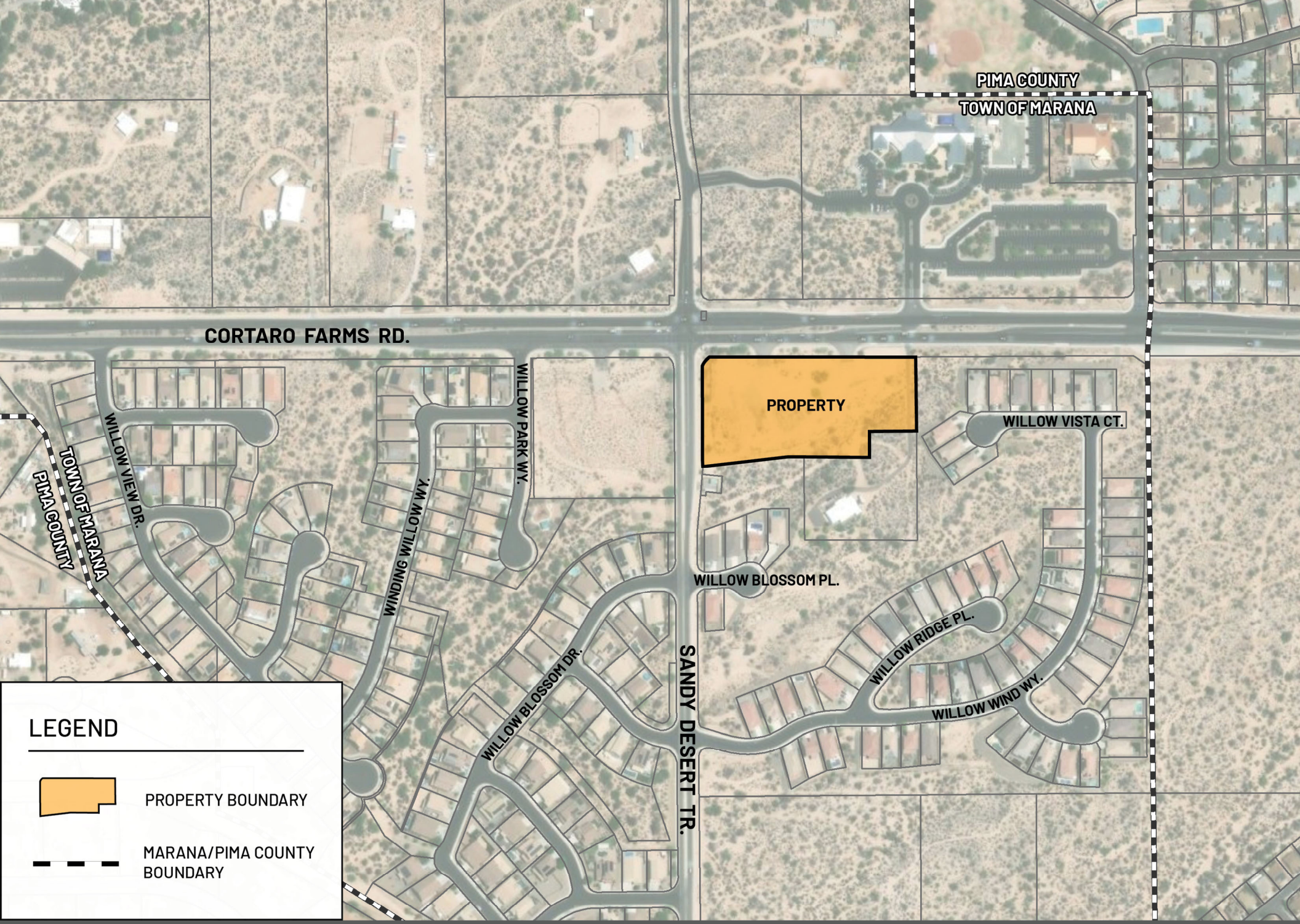
5983 E. Grant Road, Suite 290 | Tucson, AZ 85712-2365
520.207.4464 | Fax 520.300.9662

development that is compatible with existing land uses in the neighborhood. This Project responds to local housing market demand and necessitates two-story construction to be economically feasible.

Because you are a neighboring property owner, we are reaching out to let you know about the proposed minor rezoning and change of zoning condition requests. We are happy to set up a one-on-one meeting with you (virtual, in-person or via telephone) to discuss the Project and to answer any questions you might have. Please contact Keri Silvyn or Robin Large at (520) 207-4464 or via email at KSilvyn@LSLawAZ.com or RLarge@LSLawAZ.com if you would like to learn more.

Sincerely,

Keri Silvyn & Robin Large
Lazarus & Silvyn, P.C.

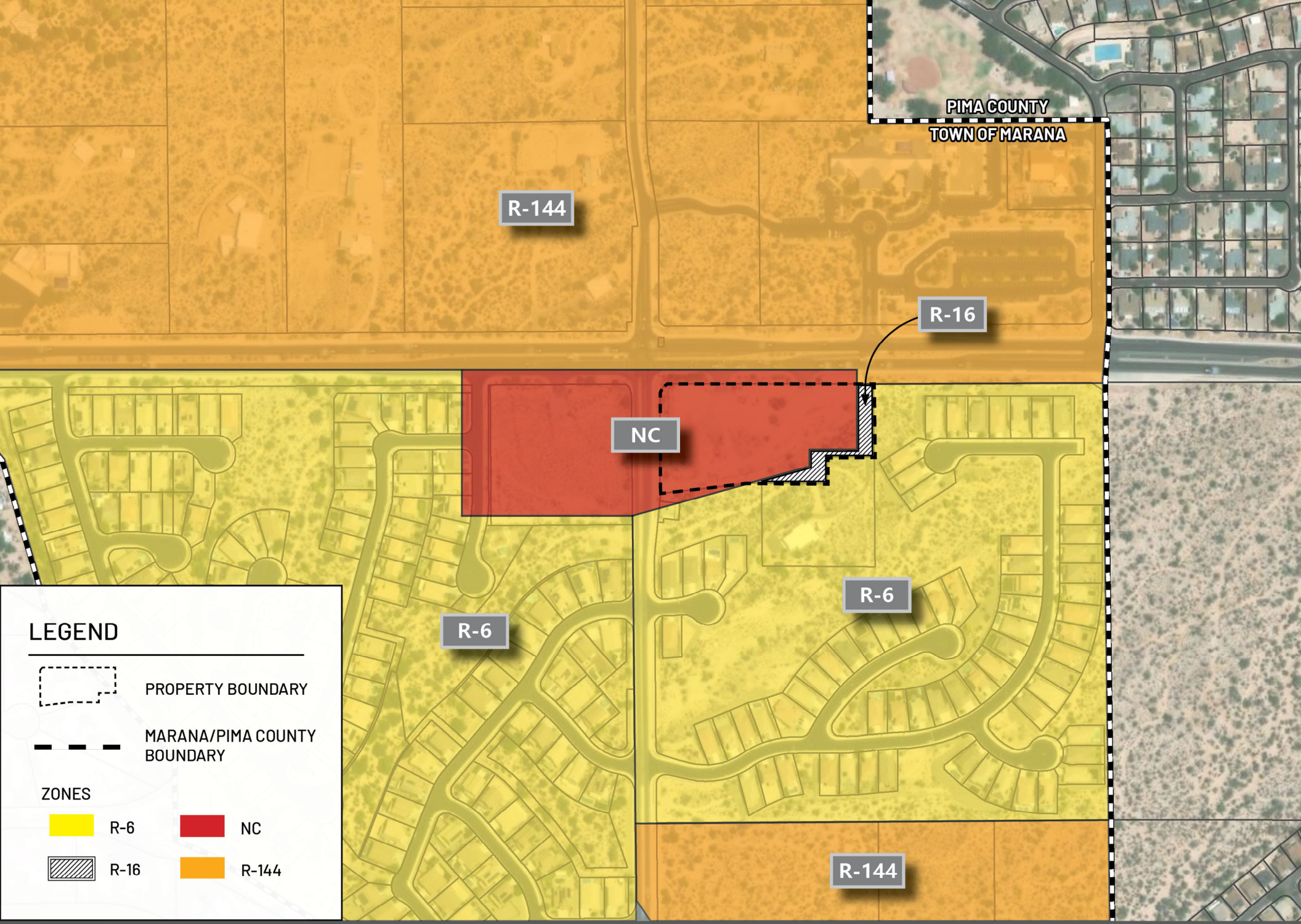


Location Map

NORTH

DO NOT SCALE MAP - FOR REFERENCE ONLY

0 150 300 600 Feet



Existing Zoning

NORTH

DO NOT SCALE MAP - FOR REFERENCE ONLY

0 100 200 400 Feet

Planning Commission Regular Meeting

Meeting Date: 11/30/2022

To: Planning Commission

From: Brian Varney, Senior Planner

Date: November 30, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: **PCZ2211-001 Willow Ridge Block C Rezoning;** A request for a recommendation to the Marana Town Council for approval to rezone approximately .51 acres of land from R-16 (Residential) to NC (Neighborhood Commercial). The rezoning area is generally located south of Cortaro Farms Road and east of Sandy Desert Trail within a portion of Section 25, Township 12S and Range 12E. (Brian D. Varney)

Discussion:

Request
Lazarus & Silvyn, PC is requesting a recommendation to the Marana Town Council for approval to rezone approximately .51 acres of land from R-16 (Residential) to NC (Neighborhood Commercial). The rezoning area is a portion of the 3.81 acre Block C of Willow Ridge located at the southeast corner of Cortaro Farms Road and Sandy Desert Trail. Approximately 3.3 acres of the 3.81 acre Block C parcel is zoned NC and approximately .51 acres is zoned R-16. If approved, the proposed rezoning will establish a uniform zoning of 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 clean up a split-zoned property within a larger area that was rezoned and platted with approval by the Town.

History
The Willow Ridge rezoning was approved by the Town Council with the adoption of Ordinance No. 2004.07 on April 20, 2004. The Final Block Plat for Willow Ridge was then 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 NC (Neighborhood Commercial) zoning, approved by Ordinance No. 2004.07, and the boundary of Block C as it was ultimately platted, are different. This difference resulted in the .51-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 Site Characteristics
Block C is bordered on 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 Willow Ridge, an NC (Neighborhood Commercial) zoned property that remains undeveloped. 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 Willow Ridge zoned R-6 and developed with a single-family residence.

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 Planning Commission to consider. Should the Commission choose to recommend approval of this item to the Town Council, staff recommends it be based upon the recommended findings and subject to the following conditions:

1. Except as set forth in condition 2 below, this Rezoning is subject to the conditions of Ordinance No. 2004.07.
2. Pending the outcome of the public hearing on PCM2210-001, also on tonight's agenda, Section 2, Condition 6 of Marana Ordinance No. 2004.07, 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” 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.

Suggested Motion:

I move to recommend to the Town Council approval of PCZ2211-001, Willow Ridge Block C Rezoning subject to the recommended conditions.

Attachments

PCZ2211-001 WRR Application

PCZ2211-001 WRR Project Narrative

PCZ2211-001 WRR Location Map

PCZ2211-001 WRR Maps

PCZ2211-001 WRR Ordinance No. 2004.07

PCZ2211-001 WRR Final Block Plat

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.: (480)993-7690		
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

Project No._____ **Date Received**_____

Revision Date 03/29/2019

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,

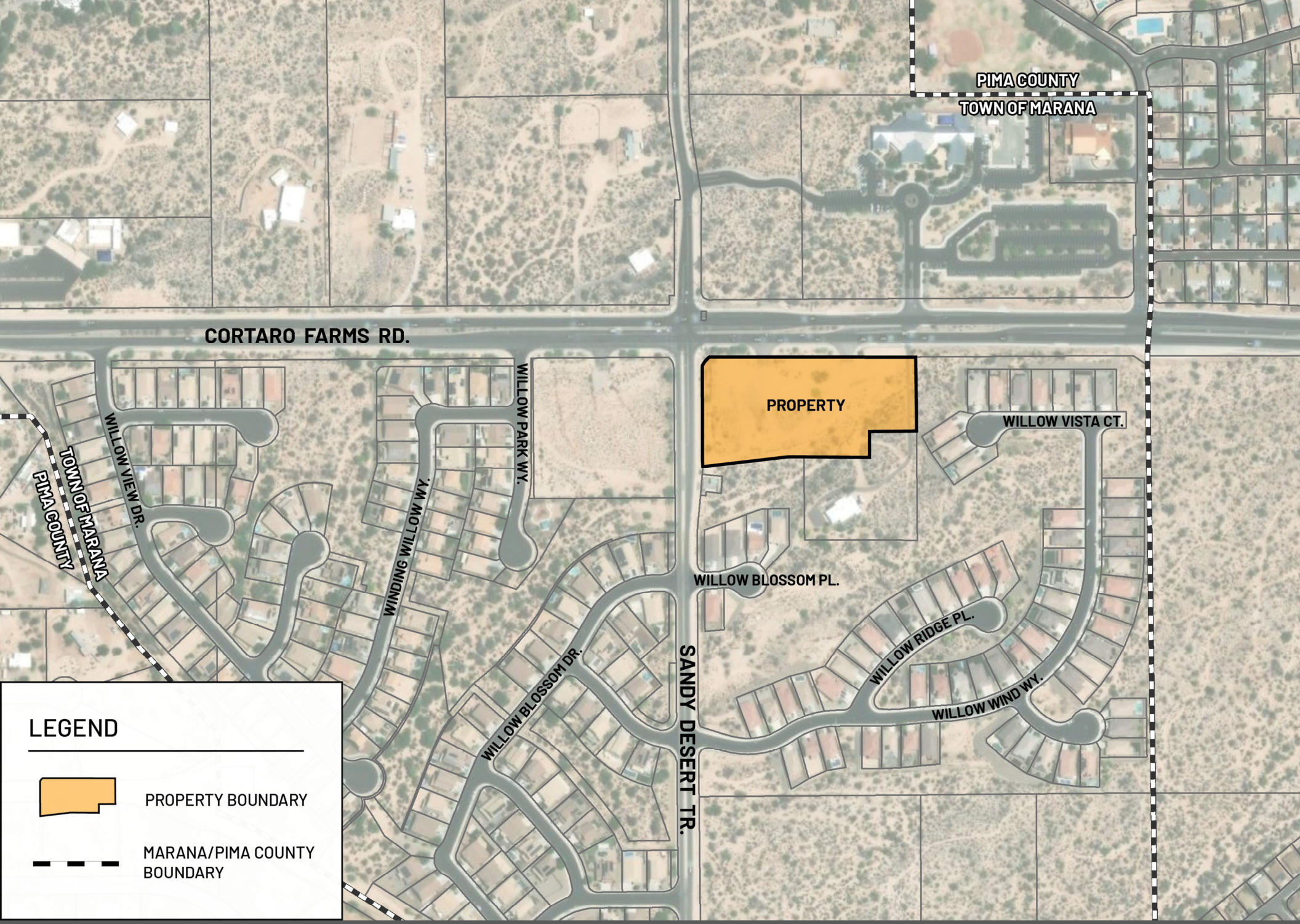


Robin M. Large
Senior Land Use Planner
Lazarus & Silvyn, P.C.

Enclosures:

