



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
NOTICE AND AGENDA

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, May 3, 2023, at or after 6:00 PM

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

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Marana Planning Commission and to the general public that the Planning Commission will hold a meeting open to the public on May 3, 2023, 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 March 29, 2023 Meeting Minutes

B. Public Hearings

1. **PCZ2303-002: Ina Oldfather Rezone;** A request for a recommendation to the Marana Town Council for approval to rezone approximately 1.7 acres of land generally located 300 feet northwest of the intersection of W Ina Road and N Oldfather Road from MR-2 (Multi-Family-Medium Density) and NC (Neighborhood Commercial) to VC (Commercial) (Scott S. Radden)
2. **PCZ2303-001: Silverbell Nelson Rezone;** A request for a recommendation to the Marana Town Council for approval to rezone approximately 3.9 acres of land located at 9996 N. Silverbell Road, on the east side of N. Silverbell Road, one tenth of a mile south of N. Coachline Boulevard, from Zone C (Large Lot) to R-36 (Residential) (Scott S. Radden)

C. Commission Action

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

D. Informational Items/Possible Action Items

FUTURE AGENDA ITEMS

EXECUTIVE SESSIONS

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

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

ADJOURNMENT

Planning Commission Regular Meeting

Meeting Date: 05/03/2023

To: Planning Commission

From: Terri Byler, Executive Assistant

Date: May 3, 2023

Subject: Approval of the March 29, 2023 Meeting Minutes

Attachments

Planning Commission Summary Minutes of March 29, 2023



**MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING**

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, March 29, 2023, at or after 6:00 P.M.

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

SUMMARY MINUTES

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

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

Approval of the Regular Planning Commission Meeting Summary Minutes of February 22, 2023.

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

PUBLIC HEARING

1. PCM2302-001: Recommendation to the Town Council regarding revisions to Marana Town Code Title 17 (Land Development), chapter 17-4 (Zoning), section 17-4-5 (Residential zoning districts R-180, R-144, R-80, R-36, R-16, R-10, R-8, R-7, R-6, R-5, R-4, and R-3) to increase the maximum allowable building height for the main building in the R-180, R-144, and R-80 zones, and Section 17-4-7 (Commercial zoning districts) to provide that the required minimum site area in the Village Commercial (VC) zoning district may be less than 10 acres in certain circumstances. (Steve Cheslak)

Planning Manager, Steve Cheslak noted in June of 2021 comprehensive revisions were made to the Land Development Code with the final migration of the old Land Development Code to Title 17 "Land Development" of the Town Code.

Tonight staff has 2 requested changes to the Land Development Code.

The first request relates to Chapter 17-4-5: to increase the maximum allowable building height for the main building from 30 feet to 35 feet in the largest zones: R-180, R-144, and R-80.

The second request relates to Chapter 17-4-7: when rezoning to Village Commercial – allow a minimum site area below 10 acres when the property is a legacy zone district or the area is substantially comprised of commercial sites of less than 10 acres.

Chairman Schnee opened and closed the public hearing at 6:07 pm.

There were no comments or concerns from the Commission.

Motion to approve, subject to the recommended conditions by Commissioner Flint, seconded by Commissioner Tyson. Motion passed, 6-0.

COMMISSION ACTION

INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS

Discussion and possible rescheduling of the April 26, 2023 meeting to May 3, 2023.

Development Services Director; Jason Angell - at the end of April some of our internal staff are attending a state legal conference. Based upon the timing of staff availability, we request to move the April meeting back one week.

Motion to move the April 26, 2023 meeting to May 3, 2023 by Chairman Schnee, seconded by Vice Chair Hill. Motion passed, 6-0.

FUTURE AGENDA ITEMS

ADJOURNMENT

Chairman Schnee asked for a motion to adjourn the meeting.

Commissioner Flint moved to adjourn the meeting. The motion passed, 6-0. The meeting adjourned at 6:12 PM.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on March 29, 2023. I further certify that a quorum was present.



Terri Byler, Planning Commission Secretary

DRAFT

Planning Commission Regular Meeting

Meeting Date: 05/03/2023

To: Planning Commission

Submitted For: Scott Radden, Senior Planner

From: Scott Radden, Senior Planner

Date: May 3, 2023

Strategic Plan Focus Area:

Not Applicable

Subject: **PCZ2303-002: Ina Oldfather Rezone;** A request for a recommendation to the Marana Town Council for approval to rezone approximately 1.7 acres of land generally located 300 feet northwest of the intersection of W Ina Road and N Oldfather Road from MR-2 (Multi-Family-Medium Density) and NC (Neighborhood Commercial) to VC (Commercial) (Scott S. Radden)

Discussion:

Request

Lazerus & Silvyn, P.C., representing the property owner, 316–Ina, LLC, is requesting a recommendation to the Marana Town Council for approval to rezone the subject parcel from a split zoning of Multi-Family-Medium Density (MR-2) and Neighborhood Commercial (NC) to Village Commercial (VC) with the intent to simplify the property zoning and match the adjacent zoning district so similar land uses can be utilized.

Marana 2040 General Plan

The Marana General Plan designates the proposed rezoning area with a land use category of Commercial (C). The proposed rezoning to Village Commercial is consistent with this land use designation.

History

The 1.65 acre proposed rezoning area was annexed into the Town of Marana in 1993 by Ordinance No.93.12. The existing Pima County zoning was translated to the Town zoning of MR-2 and NC zones from Transitional Zone (“TR”) and County Business Zone 1 (“CB-1”), respectively. The property has remained undeveloped since annexation.

Surrounding Land Use and Zoning

To the north of the subject property is Kindercare Learning Center, zoned MR-2. To the east and west of the subject property is Village Commercial zoning with commercial retail, restaurant and storage uses. To the south of the subject property is an Oil Stop service station and a vacant convenience store/ gas station with Neighborhood Commercial zoning.

Access and Circulation

The subject property will have direct access to adjacent Oldfather Road to the east. There is also a potential shared access with the property to the north.

Utilities

The rezoning area is located within the Tucson Water obligated water service and Pima County sewer service areas. The rezoning area lies within the service areas of Tucson Electric Power, Southwest Gas, Century Link and Xfinity/Comcast.

Fire Service

The rezoning area is located within the Northwest Fire District service area.

Public Notification

This public hearing was noticed in The Daily Territorial newspaper, and all property owners within 300 feet 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 and on the Town's website. As of April 24th, 2023, staff had received no comments.

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

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

With the acceptance of the recommended conditions, this rezoning will benefit the community through the extension of public utilities and sidewalks, as well as provide additional commercial options.

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

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

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

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

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

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

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

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

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

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

existing zoning classification;

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

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

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

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

The subject property has remained vacant since annexation into the Town in 1993.

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 a limited supply of land available in the area and the surrounding community, but will accommodate the zoning and community needs by utilizing successful infill.

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 preliminary plat or development plan for any portion of the Rezoning Area shall be in general conformance with the conceptual land use plan presented to and approved by the Town Council as part of this Rezoning.
3. 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.
4. A master drainage study must be submitted by the Property Owners and accepted by the Town Engineer prior to Town approval of a preliminary plat or development plan for any portion of the Rezoning Area.
5. A water infrastructure and phasing plan (WIP) must be submitted by the Property Owners and accepted by Tucson Water Obligated Service Area (the "water provider") prior to approval of a preliminary plat for any portion of the Rezoning Area. The WIP shall identify all on-site and off-site water facilities needed to serve the proposed development. The WIP shall include all information required by the water provider, such as (but not limited to) analysis of water use and fire flow requirements, and well source, reservoir, and booster station infrastructure needed to serve the proposed development. If the water provider requires a water service agreement as a condition of service to the proposed development, the Property Owners must enter into a water service agreement with the water provider consistent with the accepted WIP.
6. A master sewer plan must be submitted by the Property Owners and accepted by Pima County Regional Wastewater (the "wastewater utility") prior to the approval of any final plat or development plan for the Rezoning Area. The master sewer plan shall identify all on-site and off-site wastewater facilities needed to serve the proposed development, and shall include all information required by the wastewater utility. If the wastewater utility requires a sewer service agreement as a condition of service to the proposed development, the Property Owners must enter into a sewer service agreement with the wastewater utility consistent with the accepted master sewer plan.
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 preliminary 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 Northwest Fire District prior to Town Council consideration of a final plat or development plan for any portion of the Rezoning Area.
 9. No approval, permit or authorization by the Town of Marana authorizes violation of any federal or state law or regulation or relieves the Property Owners from responsibility to ensure compliance with all applicable federal and state laws and regulations, including the Endangered Species Act and the Clean Water Act. The Property Owners should retain appropriate experts and consult appropriate federal and state agencies to determine any action necessary to assure compliance with applicable laws and regulations.
 10. The property owners shall transfer to the 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.
 11. Prior to the issuance of any grading permits, the Property Owners shall submit evidence to the Town that all federal permit requirements have been met through the Corps of Engineers and the State Historic Preservation Office, if federal permits are required for the development of the Rezoning Area.
 12. The Property Owners shall not cause any lot split of any kind without the written consent of the Town of Marana.

Suggested Motion:

I move to recommend to the Town Council, approval of PCZ2303-002 Ina Oldfather Rezone subject to the recommended conditions.

Attachments

Ina Oldfather Rezoning Request
Location Map
Ina Oldfather Rezoning Maps
Application

March 16, 2023

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

SUBJECT: Minor Rezoning Request at Ina & Oldfather

Dear Mr. Cheslak:

316 – Ina, LLC (“Owner”) owns approximately 1.65 acres of property (Assessor Parcel No. 225-36-019E) near the northwest corner of Ina Road and Oldfather Road (the “Property”) within the Town of Marana (“Town”). (See Location Map, provided as Attachment 1.) The Property is split-zoned Multi-Family Residential (“MR-2”) and Neighborhood Commercial (“NC”), with Village Commercial (“VC”) zoning to the east, west and in the general area. (See Attachment 2, Existing Zoning & Land Use Map.) The Owner is interested in establishing a single zoning designation across the Property and developing the Property with one or more commercial uses. This letter serves as a request to rezone the Property from MR-2 and NC to VC, which will create uniform zoning across the Property that is consistent with the surrounding zoning, as well as establish consistency in the commercial zoning along the Ina Road corridor.

Background

The Property was annexed into the Town as part of a larger, 1,300-acre annexation effort to expand the Town Limits in 1993 (the “Annexation”). (See Attachment 3, Annexation Ordinance.) The Annexation included all properties along Ina Road between Interstate 10 on the west and the Cañada Del Oro Wash on the east. The Property was zoned a combination of Transitional Zone (“TR”) and County Business Zone 1 (“CB-1”) prior to Annexation. Both TR and CB-1 zones support a variety of commercial uses.

The TR and CB-1 zones were translated to MR-2 and NC zones, respectively, when original Town zoning was established, and no rezoning has ever been requested. While MR-2 may have been the most similar zoning designation because both TR and MR-2 support the

development of higher density residential uses, the Town's MR-2 zone prohibits most commercial development.

Minor Rezoning Request

Approximately 0.95 acres of the Property is zoned MR-2, and the remaining 0.7 acres of the Property is zoned NC, which does not meet the minimum site area of one acre to develop under the NC zoning designation. This request is to rezone the entire 1.65-acre Property to VC. The majority of the properties along Ina Road between Interstate 10 and Thornydale Road has commercial zoning. As shown in Attachment 4 (Ina Corridor Zoning), most of the properties along this corridor are zoned VC, which supports community- and regional-level commercial businesses, as well as higher-density residential uses. Ina Road is classified as an Urban Principal Arterial, and VC zoning is the appropriate designation for this area.

