MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
NOTICE AND AGENDA
11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, August 30, 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 August 30, 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 comments must be received by the Town no later than 12:00 p.m. (noon) on the day of the meeting.

REGULAR COMMISSION MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION/MOMENT OF SILENCE

ROLL CALL

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

APPROVAL OF AGENDA

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

A. Approval of the July 26, 2023 Meeting Minutes

B. Public Hearings

1. **CUP2308-001: The Marana Pumpkin Patch**; A request for approval of a conditional use permit to allow continued outdoor amusement use and an expansion of other proposed conditional uses, including as a special event venue and for other related activities including, but not limited to: concerts, community gatherings, carnivals, circuses, rodeos, and amusement parks, on approximately 370 acres of property generally located southeast of the intersection of W Hardin Road and N Trico Road. (Scott S. Radden)

2. **PCM2304-001:** Silverbell Crossroads Zoning Ordinance Condition Modification; A request for a recommendation to the Town Council approving a modification of a rezoning condition of Marana Ordinance No. 2006.29, which rezoned approximately 9.95 acres of land generally located at the southwest corner of the Ina Road and Silverbell intersection, removing zoning conditions that were intended to only allow a retail shopping center on the site and removing zoning conditions related to the now-completed Silverbell Road improvement project (Scott S. Radden)

3. **PCZ2304-001:** A request for a recommendation to the Marana Town Council for approval to rezone approximately 4.1 acres of land from R-144 (minimum lot size 144,000 square feet, single family residential) to VC (Village Commercial) and a minor amendment to the Marana 2040 General Plan land use designation from Low Density Residential (LDR) to Commercial (C) . The property is generally located approximately 800 feet south of the intersection of Ina Road and Silverbell Road, on the west side Silverbell Road, in Section 2, Township 13 South, Range 12 East, Pima County, Arizona. (Scott S. Radden)

4. **PCM2308-001:** Recommendation to the Town Council regarding revising Marana Town Code Title 17 (Land Development), chapter 17-4 (Zoning), section 17-4-3 (Use conditions matrix) to clarify that for home occupations, the use of amenities customarily incidental to a residential use is permitted subject to conditions. (Steven Cheslak)

5. **PCM2308-002:** Recommendation to the Town Council regarding revisions to Marana Town Code (MTC) Title 17 (Land Development) related to transitional housing; Section 17-1-6 (Definitions), revising definitions for “Single-family dwelling” and “Transitional housing”; Section 17-4-2 (Use matrix) Table 2 - Use matrix, revising the permissiveness of transitional housing uses in several zoning districts from allowed upon approval of a conditional use permit to allowed upon meeting specified conditions; Section 17-4-3 (Use conditions matrix) Table 3 - Conditions per use, adding conditions per use for transitional housing in the allowed zoning districts; revising MTC Chapter 17-6 “General and Miscellaneous Development Regulations” to add new Section 17-6-12 (Transitional housing) establishing development regulations for transitional housing and a reasonable accommodation waiver process; providing that the revisions adopted by the ordinance shall apply to all specific plans in the Town that have more restrictive zoning requirements for transitional housing (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

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: 08/30/2023

To: Planning Commission

From: Terri Byler, Executive Assistant

Date: August 30, 2023

Subject: **Approval of the July 26, 2023 Meeting Minutes**

Attachments

Planning Commission Summary Minutes from 7/26/2023

MARANA PLANNING COMMISSION
REGULAR MEETING

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, July 26, 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

DRAFT

CALL TO ORDER

Chairman Schnee called the meeting to order at 6:01 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. Commissioner Tyson seconded the motion. Motion passed, 6-0.

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

Approval of the Regular Planning Commission Meeting Summary Minutes of May 31, 2023.

Commissioner Bowen moved, and Commissioner Tyson seconded the motion, approving the meeting minutes, as presented. Motion passed 6-0.

PUBLIC HEARING

1. PCZ2306-003 Kurcz Callejas Wentz Rezone; A request for a recommendation to the Marana Town Council for approval to rezone approximately 8.7 acres of land, generally located on the north side of Sagebrush Road, approximately 825 feet east of Wentz Road, from Zone A (Small Lot) to R-144 (Residential). (Sarah A. Smith)

Planner, Sarah Smith presented on this item. **Ms. Smith** noted staff received an application for a transitional rezone from A-Small Lot Zone to Residential - R-144 with the intent to develop one single-family residence. The proposed rezoning accompanies a request to amend the Marana General Plan Land Use Map category designation from Traditional Neighborhood to Rural Residential.

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 recommended conditions and one additional condition:

"Upon demand of the Town, the Property Owners shall execute a quitclaim deed, in a form approved by the Town, releasing any interest in West Sagebrush Road along the southern border of Assessor's Parcel Number 217-21-016P."

Commissioner Flint asked for further clarification on the added condition. **Ms. Smith** noted the added condition is part of a cleanup. Staff received a quitclaim deed from the previous property owners. However, their signatures were not notarized. The current property owner will sign the same quitclaim deed so there is no dispute in the future.

Chairman Schnee opened the public hearing at 6:07 PM. Janice Reyher spoke in general on the item. She wanted to know the location of the property and how many residences would be allowed if the request was approved. **Planning Manager, Steve Cheslak** noted the R-144 zoning is a minimum of 3.3 acres per residence. The 8.7 acres would allow for two residences. However, this request is for only one residence on the property. **Chairman Schnee** closed the public hearing at 6:10 PM.

Motion to recommend to Town Council approval, subject to the recommended conditions and with the added condition regarding the quitclaim deed, by Chairman Schnee, seconded by Vice Chair Hill. Motion passed, 6-0.

2. PCZ2306-002 Bedroxx Industrial Rezone; A request for a recommendation to the Marana Town Council for approval to rezone approximately 1.75 acres of land, generally located on the west side of Camino Martin, 400 feet south of the Ina Road and Camino Martin intersection, from Village Commercial to Heavy Industrial. (Scott S. Radden)

Senior Planner, Scott Radden presented on this item. The applicant, Larsen Baker, representing Bedroxx Opportunity Fund, LLC (property owner.) The request is a none-site analysis rezone from Village Commercial to Heavy Industrial and a minor General Plan Amendment to Employment. The current zoning is split-zoned (HI) and (VC.) The intent is to create cohesive zoning and allow for development of future industrial use.

DRAFT

Mr. Radden noted staff received two comment letters late this afternoon from nearby business owners opposing the request to rezone. Commission received hard copies of the letters.

Melissa Lal, property owner, noted the property has been vacant for four years and previously operated as a nightclub, restaurant, and bowling alley. The property was purchased last year, with the intent to modify the property into a use that was more consistent with the surrounding area. A $3 million internal and external renovation of the property is planned. Ms. Lal stated they are more than happy to work with the neighboring tenants on the reciprocal private easement.

Chairman Schnee opened the public hearing at 6:24 PM. **Chairman Schnee** closed the public hearing at 6:24 PM.

Chairman Schnee had no concerns. **Commissioner Bowen** asked if they planned to split the building so it could serve multiple tenants. Ms. Lal noted they are hopeful to find one to two users. They are planning for some flexibility. **Commissioner Bowen** asked if Camino Martin would be able to handle the amount of anticipated traffic. Ms. Lal stated yes. The Ina Road easement would be used only as a secondary access, as in case of emergencies.

Motion to recommend to Town Council approval, subject to the recommended conditions and amended Bedroxx rezoning request; specifying the General Plan amendment to reflect (E) Employment, by Chairman Schnee, seconded by Commissioner Flint. Motion passed, 7-0.

3. PCZ2207-003 Mandarina South Rezoning; A request for a recommendation to the Marana Town Council for approval to rezone approximately 162 acres from Zone E - Transportation Corridor Zone to Specific Plan (SP). The property is generally located west of Mandarina Boulevard and north of Tangerine Road, in Section 31, Township 11S, Range 12E. (Scott S. Radden)

Senior Planner, Scott Radden presented on this item. The current land use is Commercial and current zoning is E -Transportation Corridor Zone. The proposed land use designation is Master Plan Area. The proposed land use includes Mandarina South Village Center, Mandarina South Corridor, Tortolita Corridor, and Mandarina South Parks and Open Space.

Mr. Radden noted that along with the staff recommended conditions, staff added an additional condition, “The Property Owners shall dedicate or cause to have dedicated to the Town all necessary rights-of-way and accessory easements associated with the drainage infrastructure improvements to be constructed by the Town for the Tangerine Road 2A Project.”

Staff modified the additional condition to read, ***“***The Property Owners shall discuss in good faith with the Town all necessary rights-of-way and accessory easements associated with the drainage infrastructure improvements to be constructed by the Town for the Tangerine Road 2A Project.”

Mr. Radden noted should the Planning Commission chose to recommend approval to the Town Council, staff recommends it is based upon the recommended findings and subject to the recommended conditions and the modified additional condition.

DRAFT

Reiss Anderson; representing the property owner, noted the key aspects of the project. A balance of commercial and residential development with higher intensity uses next to the arterial streets. The maximum number of proposed residential units will be limited to 1500. The open space will provide visual buffers with adjacent properties to the north and east. Parks will be located within residential areas and integrated with the CAP Canal Trail. The applicant is requesting to amend the General Plan from Commercial to Master Plan Area and rezone from Zoe E – Transportation Corridor Zone to Specific Plan.

Mr. Anderson noted they are in agreement with the modified condition that was previously read into record.

Chairman Schnee had no questions or concerns. **Commissioner Flint** asked why the applicant didn't agree to the former condition instead of the modified condition? We are proposing something that isn't a full commitment. Mr. Anderson noted they received the former condition late this afternoon and have not had time to review it. That is the reason for the modification to the condition. **Planning Manager, Steve Cheslak** noted staff wants language in the condition related to the 2A improvements. Staff just recently received the new legal descriptions of property along Tangerine Road, along the right-of-way and there are negotiations that need to be held. The discussion will happen before the August 15th Town Council meeting. **Commissioner Flint** wanted to add a condition that the matter be resolved prior to the August 15th Town Council meeting. Mr. Anderson agreed to this.

Chairman Schnee opened the public hearing at 6:40 PM. **Chairman Schnee** closed the public hearing at 6:40 PM.

No further comments or concerns from the Commission

Motion to recommend to Town Council approval, subject to the recommended conditions and two added conditions, "The Property Owners shall discuss in good faith with the Town all necessary rights-of-way and accessory easements associated with the drainage infrastructure improvements to be constructed by the Town for the Tangerine Road 2A Project." and to resolve the matter prior to Town Council, by Chairman Schnee, seconded by Commissioner Flint. Motion passed, 6-0.

COMMISSION ACTION

INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS

ELECTION OF BOARD CHAIRPERSON AND VICE-CHAIRPERSON

Motion moved by Commissioner Bowen to nominate Tom Schnee as Chair of the Planning Commission, seconded by Commissioner Flint. Motion passed unanimously, 5-0.

Motion moved by Commissioner Bowen to nominate Ron Hill as Vice Chair of the Planning Commission, seconded by Commissioner Flint. Motion passed unanimously, 5-0.

DRAFT

FUTURE AGENDA ITEMS

ADJOURNMENT

Chairman Schnee asked for a motion to adjourn the meeting.

Commissioner Bowen moved to adjourn the meeting. Seconded by Commissioner Flint. The motion passed, 6-0. The meeting adjourned at 6:43 pm.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on July 26, 2023. I further certify that a quorum was present.

Terri Byler

Terri Byler, Planning Commission Secretary

DRAFT

Planning Commission Regular Meeting

Meeting Date: 08/30/2023

To: Planning Commission

Submitted For: Scott Radden, Senior Planner

From: Scott Radden, Senior Planner

Date: August 30, 2023

Strategic Plan Focus Area:
Not Applicable

Subject: **CUP2308-001: The Marana Pumpkin Patch**; A request for approval of a conditional use permit to allow continued outdoor amusement use and an expansion of other proposed conditional uses, including as a special event venue and for other related activities including, but not limited to: concerts, community gatherings, carnivals, circuses, rodeos, and amusement parks, on approximately 370 acres of property generally located southeast of the intersection of W Hardin Road and N Trico Road. (Scott S. Radden)

Discussion:

Request

Post Land Company, LLC has submitted an application for a Conditional Use Permit (CUP) to continue outdoor amusement use and to allow an expansion of other proposed conditional uses, including as a special event venue and for other related activities including, but not limited to: concerts, community gatherings, carnivals, circuses, rodeos, and amusement parks, on approximately 370 acres of property generally located southeast of the intersection of W Hardin Road and N Trico Road. The applicant's intent is to provide outdoor amusement and special events including: concerts, community gatherings, carnivals, circuses, rodeos, equestrian events, dog shows, tractor pulls, monster truck rallies, haunted house, weddings, pumpkin patches, train rides, zip lines, fishing, boating, tractor rides, games, sporting events, water slides, amphitheater, stadium, drive-in theater, music festivals and related uses and activities. The applicant also seeks authorization to offer retail sales related to the approved activities and events conducted on the site. The applicant requests that the CUP allow the additional uses of: rodeo grounds, dairy farm, livestock auction yard, campground, resort, RV park, shooting range (indoor and outdoor), petting zoo, horse track, restaurant, veterinary clinic, and food processing facility.

"Outdoor amusement" is defined in Marana Town Code as: "An establishment that offers games, rides, or other similar activities in a fixed location, including but not limited to miniature golf, amusement park, water slide, amphitheater, stadium, track, and drive-in theater."
"Special event venue" is defined in Marana Town Code as: "A location primarily devoted to special events such as weddings, large parties, and banquets."

Location

The property consists of approximately 370 acres and includes seven parcels: 208-12-001R, 208-12-001E, 208-12-001V, 208-12-001S, 208-12-001U, 20812001T, and a portion of 208-12-001N. The site is generally located southeast of the intersection of W Hardin Road and N Trico Road within a portion of Section 14, Township 11S, Range 10E.

Zoning and Land Use

The property subject to this application is also the subject of a concurrent petition to the Town of

Marana for annexation. The request was approved by the Mayor and Town Council on August 22, 2023 by the adoption of Ordinance No. 2023.027. The annexation ordinance will be effective 31 days after its adoption, on September 22, 2023. The property is currently zoned RH (Rural Homestead) in Pima County. The annexation ordinance established original Town zoning of AG (Agricultural) which permits densities and uses that are no greater than those permitted by Pima County immediately before annexation. The property's current land use is farming and as the site of the Marana Pumpkin Patch & Farm Festival agritourism business. The property is surrounded by agriculture to the north and east, with the Santa Cruz River and undeveloped desert lands to the south and west. The entirety of the property is in the Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) AE Zone. The majority of parcel 208-12-001N is within the FEMA Floodway, associated with the Santa Cruz River. Future development within these areas must comply with federal state and local requirements as necessary.

The Marana Pumpkin Patch hosts festivals and attractions throughout the year during which guests can participate in a u-pick pumpkin patch, corn mazes, zip lines, jumping pillows, farm-themed play areas and games, train rides, farming exhibits, and related activities and attractions. A bakery, restaurant, food vendors, and country store are also featured. Pumpkins, corn, and grasses are currently cultivated on much of the site. Portions of the site are also dedicated to residential housing for employees. The Marana Pumpkin Patch's typical hours of operation consist of Monday through Friday, 5:00 am to 6:00 pm. During peak periods, hours of operation include evening and weekend hours. The applicant desires flexibility within the CUP to adjust the season, time, and duration of operations. It is estimated that approximately 80% of the vehicular traffic generated during events will access the site from Interstate 10 to the north via Trico Marana Road and Pinal Airpark Road. The remaining 20% of the traffic accesses the site from Hardin Road and Luckett Road to the east.

Based on past events at the Marana Pumpkin Patch, except in the case of emergency situations, the applicant does not anticipate the need for services from the Marana Police Department or Avra Valley Fire District.

Public Notification
This public hearing was properly advertised and all property owners within 300 feet of the subject property were sent letters informing them of the proposed use. As of the date of this report, staff has not received any correspondence either in support or opposition to this project.

Recommended Findings of Fact
Staff finds that this proposal, when subject to the recommended conditions listed in the Staff Recommendation section, is consistent with the intent of the Town of Marana 2040 General Plan and the Town of Marana Land Development Code, and complies with the requirements of a conditional use permit. Staff finds the following:

1. The applicant has demonstrated that the proposed use is appropriate to the specific location.
2. The proposed use does not appear to be detrimental to the immediate area and to the health, safety, and general welfare of the inhabitants of the area and the Town of Marana.
3. The proposed use will not adversely affect the orderly development of property within the Town.
4. The proposal will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the Town of Marana.
5. The proposed use is consistent with the objectives, policies, general land uses and programs specified in the Town of Marana General Plan.
6. The proposed use is not anticipated to create a nuisance or enforcement problem within the neighborhood.
7. The proposed use will not encourage marginal development within the neighborhood.
8. The proposed use is not anticipated to create a demand for public services with the Town beyond that of the ability of the Town to meet in the light of taxation and spending restraints imposed by law.
9. The proposed use does not conflict with the Town's approved funding priorities.

10. The proposed site is adequate in size and shape to accommodate the intended use and all requirements for the zone district including but not limited to setbacks, walls, landscaping and buffer yards.

Staff Recommendation:

The Planning Commission may grant, grant with conditions, or deny a Conditional Use Permit application. If the application is denied, the Planning Commission shall make factual findings on the public record with the reasons for the denial. The Planning Commission may place any conditions which are deemed necessary to mitigate potential impacts and insure compatibility of the use with surrounding development and the Town as a whole.

Staff recommends approval of the Conditional Use Permit with the following conditions:

1. The CUP shall be effective upon the effective date of the annexation ordinance, Marana Ordinance No. 2023.027, approved by the Marana Town Council on August 22, 2023.
2. Outdoor amusement establishment and special event venue uses as defined in Town Code are permitted. The following uses are approved as a part of the outdoor amusement establishment and special event venue uses: concerts, community gatherings, carnivals, circuses, rodeos, equestrian events, dog shows, tractor pulls, monster truck rallies, haunted house, weddings, pumpkin patches, train rides, zip lines, fishing, boating, tractor rides, games, sporting events, water slides, amphitheater, stadium, drive-in theater, music festivals, and related uses and activities.
3. The permittee may operate rodeo grounds, a campground, a petting zoo, and a restaurant as a part of and in conjunction with the operations of the outdoor amusement establishment and special event venue uses only.
4. Retail sales are permitted as a part of and in conjunction with the operations of the outdoor amusement establishment and special event venue uses only; retail establishments are prohibited in the AG zone.
5. Other uses requested by the property owner, including dairy farm, livestock auction yard, resort, RV park, shooting range (indoor and outdoor), horse track, veterinary clinic, and food processing facility are denied as a part of this application. The property owner must submit separate applications for conditional use permits for those uses, with detailed information regarding the operation of each type of use in order for the Planning Commission to make the requisite findings under Marana Town Code Section 17-3-2(D).

Suggested Motion:

I move to approve CUP2308-001, a Conditional Use Permit for the Marana Pumpkin Patch, subject to the recommended conditions in the staff report.

Attachments

Application
Narrative
Location Map
Plan

MARANA AZ

Development Services / maranaAZ.gov
11555 West Civic Center Drive / Marana, AZ 85653
Ph (520) 382-2600 / Fax (520) 382-2641

PROJECT APPLICATION

APPLICATION TYPE

☐ Annexation	☐ Development Plan	☐ Development Plan Package	☐ General Plan Amendment
☐ Rezone	☐ Minor Land Division	☐ Translational Rezone	☒ 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: The Marana Pumpkin Patch	
Description of Project: Conditional Use Permit - with Annexation	Number of Lots: n/a
Parcel No.(s): 208-12-001R,001E,001V,001S,001U,001T, and a portion of 001N	Gross Area (Acres): 370
Project Address: 14950 N. Trico Rd., Marana, AZ 85653	
Ref. Project No.: ANX2306-001	

CONTACT INFORMATION

Owner: Post Land Company	Contact Name: Jon Post		
Address: 14950 N. Trico Rd.	City: Marana	State: AZ	Zip: 85653
Email: jonpost@aol.com	Phone No.: 520-305-5481		
Applicant: Same as Owner	Contact Name:		
Address:	City:	State:	Zip:
Email:	Phone No.:		
Consultant/Engineer: Post & Lebsock, PLLC	Contact Name: Del Post		
Address: 201 W. Main St., STE 101	City: Missoula	State: MT	Zip: 59802
Email: dpost@postlebsock.com	Phone No.: 406-926-3416		

APPLICANT AUTHORIZATION

By signing below, I hereby acknowledge that I have read the information provided online at maranaaz.gov/arsnotice and certify that the information set forth in this application are true and correct to the best of my knowledge. I am either the owner of the property or I have been **authorized in writing** by the owner to file this application. (If the applicant is not the owner, attach written authorization from the owner)

Jon Post	Jon Post	8-7-23
Applicant Name (PRINT)	Signature	Date

FOR OFFICIAL USE ONLY

Revision Date 05/16/2023

Project No._____ **Date Received**_____

THE MARANA PUMPKIN PATCH
Application for Conditional Use Permit
(related application: ANX2306-001)
(Third Submittal)

I. Project Narrative

The Marana Pumpkin Patch is an agritourism destination located just outside Town of Marana corporate limits at the intersection of Hardin Road and Trico Road. Since 2011, the Marana Pumpkin Patch has been successfully providing agritourism experiences to the public by linking a working farm with outdoor attractions. The applicant, Post Land Company, LLC, has previously submitted a voluntary annexation request to annex the Marana Pumpkin Patch. At the time of this submittal, the applicant's annexation request is still under review and pending Town of Marana approval.

In conjunction with its annexation request, the applicant is requesting that the Town of Marana issue a Conditional Use Permit ("CUP") authorizing the applicant to continue the existing uses on the site as well as a broad range of proposed uses.

A. Existing and Proposed Uses

The existing uses on the site consist of farming and agritourism. A.R.S. §3-111(2) defines agritourism as "any activity that allows members of the general public, for recreational or educational purposes, to view, enjoy or participate in rural activities, including farming, ranching, historical, cultural, u-pick, harvest-your-own produce or natural activities and attractions. The Marana pumpkin patch hosts festivals and attractions throughout the year during which guests enjoy a u-pick pumpkin patch, corn mazes, zip lines, jumping pillows, farmed-themed play areas and games, train rides, farming exhibits and related activities and attractions. A bakery, restaurant, food vendors, and country store are also featured. Pumpkins, corn, and grasses are currently cultivated on much of the site. Portions of the site are also dedicated to residential housing for employees.

i. AG Zoning - Proposed Uses

As part of the applicant's annexation request, the applicant is proposing the Town apply AG zoning to the site. If approved, the following uses are either permitted or accessory uses within the AG zoning designation:

> Agriculture, farming, ranching, farmers markets, manufactured houses, modular homes, accessory building/structures, carports, fences walls, garages, guest quarters, bed and breakfast, vacation rentals, golf courses, sports courts, swimming pools, community gardens, corrals/barns, greenhouses, livestock, nurseries, riding arenas, stables, community recreation, parking lot, and office.

ii. Conditionally Permitted – Proposed Uses

The applicant seeks approval of a Conditional Use Permit to authorize the following conditional uses identified in Town Code section 17-402, Table 2, within the proposed AG zoning designation:

> Outdoor Amusement, special event venue, rodeo grounds, dairy farm, livestock auction yard, campground, resort, RV park, shooting range (indoor and outdoor), petting zoo, horse track, restaurant, veterinary clinic, food processing facility.

Though not specifically identified in the previously referenced Table 2, the applicant believes the following specific uses would be allowed if the Town approves the applicant's request for a CUP:

> Outdoor amusements and special events such as, for example: concerts, community gatherings, carnivals, circuses, rodeos, equestrian events, dog shows, tractor pulls, monster truck rallies, haunted house, weddings, pumpkin patches, train rides, zip lines, fishing, boating, tractor rides, games, sporting events, water slides, amphitheater, stadium, drive-in theater, music festivals and retailed uses and activities.

The applicant also seeks authorization to offer retail related to the approved activities and events conducted on the site.

B. Other Pertinent Information

The Marana Pumpkin Patch offers seasonal events during the year for Spring, Fall, and Winter and also hosts private events throughout the year. The number of employees varies depending on the time of year, but the Marana Pumpkin Patch relies on roughly 25 employees year-round and up to 250 employees for peak periods of operation. Similarly, hours of operation vary depending on the time of year. Typical hours of operation consist of Monday through Friday, 5:00 am to 6:00 pm. During peak periods, hours of operation include evening and weekend hours. The applicant desires flexibility within the CUP to adjust the season, time, and duration of operations, including the flexibility to add additional events and operations on the site.

Existing parking facilities allow parking capacity for up to 4,000 vehicles. Even during peak hours, the parking capacity is not exceeded.

The type of traffic generated from events and activities on the site is light vehicles or passenger cars (e.g. car, truck, non-bus). It is estimated that approximately 80% of the vehicular traffic generated during events accesses the site from Interstate 10 to the north via Trico Marana Road Pinal Airpark Road Traffic. The remaining 20% of the traffic accesses the site from Hardin Road and Luckett Road to the east.

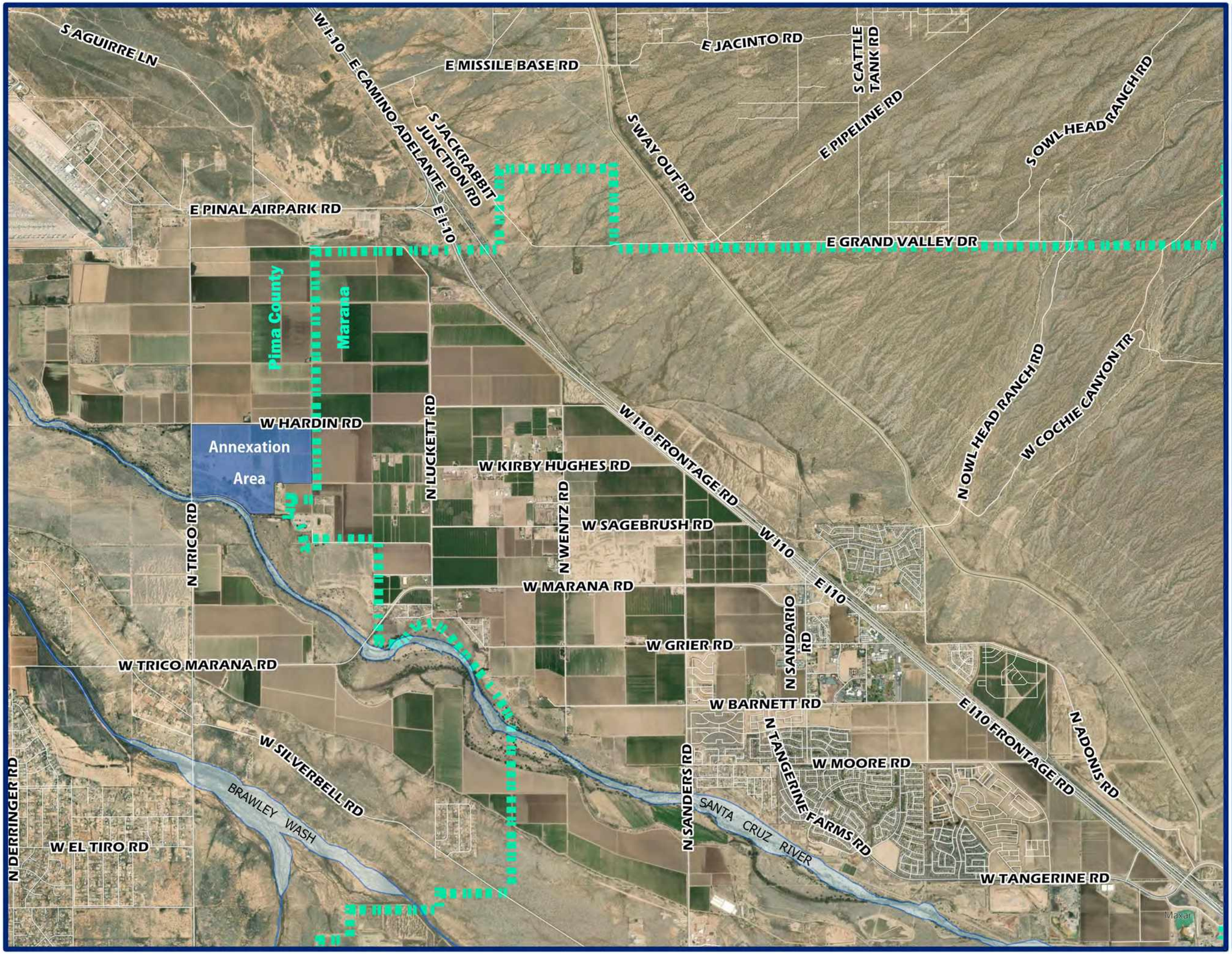
Based on past events, except in the case emergency situations, which are exceedingly rare, the applicant does not anticipate the need for services from the Marana Police Department or Avra Valley fire department.

II. Site Plan and Related Information

A site plan is attached hereto as Exhibit "A" showing property boundaries and dimensions, adjacent streets/rights of way, location and size of structures located on the site, access/egress and parking areas. The site is serviced by private water and sewer facilities. No additional utility facilities are anticipated. All of the land uses adjacent to the site are used as agricultural or agritourism except as follows: Parcels G, H, and F on Map 1 are residential, parcel A of Map 1 is owned and managed by Pima County Flood Control District and is contained within the floodway of the Santa Cruz River, and parcels P and Q on Map 1 are owned by the Town of Marana and used as part of the Town's waste water facility.

TOWN OF MARANA

PIMA COUNTY, AZ



Marana Corporate Limits

Water Features

Annexation Area

N

0 0.5 1 Miles

Date: 2023.8.11



N

150 75 0 150 300

GRAPHIC SCALE
1" = 150'

LEGEND

1. ADMISSIONS
2. COUNTRY STORE
3. RED BARN GRILL
4. BAKERY
5. EMPLOYEE LOUNGE
6. BATHROOM 1
7. TRAIN DEPOT
8. CONCESSION STAND 1
9. JUMPING PILLOWS
10. PLAYGROUND
11. POND
12. CONCESSION STAND 1
13. BATHROOM 2
14. BRIDGE
15. STAGE
16. ENTRANCE BARN
17. ACTIVITY BARN 1
18. CONCESSION STAND 3
19. ACTIVITY BARN 2
20. BATHROOM 3
21. ACTIVITY BARN 3
22. FARM FIELD/ FLOWERS
23. FARM FIELD/ CORN MAZE
24. ANIMAL PASTURE
25. TRAIN TRACK
26. ZIPLINE
27. PUMPKIN CANNONS
28. ACTIVITES
29. FACILITY STORAGE/DELIVERY UNLOADING
30. PARKING
31. EMPLOYEE HOUSING
32. LIGHT INDUSTRIAL MACHINE SHOP
33. REDDI MIX BATCH PLANT
34. MAINTENANCE SHOP

DIRT TRAIL
DIRT ROAD
MAIN ROAD

Bowman

Bowman Consulting Group, Ltd.
3275 w. Ina Road, Suite 220,
Tucson, Az 85741
TPhone: (520) 463-3200
www.bowmanconsulting.com

© Bowman Consulting Group, Ltd.