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

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

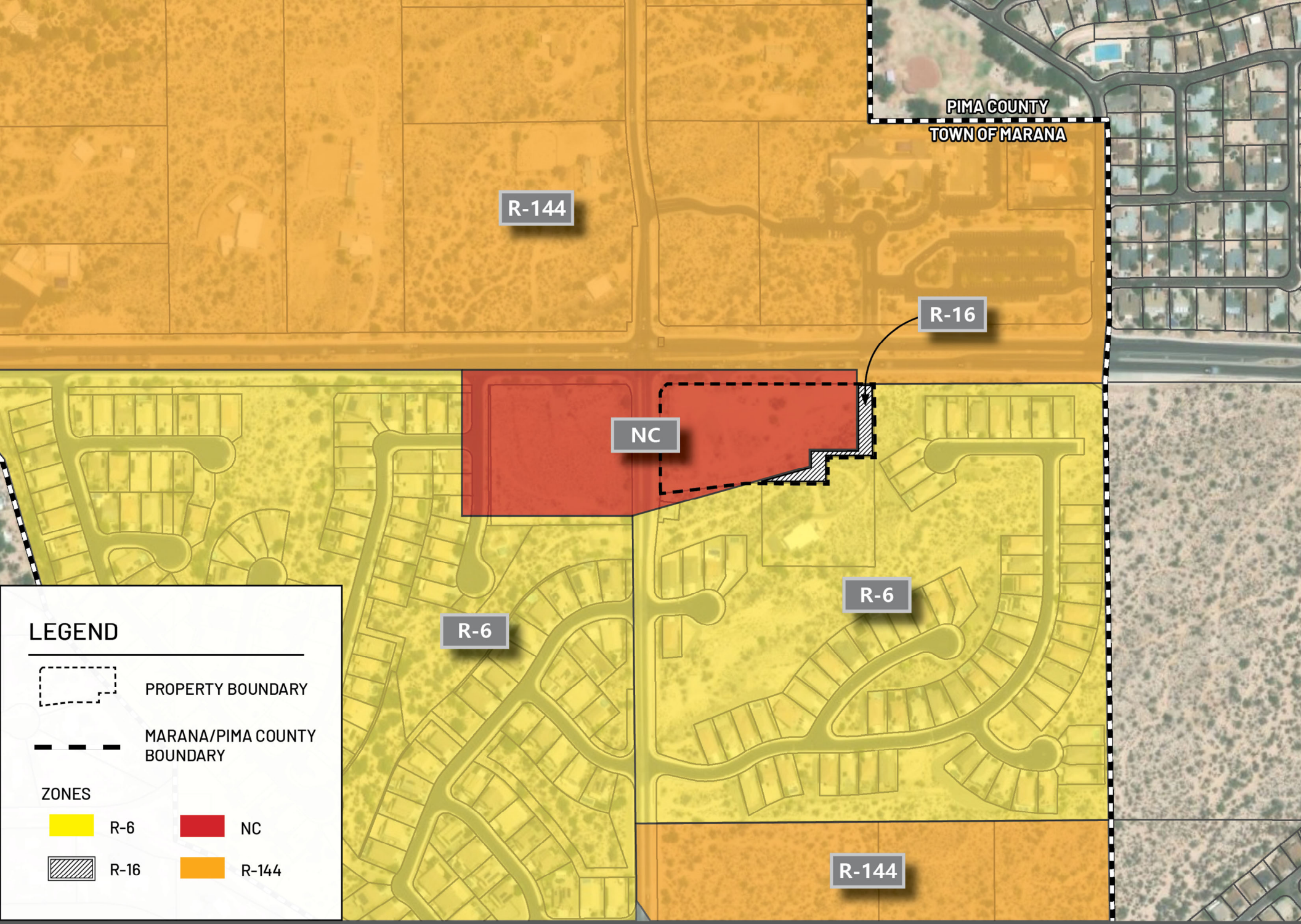


Location Map

NORTH

DO NOT SCALE MAP - FOR REFERENCE ONLY

0 150 300 600 Feet

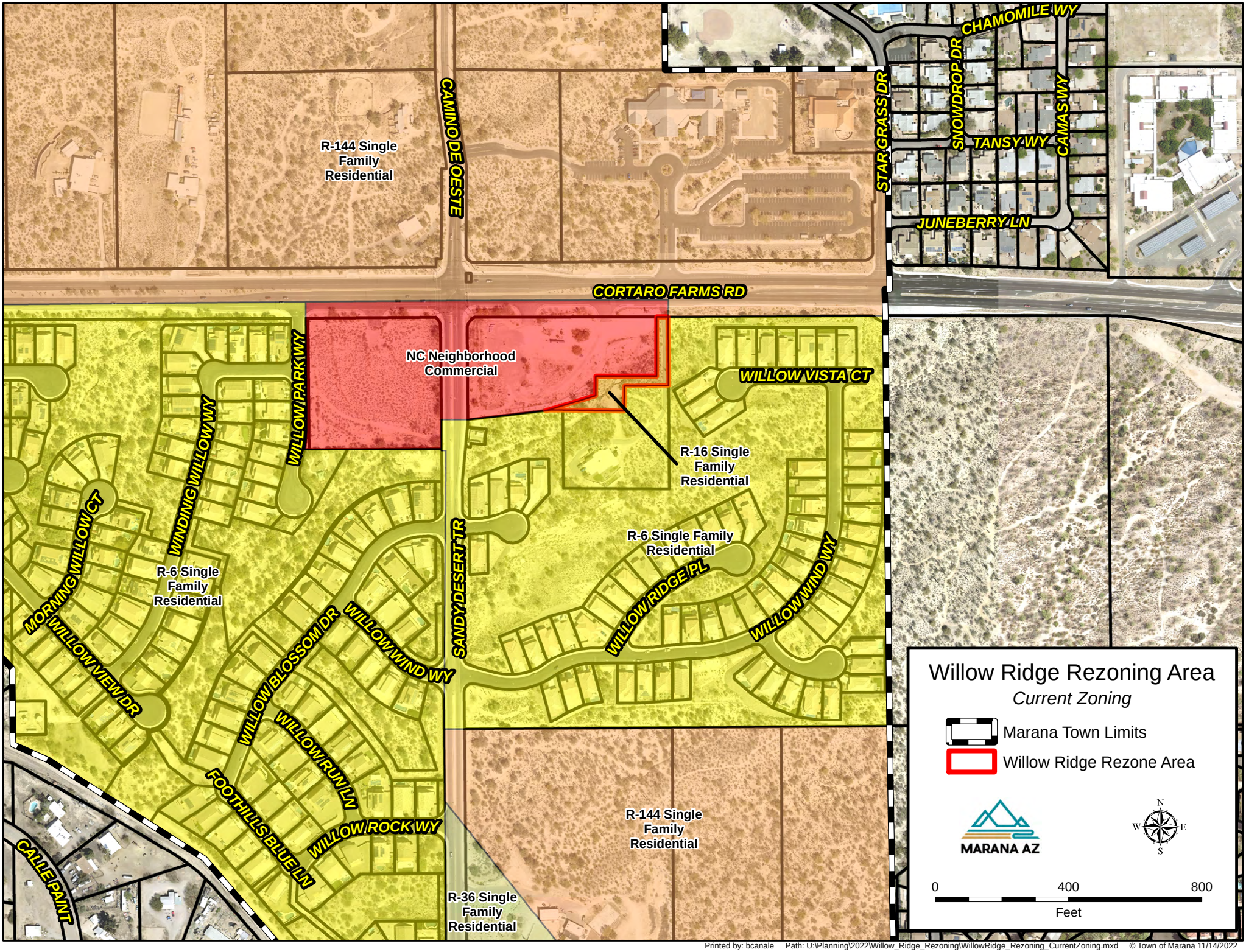


Existing Zoning

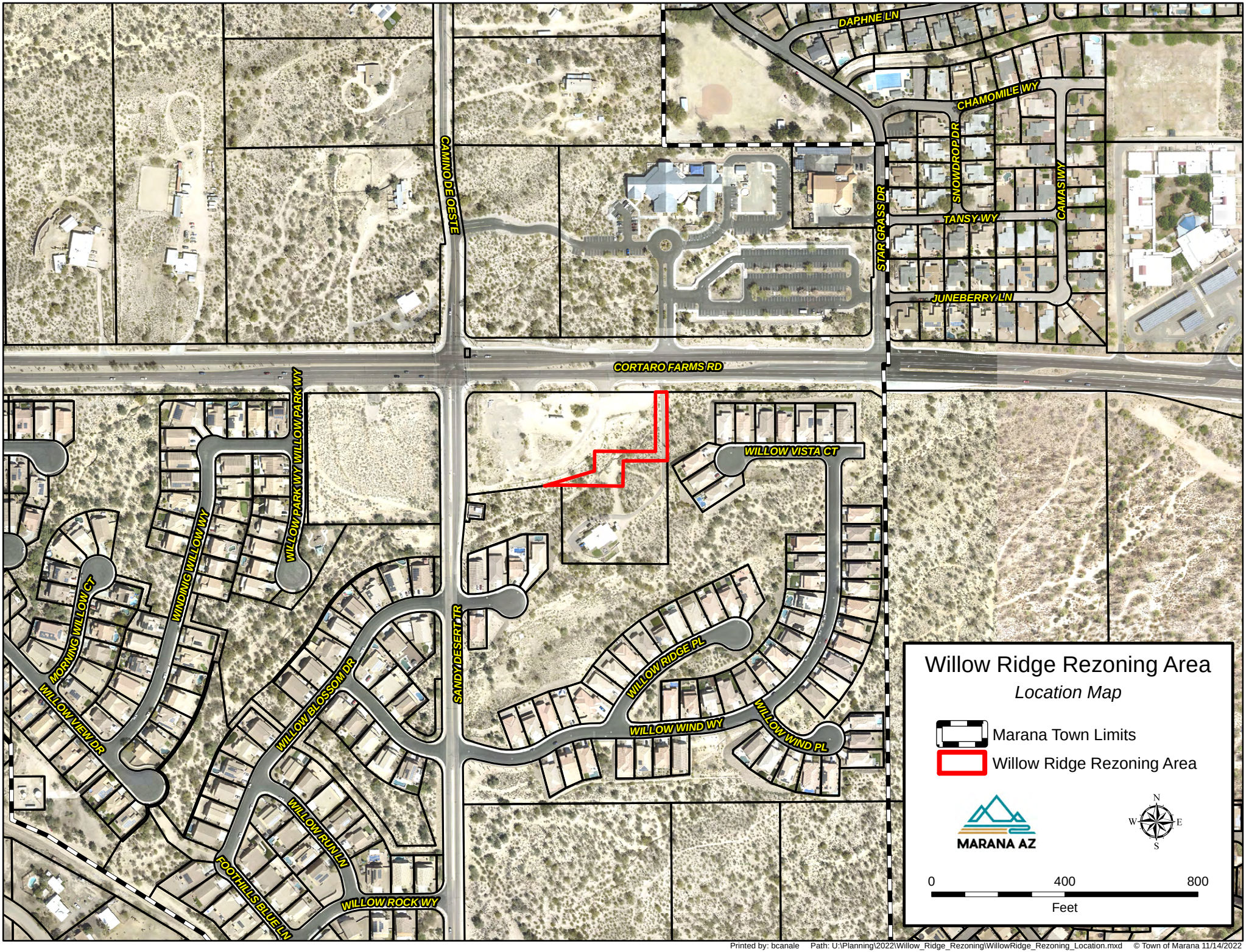
NORTH

DO NOT SCALE MAP - FOR REFERENCE ONLY

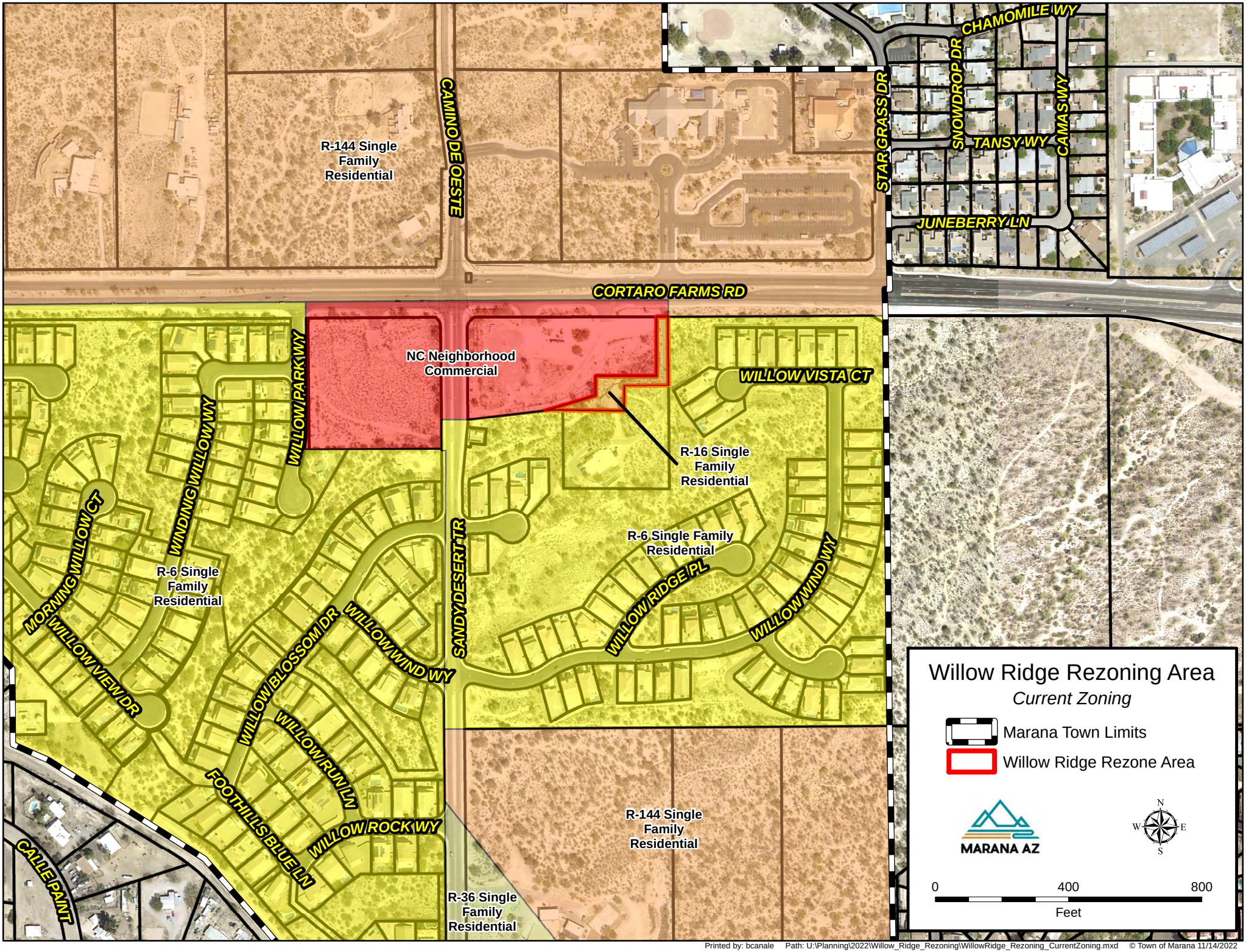
0 100 200 400 Feet



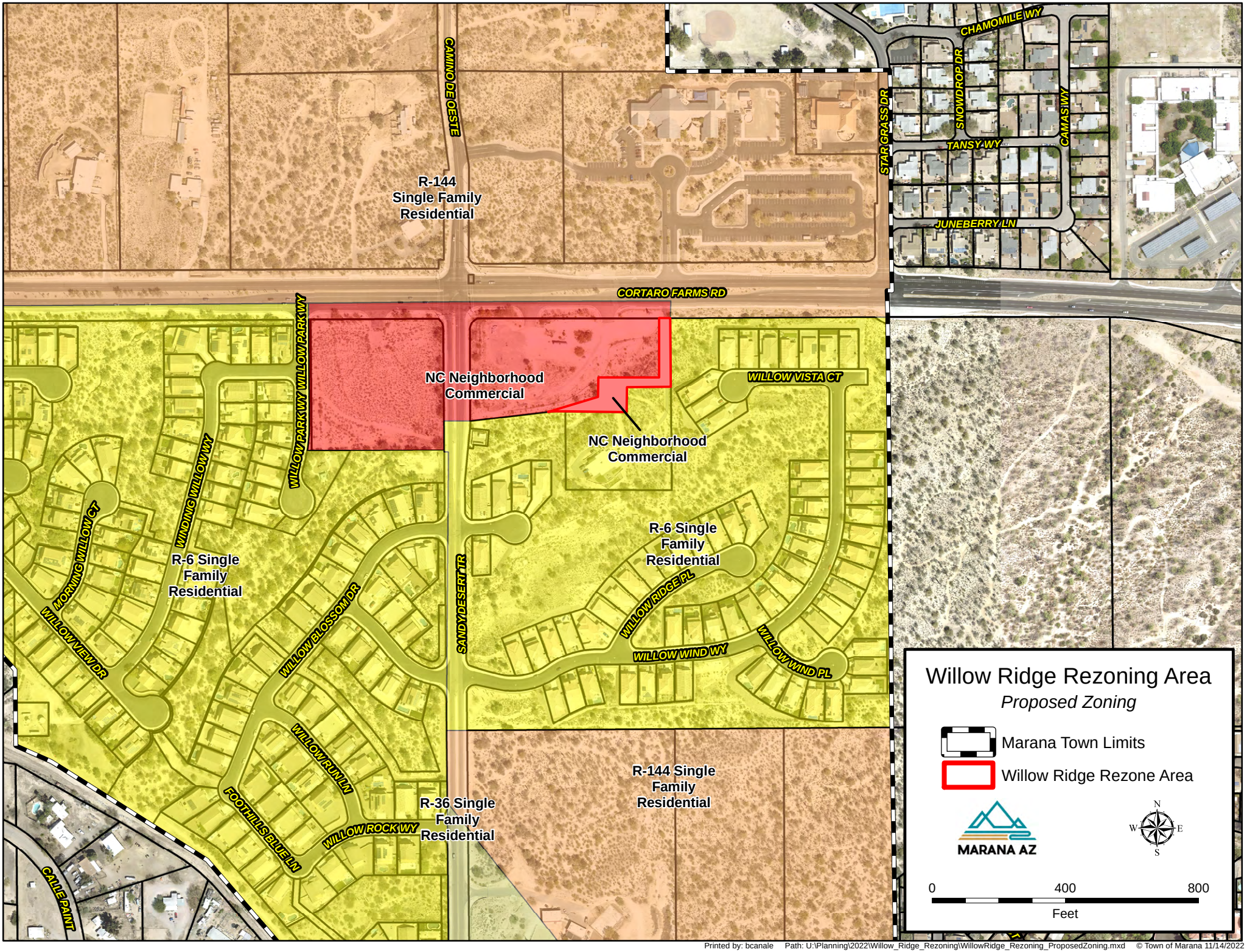
Printed by: bcanale Path: U:\Planning\2022\Willow_Ridge_Rezoning\WillowRidge_Rezoning_CurrentZoning.mxd © Town of Marana 11/14/2022



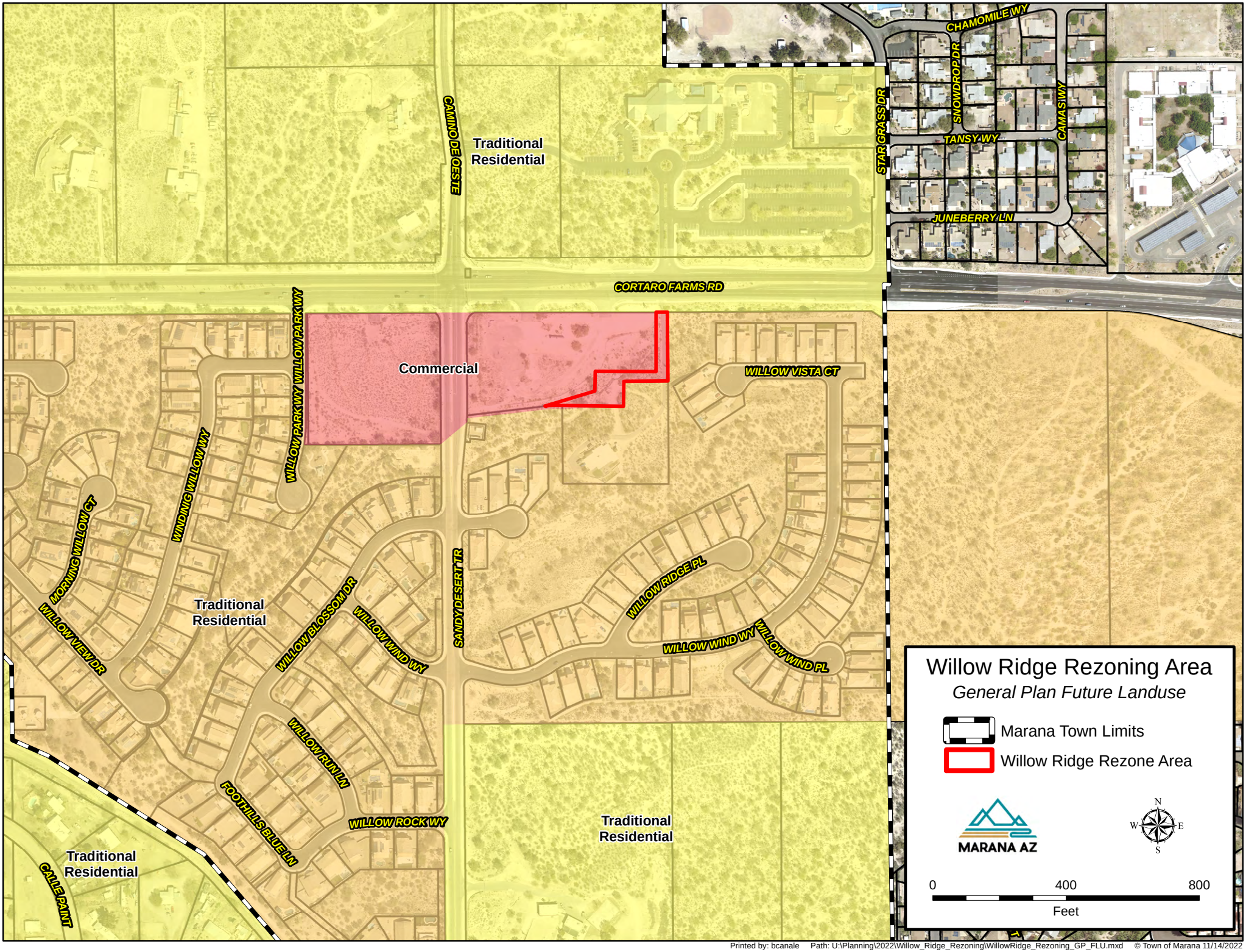
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F. ANN RODRIGUEZ, RECORDER
RECORDED BY: TFM
DEPUTY RECORDER
8047 PE2

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.

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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.

20042021
03566

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

20050620

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

20040690 12/22/2004

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;

20222160009

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 0 0 0 2 2 0 9 1

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;

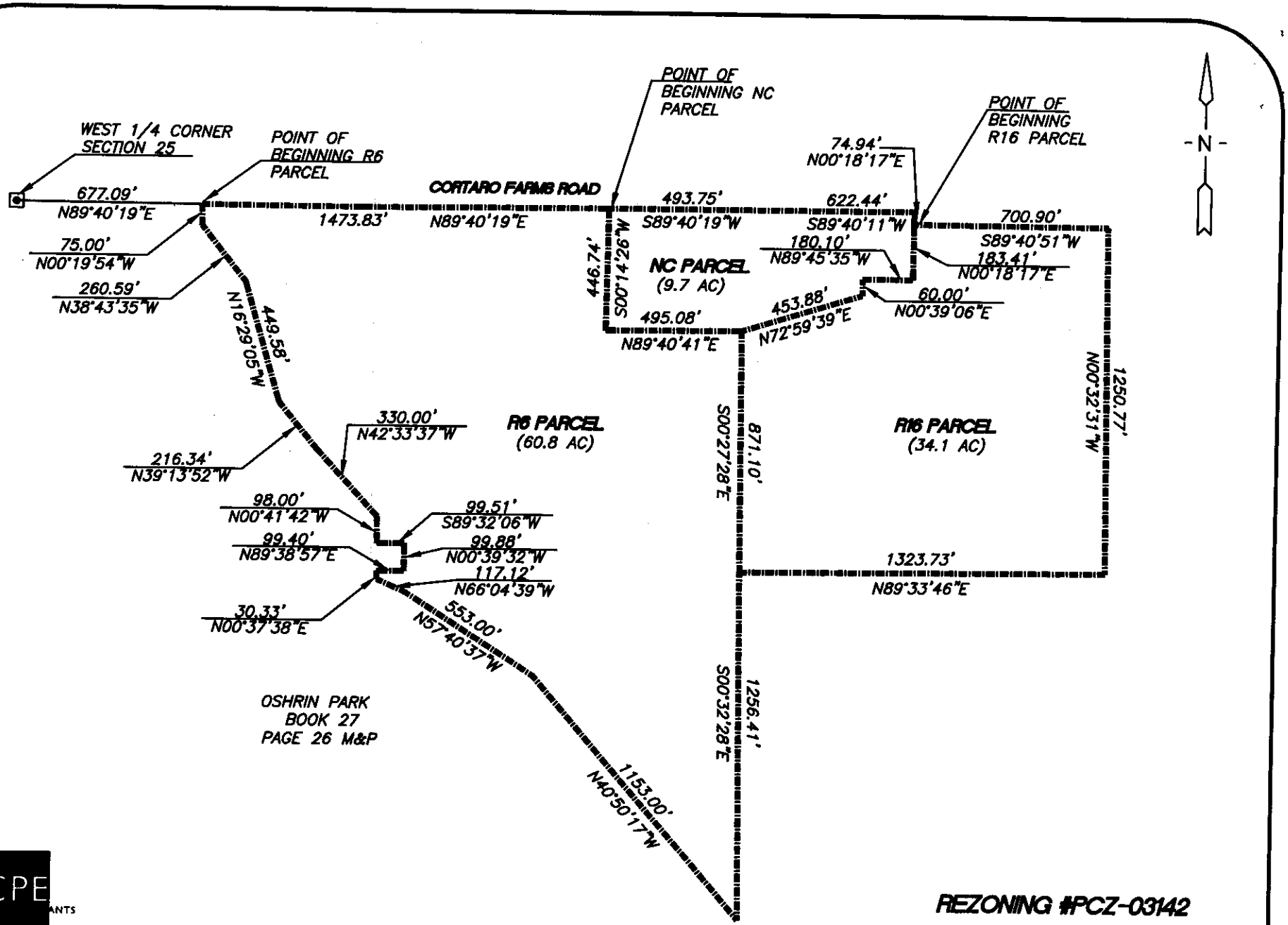
THENCE N 00°32'31", A DISTANCE OF 1250.77 FEET;

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.

20070020021



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

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. CONSTRUCTION WATER FOR THIS PROJECT SHALL BE OBTAINED FROM THE CORTARO-MARANA IRRIGATION DISTRICT (CMID).
30. THE DEVELOPER SHALL COMPLETE THE NEW WELL SITE PRIOR TO AUTHORIZATION OF OCCUPANCY.
31. THE DEVELOPER SHALL PROVIDE AUTHORIZED ACCESS TO THE WELL SITE BY EASEMENT AND/OR BY PUBLIC RIGHT OF WAY.
32. 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

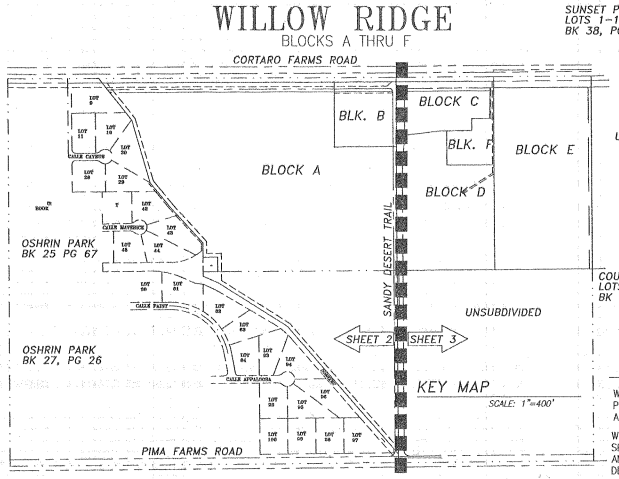
RICHARD R. GENTRY SR. & GENEVA TR
4945 W. CORTARO FARMS RD
TUCSON, AZ 85742

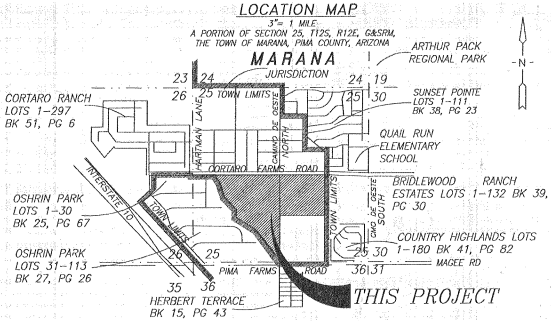
CORTARO ROAD 20 ACRES 7226
ATTN: ROBR INVESTMENTS MG
1636 N. SWAN RD, STE 206
TUCSON, AZ 85712

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 _____ TOWN OF MARANA — DATE 8/30/05

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: _____ TOWN OF MARANA — DATE 9-8-05

APPROVALS

TOWN OF MARANA APPROVALS:

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

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

I, Vicky L. Swanson, 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: _____ TOWN CLERK — DATE 9-8-05

PIMA COUNTY APPROVALS:

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

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
- EH — EROSION HAZARD BUILDING SETBACK LINE
- 100-YR FLOODPLAIN LIMITS
- ZONING BOUNDARY

RECORDING DATA

STATE OF ARIZONA } S.S.
COUNTY OF PIMA

FEE $ 41.00

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.

MY COMMISSION EXPIRES 11/19/2008 — NOTARY PUBLIC

"OFFICIAL SEAL" FOTINI S. GIAKOUMIS Notary Public, State of Illinois My Commission Expires 11/19/2008

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 _____ — 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

PRV-04124F

DATE	AUGUST 2005
CPE JOB NO.	150
SCALE:	AS NOTED
SHEET	1
OF	4

BOOK 60 PAGE 22

BOOK 60 PAGE 22-1

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'

FND #4 REBAR LS 27739 (ACCEPTED)

TOWN OF MARANA, TOWN LIMITS

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

CALLE MAVERICK

CALLE CAYEUS

CALLE PAINT

CALLE APPALOOSA

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

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

SUBDIVIDED
SH ZONING

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

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

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

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

45.00'

30.00'

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

100 0 100 200 300
Scale 1" = 100'

BOOK 60 PAGE 22

FD. #4 REBAR LS 27739 (ACCEPTED)

FD. #4 REBAR PE 1260 (ACCEPTED)

99.86'
N00°29'12"W
100.10'
S89°38'16"W
100.00'
N89°30'51"E

WELL SITE

FD. #4 REBAR LS 27739 (ACCEPTED)

N00°29'51"W 97.66'

FD. #4 REBAR LS 27739 (ACCEPTED)

EXIST WATER EASEMENT DKT 1063, PG 1918

N66°11'27"W 116.43'(M) 117.12'(R)

DRAINAGEWAY BOOK 27 PG. 26 M&P

50.00'

FD. #4 REBAR

N00°31'31"W 30.00'

FD. 2-1/2" O.P.