Marana's General Plan, *Make Marana 2040*, supports the rezoning request to VC. The General Plan's Future Land Use Map designates all properties on the north side of Ina Road within the Town's limits as Commercial, which is described as follows:

The Commercial category includes areas that comprise both community and regional commercial development... Commercial uses should be located along major arterials, at major intersections, and near highway interchanges... The existing zoning districts consistent with this land use category are: A, B, E, CO, NC, VC, RR, RC, RV, BU, DN, DT.

In addition, the Property is within the Town's South Growth Area, an area that is largely built out and well served by existing public infrastructure. Per the General Plan, the South Growth Area is "envisioned to grow incrementally over time through infill development and redevelopment compatible with and that enhance existing residential neighborhoods." Rezoning this infill Property to VC is in substantial conformance with *Make Marana 2040* and will benefit the Town by establishing a consistent zoning pattern that supports regional and community commercial development along the Ina Road corridor.

Conclusion

In order to develop the Property with commercial land uses, we are requesting a rezoning of the Property from MR-2 and NC to VC zone to align with the zoning of properties along the Ina Road Corridor 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 5.) 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,

A handwritten signature in black ink, appearing to read "Robin M. Large". The signature is fluid and cursive, with the first name "Robin" being more prominent.

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

Enclosures:

- 1 – Location Map
- 2 – Existing Zoning & Land Use Map
- 3 – Annexation Ordinance
- 4 – Ina Corridor Zoning Map
- 5 – Property Owner Authorization

cc: Ms. April Worden
Ms. Keri Silvyn, Esq.



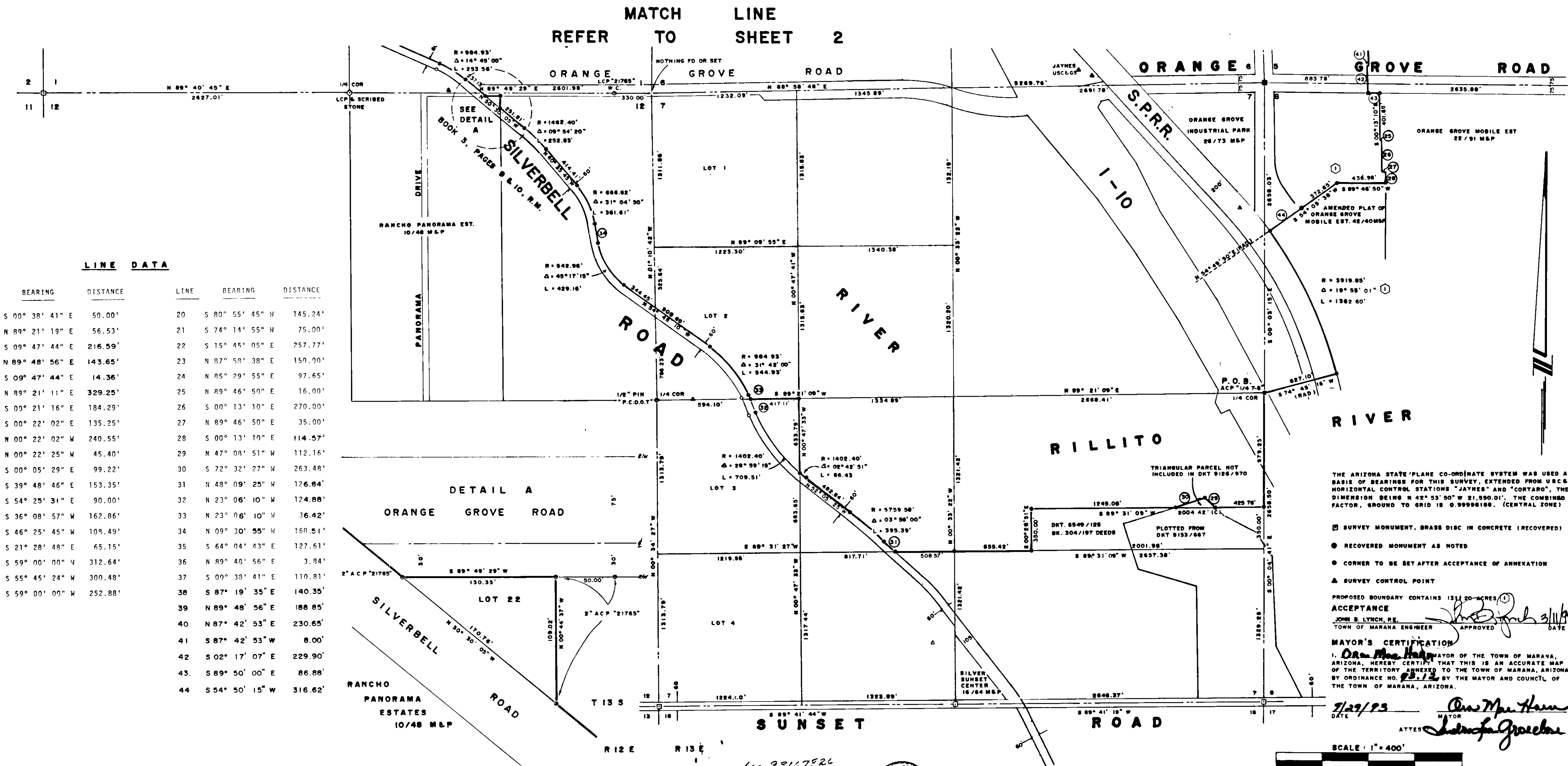
Attachment 1: Location Map





Attachment 2: Existing Zoning & Land Use Map

BK. 45 PG. 30



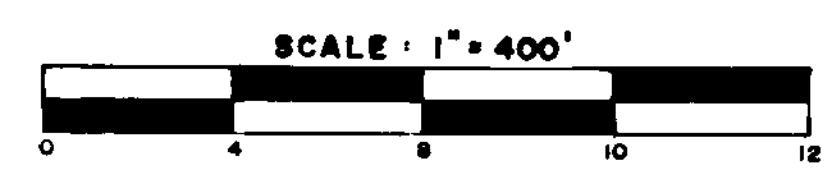
LINE DATA

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
1	S 00° 38' 41" E	50.00'	20	S 80° 55' 45" W	145.24'
2	N 89° 21' 19" E	56.53'	21	S 74° 14' 55" W	75.00'
3	S 09° 47' 44" E	216.59'	22	S 15° 45' 05" E	257.77'
4	N 89° 48' 56" E	143.65'	23	N 87° 58' 38" E	150.00'
5	S 09° 47' 44" E	14.36'	24	N 85° 29' 55" E	97.65'
6	N 89° 21' 11" E	329.25'	25	N 89° 46' 50" E	16.00'
7	S 09° 21' 16" E	184.29'	26	S 00° 13' 10" E	270.00'
8	S 00° 22' 02" E	135.25'	27	N 89° 46' 50" E	35.00'
9	N 00° 22' 02" W	240.55'	28	S 00° 13' 10" E	114.57'
10	N 00° 22' 25" W	45.40'	29	N 47° 08' 51" W	112.16'
11	S 00° 05' 29" E	99.22'	30	S 72° 32' 27" W	263.48'
12	S 39° 48' 46" E	153.35'	31	N 48° 09' 25" W	126.84'
13	S 54° 25' 31" E	90.00'	32	N 23° 06' 10" W	124.88'
14	S 36° 08' 57" W	162.86'	33	N 23° 06' 10" W	36.42'
15	S 46° 25' 45" W	103.49'	34	N 09° 30' 55" W	168.51'
16	S 21° 28' 48" E	65.15'	35	S 64° 04' 43" E	127.61'
17	S 59° 00' 00" N	312.64'	36	N 89° 48' 56" E	3.94'
18	S 55° 45' 24" W	300.48'	37	S 09° 38' 41" E	110.81'
19	S 59° 00' 00" W	252.88'	38	S 87° 19' 35" E	140.35'
			39	N 89° 48' 56" E	188.85'
			40	N 87° 42' 53" E	230.65'
			41	S 87° 42' 53" W	8.00'
			42	S 02° 17' 07" E	229.90'
			43	S 89° 50' 00" E	86.88'
			44	S 54° 50' 15" W	316.62'

THE ARIZONA STATE PLANE CO-ORDINATE SYSTEM WAS USED AS BASIS OF BEARINGS FOR THIS SURVEY, EXTENDED FROM USCGS HORIZONTAL CONTROL STATIONS "JAYNES" AND "CORVADO", THE DIMENSION BEING N 42° 33' 50" W 21,550.01', THE COMBINED FACTOR, GROUND TO GRID IS 0.99998188. (CENTRAL ZONE)

THE SURVEY MONUMENT, BRASS DISC IN CONCRETE (RECOVERED)
RECOVERED MONUMENT AS NOTED
CORNER TO BE SET AFTER ACCEPTANCE OF ANNEXATION
SURVEY CONTROL POINT
PROPOSED BOUNDARY CONTAINS 131.20 ACRES
ACCEPTANCE
JOHN B. LYNCH, P.E.
TOWN OF MARANA ENGINEER
MAYOR'S CERTIFICATION
I, Oran M. Hall MAYOR OF THE TOWN OF MARANA, ARIZONA, HEREBY CERTIFY THAT THIS IS AN ACCURATE MAP OF THE TERRITORY ANNEXED TO THE TOWN OF MARANA, ARIZONA, BY ORDINANCE NO. 25-12 BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA.

7/29/93
DATE
ATTEST
Shirley J. Grochne
CLERK



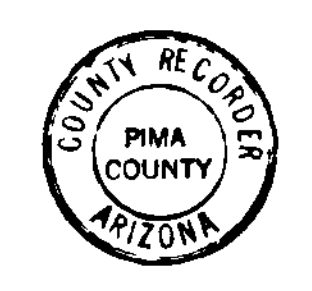
SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS DONE BY ME OR UNDER MY DIRECTION AND THE MONUMENTS INDICATED ACTUALLY EXIST AS NOTED.

SIGNED Settlemyer Surveys, Inc. RLS 7599

Settlemyer Surveys, Inc.
P.O. BOX 12612 TUCSON, ARIZONA 85732 (602) 749-3246
ANNEXATION MAP FOR TOWN OF MARANA
SURVEY OF PORTIONS OF TOWNSHIP 12S 13E
SOUTH, RANGE 12 & 13 EAST, T. 12S. 13E, R. 12E
PIMA COUNTY, ARIZONA
DATE 7-23-92 SCALE 1"=400' FIELD NO. 8801/84
DWG. NO. ALL-0101 T-1