SITE MAP

PROJECT:

MARANA PUMPKIN PATCH

PIMA COUNTY, ARIZONA

JOB NO.
051545-01-001

051545 - SITE PLAN.dwg

SHEET NO.
1

1 OF 1

CAD FILE NAME: V:\051545 – Post Land\051545-01-001 (SUR) – Marana Pumpkin Patch Flood Certification\Survey\DWG\Pumpkin Patch Site Plan\051545 – SITE PLAN.dwg 08/09/2023

Planning Commission Regular Meeting

Meeting Date: 08/30/2023

To: Planning Commission

Submitted For: Scott Radden, Senior Planner

From: Scott Radden, Senior Planner

Date: August 30, 2023

Strategic Plan Focus Area:
Not Applicable

Subject: **PCM2304-001:** Silverbell Crossroads Zoning Ordinance Condition Modification; A request for a recommendation to the Town Council approving a modification of a rezoning condition of Marana Ordinance No. 2006.29, which rezoned approximately 9.95 acres of land generally located at the southwest corner of the Ina Road and Silverbell intersection, removing zoning conditions that were intended to only allow a retail shopping center on the site and removing zoning conditions related to the now-completed Silverbell Road improvement project (Scott S. Radden)

Discussion:

Request

The Planning Center is requesting a recommendation to the Town Council for approval to modify Section 3 of Marana Ordinance No. 2006.29, adopted by the Marana Town Council on September 19, 2006, approving a rezoning for the 9.95-acre Silverbell Crossroads development. The ordinance rezoned four parcels totaling 9.95 acres on the southwest corner of Ina Road and Silverbell Road from NC (Neighborhood Commercial, 6.3 acres) and R-144 (Single Family Residential, 3.65 acres) to VC (Village Commercial).

The requested modifications for Section 3 of Ordinance No. 2006.29 are listed below. Requested items for removal are depicted by ~~strikethrough~~ and items to be added are <u>underlined</u>.

Section 3. ~~The intent of the rezoning is to allow for the development of a retail shopping center.~~ This rezoning is subject to the following conditions, the violation of which shall be treated in the same manner as a violation of the Town of Marana Land Development Code (but which shall not cause a reversion of this rezoning ordinance):
1. Compliance with all provisions of Town's Codes, Ordinances, and policies of the General Plan current at the time of development including, but not limited to, requirements for public improvements.
~~2. Compliance with Title 24.S.Use Regulations in the Silverbell Road Commercial Overlay District of the Land Development Code with the following exemptions:~~
~~a. Allow one bank drive-through location and facility generally as shown in the tentative development plan.~~
~~b. Allow one restaurant drive--through location and facility generally as shown in the tentative development plan.~~
~~3. The developer shall provide enhanced landscape and/or hardscape to ensure that headlights from cars entering the drive-through lanes do not shine onto adjacent property.~~
~~4. The developer shall be responsible for all improvements needed onsite and for the offsite driveway connections and sewerage. The developer shall be responsible for making a monetary contribution to the Town to in an amount sufficient to cover the cost of the design and construction of a northbound left tum lane in Silverbell Road at the south driveway and a westbound left turn lane in Ina Road at the west driveway to be incorporated into the Silverbell Road improvement project.~~
~~5. The Town of Marana shall not issue a certificate of occupancy for any commercial use in the proposed shopping center until the Town's capital improvement project on Silverbell Road is substantially completed.~~
<u>2. Any plat or development plan for any portion of the property submitted after the effective date of this ordinance shall be in general conformance with the conceptual land use plan attached to and incorporated in this ordinance by this reference as Exhibit 1: Conceptual Land Use Plan.</u>
<u>3. Drive-through facilities are prohibited in the Rezoning Area.</u>

Surrounding Land Use and Zoning

To the north of the subject properties, across Ina Road, is vacant property zoned Silverbell Gateway Specific Plan that allows for a wide range of residential and commercial uses. The Amazon distribution center, also zoned Silverbell Gateway Specific Plan, is located at the northeast corner of the Silverbell Road and Ina Road intersection. A Circle K gas/convenience store is located at the southeast corner of the Silverbell Road and Ina Road intersection, zoned Riverside at Gateway Specific

Plan. To the west of the subject properties is the Pima County Bridlewood West Subdivision zoned Single Residence (CR-1). Vacant property zoned R-144 single-family residential (SFR) is located to the south of the subject properties.

Land Use and Analysis

Review of the documents pertaining to the 2006 Silverbell Crossroads rezoning ordinance revealed the zoning conditions restricting development on the property are less relevant today based on several factors. Off-site improvements to Silverbell Road and Ina Road have already occurred and most of the Ina/ Silverbell intersection area is built-out or is currently being developed. The intent of the owner is to develop this property and another four acres directly to the south (a total of 13.4 acres) as a multi-familly development consisting of eight buildings with 240 units. Multi-family residential is normally considered a less intense use and a buffer between major arterials and single-family residential subdivisions, versus a retail shopping center. A retail shopping center would create an area of high traffic uses and would create greater commercial activity throughout the day. The property has remained vacant for over 17 years since the rezone and now offers an opportunity for infill and offers more housing opportunities within Marana. Multi-family residential is normally permitted by right in the Village Commercial zoning district.

Regarding the removal of the rezoning condition #4, the Marana Traffic Division has determined the Ina Road driveway will be exit only and the existing westbound left turn lane is adequate on Ina Road. The Traffic Impact Analysis (TIA) for the accompanying adjacent parcel rezoning has determined the existing approximately 200 ft storage on northbound Silverbell Road at the proposed Driveway "B" is more than enough to accommodate the traffic. In addition, the westbound Ina Road and Northbound Silverbell Road turn lanes were built between the years of 2008 – 2010 with the project that widened Silverbell Road from two lanes to four lanes from Cortaro Road to Ina Road. The combination of these improvements over the past years will account for the obligations imposed by the existing rezoning condition #4 and render it irrelevant. Condition #5 can also be deleted due to the completion of the Silverbell Road project.

Access and Circulation

The subject property is adjacent to Silverbell Road and Ina Road, which are major north/south and east/west arterial connections, and is supported by existing and improved infrastructure.

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 via a virtual Zoom meeting. Two surrounding property owners attended the meeting.

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 August 23, 2023, comments were received from the property owner to the South and provided to the Commission for review.

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.
2. Any plat or development plan for any portion of the Rezoning Area submitted after the effective date of this ordinance shall be in general conformance with the conceptual land use plan attached to and incorporated in this ordinance by this reference as Exhibit 1: Conceptual Land Use Plan.
3. Drive-through facilities are prohibited in the Rezoning Area.

Suggested Motion:

I move to recommend to the Town Council, approval of PCM2304-001, Silverbell Crossroads Zoning Ordinance Condition Modification, subject to the recommended conditions.

Attachments

Ordinance

Exhibit 1

Original Ord No 2006.29
Application
Change of Request Letter
Public Participation

MARANA ORDINANCE NO. 2023.XXX

RELATING TO DEVELOPMENT; APPROVING MODIFICATIONS TO REZONING CONDITIONS OF MARANA ORDINANCE NO. 2006.029, WHICH REZONED APPROXIMATELY 9.95 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF INA AND SILVERBELL ROADS, TO DELETE ZONING CONDITIONS THAT WERE INTENDED TO ONLY ALLOW A RETAIL SHOPPING CENTER ON THE SITE AND TO REMOVE ZONING CONDITIONS RELATED TO THE NOW-COMPLETED SILVERBELL ROAD IMPROVEMENT PROJECT

WHEREAS the Mayor and Council of the Town of Marana adopted Ordinance No. 2006.029 on September 19, 2006, approving a rezoning of approximately 9.95 acres of land generally located at the southwest corner of the intersection of Ina and Silverbell Roads; and

WHEREAS approval of the rezoning was subject to a number of conditions, including conditions that were intended to only allow a retail shopping center on the site, and conditions related to the now-completed Silverbell Road improvement project; and

WHEREAS MC Companies recently purchased the four parcels comprising the 9.95-acre property and a 4.13-acre parcel to the south to develop The Place at Ina Crossroads, a 240-unit apartment community; and

WHEREAS MC Companies has applied to the Town to remove rezoning conditions from Ordinance No. 2006.029 that are no longer applicable to the site, due to the proposed apartment use of the site and due to changed circumstances since 2006; and

WHEREAS the Mayor and Council find that the condition modifications set forth in this ordinance are in the best interests of the Town and its citizens.

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

Section 1. Section 3 of Marana Ordinance No. 2006.029 is hereby revised as follows, with deletions shown with ~~strikeouts~~ and additions shown with double-underlining:

Section 3. ~~The intent of the rezoning is to allow for the development of a retail shopping center.~~ This rezoning is subject to the following conditions, the violation

of which shall be treated in the same manner as a violation of the Town of Marana Land Development Code (but which shall not cause a reversion of this rezoning ordinance):

1. Compliance with all provisions of Town's Codes, Ordinances, and policies of the General Plan current at the time of development including, but not limited to, requirements for public improvements.

~~2. Compliance with Title 24.S. Use Regulations in the Silverbell Road Commercial Overlay District of the Land Development Code with the following exemptions:~~

~~a. Allow one bank drive-through location and facility generally as shown in the tentative development plan.~~

~~b. Allow one restaurant drive-through location and facility generally as shown in the tentative development plan.~~

~~3. The developer shall provide enhanced landscape and/or hardscape to ensure that headlights from cars entering the drive-through lanes do not shine onto adjacent property.~~

~~4. The developer shall be responsible for all improvements needed onsite and for the offsite driveway connections and sewerage. The developer shall be responsible for making a monetary contribution to the Town to in an amount sufficient to cover the cost of the design and construction of a northbound left tum lane in Silverbell Road at the south driveway and a westbound left turn lane in Ina Road at the west driveway to be incorporated into the Silverbell Road improvement project.~~

~~5. The Town of Marana shall not issue a certificate of occupancy for any commercial use in the proposed shopping center until the Town's capital improvement project on Silverbell Road is substantially completed~~.

2. Any plat or development plan for any portion of the Rezoning Area submitted after the effective date of this ordinance shall be in general conformance with the conceptual land use plan attached to and incorporated in this ordinance by this reference as Exhibit 1: Conceptual Land Use Plan.

3. Drive-through facilities are prohibited in the Rezoning Area.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed as of the effective date of this ordinance; provided, however, that this repeal shall not affect the rights and duties that matured or penalties that were incurred and proceedings that were begun before the effective date of the repeal.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any

court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this _____ day of _____, 2023.

_____
Mayor Ed Honea

ATTEST:

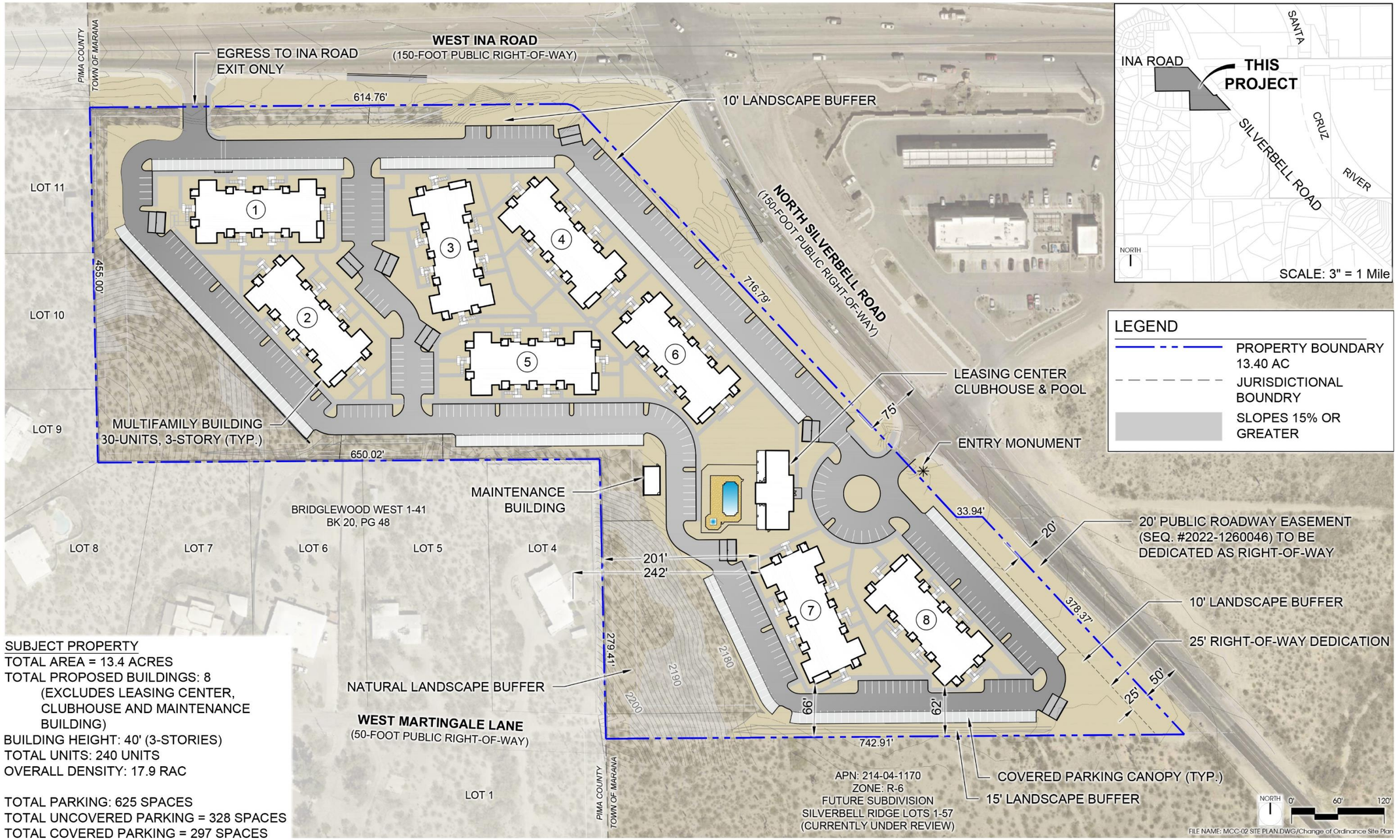
_____
David L. Udall, Town Clerk

APPROVED AS TO FORM:

_____
Jane Fairall, Town Attorney

DRAFT

Exhibit 1: Conceptual Land Use Plan



SUBJECT PROPERTY
TOTAL AREA = 13.4 ACRES
TOTAL PROPOSED BUILDINGS: 8
(EXCLUDES LEASING CENTER, CLUBHOUSE AND MAINTENANCE BUILDING)
BUILDING HEIGHT: 40' (3-STORIES)
TOTAL UNITS: 240 UNITS
OVERALL DENSITY: 17.9 RAC

TOTAL PARKING: 625 SPACES
TOTAL UNCOVERED PARKING = 328 SPACES
TOTAL COVERED PARKING = 297 SPACES

a 2 e. congress ste 600 tucson az 85701
o 520.623.6146
f 520.622.1950
w azplanningcenter.com

THE PLANNING CENTER
a division of TPC Group, Inc.

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: SGP
DEPUTY RECORDER
1456 PE2

SMARA
TOWN OF MARANA
ATTN: TOWN CLERK
11555 W CIVIC CENTER DR
MARANA AZ 85653

DOCKET: 12895
PAGE: 2546
NO. OF PAGES: 7
SEQUENCE: 20061840605
09/22/2006
ORDIN 14:57

MAIL
AMOUNT PAID $ 9.00

MARANA ORDINANCE NO. 2006.29

RELATING TO DEVELOPMENT; APPROVING AND AUTHORIZING A REZONING FOR SILVERBELL CROSSROADS.

WHEREAS, MJM Consulting represents the property owners of 9.95 acres of land located within a portion of Section 2, Township 13 South, Range 12 East, as depicted on Exhibit "A" and Exhibit "B" attached hereto; and

WHEREAS, the Marana Planning Commission held a public hearing on August 30, 2006, and at said meeting voted 5-0 (Commissioner Wostenberg declaring a conflict of interest and Commissioner Hestwood excused) to recommend that the Town Council approve said rezoning; and

WHEREAS, the Marana Town Council heard from representatives of the owner, staff and members of the public at the regular Town Council meeting held September 19, 2006, and has determined that the rezoning should be approved.

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

Section 1. The rezoning of 9.95 acres of land generally located within a portion of Section 2, Township 13 South, Range 12 East at the southwest corner of Ina Road and Silverbell Road (the "Rezoning Area") complies with the General Plan.

Section 2. The rezoning area is hereby changed from "NC" (Neighborhood Commercial) and "R-144" (Single Family Residential, 144,000 square foot minimum lot size) to "VC" (Village Commercial) on the 9.95 acres at the southwest corner of Ina Road and Silverbell Road.

Section 3. The intent of the rezoning is to allow for the development of a retail shopping center. This rezoning is subject to the following conditions, the violation of which shall be treated in the same manner as a violation of the Town of Marana Land Development Code (but which shall not cause a reversion of this rezoning ordinance):

1. Compliance with all provisions of Town's Codes, Ordinances, and policies of the General Plan current at the time of development including, but not limited to, requirements for public improvements.
2. Compliance with Title 24.S.Use Regulations in the Silverbell Road Commercial Overlay District of the Land Development Code with the following exemptions:
    a. Allow one bank drive-through location and facility generally as shown in the tentative development plan.

b. Allow one restaurant drive-through location and facility generally as shown in the tentative development plan.

3. The developer shall provide enhanced landscape and/or hardscape to ensure that headlights from cars entering the drive-through lanes do not shine onto adjacent property.

4. The developer shall be responsible for all improvements needed onsite and for the offsite driveway connections and sewerage. The developer shall be responsible for making a monetary contribution to the Town to in an amount sufficient to cover the cost of the design and construction of a northbound left turn lane in Silverbell Road at the south driveway and a westbound left turn lane in Ina Road at the west driveway, to be incorporated into the Silverbell Road improvement project.

5. The Town of Marana shall not issue a certificate of occupancy for any commercial use in the proposed shopping center until the Town's capital improvement project on Silverbell Road is substantially completed.

Section 4. All ordinances, resolutions and motions and parts of ordinances, resolutions, and motions of the Marana Town Council in conflict with the provisions of this Ordinance are hereby repealed, effective as of the effective date of Ordinance No. 2006.29.

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

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 19th day of September, 2006.

Mayor Ed Honea

ATTEST:

Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:

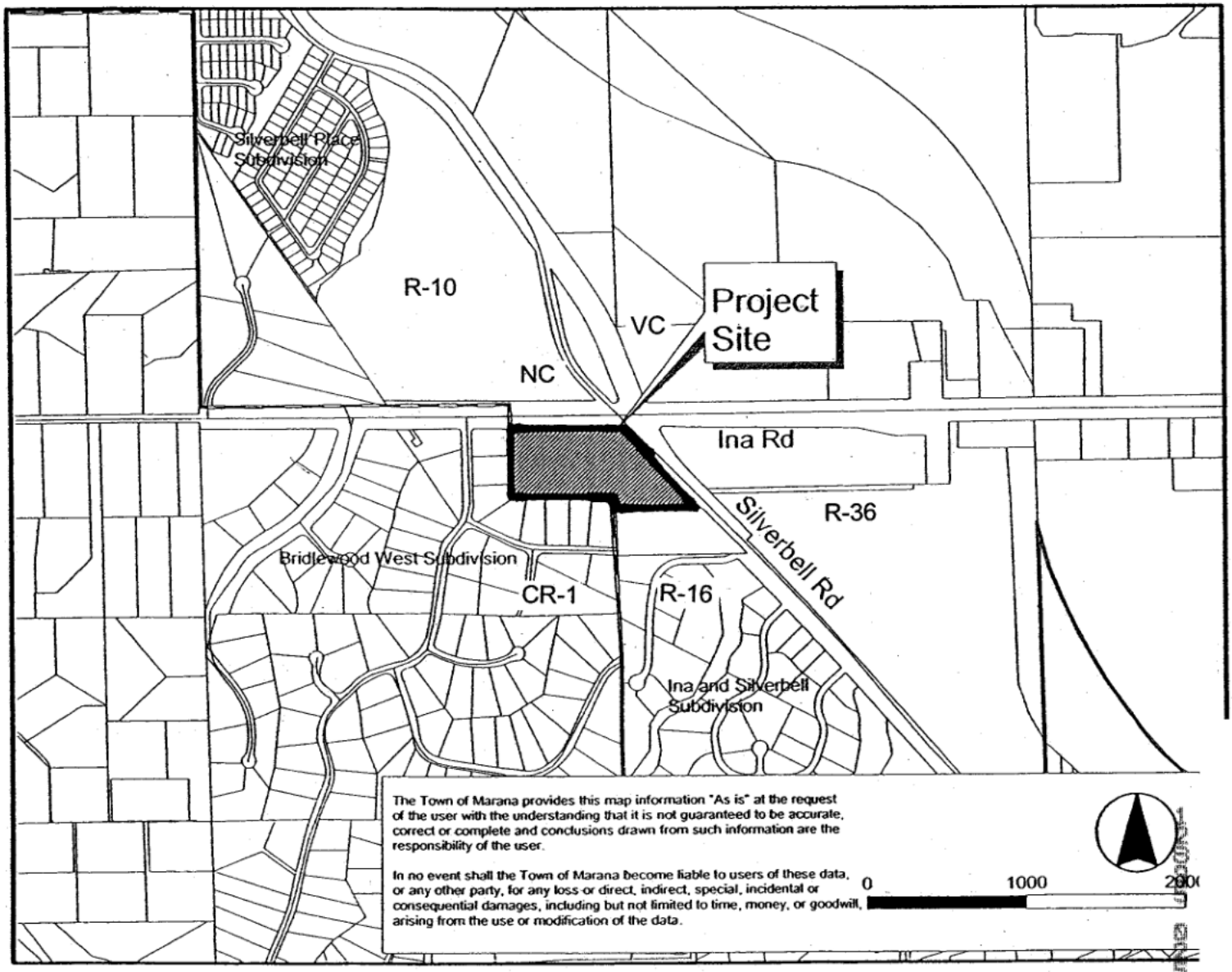
Frank Cassidy, Town Attorney

MARANA

TOWN OF MARANA

Exhibit A
Silverbell Crossroads

CASE NO. **PCZ-06013**



REQUEST

A request for rezoning approximately 10 acres of land from "R-144" (Single Family Residential, 144,000 square feet minimum) and "NC" (Neighborhood Commercial) to "VC" (Village Commercial.

EXHIBIT B: LEGAL DESCRIPTION

Silverbell Crossroads Rezoning

Parcel I

All that portion of Section 2, Township 13 South, Range 12 East, Gila and Salt River Base and Meridian, Pima County, Arizona, more particularly described as follows:

BEGINNING at the North Quarter corner of said Section 2;

THENCE North 89 degrees 51 minutes 30 seconds East along the North section line of Section 2, a distance of 8.03 feet to the intersection of the Ina Road and Silverbell Road;

THENCE South 42 degrees 38 minutes 00 seconds East along the center line of Silverbell Road 298.40 feet to a point;

THENCE South 47 degrees 22 minutes 00 seconds West 30 feet to the TRUE POINT OF BEGINNING;

THENCE South 67 degrees 45 minutes 50 seconds West 296.03 feet;

THENCE North 88 degrees 57 minutes 40 seconds West 91.34 feet;

THENCE South 65 degrees 41 minutes 12 seconds West 19.18 feet;

THENCE South 0 degrees 11 minutes 06 seconds East 173.11 feet to a point on the North boundary line of Lot 5 of Bridlewood West Subdivision;

THENCE North 89 degrees 51 minutes 30 seconds East a distance of 204.82 feet, along the Northern boundary of Bridlewood West Subdivision, to a point in the North and South center line of said Section 2;

THENCE South 1 degrees 01 minutes 45 seconds East, along said center line a distance of 82.20 feet to a point;

THENCE North 89 degrees 51 minutes 30 seconds East parallel to the North line of said Section 2, a distance of 518.57 feet to a point in the Southwesterly right of way line of Silverbell Road;

THENCE Northwesterly along said right of way line, a distance of 505.57 feet to the TRUE POINT OF BEGINNING.

Parcel II

An undivided half interest in and to that certain wellsite, more particularly described as follows:

COMMENCING at the most Northerly corner of the property heretofore described as Parcel I;

THENCE South 67 degrees 45 minutes 50 seconds West 296.03 feet;

THENCE North 37 degrees 43 minutes 50 seconds West 65.96 feet;

THENCE South 5.50 feet;

THENCE East 4.30 feet to the TRUE POINT OF BEGINNING of this description, being the Southeast corner of a concrete slab upon which wellsite is located;

THENCE North 10.80 feet;

THENCE West 10.00 feet;

THENCE South 10.80 feet;

THENCE East 10.00 feet to the TRUE POINT OF BEGINNING.

Reserving unto the Grantor, their heirs, successors and assigns, the right of ingress and egress to said wellsite and an easement for the installation and maintenance and repair of water pipes to said wellsite.

Parcel 1

That portion of the Northwest quarter of Section 2, Township 13 South, Range 12 East, Gila and Salt River Meridian, Pima County, Arizona:

COMMENCING at the intersection of the Southwest right-of-way line of Silverbell Road, with the South right-of-way line of Ina Road;

THENCE South 89°51'30" West along the South right-of-way line of Ina Road, a distance of 278.95 feet to a point, said point being the Northwest corner of that certain parcel described in Docket 4085 at Page 7, also being the POINT OF BEGINNING;

THENCE South 4°59'06" West, a distance of 503.02 feet to a point in the North boundary line of Bridlewood West Subdivision, said point being 338.82 feet Westerly of the found 1" O.P. as shown on the plat of Bridlewood West, Book 20, Page 48 of Maps and Plats, and the Southwest corner of that certain parcel described in Docket 4085 at Page 7;

THENCE due South 89°51'30" West, along the North boundary line of Bridlewood West, a distance of 311.18 feet to the Northwest corner of Lot 8, Bridlewood West;

THENCE North 01°01'45" West along the boundary line of Bridlewood West and its extension, a distance of 500.00 feet to a point in the South right-of-way line of Ina Road;

THENCE North 89°51'30" East along said South right-of-way line, a distance of 365.42 feet to the POINT OF BEGINNING;

EXCEPT the North 75 feet thereof lying within Ina Road, formerly Picture Rocks Road, as shown on the map recorded in Book 2 of Maps, Page 24, and as described in the Deed to Pima County recorded in Docket 7612, Page 1554.

Parcel 2:

All that portion of of Section 2, Township 13 South, Range 12 East, Gila and Salt River Meridian, Pima County, Arizona, more particularly described as follows:

COMMENCING at the North quarter corner of said Section 2;

THENCE North 89°51'30" East, along the North section line of Section 2, a distance of 8.03 feet to the intersection of the Ina Road and Silverbell Road;

THENCE South 42°38'00" East, along the center line of Silverbell Road, a distance of 298.40 feet to a point;

THENCE South 47°22'00" West, a distance of 30 feet to the POINT OF BEGINNING;

THENCE South 67°45'50" West, a distance of 296.03 feet;

THENCE North 88°57'40" West, a distance of 9 34 feet;

THENCE South 65°41'12" West, a distance of 19.18 feet;

THENCE South 0°11'06" East, a distance of 173.1 feet to a point in the North boundary line of Lot 5 of Bridlewood West Subdivision;

THENCE South 89°51'30" West, along said North boundary line a distance of 134.00 feet;

THENCE North 4°59'06" East, a distance of 502.02 feet to a point in the South right-of-way line of Ina Road;

THENCE North 89°51'30" East, along said South right-of-way line a distance of 278.95 feet to a point in the West boundary line of Silverbell Road;

THENCE South 42°38'00" East, along said West boundary line a distance of 285.82 feet to the POINT OF BEGINNING;

EXCEPT the North 75 feet thereof lying within Ina Road, formerly Picture Rocks Road, as shown on the map recorded in Book 2 of Maps, Page 24, and as described in the Deed to Pima County recorded in Docket 7612, Page 1554; AND

EXCEPT an undivided 1/2 interest in the well site located on the above described parcel, described as follows:

COMMENCING at the most Easterly corner of the herein described property;

THENCE South 67°45'50" West. a distance of 296.03 feet;

THENCE North 37°43'50" West, a distance of 65.96 feet;

THENCE South, a distance of 5.50 feet;

THENCE East, a distance of 4.30 feet to the POINT OF BEGINNING of this description, being the Southeast corner of a concrete slab upon which well site is located;

THENCE North, a distance of 10.80 feet;

THENCE West, a distance of 10.00 feet;

THENCE South, a distance of 10.80 feet;

THENCE East, a distance of 10.00 feet to the POINT OF BEGINNING.

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

Project No._____ **Date Received**_____

Revision Date 03/29/2019

Brian Underwood, Director of Planning
The Planning Center
2 East Congress Street, Suite 600
Tucson, Arizona 85701

June 29, 2023

Scott Radden, Senior Planner
Town of Marana, Development Services
11555 West Civic Center Drive
Marana, AZ 85653

Subject: The Place at Ina Crossroads Change of Ordinance Request - PCM2304-001

Mr. Radden:

This letter requests modifying the language of Marana Ordinance No. 2006.29 for the development of a multifamily residential community, The Place at Ina Crossroads, in place of a tentative development plan approved in 2006 as part of a previous rezoning known as Silverbell Crossroads. The tentative development plan proposed a retail shopping center and restaurants, including one with a drive-through. Recognizing the site's location near a prominent intersection currently burgeoning with growth as a result of development that has generated new employment, The Place at Ina Crossroads aims to establish a vibrant multifamily community that provides an opportunity for Marana's growing workforce to live, work and play in a desirable and highly accessible location, and to diversify the Town's housing stock and increase supply. Furthermore, the proposed multifamily community considers the surrounding area's characteristics and is designed to harmonize the site's development with neighboring properties by serving as a transition and removing the potential for incompatible uses.

Background

The Town of Marana Mayor and Council passed and adopted Silverbell Crossroads (Marana Ordinance No. 2006.29) on September 19, 2006. The ordinance rezoned four parcels totaling 9.95 acres on the southwest corner of Ina Road and Silverbell Road from NC (Neighborhood Commercial, 6.3 acres, 63% of the site) and R-144 (Single Family Residential, 3.65 acres, 37% of the site) to VC (Village Commercial). Since the ordinance's adoption, no shopping center has been built, and the property has remained vacant.

Section 3 of the ordinance states that the rezoning is intended to allow for the development of a retail shopping center. It also lists several conditions the shopping center must adhere to, which are no longer relevant to the current proposal for multifamily.

MC Companies recently purchased the four parcels comprising the 9.95-acre property and a 4.13-acre parcel to the south to develop The Place at Ina Crossroads, a 240-unit apartment community. Before that

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can occur, Section 3 must be modified to refer to the proposed plan for apartments, and the southern four-acre parcel must be rezoned to match the rest of the site's VC zoning.

Modification Rationale

The following items detail the rationale for modifying the adopted ordinance:

- The Place at Ina Crossroads will be an entirely residential development, with no commercial buildings, banks, or restaurants included. The requirements in Section 3 relating to developing a retail shopping center on the property are no longer relevant and should be removed from the ordinance.
- With the absence of commercial buildings in the new development, no drive-throughs are proposed with this project. The approval and requirements for drive-throughs, including additional landscape and/or screening to prevent headlights from shining onto neighboring properties, are unnecessary and should be removed from the ordinance.
- The offsite improvements to Silverbell Road and Ina Road required under Sections 3.4 and 3.5 have already been constructed, and it is no longer necessary to include them in the ordinance.

The previously approved retail shopping center consisted of several high traffic uses with lots of commercial activity throughout the day and potentially late into the evening. Four buildings were aligned along the site's south boundary and southwest corners, with a drive-through restaurant and two other restaurants clustered together closer to the major intersection. A concrete drainage channel, commercial dumpsters, and delivery loading spaces lined the southern boundary next to existing homes in the Bridlewood West neighborhood, while most of the remainder of the site was covered by an asphalt parking lot.