DETAIL "A"

NTS

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

Registered 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

BOOK 60 PAGE 22-2

P:\Jobs\150 Willow Ridge Block Plat\cad\FINAL BLOCK PLAT\BPL-2.dwg, 8/8/2005 2:11:20 PM, TBF

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
1323.91'

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

CORTARO FARMS ROAD

PIMA FARMS ROAD

661.14'(M) 45.00'

N89°40'15"E
BASIS OF BEARING

N89°40'15"E 581.15'

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'

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

CTR 1/4
COR SEC 25

S00°30'10"E

N89°40'15"E

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.
Date signed 8-8-05
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

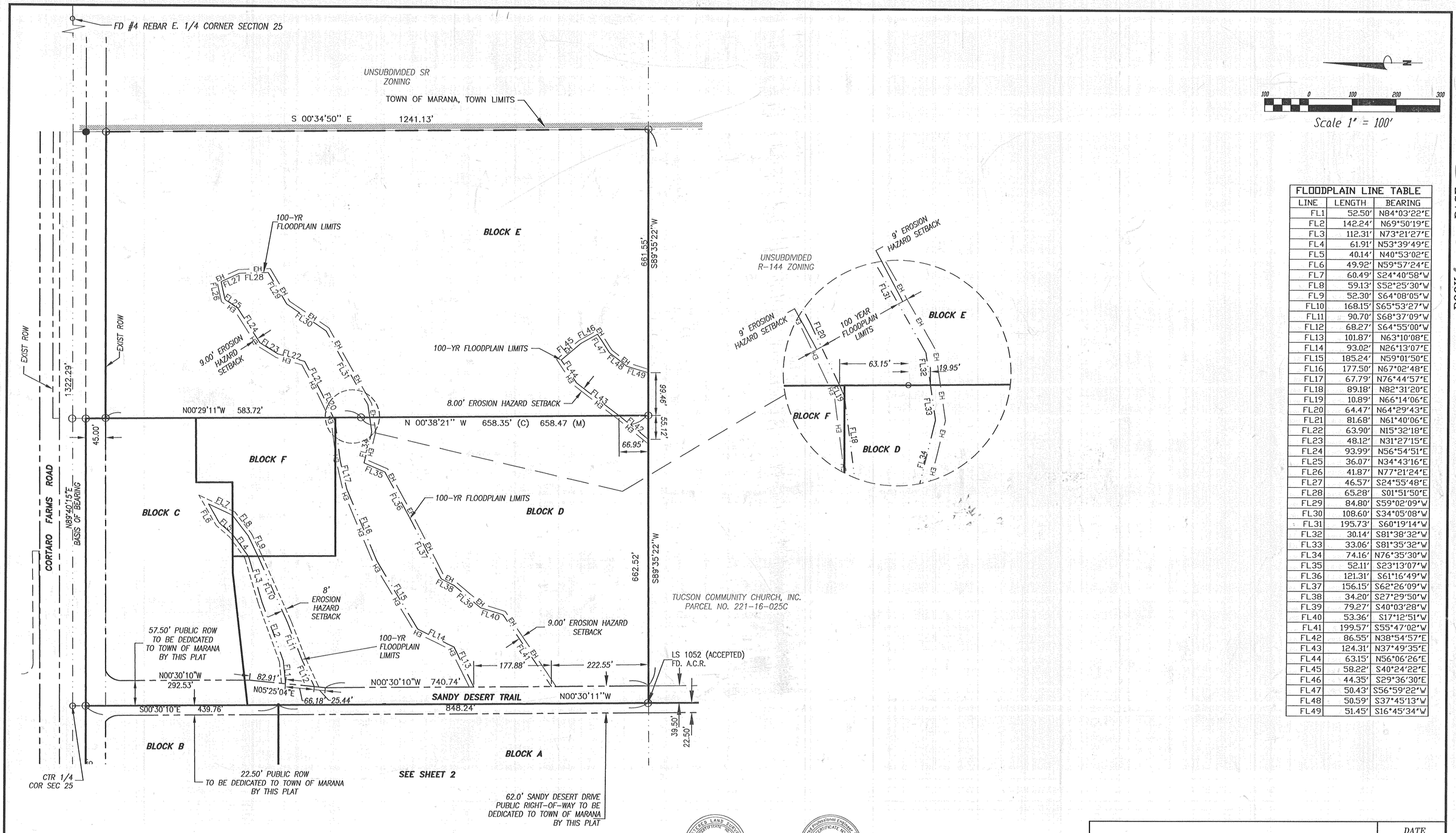
PRV-04124F

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

BOOK 60 PAGE 22

BOOK 60 PAGE 22-3

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



100 0 100 200 300

Scale 1" = 100'

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

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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

BOOK 60 PAGE 22-4

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

Planning Commission Regular Meeting

Meeting Date: 11/30/2022

To: Planning Commission

From: Scott Radden, Senior Planner

Date: November 30, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: **PCZ2207-0001 Wentz 154 Rezoning**; A request for a recommendation to the Marana Town Council for approval to rezone approximately 154.5 acres of land from Zone A (Small Lot Zone) to R-4 (Residential) located between W Marana Rd and W Grier Rd, east of N Wentz Rd in the SW1/4 of Section 20, Township 11S, Range 11E. (Scott S. Radden)

Discussion:

Request

Lazarus & Silvyn, P.C. is requesting a recommendation to the Marana Town Council for approval to rezone approximately 154.5 acres of land from A – Small Lot Zone to R-4 (Residential) located between W Marana Rd and W Grier Rd, east of N Wentz Rd in the SW1/4 of Section 20, Township 11S, Range 11E.

Marana General Plan

The 2040 Marana General Plan designates the proposed rezoning area the land use category of Traditional Neighborhood (TN) that accommodates a range residential densities between 2 and 18 dwelling units per acre, along with limited commercial, offices, education, and religious institutions.

Surrounding Land Use and Site Characteristics

The project area is bordered on the north by Marana Road and then by land zoned 'SP' (Ranch House Specific Plan) that has been graded and is currently vacant. To the east is agricultural land zoned 'SP' (Marana Towne Center) and a small, one acre parcel zoned A – Small Lot Zone. Grier Road is to the south and the agricultural land beyond that is zoned B – Medium Lot Zone. The land to the west is Wentz Road and land zoned A – Small Lot Zone, also with agricultural uses.

The property has been farmed since the 1930s and includes an abandoned single family residence and auto repair shop adjacent to Marana Road.The overall site is characterized by a flat topography and is impacted by sheet flooding, predominantly from the east in a northwesterly manner, and accumulates near the northwest corner of the property where an existing depression containing clusters of native trees acts as a detention basin. A majority of the project area falls under FEMA Zone X with approximately thirty percent of the property in FEMA Zone A01.

Proposed Land Use

The proposed 154.5 acre rezoning area will feature various residential lot sizes, all of which are supported by the Town's R-4 zone, for up to 750 homes with an overall project density of 4.85 dwelling units per acre. The preliminary development plan depicts the residential development with parks and open space throughout. A five acre community recreational amenity space will be incorporated into the development as well as additional parks and trails that will comply with the Town's minimum recreational area per the Subdivision Recreational Area Design manual, which requires 400 square feet of recreational area per unit (or a total of about 6.9 acres for 750 homes).

Comprehensive Town reviews, including all improvement plans, landscape plans, and recreation plans, will be performed for all proposed development and compliance with the Town's Residential Design Standards will be required.

Access and Circulation

Access to the rezoning area is proposed at two locations off of Marana Road and Wentz Road. The proposed project will utilize the Town's standard internal street section with a 42-foot right of way (ROW) width. The two internal

collector roads will be constructed with a 90-foot ROW width with 2 travel lanes, a continuous striped left-turn lane and striped bike lanes. A traffic study has been reviewed by the Marana Traffic Engineering Division.

Utilities

The rezoning area is located within the Town of Marana's intended water service area. A water service agreement will be required by Marana Water and all necessary on-site and off-site water infrastructure will be required to be constructed by the property owner / developer at the time of development. The rezoning area is also located within the Town's wastewater service area and will connect to an existing sanitary sewer located within the Marana Road ROW. The property owner will need to apply for annexation to the Northwest Fire District prior to development. Tucson Electric Power (TEP) serves the site as well as Southwest Gas and Comcast.

Citizen Participation

The applicants directly notified, by correspondence, all property owners within 1000 feet offering to meet and discuss the project. No property owners responded to the letter as of writing this report.

Public Notification

This public hearing was properly noticed in The Daily Territorial and all property owners within 300 feet of the boundary of the rezoning area were sent notification by first class 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 criteria, at a minimum, in reviewing an application for rezoning:

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

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

- 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 fulfilling proposed future land use designations in the 2040 General Plan and supports "a range of residential densities and types to encourage housing diversity."

- 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, the rezoning amendment 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.

- 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;

  T*he rezoning amendment conforms to the goals and policies of the general plan, the land development code, and other town regulations and guidelines.*

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

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

- 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.

- 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.

- 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.

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

  Based upon the rezoning requirements and conditions, this rezoning amendment is compatible with the adjacent neighborhood in area stability and character. The majority (154.5 acres) of the subject property has been used agriculturally since the incorporation of the Town.

- 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 Planning Commission to consider. Should the Commission choose to recommend approval of this item to the Town Council, staff recommends it be based upon the recommended findings and subject to the following conditions:

1. Compliance with all applicable provisions of the Town's codes and ordinances current at the time of any subsequent development including, but not limited to, requirements for public improvements and payment of application fees and applicable development impact fees.
2. Any plat or development plan for any portion of the Rezoning Area shall be in general conformance with the Conceptual Plan presented to and approved by the Town Council as part of this Rezoning.
3. A master drainage study must be submitted by the Property Owners and accepted by the Town Engineer prior to Town approval of a plat or development plan for any portion of the Rezoning Area.
4. A detailed traffic impact analysis must be submitted by the Property Owners and accepted by Town staff prior to approval of a preliminary plat or development plan for any portion of the Rezoning Area.
5. A water infrastructure and phasing plan (WIP) must be submitted by the Property Owners and accepted by the Marana Water Department prior to approval of a plat or development plan for any portion of the Rezoning Area. The WIP shall identify all on-site and off-site water facilities needed to serve the proposed development. The WIP shall include all information required by the water provider, such as, but not limited to, analysis of water use and fire flow requirements, and well source, reservoir, and booster station infrastructure needed to serve the proposed development. If Marana Water requires a water service agreement as a condition of service to the proposed development, the Property Owners must enter into a water service agreement with the Marana Water consistent with the accepted WIP.
6. A master sewer plan must be submitted by the Property Owners and accepted by the Marana Water Department (the "wastewater utility") prior to the approval of any plat or development plan for the Rezoning Area. The master sewer plan shall identify all on-site and off-site wastewater facilities needed to serve the proposed development, and shall include all information required by the wastewater utility. If the wastewater utility requires a sewer service agreement as a condition of service to the proposed development, the Property Owners must enter into a sewer service agreement with the wastewater utility consistent with the accepted master sewer plan.
7. The Property Owners must design and construct any roadway, drainage, water, and wastewater improvements, and dedicate or acquire any property rights associated with those improvements, that the Town requires based on the data and findings of the accepted traffic impact analysis, the accepted master drainage study, the accepted WIP, the accepted master sewer plan, and other studies approved in connection with the approval of a plat or development plan for any portion of the Rezoning Area.
8. The final design of all streets and circulation facilities, including gated access (if applicable) and emergency access, must be accepted by the applicable fire district prior to Town Council consideration of a final plat for any portion of the Rezoning Area.
9. The maximum number of residential lots within the Rezoning Area shall not exceed 750.
10. No approval, permit or authorization by the Town of Marana authorizes violation of any federal or state law or regulation or relieves the Property Owners from responsibility to ensure compliance with all applicable federal and state laws and regulations, including the Endangered Species Act and the Clean Water Act. The Property Owners should retain appropriate experts and consult appropriate federal and state agencies to determine any action necessary to assure compliance with applicable laws and regulations.
11. The Property Owners shall transfer to the water provider, by the appropriate Arizona Department of Water Resources form, those water rights being IGR, Type I or Type II for providing designation of assured water supply and water service to the Rezoning Area. If Type I or Type II is needed on the Rezoning Area, the water provider and the Property Owners shall arrive at an agreeable solution to the use of those water rights appurtenant to

the affected portion of the Rezoning Area.

12. Prior to the issuance of any grading permits, the Property Owners shall submit evidence to the Town that all federal permit requirements have been met through the Corps of Engineers and the State Historic Preservation Office, if federal permits are required for the development of the Rezoning Area.
13. The Property Owners shall not cause any lot split of any kind without the written consent of the Town of Marana.
14. The Property Owners shall provide a Phase I environmental site assessment to the Town for the entire Rezoning Area and any right-of-way prior to approval of any final plat for any portion of the Rezoning Area. The site assessment must be dated not more than 180 days prior to the recording of the final plat.
15. Except as otherwise set forth in this section, on or before issuance of the first building permit for the first habitable structure in the Rezoning Area, the Property Owners shall pay to the Town their proportionate financial share up-front for the costs to design, construct, or otherwise improve the circulation to and within the Marana Road/I-10 traffic interchange. The Property Owners' proportionate share will be determined based on the number of Equivalent Dwelling Units in the Rezoning Area and the assumptions in the Streets Facilities Infrastructure Improvements Plan approved by the Town of Marana Mayor and Council on September 20, 2022. As provided by A.R.S. § 9-463.05, the Property Owners' proportionate financial contribution shall be credited against the applicable impact fees payable for development within the Rezoning Area. If the improvements to the Marana Road/I-10 traffic interchange are completed before the first building permit is issued in the Rezoning Area, the Property Owners will not be required to pay their proportionate financial share up-front, but will be required to pay applicable development impact fees as the Rezoning Area is developed.

Suggested Motion:

I move to recommend to the Town Council approval of PCZ2207-001, Wentz 154 Rezoning, subject to the recommended conditions.

Attachments

Wentz 154 Rezone Site Analysis

Location Map

Application

Wentz 154 Rezoning

13101 W. Marana Rd., Marana, AZ 85653



Town of Marana Project Number: PCZ2207-001

Law Offices of
Lazarus & Silvyn, P.C.

Project Team

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Tucson, Arizona 85711

July 2022

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Appendix B: AGFD Online Review Tool Report

I. Introduction & Policy

A. Project Overview

Moderne Communities ("Owner") is interested in developing approximately 154.5 acres of land, Assessor Parcel No. 217-24-0040 (the "Property"), located at the southeast corner of Marana Road and Wentz Road in the Town of Marana ("Town"). (See Location Map.) The Property has been farmed since the 1930s and includes an abandoned single-family residence and auto repair shop, both of which will be removed prior to site development. The Property is currently zoned A (Small Lot Zone) and is designated as Traditional Neighborhood ("TN") on the Town's General Plan (*Make Marana 2040*) Future Land Use Map. The Owner intends to entitle the Property for urban residential development, which requires a rezoning to the Town's R-4 (Residential) zone (the "Project"). (See *Exhibit I.A: Regional Context.*)

The Project will feature various lot sizes, all of which are supported by the Town's R-4 zone. Up to 750 homes are proposed for an overall Project density of 4.85 residences per acre ("RAC"). A 5-acre community recreational amenity space will be incorporated into the Project and will comply with the Town's minimum recreational areas per Marana Town Code 17-5-3(B)(12), which requires 400 square feet of recreational area per unit (or a total of about 6.9 acres for 750 homes). The Town's Subdivision Recreational Area Design Manual will guide the design and implementation of recreation areas within the Project.

B. Plan Compliance

Make Marana 2040

The Property is designated on the General Plan Future Land Use Map as TN, which supports "*a range of residential densities and types to encourage housing diversity*." Residential ranges within TN are between 2 and 18 RAC, so the Project's proposed 4.85 RAC complies with this land use designation. The Property is also located in the Central Growth Area of the Town's General Plan. The Central Growth Area encompasses large areas of agricultural land, including several master planned communities that are entitled but have yet to be developed. The Central Growth Area is *"…envisioned to become the central activity hub in Marana, featuring event and gathering spaces, shops, entertainment destinations, and employment opportunities. New residential development supports robust commercial activity throughout Downtown."* This Project is a residential community that will contribute to the overall balance of land uses in the Central Growth Area of the Town. The Property is adjacent to the Marana Towne Center Specific Plan, which primarily features non-residential uses. The key to supporting non-residential uses—and commercial uses in particular—is developing more rooftops. Together, the residential uses within this Project, Ranch House and Uptown at Marana should generate the critical mass necessary for successful non-residential uses in Marana Towne Center.

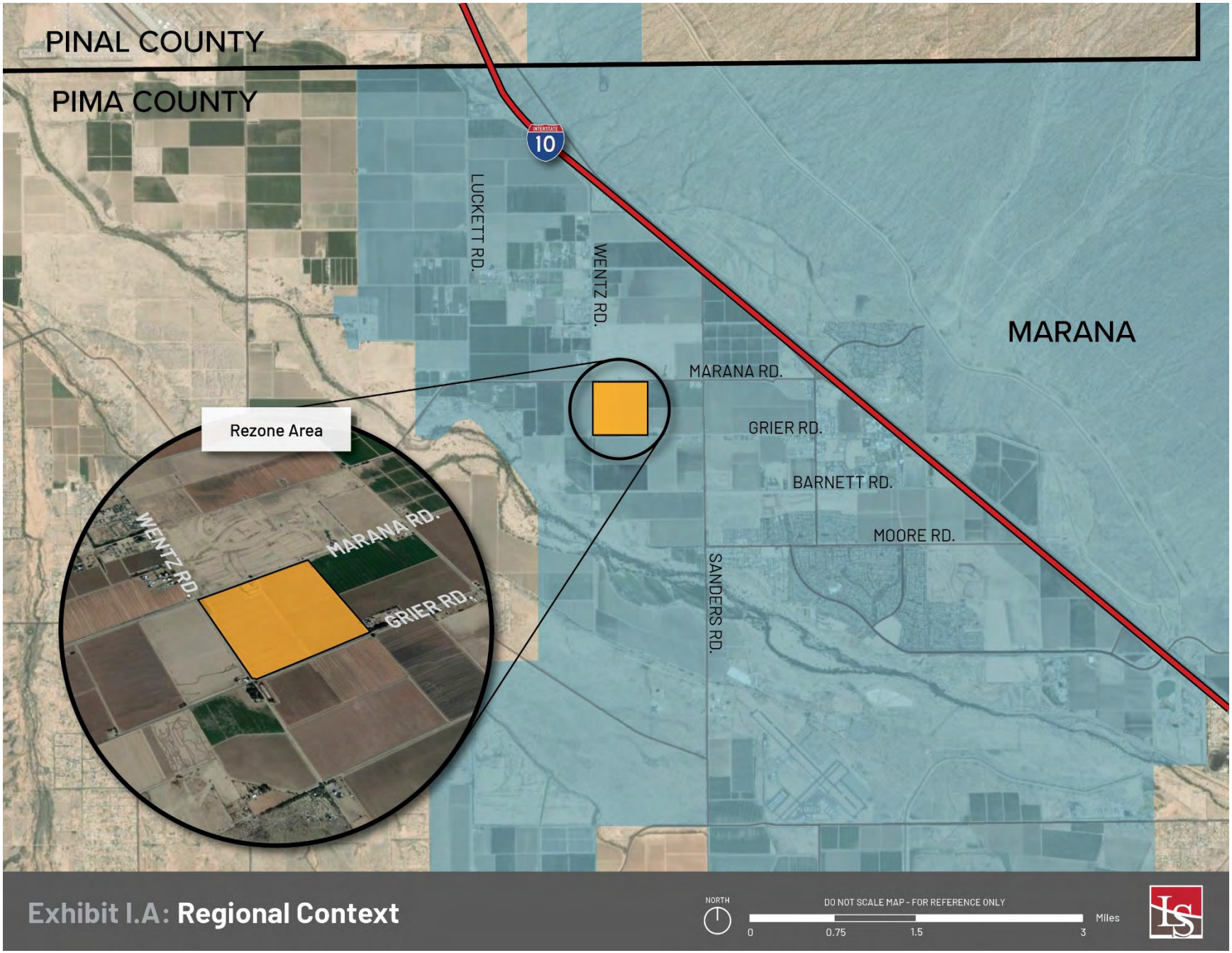


Exhibit I.A: Regional Context

The following policies from *Make Marana 2040* are relevant to the Project and support this rezoning:

1. Built Environment

a. Land Use

Goal BE-7: Residential areas are well-served by a full range of supporting land uses that contribute to a balanced community.

- Policy BE 7-2: Promote a walkable community by centrally locating institutional uses, civic uses, public spaces, and open spaces within the residential developments.
- Policy BE 7-3: Plan open space areas within residential areas to accommodate a greater variety of passive and active recreational uses.

Goal BE-11: Land use, transportation, and urban design in Marana are integrated in support of land and resource conservation, multi-modal transportation, active open spaces, and design innovation.

- Policy BE 11-3: Creatively integrate architecture, landscape, recreation, and public spaces that enhance sense of place and community interaction.

Goal BE-14: Marana prioritizes infrastructure enhancements and extensions that support desired new growth and development in an efficient and sustainable manner.

- Policy BE 14-2: Promote public and private infrastructure expansion that is timely, financially sound, and coordinated with development activity.

The Property, located along Marana Road near Downtown Marana, is an appropriate location for the Project given its proximity to large, planned employment and commercial areas. The Project proposes an appealing, walkable, family-friendly neighborhood and is well-positioned to support these employment and commercial areas long into the future.

The Town's long-range planning efforts have focused on directing future urban grow west of the I-10 on existing farmland in an effort to better preserve the region's remaining desert landscapes. The Project proposes development on existing farmland, which aligns with the Town's goal of growing responsibly.

b. Transportation

Goal BE-17: Marana has an efficient and safe transportation system connecting all modes of travel, serving all residents, and supporting economic development.

- Policy BE 17-3: Encourage mixed land uses that combine residential, commercial, and employment with access to transit, bicycle, and pedestrian improvements.

- Policy BE 17-4: Prioritize transportation infrastructure projects that support and align with the Town's economic development and future employment objectives.
- Policy BE 17-5: Ensure planned employment cores are connected to and supported by the larger community and regional transportation system.

Goal BE-18: Marana is a community with an effective, convenient, accessible, safe, and economically sustainable transportation network offering a choice of routes and modes of travel to all land uses, services, and destinations.

- Policy BE 18-4: Promote convenient multi-modal access to public places that have a high concentration of trips, such as employment and activity centers, commercial core areas, and inter-modal transportation (hub) facilities.

Goal BE-20: The transportation system in Marana is properly planned, funded, constructed, and maintained.

- Policy BE 20-4: Maintain and enhance coordination with private landowners, developers, and investors to identify opportunities for coordinated transportation improvements.

The Project will be developed in accordance with surrounding roadway expansion plans that provide multiple efficient and safe modes of travel to places of interest, commercial corners, and employment corridors nearby. The Project will provide key bikeway connections for future residents to local areas of interest, including the future Marana Towne Center to the east and the planned expansion of The Loop along the Santa Cruz River to the west.

c. Housing

Goal BE-27: Marana maintains a diverse housing stock that accommodates the various housing needs of all residents.

- Policy BE 27-2: Encourage a range of housing types, housing sizes, and lot sizes that foster a variety of options, such as detached single-family homes, attached single-family homes, and multi-family units that increase choices throughout the community.
- Policy 27-3: Promote development proposals for multi-family residential, mixed-use, and small lot residential areas that are compatible with the existing and planned land uses in the area.

Goal BE-28: The cost of housing is affordable for those living and working in Marana.

- Policy BE 28-1: Increase available housing choices in Marana to accommodate a range of needs, such as family size, age, and income.

Goal BE-30: Neighborhoods in Marana have unique identities with diverse residential designs.

- Policy BE 30-1: Incorporate a variety of architectural designs that contribute to a unique and diverse neighborhood character and identity in new residential development.

The Project proposes a single-family residential community that will help boost the Town's housing stock, sustain existing and future commercial uses, and help the community grow responsibly. The Project will also incorporate a variety of architectural designs that will give the neighborhood a unique, desirable character and identity.

2. People & Community

Goal PC-20:

- Policy PC 20-4: Provide urban spaces that include recreational opportunities, walkways, or trails to serve the community.

The Project devotes 5 acres to recreational amenity space to be managed by the Project's future homeowners' association. The specific amenities will be finalized at time of development.

3. Resources & Sustainability

Goal RS-1: Marana's dedication to preserving the Sonoran Desert environment contributes to the Town's aesthetic character.

- Policy RS 1-1: Where possible, encourage developers to maintain open space, view corridors, and wildlife connectivity to ensure that development does not block wildlife crossings and their connecting corridors.

Goal RS-4: Marana is dedicated to conserving and optimizing the use of water resources to ensure long-term supplies.

- Policy RS 4-6: Encourage the use of native desert vegetation and low water use vegetation for landscaping on public and private development.

Goal RS-7: New developments are constructed in a manner that minimizes flooding.

- Policy RS 7-1: Encourage and incentivize the use of Low Impact Development techniques, such as rainwater harvesting, as a tool for reducing post-development runoff.

Goal RS-15: Marana encourages energy conservation to reduce energy demand.

- Policy RS 13-2: Promote energy-efficient home design and materials in future residential construction.