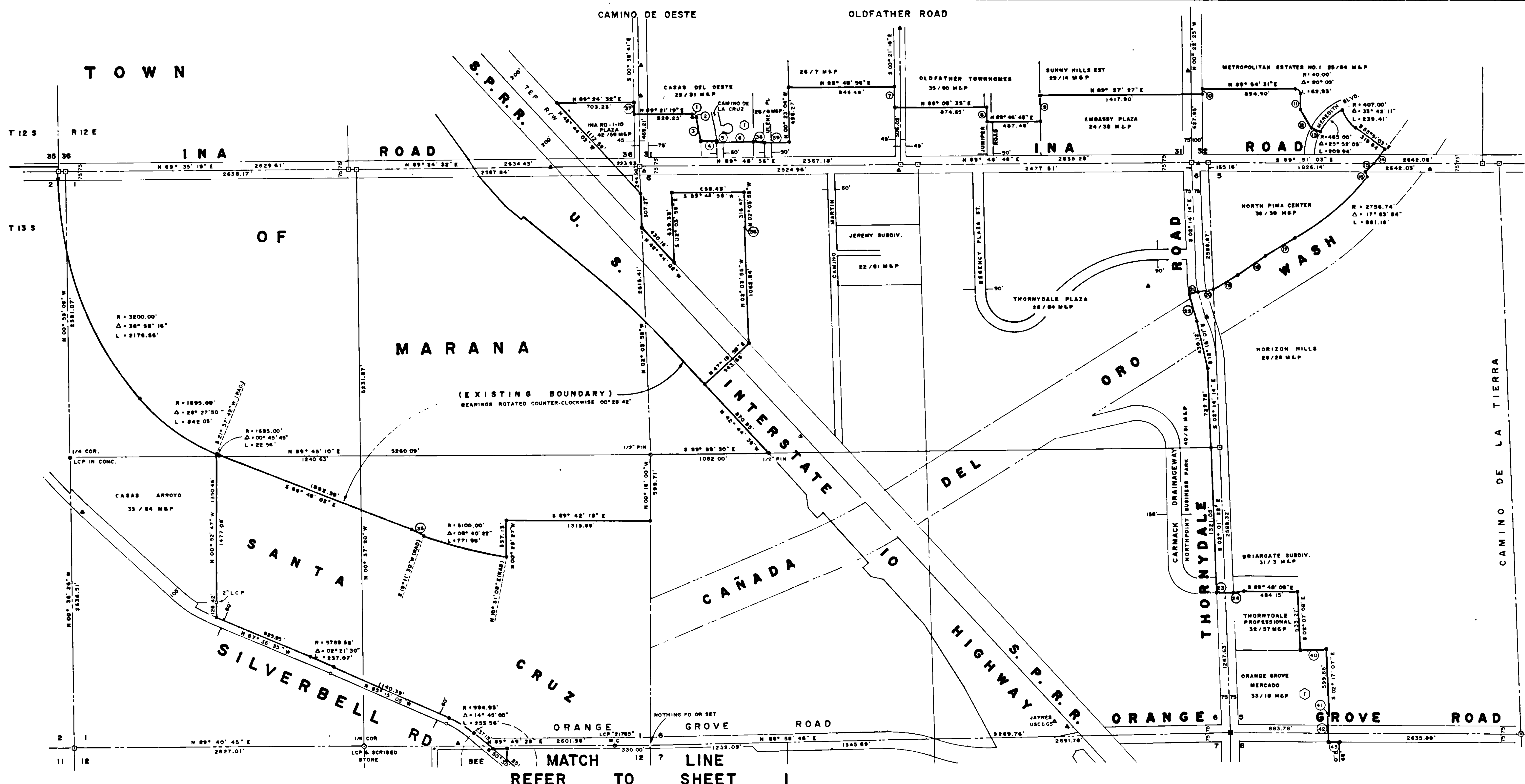
38	39	31	32
2	3	4	5
11	12	13	14
15	16	17	18

7-23-92
I hereby certify that the instrument was filed for record as requested by Settlemyer Surveys, Inc.
Date 7-23-92 Page 36
Book 45 Page 30
Witness my hand and official seal
day and year above written
F. ANN RODRIGUEZ, County Recorder
By Shirley J. Grochne
Deputy



2/22/93 TO CORRECT SCRIVENER ERRORS
REVISIONS TO DKT. 9367 PGS 364-376

BK. 45 P. 30



RECORDED BY: KMB
DEPUTY RECORDER
1959 RD14



SMARA
TOWN OF MARANA

15251 N LON ADAMS RD
MARANA AZ 85653

DOCKET: 9637
PAGE: 3055
NO. OF PAGES: 2
SEQUENCE: 93166741
09/29/93
ORDIN 15:28:00
PICKUP
AMOUNT PAID \$ 3.00

ORDINANCE NO. 93-12

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF MARANA, PIMA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING TOWN LIMITS OF THE TOWN OF MARANA.

WHEREAS, a petition in writing, accompanied by a map or plot of said real property, having been filed and presented to the Mayor and Council of the Town of Marana, Arizona, signed by the owners of more than one-half in value of the real and personal property and more than one-half of the persons owning real and personal property as would be subject to taxation by the Town of Marana in the event of annexation within the territory and land hereinafter described as shown by the last assessment of said property, which said territory is contiguous to the Town of Marana, and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the Town of Marana, and to extend and increase the corporate limits of the Town of Marana so as to embrace the same; and

WHEREAS, the Mayor and Council of the Town of Marana, Arizona, are desirous of complying with said petition and extending and increasing the corporate limits of the Town of Marana to include said territory; and

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the Town of Marana, and had attached thereto at all times an accurate map of the territory desired to be annexed; and

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after said petition had been signed by any owner of real and personal property in such territory; and

WHEREAS, the provisions of Section 9-471, Arizona Revised Statutes, and amendments thereto, have been fully observed; and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the Town Clerk of the Town of Marana, Arizona, together with a true and correct copy of the original petition referred to herein, which is on file in the office of the county recorder.

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

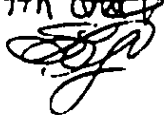
SECTION 1. That the territory described on "Exhibit A" attached hereto and incorporated herein by this reference be, and the same hereby is, annexed to the Town of Marana, and that the present corporate limits be, and the same hereby are, extended and

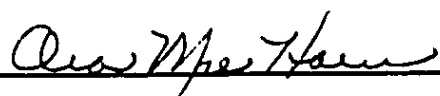
increased to include the territory contiguous to the present Town limits, as described on "Exhibit A" attached hereto and incorporated herein.

SECTION 2. That a copy of this ordinance, together with an accurate map of the territory hereby annexed by the Town of Marana, certified by the Mayor of said Town, be forthwith filed and recorded in the office of the County Recorder of Pima County, Arizona.

SECTION 3. WHEREAS, it is necessary for the preservation of the peace, health and safety of the Town of Marana that this ordinance become immediately effective, an emergency is declared to exist, and this ordinance shall be effective immediately upon its passage and adoption.

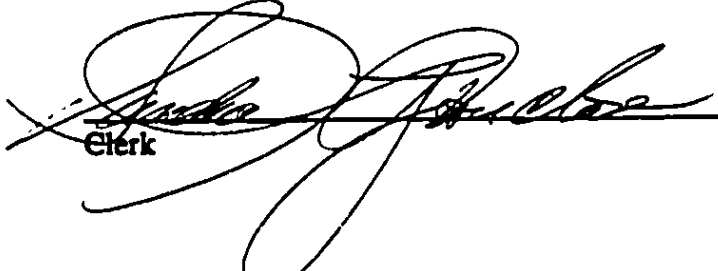
PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona
this 28th day of September, 1993.

29th SEP




Mayor

ATTEST:

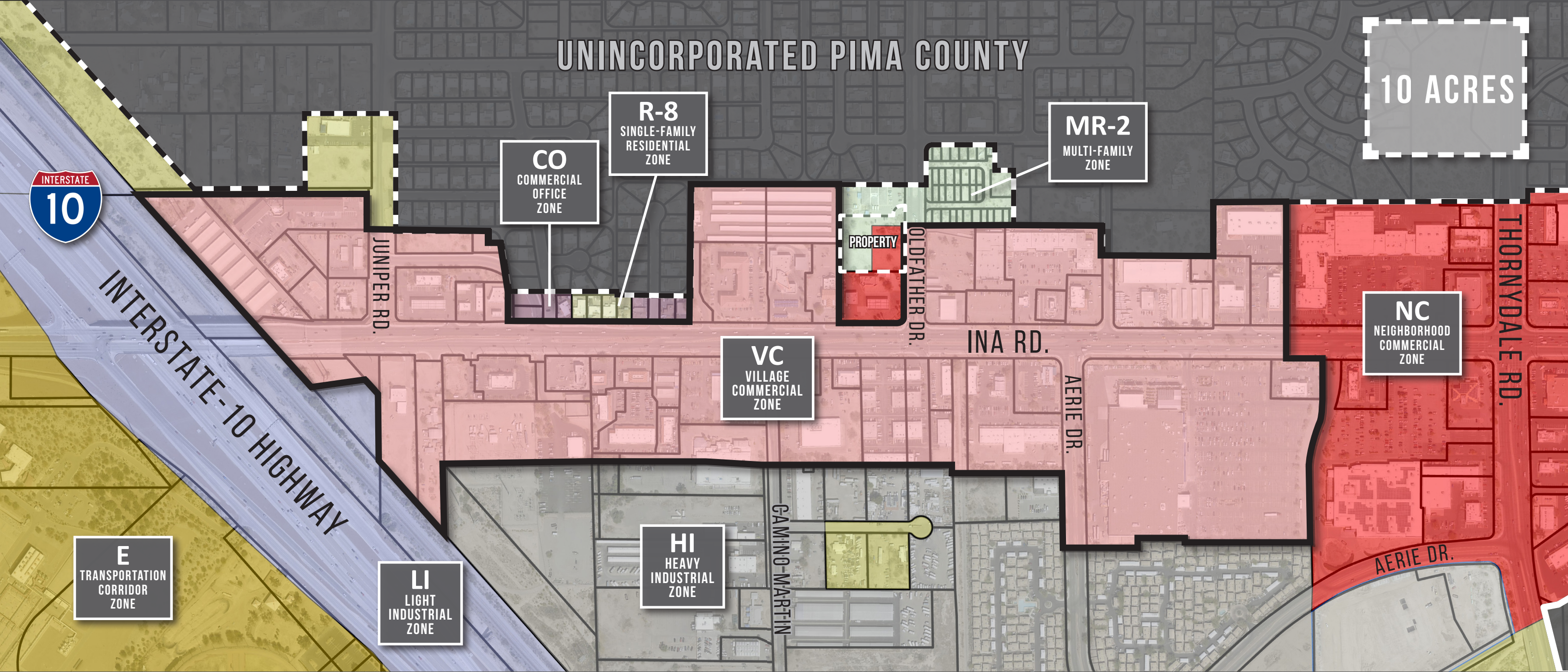


Clerk

APPROVED AS TO FORM:



Attorney



UNINCORPORATED PIMA COUNTY

10 ACRES



INTERSTATE-10 HIGHWAY

E
TRANSPORTATION
CORRIDOR
ZONE

LI
LIGHT
INDUSTRIAL
ZONE

HI
HEAVY
INDUSTRIAL
ZONE

VC
VILLAGE
COMMERCIAL
ZONE

CO
COMMERCIAL
OFFICE
ZONE

R-8
SINGLE-FAMILY
RESIDENTIAL
ZONE

MR-2
MULTI-FAMILY
ZONE

NC
NEIGHBORHOOD
COMMERCIAL
ZONE

PROPERTY

OLDFATHER DR.