In contrast, The Place at Ina Crossroads replaces a busy commercial center and its accompanying traffic, loading areas, and noise with a multifamily community that buffers lower-density residential uses to the south and west from higher-intensity commercial uses to the north and east. Multifamily provides a better transition to neighboring residential development, generates less daily traffic turnover, and requires fewer loading and storage areas than commercial uses.

The Place at Ina Crossroads consists of eight 3-story residential buildings and a clubhouse dispersed across the 13-acre site and has been designed to complement the adjacent properties by thoughtfully placing and orienting buildings to create a transition between uses and view corridors through the site. The proposed buildings also use smaller footprints than the shopping center. The smaller building footprints and reduced parking areas create more room for landscaping and amenity space, softening the site with a more human-scale development. The buildings are designed to be accessed from all four sides and are not focused on maximizing frontage along arterial streets. These factors combine to create a more appropriate transition between low-density residential development and the increasing commercial activity at the intersection of two major arterial streets.

It is also important to note that multifamily residential is permitted by-right in the VC zone and the NC zoning designation that initially comprised two-thirds of the property.

Proposed Ordinance Modifications

The following details the proposed modifications to Marana Ordinance 2006.29, specifically Section 3.

Section 3. ~~*The intent of the rezoning is to allow for the development of retail shopping center.*~~ *This rezoning is subject to the following conditions, the violation of which shall be treated in the same manner as a violation of the Town of Marana Land Development Code (but which shall not cause a reversion of this rezoning ordinance):*

1. *Compliance with all provisions of Town's Codes, Ordinances, and policies of the General Plan current at the time of development including, but not limited to, requirements for public improvements.*

~~*2. Compliance with Title 24.S. Use Regulations in the Silverbell Road Commercial Overlay District of the Land Development Code with the following exemptions:*~~

~~*a. Allow one bank drive-through location and facility generally as shown in the tentative development plan.*~~

~~*b. Allow one restaurant drive through location and facility generally as shown in the tentative development plan.*~~

~~*3. The developer shall provide enhanced landscape and/ or hardscape to ensure that headlights from cars entering the drive- through lanes do not shine onto adjacent properly.*~~

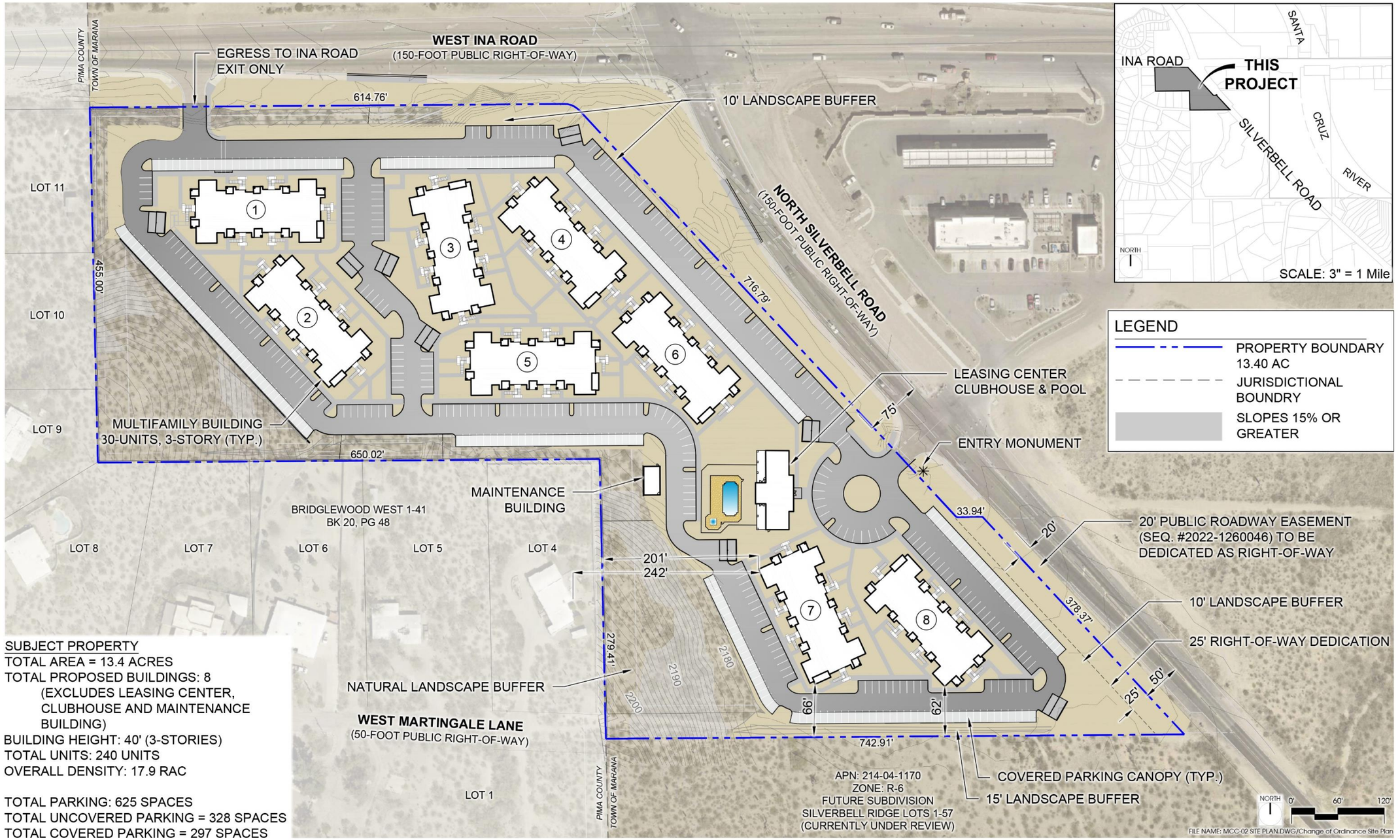
~~*4. The developer shall be responsible for all improvements needed onsite and for the of/ site driveway connections and sewerage. The developer shall be responsible for making a monetary contribution to the Town to in an amount sufficient to cover the cost of the design and construction of a northbound left turn lane in Silverbell Road at the south driveway and a westbound left turn lane in Ina Road at the west driveway, to be incorporated into the Silver bell Road improvement project.*~~

~~*5. The Town of Marana shall not issue a certificate of occupancy for any commercial use in the proposed shopping center until the Town' s capital improvement project on Silver bell Road is substantially completed.*~~

2. Any plat or development plan for any portion of the property submitted after the effective date of this ordinance shall be in general conformance with the conceptual land use plan attached to and incorporated in this ordinance by this reference as Exhibit 1: Conceptual Land Use Plan.

3. Drive-throughs are prohibited in the Rezoning Area.

Exhibit 1: Conceptual Land Use Plan



SUBJECT PROPERTY
TOTAL AREA = 13.4 ACRES
TOTAL PROPOSED BUILDINGS: 8
(EXCLUDES LEASING CENTER, CLUBHOUSE AND MAINTENANCE BUILDING)
BUILDING HEIGHT: 40' (3-STORIES)
TOTAL UNITS: 240 UNITS
OVERALL DENSITY: 17.9 RAC

TOTAL PARKING: 625 SPACES
TOTAL UNCOVERED PARKING = 328 SPACES
TOTAL COVERED PARKING = 297 SPACES

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M E M O R A N D U M

Date: 6/30/2023 **Case No:** PCZ2304-001 & PCM2304-001

To: Scott Radden, Senior Planner, Development Services – Planning Division, Town of Marana

From: Adam Call, Planner, The Planning Center

Project: The Place at Ina Crossroads Rezoning and Change of Ordinance Neigh. Mtg. Summary

This memorandum summarizes the neighborhood meeting conducted for The Place at Ina Crossroads, a proposed 13-acre multifamily development at the southwest corner of Ina Road and Silverbell Road. This meeting was correctly noticed, with invitation letters mailed to property owners within 300 feet of the development site. Brian Underwood and Adam Call of The Planning Center hosted the meeting virtually via Zoom on the evening of Wednesday, June 28th. Representatives from the development team also attended to provide supporting information for the proposed development and answer any questions related to traffic, drainage, etc. Two surrounding property owners attended the meeting, Mr. Jeff Hux, an adjacent homeowner in the Bridlewood West subdivision, and Kit Donley, a real estate broker representing the owner of Silverbell Ridge Estates, a proposed subdivision bordering the property to the south.

The meeting began at 5:45 pm. Brian Underwood presented the project, giving an overview of the property's history and detailing the rezoning proposal and change of ordinance required to proceed with the proposed multifamily community. The presentation included a discussion of the conceptual land use plan and the Town of Marana's approval process.

After the presentation, the meeting was opened to questions from the attendees. Mr. Hux inquired about the screening treatment between the proposed development and his property. Brian Underwood responded that we would investigate additional landscaping between his property and the multifamily development. Mr. Hux also informed the development team that people tend to speed on westbound Ina Road west of the Silverbell intersection. Mick Mathieu of CivTech, the traffic engineer for this project, informed Mr. Hux that the trips generated from the property would use the primary entrance on Silverbell for ingress and egress. He also explained that residents using the exit-only egress point on Ina Road would almost entirely be headed eastbound.

No other questions were raised after Mr. Hux's comments were addressed, and the meeting was adjourned at 6:30 pm.

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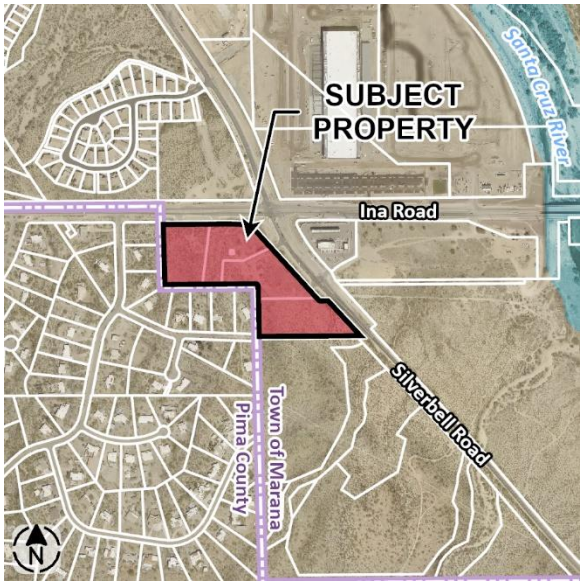
NEIGHBORHOOD MEETING NOTICE

THE PLANNING CENTER
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June 15, 2023

Greetings Neighbor,

On behalf of MC Companies, we invite you to attend a virtual neighborhood meeting regarding two proposed zoning changes in your area.



The proposed changes are for a 13-acre property located at the southwest corner of Silverbell Road and Ina Road and highlighted on the map to the right. MC is requesting these changes to allow the development of a multifamily residential community called The Place at Ina Crossroads.

First is a change of zoning ordinance for the northern portion of the property. The northern nine acres were rezoned to VC (Village Commercial) in 2006 for a commercial shopping center. The adopted zoning ordinance contains conditions related to the formerly proposed shopping center like limiting it to only one restaurant drive-through location and one bank drive-through and requiring enhanced landscaping and/or hardscape materials to ensure that headlights from cars entering the drive-through lanes do not shine onto adjacent properties. The shopping center has yet to materialize, and the nine acres have sat vacant for almost two decades. Now, the 2006 rezoning ordinance referring to the shopping center must be updated to reference MC's new plan despite multifamily residential being an allowed use in the VC zone.

The second change is a request to rezone the southern four acres of the property from R-144 (Residential Zone) to VC (Village Commercial) to match the rest of the property's existing zoning. Rezoning the southern area will create consistent zoning across the entire property and allow MC Companies to develop the proposed multifamily community.

The Place at Ina Crossroads replaces the previously approved shopping center with a 240-unit, three-story multifamily community designed to complement the site and its surroundings. The property sits lower in elevation than the neighboring properties to the south and west, with slopes along the western portion of the property providing a natural buffer. The proposed buildings are dispersed across the site and oriented to create view corridors through the property. Parking is also distributed around the site instead of concentrated in large parking lots like those proposed for the shopping center. This configuration provides more opportunities for open space and landscaping than the original shopping center plan. The additional open space and landscaping reduce the urban heat island effect and soften the transition from more intense uses surrounding the Ina/Silverbell intersection. Landscaping will also be installed along the Silverbell and Ina frontage and the southern property boundary. The native vegetation on the western slopes will remain in place.

See Reverse Side

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The main entrance to the community is on Silverbell Road at an existing driveway aligned with the Circle K access to the east. Access to Ina Road is limited to a single exit-only driveway at the northwest corner of the property. Three existing driveways on-site and the Martingale Lane alignment along the southern property boundary will be closed and removed, with the goal of directing traffic away from existing neighborhoods and towards arterial streets.

The Place at Ina Crossroads blends a high-quality community into a desirable location for families to live, work, and play. We are excited to present this development proposal to you and hope you can attend the neighborhood meeting. Attendance details are provided below.

Please join us:

Date: Tuesday, June 28, 2023
Time: 5:45 PM

Location: Zoom (see link below)
https://us06web.zoom.us/j/9844761151

Meeting ID: 984 476 1151
Call-In Number: +1 669 444 9171 US

Comments on this proposal may be submitted to the Town of Marana Development Services, 11555 W Civic Center Dr, Marana, AZ 85653, by phone at (520) 382-2600, or by email MaranaPlanning@maranaAZ.gov. Additionally, comments may be made verbally and/or in writing at an upcoming Planning Commission public hearing to be announced.

If you are unable to participate in the meeting but have questions, please call or email me at (520) 209-2628 or bunderwood@azplanningcenter.com. You may also email Adam Call at acall@azplanningcenter.com requesting a live link for the meeting if you do not want to manually type the link above into your web browser.

Thank you.

Sincerely,
The Planning Center

Brian Underwood

Brian Underwood
Director of Planning

MAILING LABELS & NOTIFICATION MAP

INA & SILVERBELL I LP
ATTN: DAVID DENTON
200 W RUDASILL RD TUCSON AZ
85704-5306

PIMA COUNTY
FLOOD CONTROL DISTRICT
130 W CONGRESS ST TUCSON AZ
85701-1317

CIRCLE K STORES INC
1130 W WARNER RD
TEMPE AZ 85284-2816

7065 N SILVERBELL ROAD LLC
4827 W WILLOW WIND PL
TUCSON AZ 85741-3965

SILVERBELL CROSSROADS LLC
ATTN: PARTNERS MGMT &
CONSULTANTS INC
5055 E BROADWAY BLVD STE B100
TUCSON AZ 85711-3642

Town Of Marana
Attn: Terry Rozema, Town Manager
11555 W Civic Center Drive
Marana, AZ 85653

FIDELITY NATIONAL TITLE TR 60204
7608 N LA CHOLLA BLVD
TUCSON AZ 85741-4201

DIGGS SHIRLEY E TR
5801 W MARTINGALE LN
TUCSON AZ 85743-9642

GUST FRED A & SUZANNE LIVING TR
5825 W MARTINGALE LN
TUCSON AZ 85743-9642

PATTON SANDRA J
7010 N HACKAMORE PL
TUCSON AZ 85743-0000

SAMUELSON JOAN
5800 W MARTINGALE LN
TUCSON AZ 85743-0000

PEACOCK LISA W
5820 W MARTINGALE LN
TUCSON AZ 85743-9642

JOHNSTON JACQUELINE F
5840 W MARTINGALE LN
TUCSON AZ 85743-9642

HUX FAMILY TR
ATTN JEFFREY S & JEANNE HUX TR
5860 W MARTINGALE LN TUCSON AZ
85743-9642

JOHNSON ALICE I
5880 W MARTINGALE LN
TUCSON AZ 85743-0000

EL SHARIF JOHNETTE L
7100 N BROOM TAIL DR
TUCSON AZ 85743-9658

NEWLAND MICHAEL L & NEWLAND
MELISSA M
7130 N BROOM TAIL DR
TUCSON AZ 85743-9658

NAUMAN CARIANNE J CARDA
1215 FIELDSTONE DR
CRYSTAL LAKE IL 60014-0000

CARDA DAN W & KATHI JO STERNER
CP/RS
7030 N BROOM TAIL DR
TUCSON AZ 85743-9209

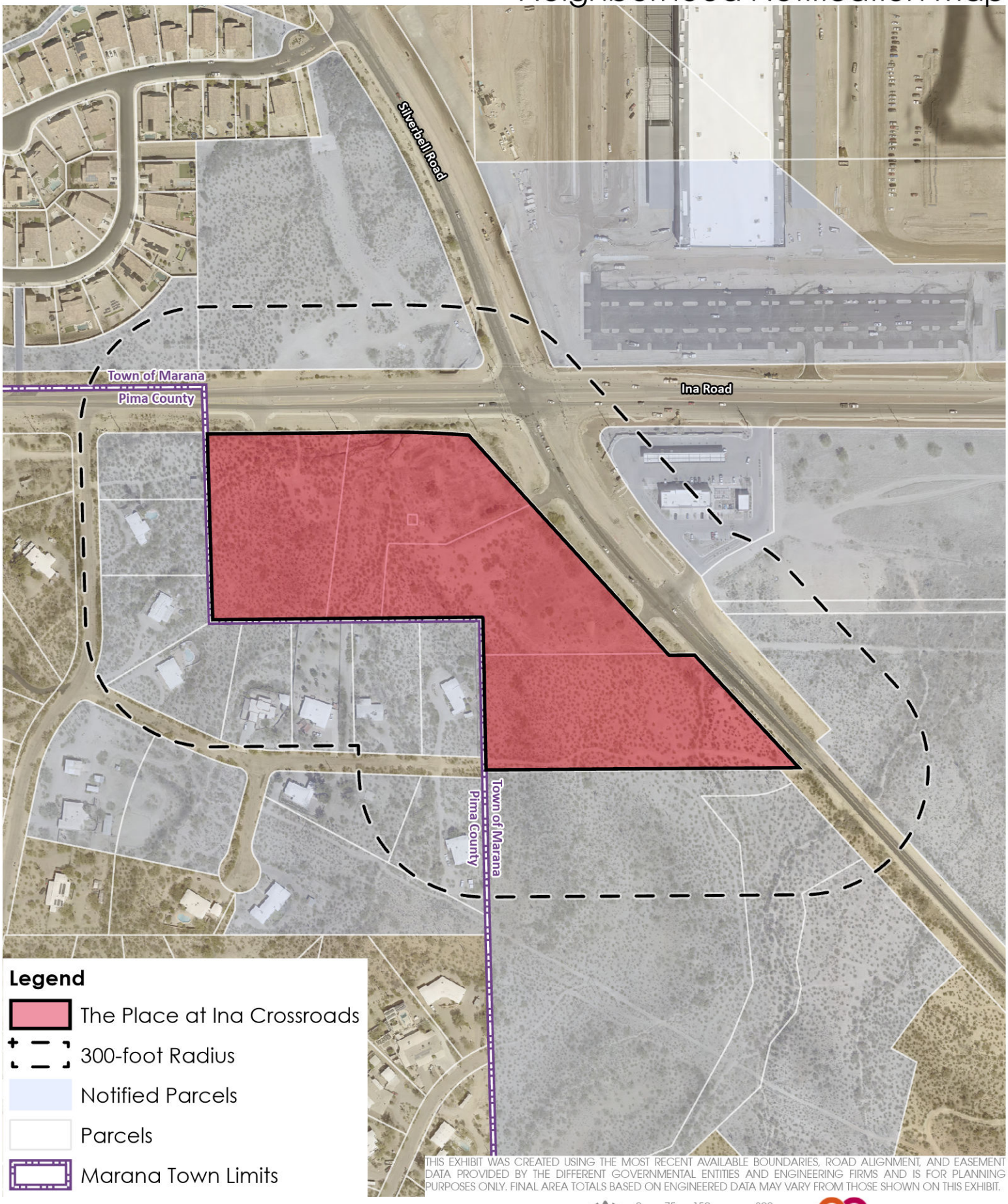
PRESTWICK PROPERTIES LLC
2965 N CALLE LADERA
TUCSON AZ 85715-3206

DOORNOCH PROPERTIES LLC
ATTN: DOUGLAS C KENNEDY
2965 N CALLE LADERA TUCSON AZ
85715-3206

SILVERBELL PRESERVE
COMMUNITY ASSN
ATTN: AAM LLC
1600 W BROADWAY RD STE 200
TEMPE AZ 85282-1136

THE PLANNING CENTER
RE: MCC-02 & MCC-03
2 E CONGRESS ST, SUITE 600
TUCSON AZ 85701 -

Neighborhood Notification Map



THIS EXHIBIT WAS CREATED USING THE MOST RECENT AVAILABLE BOUNDARIES, ROAD ALIGNMENT, AND EASEMENT DATA PROVIDED BY THE DIFFERENT GOVERNMENTAL ENTITIES AND ENGINEERING FIRMS AND IS FOR PLANNING PURPOSES ONLY. FINAL AREA TOTALS BASED ON ENGINEERED DATA MAY VARY FROM THOSE SHOWN ON THIS EXHIBIT.

N

0 75 150 300

SCALE: 1" = 300'