The Project will be built in an area already heavily disturbed by agricultural uses, focusing new development away from the Town's most environmentally sensitive areas. This

Project replaces a historically water-intensive land use on the Property and will utilize native, drought-tolerant desert vegetation, water harvesting, and xeriscape designs. Homes within the Project will be built in compliance with the homebuilding industry's latest energy-efficiency standards

C. Strategic Plan

The Project is poised to contribute significantly to the Town's strategic goals and vision as established in its *Strategic Plan Four*. In addition to supporting the Town's Central Growth Area, the Project will provide the housing to help attract employees to help sustain career-oriented commerce, create a safe and connected community, and provide new recreational opportunities that promote healthy lifestyles.

D. Conflicts with Ordinances and Policies

No conflicts with existing ordinances or plan policies have been identified. The Project will comply with all current development standards and Marana Town Code requirements.

II. Development Capability Analysis

A. General

As indicated on *Exhibit I.A: Regional Context*, the Property is located near the southeast corner of Marana Road and Wentz Road within the northwestern portion of the Town. The square-shaped Property measures approximately 2,600 feet by 2,500 feet, or approximately 154.55 acres, and is currently accessible from Marana Road, Wentz Road and Grier Road. (See *Appendix A: ALTA Survey*.)

B. Existing

1. Site Location

As depicted in *Exhibit II.B.1: Site Location Map*, the Property is located in the northwestern portion of the Town in Township 11S, Range 11E, Section 20. The Property is situated approximately two miles west of the Interstate-10 Highway ("I-10") and the Union Pacific Railway ("UPR").

2. Onsite

a. Land Use & Zoning

As depicted in *Exhibit II.B.2.a: Existing Land Use & Zoning*, the Property is zoned Zone A - Small Lot Zone ("A") and is currently used for agricultural purposes. Land uses on the Property include two large crop fields, one single-family residence, one automotive service and repair shop, an outdoor storage yard, two drainage basins and several concrete irrigation channels.

b. General Plan Land Use

Make Marana 2040 designates this Property as TN on the Future Land Use Map. (See *Exhibit II.B.2.b: General Plan Designations.*)

3. Surrounding Development

The land uses and zoning of surrounding properties are shown in *Exhibit II.B.2.a: Existing Land Use & Zoning* and presented in *Table II.B*. The surrounding future land use designations as indicated in *Make Marana 2040* are TN to the west and south and Master Planned Areas to the north and east. (See *Exhibit II.B.2.b: General Plan Designations.*)

Table II.B: Surrounding Development

	Zoning	Land Use
North	A & SP	W. Marana Road, Vacant and Graded Property
South	B	E. Grier Road, Agriculture Use
East	SP	Agriculture Use, Single-Family Residential
West	A	N. Wentz Road, Agriculture Use, Single-Family Residential

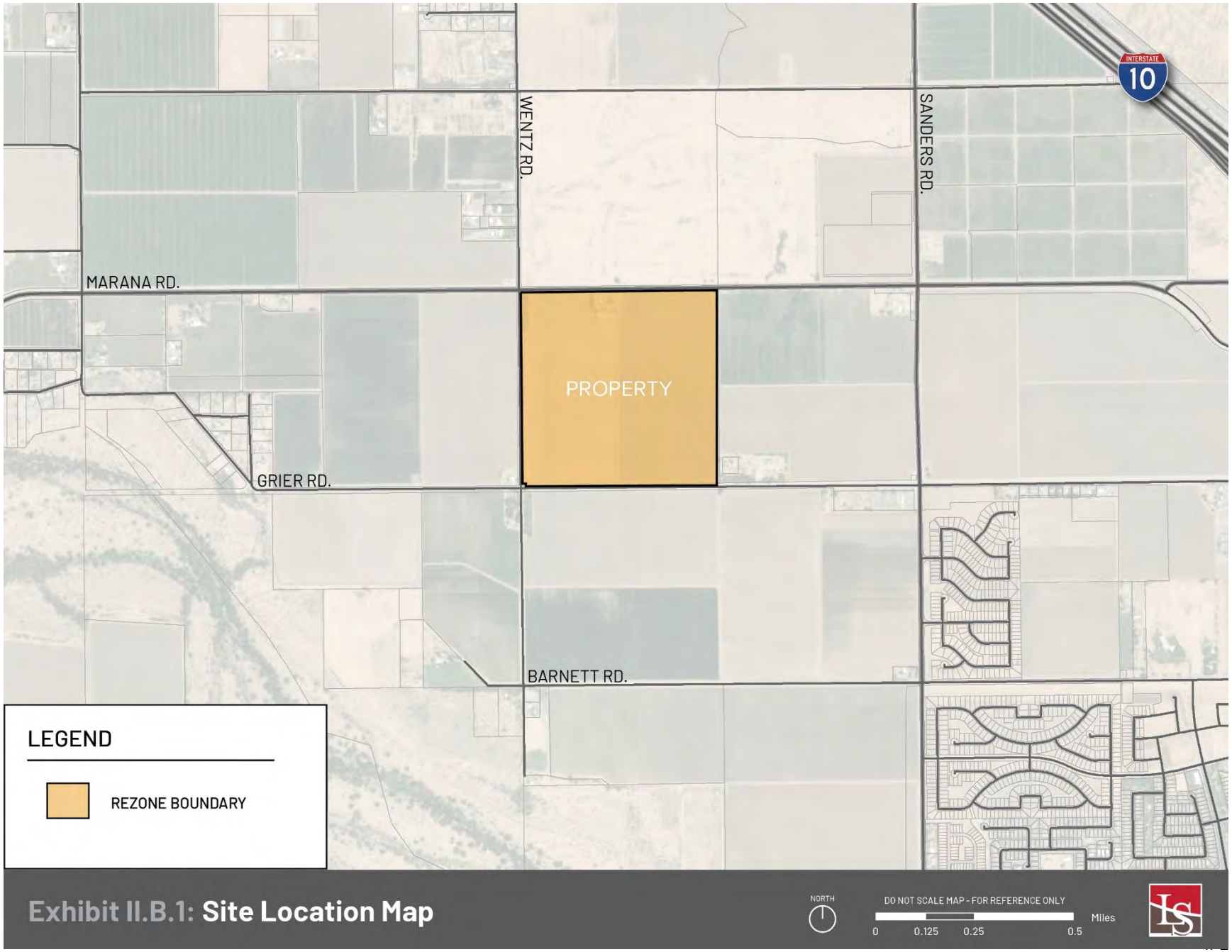
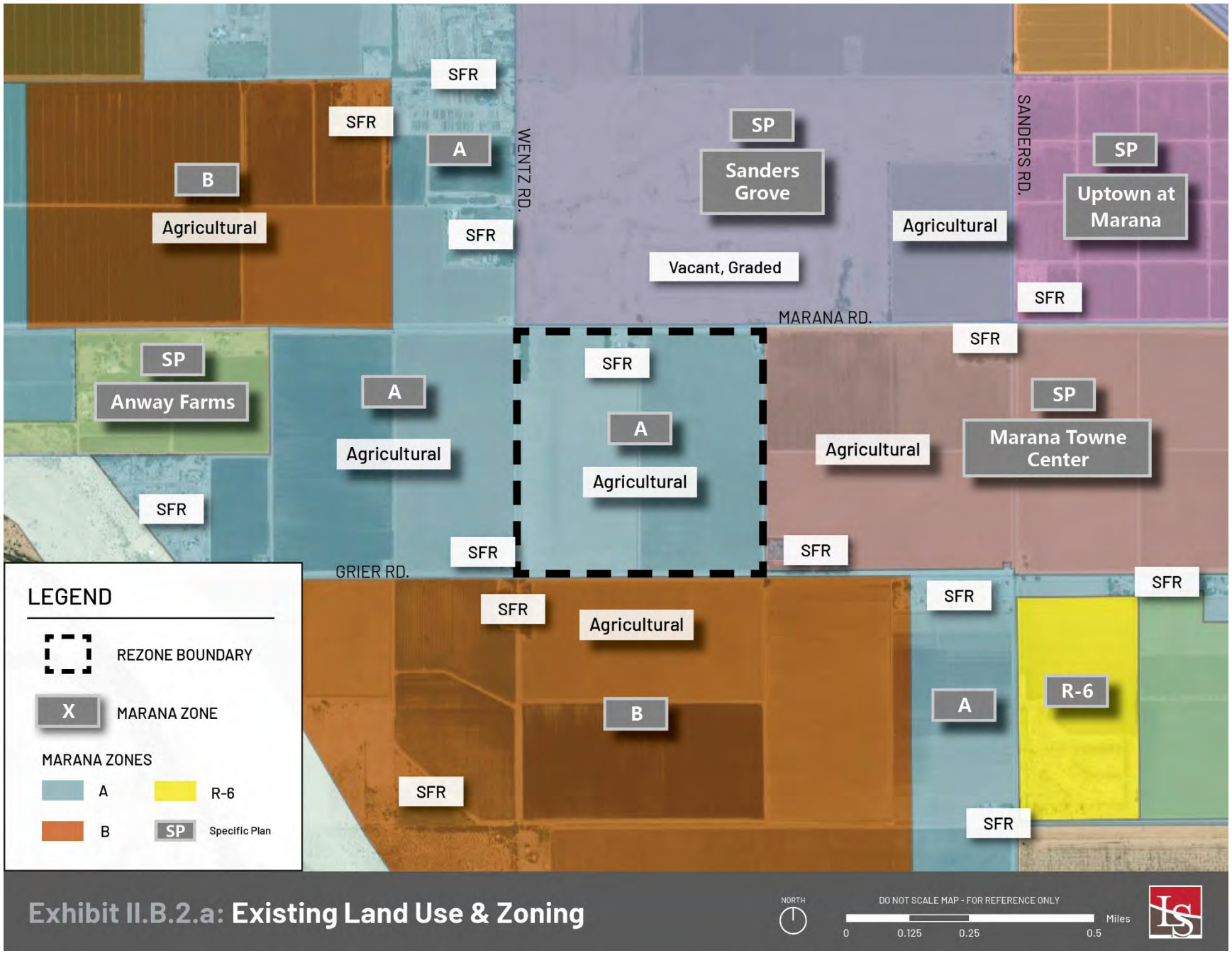


Exhibit II.B.1: Site Location Map


SFR
SFR
A
WENTZ RD.
SP
Sanders Grove
SANDERS RD.
SP
Uptown at Marana
B
Agricultural
SFR
Agricultural
Vacant, Graded
SFR
MARANA RD.
SFR
SP
Anway Farms
A
SFR
A
Agricultural
Agricultural
SP
Marana Towne Center
Agricultural
SFR
SFR
SFR
SFR
GRIER RD.
SFR
SFR
SFR
Agricultural
A
R-6
B
SFR
SFR
LEGEND
REZONE BOUNDARY
X
MARANA ZONE
MARANA ZONES
A
R-6
B
SP
Specific Plan
Exhibit II.B.2.a: Existing Land Use & Zoning
NORTH
DO NOT SCALE MAP - FOR REFERENCE ONLY
0
0.125
0.25
0.5
Miles

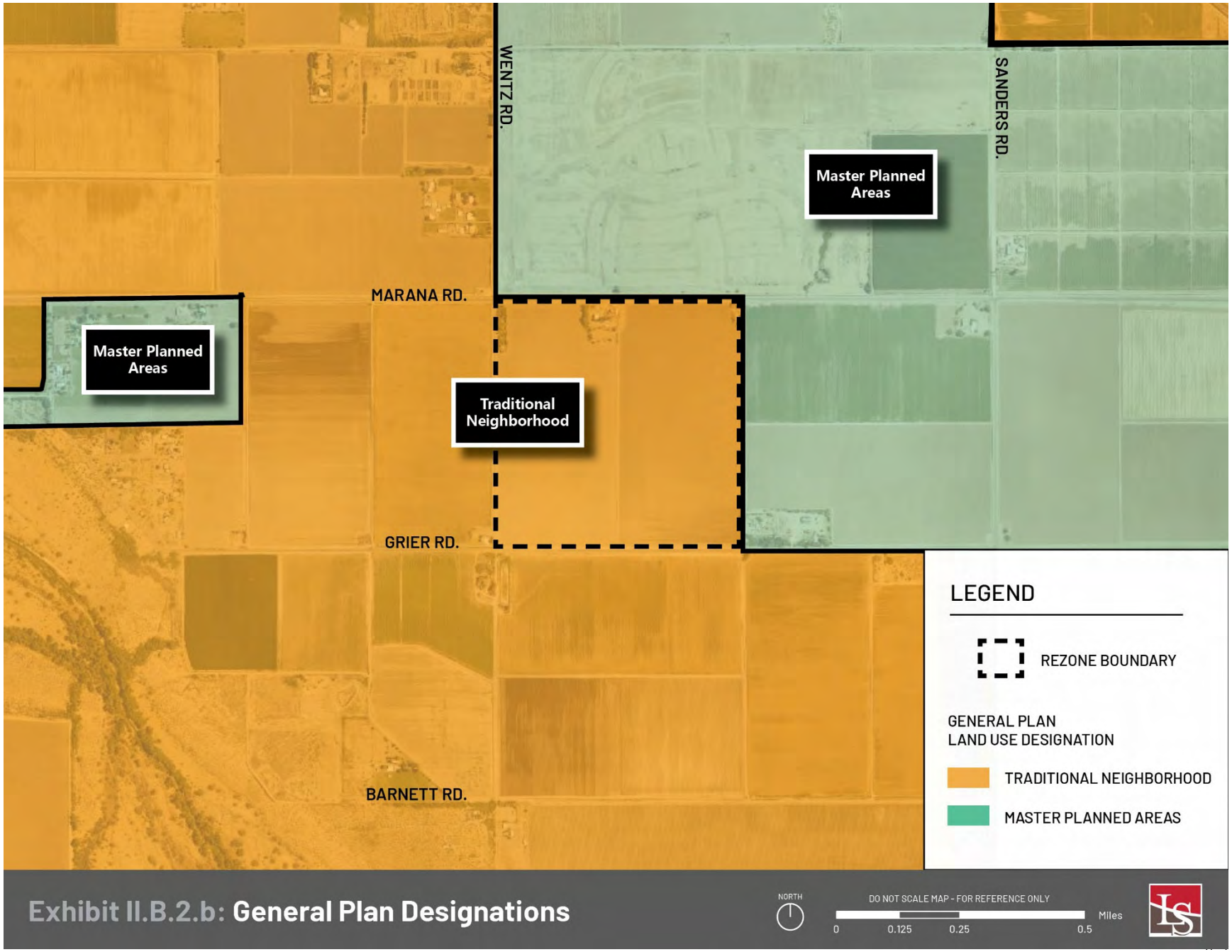


Exhibit II.B.2.b: General Plan Designations

As depicted in *Exhibit II.B.3: Neighboring Specific Plans*, the Property is located across the street from the Sanders Grove Specific Plan to the north and directly adjacent to the Marana Towne Center Specific Plan to the east. No development connected to these specific plans has occurred adjacent to the Property.

- Sanders Grove Specific Plan establishes a primarily low- to medium-density single-family residential community featuring recreation and open space areas, as well as possible multifamily and commercial uses near its southeast corner.
- The Marana Towne Center Specific Plan supports a variety of non-residential uses, including commercial uses, a future educational campus and employment uses. To date, the only portion of the specific plan to have been developed is located near the southwest corner of Marana Road and Sandario Road.

4. Pending Rezonings and Conditional Uses

   There are no pending rezonings or conditional uses approved on the Property. An amendment to the Sanders Grove Specific Plan (to be renamed "Ranch House Specific Plan") has been submitted to the Town for review. *Exhibit II.B.3* identifies Sanders Grove and other approved Specific Plans in the area.

5. Approved Subdivisions/Development Plans

   There are no approved subdivisions or development plans on the Property.

6. Architectural Styles of Adjacent Projects

   Existing homes and structures on and surrounding the Property feature a mixture of architectural styles and include some manufactured/modular-type construction. Most buildings in the area are single-story construction.

   Both the Sanders Grove and Marana Towne Center Specific Plans allow for a variety of Southwest architectural styles using materials and colors complementary to the Sonoran Desert.

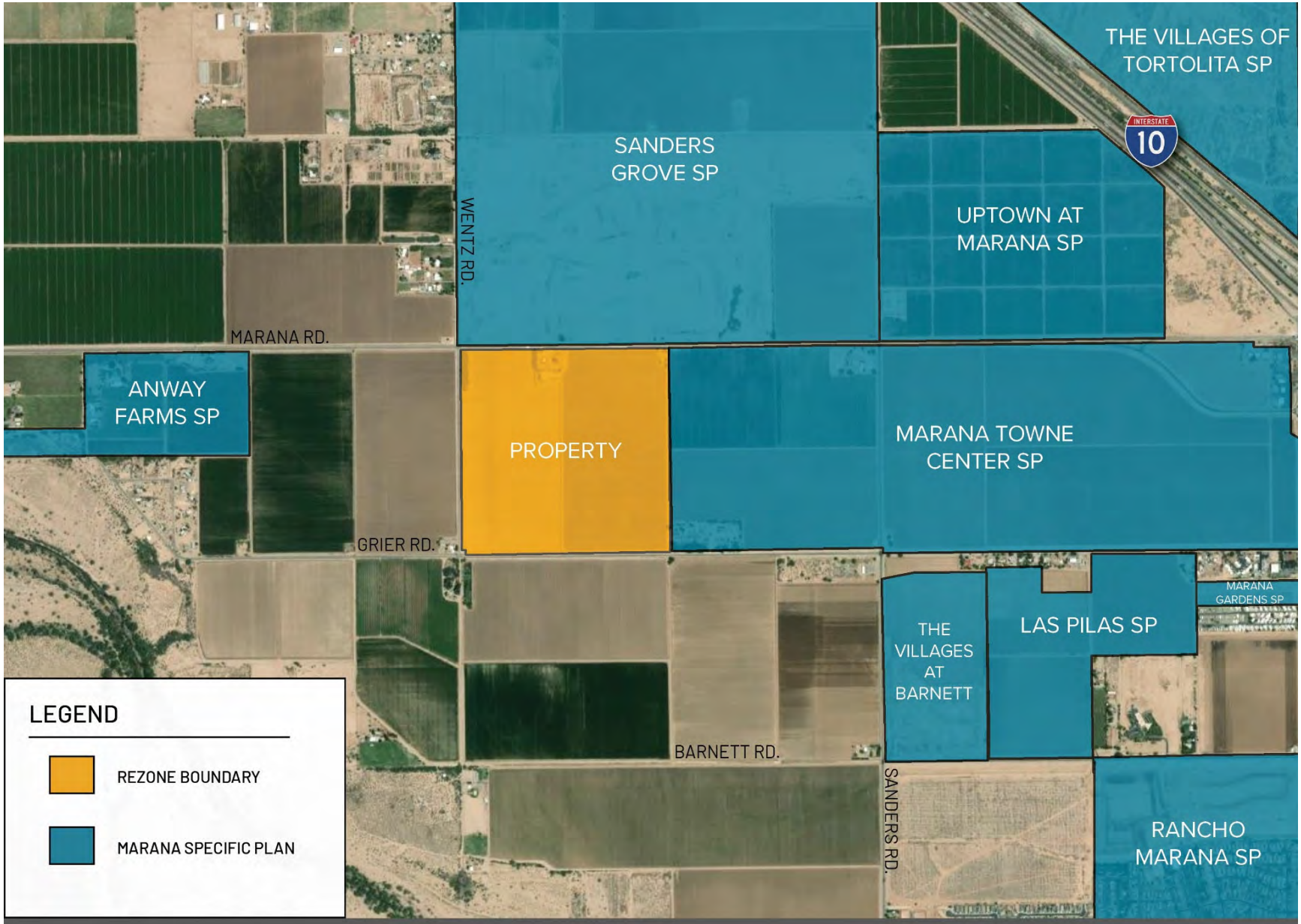


Exhibit II.B.3: Neighboring Specific Plans

C. Septic Systems & Wells

A Preliminary Geotechnical Engineering Study ("PGES") of the Property performed by CMT Engineering Laboratories indicates there is possibly a septic system associated with the house.

According to the Arizona Department of Water Resources ("ADWR") Well Registry Map, there is one well site located on the Property and one well site located within close proximity to the Property:

1. Well #55-644533
   This well is located on the Property and is listed as an exempt well for domestic and livestock use. It is unknown whether this well is in use or operational.

2. Well #55-604806
   This well is located on an adjacent property near the southwest corner of the Property and is listed as a non-exempt well for irrigation purposes. It is owned by the Cortaro-Marana Irrigation District ("CMID"). The Property's current agricultural uses appear to draw water from this CMID-owned well.

D. Topography & Slope

The Property's topography is relatively flat, and its elevations range from approximately 1,962 feet near the southeast corner along Grier Road to approximately 1,952 feet near the northwest corner at the intersection of Marana Road and Wentz Road. Existing topography at 2-foot contour intervals is shown on *Exhibit II.D: Existing Topography*. All topographic information is from Pima County's Geospatial Data Portal.

1. Hillside Conservation Areas
   There are no Hillside Conservation Areas located on or near the Property.

2. Rock Outcrops
   There are no rock outcrops on the Property.

3. Slopes of 15% or Greater
   The Property slopes gradually from the southeast towards the northwest. There are no slopes greater than 15%. (*See Exhibit II.D: Existing Topography.)*

4. Other Significant Topographic Features
   There are no significant topographic features on the Property.

5. Statements of Pre-Development Cross-Slope
   The average cross-slope ("ACS") of the Property is approximately 0.3%.

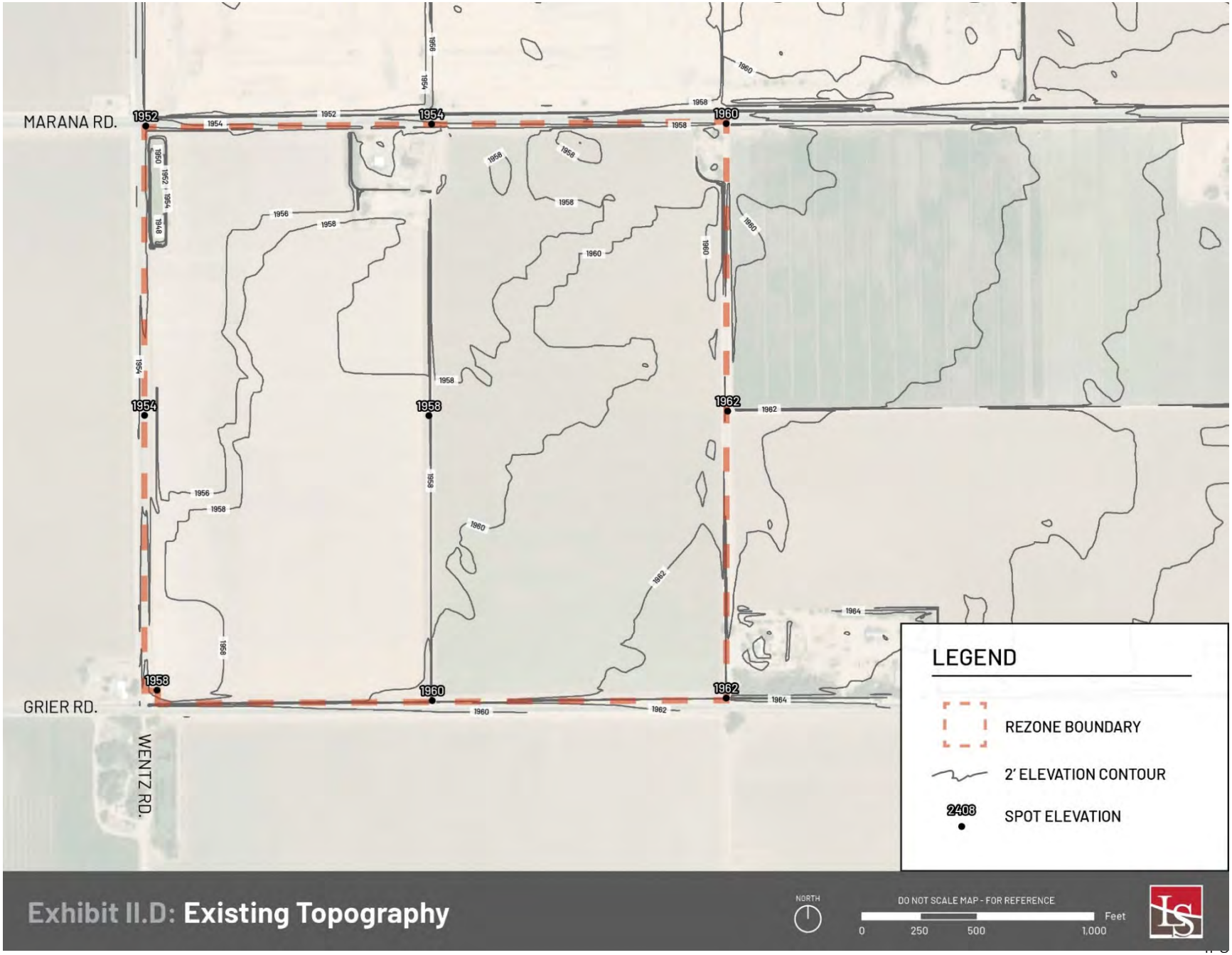


Exhibit II.D: Existing Topography

E. Hydrology

1. Offsite Watersheds

The Property is impacted by offsite drainage (approximately 460 cfs) originating from the Tortolita Mountains approximately 8 miles east of the Property. The majority of this drainage is controlled and/or diverted by manmade features such as the Central Arizona Project ("CAP") Canal, the UPR, and the I-10. These structures affect the boundaries of this region's natural watersheds and reduce the amount of offsite stormwater that reaches the Property. Runoff from adjacent agricultural properties onto the Property is minimal and generally contained by berms and irrigation canals.