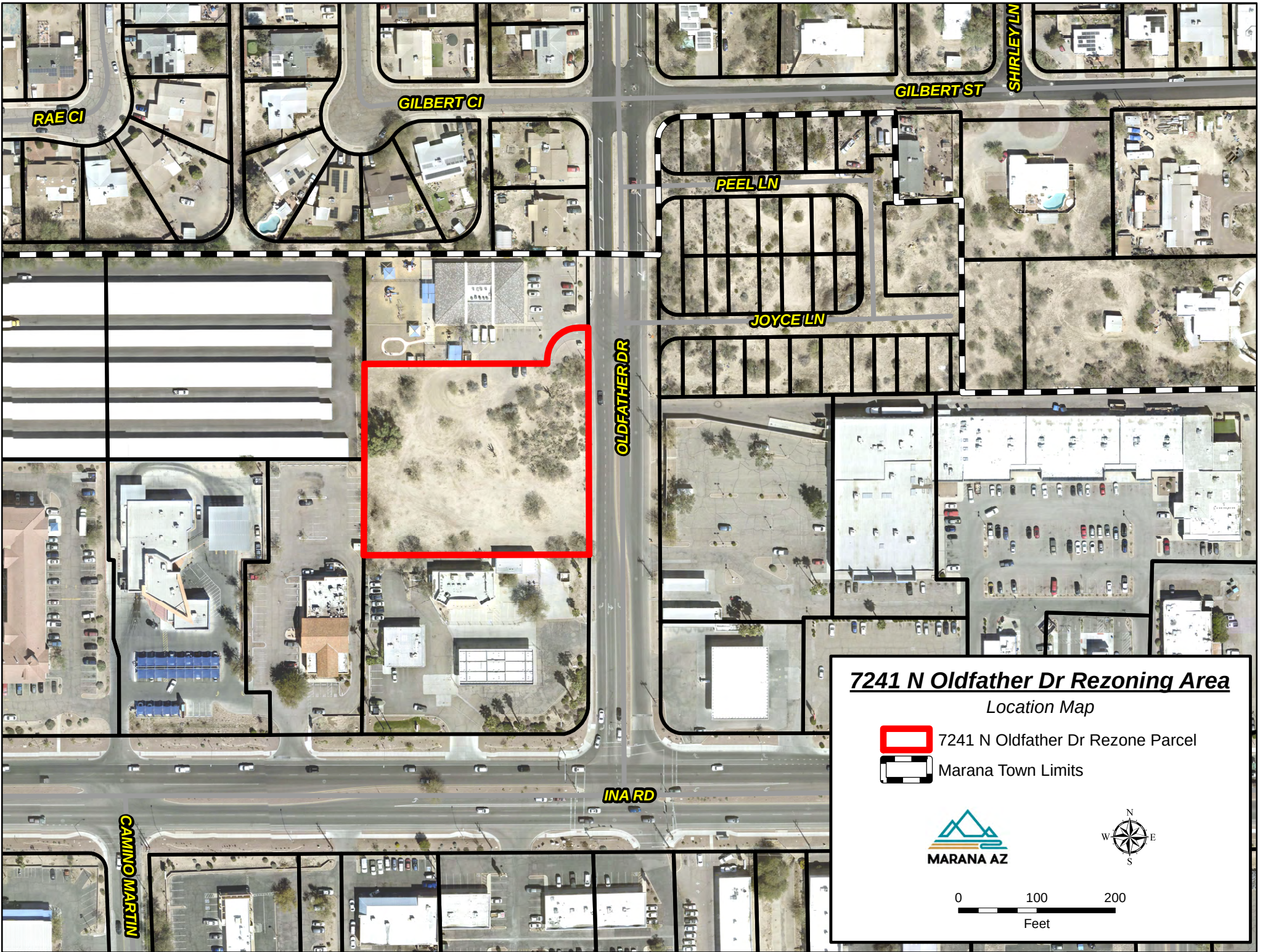
INA RD.

AERIE DR.

THORNYDALE RD.

AERIE DR.