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The Place at Ina Crossroads

PROJECT: MCC-02 DATE: 7/21/2023 2:07 PM
FILE NAME: Notification Map

NEIGHBORHOOD MEETING PRESENTATION

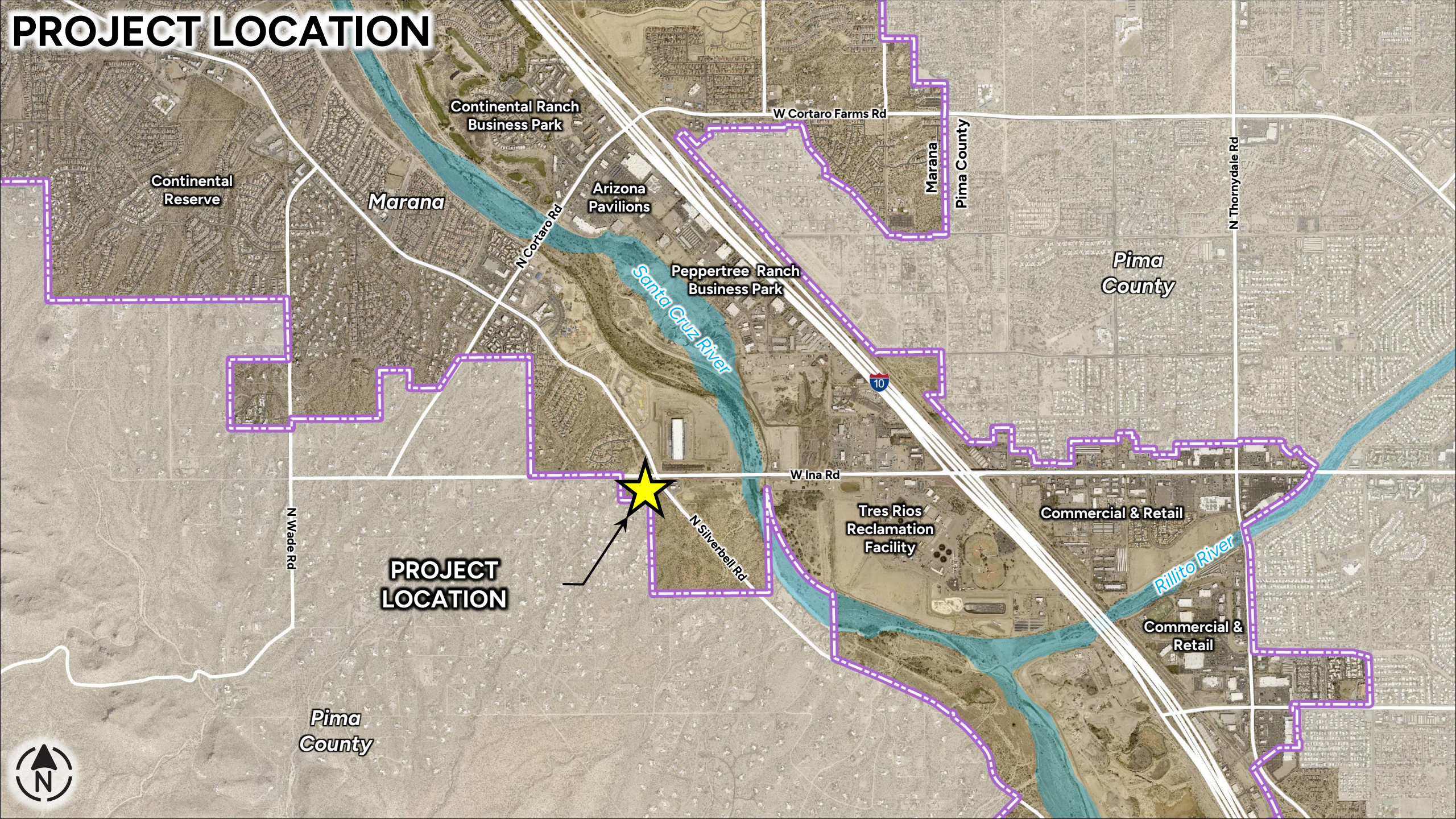
THE PLACE AT INA CROSSROADS

NEIGHBORHOOD MEETING

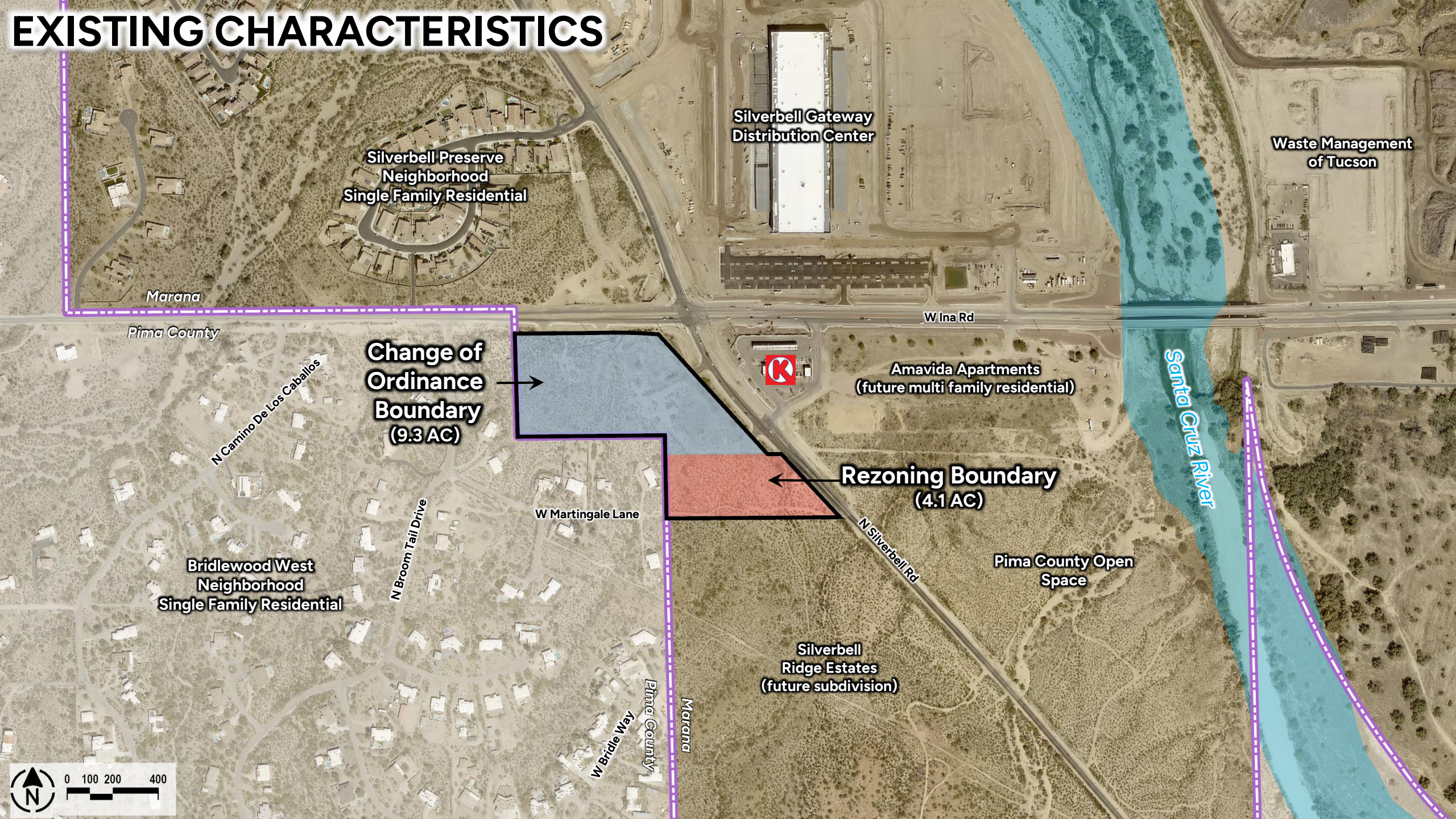
- Rezoning
- Change of Ordinance

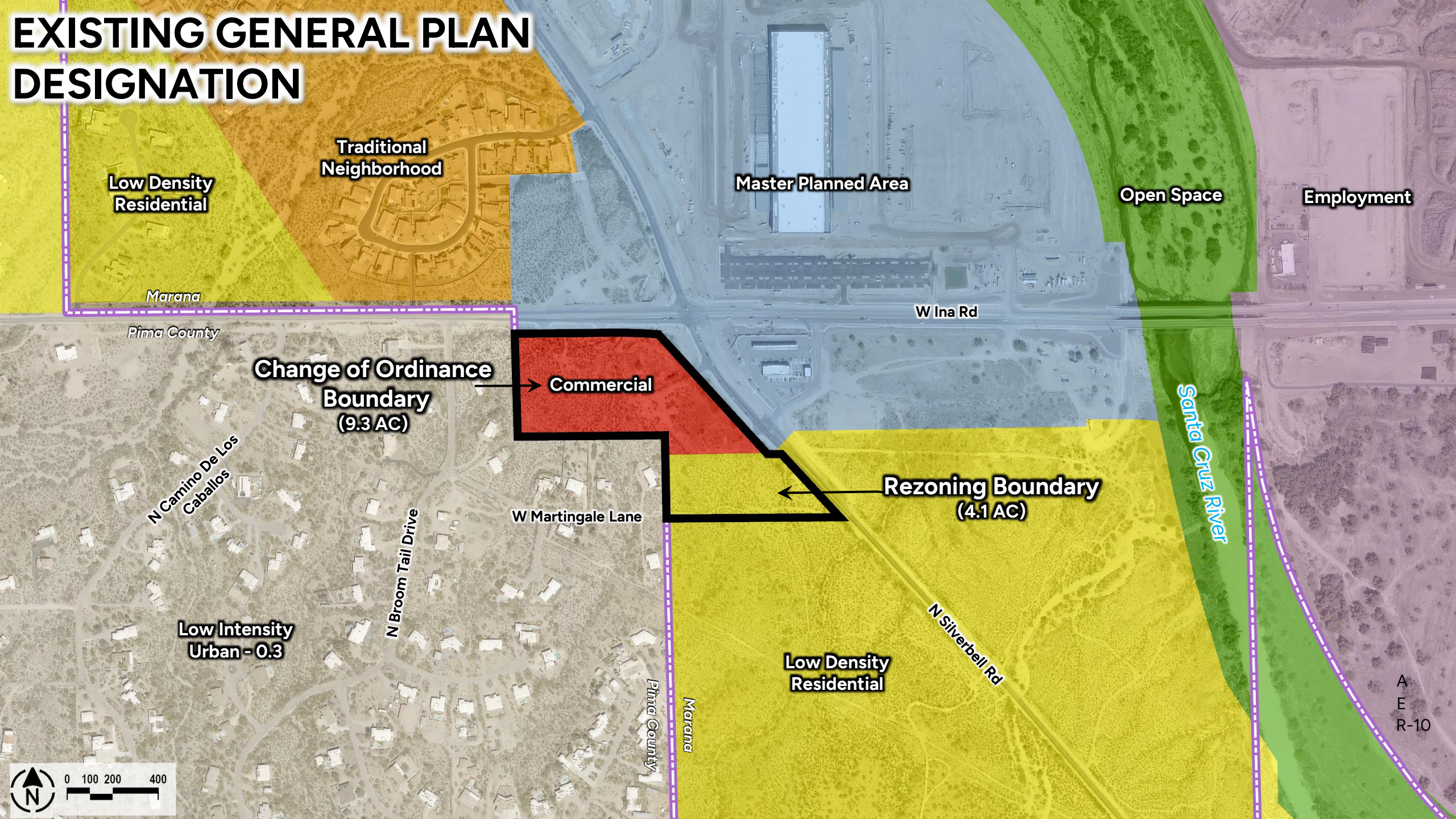
JUNE 28, 2023

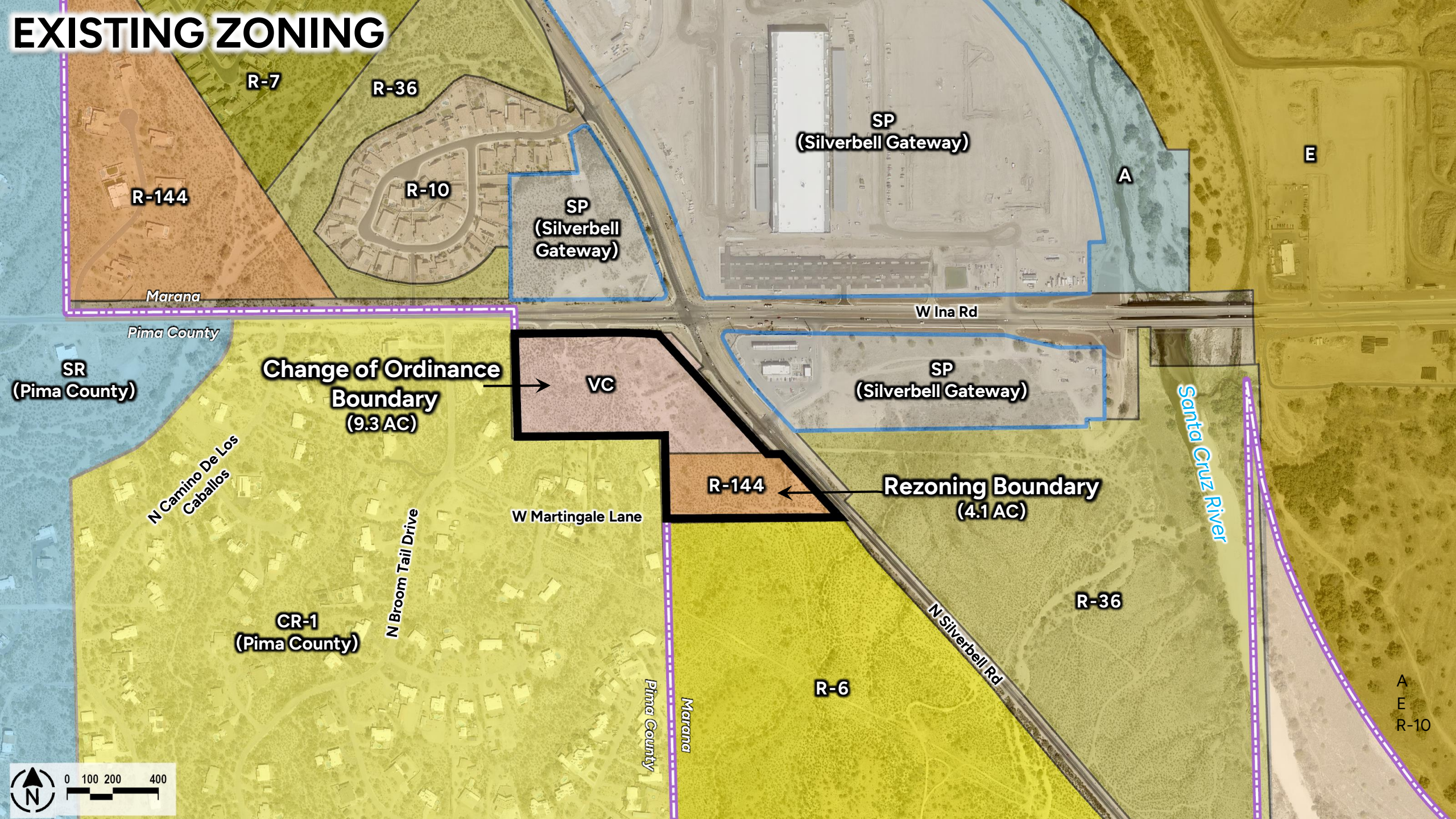
THE PLANNING CENTER
PLANNING | LANDSCAPE ARCHITECTURE


PROJECT LOCATION
Continental Ranch Business Park
W Cortaro Farms Rd
Marana
Pima County
N Thornydale Rd
Continental Reserve
Marana
Arizona Pavilions
N Cortaro Rd
Santa Cruz River
Peppertree Ranch Business Park
Pima County
10
W Ina Rd
N Wade Rd
PROJECT LOCATION
N Silverbell Rd
Tres Rios Reclamation Facility
Commercial & Retail
Rillito River
Commercial & Retail
Pima County
N

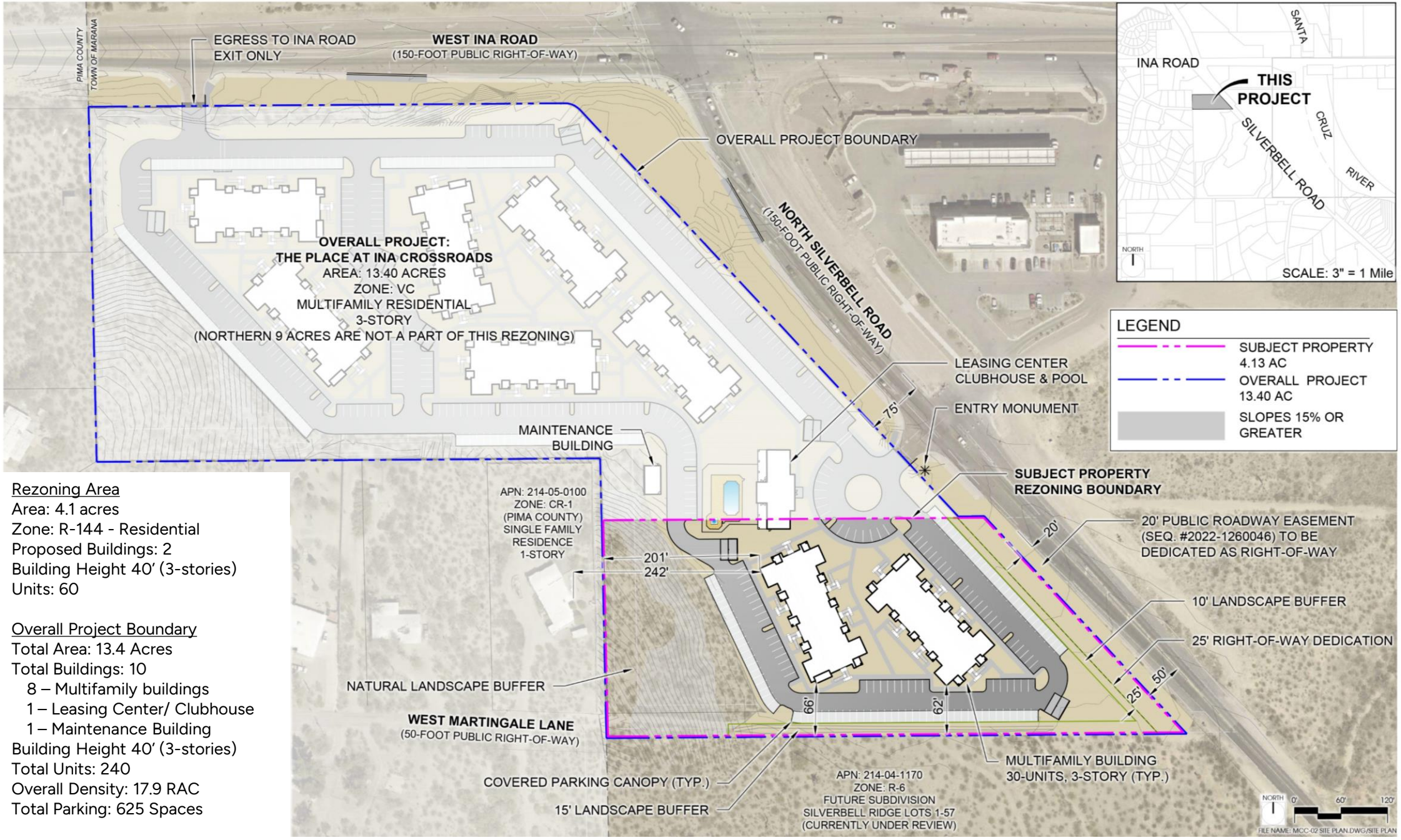
EXISTING CHARACTERISTICS




EXISTING GENERAL PLAN DESIGNATION
Traditional Neighborhood
Low Density Residential
Master Planned Area
Open Space
Employment
Marana
Pima County
W Ina Rd
Change of Ordinance Boundary (9.3 AC)
Commercial
Rezoning Boundary (4.1 AC)
Santa Cruz River
N Camino De Los Caballos
W Martingale Lane
N Broom Tail Drive
N Silverbell Rd
Low Intensity Urban - 0.3
Low Density Residential
Pima County
Marana
A
E
R-10
N
0 100 200 400


EXISTING ZONING
R-7
R-36
R-144
R-10
SP
(Silverbell
Gateway)
SP
(Silverbell Gateway)
A
E
Marana
Pima County
W Ina Rd
SR
(Pima County)
Change of Ordinance
Boundary
(9.3 AC)
VC
SP
(Silverbell Gateway)
Santa Cruz River
R-144
Rezoning Boundary
(4.1 AC)
N Camino De Los
Caballos
W Martingale Lane
N Broom Tail Drive
R-36
CR-1
(Pima County)
N Silverbell Rd
R-6
Pima County
Marana
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E
R-10
N
0 100 200 400

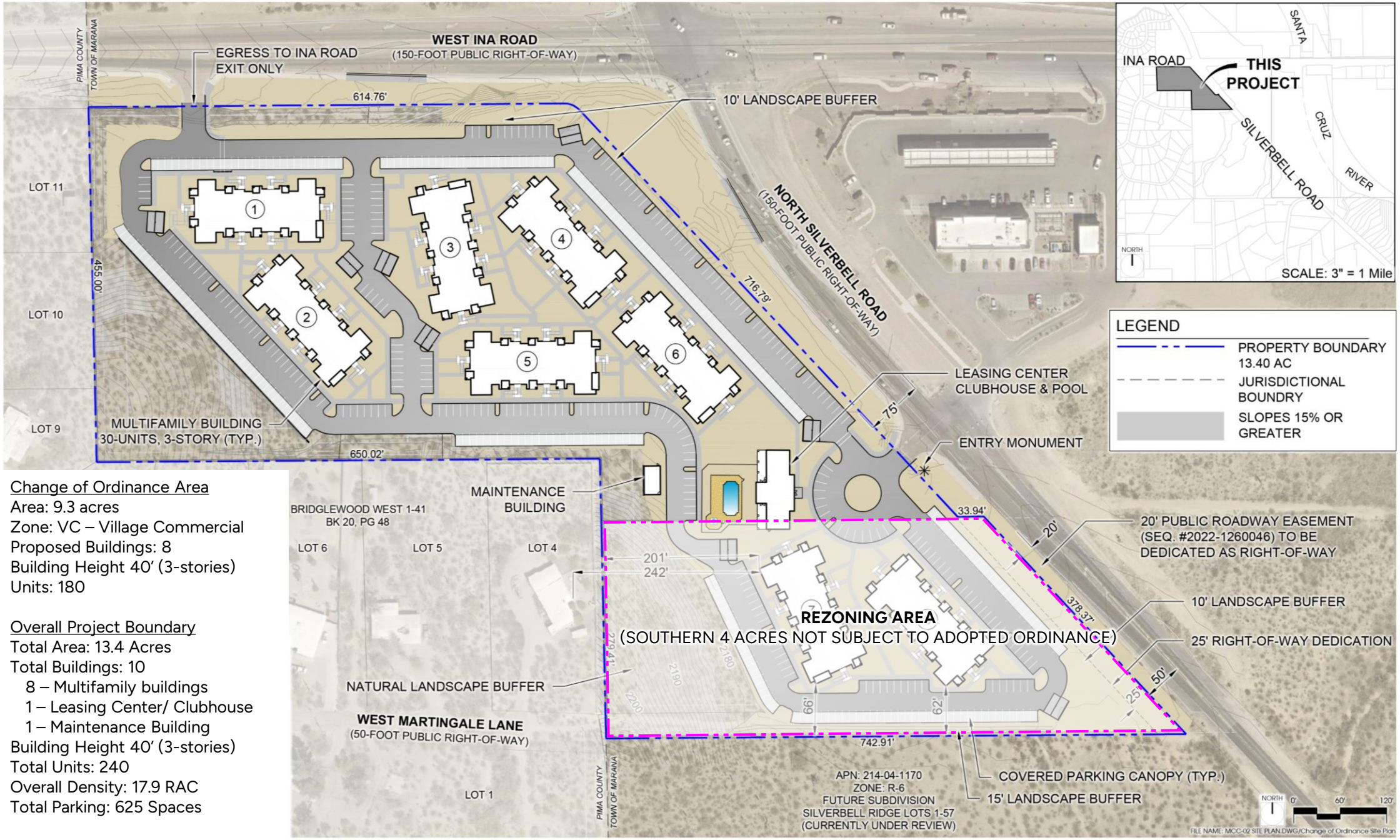
REZONING AREA



Rezoning Area
Area: 4.1 acres
Zone: R-144 - Residential
Proposed Buildings: 2
Building Height 40' (3-stories)
Units: 60

Overall Project Boundary
Total Area: 13.4 Acres
Total Buildings: 10
  8 – Multifamily buildings
  1 – Leasing Center/ Clubhouse
  1 – Maintenance Building
Building Height 40' (3-stories)
Total Units: 240
Overall Density: 17.9 RAC
Total Parking: 625 Spaces

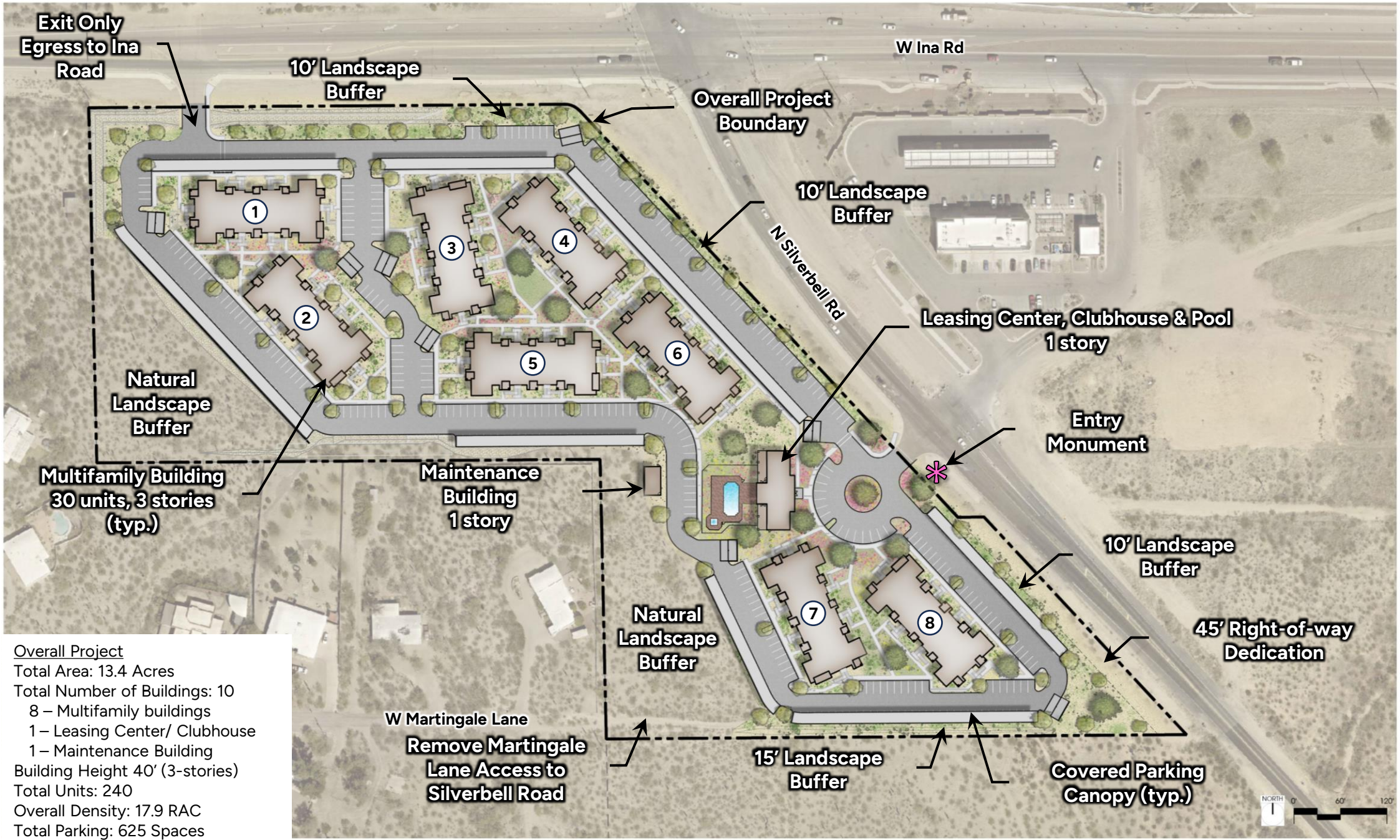
CHANGE OF ORDINANCE AREA



Change of Ordinance Area
Area: 9.3 acres
Zone: VC – Village Commercial
Proposed Buildings: 8
Building Height 40' (3-stories)
Units: 180

Overall Project Boundary
Total Area: 13.4 Acres
Total Buildings: 10
8 – Multifamily buildings
1 – Leasing Center/ Clubhouse
1 – Maintenance Building
Building Height 40' (3-stories)
Total Units: 240
Overall Density: 17.9 RAC
Total Parking: 625 Spaces

OVERALL CONCEPTUAL LAND USE PLAN



Overall Project
Total Area: 13.4 Acres
Total Number of Buildings: 10
8 – Multifamily buildings
1 – Leasing Center/ Clubhouse
1 – Maintenance Building
Building Height 40' (3-stories)
Total Units: 240
Overall Density: 17.9 RAC
Total Parking: 625 Spaces

PROCESS


Pre-Application Meeting
Zoning Application Submittal
(Site Analysis and Preliminary Development Plan Required)
Staff and Agency Review
Staff Finds Submittal Complete
Staff Recommendation to Planning and Zoning Commission
Neighborhood Meeting
WE ARE HERE
Planning and Zoning Commission Public Hearing
(Recommendation to Board of Supervisors)
Mayor and Council Public Hearing
(Decision to Approve)
Zoning Ordinance Adopted
Compliance with Rezoning Conditions

The Place at Ina Crossroads

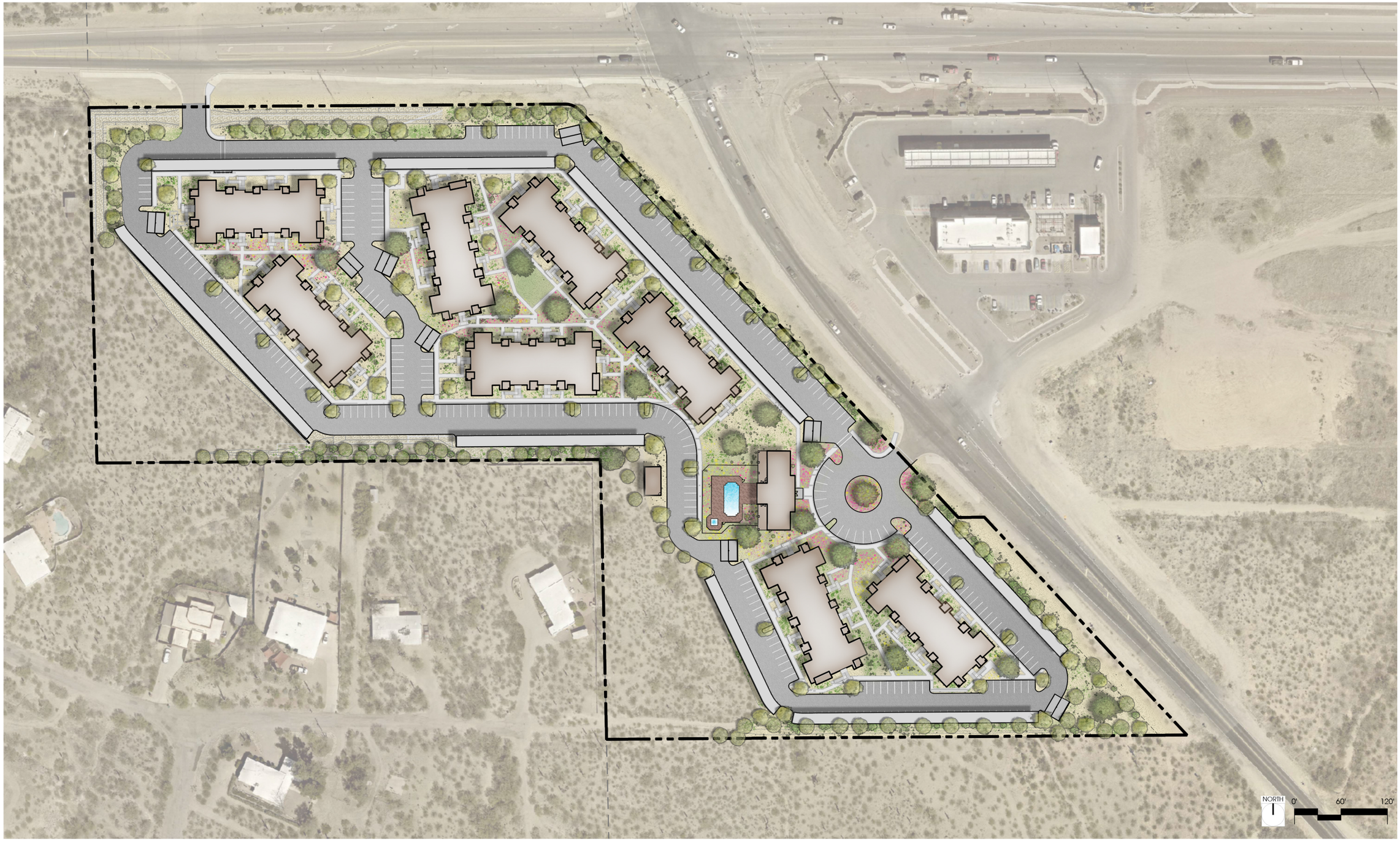


Questions?

JUNE 28, 2023

THE PLANNING CENTER
PLANNING | LANDSCAPE ARCHITECTURE

REVISED CONCEPTUAL LAND USE PLAN WITH ENCHANCED LANDSCAPE SCREENING


NORTH
0'
60'
120'

Planning Commission Regular Meeting

Meeting Date: 08/30/2023

To: Planning Commission

Submitted For: Scott Radden, Senior Planner

From: Scott Radden, Senior Planner

Date: August 30, 2023

Strategic Plan Focus Area:
Not Applicable

Subject: **PCZ2304-001:** A request for a recommendation to the Marana Town Council for approval to rezone approximately 4.1 acres of land from R-144 (minimum lot size 144,000 square feet, single family residential) to VC (Village Commercial) and a minor amendment to the Marana 2040 General Plan land use designation from Low Density Residential (LDR) to Commercial (C). The property is generally located approximately 800 feet south of the intersection of Ina Road and Silverbell Road, on the west side Silverbell Road, in Section 2, Township 13 South, Range 12 East, Pima County, Arizona. (Scott S. Radden)

Discussion:

Background and Request

The Planning Center, representing the property owner, MC Companies, is requesting a recommendation to the Town Council for approval for a rezone of the subject property from R-144 to VC, as well as a minor amendment to the Make Marana 2040 General Plan land use designation from Low Density Residential (LDR) to Commercial (C). The intent of the rezoning and General Plan amendment is to match and tie together the existing VC zoned parcels located to the north of the property, which are also owned by MC Companies.

Proposed development for the entire combined property, including this parcel, is intended to provide eight, three-story, garden-style apartment buildings (240 units), plus a leasing center/ clubhouse and maintenance building. The total area is 13.4 acres with an overall density of 17.9 RAC. The main ingress/egress will occur off Silverbell Road, with an exit-only driveway on Ina Road.

Marana 2040 General Plan

The Marana General Plan designates the proposed rezoning area with a land use category of Low Density Residential (LDR). The applicant wishes to amend the General Plan to designate this property as a Commercial (C) land use. The VC zoning district is consistent with the “C” land use designation.

Surrounding Land Use and Zoning

To the north of this property is vacant land, owned by MC Companies, zoned VC. To the northeast, a Circle K gas/convenience store is located in the southeast corner of the Ina/Silverbell intersection, zoned Riverside at Silverbell Gateway Specific Plan. To the west of the property is the Pima County Bridlewood West Subdivision, zoned Single Residence (CR-1). Located to the south is the planned Silverbell Ridge subdivision that is currently vacant and zoned R-6 (minimum lot size 6,000 square feet, single-family residential). On the east side, across Silverbell Road, is property zoned R-36 (SFR), owned by the Pima County Flood Control District.

Access and Circulation

The subject property is adjacent to Silverbell Road and Ina Road, which are major north/south and east/west arterial connections supported by existing and improved infrastructure.

Utilities
The rezoning area is located within the Tucson Water Obligated service area. The property is just south of the Pima County sewer service area, however, MC Properties owns property directly to the north, which is included within the 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.

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

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 via a virtual Zoom meeting. The property owners out to the applicants to discuss the applications in detail. Two surrounding property owners attended the meeting.

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, at the site, and on the Town's website. As of August 22, 2023, staff has 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 multi-family housing.

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 adversely impact the adjacent street network or generate such excessive stormrunoff, 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 an approved General Plan amendment, the rezone will conform 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 is compatible with the surrounding properties zoning and existing land use.

6. Whether the existing and proposed transportation infrastructure is suitable and adequate to serve the

traffic anticipated to be generated by the proposed development;

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

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

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

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

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

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

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

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

The subject property has remained vacant since annexation 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 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 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 master drainage study must be submitted by the Property Owners and accepted by the Town Engineer prior to Town approval of a preliminary plat or development plan for any portion of the Rezoning Area.
4. A detailed traffic impact analysis (TIA) has been submitted by the Property Owners and accepted by Town staff. The Property Owners may be required to submit an updated TIA or updated traffic studies when warranted by changes to the Rezoning Area or in development surrounding 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 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 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 WI P.
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 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.
13. The Property Owners shall dedicate, or cause to have dedicated, a total of 45 feet along the entire eastern property line to complete Silverbell Road's western Right of Way limit with recording of a plat or within 60 days of demand by the Town. The 45 foot area to be dedicated as Right of Way shall be inclusive of the existing 20 foot Public Roadway Easement previously granted to the Town, and the Easement shall be extinguished by merger of title.
14. The Property Owners shall comply with Arizona state law and Marana Town Code Chapter 17-12 regarding the protection of cultural resources in the Rezoning Area.
15. Drive-through facilities are prohibited in the Rezoning Area.

Suggested Motion:

I move to recommend to the Town Council, approval of PCZ2304-001, The Place at Ina Crossroads Rezone, subject to the recommended conditions.

Attachments

PAIC Rezone Site Analysis
Location Map
PAIC_Zoning Maps
Application

THE PLACE AT INA CROSSROADS REZONE

7065 North Silverbell Road

Tucson, Arizona 85743

June 2023

Case No. PCZ2304-001



THE PLANNING CENTER
a division of TPC Group, Inc.

The Place at Ina Crossroads Rezone

7065 North Silverbell Road
Tucson, Arizona 85743

Submitted to:

Town of Marana
Planning and Zoning Division
11555 West Civic Center Drive
Marana, Arizona 85653

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June 2023

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INTRODUCTION

With much of the developable land on Cortaro Road between Interstate 10 (I-10) and Silverbell Road already built out, other prominent commercial corridors in the general vicinity are also starting to be developed. Coupled with recent infrastructure and capacity improvements to I-10 and other major roadways, new development opportunities in southern Marana are taking off, most notably near the intersection of Ina Road and Silverbell Road. With the higher-intensity specific plan zoning at the other hard corners of this intersection, the recent completion of Amazon's Silverbell Gateway Distribution Center, convenient access to public and recreational facilities and I-10, the Ina and Silverbell intersection has begun to evolve into an area prime for infill development, particularly higher-density multifamily uses. This is evidenced by the recently approved Amavida Apartments, located east of Circle K at the southeast corner of the intersection, and The Place at Silverbell Gateway, located north of the intersection, and currently under construction.

Recognizing the need to provide additional housing options within the Town to support the growing workforce, MC Companies seeks to continue this trend with The Place at Ina Crossroads, a proposed 13-acre community located at the southwest corner of Ina Road and Silverbell Road consisting of three-story garden-style apartments. However, due to the site's split zoning, only the northern nine acres can be developed with a multifamily residential use. As such, MC Companies is requesting to rezone the southern four acres to perfect the site's entitlements to create a cohesive and consistent infill development (refer to ***Exhibit: I.1: Overall Project Location***). Concurrent with this rezoning request, MC Companies is also pursuing a Change of Ordinance for the northern nine acres to modify language that currently limits the site's development to a retail shopping center.

For simplicity purposes, the following sections (Development Capability Inventory Analysis and Proposed Land Use Plan) will only analyze the development implications related to the four-acre area to be rezoned. However, it should be noted that the traffic impact and hydrology analyses were completed based on the total development of the 13-acre site.

A. Anticipated Benefits to the Community

The Place at Ina Crossroads creates a high-quality multifamily community that appeals to individuals and families seeking to call Marana home. The community benefits from having more housing for Marana's growing workforce near employers and established commercial and recreational areas. Additionally, developing the vacant property with a residential use resolves the decades of uncertainty regarding what might ultimately be developed on it and the potential negative impacts on neighboring homes from commercial development. This proposed community is compatible with neighboring properties and buffers lower density residential development to the west and south from the higher intensity commercial and industrial uses to the north and east. It transitions from the noise, activity, and traffic associated with these uses by establishing a residential community at the hard corner of a major intersection. In doing so,

The Place at Ina Crossroads benefits Marana by incorporating a needed use in a desirable location.