The Property is not part of a balanced or critical basin.

2. Offsite Features

There are several manmade structures, including roadside ditches and irrigation channels, present in the area surrounding the Property. In addition to these structures, the CAP canal, the UPR, existing 1-10 infrastructure, culverts, elevated irrigation canals, and public roads all control the amount and location where storm flows originating from the Tortolita Mountains reach the Property.

3. Characteristics of Onsite Hydrology

Due to continuous leveling for agricultural purposes, there is no measurable runoff originating from the Property. Stormwater runoff from the Property flows in a northwesterly direction as sheet flow and accumulates near the northwest corner of the Property where an existing depression containing clusters of native trees acts as a detention basin. Runoff exceeding this basin's maximum volume is conveyed westward via an existing 18-inch storm pipe, shallow roadside swales, and irrigation channels near the intersection of Marana Road and Wentz Road.

There are no washes on the Property. Approximately 30% of the Property is located in FEMA Zone AO1, which indicates the existence of areas subject to 100-year storm event flood depths of 0.5 to 1.5 feet. The remainder of the Property is mapped as shaded Zone X, which indicates areas of flooding during the 100-year storm event at flood depths of 0.5 feet or less. (See *Exhibit II.E.3: Existing Hydrology*.)

4. Existing Drainage Conditions

The Property conveys stormwater runoff as sheet flows to its northwest corner, where water collects within a natural depression acting as a detention basin. Flows overtopping this basin flow west and northwest via surface channels and an existing 18-inch pipe.

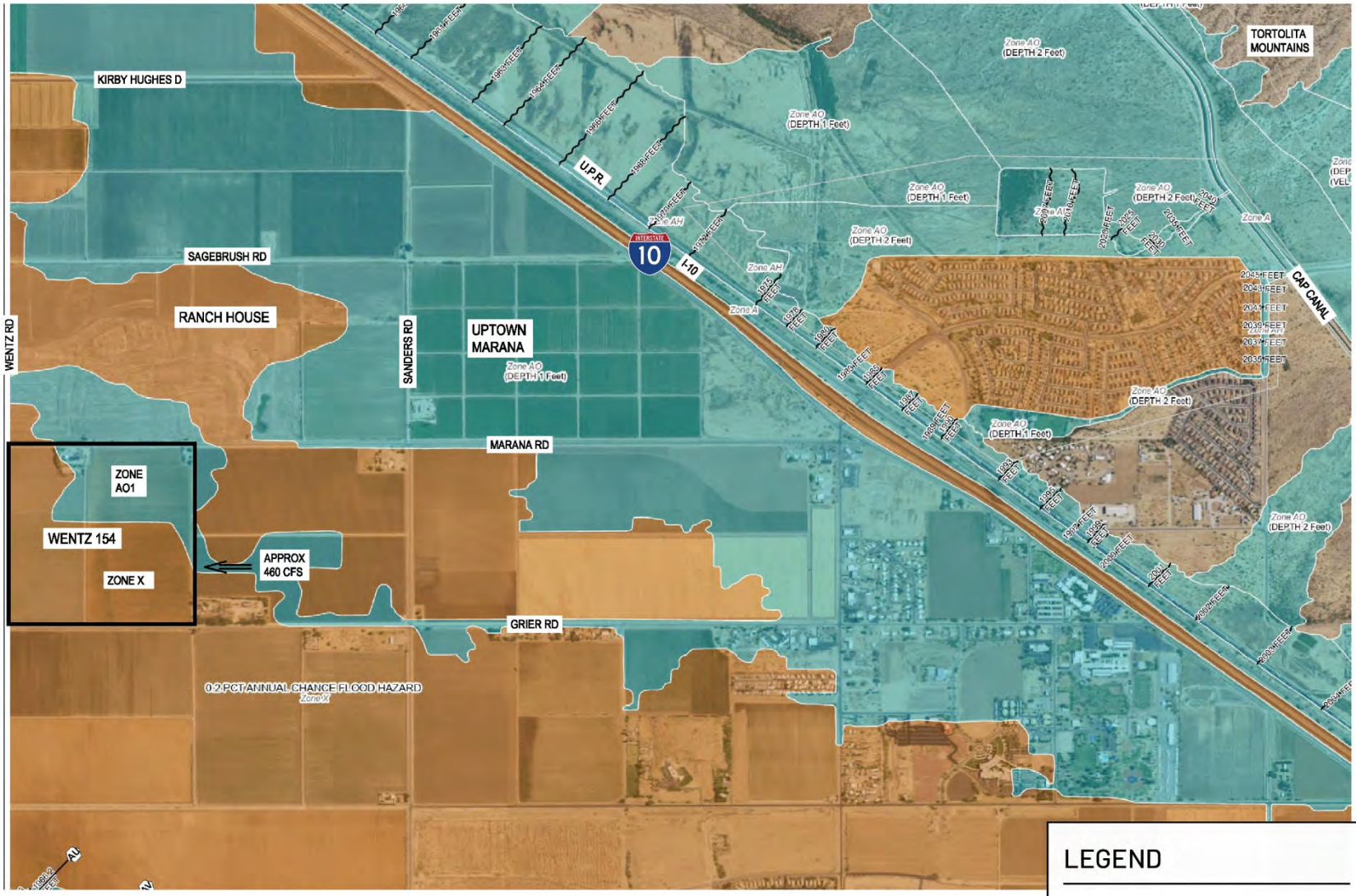


Exhibit II.E.3: Existing Hydrology

F. Vegetation

1. Vegetative Communities & Associations

Although the Property is located in the Arizona Upland subdivision of the Sonoran Desert scrub biotic community, most of the Property is currently used for agricultural purposes. As depicted in *Exhibit II.F.1: Existing Vegetation*, the Property mostly contains agricultural vegetation and several insignificant areas of non-agricultural native vegetation within the Property's drainage basins.

2. Significant Cacti & Groups of Trees

There are no cacti or federally listed threatened or endangered species present on the Property. Some clusters of native trees, including Mesquite and Palo Verde, exist on the Property (see *Exhibit II.F.1: Existing Vegetation*).

3. Vegetative Densities

The majority of the Property is covered by agricultural crops; thus, standard vegetative density analyses do not apply.

G. Wildlife

Due to continued disturbance of the Property for agricultural purposes and the scarcity of significant native vegetation, standard environmental and biological analyses do not apply. No significant wildlife habitats were identified on the Property. Previous biological studies in this area suggest that while certain species have the potential to occur within the Project area, none actually occur because there are no sustainable aquatic habitats, riparian areas, grassland habitats, elevational ranges, or potential roost sites in the area.

See *Appendix B: AGFD Online Review Tool Report*.



Exhibit II.F.1: Existing Vegetation

H. Soils & Geology

1. Soils

The majority of the Property's soil surface is currently used for agricultural purposes. A PGES of the Property performed by CMT Engineering Laboratories indicates the existence of a water well near the abandoned house. The PGES indicates there is possibly a septic system associated with the house, and possibly an underground storage tank associated with an old fuel pump located near the northern Property boundary. The PGES also indicated that groundwater underneath the Property is deep enough that it is unlikely to affect future construction.

Per the PGES, before future development can proceed, the Property will require improvement of near-surface soils, which may include recompacting existing natural soils or bringing in engineered fill extending to the Property's natural soils.

2. Geology

The Property is located in the northwestern portion of the Upper Santa Cruz Basin ("USCB"), sits at an elevation of approximately 1,955 to 1,965 feet above sea level, and is approximately 1 mile east of the Santa Cruz River. The USCB is a deep, sediment-filled valley basin formed by extensional tectonic processes during the Tertiary and Quaternary geologic time periods. Since its formation, this valley has been filled over time with alluvial and fluvial sediments eroded from surrounding mountains.

According to the Arizona Geological Survey Interactive Geologic Map, the Property and adjacent areas may contain Holocene River Alluvium characterized by unconsolidated to weakly consolidated sand and gravel in river channels, and sand, silt, and clay in floodplains. Young terrace deposits fringing floodplains are also found in this area. This landscape can change and has changed over time.

I. Viewsheds

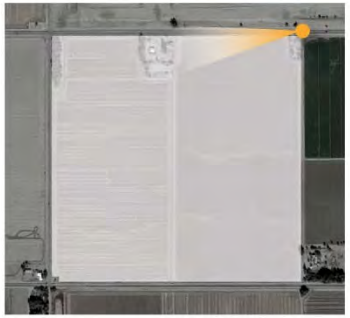
The Property's terrain is mostly flat and has been used for agricultural purposes for many years. Views from adjacent properties onto the Property are open in all directions.

There are several mountain ranges visible from the Property, including the Silver Bell Mountains to the west, the Tortolita Mountains to the northeast, Safford Peak and the Tucson Mountains to the southeast, and the Catalina Mountains to the east. (See *Exhibit II.I: Viewsheds*.)

Exhibit II.I: Viewsheds



Looking west across Property from NEC of Property along Marana Road.





Looking south at house on Property from Marana Road.





Looking south at auto repair shop on Property from Marana Road.



Exhibit II.I: Viewsheds Cont.

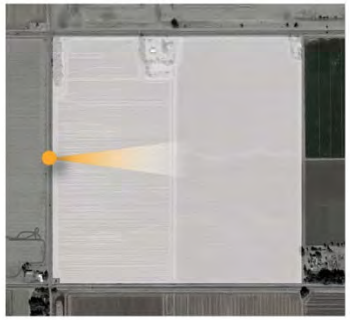


Looking southeast across Property from NWC of Property at Marana Road and Wentz Road.





Looking east across Property from Wentz Road.





Looking northeast at adjacent well site property with SWC of Property in background at Grier Road and Wentz Road.



Exhibit II.I: Viewsheds Cont.



Looking east across Property and Grier Road from SWC of Property.





Looking northwest across Property from SEC of Property along Grier Road.





Looking west across Property near NEC of Property from adjacent property

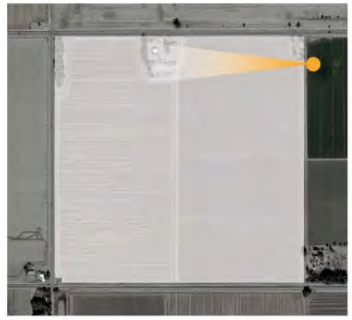


Exhibit II.I: Viewsheds Cont.



Looking north across Marana Road at neighboring property.





Looking north from Marana Road and Wentz Road at neighboring property.





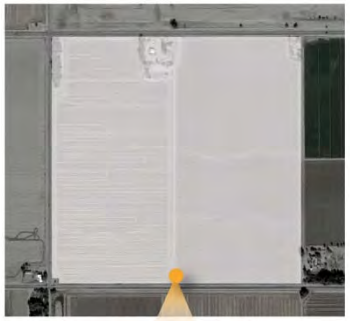
Looking west from Wentz Road at neighboring property.



Exhibit II.I: Viewsheds Cont.



Looking south across Grier Road at neighboring property.





Looking northeast from SEC of Property along Grier Road at neighboring single-family home and property.





Looking west from Wentz Road at neighboring property.



J. Traffic

1. Existing & Proposed Off-Site Streets

Exhibit II.J.1: Traffic depicts arterial and collector roadways within one mile of the Property. Each of these roadways is described in *Table II.J: Roadway Inventory*.

Table II.J: Roadway Inventory

	Wentz Road	Marana Road	Grier Road	Sanders Road	Sagebrush Road (W. of Wentz Rd.)	Kirby Hughes Road	
						W. of Wentz Rd.	E. of Wentz Rd.
Streets Classification	Arterial	Arterial	Arterial	Arterial	Collector	Collector	Arterial
Existing R.O.W. (ft)	60	60	Approx. 80-85	Approx. 0-75	50	65	0
Future R.O.W. (ft)	190	250	150	250	90	90	150
Conforms to Widths Standards	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ownership	Marana	Marana	Marana	Marana	Marana	Marana	Marana
R.O.W. is Continuous	Yes	Yes	Yes	Yes	No	Yes	Yes
Current Number of Lanes	2	2	2	2	0	2	2
Speed Limit (mph)	35	45	35	45	25	35	35
Traffic Volumes: AADT (Count, Year)	154 (2021)	2,659 (2021)	398 (2021)	765 (2021)	N/A	N/A	192 (2021)
Surface Conditions	Paved adjacent to Property	Paved	Paved	Paved	Unpaved	Paved	Paved

2. Existing Bicycle & Pedestrian Ways

As depicted in *Exhibit II.J*: *Traffic Map*, there are no bicycle or pedestrian ways located adjacent to the Property. Bicyclists may use the paved arterial roads around the Property for transportation, but no bike lanes or paths currently exist. According to *Make Marana 2040*, future bikeways are planned along Marana Road adjacent to the Property and Sanders Road approximately ½ mile east of the Property. Several existing arterial streets adjacent to the Property, including Marana Road, Grier Road, and Sanders Road, connect to existing schools and parks east of the Property.

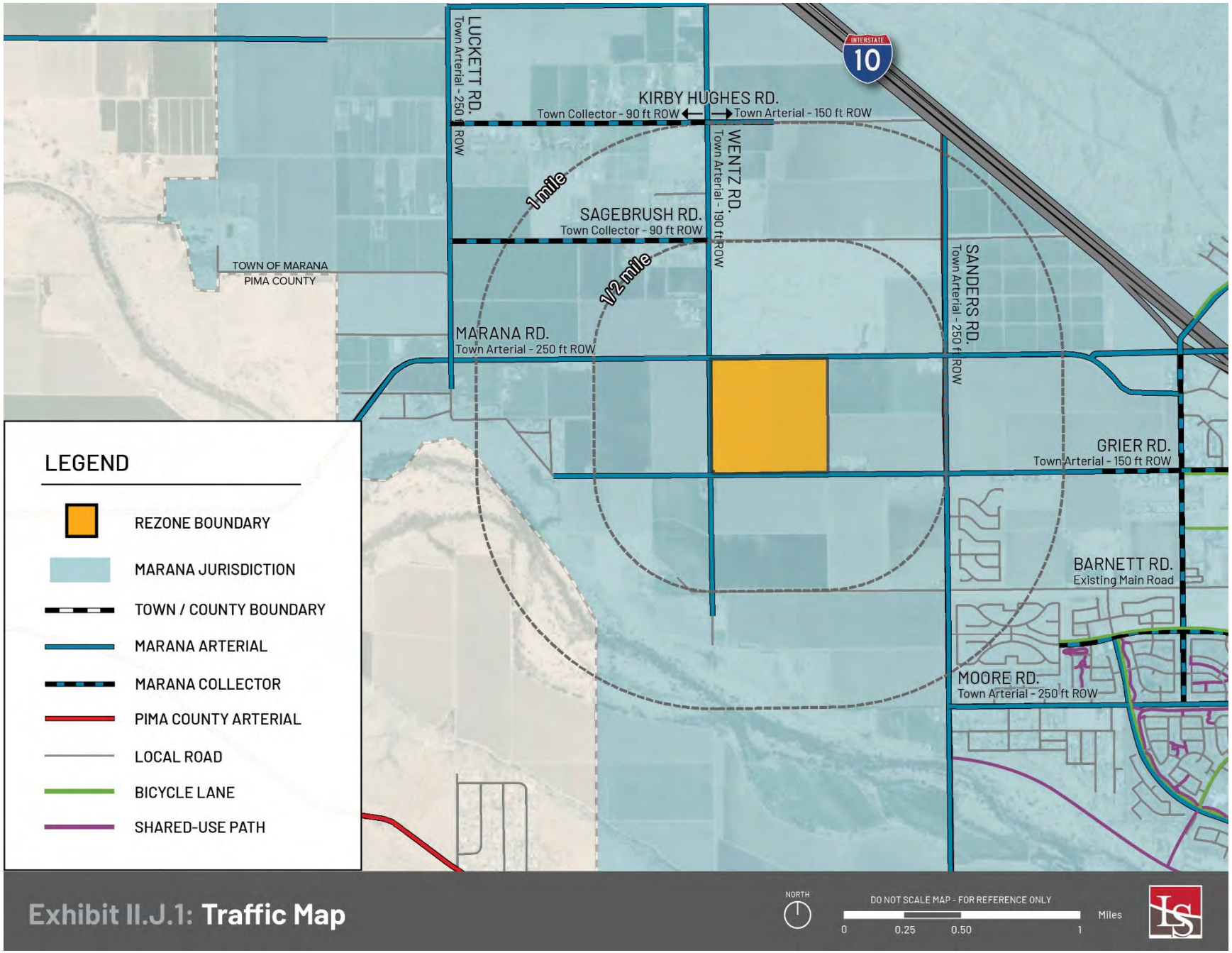


Exhibit II.J.1: Traffic Map

K. Recreation & Trails

As shown in *Exhibit II.K: Trails, Parks & Recreation*, there are no recreation areas located within one mile of the Property. Ora Mae Harn Park and San Lucas Community Park are the two closest parks to the Property, each approximately two miles east of the Property. Marana Heritage River Park and Gladden Farms Community Park are also located approximately two to three miles southeast of the Property. The northwestern terminus of The Huckelberry Loop shared use path is also located less than two miles south of the Property.

L. Cultural, Archaeological & Historic Resources

Per consultation with the Arizona State Museum ("ASM"), 16 archaeological investigations have been conducted within one mile of the Property between 1980 and 2009. Only 2 of these 16 investigations intersect with portions of the Property. No archaeological sites were identified on the Property. ASM recommends – but does not require – that a qualified archaeological contractor be consulted before any ground-disturbing activity begins.

Correspondence from ASM is included as *Exhibit II.L: ASM Correspondence.*

M. Existing Infrastructure & Public Facilities

1. Public Utilities

a. Sewer

The Property is located within the Town's Sanitary Sewer District. The Town will provide sewer service to the Property. (See *Exhibit II.M: Sewer Service Letter*.) There is an 18-inch sanitary sewer line located within the Marana Road right-of-way ("ROW") north of the Property with multiple points of potential connection.

b. Water

(1) Potable

The Property is located within the Town of Marana Water Department ("TMWD") service area and will be served by TMWD. There are existing 8-inch potable water lines within the Grier Road and Wentz Road ROWs.

(2) Non-potable

The Property is located within the CMID, which serves the Property with agricultural irrigation.

c. Fire Service

The Property is located outside of the Northwest Fire District ("NWFD") service area and will require annexation into the NWFD. The closest fire station, which is operated by NWFD, is located near the corner of Grier Road and Marana Main Street approximately two miles east of the Property.

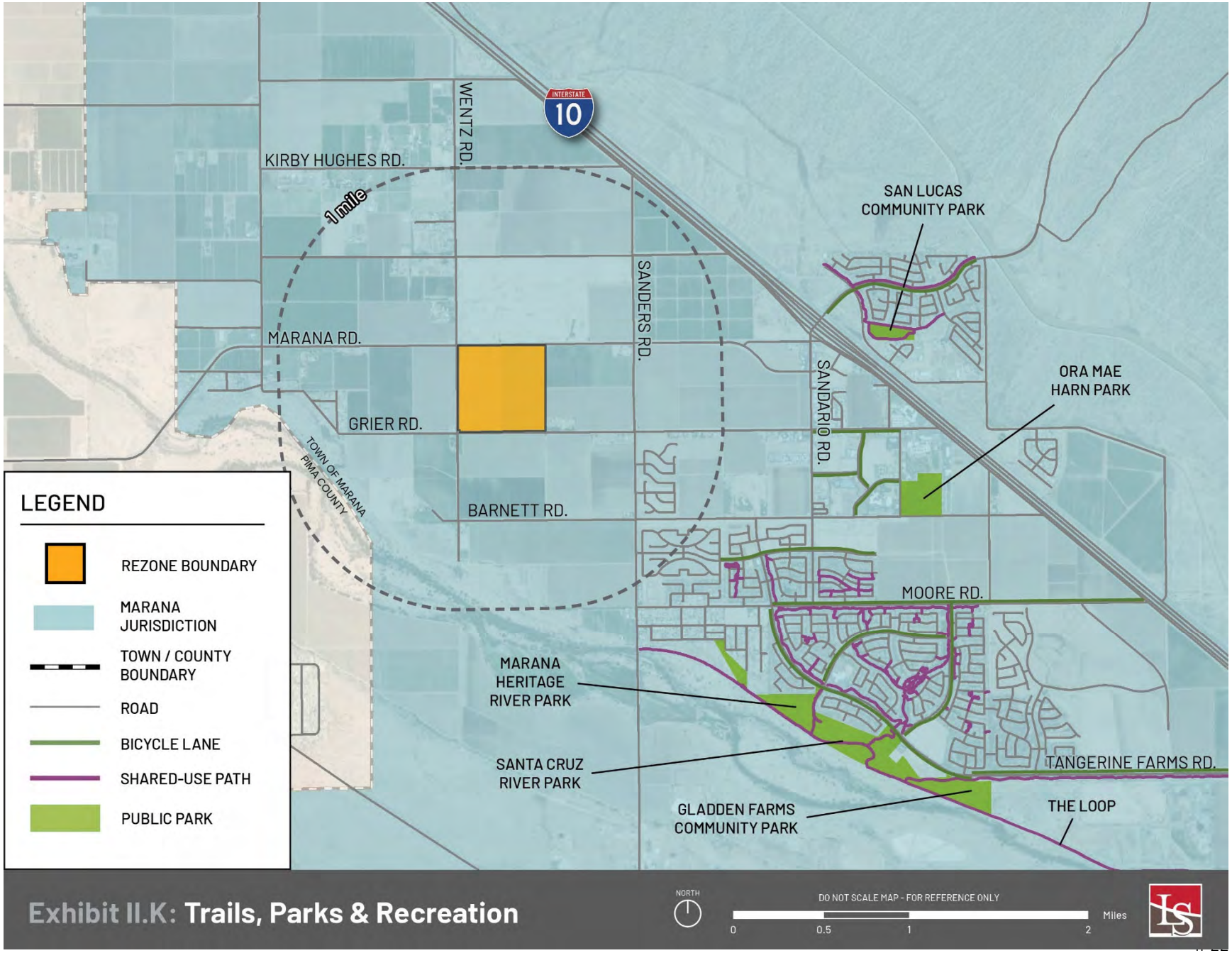


Exhibit II.K: Trails, Parks & Recreation

Exhibit II.L: ASM Correspondence

THE UNIVERSITY OF ARIZONA
ARIZONA STATE MUSEUM

Arizona State Museum
PO Box 210026
Tucson AZ 85721-0026
(520) 621-6281
www.statemuseum.arizona.edu

Robin Large
Lazarus & Silvyn, P.C.
5983 E. Grant Rd., Ste. 290
Tucson, AZ 85712

April 25, 2022

RE: Wentz 154 Rezoning
Parcel 217-24-0040

Dear Robin,

The Arizona State Museum (ASM) has reviewed archaeological project and site records in support of the following project:

> Lazarus & Silvyn's Wentz 154 Rezoning project (Lazarus & Silvyn Project No. 2441; ASM Job No. 004563)

Correspondence indicates this project will involve the rezoning of privately-owned land with the intent of residential development. The project area is located at 13111 & 13135 W Marana Rd in the town of Marana, Pima County, and encompasses parcel 217-24-0040 within Township 11 South, Range 11 East, Section 20.