GAMINO-MARTIN



7241 N Oldfather Dr Rezoning Area

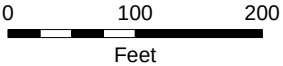
Location Map

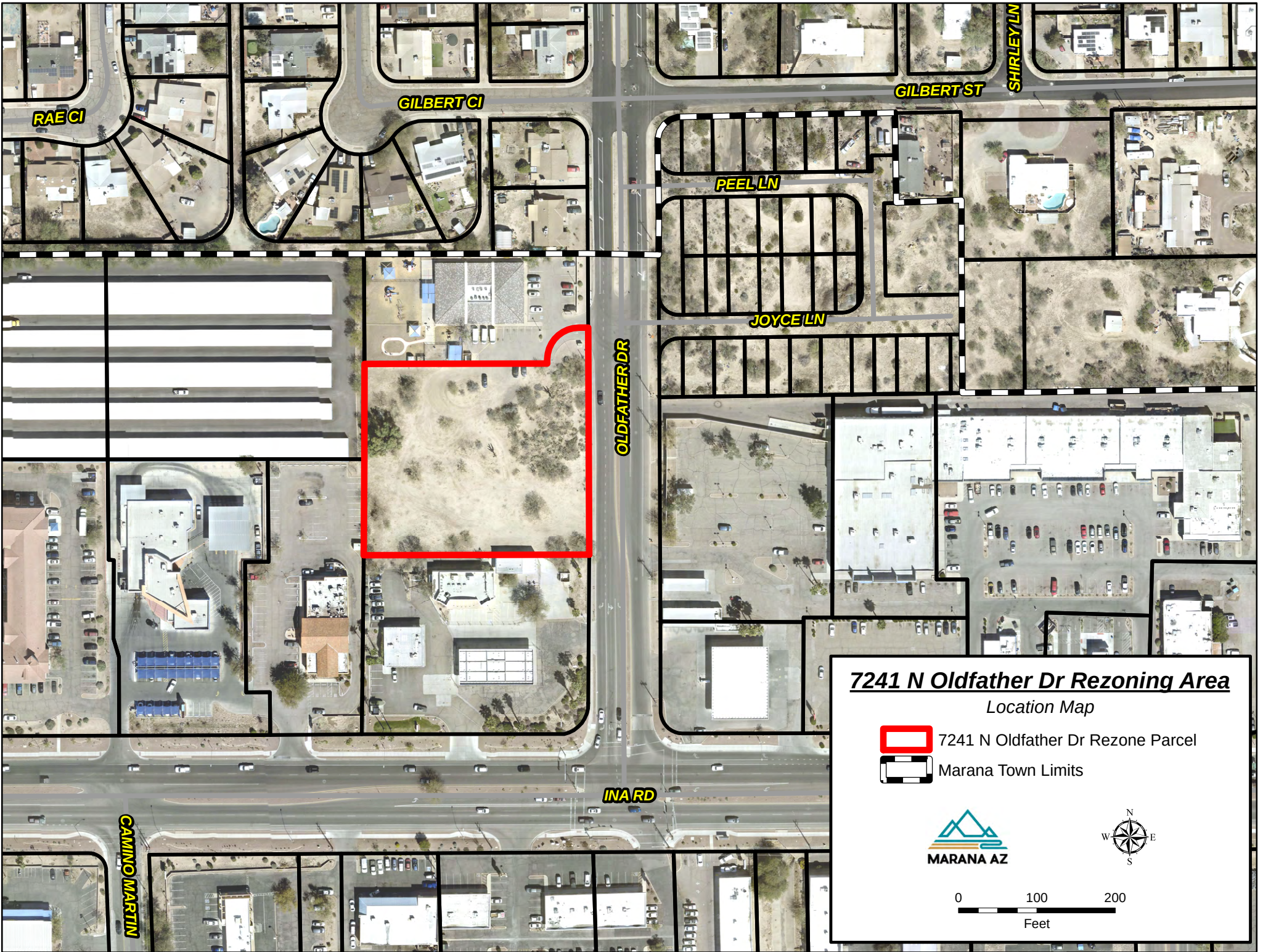


7241 N Oldfather Dr Rezone Parcel



Marana Town Limits





7241 N Oldfather Dr Rezoning Area

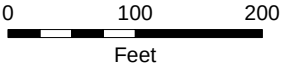
Location Map

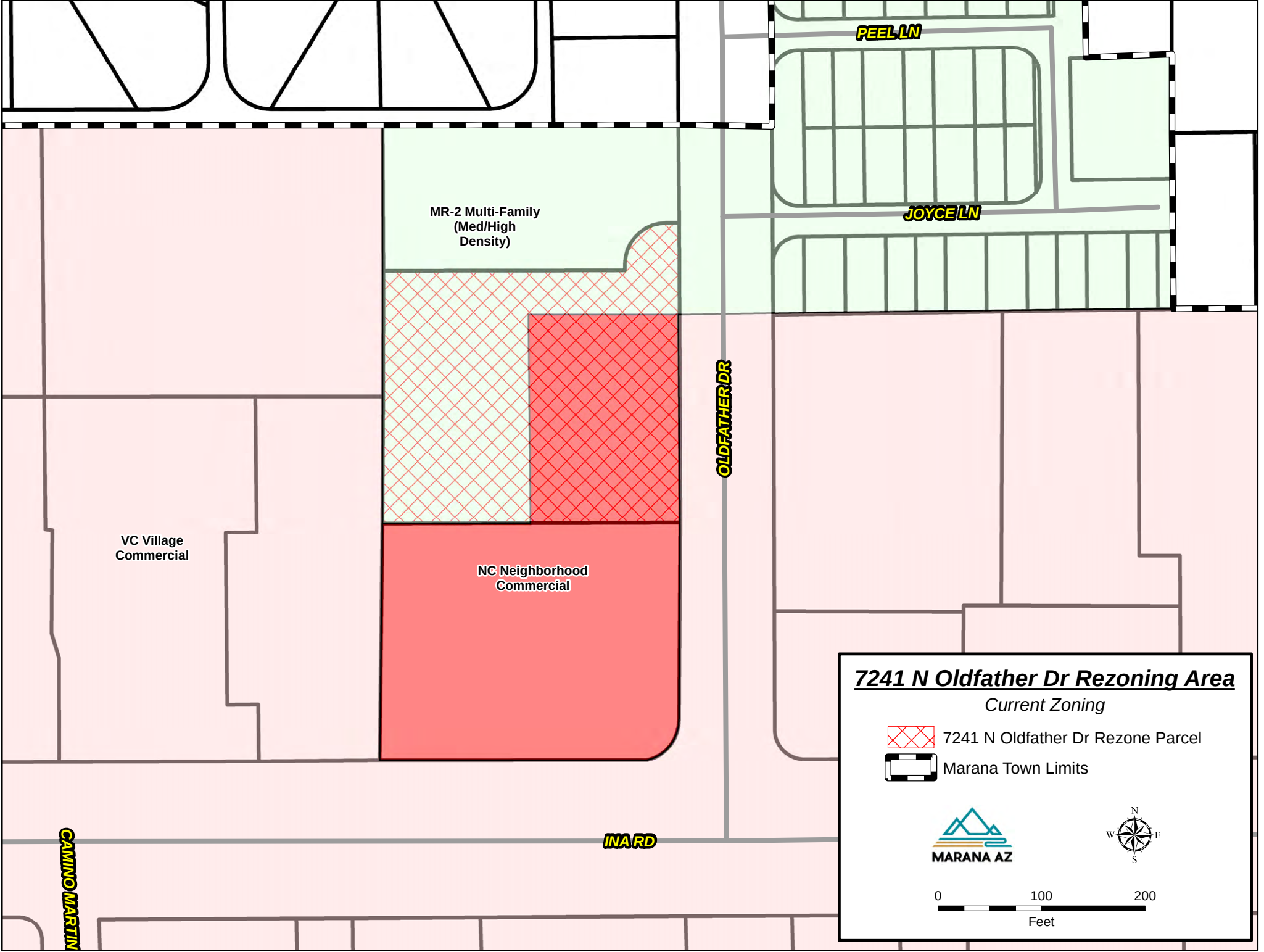


7241 N Oldfather Dr Rezone Parcel



Marana Town Limits





7241 N Oldfather Dr Rezoning Area
Current Zoning

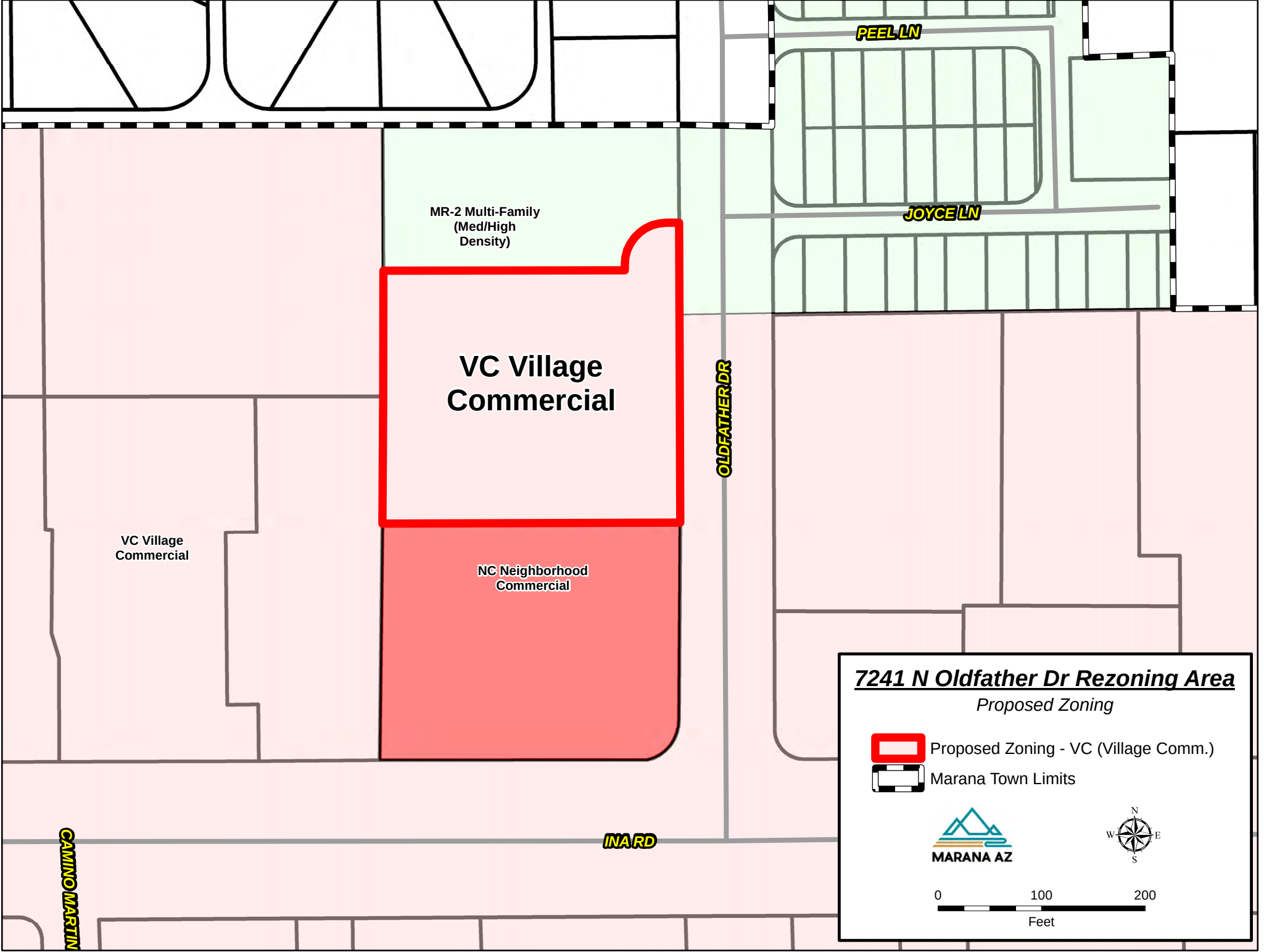
 7241 N Oldfather Dr Rezone Parcel

 Marana Town Limits

 **MARANA AZ**



0 100 200
Feet



7241 N Oldfather Dr Rezoning Area

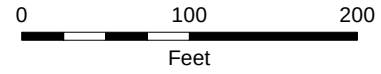
Proposed Zoning

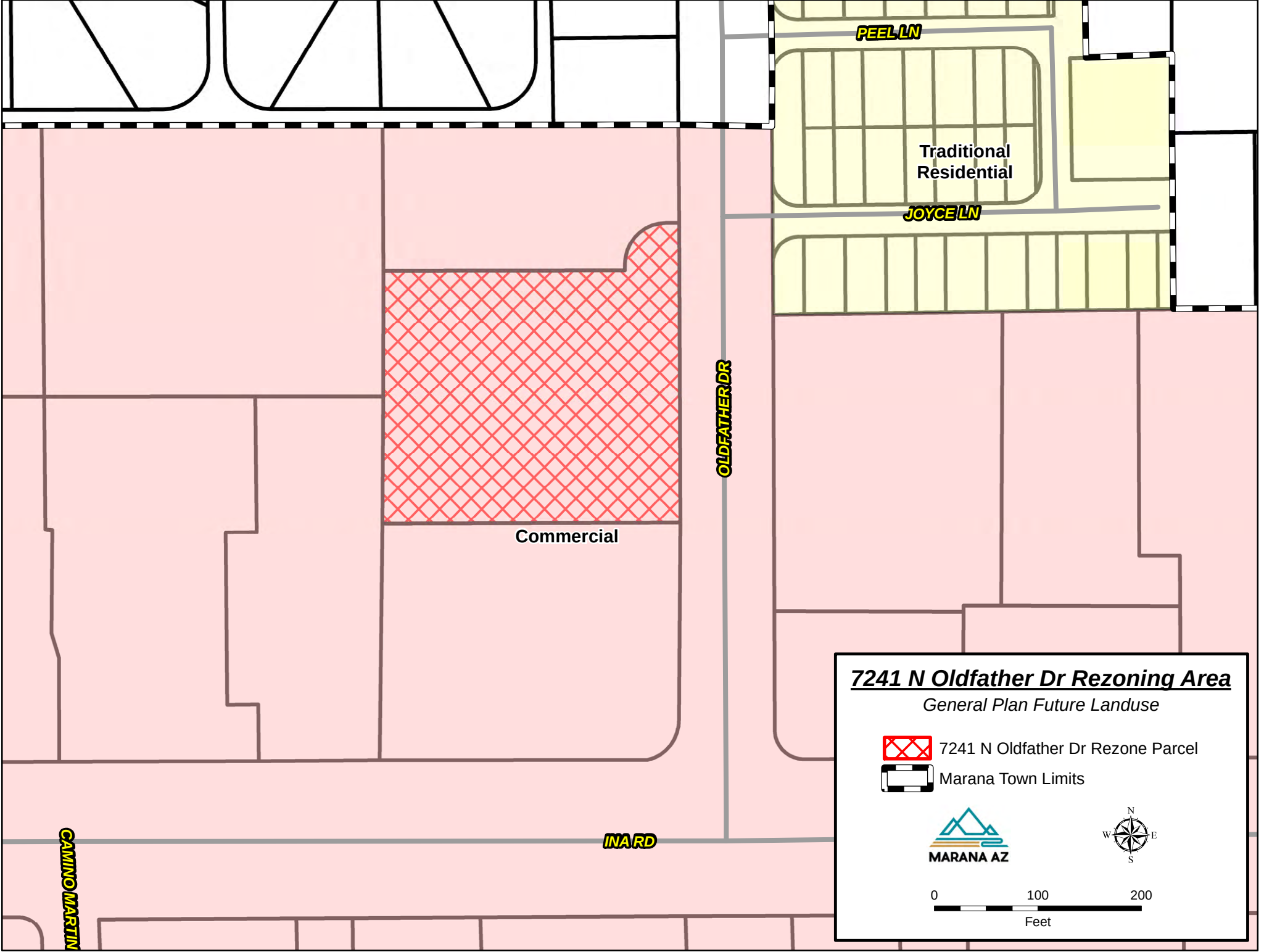


Proposed Zoning - VC (Village Comm.)



Marana Town Limits





7241 N Oldfather Dr Rezoning Area

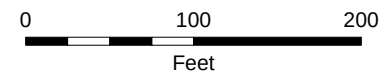
General Plan Future Landuse

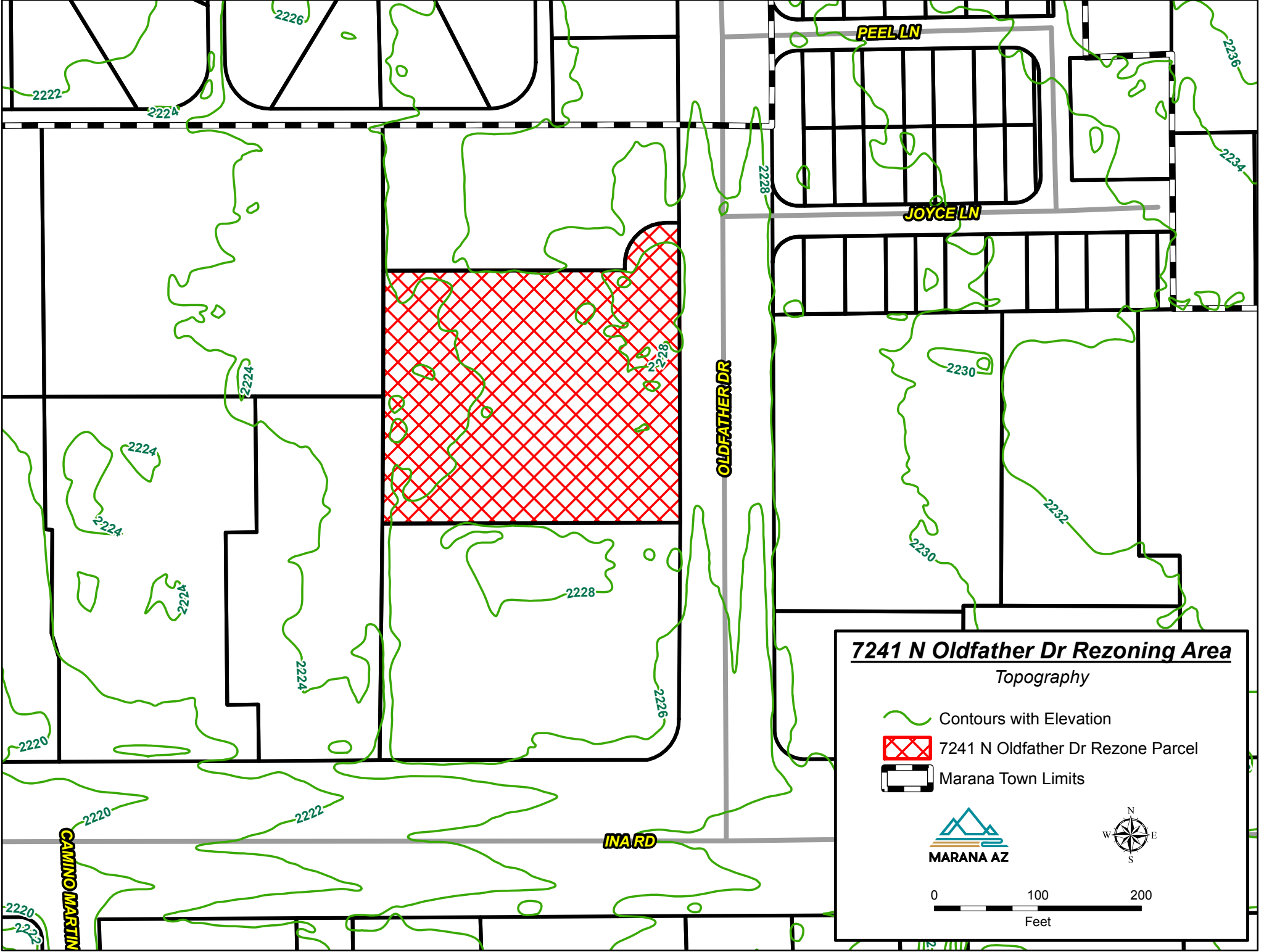


7241 N Oldfather Dr Rezone Parcel



Marana Town Limits





7241 N Oldfather Dr Rezoning Area
Topography

 Contours with Elevation

 7241 N Oldfather Dr Rezone Parcel

 Marana Town Limits


MARANA AZ



0 100 200
Feet



Development Services / maranaplanning@maranaAZ.gov

11555 West Civic Center Drive / Marana, AZ 85653

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

PROJECT APPLICATION

APPLICATION TYPE

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

PROJECT INFORMATION

Project Name:

Description of Project:

Number of Lots:

Parcel No.(s):

Gross Area (Acres):

Project Address:

Ref. Project No.:

CONTACT INFORMATION

Owner:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

Applicant:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

Consultant/Engineer:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

OWNER/APPLICANT AUTHORIZATION

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

Applicant Name (PRINT)

Signature

Date

FOR OFFICIAL USE ONLY

Revision Date 03/29/2019

Project No. _____

Date Received _____

Planning Commission Regular Meeting

Meeting Date: 05/03/2023

To: Planning Commission

Submitted For: Scott Radden, Senior Planner

From: Scott Radden, Senior Planner

Date: May 3, 2023

Strategic Plan Focus Area:

Not Applicable

Subject: **PCZ2303-001: Silverbell Nelson Rezone;** A request for a recommendation to the Marana Town Council for approval to rezone approximately 3.9 acres of land located at 9996 N. Silverbell Road, on the east side of N. Silverbell Road, one tenth of a mile south of N. Coachline Boulevard, from Zone C (Large Lot) to R-36 (Residential) (Scott S. Radden)

Discussion:

Request

Lynn Hansen, representing Richard R. Nelson and Roseleta Harm, the property owners located at 9996 N. Silverbell Road, is requesting a recommendation to the Marana Town Council for approval to rezone the subject parcel from Zone C (Large Lot) to R-36 (Residential - 36,000 SF minimum lot size) with the intent to subdivide the parcel in the future.