B. Adherence to Make Marana 2040 and Strategic Plan 5

The Place at Ina Crossroads also supports the goals and policies outlined in *Make Marana 2040* and the *Marana Strategic Plan 5*. It accomplishes this by developing additional multifamily residential and increasing the housing options in the Town's Southern Growth Area. A diversified housing supply makes Marana more attractive to employers seeking areas that can accommodate their operations and employees. This project makes effective use of existing infrastructure capacity and public services by introducing a high-quality residential development at the intersection of two major arterials that have undergone recent roadway improvements to accommodate new development. The additional residents will support the existing and anticipated commercial growth in the area. All these elements combine to strengthen and solidify southern Marana's continued growth in a balanced, sustainable fashion.

C. Proposed Densities and Maximum Number of Units

The Place at Ina Crossroads contemplates developing 240 multifamily units (180 units in the northern nine acres, 60 units in the four-acre rezoning area) for an overall density of 17.9 residences per acre (15 residences per acre on the four-acre rezoning site).

Exhibit I.1: Overall Project Location



THE PLACE AT INA CROSSROADS

I. DEVELOPMENT CAPABILITY REPORT



DEVELOPMENT CAPABILITY REPORT

A. Location & Onsite Land Use

As shown in ***Exhibit I.A.1: Regional Location***, the subject property is located in southern Marana at the southwest corner of the Ina Road and Silverbell Road intersection less than 1.5 miles west of Interstate 10. This 4.13-acre property, identified by Assessor's Parcel Number (APN): 214-04-0450, is located at 7065 North Silverbell Road, approximately 500 feet south of Ina Road. The subject property comprises the southern portion of the larger overall project, The Place at Ina Crossroads.

The property is currently vacant with some disturbances associated with informal trail networks and a dirt road that stretches across the southern portion of the property aligned with West Martingale Lane to the west (see ***Exhibit I.A.2: Onsite Land Use***).

Exhibit I.A.1: Regional Location

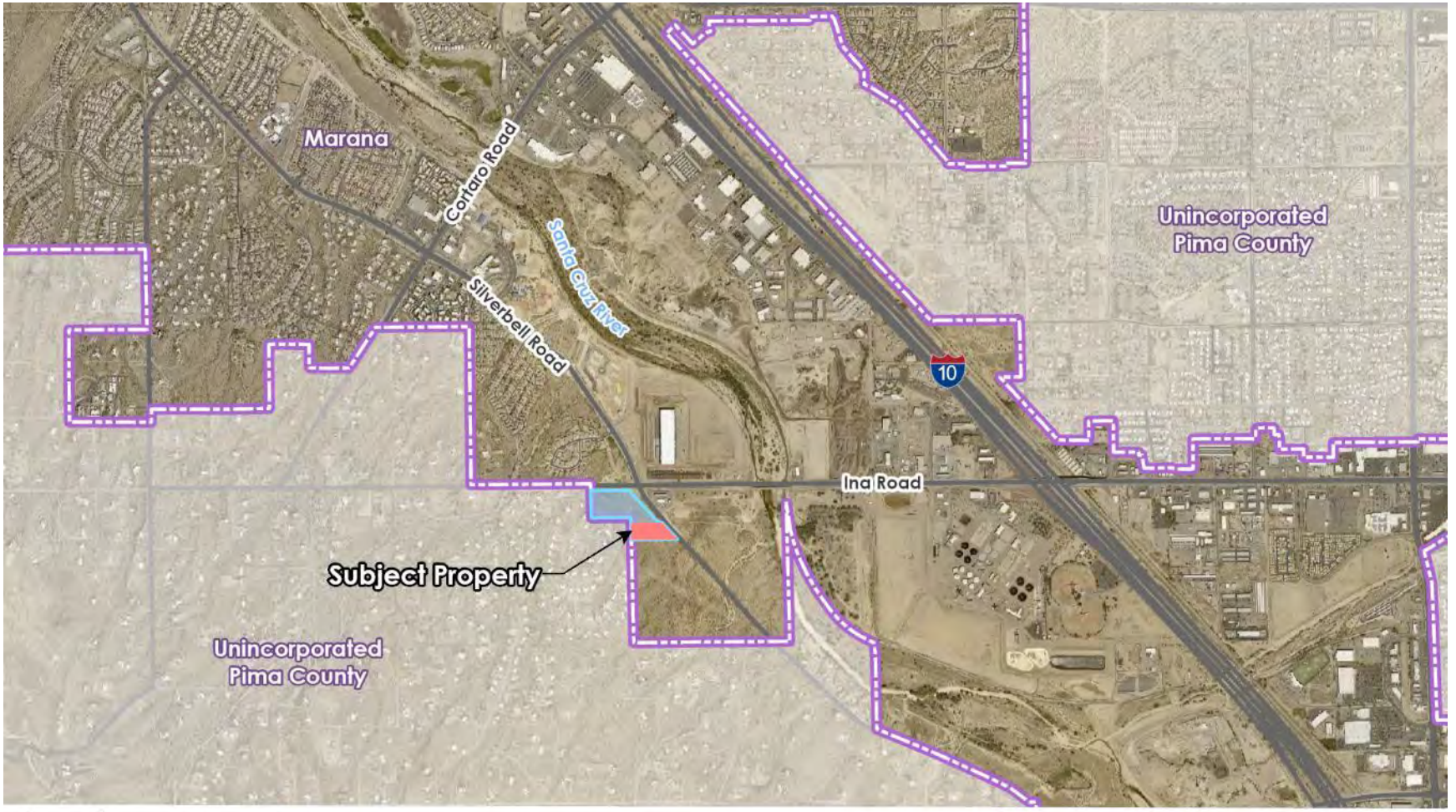
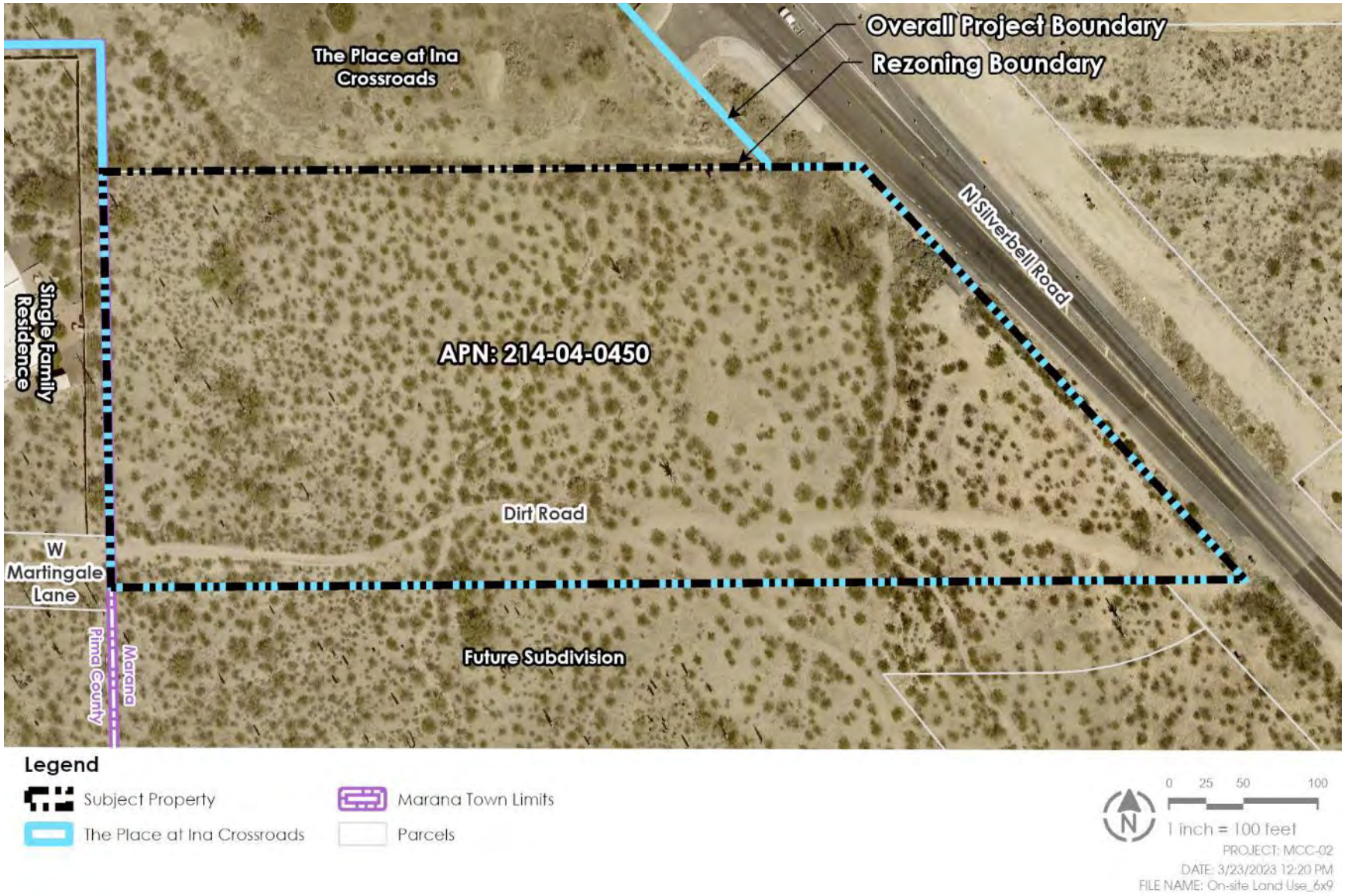


Exhibit I.A.2: Onsite Land Use



B. Information on Properties within a Quarter Mile

1. Existing Zoning

The subject property is currently zoned R-144 (Single Family Residential). The remaining northern nine acres of the overall project area are zoned VC (Village Commercial). These parcels were rezoned to VC in 2006 for the development of a retail shopping center that included over 37,000 square feet of retail space, 9,000 square feet of restaurant space with a drive through, and a drive through bank. Compatibility concerns arose during the rezoning process and several zoning conditions were included in the adopted ordinance to minimize the center's impacts on neighbors. Although the zoning was approved, the shopping center was never built.

By processing a change of ordinance for the northern nine acres, the Place at Ina Crossroads will replace the planned shopping center with a new multifamily community that is otherwise allowed in the VC zone by right. This proposal is more compatible with neighboring properties than the commercial that has been planned on the nine acres since it was in Pima County before being annexed into Marana and rezoned to VC. It contains none of the retail shopping center elements that were of concern in the 2006 rezoning.

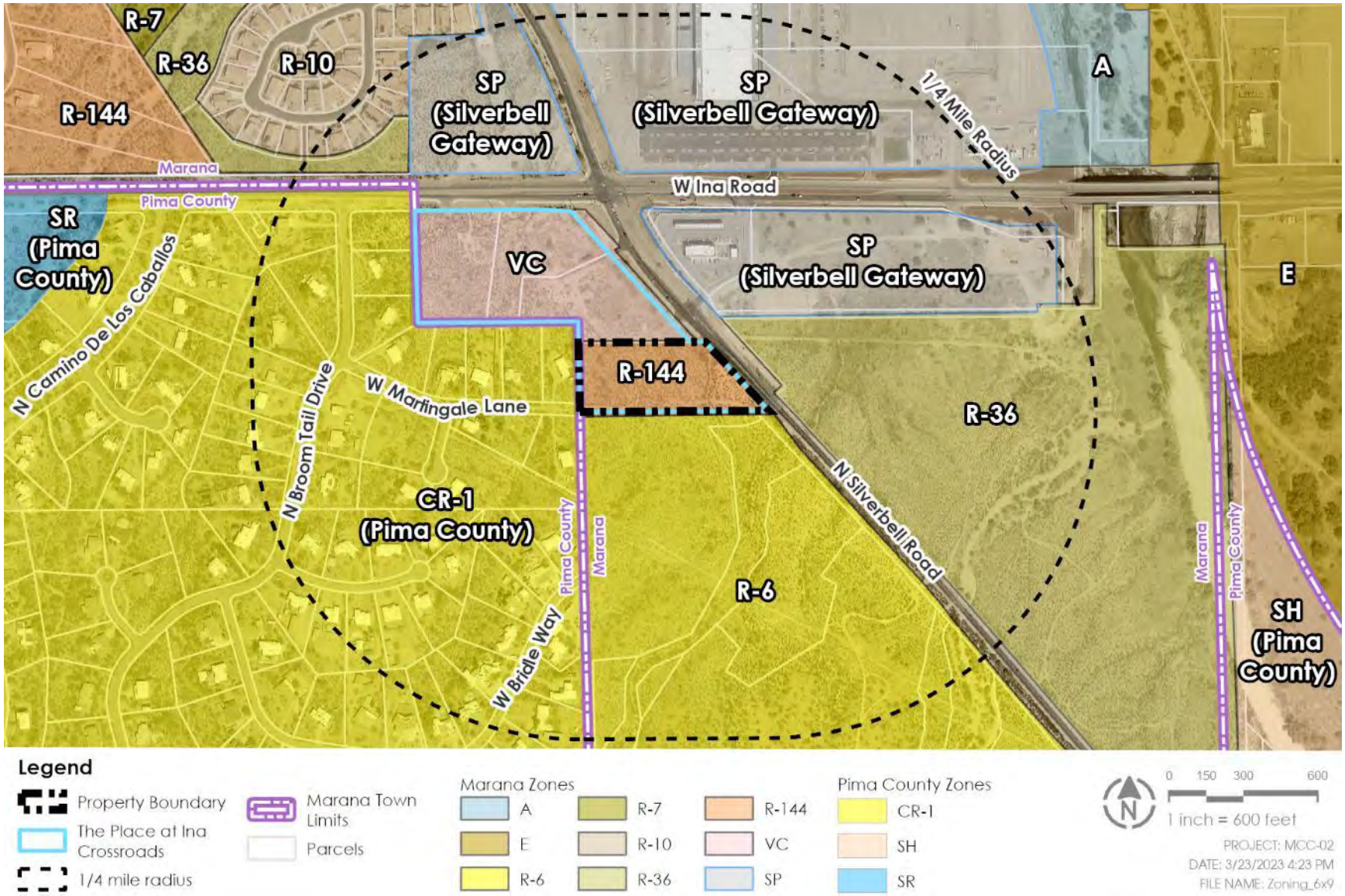
Zoning within a quarter mile of the subject property consists of a mix of residential, commercial, and specific plan zones (see ***Exhibit I.B.1: Existing Zoning***). The Place at Ina Crossroads seeks to form a transition from the intensive commercial uses being built on the land zoned Specific Plan to the existing homes sitting atop the hill in Bridlewood West. In doing so, it will solidify a residential development trend on the remaining vacant land west of Silverbell Road since multifamily residential development is permitted within Marana's commercial zoning districts. A summary of the surrounding zoning is provided in ***Table I.B: Properties within ¼-mile***.

Table I.B: Properties within ¼-mile

	North	South	East	West
Zone (Jurisdiction)	VC – Village Commercial SP – Specific Plan (Marana) R-10 - Single-Family Residential	*R-6 – Single-Family Residential	R-36 – Single-Family Residential	CR-1 – Single Residence (Pima County)
General Plan Designation	Commercial, Master Planned Area, & Traditional Neighborhood	Low Density Residential	Low Density Residential	Low Intensity Urban-0.3 (Pima County)
Land Use (Existing)	Vacant Land, Ina Road, Commercial, Residential, and Industrial	Single Family Residential	Silverbell Road, Pima County-Owned Conservation Land	Single Family Residential
Building Height	1- & 2-Story	1- & 2-Story (planned)	N/A	1-story

*The R-6 zoning to the south is conditionally approved

Exhibit I.B.1: Existing Zoning



2. General Plan Land Use

Make Marana 2040 identifies the subject property with a future land use designation of Low Density Residential. The northern nine acres for the overall project are designated Commercial. A minor general plan amendment will also be pursued concurrently with this rezoning request to change the subject property from LDR (Low Density Residential) to C (Commercial) to match the remaining vacant land at the corner.

These properties also complement the vision for the South Growth Area, which is planned for incremental growth through compatible infill development. Other designations within a quarter mile of the subject property consist of low density residential land use to the south, east, and west, and a mix of commercial and traditional neighborhood designations to the north (see ***Exhibit I.B.2: General Plan*** and ***Table I.B: Properties within ¼ mile***).

3. Surrounding Land Use

The four-acre property is surrounded by vacant privately held land slated for development or established neighborhoods. The surrounding land uses are detailed below and depicted in ***Exhibit I.B.3: Surrounding Land Uses***.

North

The four parcels immediately north of the subject property comprise the remainder of The Place at Ina Crossroads. The four parcels are currently vacant with some disturbances associated with structures that were removed from the property and an existing well facility, informal trail networks, and staging areas for adjacent roadway improvements. Across Silverbell Road is an existing Circle K containing 16 fuel pumping bays and an automated car wash.

Beyond the immediately adjacent property, across Ina Road, is the 220,822 square-foot newly constructed Amazon distribution facility that is 45 feet in height, vacant land entitled for mixed-use development, and an established single-family residential neighborhood known as Silverbell West.

East of Circle K, the recently approved Amavida Apartments complex is planned for construction. This new apartment complex comprises approximately 200 units at an overall density of 17 units to the acre, with amenities including a clubhouse and pool. Buildings on this property are planned to be a maximum of 40 feet in height.

South

The properties immediately south of the site are currently vacant and contain two washes with wildlife corridors that have been dedicated to the Town for wildlife movement. Areas outside of wash and wildlife corridors are anticipated to be developed with a residential subdivision known as Silverbell Ridge Estates. The plat for Silverbell Ridge Estates is currently under review by the Town of Marana and proposes 57 lots clustered towards Silverbell Road.

Silverbell Ridge Estates will feature one- and two-story homes with a maximum of building height of 20 feet.

East

Silverbell Road lies immediately east of the subject property. It is a major arterial road that extends through multiple jurisdictions. Just beyond Silverbell Road is a vacant parcel owned by Pima County Flood Control District which is deed restricted and will remain as natural open space in perpetuity.

West

Two phases of the Bridlewood West Subdivision lie immediately west of the property in unincorporated Pima County. They consist of a total of 102 lots at an overall density of 0.74 residences per acre. Homes within this subdivision consist of detached one- and two-story structures that generally sit 20 to 30 feet higher in elevation than the subject property. Bridlewood West is accessed from Ina Road.

Exhibit I.B.2: General Plan

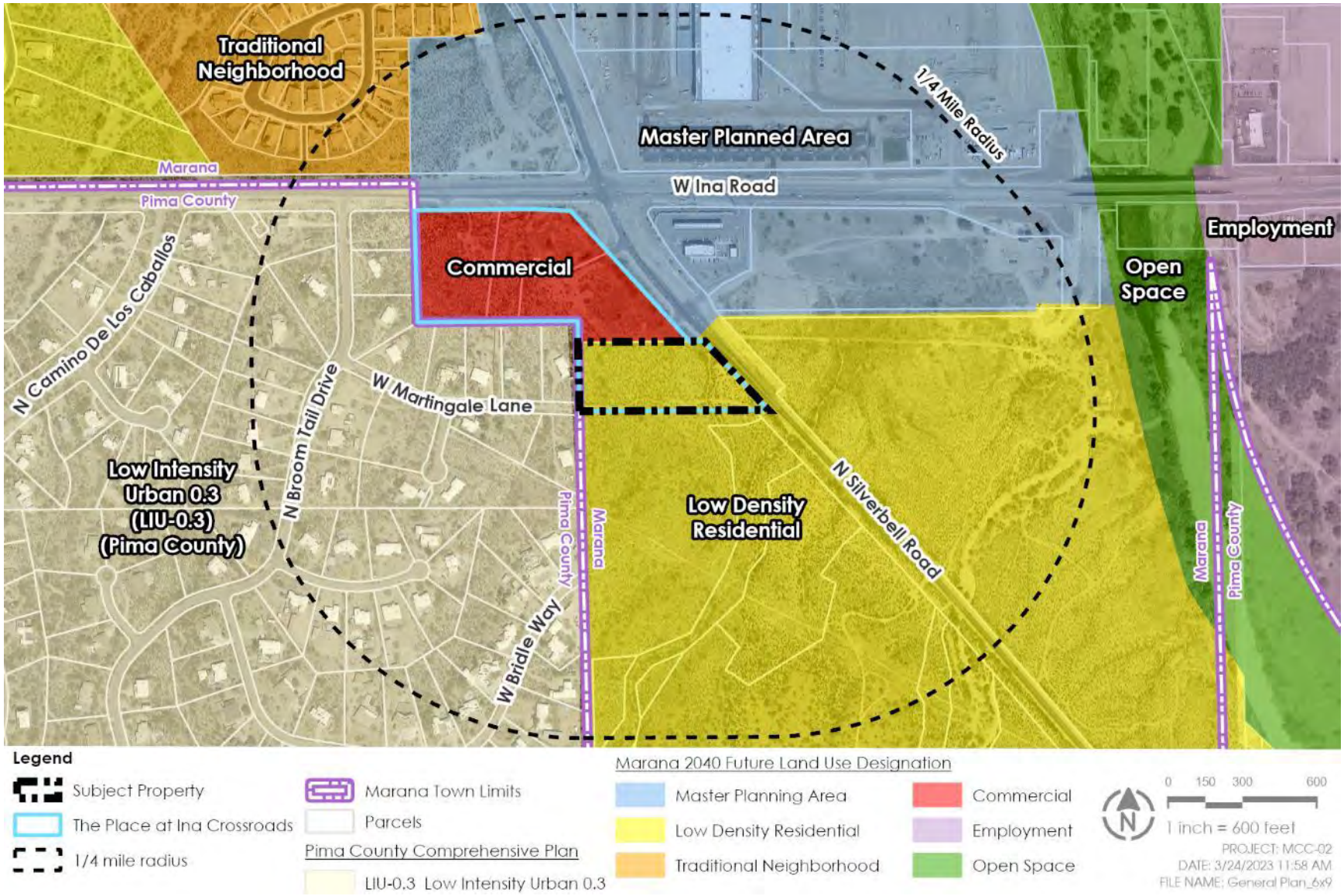
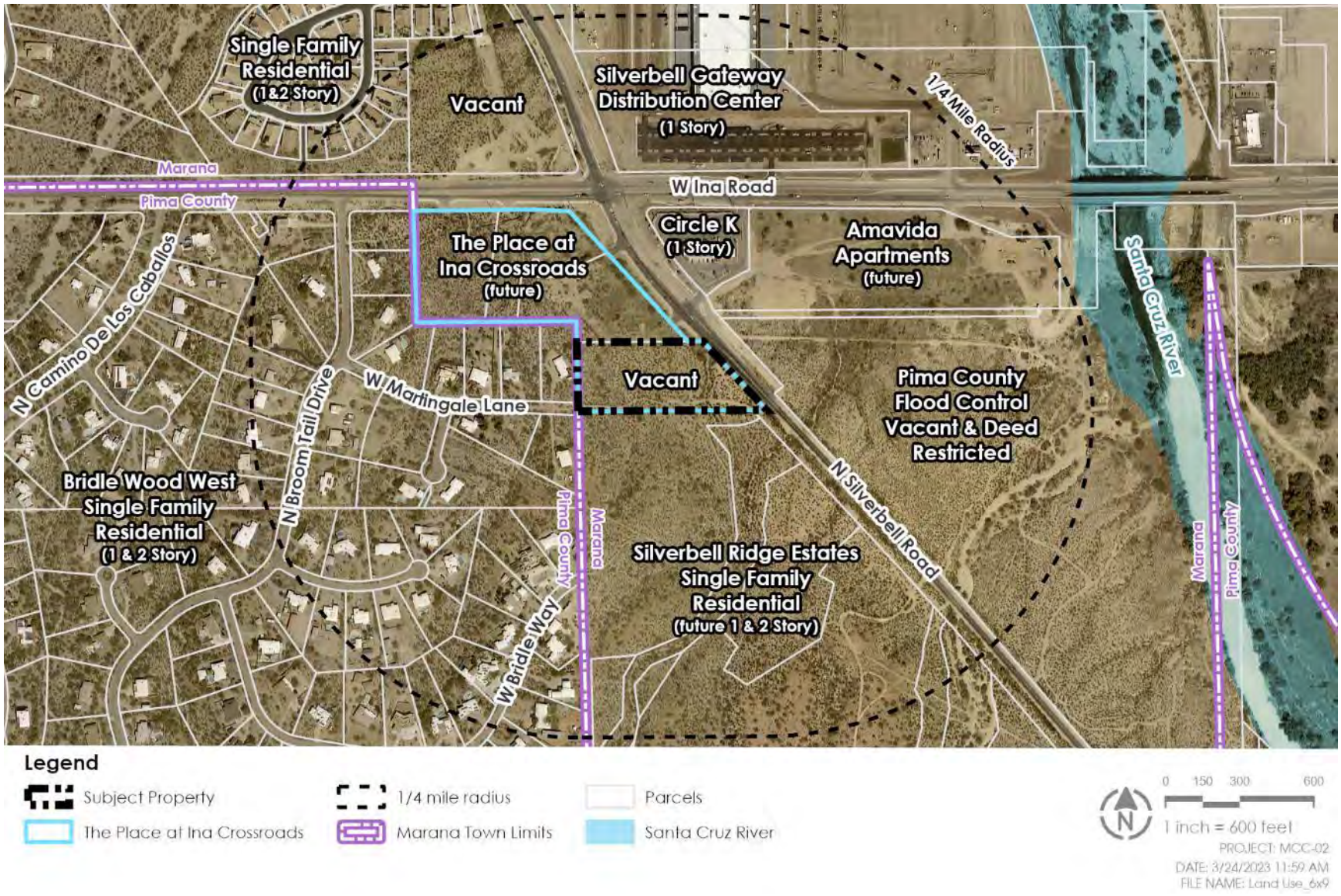


Exhibit I.B.3: Surrounding Land Uses



4. Pending and Conditional Rezoning Cases

In 2006, the northern nine acres of The Place at Ina Crossroads were rezoned from NC (Neighborhood Commercial) and R-144 (Single Family Residential) to VC (Village Commercial) for the development of a retail shopping center. Though the shopping center never materialized, the VC zoning remains in place. The adopted ordinance (No. 2006.29) includes several conditions pertaining to the shopping center development. A change of ordinance is being requested concurrently with this rezoning to remove the shopping center conditions.

Silverbell Ridge Estates is a planned subdivision that borders the southern property boundary of the rezoning area. The 49-acre property was rezoned from R-16 (Residential) to R-6 (Residential) in July of 2021 (Ordinance No. 2021.016). It is the most recent conditionally approved rezoning within a quarter mile of the subject property.

5. Subdivisions & Development Plans

Several subdivisions are located within a ¼ mile of the subject property to the north, south, and west. Development plans within ¼ mile are primarily confined to the Ina and Silverbell intersection (see ***Exhibit I.B.5: Adjacent Development***). ***Tables I.B.5.a*** and ***I.B.5.b*** detail the surrounding approved subdivisions and development plans.

Surrounding Subdivisions

The Silverbell West R-10 subdivision is located northwest of the subject property across Ina Road. This subdivision consists of 42 lots and a vacant eight-acre commercial block at the northwest corner of Ina and Silverbell. The vacant block is a part of the Silverbell Gateway Specific Plan as noted on ***Exhibit I.B.1***. The Bridlewood West subdivisions are located west of the subject property and contain a total of 102 lots. The property to the south has been platted several times for single-family residential development. The Ina Silverbell (1-41) Subdivision was recorded in 2006 but was never developed. This subdivision was removed in 2018 with the approval of the Silverbell Ridge Estates (1-3) Block Plat. The Silverbell Ridge Estates (Lots 1-57) Preliminary Plat is currently under review by the Town of Marana.

Surrounding Development Plans

Prior to annexation into the Town of Marana, a development plan for Casa Del Notre was approved by Pima County in 1986 for six of the nine acres that comprise The Place at Ina Crossroads for restaurant and retail uses. However, the property remains undeveloped to this day. Other approved development plans include the Amazon Silverbell Gateway Distribution Center and Circle K, which have been constructed. The Town of Marana recently approved the Amavida Apartments Development Plan, with construction anticipated to begin soon.

Exhibit I.B.5: Adjacent Development

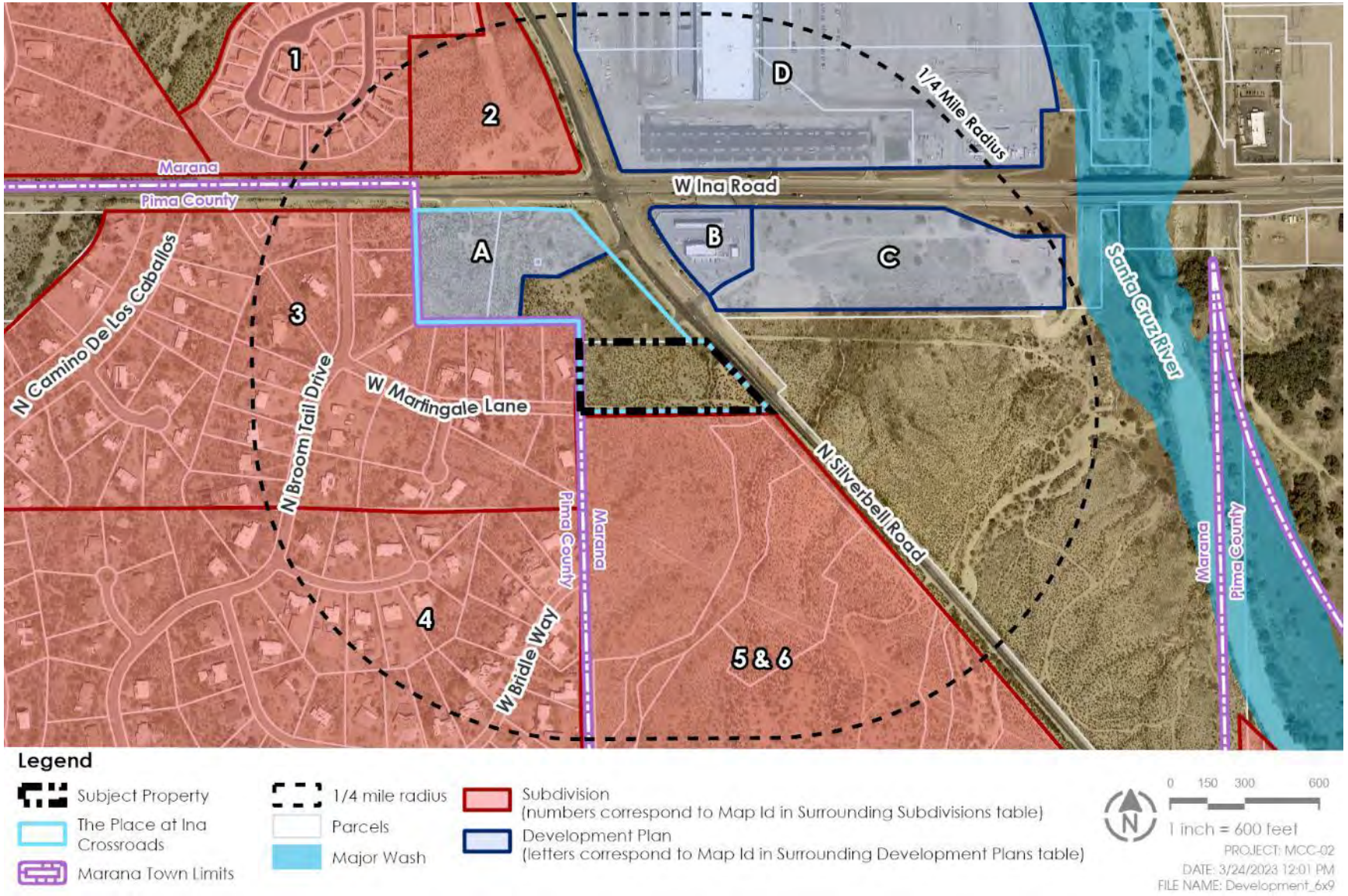


Table I.B.5.a: Surrounding Subdivisions

Map ID	Subdivision Name	Book/Page	Sequence Number	Jurisdiction
1	Silverbell West R-10 (1-42)	-	20140800103	Marana
2	Silverbell West R-10	-	20130740060	Marana
3	Bridlewood West (1-41)	20048	-	Pima County
4	Bridlewood West (42-102)	31075	-	Pima County
5	Ina & Silverbell (1-41)	61020	20060910729	Marana
6	Silverbell Ridge Estates (Blocks 1-3) Final Block Plat	-	20182500098	Marana

Table I.B.5.b: Surrounding Development Plans

Map ID	Name	Project Number	Approval Date	Jurisdiction
A	Casa Del Norte Development Plan	CO1286025	June 11, 1986	Pima County
B	Circle K SEC Ina & Silverbell Development Plan	DPR1611-001	November 7, 2016	Marana
C	Amavida Apartments Development Plan	D002205-001	September 2022	Marana
D	Silverbell Gateway Distribution Center Development Plan	DPP2103-001	June 29, 2021	Marana

6. Architecture Styles

Architectural styles in the vicinity generally consist of styles typical to the southwest, such as Territorial, Pueblo, or Santa Fe styles with varying building heights and rooflines, materials, and colors.