I invite you to review the results of ASM's research, which are summarized below.

Search Results:

According to a search of the archaeological site records and reports held in ASM collections, 16 archaeological investigations were conducted within a one-mile radius of the project area between 1980 and 2009. Of these 16 archaeological investigations, two intersect a portion of the project area.

For the two archaeological investigations that intersect the project area, Table 1 summarizes their basic information and scope.

Additionally, eight archaeological sites have been identified within a one-mile radius of the project area. Of these eight archaeological sites, none intersect the project area.

Exhibit II.L: ASM Correspondence, continued

ASM Reference Number (AZProj/Accession)	Report Author(s)	Year(s) Conducted	Scope of Project
1983-0198	Fish et al.	1983-1986	Archaeological survey for research
1985-0091	Sires	1984-1985	Archaeological survey for road right-of-way

Table 1. ASM archaeological investigations that intersect the project area

Recommendations and Responsibilities:

1. Since a portion of the project area has not been subject to prior archaeological survey, ASM recommends—but does not require—that a qualified archaeological contractor be consulted before any ground-disturbing activity begins.

Additionally, in the portions of the project area that have been previously surveyed, the work was conducted 36 to 39 years ago. It is standard archaeological practice for a property to be re-surveyed if the previous survey was conducted 10 or more years ago, as there is a possibility for previously unidentified archaeological sites to have since been exposed. For this reason, ASM recommends—but does not require—that a qualified archaeological contractor be consulted before any ground-disturbing activity begins.

A list of archaeological contractors is available on the ASM website at:
https://statemuseum.arizona.edu/crm/document/aaa-qualified-consultants

2. Pursuant to Arizona Revised Statute §41-865, if any human remains or funerary objects are discovered during project work, all work must stop within the area of the remains and the ASM Repatriation Office must be contacted at 520-626-0320.

3. City, county, or municipal governments may have their own requirements; therefore, ASM recommends that the relevant jurisdiction(s) be consulted.

If you have any questions about the results of this records search, please feel free to contact me at jknightonwisor@arizona.edu or 520-621-4011.

Sincerely,



Jonathan Knighton-Wisor
Research Specialist
Archaeological Records Office
Arizona State Museum
520-621-4011
jknightonwisor@arizona.edu

Exhibit II.M: Sewer Service Letter

MARANA AZ
WATER

June 7, 2022

Ms. Linda Thompson
The WLB Group
4444 E. Broadway Boulevard
Tucson, AZ 85711

Sent Via Electronic Mail

RE: Will Serve Letter
Wentz 154

Dear Ms. Thompson

Per your request, the subject parcel falls within the Town of Marana's sewer service area and the Town of Marana would provide sewer service to this parcel, and future subdivision.

This letter is not a reservation or commitment of conveyance or treatment capacity.

Allocation of capacity is made by acceptance of a final plat and review/approval by Marana Water of a submitted sewer design report (provided by the design engineer) and a Sewer Capacity Evaluation, currently conducted by the Utility's third party consultant: HDR. Acceptance may require capital improvements as determined by these evaluations at that time. As of July 1, 2022 the Fee for this modeling review will be $950 plus the pass-through cost of consultant fees.

Should you have any questions, do not hesitate to contact me at (520) 382-2575.

Sincerely,

Erik Christenson, P.E.
Engineering Manager
Marana Water

11555 W. Civic Center Dr. ■ MARANA, ARIZONA 85743 ■ (520) 382-2570 ■ FAX: (520) 382-2590 ■ TTY: (520) 382-3499

2. Private Utilities

a. Electricity

The Property is located within the Tucson Electric Power ("TEP") service area and will be serviced by TEP. Existing TEP overhead power lines are currently located along the south side of Marana Road, the north side of Grier Road, and the east side of Wentz Road.

b. Gas

Southwest Gas Corporation ("SWG") has existing facilities in the area and will provide natural gas service to the Property. An existing gas line is located along the north side of Grier Road south of the Property.

c. Communications

The Property is located within the Comcast service area and will be serviced by Comcast. An underground fiber optic telephone cable is located on along the south side of Marana Road at two locations near the northwest and northeast corners of the Property.

N. McHarg Composite Map

Information about the Property's topography, hydrology, vegetation, wildlife and viewsheds has been combined to form the *McHarg Composite Map*, provided as *Exhibit II.N*. The map highlights areas most compatible with development. With no wildlife movement corridors or significant vegetation present onsite, relevant constraints are limited to the Property's topography and hydrology. See Section III (Land Use Proposal) for more information about how the Land Use Concept responds to these constraints.

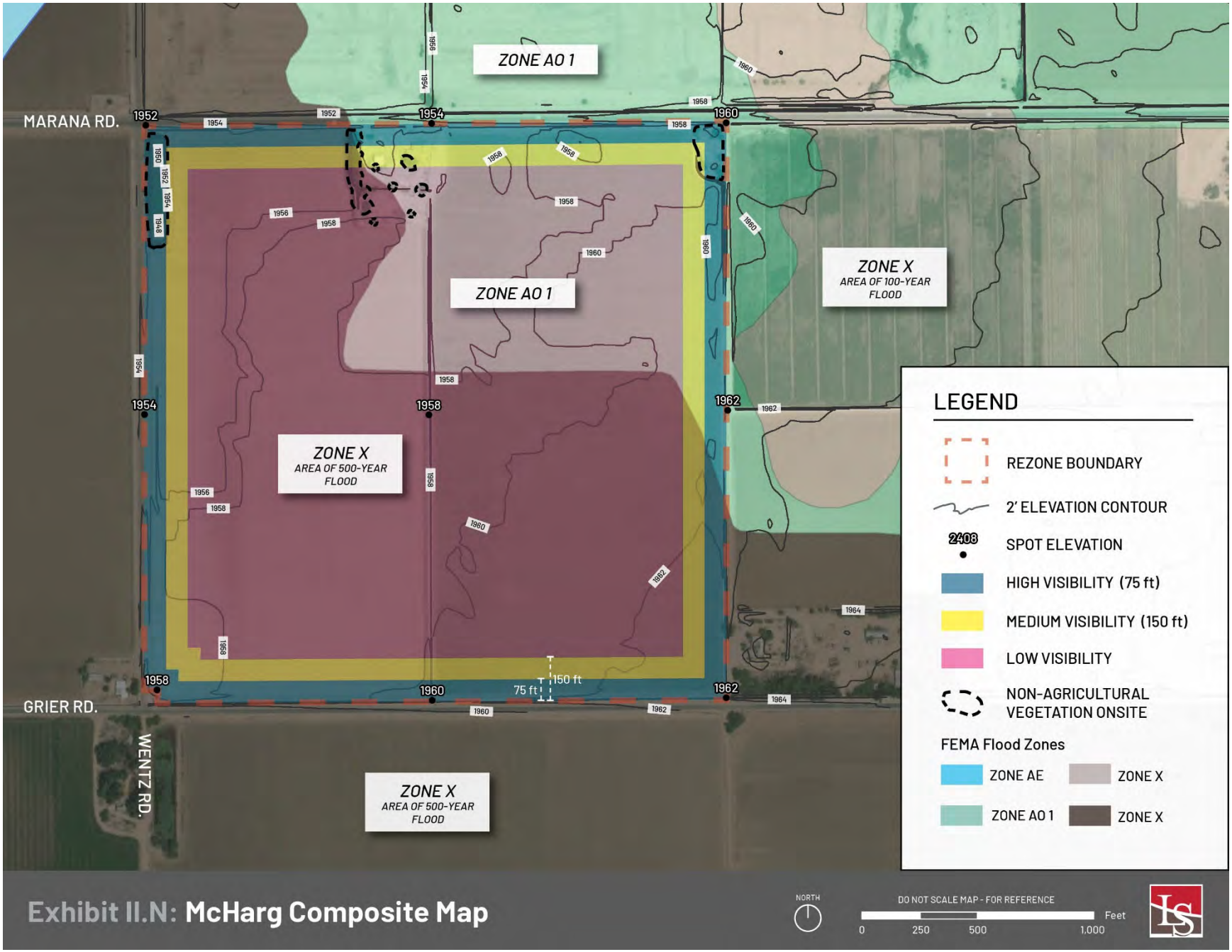


Exhibit II.N: McHarg Composite Map

III. Land Use Proposal

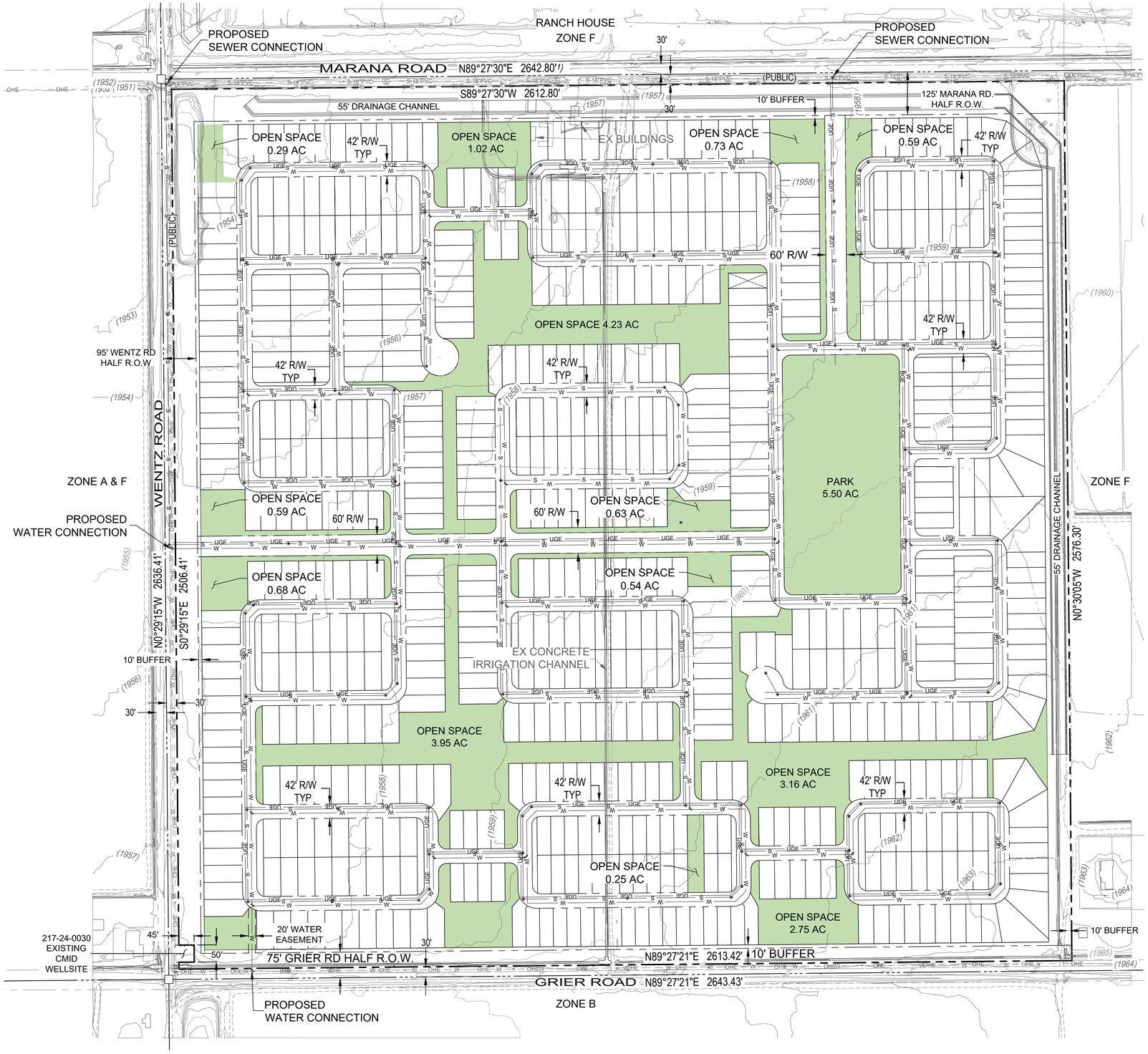
A. Project Overview

The Property is currently zoned A (Small Lot Zone) and is designated as TN on the Town's General Plan Future Land Use Map. The Project is located on land characterized by high levels of disturbance related to historic agricultural use of the Property. No significant hydrological, biological, or topographic constraints exist on the Property, thus allowing for the optimal placement of homes, roads and open space.

The Owner proposes to rezone the Property to the Town's R-4 (Residential) zone to allow for an urban residential development of up to 750 homes on 154.5 acres or about 4.85 RAC. As shown in *Exhibit III.A: Land Use Concept*, the Project features a traditional single-family residential neighborhood with a centrally located park amenity and passive open spaces interspersed throughout the development. The Project will include a mix of 40-, 45- and 50-foot-wide lots with lot depths of 110 feet or more, all of which are supported by R-4 zone. Primary access into the Project will be from Marana Road, with a secondary full access point along Wentz Road.

As detailed in Section I.B of this document, the Project's Land Use Concept was designed in conformance with the goals and policies of *Make Marana 2040* and the Town's Strategic Plan. The Project aligns with the Town's vision for Northwest Marana by providing a traditional neighborhood in a planning area targeted for future growth. The Land Use Proposal aims to act as a transition between future development of higher intensity residential, office, civic and commercial uses north and east of the Property and existing lower-intensity agricultural and residential uses to the south and west.

As the Town continues to grow outward around Downtown Marana, the Project is positioned to provide an appropriate transition between rural agricultural uses to the west and more intense urban environments planned to the east. The proposed neighborhood will be compatible with and contribute to the overall balance of land uses in the Central Growth Area of the Town. The Property is adjacent to the Marana Towne Center Specific Plan, which primarily features non-residential uses. The key to supporting non-residential uses—and commercial uses in particular—is developing more rooftops. Together, the residential uses within this Project, Sanders Grove (Ranch House) and Uptown at Marana should generate the critical mass necessary for successful non-residential uses in Marana Towne Center.



NOTES

1. TOTAL LOTS: 694
   TOTAL SITE AREA: 155 ± ACRES.
   TOTAL DEVELOPABLE AREA (EXCLUDING FUTURE R.O.W AND IRRIGATION EASEMENT): 140.7 ACRES ±
   DEVELOPABLE AREA INCLUDES 44 ACRES ± OF FEMA ZONE A.O.

2. APN: 217240040.

3. GENERAL PLAN: CENTRAL GROWTH AREA.
   THE CENTRAL AREA IS ENVISIONED TO BECOME THE CENTRAL GROWTH ACTIVITY HUB IN MARANA, FEATURING EVENT AND GATHERING SPACES, SHOPS, ENTERTAINMENT DESTINATIONS, AND EMPLOYMENT OPPORTUNITIES. NEW RESIDENTIAL DEVELOPMENT SUPPORTS ROBUST COMMERCIAL ACTIVITY THROUGHOUT DOWNTOWN.

4. GENERAL PLAN DESIGNATION : TRADITIONAL NEIGHBORHOOD.
   MAXIMUM DENSITY (PER GENERAL PLAN): 2-18 DU/ACRE.

5. EXISTING ZONING: A - SMALL LOT ZONE.
   PROPOSED ZONING: R-4
   DEVELOPMENT STANDARDS:

SETBACKS:	
FRONT:	10 FT
SIDE :	B (BUILDING CODE)
STREET SIDE:	10 FT
REAR	10 FT
BUILDING HEIGHT:	30 FT

6. SURROUNDING ZONING
   - NORTH: F - RANCH HOUSE SPECIFIC PLAN
   - SOUTH: B - MEDIUM LOT SIZE
   - EAST: F-MARANA TOWNE CENTER SPECIFIC PLAN
   - WEST: A-SMALL LOT / F-ANWAY FARMS SPECIFIC PLAN

7. FUTURE R.O.W. (PER GENERAL PLAN)
   MARANA ROAD: 250'
   GRIER ROAD: 150'
   WENTZ ROAD: 190'

8. THIS PROPERTY CONTAINS 44 +/- ACRES OF FEMA ZONE AO AND 111 +/- ACRES OF FEMA ZONE X SHADED. ZONE AO IS DEFINED AS FLOOD DEPTHS OF 1 TO 3 FEET AND ZONE X SHADED IS DEFINED AS AREAS HAVING A 0.2% ANNUAL CHANCE OF FLOODING AS INDICATED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS (FIRM) NUMBERS 04019C1010L AND 04019C1030L, EFFECTIVE DATE JUNE 16, 2011.

LEGEND

- PROPERTY LINE
- SECTION LINE
- RIGHT OF WAY
- W — WATER LINE
- S — SEWER LINE
- UGE — UNDERGROUND ELECTRIC
- EX RIGHT OF WAY
- OHE — EX OVERHEAD ELECTRIC
- W — EX WATER
- OPEN SPACE

Call at least two full working days before you begin excavation.
ARIZONA 811 Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602) 263-1100

The WLB Group INC. WLB
Engineering • Planning • Surveying
Landscape Architecture • Urban Design
Offices located in: Tucson, Phoenix, Flagstaff, and Las Vegas, NV.
1600 W Broadway Rd, Ste. 150
Tempe Az. 85282 PH.(480) 736-1600

CONCEPTUAL LAND USE PLAN
WENTZ 154
Project

Exhibit III.A: Land Use Concept
Sheet Title

No.	Date	Item

Revisions
Project:

Scale 1 : 200
Job # 121050A001
Date 06/27/2022
Drawn By RJ
Checked By ES

DRAFT 6/27/22

Sheet 1
Of 1

Q:\121050A001 Wentz 154\02 Planning\Concept Plan\2022-6-27_Wentz_Concept Plan.dwg PLOT DATE: 6/27/22

B. Topography

The topography of the Property is conducive to the development of a single-family residential neighborhood. The Property slopes gradually (approx. 0.3%) from the southeast to the northwest, and while it will be mass graded, it will require minimal cut or fill.

C. Hydrology & Drainage

Offsite flows from adjacent properties will be analyzed at time of development, including any future uses adjacent to the Property potentially affecting the Project's hydrology and drainage. The necessary improvements to convey the flows through the Property will be determined at that time and will be incorporated into the drainage improvements for the Project. All existing CMID irrigation channels will be undergrounded at time of development.

See *Exhibit III.E: Post-Development Hydrology*, which illustrates the direction of hydrological drainage.

1. Offsite

As a result of the FEMA Zone AO 1, which encroaches onto the Property, offsite runoff will be intercepted within an engineered channel and conveyed north towards Marana Road. A channel located on the south side of Marana Road will convey these offsite flows west to the intersection of Wentz Road and Marana Road and then north to the intersection of Wentz Road and Hardin Road. These channels will serve to remove the Project from the Zone AO 1 Floodplain designation and will be included in the forthcoming Conditional Letter of Map Revision ("CLOMR") and subsequent Letter of Map Revision ("LOMR") for the Sanders Grove (Ranch House) project located on the north side of Marana Road.

2. Onsite

Onsite storm flows will be intercepted by scuppers and/or catch basins and conveyed via storm drainpipes to onsite detention/retention facilities. Onsite detention/retention will be provided in accordance with the Northern Marana Drainage Policy which requires full containment of the 10-year plus 100-year storm event.

The final design, which will handle both onsite and offsite storm flows, will be addressed in the Drainage Report and Drainage Plan, which will adhere to current Town development standards and applicable basin management plans. A drainage plan will be prepared during the Project's platting process.

There are no plans for encroachment or modification of existing drainage patterns.

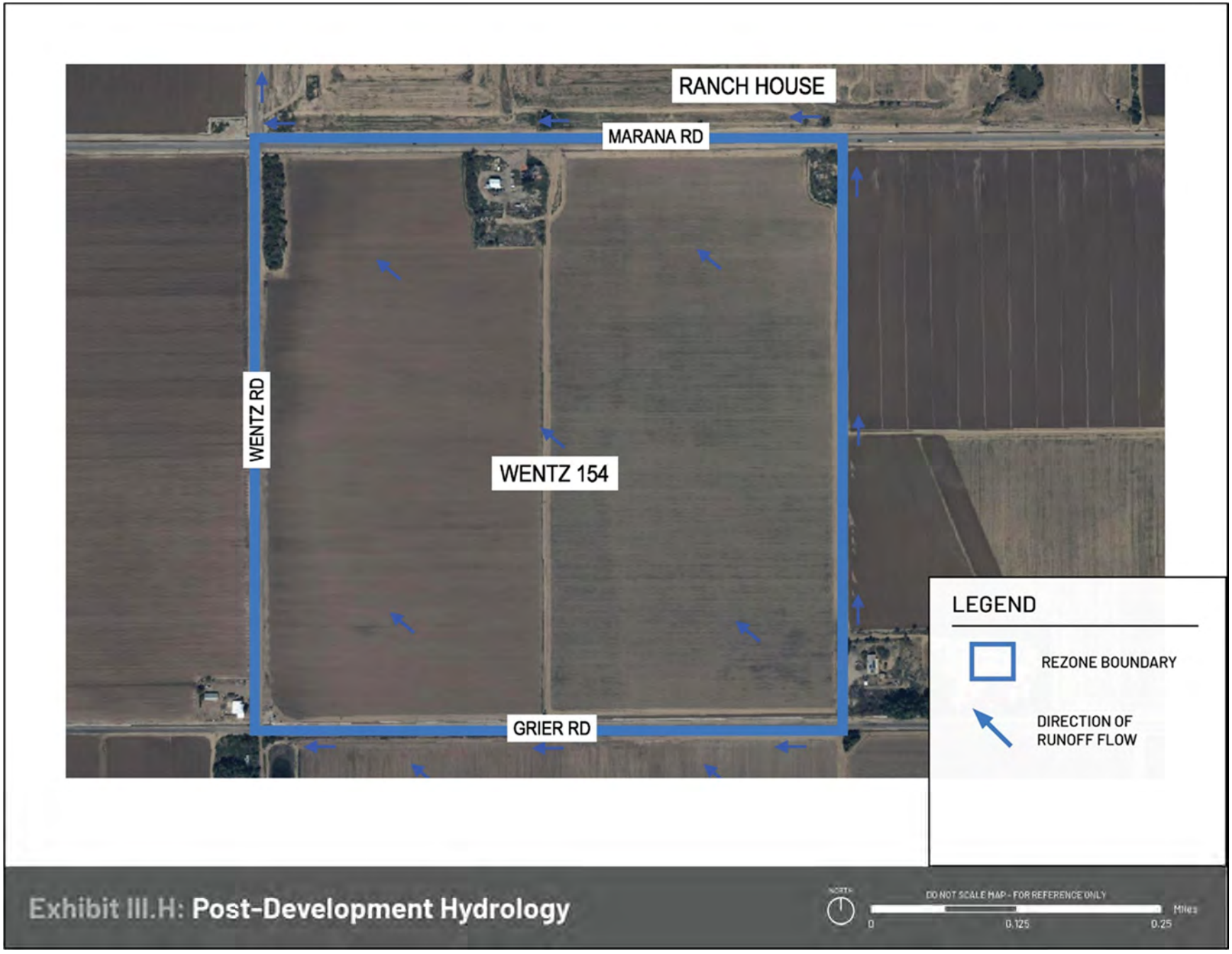


Exhibit III.H: **Post-Development Hydrology**

D. Landscaping

The Property currently exhibits very little native vegetation. The overall landscape theme will reflect attributes typical of the Sonoran Desert and the vegetation characteristics in the vicinity. The Project's landscaping program will make use of low-water-use plants to the greatest extent possible while still creating an aesthetically pleasing and beautiful community. Plants will be selected based on Town guidelines. Common areas will be maintained by the homeowners' association.