Marana 2040 General Plan

The Marana General Plan designates the proposed rezoning area with a land use category of Low Density Residential, allowing for semi-rural residential development between one and two dwelling units per acre. The proposed rezoning to Residential R-36 is consistent with the existing land use designation.

History

The 3.9 acre proposed rezoning area was annexed into the Town of Marana in 1987 by Ordinance No.87.04. The existing Pima County zoning was translated to the Town zoning of "C" Large Lot zone (25 acre minimum lot size). The property has been occupied by a single, private residence since 2000.

Surrounding Land Use and Zoning

The property is surrounded by parcels zoned "C" Large Lot on the north, south and west sides with existing homes and vacant land. Further north, on the same side of Silverbell Road, is the Continental Ranch Sonoran Vista residential subdivision with an average lot size of 7,169 SF. To the east, the undeveloped property is zoned Specific Plan (SP), part of the Continental Ranch Specific Plan and Pima County's Los Morteros Conservation Area. There are properties to the southwest, across Silverbell Road, that are zoned Residential R-144 with existing homes.

Access

The subject property is adjacent to Silverbell Rd with direct driveway access.

Utilities

The rezoning area is located within the Marana Water service area and Pima County sewer service area. The rezoning area also lies within the service areas of Tucson Electric Power, Southwest Gas, Century Link and Xfinity/Comcast. The rezoning area is currently served by a private well and septic system.

Fire District Service

The rezoning area is not a part of the Northwest Fire District.

Public Notification

This public hearing was noticed in The Daily Territorial newspaper, and all property owners within 300 feet 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 and on the Town's website. As of April 24th, 2023, staff has received one comment from a resident in the Sonoran Vista subdivision.

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, the rezoning amendment does not appear to be detrimental to the character of the area due to installation of public facilities or any other rezoning changes.
2. The degree to which the proposed zoning will benefit the community; whether there will be benefits derived by the community, or area, by granting the proposed rezoning;
With the acceptance of the recommended conditions, this rezoning will benefit the community through infill and continuance of low density residential.
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, the rezoning amendment is compatible with the surrounding area and does not appear to be adversely impact the adjacent street network or generate such excessive storm runoff, water, air, or noise pollution, excessive nighttime lighting, or other nuisances.
4. Whether the proposal conforms with and is in furtherance of the implementation of the goals and policies of the general plan, other adopted plans, and the goals, objectives and policies of the land development code, and other town regulations and guidelines, including goals and policies relating to economic development;
The rezoning amendment conforms to the goals and policies of the general plan, the land development code, and other town regulations and guidelines.
5. The zoning districts and existing land uses of the surrounding properties;
Based on the recommended requirements and conditions, the rezoning amendment is compatible with the surrounding property zoning and existing land use.
6. Whether the existing and proposed transportation infrastructure is suitable and adequate to serve the traffic anticipated to be generated by the proposed development;
With the acceptance of the recommended conditions, the existing and proposed transportation infrastructure is suitable and adequate to serve the traffic anticipated to be generated by the proposed development.
7. Whether the existing and proposed utility infrastructure, public facilities, and public services are suitable and adequate to serve the proposed rezoning area;
Based upon the rezoning requirements and conditions, there is adequate utility infrastructure, public facilities, and public services in the area to serve the proposed rezoning area.

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

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

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

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

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

N/A

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 a limited supply of land available in the area and the surrounding community, but will accommodate the zoning and community needs by utilizing successful infill.

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. 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.
3. 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.
4. 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.
5. The Property Owners shall not cause any lot split of any kind without the written consent of the Town of Marana.
6. The Property Owners shall dedicate the right-of-way necessary to construct Silverbell Road as a 90-foot collector cross-section, as determined by the Town, along the entire western property line of the Rezoning Area upon demand of the Town.

Suggested Motion:

I move to recommend to the Town Council, approval of PCZ2303-001 Silverbell Nelson Rezone subject to the recommended conditions.

Attachments

Silverbell Nelson Rezone Request
Location Map
Silverbell Nelson Rezone Maps
Application

SILVERBELL NELSON PROJECT

1. NARRATIVE REQUEST

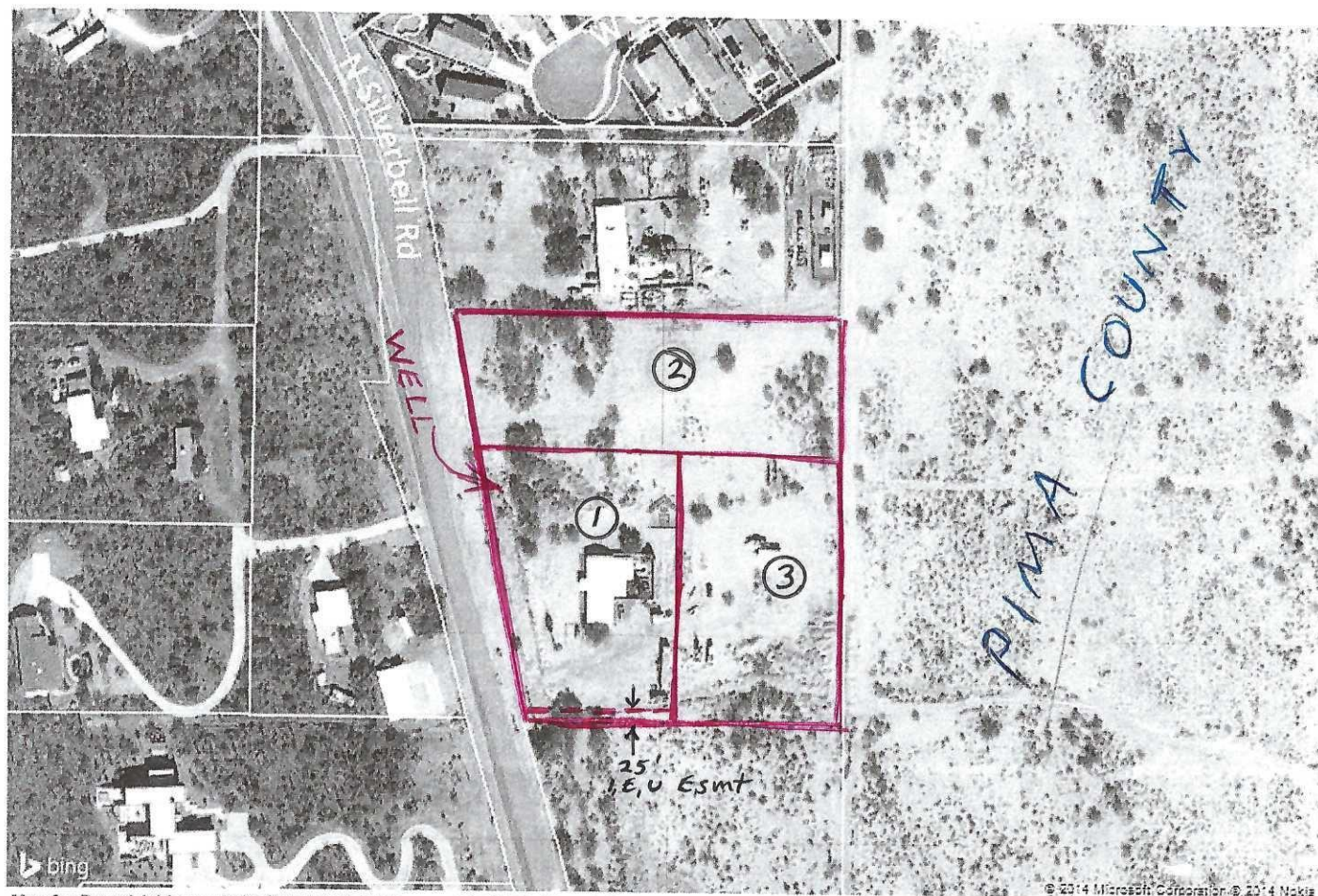
1. The PROPOSED USE of the subject property is to divide the 3.9 acres into three residential lots of approximately 1.3 acres each. The existing home will be on one of the lots. This cannot be done under the current Marana C Zone. In order to complete a Minor Land Division to create the 3 lots, the property needs to be rezoned to R36.
2. The Marana 2010 General Plan Land Use map and the Marana 2040 Future Land Use map both have the property designated as "Low Density Residential".
3. The proposed Rezoning and Minor Land Division will change the existing 3.9 acre lot into three 1.3 acre residential lots with the existing home located on one of them. See attached plan.
4. The existing use of the subject property is one 3.9 acre residential lot with one existing home. The proposed use is three 1.3 acre residential lots with a home on one of them.
5. Utilities: Water: Private Well with Shared Well Agreement City Water also available
 Electricity: TEP
 Sewer: Septic tank
 Gas: Southwest Gas
 Fire District: Not assigned
6. No grading necessary except for the driveway easement to Lot 3.
7. Topography: Flat land, FEMA Flood Zone X, above 500-year flood level
8. A Cultural Resources Survey has been submitted.

Map for Parcel Address: 9996 Silverbell Rd N Tucson, AZ 85743 Parcel ID: 226-04-027D