C. Septic Systems & Wells

There are no septic systems or wells present on the subject property.

D. Topography & Slope

1. Topographic Characteristics:

Much of the site can be characterized as generally flat (slopes +/- 2% northerly) except for the western quarter of the property, which contains a hillside that slopes upwards to the adjacent property to the west. The flat portions of the property sit approximately 10 to 20 feet lower in elevation than the western boundary (see ***Exhibit I.D: Topography & Slope***).

a. Hillside and Conservation Areas:

No hillside or conservation areas exist onsite.

b. Rock Outcrops:

No rock outcrops are located onsite.

c. Slopes of 15% or greater:

As depicted in ***Exhibit I.D: Topography & Slope***, the western quarter of the property contains slopes greater than 15%.

d. Other Significant Topographic Features:

No other significant topographic features exist onsite.

2. Pre-development Cross-slope:

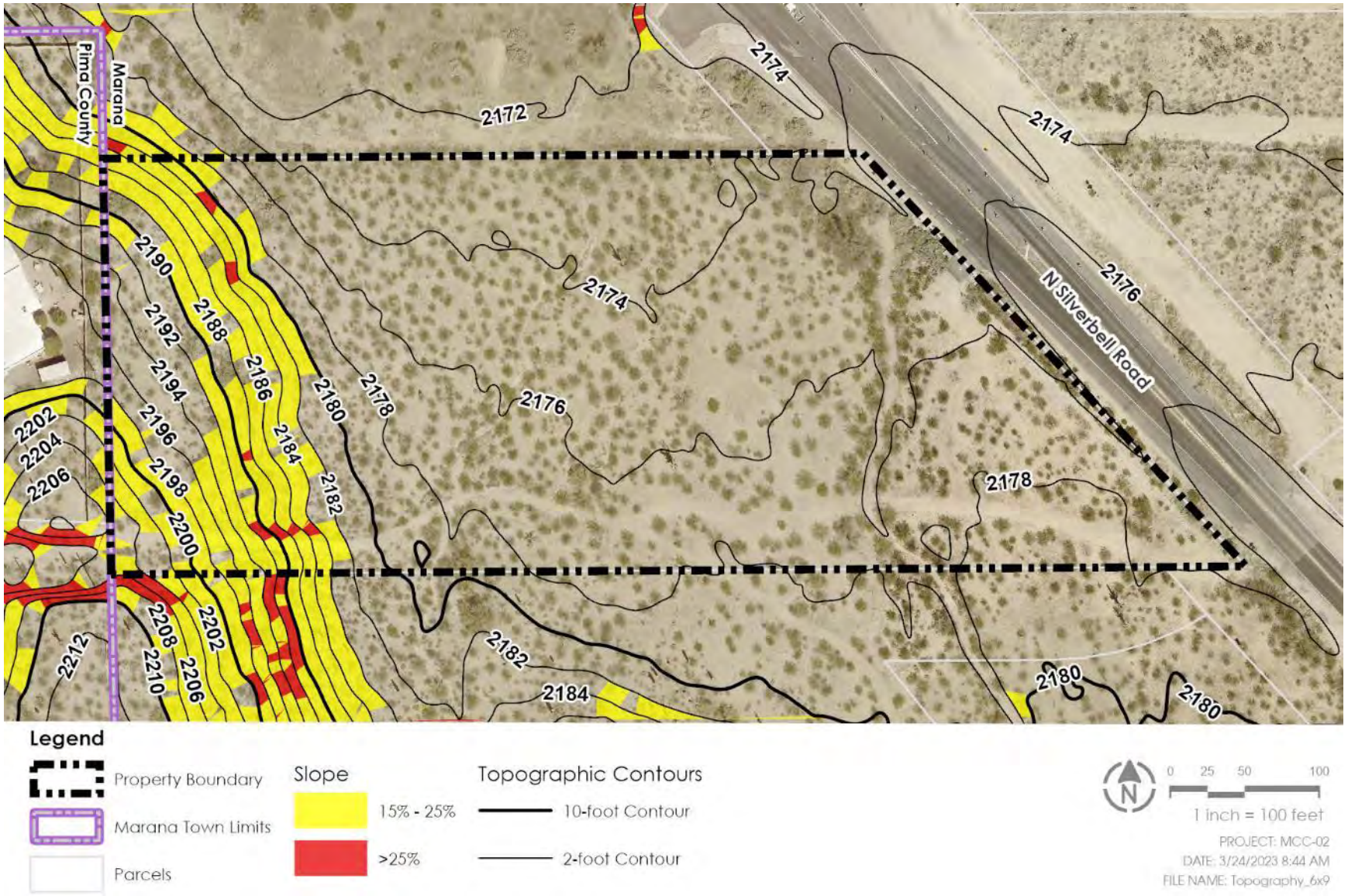
The property's average cross-slope is 7%. This result is calculated using the following formula:

$$\text{Average Cross-Slope} = \frac{I \times L \times 0.0023}{A}$$

Where: I = contour interval in feet (2')
L = total length of contours in feet (5,873')
0.0023 = conversion of square feet into acres x 100
A = total site area in acres (4.13 ac)

$$\frac{2 \times 5{,}873 \times 0.0023}{4.13} = \textbf{7\% Average Cross Slope}$$

Exhibit I.D: Topography & Slope



E. Hydrology

Engineering and Environmental Consultants (EEC) prepared this pre-development hydrology analysis to determine the existing drainage characteristics of the overall 13-acre development area. The property consists of partially developed land with desert brush at an average density of 30%. The soil is approximately 93% Type-B and 7% Type-C. Also present is a concrete box culvert running underneath Ina Road and a natural channel running parallel to said road.

Six offsite watersheds impact the site (see ***Exhibit I.E.1: Existing Offsite Drainage***). The methodology used to determine the peak runoff from the watersheds include Pima County's *PC-Hydro V. 7.2,* which was fed parameters in accordance with the *Hydrology Manual for Engineer Design and Floodplain Management* by Pima County. Rainfall parameters came from NOAA Atlas 14 with a 90% confidence interval for precipitation intensity. ***Table I.E.1*** below details the design flows of the watersheds.

Table I.E.1: Offsite Watershed Design Flows

Watershed (CP)	Area (Acres)	100-Year Flow (cfs)
O1	98.33	269
O2	16.24	68
03	12.77	66
O4	28.24	120
O5	10.95	61
O6	4.94	23

(from Silverbell Crossroads by Olsson Associates January 13, 2009)

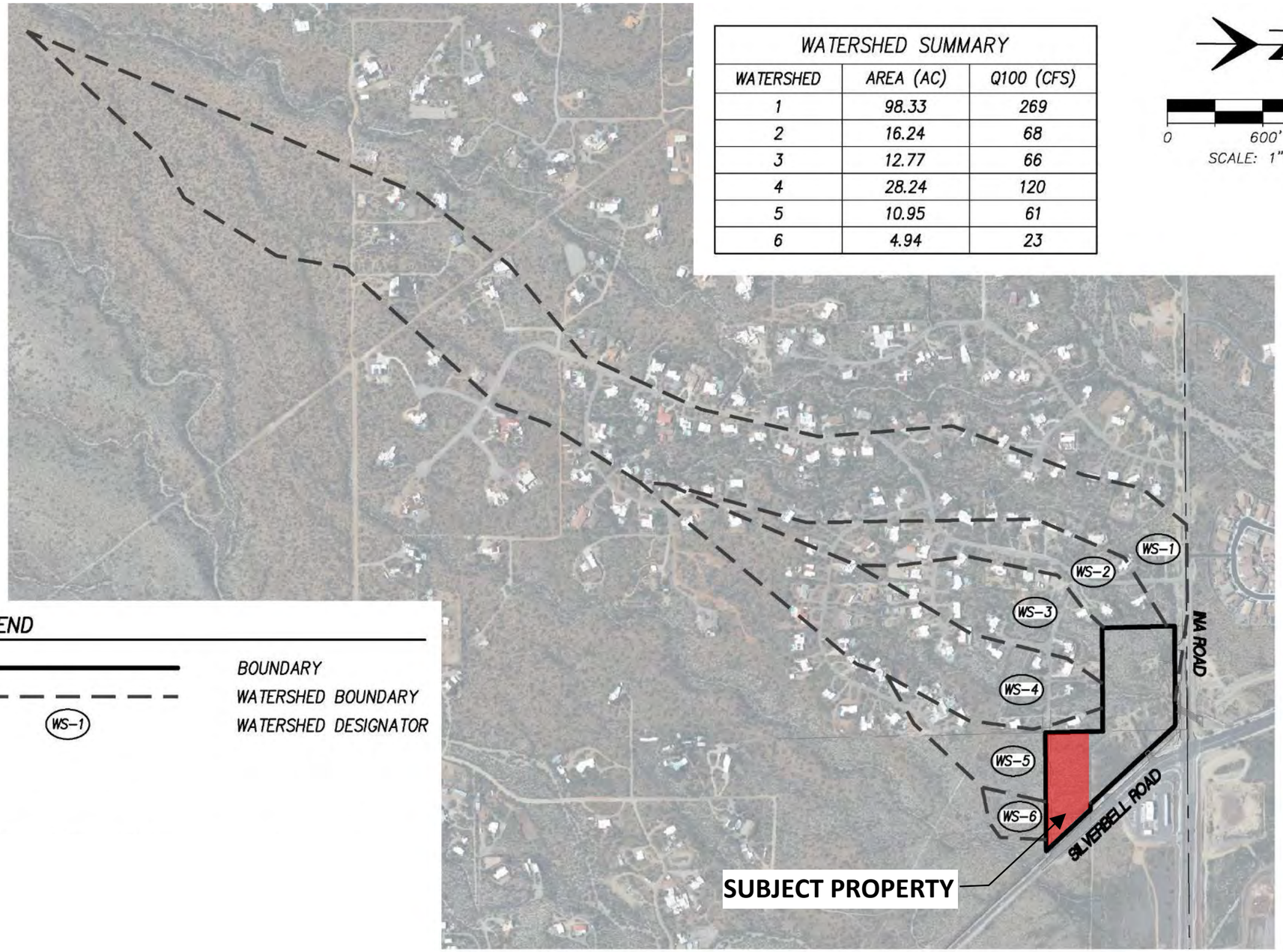
The onsite project area was divided into 3 existing watersheds (see ***Exhibit I.E.2: Existing Onsite Drainage***). ***Table I.E.2*** below details the design flows from these 3. Two of these merge at a concentration point at the north property line (CP N).

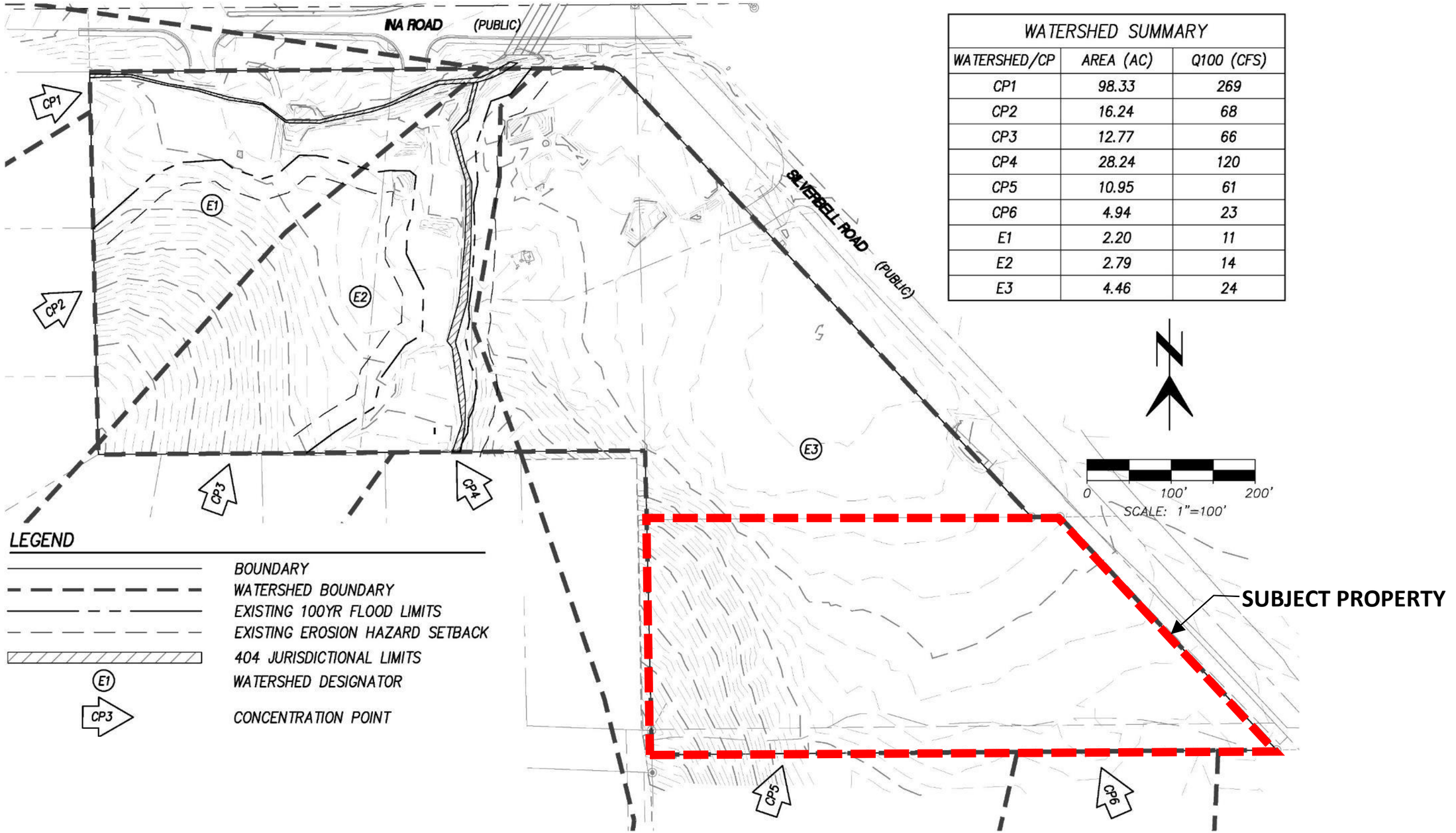
Table I.E.2: Onsite Watershed Design Flow

Watershed (CP)	Area (Acres)	100-Year Flow (cfs)	Cumulative CP	Cumulative Area (Acres)	Cumulative 100-Year Flow (CFS)
E1	2.20	11	O1+O2+E1	116.77	314
E2	2.79	14	O3+O4+E2	43.8	181
E3	4.46	24	O5+E3	15.41	85
CP N			CP E1+CP E2	160.57	417
Total			CP N+ CP E3	175.98	476

(from Silverbell Crossroads by Olsson Associates January 13, 2009)

*Please note that peak discharges for the combined basins were determined by Olsson Associates using HEC-HMS software. Cumulative flows are not additive due varying peak times and attenuation of the flow.


WATERSHED SUMMARY
WATERSHED | AREA (AC) | Q100 (CFS)
1 | 98.33 | 269
2 | 16.24 | 68
3 | 12.77 | 66
4 | 28.24 | 120
5 | 10.95 | 61
6 | 4.94 | 23
0
600'
1200'
SCALE: 1"=600'
LEGEND
BOUNDARY
WATERSHED BOUNDARY
WS-1
WATERSHED DESIGNATOR
WS-1
WS-2
WS-3
WS-4
WS-5
WS-6
INA ROAD
SILVERBELL ROAD
SUBJECT PROPERTY



WATERSHED SUMMARY		
WATERSHED/CP	AREA (AC)	Q100 (CFS)
CP1	98.33	269
CP2	16.24	68
CP3	12.77	66
CP4	28.24	120
CP5	10.95	61
CP6	4.94	23
E1	2.20	11
E2	2.79	14
E3	4.46	24

F. Vegetation

1. Vegetative Communities

Most of the vegetation onsite is classified as Sonoran Desertscrub containing Saguaros, Creosote bushes, and Palo Verde trees. The vegetation cover is consistent, covering approximately 30% of the site (see ***Exhibit I.F.1: Vegetation***).

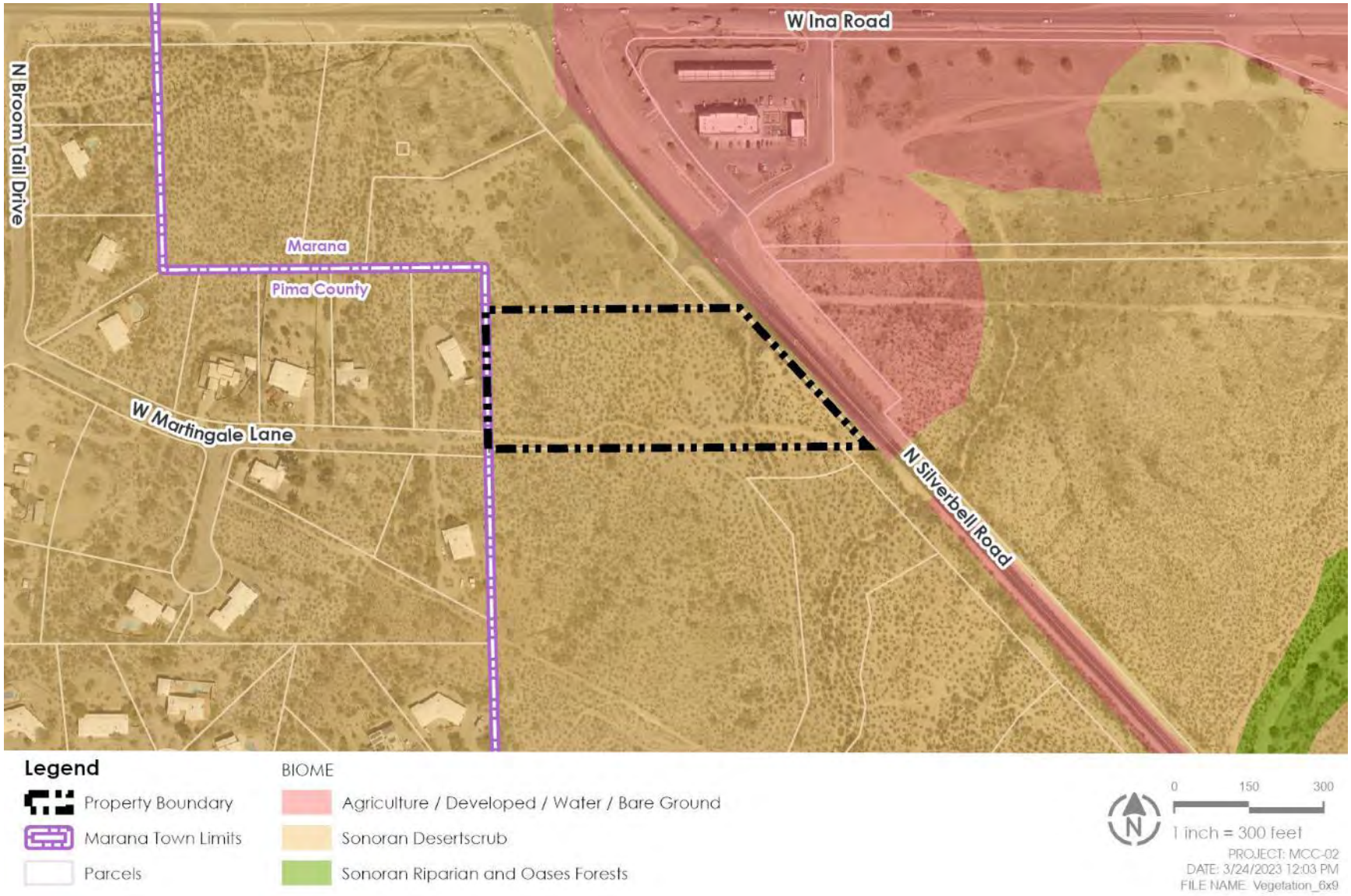
2. Significant Vegetation

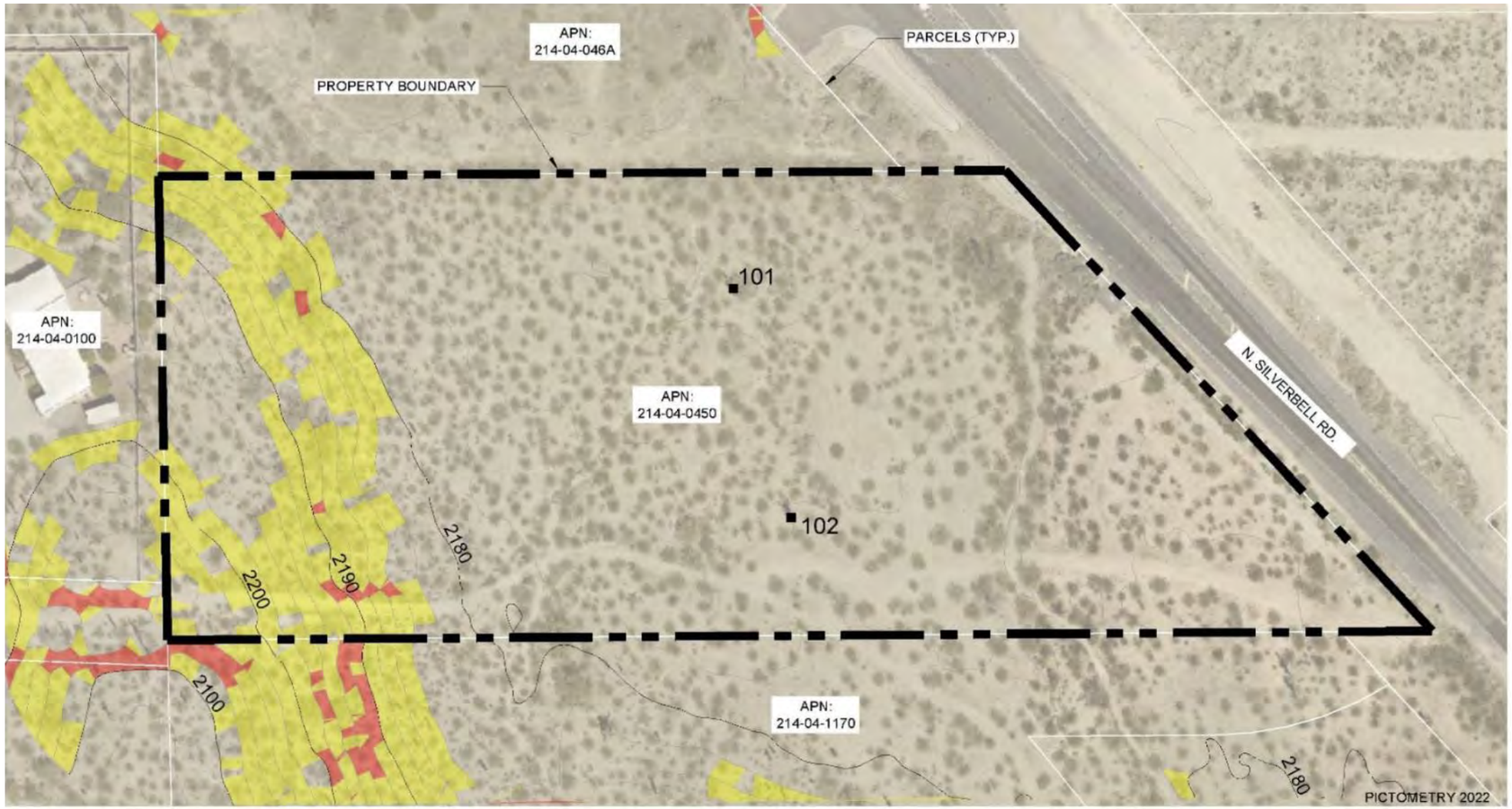
Vegetation present onsite includes species typical to this portion of Pima County, such as Saguaros (Carnegia gigantea), Mesquite trees (Prosopis velutina), Foothills Palo Verde trees (Parkinsonia microphylla), Creosote(Larrea tridentata), Barrel Cactus (Ferocactus wislizeni), and various Cholla species (Cylindropuntia). A Site Resource Inventory conducted earlier this year concluded that two significant Saguaros, one spear greater than 20 feet in height and one multi-armed specimen greater than 16 feet tall, are present on the site. No significant trees, washes, or riparian areas are present on the property (see ***Exhibit I.F.2: Site Resource Inventory***).

3. Vegetative Densities

Saguaros and Foothills Palo Verde trees occupy the slope on the western portion of the property. The central and east areas are generally flat and covered with Creosote bushes. There is a higher density of Creosote bushes on the east side of the property, where runoff from the roadways has diverted and collected on the property.

Exhibit I.F.1: Vegetation





NOTES

1. This aerial photo is less than two years old.
2. The majority of the site is undisturbed except for existing dirt roads.
3. The site features Saguaros (Carnegia gigantea), Mesquite Trees (Prosopis velutina), Foothills Palo Verde Trees (Parkinsonia microphylla), Creosote (Larrea tridentata), barrel cactus (Ferocactus wislizeni), and various cholla species (Cylindropuntia).
4. Significant vegetation was identified as being Saguaro spears greater than 20' and multi-armed specimen greater than 16'. No trees were identified as significant.
5. See table below for an inventory of significant species observed on site.
6. No washes exist on site.
7. No riparian areas exist on site.

SCALE 1"=40'-0"

LEGEND

- PROPERTY BOUNDARY
- PARCELS
- SLOPES 15% - 20%
- SLOPES GREATER THAN 20%
- 2' CONTOUR INTERVAL
- ■101 SIGNIFICANT VEGETATION

SIGNIFICANT SPECIES INVENTORY LIST

NUMBER	SPECIES	HEIGHT	CALIPER	TRUNK	VIABILITY	TRANSPLANT	ARMS	NOTE1	NOTE2	NOTE3
101	CARNEGIEA GIGANTEA	20	0	MULTI	LOW	LOW	6	DAMAGED	LARGE SIZE	
102	CARNEGIEA GIGANTEA	20	0	MULTI	LOW	LOW	24	BROKEN LIMB	DAMAGED	BROKEN TOP & ARMS

THIS EXHIBIT WAS CREATED USING PUBLICLY AVAILABLE DATA AVAILABLE THROUGH PIMA COUNTY GIS AND IS FOR PLANNING PURPOSES ONLY.

G. Wildlife

1. Letter from Habitat Specialist

In support of this analysis, the Arizona Game and Fish Department (AGFD) Heritage Data Management System (HDMS) was accessed via their On-line Environmental Review Tool to locate records of habitat and species occurrence within three miles of the property. The entire HDMS report is submitted in Appendix B of this document.

i. Presence of any Threatened or Endangered Species

The HDMS identified 13 Special Status Species within three miles of the subject property. These species and their status are listed in the following table.

Table I.G.1: Special Status Species Documented within 3 Miles

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Crotalus willardi willardi	Arizona Ridge-nosed Rattlesnake		S			1A
Dendrocygna bicolor	Fulvous Whistling-Duck	SC				
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
Kinosternon sonoriense sonoriense	Desert Mud Turtle			S		1B
Leptonycteris yerbabuenae	Lesser Long-nosed Bat	SC				1A
Macrotus californicus	California Leaf-nosed Bat	SC		S		1B
Myotis velifer	Cave Myotis	SC		S		1B
Opuntia versicolor	Stag-horn Cholla				SR	
Poeciliopsis occidentalis occidentalis	Gila Topminnow	LE				1A
Tadarida brasiliensis	Brazilian Free-tailed Bat					1B
Terrapene ornata luteola	Desert Box Turtle			S		1A

Note: **FWS** – Federal U.S. Status; **USFS** – US Forest Service; **BLM** – US Bureau of Land Management; **NPL** – Arizona Native Plant Law; **SGCN** – Species of Greatest Conservation Need; **CCA** - Candidate Conservation Agreement; **LE** - Listed Endangered; **PT** - Proposed Threatened; **SC** - Species of Concern; **S** – Sensitive; **SR** - Salvage Restricted (collection only with permit)

ii. High densities of given species population

As indicated by the HDMS review, there are no high densities of a given species located within the boundaries of the proposed site.

iii. Aquatic or riparian ecosystems

No aquatic or riparian ecosystems are present onsite.

iv. Wildlife corridors

No identified wildlife corridors are present on the subject property. The HDMS has identified the property within three miles of the Saguaro National Park (West) and the Santa Cruz River Wildlife Movement Area. While not recognized as a wildlife corridor by the AZGFD, two wildlife corridors exist on the neighboring property to the south. These corridors connect the Tucson Mountains to the Santa Cruz River.

H. Soils

Three soil types are found on the property. The *Stagecoach-Sahuarita* class covers most of the site except for the northwest and southwest corners, which consist of the *Anthony Fine Sandy Loam* and *Pinaleno-Stagecoach Complex,* respectively (see ***Exhibit I.H: Soils***).