The landscape design will prioritize the conservation of water through implementation of underground drip irrigation, reducing evaporative water loss, and integration of low-water-use plants in selected common areas whenever possible. Passive water harvesting techniques, such as strategic grading and capturing rooftop runoff into swales to direct rainwater into landscaped areas will be employed wherever possible. Rainwater that is collected or diverted will supplement the water requirements of the landscape plants.

E. Wildlife

Previous biological studies in this area suggest that while certain species have the potential to occur within the Project area, none actually occur because there are no sustainable aquatic habitats, riparian areas, grassland habitats, elevational ranges, or potential roost sites in the area. The Project will provide some measure of new wildlife habitat in the form of native, drought-tolerant landscaping and open space corridors. (See *Appendix B: AGFD Online Review Tool Report*.)

F. Circulation

A Transportation Impact Analysis ("TIA"), provided under separate cover, was prepared by CivTech Engineering to determine the Project's potential traffic-related impacts within the Project area.

Exhibit III.D: Land Use Concept incudes:

- 750 new single-family homes within 154 acres,
- Community Amenity Space with 5 acres,
- Project access off Wentz Road and Marana Road.

For purposes of the TIA, the Project was analyzed assuming the following access points along Wentz Road and Marana Road:

- One access point on Wentz Road halfway between Marana Road and Grier Road
- One access point on Marana Road near the northeast corner of the Project

TIA conclusions:

- The proposed development in the 2024 Opening Year is anticipated to generate 1,728 weekday daily trips, 126 trips during the AM Peak Hour, and 176 trips during the PM Peak Hour.

- The proposed development at full buildout, 2029 Study Horizon Year is anticipated to generate 5,996 weekday daily trips, 437 trips during the AM Peak Hour, and 611 trips during the PM Peak Hour.
- All Study Intersections operate with overall acceptable Levels of Service (LOS D or better) in all scenarios.
- Left-turn lanes are warranted and recommended at the Project driveway intersections on both Wentz Road and Marana Road.

The Project will provide standard internal streets with 42-foot ROW widths, two lanes of travel, curbs, and American's With Disabilities Act ("ADA") compliant sidewalks. The Project's two internal collector roads will be constructed per Town Detail 110-3 for a 90-foot ROW with 2 travel lanes, a continuous striped left-turn lane and striped bike lanes.

Marana Road will have a future ROW width of 250 feet adjacent to the Project, and the Wentz Road future ROW is 190 feet. The Project will dedicate 115 feet of ROW along Marana Road and will include a 20-foot landscape buffer adjacent to the Property. An additional 65 feet of ROW along Wentz Road will be dedicated to achieve a future half ROW of 95 feet.

G. Public Utilities

1. Sewer
   The Project will connect to an existing Marana Utilities 18-inch sanitary sewer located within the Marana Road ROW.

2. Water
   The Project will connect to TMWD facilities for potable water service and will provide a looped connection to the existing 8-inch water lines within the Grier Road and Wentz Road ROWs.

3. Electricity
   The Project will be served by TEP and connect to existing overhead electric lines running along Marana Road, Wentz Road, and Grier Road. Powerlines into the Project will be undergrounded and looped through the subdivision.

4. Gas
   The Project will be served by SWG and will likely connect to the existing gas line located on the north side of Grier Road south of the Property.

5. Communications
   The Project will be served by Comcast and will likely connect to the existing telecommunications lines located near the northwest and northeast corners of the Property.

H. Public Services

1. Fire Service

The Project will be annexed into the NWFD. The closest fire station, which is operated by NWFD, is located approximately two miles east of the Property at the intersection of Grier Road and Marana Main Street.

2. Schools

The Project is located within Marana Unified School District ("MUSD"). Per *Exhibit III.H.2: MUSD School Capacity Letter*, existing schools in the area are projected to have capacity for the Project.

I. Recreation & Trails

As illustrated in *Exhibit III.I: Open Space Concept*, the Property features a significant amount of open space and recreation area. The Project will comply with the Town's recreation requirements, Marana Town Code § 17-5-3(B)(12), which requires 400 square feet of recreational area per unit (or a total of about 6.9 acres for 750 homes). The Project will meet or exceed the minimum recreational requirements with park amenities, trails, dual-purpose basins, an in-lieu fee, or a combination thereof.

1. Trail System and Open Space

The heart of the recreational elements within the Project is the network of trails, pathways and sidewalks to connect individual groups of lots and land uses with pocket parks, neighborhood parks and community park, and to connect these park amenities with each other. These trails will also provide residents with direct connection to non-residential uses offering alternative modes of transportation. The specific design of the trail system will be finalized during the platting phase of the Project and will be designed to provide connections to adjacent trail systems wherever possible and reasonable. These adjacent trail systems may be Town trails or a part of surrounding development. Pedestrian and other non-motorized travel will be encouraged throughout the development.

2. Neighborhood Parks

Neighborhood parks will be integrated within the development parcels to provide residents amenities closer to home. The neighborhood parks will be centralized open space area and may include both smaller- and larger-scale recreation amenities, such as tot lots, ramadas, BBQs, basketball courts, volleyball courts, small sports fields, etc.

3. Community Park

The community park will serve as the central hub of the Project. The community park will serve residents seeking a variety of passive and active recreational opportunities. The amenities within the park may include a variety of larger-scale passive and active recreational amenities, such as sports courts/fields, amphitheater, playground, pavilions, etc.

4. Streetscape

   The neighborhood collector streets within the Project will be developed with landscaped parkways to create distinct streetscapes to enjoy while driving throughout the Project. At the local street level, development parcels will be designed to create a vibrant and visually interesting streetscape that will include shade trees for sidewalks that connect to the comprehensive trail system within the Project.

J. Cultural, Archaeological & Historic Resources

A cultural resources survey will be performed and a report will be submitted to the Town for review prior to issuance of a grading permit. Development of the Property is subject to ARS § 41-865 regarding State protection of human remains and funerary objects.

Exhibit III.H.2: MUSD School Capacity Letter

GOVERNING BOARD

Maribel Lopez, Ed.D., President
John Lewandowski, Vice President
Tom Carlson, Member
Hunter Holt, Member
Dan Post, Member

ADMINISTRATION

Daniel Streeter, Ed.D., Superintendent
Carolyn Dumler, Ed.D., Assistant Superintendent
Kristin Reidy, Assistant Superintendent
Dan Contorno, Chief Financial Officer

MARANA
UNIFIED SCHOOL DISTRICT

April 26, 2022

Jackson Cassidy
Lazarus & Silvyn P.C.

RE: Proposed Development 694 Home SE corner of Marana Rd. and Wentz Rd.

Dear Mr. Cassidy ,

Thank you for informing us of the proposed 694 home development on the SE corner of Marana rd. and Wentz Rd. Marana Unified School District currently uses a factor of .25 students per home for elementary and .1 students per home for secondary. The 694 homes could generate about 174 elementary and 69 secondary students.

These future potential students would be supported by the following schools with their current enrollment/capacity numbers shown; Estes (514/787), Marana Middle School (1013/1434) and Marana High School (2044/2385). While all schools have capacity for the impact of this proposed development at this time, current growth trends are indicating that future school sites at both the elementary and secondary level may be needed in the near future.

Thank you for supporting the development of quality homes and businesses in our community. Marana Unified School District knows that one of the keys to the continued success of our wonderful community is the quality of our children's education. This belief is held so strongly that we have multiple developers providing the school district with rooftop impact development fees. The district uses these funds to ensure that necessary infrastructure is in place to support growth and maintain an inspiring education for every child. Voluntary developer participation in this process is an invaluable investment in our community. Please contact the Marana Schools Finance Office at 520-682-4756 to learn more about participation.

Please contact Dan Contorno at 520-682-4756, or myself at 520-616-4521 if you have any further questions.

Sincerely,

R Federico

Russell Federico, M.Ed.
Executive Director of Bond and Capital Projects
Marana Unified School District

Inspiring students to learn today and lead tomorrow.

11279 W. Grier Road • Marana, Arizona 85653 • (520) 682-3243 • www.maranausd.org

Open Space Legend

- Community Open Space
  20.1 Acres
- Neighborhood Park
  3.6 Acres
- Community Park
  5.5 Acres

Trail Legend

- Community Walk Trail
- Community Bike Trail



Conceptual Landscape Plan

MODERNE AT WENTZ

MARANA, ARIZONA

Exhibit III.I: Open Space Concept

September 16, 2022

0 100 200 300

SCALE : 1" = 100'

GREEY|PICKETT

Appendix A: ALTA Survey

A.L.T.A./N.S.P.S.
Land Title Survey

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY PIMA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 11 SOUTH, RANGE 11 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, PIMA COUNTY, ARIZONA.

EXCEPT THAT PART OF THEREOF DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT WHICH IS 50.00 FEET NORTH AND 25.00 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 11 SOUTH, RANGE 11 EAST;

THENCE RUNNING NORTHERLY 25.00 FEET FROM AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 50.00 FEET;

THENCE EASTERLY 100.00 FEET FROM AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 20, A DISTANCE OF 50.00 FEET;

THENCE SOUTHERLY 75.00 FEET FROM AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 20, A DISTANCE OF 50.00 FEET;

THENCE WESTERLY 50.00 FEET FROM AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 20, A DISTANCE OF 50.00 FEET THE POINT OF BEGINNING.

BEING SOMETIMES DESCRIBED AS MARANA WELL SITE-SITE NO. 7 AND;

FURTHER EXCEPT ANY ROADS OR ROADWAYS THEREOF.

SCHEDULE "B" EXCEPTIONS

1. RESERVATIONS or exceptions in Patents or in Acts authorizing the issuance thereof. *(NOT GRAPHICALLY PLOTTABLE)*

2. TAXES AND ASSESSMENTS collectible by the County Treasurer, a lien payable but not yet due for the following year:
Second half of 2021 *(NOT SURVEY RELATED)*

3. WATER RIGHTS, claims or title to water, and agreements, covenants, conditions or rights incident thereto, whether or not shown by the public records.
This exception is not limited by reason of the disclosure of any matter relating to Water Rights as may be set forth elsewhere in Schedule B. *(NOT SURVEY RELATED)*

4. RESERVATION of all underground or percolating waters in Cortaro Water Users Association as set forth in instrument recorded in Book 314 of Deeds, page 445, EXCEPT such water as may be used by owners and inhabitants for domestic purposes. *(NOT SURVEY RELATED)*

5. RIGHTS OF CORTARO-MARANA IRRIGATION DISTRICT to secure additional land on each side of their Right of Way and easements as may be necessary for the proper maintenance of canals, laterals and ditches as set forth in instrument recorded in Book 107 of Miscellaneous Records, page 151. *(AS SHOWN HEREON)*

6. LIABILITIES AND OBLIGATIONS imposed upon said land by reason of its inclusion within the following named District:

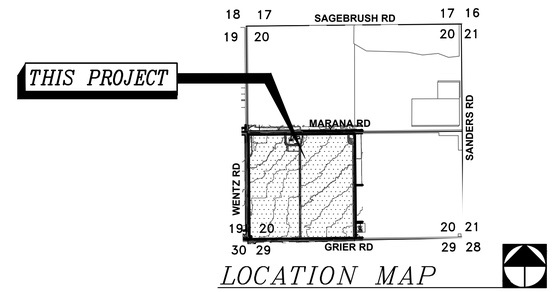
Cortaro Water Users Association (Book 107 of Miscellaneous Records at page 169 and in Docket 5670 at page 603) *(NOT SURVEY RELATED)*

Cortaro-Marana Irrigation District (Docket 4838 at page 768 and in Docket 5670 at page 603) *(NOT SURVEY RELATED)*

Northwest Fire District (Sequence No. 20162741114) *(SUBJECT PROPERTY NOT WITHIN FIRE DISTRICT BOUNDARY)*

7. RIGHTS OF PARTIES in possession.

NOTE: This exception will be amended or deleted upon the submission of the corresponding documents required in Schedule B, Part I. *(NOT SURVEY RELATED)*



LOCATION MAP

SECTION 20, TOWNSHIP 11 SOUTH, RANGE 11 EAST, G.& S.R.M., PIMA COUNTY, ARIZONA
SCALE: N.T.S

LEGEND:

- SECTION LINE
- PROPERTY LINE
- OHE — OVERHEAD ELECTRIC LINE
- FEMA FLOOD LINE
- EASEMENT LINE
- ● INDICATES FOUND PROPERTY CORNER AS NOTED
- ○ INDICATES PROPERTY CORNER TO BE SET
- □ INDICATES BRASS DISK SURVEY MONUMENT AS NOTED
- PP POWER POLE
- EP ELECTRIC PANEL
- UTILITY PEDESTAL
- ⊗ WATER VALVE
- ◎ GAS VALVE
- GAS MARKER
- S SEWER MANHOLE
- T TELEPHONE MANHOLE
- (10) TITLE COMMITMENT Sch. B ITEM No.

GENERAL NOTES:

1. THIS SURVEY PERFORMED IN ACCORDANCE WITH FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. PT-6196864, DATED SEPTEMBER 13, 2021.
2. LEGAL ACCESS IS PROVIDED BY MARANA ROAD, WENTZ ROAD AND GRIER ROAD, ALL PUBLIC RIGHTS-OF-WAY.
3. TOTAL ACREAGE: 154.5525 ACRES, MORE OR LESS.
4. ZONING, PER PIMA COUNTY GIS MAP, IS JURISDICTION: TOWN OF MARANA 'A' SMALL LOT ZONE.
5. THIS PROPERTY FALLS IN 'ZONE AO' (FLOOD DEPTHS OF 1 TO 3 FEET) AND 'ZONE X SHADED' (OTHER FLOOD AREAS' ARE AREAS OF 0.2% ANNUAL CHANCE FLOOD) AS INDICATED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS (FIRM) NUMBERS 04019C1010L AND 04019C1030L, EFFECTIVE DATES JUNE 16, 2011.
6. THE MAJORITY OF THIS SITE IS ACTIVE FARM FIELDS AND IS CURRENTLY BEING CULTIVATED.
7. THIS IS AN ABOVE GROUND SURVEY, ALL UTILITIES SHOWN, IF ANY, ARE BASED ON OBSERVED EVIDENCE ONLY AND MAY NOT SHOW ALL UTILITIES ON SUBJECT PARCEL.
8. THE BASIS OF BEARINGS FOR THIS PROJECT IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 11 SOUTH, RANGE 11 EAST, G.&S.R.M., PIMA COUNTY, ARIZONA. SAID BEARING BEING: N00°29'15"W.
9. THE BASIS OF ELEVATION FOR THIS PROJECT IS PIMA COUNTY OPUS CONTROL POINT NO. 11S11E_R07 BEING A CHISELED 'X' AT THE SOUTH END OF CONCRETE IRRIGATION HEADWALL NORTH OF GRIER ROAD AT THE NORTH-SOUTH MID-SECTION LINE OF SECTION 20, TOWNSHIP 11 SOUTH, RANGE 11 EAST, G.&S.R.M., PIMA COUNTY, ARIZONA. SAID ELEVATION BEING: 1964.77 FEET (NAVD88).

REFERENCES

(R1) RECORD OF SURVEY BOOK 42, PAGE 18, P.C.R.
(R2) RECORD OF SURVEY BOOK 77, PAGE 3, P.C.R.

CERTIFICATION [IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS.]

TO: RB LAND, LLC, AN ARIZONA LIMITED LIABILITY COMPANY;
PVC PROPERTIES CORPERATION, A CALIFORNIA CORPORATION;
AND FIRST AMERICAN TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 3, 4, 5, 6, 8, 11(a), 13, AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON NOVEMBER 12, 2021.

JAN. 6, 2022
DATE OF PLAT OR MAP

PETER D. COTÉ, RLS 44121
EMAIL ADDRESS: pcote@wlbgroup.com

The WLB Group Inc. WLB
Engineering Planning Surveying
Landscape Architecture Urban Design
Offices located in Tucson, Phoenix, Flagstaff, AZ and Las Vegas, NV.
4444 East Broadway
Tucson, Arizona (520) 881-7480

WENTZ - 158
SOUTHWEST QUARTER SECTION 20, T11S, R11E, G.&S.R.M.
PIMA COUNTY, ARIZONA
Project

ALTA/NSPS LAND TITLE SURVEY
MODERNE COMMUNITIES LLC
5333 E. PALO VERDE DR. PARADISE VALLEY, AZ. 85253
Sheet Title

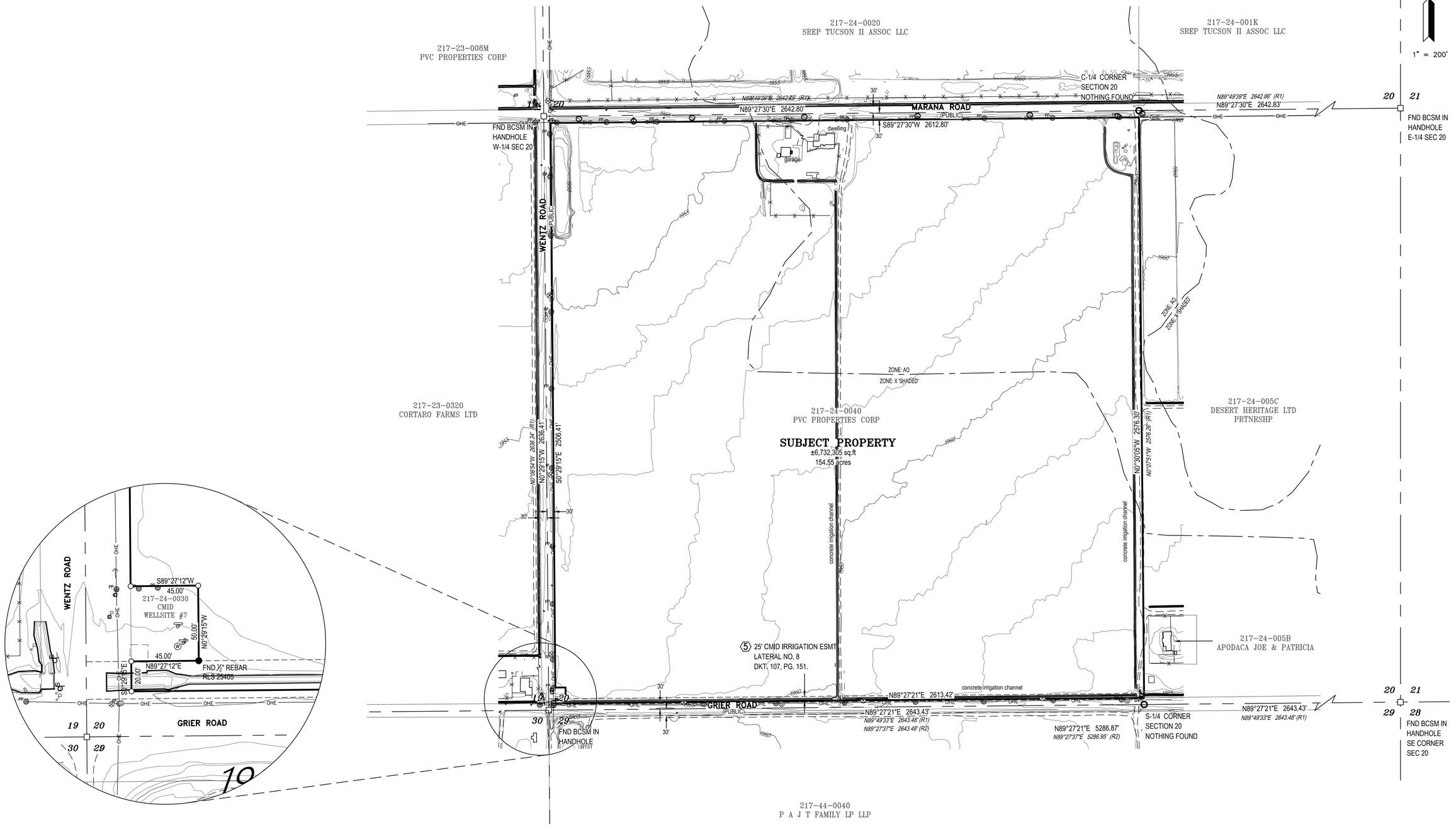
No.	Date	Item

Revisions

Scale 1" = 200'
Job No. 121050-A-001
Date NOVEMBER, 2021
Designed By PDC
Checked By RLL

REGISTERED LAND SURVEYOR — CERTIFICATE NO. 44121 — PETER D. COTE — ARIZONA U.S.A. — 12-31-22

Sheet 1 of 2



The WLB Group Inc. **WLB**

Engineering Planning Surveying
Landscape Architecture Urban Design
Offices located in Tucson, Phoenix,
Flagstaff, AZ and Las Vegas, NV.
4444 East Broadway
Tucson, Arizona (520) 881-7480

WENTZ – 158
SOUTHWEST QUARTER SECTION 20, T11S, R11E, G.&S.R.M.
PIMA COUNTY, ARIZONA
Project

ALTA/NSPS LAND TITLE SURVEY
MODERNE COMMUNITIES LLC
5333 E. PALO VERDE DR. PARADISE VALLEY, AZ. 85253
Sheet Title

No.	Date	Item
Revisions		

Scale 1" = 200'
Job No. 121050-A-001
Date NOVEMBER, 2021
Designed By PDC
Checked By RLL

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
44121
PETER D.
COTE
DATE SIGNED 12-15-21

Sheet 2
of 2

Appendix B: AGFD Online Review Tool Report

Arizona Environmental Online Review Tool Report

Arizona Game and Fish Department Mission
To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:

Wentz 154

Project Description:

A rezoning of Pima County Assessor Parcel No. 217-24-0040 from Town of Marana Zone A (Small Lot Zone) to Zone R-4 (Residential) for the proposed development of a 694 unit single-family residential subdivision on 154 acres of existing agricultural land.

Project Type:

Habitat Conservation and Restoration, Land Use Planning

Contact Person:

Jackson Cassidy

Submitted By:

Robin Large

Organization:

Lazarus & Silvyn, P.C.