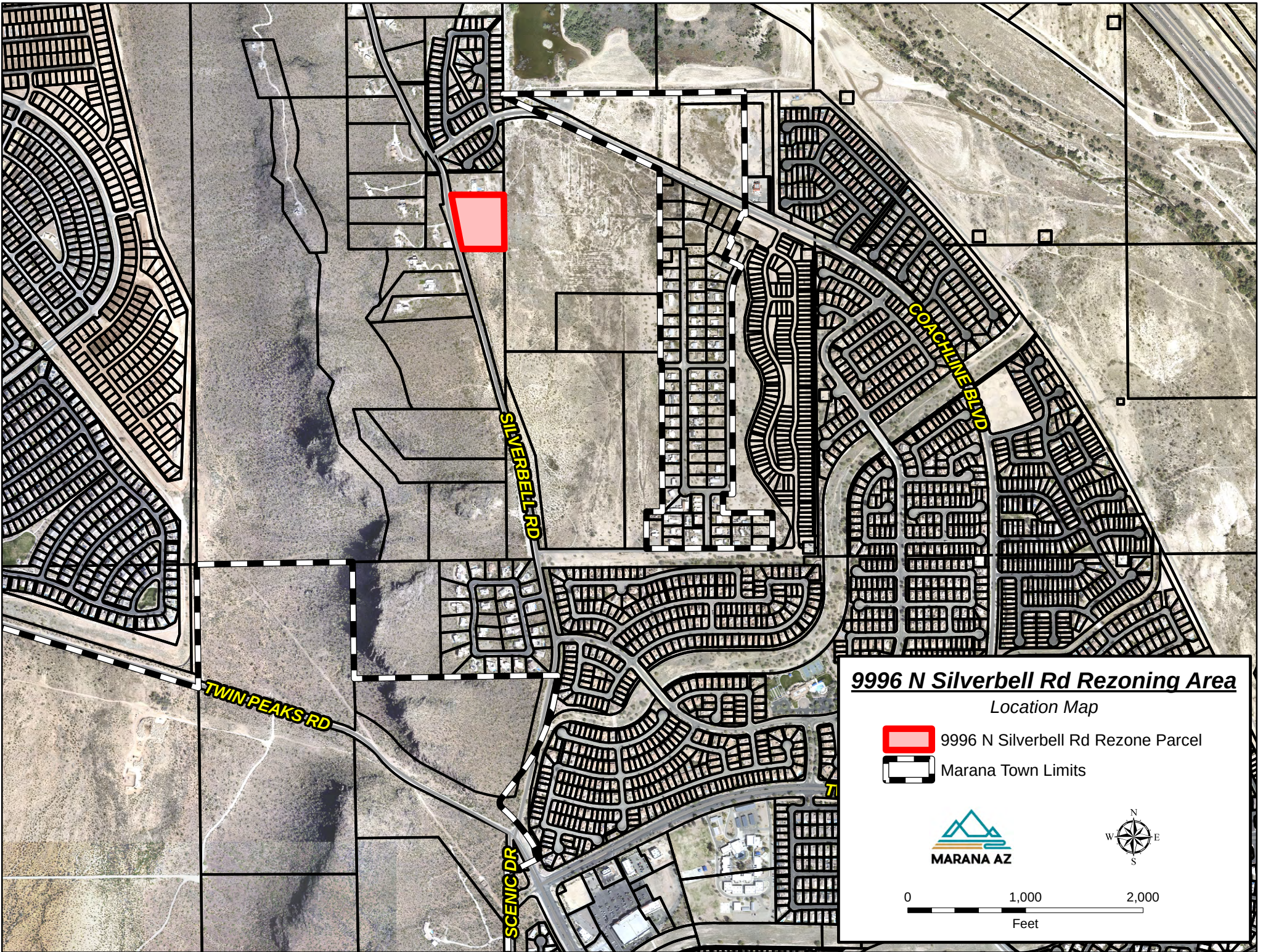
CRS PowerTool
Real Estate

CRS Bing™ Map



Map for Parcel Address: 9996 Silverbell Rd N Tucson, AZ 85743, Parcel ID: 226-04-027D

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Information Deemed Reliable But Not Guaranteed.
Contact Us at (800) 374-7488 ext 3 for Help.