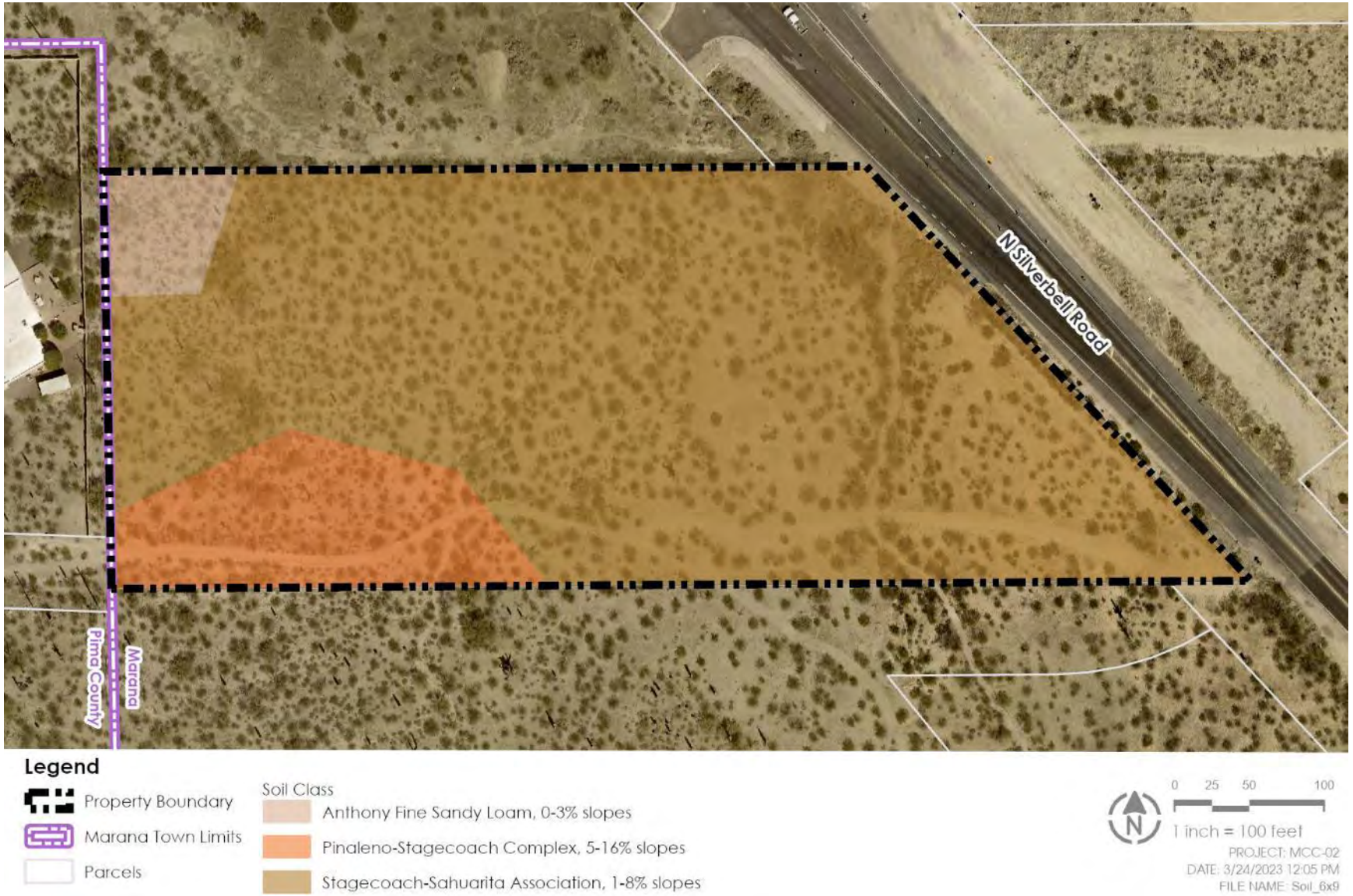
The *Stagecoach-Sahuarita Association, 1-8% slopes* soil class is well suited to homesite development per the 1999 *Soil Survey of Pima County, Arizona, Eastern Part* prepared by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS).

Per the 1999 NRCS Soil Survey, if the *Anthony Fine Sandy Loam, 0-3% slopes* soil class is used for homesites, and the main limitations are flooding and the hazard of wind erosion in disturbed areas.

Per the 1999 NRCS Soil Survey, the Pinaleno-Stagecoach Complex, 5-16% slopes soil class is on strongly sloping fan terraces, and if used for homesite development, the main limitations are slope and high lime content in the Stagecoach soils. Erosion is a hazard in the steeper areas consisting of these soils. Only the part of the site that is used for construction should be disturbed.

Portions of the site containing Anthony Fine Sandy Loam and Pinaleno-Stagecoach Complex should generally be avoided as these soil types are unsuitable for development.

Exhibit I.H: Soils



I. Viewsheds

The subject property is located east of the Tucson Mountains near the major intersection of Silverbell Road and Ina Road. Its natural topography slopes downward from west to east. This slope creates vantage points along the property's western boundary with clear views across the property looking northeast, east and southeast towards the Tucson Metro and surrounding mountain ranges.

Views of the Rincon and Catalina Mountains are also visible from the lower portions of the property on the east side. Foreground views looking towards the Tucson Metro are partially obscured by dense vegetation on Pima County's property to the east and around the Santa Cruz River. A ridge runs along the property's western boundary and obstructs westward-looking views from the property, and no significant features can be seen looking south of the site.

Properties to the west are within the foothills of the Tucson Mountains. The natural topography creates a variety of views within the neighborhood, with the most prominent views being the Rincon and Catalina Mountains to the east and northeast. This neighborhood also sits approximately 20 feet higher than the eastern half of the subject property (see *Exhibit I.I.1: Site Photo Locations* and *Exhibit I.I.2: Viewsheds*). Because of the grade differential and the expansive views of the mountain ranges in all directions, mountain views for residents living to west will be minimally impacted.

Exhibit I.I.1: Site Photo Locations





View from northwest property corner looking north.



View from northwest property corner looking east.



View from southwest property corner looking north.



View from southwest property corner looking west.



View from southwest property corner looking south.



View from southwest property corner looking east.



View from the eastern property boundary adjacent to Silverbell Road looking west.



View from the eastern property boundary adjacent to Silverbell Road looking east.



View from northeast property corner looking west.



View from the center of the property looking east.



View from east side of Silverbell Road looking west toward the property.



View from adjacent parcel to the north looking east.

J. Traffic

The overall project is located on the southwest corner of the Ina Road/Silverbell Road intersection. The subject property fronts onto Silverbell Road approximately 700 feet south of the intersection. The northern portion of the overall project was originally planned as a commercial shopping center with four access drives, two along Ina Road and two along Silverbell Road. These access drives were partially constructed as curb cuts with curb returns, sidewalks and asphalt paving as part of the original Silverbell Road widening and intersection improvements in 2009. These improvements also included an asphalt access apron to the subject property from Silverbell Road, making a total of five established access points to the property.

The Ina Road/Silverbell Road intersection was recently improved with turn lane and median enhancements. These improvements facilitate access to the overall project from Silverbell Road and Ina Road at two of the established access drives along the project's north and east boundary.

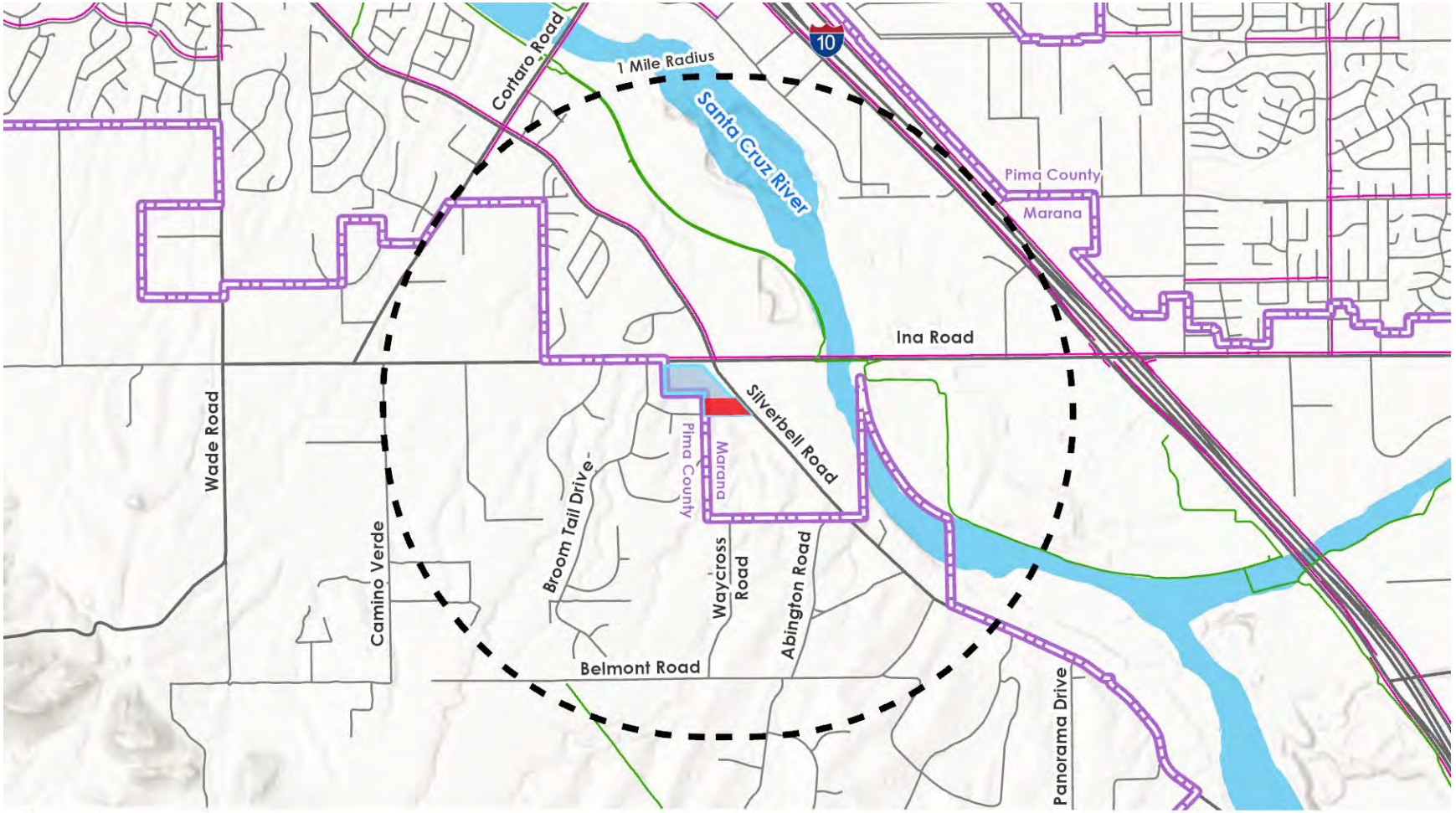
Three arterial streets are located within one mile of the subject property: Ina Road, Silverbell Road, and Cortaro Road (see ***Exhibit I.J: Traffic***). Only Ina Road and Silverbell Road serve the proposed site as Cortaro Road provides no direct route to the property. A Traffic Impact Analysis will be submitted to the Town and determine any additional offsite improvements.

Currently a 20-foot Public Roadway Easement (Sequence Number 2022-1260046) has been granted to the Town of Marana along Silverbell Road. This easement will be dedicated to the Town to expand Silverbell's Right of Way (ROW). In addition to the 20-foot easement being dedicated as ROW, a 25-foot Right of Way dedication is proposed along the subject property's eastern boundary. These two dedications totaling 45 feet will complete Silverbell's western Right of Way limit.The Pima Association of Governments (PAG) Transportation Improvement Program (TIP) identifies a proposed widening of Silverbell Road between Grant Road and Ina Road. This project would widen Silverbell Road to four lanes with raised medians, add 6-foot bike lanes, curbs, and a multi-use path on the east side of the road. The project is expected to be completed in 2026. For more information regarding arterial streets within the project vicinity, see the table below and the accompanying Traffic Impact Analysis.

Table I.J: Existing Arterial Streets within One Mile

Arterial Street (Segment)	**Existing ROW**[1]	**Meets Minimum ROW Width**	**Ownership**	**Continuous ROW**	**Travel Lanes** (Capacity[2])	**Speed Limit**	**OCI Rating**[1]
Ina Road (east of Silverbell)	150’	Yes	Public (Marana)	Yes	4 (39,800)	45	94.00
Ina Road (west of Silverbell)	150’ – 60’	Partially	Public (Marana/ Pima County	Yes	2 (14,160)	45	78.80
Silverbell Road (north of Ina)	150	Yes	Public (Marana)	Yes	4 (39,800)	45	64.40 / 73.5
Silverbell Road (south of Ina)	Varies	Partially	Public (Marana/ Pima County	Jogs	2 (14,160)	45	73.20
Cortaro Road (west of Silverbell)	130’-90’	No	Public (Marana/ Pima County	Jogs	2 (14,160)	45	65.60

Sources: 1: Marana Pavement Overall Condition Index (OCI), Marana Public Works Geographic Information Systems, 2023;
2: Generalized Annual Average Daily Volumes for Florida’s Urban Areas, Florida Department of Transportation, 2023


Cortaro Road
1 Mile Radius
10
Santa Cruz River
Pima County
Marana
Ina Road
Wade Road
Silverbell Road
Pima County
Marana
Broom Tail Drive
Camino Verde
Waycross Road
Abington Road
Belmont Road
Panorama Drive
Legend
Subject Property
The Place at Ina Crossroads
1 Mile Radius
Major Wash
Major Street
Street
Bike Facilities
Bike Route
Bike Path
0
¼
½
1 inch = 1/2 mile
PROJECT: MCC-02
DATE: 6/7/2023
FILE NAME: Traffic Map_6x9

K. Recreation & Trails

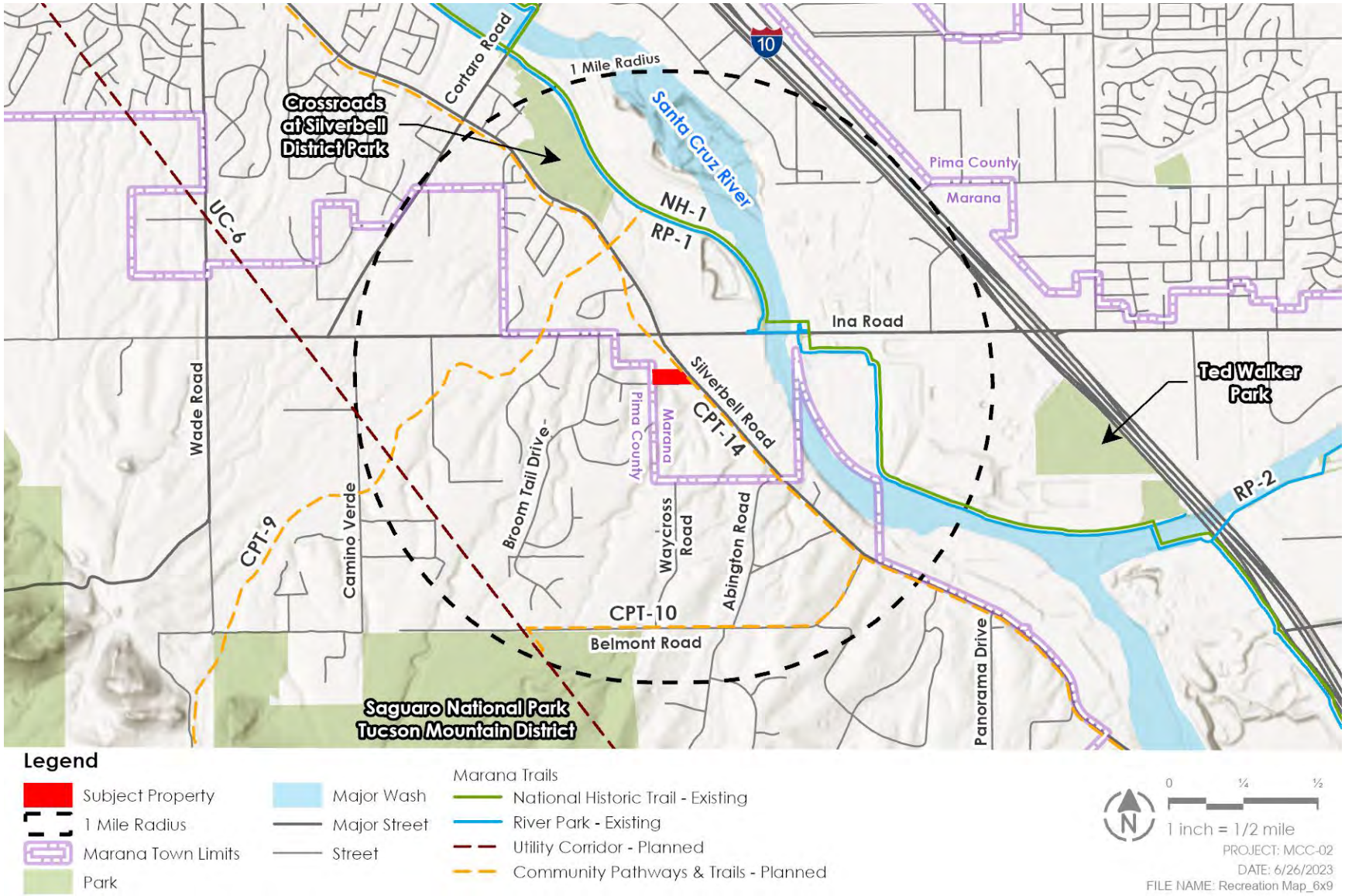
The Crossroads at Silverbell District Park is the only Marana owned park within one mile of the subject property. This approximately 42-acre park serves southern Marana with a variety of amenities including lighted soccer and ball fields, lighted sports courts, playgrounds, a dog park and a splash pad. It also provides access to the Santa Cruz Shared Use Path and the Loop trail network. The eastern extent of the Saguaro National Park Tucson Mountain District is located approximately one mile south of the subject property. The park is owned and operated by the National Park Service. It contains 43 miles of hiking trails within its 25,391 acres.

Exhibit I.K: Recreation & Trails maps the *Town of Marana Parks & Recreation Master Plan (2020-2030)* trails within one mile of the subject property. The Santa Cruz River Park/Juan Bautista de Anza Trail is the only established trail facility within one-mile of the property. This trail is part of The Loop trail network serving the region. The planned Silverbell Road Path crosses the eastern boundary of the property. Portions of this path are already in place with the sidewalk improvements along Silverbell Road. Three trails are planned within one mile of the property. Details of these trails are listed in the table below and correspond to the trail lines shown in the *Town of Marana Parks & Recreation Master Plan 2020-2030*.

Table I.K: Trails

Trail Name	Trail ID	Trail Type	Status
Santa Cruz River Park - The Loop	RP-1	River Park	Existing
Juan Bautista de Anza Trail	NH-1	National Historic Trail	Existing
Wild Horse Wash Trail	CPT-9	Community Pathways & Trials	Proposed
Belmont Road Trail	CPT-10	Community Pathways & Trials	Proposed
Silverbell Road Path	CPT-14	Community Pathways & Trials	Proposed
Gas Line Trail	UC-6	Utility Corridor	Proposed

Exhibit I.K: Recreation & Trails



L. Cultural, Archaeological & Historic Resources

Information regarding cultural, archaeological and historical resources can be found in the document entitled "*Class I Literature Review for Silverbell Crossroads Development in Marana, Pima County, Arizona*" prepared by PaleoWest, LLC which is submitted under a separate cover.

M. Existing Utilities

1. Water

The subject property is located within Tucson Water's obligated service area and Tucson Water has acknowledged that they will serve the property with the Town of Marana agreement. There is an existing 12-inch Tucson Water main in Ina Road along the northeast side of the "overall" project property, which transitions to a 6-inch main as it continues west. There is also a 12-inch line within Silverbell Road to the east of the portion of the property to be rezoned. Tucson Water valve map information indicates an existing 8-inch "stub" serving the overall property on both the north and east sides (within the Ina and Silverbell Road Right of Way adjacent to the overall project site, respectively).

2. Sewer

There is an existing manhole (3271-07) located +/-35 feet north of the northeast corner of the overall project area. The portion to be rezoned will be served by a new sewer through the northern portion of the property via +/- 650 feet of gravity sewer.

3. Natural Gas

Southwest Gas has 6-inch, 8-inch, and 12-inch lines within Ina Road but no service in Silverbell Road. The lines within Ina Road appear to be near the median and on the northern part of the Right of Way.

4. Electricity

An existing overhead power line is available along the south side of Ina Road and near the western property line of the overall project site, as well as along the southern property line. There is no power in Silverbell Road. This information was provided by TEP in their service maps (13-12-02-01 & 02).

5. Communication

Comcast Communications is available along the north side of the overall project boundary. There is a line that is in the south part of the Right of Way next to the overall site.

N. Public Facilities

1. Police

The Marana Police Department will serve the site. The nearest Marana Police Department facility is the Ina Road Substation, approximately one mile east of the property.

2. Fire

The nearest fire station is Northwest Fire District Station #34 (8165 N Wade Road), approximately two miles northwest of the property.

3. Schools

The subject property is located within Marana Unified School District (MUSD). However, no public schools are located within one mile of the subject property. Two charter schools are within one mile of the property, Leman Academy of Excellence and Pima Vocational High School. The Leman Academy of Excellence is a K-8 charter school at the intersection of Silverbell Road and Cortaro Road. The Pima Vocational High School is located on Ina Road approximately 0.75 miles east of the property. It offers students from 16 to 21 years of age a career oriented work experience in an applied academic setting. Neither of these schools are part of MUSD.

Coyote Trail Elementary School is the nearest MUSD elementary school, approximately 1.5 miles northwest of the property.

The nearest public junior high school is Tortolita Middle School, about three miles northeast of the site; however, this school is not located within MUSD. The nearest junior high within MUSD is Marana Middle School, which is ten miles northwest of the project site.

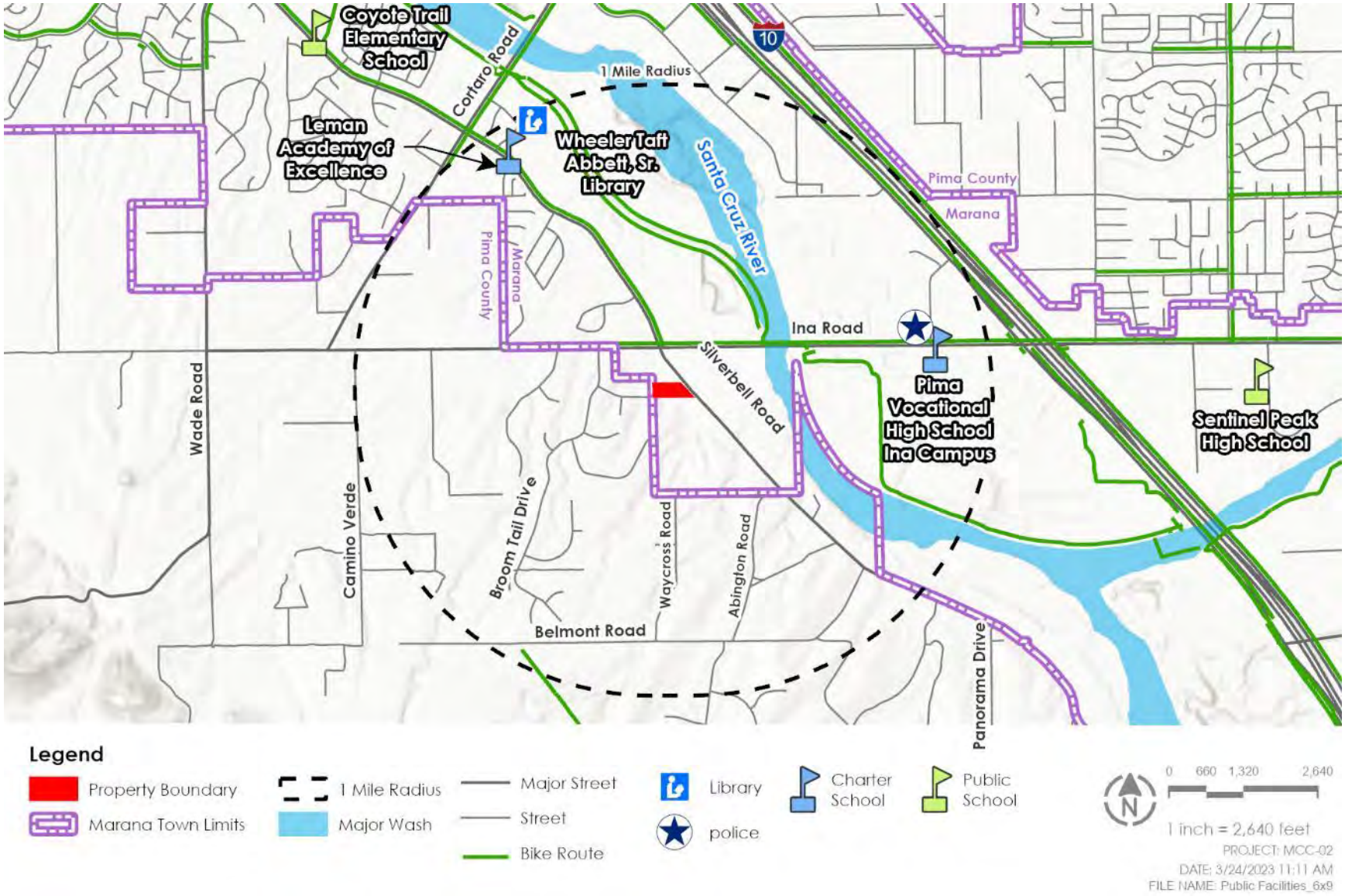
Sentinel Peak High School is the nearest public high school. This alternative high school is part of the Flowing Wells Unified School District. It has a small campus on Ina Road east of I-10.

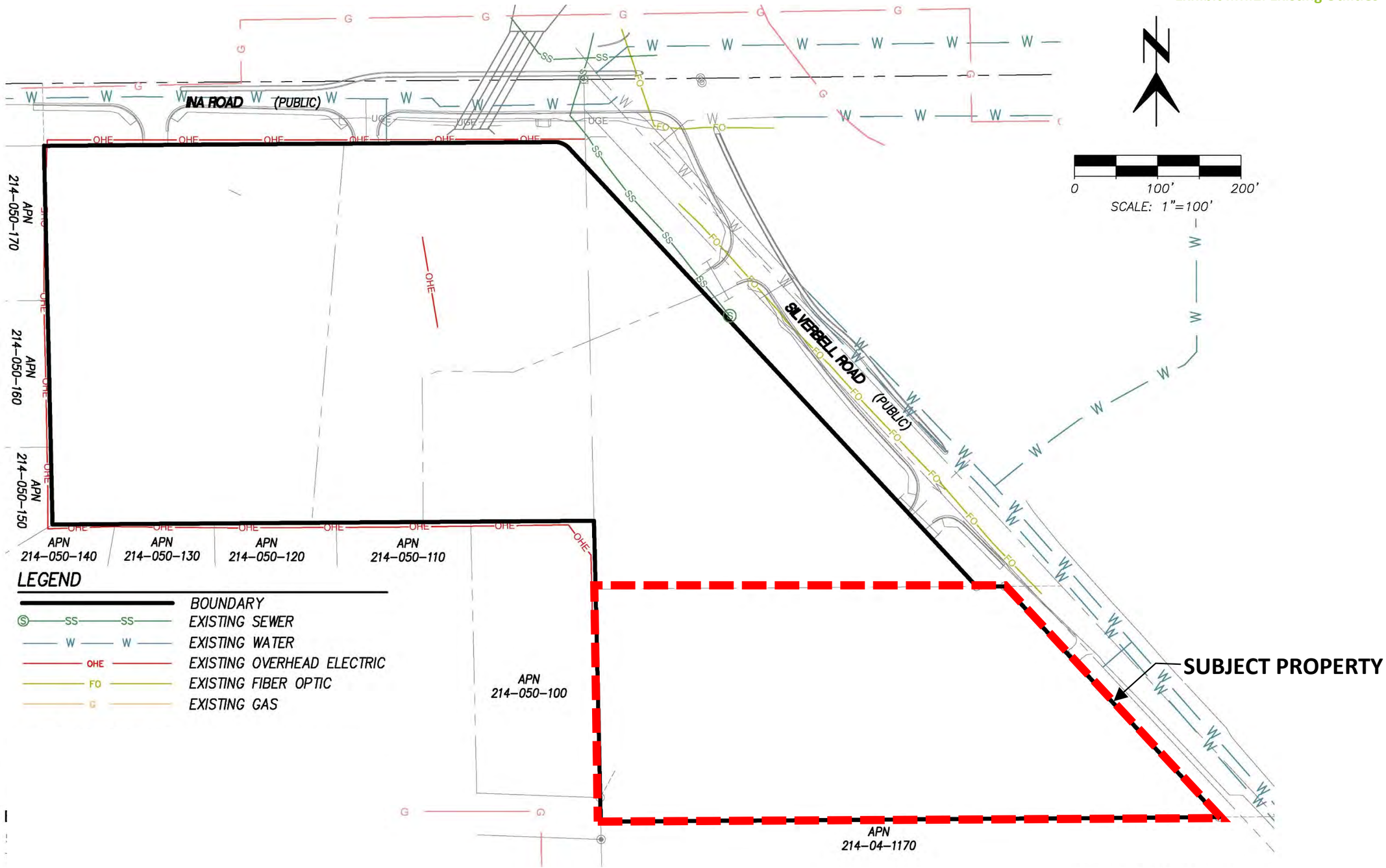
Since the subject property is located within the MUSD boundaries, students would attend Marana High School, approximately eight miles east of the project site.

4. Library

As shown on ***Exhibit I.M.1: Public Facilities***, the closest library is Wheeler Taft Abbett Sr. Library, located at 7800 North Schisler Drive approximately 2.5 miles north.

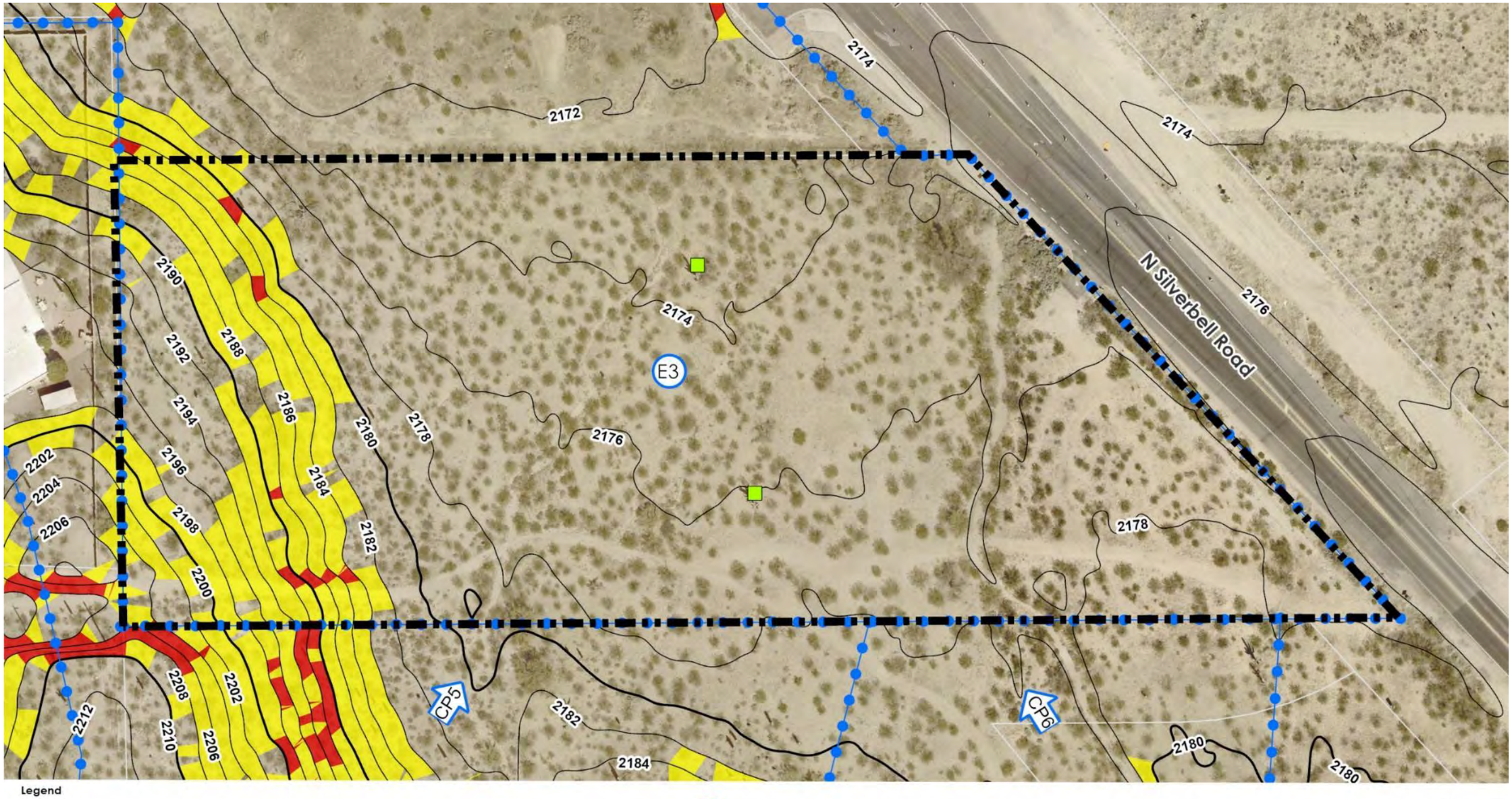
Exhibit I.M.1: Public Facilities




INA ROAD (PUBLIC)
SILVERBELL ROAD (PUBLIC)
APN 214-050-170
APN 214-050-160
APN 214-050-150
APN 214-050-140
APN 214-050-130
APN 214-050-120
APN 214-050-110
APN 214-050-100
APN 214-04-1170
SUBJECT PROPERTY
N
0
100'
200'
SCALE: 1"=100'
LEGEND
BOUNDARY
EXISTING SEWER
EXISTING WATER
EXISTING OVERHEAD ELECTRIC
EXISTING FIBER OPTIC
EXISTING GAS

O. Composite Constraints (McHarg) Map

The following map combines individual elements detailed in prior sections to illustrate existing onsite constraints. The McHarg Composite Map aims to illustrate areas most appropriate for development. As shown in ***Exhibit I.N.1: McHarg Composite Map***, the western end of the property is the most constrained as it contains significant slopes and unstable soils. Refer to *Section II. Proposed Land Use Plan* for more information on how the Conceptual Land Use Plan (CLUP) responds to the site's physical constraints.