On Behalf Of:

PRIVATE

Project ID:

HGIS-16438

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HabiMap Arizona data, specifically Species of Greatest Conservation Need (SGCN) under our State Wildlife Action Plan (SWAP) and Species of Economic and Recreational Importance (SERI), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

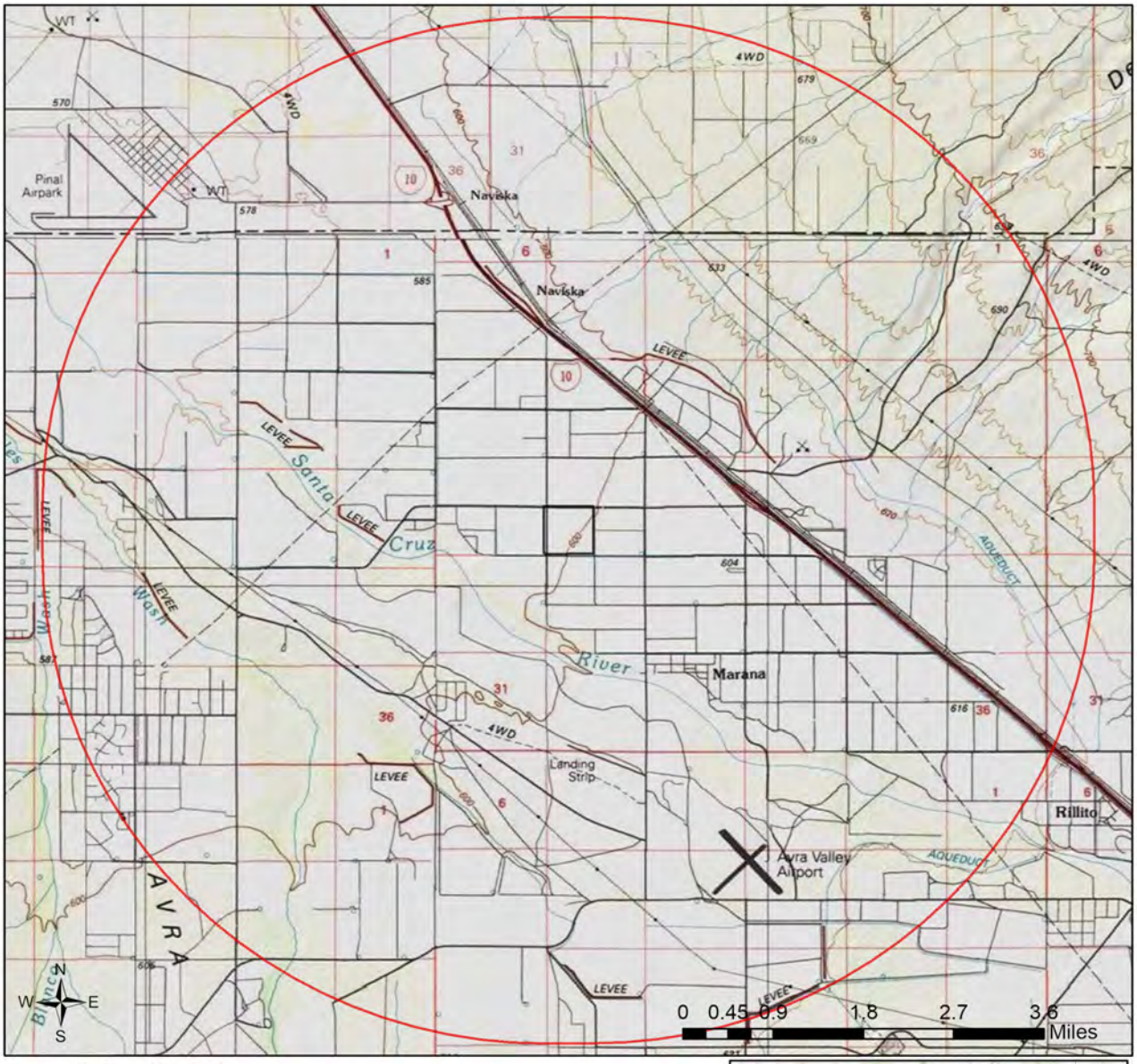
Locations Accuracy Disclaimer:
Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
   Project Evaluation Program, Habitat Branch
   Arizona Game and Fish Department
   5000 West Carefree Highway
   Phoenix, Arizona 85086-5000
   Phone Number: (623) 236-7600
   Fax Number: (623) 236-7366
   Or
   PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

Wentz 154

USA Topo Basemap With Locator Map



Buffered Project Boundary

Project Boundary

Project Size (acres): 153.88

Lat/Long (DD): 32.4569 / -111.2470

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T11S, R11E

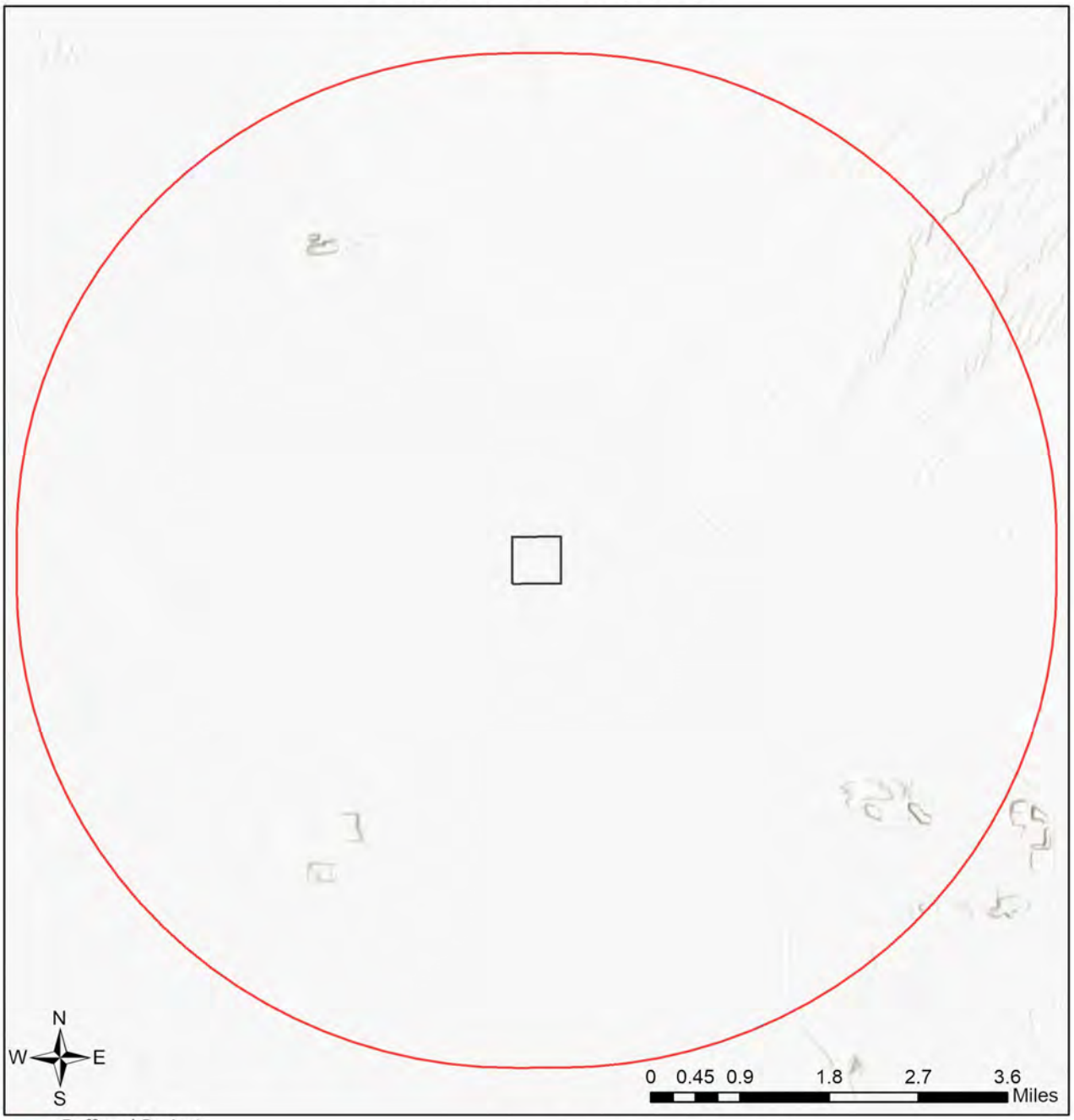
USGS Quad(s): MARANA; WEST OF MARANA



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

Wentz 154

Web Map As Submitted By User



Buffered Project Boundary

Project Boundary

Project Size (acres): 153.88

Lat/Long (DD): 32.4569 / -111.2470

County(s): Pima

AGFD Region(s): Tucson

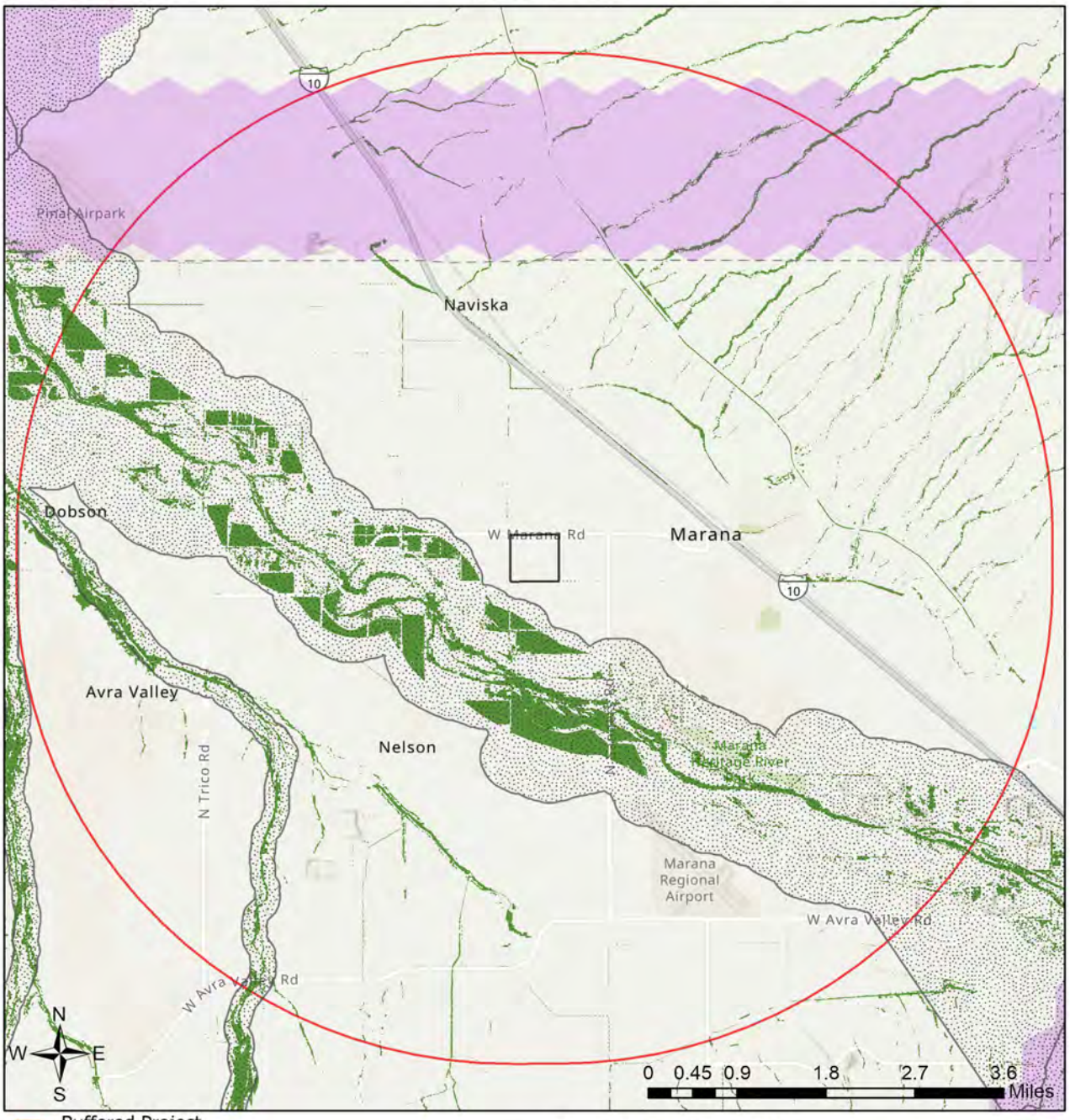
Township/Range(s): T11S, R11E

USGS Quad(s): MARANA; WEST OF MARANA

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

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Important Areas



- Buffered Project Boundary
- Project Boundary
- Important Bird Areas
- Critical Habitat
- Pinal County Riparian
- Important Connectivity Zones
- Wildlife Connectivity

Project Size (acres): 153.88

Lat/Long (DD): 32.4569 / -111.2470

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T11S, R11E

USGS Quad(s): MARANA; WEST OF MARANA

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community
Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

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Township/Ranges and Land Ownership



- Buffered Project Boundary
- Project Boundary
- AZ Game & Fish Dept.
- BLM
- BOR
- Indian Res.
- Military
- Mixed/Other
- National Park/Mon.
- Private
- State & Regional Parks
- State Trust
- US Forest Service
- Wildlife Area/Refuge
- Township/Ranges

Project Size (acres): 153.88

Lat/Long (DD): 32.4569 / -111.2470

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T11S, R11E

USGS Quad(s): MARANA; WEST OF MARANA

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community
Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Special Status Species Documented within 5 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		1B
Bat Colony						
Chionactis annulata	Resplendent Shovel-nosed Snake					1C
Coccyzus americanus	Yellow-billed Cuckoo (Western DPS)	LT	S	S		1A
Danaus plexippus	Monarch	C		S		
Empidonax traillii extimus	Southwestern Willow Flycatcher	LE				1A
Falco peregrinus anatum	American Peregrine Falcon	SC	S	S		1A
Glaucidium brasilianum cactorum	Cactus Ferruginous Pygmy-owl	PT	S	S		1B
Gopherus morafkai	Sonoran Desert Tortoise	CCA	S	S		1A
Heloderma suspectum	Gila Monster					1A
Myotis velifer	Cave Myotis	SC		S		1B
Sigmodon ochrognathus	Yellow-nosed Cotton Rat	SC				1C

Note: Status code definitions can be found at https://www.azgfd.com/wildlife/planning/wildlifeguidelines/statusdefinitions/
.

Special Areas Documented that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Riparian Area	Riparian Area					

Note: Status code definitions can be found at https://www.azgfd.com/wildlife/planning/wildlifeguidelines/statusdefinitions/
.

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Aix sponsa	Wood Duck					1B
Ammospermophilus harrisii	Harris' Antelope Squirrel					1B
Anaxyrus retiformis	Sonoran Green Toad			S		1B
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		1B
Botaurus lentiginosus	American Bittern					1B
Buteo regalis	Ferruginous Hawk	SC		S		1B
Buteo swainsoni	Swainson's Hawk					1C
Calypte costae	Costa's Hummingbird					1C
Chilomeniscus stramineus	Variable Sandsnake					1B
Chionactis annulata	Resplendent Shovel-nosed Snake	SC				1C
Cistothorus palustris	Marsh Wren					1C
Colaptes chrysoides	Gilded Flicker			S		1B
Coluber bilineatus	Sonoran Whipsnake					1B
Corynorhinus townsendii pallescens	Pale Townsend's Big-eared Bat	SC	S	S		1B
Crotalus tigris	Tiger Rattlesnake					1B

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Empidonax wrightii	Gray Flycatcher					1C
Euderma maculatum	Spotted Bat	SC	S	S		1B
Eumops perotis californicus	Greater Western Bonneted Bat	SC		S		1B
Glaucidium brasilianum cactorum	Cactus Ferruginous Pygmy-owl	PT	S	S		1B
Gopherus morafkai	Sonoran Desert Tortoise	CCA	S	S		1A
Haliaeetus leucocephalus	Bald Eagle	SC, BGA	S	S		1A
Heloderma suspectum	Gila Monster					1A
Incilius alvarius	Sonoran Desert Toad					1B
Kinosternon sonoriense sonoriense	Desert Mud Turtle			S		1B
Lasiurus blossevillii	Western Red Bat		S			1B
Lasiurus xanthinus	Western Yellow Bat		S			1B
Leptonycteris yerbabuenae	Lesser Long-nosed Bat	SC				1A
Lepus alleni	Antelope Jackrabbit					1B
Macrotus californicus	California Leaf-nosed Bat	SC		S		1B
Melanerpes uropygialis	Gila Woodpecker					1B
Melospiza lincolnii	Lincoln's Sparrow					1B
Melozone aberti	Abert's Towhee		S			1B
Micrathene whitneyi	Elf Owl					1C
Micruroides euryxanthus	Sonoran Coralsnake					1B
Myiarchus tyrannulus	Brown-crested Flycatcher					1C
Myotis velifer	Cave Myotis	SC		S		1B
Myotis yumanensis	Yuma Myotis	SC				1B
Nyctinomops femorosaccus	Pocketed Free-tailed Bat					1B
Oreoscoptes montanus	Sage Thrasher					1C
Oreothlypis luciae	Lucy's Warbler					1C
Panthera onca	Jaguar	LE				1A
Passerculus sandwichensis	Savannah Sparrow					1B
Perognathus longimembris	Little Pocket Mouse	No Status				1B
Phrynosoma goodei	Goode's Horned Lizard					1B
Phrynosoma solare	Regal Horned Lizard					1B
Phyllorhynchus browni	Saddled Leaf-nosed Snake					1B
Progne subis hesperia	Desert Purple Martin			S		1B
Setophaga petechia	Yellow Warbler					1B
Sphyrapicus nuchalis	Red-naped Sapsucker					1C
Spizella breweri	Brewer's Sparrow					1C
Sturnella magna	Eastern Meadowlark					1C
Tadarida brasiliensis	Brazilian Free-tailed Bat					1B

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Toxostoma lecontei	LeConte's Thrasher			S		1B
Troglodytes pacificus	Pacific Wren					1B
Vireo bellii arizonae	Arizona Bell's Vireo					1B
Vulpes macrotis	Kit Fox	No Status				1B

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Callipepla gambelii	Gambel's Quail					
Pecari tajacu	Javelina					
Puma concolor	Mountain Lion					
Zenaida asiatica	White-winged Dove					
Zenaida macroura	Mourning Dove					

Project Type: Habitat Conservation and Restoration, Land Use Planning

Project Type Recommendations:
Fence recommendations will be dependant upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barbless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 16". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on Wildlife Friendly Guidelines page, which is part of the WIldlife Planning button at https://www.azgfd.com/wildlife/planning/wildlifeguidelines/.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife. Guidelines for many of these can be found at: https://www.azgfd.com/wildlife/planning/wildlifeguidelines/.

Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. See the Arizona Department of Agriculture website for a list of prohibited and restricted noxious weeds at https://www.invasivespeciesinfo.gov/unitedstates/az.shtml and the Arizona Native Plant Society https://aznps.com/invas for recommendations on how to control. To view a list of documented invasive species or to report invasive species in or near your project area visit iMapInvasives - a national cloud-based application for tracking and managing invasive species at https://imap.natureserve.org/imap/services/page/map.html.

- To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select “See What’s Here” for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.

Within sensitive riparian areas consider livestock management activities that include rotational grazing, fencing, and providing off-site water developments. Please refer to the Department's Fencing Guidelines located on the home page of this application . In endangered species habitats, guidelines may be established in Recovery Plans https://www.fws.gov/office/arizona-ecological-services.

The Department's Landowner Relations Program works with the state's private landowners to promote and encourage incorporation of habitat creation and improvement for a variety of wildlife species. The program has grown significantly in recent years offering new alternatives and larger projects to all the cooperators. There are various options under this program to partner with the Department to enhance or restore wildlife habitat. To view specific program options and criteria, please refer to the following link: https://www.azgfd.com/wildlife/landowners/

The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g., bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Habitat and forage recommendations are community, location, and species specific. We recommend early and direct coordination with Project Evaluation Program to determine site-specific recommendations.

Minimize impacts to wildlife and wildlife habitat by staying on designated roads and trails, and by minimizing use during spring and summer breeding periods. Additional information concerning OHV use is located at https://www.azgfd.com/OHV

Habitat restoration recommendations are dependant on habitat communities, target species, species located within the project area, site history, restoration goals, and treatment types. General project scoping should include defined project goals with measurable success criteria, site evaluation (e.g., soil conditions, local and watershed hydrological conditions and regimes), pre-project fish and wildlife surveys to determine project impacts and baseline data for post-project evaluation, established plan and methods for site preparation and revegetation (plant species evaluation based on current or expected site environmental conditions), consideration/incorporation of wildlife habitat features that may be secondary to project objectives (e.g., retaining snags for roost sites) and effects to habitat and wildlife at landscape scales (broader than project area), post-project monitoring plans and funding commitments, and an adaptive management plan. We recommend early coordination with Department personnel on project designs. Contact information can be found at https://www.azgfd.com/Agency/Offices or email our Project Evaluation Program at PEP@azgfd.gov

Pre- and post-survey/monitoring should be conducted to determine alternative access/exits to mines and to identify and/or minimize potential impacts to bat species. For further information when developing alternatives to mine closures, contact the Arizona Game and Fish Department Nongame Bat Coordinator at the Main Office in Terrestrial Branch, https://www.azgfd.com/agency/offices or (602) 942-3000.

Consider incorporating project components that may allow for the inclusion to promote, enhance, create, or restore wildlife habitat. Contact Project Evaluation Program for further information and opportunities, PEP@azgfd.gov or (623) 236-7600 or https://www.azgfd.com/agency/offices/

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly at PEP@azgfd.gov.

Project Location and/or Species Recommendations:
HDMS records indicate that one or more **Listed, Proposed, or Candidate** species or **Critical Habitat** (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at https://www.fws.gov/office/arizona-ecological-services or:

Phoenix Main Office
9828 North 31st Avenue #C3
Phoenix, AZ 85051-2517
Phone: 602-242-0210
Fax: 602-242-2513

Tucson Sub-Office
201 N. Bonita Suite 141
Tucson, AZ 85745
Phone: 520-670-6144
Fax: 520-670-6155

Flagstaff Sub-Office
SW Forest Science Complex
2500 S. Pine Knoll Dr.
Flagstaff, AZ 86001
Phone: 928-556-2157
Fax: 928-556-2121

This review has identified **riparian areas** within the vicinity of your project. During the planning stage of your project, avoid, minimize, or mitigate any potential impacts to riparian areas identified in this report. Riparian areas play an important role in maintaining the functional integrity of the landscape, primarily by acting as natural drainages that convey water through an area, thereby reducing flood events. In addition, riparian areas provide important movement corridors and habitat for fish and wildlife. Riparian areas are channels that contain water year-round or at least part of the year. Riparian areas also include those channels which are dry most of the year, but may contain or convey water following rain events. All types of riparian areas offer vital habitats, resources, and movement corridors for wildlife. The Pinal County Comprehensive Plan (i.e. policies *6.1.2.1* and *7.1.2.4*), Open Space and Trails Master Plan, Drainage Ordinance, and Drainage Design Manual all identify riparian area considerations, guidance, and policies. Guidelines to avoid, minimize, or mitigate impacts to riparian habitat can be found at https://www.azgfd.com/wildlife/planning/wildlifeguidelines/. Based on the project type entered, further consultation with the Arizona Game and Fish Department and Pinal County may be warranted.

HDMS records indicate that **Sonoran Desert Tortoise** have been documented within the vicinity of your project area. Please review the Tortoise Handling Guidelines found at: https://www.azgfd.com/wildlife/nongamemanagement/tortoise/

HDMS records indicate that **Western Burrowing Owls** have been documented within the vicinity of your project area. Please review the western burrowing owl resource page at: https://www.azgfd.com/wildlife/speciesofgreatestconservneed/burrowingowlmanagement/.

Location Map
Wentz 154



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: Wentz 154 Rezoning	
Description of Project: rezoning to R-4 zone for SFR development	Number of Lots: 694
Parcel No.(s): 217-24-0040	Gross Area (Acres): 154.5 ac
Project Address: 13111 & 13135 W. Marana Rd.	
Ref. Project No.: N/A	

CONTACT INFORMATION

Owner: MC RB Land 154 Marana, LLC	Contact Name: Randy Bury		
Address: 6720 N. Scottsdale Rd., Ste. 380	City: Paradise Vall	State: AZ	Zip: 85253
Email: rbury@modernecommunities.com	Phone No.: (480) 993-7690		
Applicant: Lazarus & Silvyn, P.C.	Contact Name: Robin Large & Keri Silvyn		
Address: 5983 E. Grant Rd., Ste. 290	City: Tucson	State: AZ	Zip: 85712
Email: RLarge@LSLawAZ.com	Phone No.: (520) 207-4464		
Consultant/Engineer: The WLB Group	Contact Name: Jerry Zillman		
Address: 1600 W. Broadway Rd., Ste. 150	City: Tempe	State: AZ	Zip: 85282
Email: jzillman@wlbgroup.com	Phone No.: (480) 736-1600		

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: 2022.07.01 15:32:06 -07'00'	7/1/2022
Applicant Name (PRINT)	Signature	Date

FOR OFFICIAL USE ONLY

Project No._____ **Date Received**_____

Revision Date 03/29/2019

Planning Commission Regular Meeting

Meeting Date: 11/30/2022

To: Planning Commission

From: Jane Fairall, Town Attorney

Date: November 30, 2022

Strategic Plan Focus Area:
Not Applicable

Subject: **A request for a recommendation to the Marana Town Council for approval of 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 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. 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 that the Commission recommend approval of this minor amendment to the Marana 2040 General Plan to the Town Council.

Suggested Motion:

I move to recommend to the Town Council approval of the minor amendment to the Marana 2040 General Plan.

Attachments

resolution

MARANA RESOLUTION NO. 2022-XXX

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

House Engrossed

municipality; general plan; adoption; amendment

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.