9996 N Silverbell Rd Rezoning Area

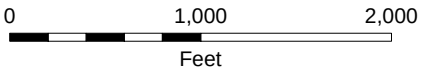
Location Map

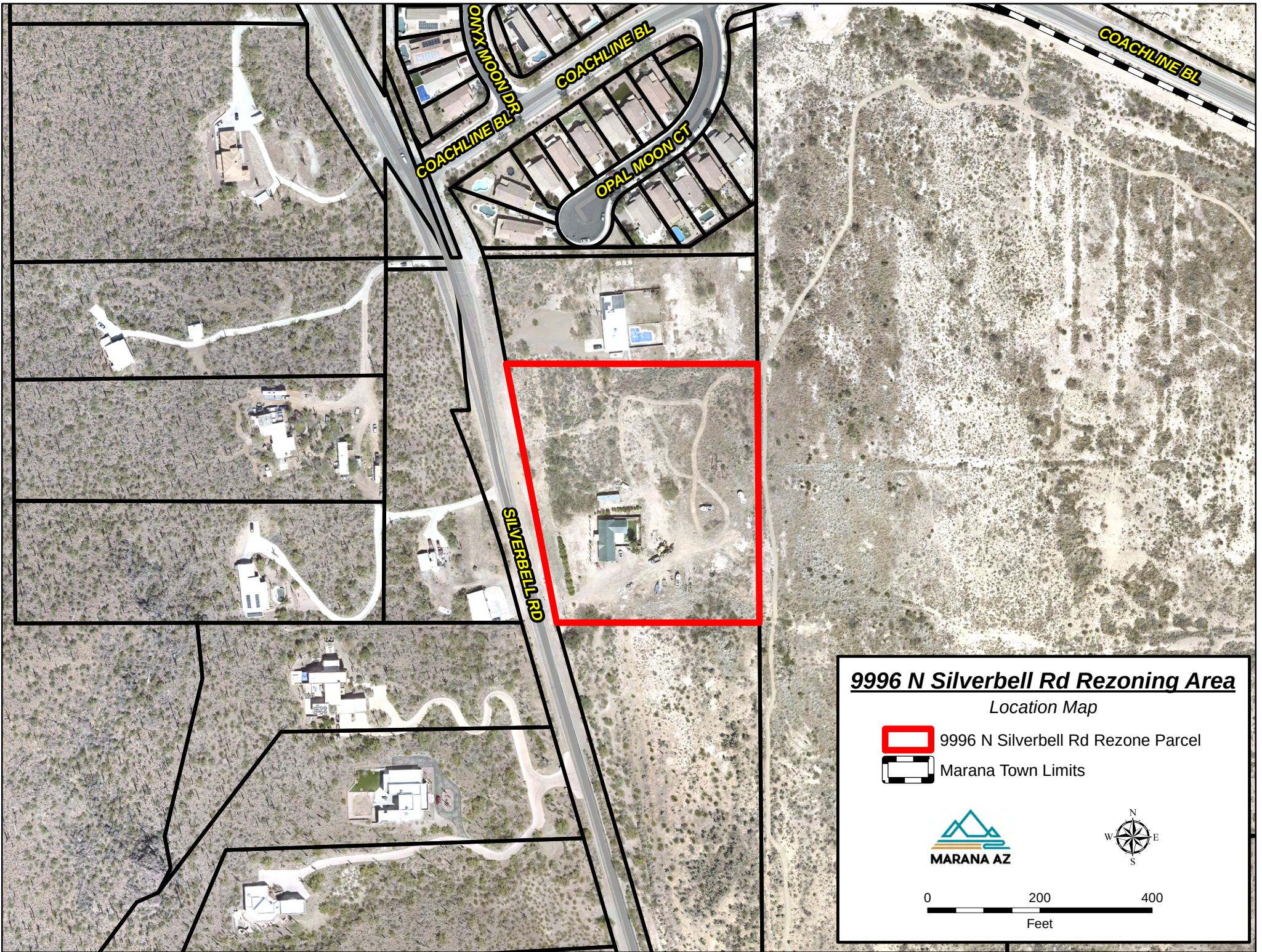


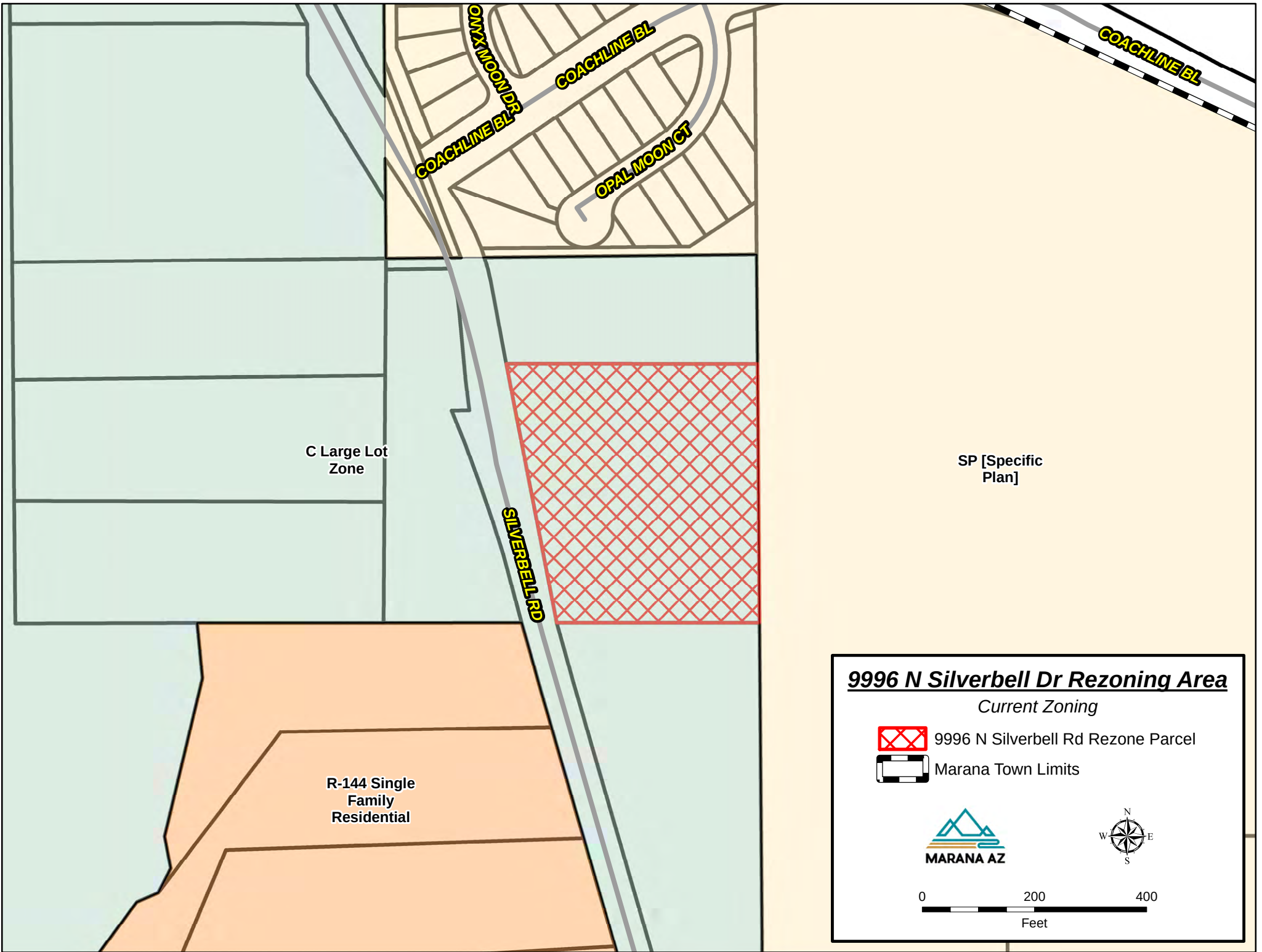
9996 N Silverbell Rd Rezone Parcel



Marana Town Limits







9996 N Silverbell Dr Rezoning Area

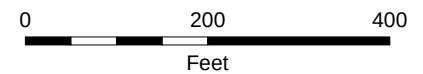
Current Zoning

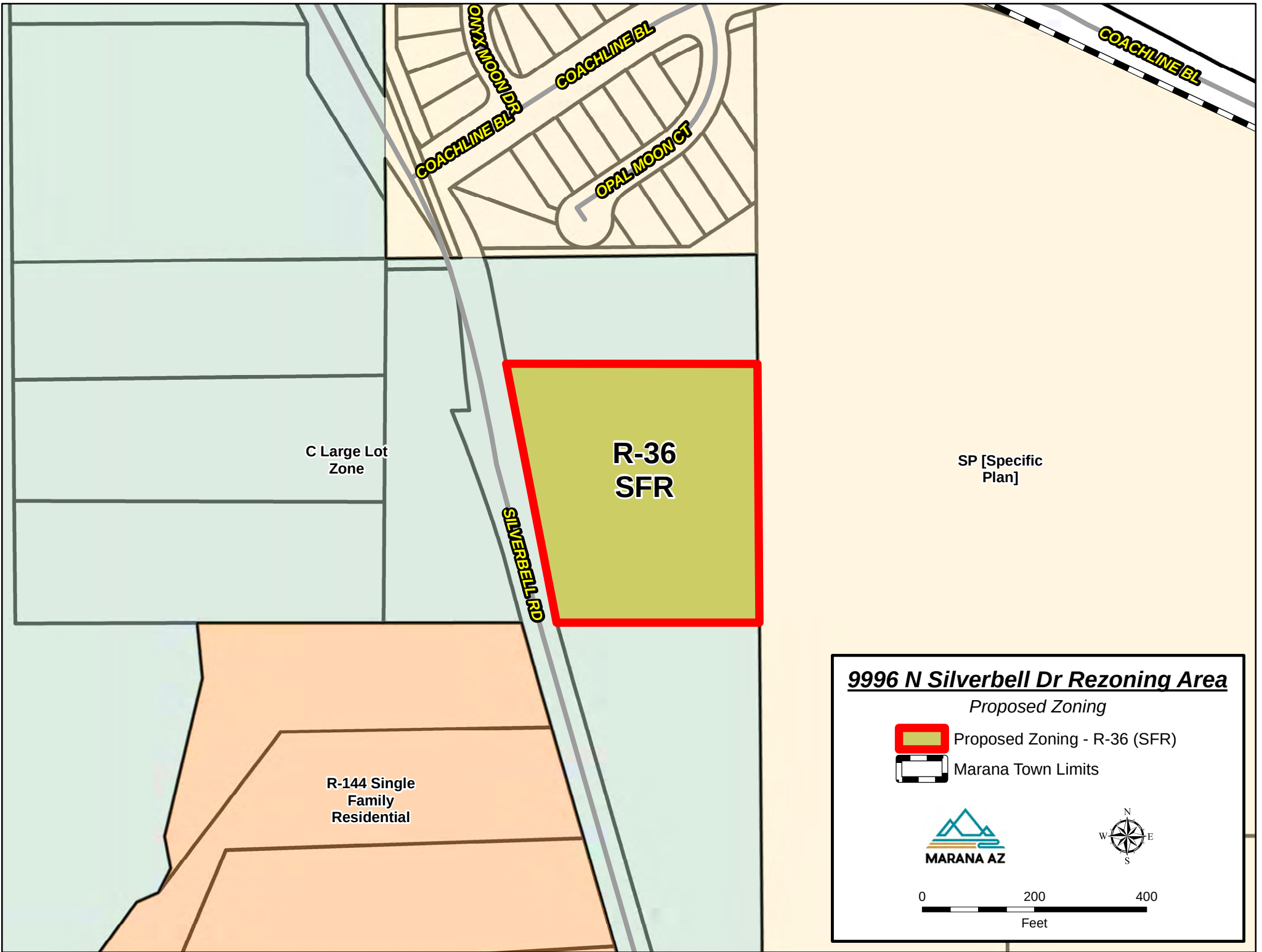


9996 N Silverbell Rd Rezone Parcel



Marana Town Limits





9996 N Silverbell Dr Rezoning Area

Proposed Zoning

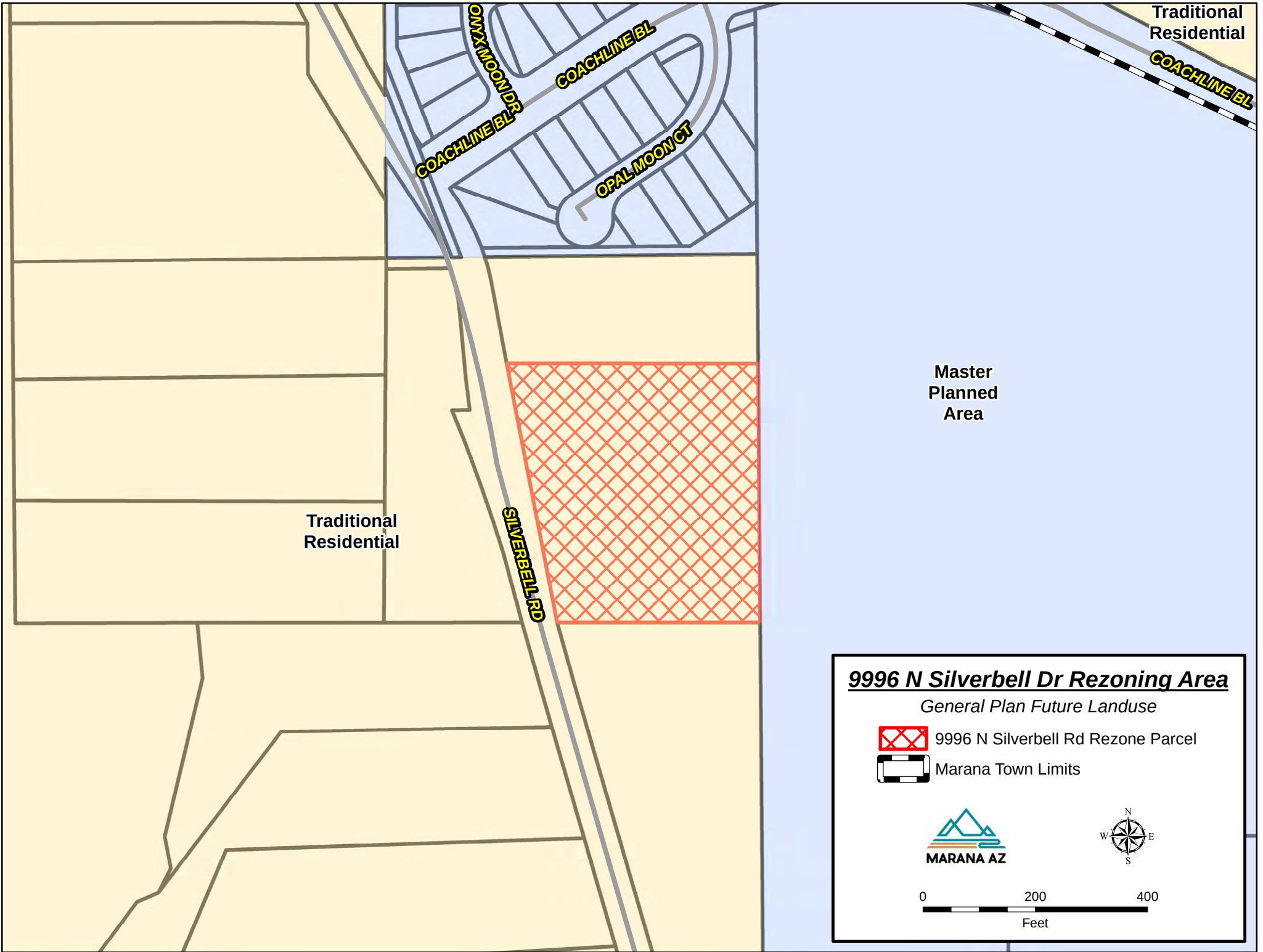
 Proposed Zoning - R-36 (SFR)

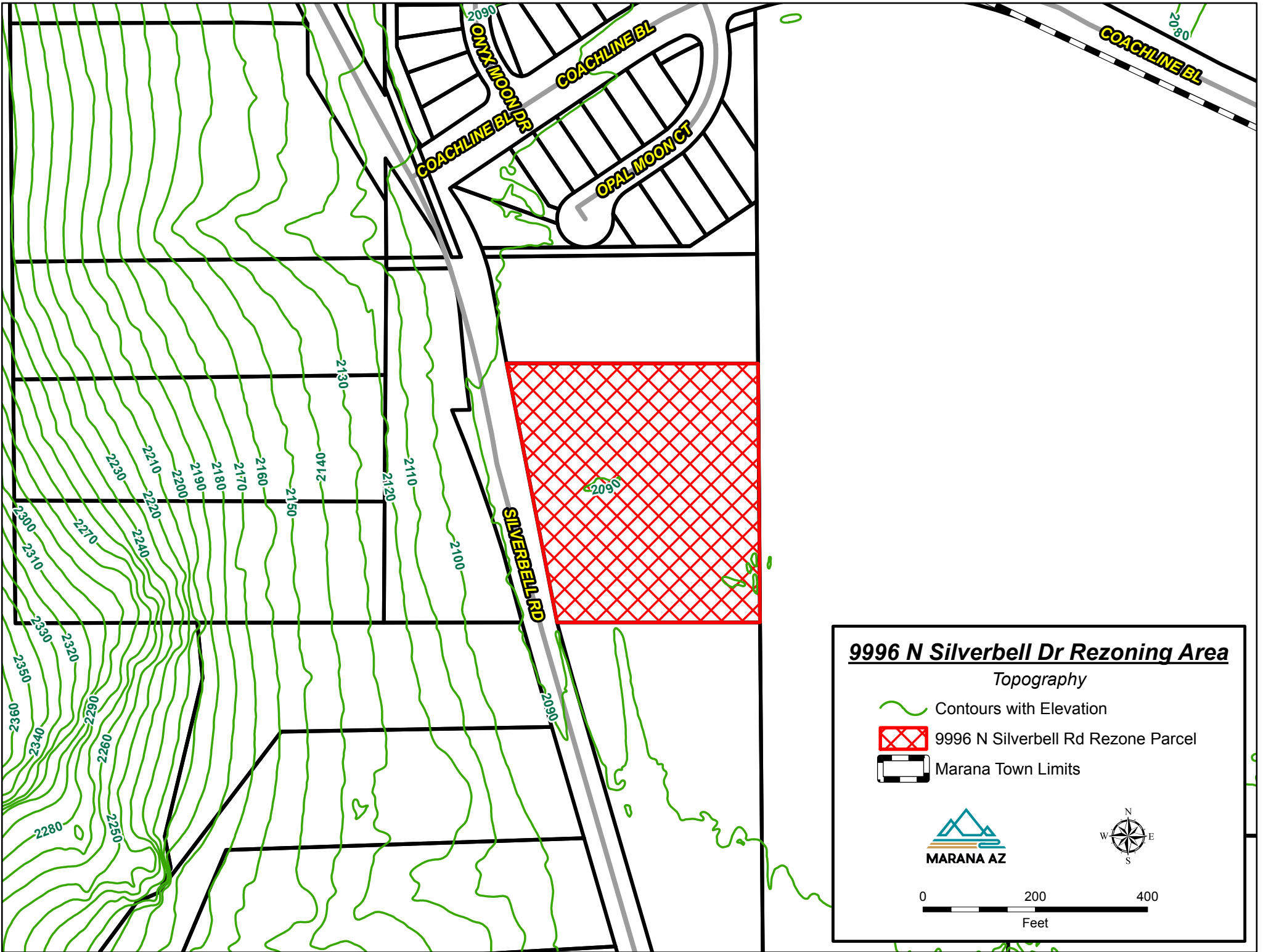
 Marana Town Limits

**MARANA AZ**



0 200 400
Feet







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: Silverbell Nelson Project

Description of Project: Rezoning and Minor Land Division

Number of Lots: 3

Parcel No.(s): 1

Gross Area (Acres): 3.9

Project Address: 9996 N Silverbell Road, Marana, AZ 85743

Ref. Project No.:

CONTACT INFORMATION

Owner: Richard R Nelson and Roseleta Harm

Contact Name: Rick Nelson

Address: 9996 N Silverbell Road

City: Marana

State: AZ

Zip: 85743

Email: nwelldrill@aol.com

Phone No.: (520) 682-8592

Applicant: Richard R Nelson

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

Consultant/Engineer: Lynn Hansen

Contact Name: Lynn Hansen

Address: PO Box 68511

City: Tucson

State: AZ

Zip: 85737

Email: lynnhansenaz@gmail.com

Phone No.: (520) 360-2318

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.)

Lynn Hansen for Richard R Nelson

Applicant Name (PRINT)



Signature

3/10/2023

Date

FOR OFFICIAL USE ONLY

Revision Date 03/29/2019

Project No. _____

Date Received _____



OWNER/APPLICANT AUTHORIZATION FORM

I Richard R Nelson, hereby authorize
{Property Owner}

Lynn Hansen to act on my behalf
{Applicant/Contractor}

regarding parcel(s) 226-04-027 D
{Parcel Number(s)}

located at 9996 N Silverbell Rd Marana, AZ
{Street Address}

As the property owner, I understand that I am responsible for any and all work that will result from the issuance of approvals and/or permits.

Richard R. Nelson
{Property Owner Signature}

9-9-21
{Date}

520 360 2318
{Phone Number}