2174
2172
2174
N Silverbell Road
2176
2190
2192
2188
2186
2194
2180
2178
2174
E3
2176
2202
2204
2206
2196
2184
2198
2200
2182
2178
2208
2202
2212
2210
2206
CP5
2182
CP6
2184
2180
2180
Legend
Subject Property
Parcels
Topographic Contours
10-foot Contour
2-foot Contour
Slope
15% - 25%
>25%
Watershed
Significant Cacti
E3
On-site Watershed
CP5
Concentration Point
N
0 15 30 60
1 inch = 60 feet
PROJECT: MCC-02
DATE: 3/24/2023
FILE NAME: McHarg_9x15

II. PROPOSED LAND USE PLAN



PROPOSED LAND USE PLAN

A. Project Overview

Located near a prominent intersection burgeoning with growth because of development that has generated new employment, The Place at Ina Crossroads aims to establish a vibrant multifamily community that provides an opportunity for Marana's growing workforce to live, work and play in a desirable and highly accessible location, and to diversify the Town's housing stock and increase supply. Overall, The Place at Ina Crossroads is a market-rate apartment complex that consists of eight three-story buildings with a total of 240 units (180 units on the northern nine acres, 60 units on the southern four acres), a one-story clubhouse with pool, and open space (natural undisturbed and landscaped commons areas). To develop a cohesive, high-quality development at Marana's southern gateway as envisioned by MC Companies, the four-acres subject to this request must be rezoned from R-144 (Residential Zoning District) to VC (Village Commercial) to create a consistent zoning designation across the entire project area.

For simplicity purposes, the Conceptual Land Use Plan will only discuss the design and compatibility implications of The Place of Ina Crossroads as it relates to the four-acre rezoning parcel, except for the proposed drainage and utility schemes which reference the overall development. The remaining nine acres will be developed per the Town of Marana's applicable building and fire codes and will feature the same heights, materials, colors, and architectural styles as those presented herein.

B. Relationship to Marana General Plan and Strategic Plan

1. Make Marana 2040

Rezoning the southern four acres of The Place at Ina Crossroads furthers *Make Marana 2040's* vision by incorporating additional multifamily housing into a planned infill development along two major arterial streets in the South Growth Area. The South Growth Area is described as "largely built-out" and currently contains the highest concentration of population and commercial activity within Marana. The general plan states this area is expected to develop gradually through infill and redevelopment while attracting Information Technology and Advanced Business Services industries. With Amazon's opening of the distribution facility and as other sectors develop, an adequate housing supply, and particularly housing variety, is necessary to accommodate the current housing shortage and anticipated future demand. This rezoning proposal helps address housing needs by adding 60 apartments to a planned and entitled multifamily development to increase housing supply for employees and their families in the South Growth Area. A minor general plan amendment will be processed concurrently with this rezoning request to change the subject property's land use designation from Low Density Residential to Commercial, matching the existing designation of the overall project.

The four-acre subject property is served by existing infrastructure and public services, making it an ideal infill location. Developing it with housing as part of the neighboring commercial properties removes the potential for incompatible land uses to be sited next to existing residences if the corner were developed as a "commerce/industry hub", as intended per the Southern Growth Area.

Development of this property also furthers the goals and policies of *Make Marana 2040* by:

- Locating a high-quality multifamily development in an area with established infrastructure, transportation networks, and public services, and close to employment and significant community assets, such as public facilities, schools, and recreational facilities. (*Goals BE-9* & *BE-11, Policies BE 11-2* & *BE 11-4*)
- Increasing the number of apartment units available in Marana, diversifying the Town's existing housing supply, and providing additional options to residents looking to downsize or age in place or to those looking for the ease and extra flexibility this type of housing affords. (*Goal BE-27, Policies BE 27-2, 27-3 & 27-4*)
- Managing stormwater runoff through a variety of collection techniques to minimize flooding. (*Goal RS-7, Policy RS 7-2*)
- Protecting the existing wildlife corridors by consolidating multiple existing access points on Silverbell Road into one. (*Goal RS-13*)

2. Strategic Plan 5

The Conceptual Land Use Plan furthers Marana's *Strategic Plan 5* by promoting the following Focus Areas' goals and strategies:

Focus Area 2: *Vibrant Community*

Goal: *Support initiatives that enhance the quality of Marana Neighborhoods.*

Strategy: *Encourage housing options by analyzing current available housing and identify incentives and codes to further diversify housing stock and improve affordability.*

The proposed development provides an alternative to traditional single-family development and responds to housing demand in Southern Marana by creating more multifamily housing options to diversify the housing stock.

Goal: *Establish a strong sense of place through the creation of unique public spaces and architecture that foster community pride.*

Strategy: *Enhance architectural sites and landscape design standards to increase compatibility with adjacent existing or planned uses while minimizing impacts to the natural environment.*

The Place at Ina Crossroads will use architecture and landscaping appropriate for the area, complementing adjacent properties and future development. Architectural design will

resemble existing and planned development around the Ina Silverbell intersection. Landscaping will use native, drought-tolerant plants that are adapted to the region. Protected native plants onsite will be inventoried and mitigated.

Goal: *Provide a safe and connected multi-modal transportation system to support the mobility needs of present and future residents.*

Strategy: *Improve safety for people using all modes of travel by implementing programs, policies, educational resources, and infrastructure improvements to minimize traffic congestion.*

Closing multiple access points on Silverbell Road and Ina Road minimizes potential conflicts along a major arterial. Sidewalk improvements will also be made along Silverbell Road, helping to increase pedestrian circulation in the area and promote multi-modal transportation.

C. Compatibility with Adjoining Properties

The property is surrounded by single-family residential (existing and planned) to the west and south, Silverbell Road and deed-restricted open space to the east, and the northern nine acres of The Place at Ina Crossroads to the north. The proposed multifamily development is appropriate for the subject property as it presents a residential use that is more harmonious with the site's constraints and serves as a transition between the existing residential uses and the planned/developing non-residential uses in the area.

Properties in Bridlewood West sit about 20 feet higher in elevation than the subject property. Because of this elevation change, potential impacts to views caused by the proposed development are minimized as the buildings' height will emulate a single-story structure. The planned Silverbell Ridge Estates subdivision to the south will be comprised of one- and two-story single-family homes on approximately 6,000 square-foot lots. Most of this subdivision's homes are positioned internally to the property, with only the side of one home abutting the shared property line.

The subject property's two proposed apartment buildings have been oriented to minimize visual impacts on the neighboring properties and are set back from the southern and western property boundaries at a greater distance than the 20 feet required under the proposed VC zoning. They are set back 60 feet, or three times the required distance from the southern boundary, and 200 feet, or ten times the required distance from the western boundary. These enhanced setbacks ensure that the scale of the proposed buildings is compatible with adjacent properties.

The properties north of the site comprise the northern nine acres of The Place at Ina Crossroads and will consist of six three-story apartment buildings and a one-story leasing office/clubhouse. Rezoning the southern subject property to match the existing zoning of the northern parcels ensures a consistent and cohesive development across the entire project site. By adding the

subject property to the larger development, the buildings on the rezoning site are able to be positioned and designed to consider the privacy of adjacent residences fully.

Additionally, the proposed buildings will be designed with four-sided architecture and articulated facades to create variation in the building's plane. Landscaping further enhances compatibility with the adjacent properties by establishing a transition across the property and improving privacy. These elements ensure that the subject property's future development is compatible with neighboring properties.

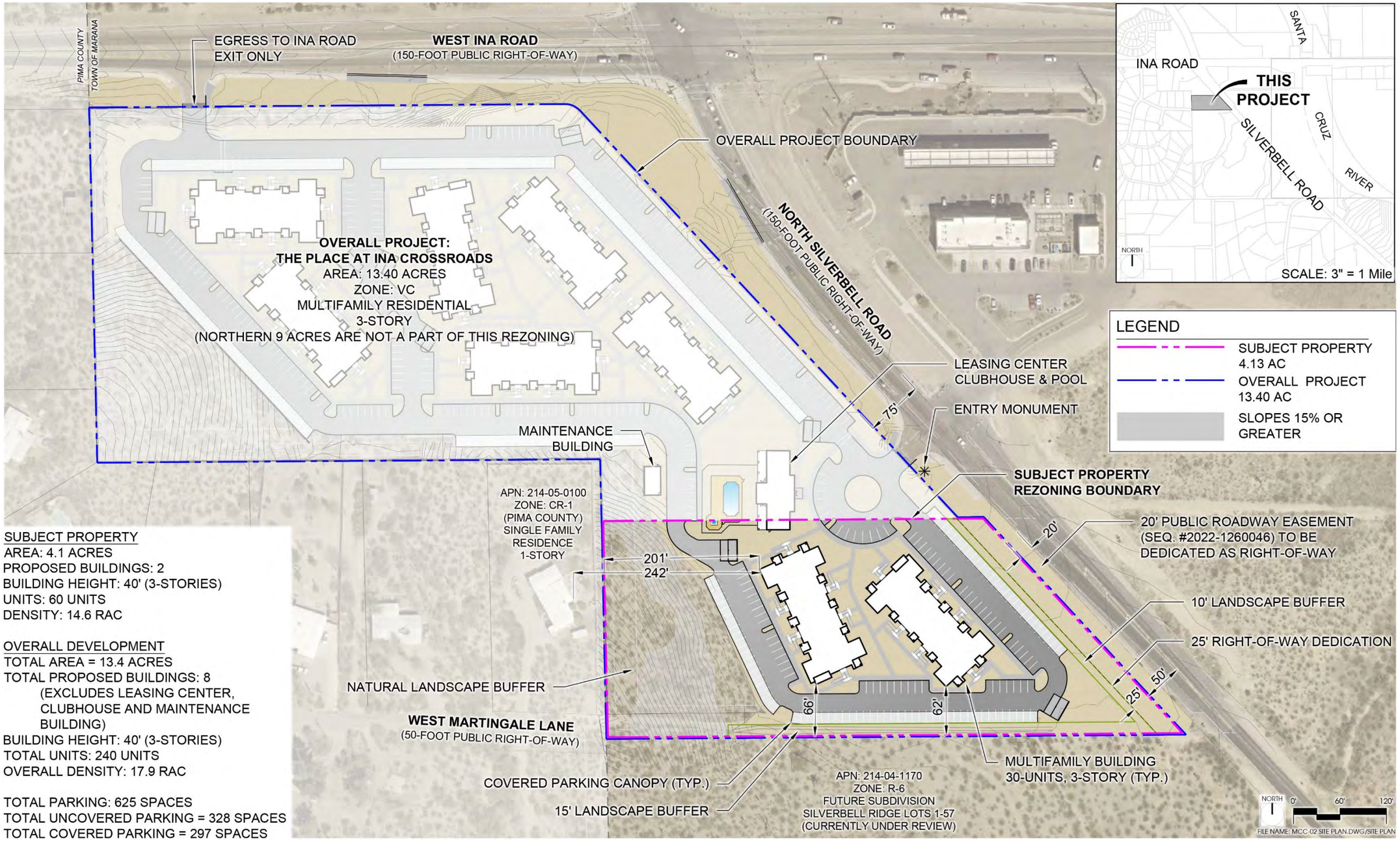
The proposed apartment buildings will not be as tall as commercial buildings can be in the VC zone. The maximum building height will be 40 feet, whereas the VC zone allows a maximum building height of 50 feet for commercial buildings. Commercial development would also face Ina Road and Silverbell Road to maximize frontage along these arterials. This configuration would leave the backs and sides of the commercial buildings facing the neighboring properties to the south and west. Commercial development typically uses such areas for loading, storage, and trash collection. Security is also a concern in these areas and would likely require bright security lights to maintain visibility throughout the night. The proposed multifamily development does not create the potential for the same land use compatibility concerns.

D. Conceptual Land Use Plan

As shown in ***Exhibit II.D: Conceptual Land Use Plan***, the four-acres are intended to accommodate two garden-style apartment buildings generally located in the center of the property with landscaping, parking (covered and uncovered), and access lanes along the perimeter. Each apartment building will be three stories in height (maximum of 40 feet) and will contain 30 units, ten units per floor. In total, 60 units are proposed, and the overall density is 14.6 units per acre. While not yet finalized, each structure will be designed to feature architectural styles, materials, and colors consistent with the surrounding area and the desert southwest.

The site will be accessed through a single entry point on Silverbell Road. A secondary egress only point is provided on Ina Road near the northwest corner of the overall development. Refuse facilities will be provided at centralized collection locations and will be appropriately screened following Town of Marana standards.

The buildings have been configured to avoid the steep slope portion of the western corner of the site and positioned to be parallel with the hillside to create an aesthetically pleasing backdrop of natural open space for the future tenants. Landscape borders consisting of vegetation typical to the Sonoran Desert will be provided along the perimeter of the development. Substantial setbacks from the west, south, and east property lines effectively create a transition and soften the buildings' impacts on neighboring properties (refer to ***Exhibit II.D: Conceptual Land Use Plan***).



SUBJECT PROPERTY
AREA: 4.1 ACRES
PROPOSED BUILDINGS: 2
BUILDING HEIGHT: 40' (3-STORIES)
UNITS: 60 UNITS
DENSITY: 14.6 RAC

OVERALL DEVELOPMENT
TOTAL AREA = 13.4 ACRES
TOTAL PROPOSED BUILDINGS: 8
(EXCLUDES LEASING CENTER, CLUBHOUSE AND MAINTENANCE BUILDING)
BUILDING HEIGHT: 40' (3-STORIES)
TOTAL UNITS: 240 UNITS
OVERALL DENSITY: 17.9 RAC

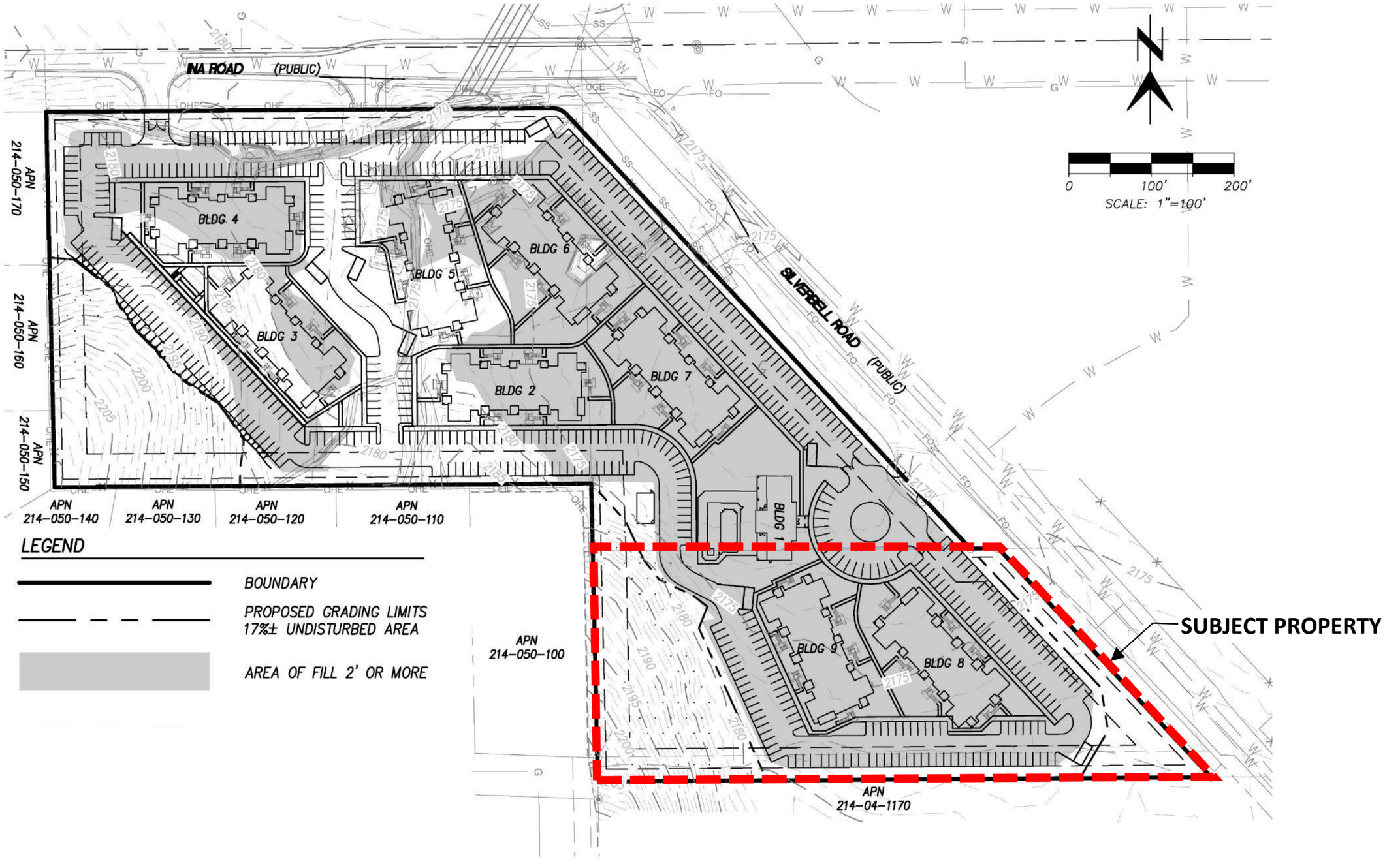
TOTAL PARKING: 625 SPACES
TOTAL UNCOVERED PARKING = 328 SPACES
TOTAL COVERED PARKING = 297 SPACES

E. Proposed Topography

In order to maintain drainage to the north through the overall project site, a portion of the property will require fill. Conceptual grading analysis indicates the fill varies in height but is in the range of +/-two to four feet. It is anticipated that the site will be in a "fill" situation and will require import to provide adequate drainage for the property.

The existing sloping areas located at the southwest portions of the property will be left natural. It is anticipated that approximately 17% of the site will remain in a natural/ungraded condition after development, including most of those areas with existing slopes greater than 15%.

The accompanying graphic shows the area of fill anticipated for the property, along with conceptual limits of grading based on a conceptual grading analysis (see ***Exhibit II.E: Conceptual Grading***).


INA ROAD (PUBLIC)
SILVERBELL ROAD (PUBLIC)
BLDG 1
BLDG 2
BLDG 3
BLDG 4
BLDG 5
BLDG 6
BLDG 7
BLDG 8
BLDG 9
APN 214-050-170
APN 214-050-160
APN 214-050-150
APN 214-050-140
APN 214-050-130
APN 214-050-120
APN 214-050-110
APN 214-050-100
APN 214-04-1170
0
100'
200'
SCALE: 1"=100'
LEGEND
BOUNDARY
PROPOSED GRADING LIMITS
17%± UNDISTURBED AREA
AREA OF FILL 2' OR MORE
SUBJECT PROPERTY

F. Proposed Hydrology

The subject property comprises the southern portion of the larger overall project site. As such, improvements to the subject property are examined in the context of the larger development. Engineering and Environmental Consultants (EEC) prepared this hydrology analysis to determine the post-development drainage characteristics for the overall 13-acre development area.

1. Drainage Concept

The overall project site sits near the base of the Tucson Mountain foothills. The upstream area is dotted with low-density single-family residences, which pass a total 100-year discharge of 607 cubic feet per second (cfs) from 172 acres worth of watersheds.

The total site-generated discharge for the new development is 89.5 cfs (WS-A) (see ***Exhibit II.F: Conceptual Hydrology***). The development will include drainage improvements to manage this stormwater. Parking lots will feature grate drains that send flow underground. Two culverts will be placed to direct flow to the northeastern corner of the site where a natural channel collects the water and sends it into a concrete box culvert running under Ina Road.

Seven onsite watersheds impact the proposed development. The methodology used to determine the peak runoffs from the watersheds include Pima County's PC-Hydro V. 7.2, which was fed parameters following the Hydrology Manual for Engineering Design and Floodplain Management by Pima County. Rainfall parameters came from NOAA Atlas 14 with a 90% confidence interval for precipitation intensity. ***Table F.1*** details these flows below.

Table F.1: Onsite Proposed Watershed Design Flows (determined by EEC)

Watershed (WS)	Area (Acres)	100-Year Flow (cfs)
B	1.97	14.2
C	1.58	12.14
D	2.04	14.72
E	1.14	8.23
F	1.18	8.53
G	2.12	15.31
H	2.27	16.41

2. Conformance with Current Policies

FEMA Firm Map 04019C1655L indicates that the overall project site is located in an unshaded Zone X area or areas outside the 0.2% annual chance floodplain. Any improvements to the northern wash will require a Floodplain Use Permit. Additionally, construction will have to comply with Nation Wide Permit 39, should any portion of the site impact Waters of the U.S.

Jurisdictional U.S. Waters were observed and delineated per *Silverbell Crossroad Drainage Report* by Olsson Associates dated January 13, 2009. A Section 404 Compliance statement may be needed in accordance with the Clean Water Act.

Per Pima County, first flush retention must be provided. As per Marana Land Use Code Title 21, the project is located within a balanced basin. As a result, detention requirements are warranted in order to ensure the post-development 2-, 10-, and 100-year peak discharges are less than or equal to the pre-development discharges.

3. Disturbance

Approximately 83% of the overall site will be graded, and the other 17% will remain in a natural/ungraded condition after development, including most of the steeper slopes.

4. Erosion Protection

The proposed site improvements include several channels and a storm drain system that directs flow to the culvert to the north. Erosion protection is anticipated to be associated with the constructed channels and associated hydraulic structures.

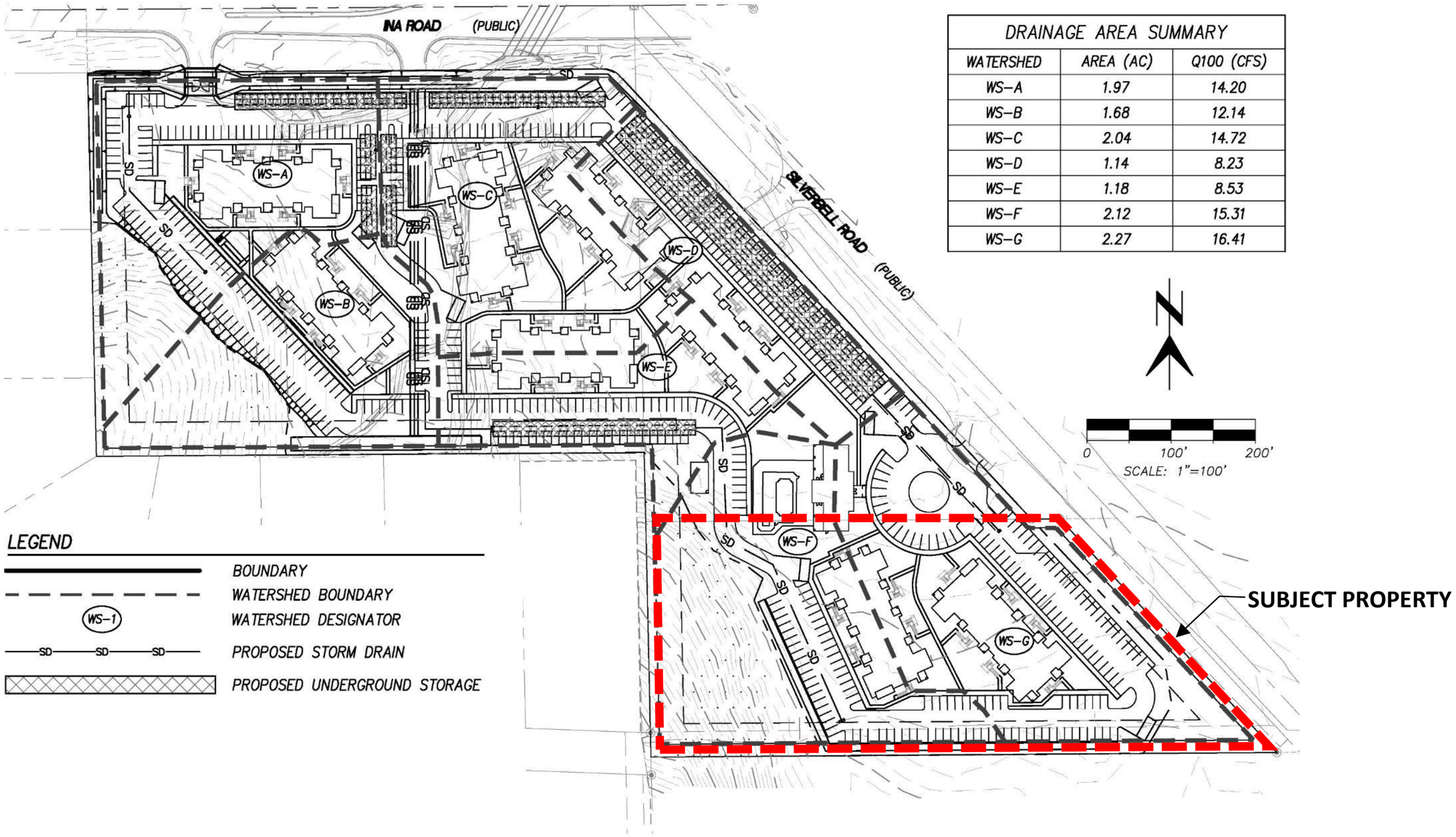
5. Effect on Offsite Properties

One concern with the proposed development is that the RCBC underneath Ina road will become over capacitated. A preliminary capacity analysis of the culvert determined that the culvert has a full flow capacity to pass approximately 800 cfs (vs. the existing discharge of approximately 476 cfs from through site). Therefore, It is expected that the proposed design will conform to local standards and will not create any adverse impacts on properties upstream or downstream of the site.

6. Storage & Retention

A significant amount of the stormwater will need to be retained onsite, however land area is at a premium. Underground storage in the form of large plastic parabolic chambers will be laid underneath parking spaces. An intricate network of piping will be used to convey the flow to the storage and send any overflow out north of the site into the Ina RCBC.

DRAINAGE AREA SUMMARY		
WATERSHED	AREA (AC)	Q100 (CFS)
WS–A	1.97	14.20
WS–B	1.68	12.14
WS–C	2.04	14.72
WS–D	1.14	8.23
WS–E	1.18	8.53
WS–F	2.12	15.31
WS–G	2.27	16.41



Tel 520.321.4625 | Fax 520.321.0333

G. Vegetation

The Conceptual Land Use Plan utilizes the subject property's flat and sparsely vegetated central and eastern portions for much of the proposed development. Two significant saguaros were identified in the Site Resource Inventory. These cacti demonstrated low viability and will be removed from the site. Vegetation on the western slope will remain largely undisturbed; any areas disturbed will be revegetated. Protected native vegetation on the property will be inventoried at the time of development, and a native plant plan will be submitted.

As shown in ***Exhibit II.D: Conceptual Land Use Plan***, landscape buffers ranging from ten to 15 feet and consisting of native, drought-tolerant plant species and ground covers are provided along Silverbell Road and the southern and western property boundaries. The Silverbell Road bufferyard beautifies the roadway and highlights the new development. The southern landscape buffer separates the development from the future subdivision to the south. Open space preservation along the western boundary maintains a wide buffer of natural vegetation between the project and the property to the west.

H. Wildlife

The site is north of the future Silverbell Ridge Estates subdivision, which contains two important wildlife connections between the Tucson Mountains and the Santa Cruz River. The Place at Ina Crossroads supports wildlife movement through these corridors by focusing activity northward away from these important connections. Primary access from Silverbell Road is also shifted north as two existing vehicle access points are removed. Closing these access points increases the distance from the northern wash crossing by approximately 500 feet, minimizing potential conflicts with wildlife.

I. Viewsheds

The two buildings on the property are situated to ensure compatibility with neighboring viewsheds. They are set back approximately 200 feet and 60 feet from the western and southern boundaries, respectively. The extensive setbacks create more space between adjacent properties and the proposed three-story buildings, protecting neighboring views and providing ample space for native vegetation and landscaping to protect privacy.

J. Traffic

Primary access will be taken from Silverbell Road at the existing curb cut located approximately 580 feet south of the intersection. An existing curb cut at the northwest corner of the overall project will provide egress onto Ina Road approximately 600 feet west of the intersection. This location will be an exit only, allowing future residents quick access to Ina Road. The remaining two established curb cuts built to serve the previously planned shopping center are no longer necessary and will be removed. With access to the subject property provided by the primary access from Silverbell Road, the established curb cut accessing the subject property will also be

removed. Additionally, the Martingale Lane alignment on the property will be abandoned, removing the potential for traffic from Silverbell to access the neighborhood to the west. No other roadway improvements or modifications are anticipated as a result of this project.

By utilizing existing roadway infrastructure with a less traffic-intensive use The Place at Ina Crossroads creates a better traffic condition than the previously planned shopping center. Internal circulation will be provided by two-way parking lot access lanes surrounding the overall project and connecting to the primary access on Silverbell Road and the egress point on Ina Road. This configuration simplifies traffic movement at Ina and Silverbell by limiting ingress/egress to one access point several hundred feet south of the intersection. Traffic conditions are also improved with the removal of the three existing curb cuts. Removing these curb cuts eliminates potential points of conflict and improves traffic flow through the intersection. A traffic Impact Analysis prepared by CivTech anticipates the overall project will generate 1,534 Average Daily Trips (ADT). The majority (76%) of these trips are expected to be distributed on eastbound Ina Road east of the Silverbell intersection (see ***Ina Crossroads Traffic Impact Analysis*** submitted under separate cover).

K. Proposed Public Utilities

Proposed utility services to The Place at Ina Crossroads site are shown in ***Exhibit II.K.1: Proposed Utilities***. Additional details are listed below.

1. Water

Water will be provided by Tucson Water which has a 100-year assured water supply. Tucson Water has issued a water availably letter for this parcel stating that they will provide water service to this project; a copy of this letter is included with this report (see ***Exhibit II.K.2: Water Will Serve Letter***). It is anticipated that a "looped" system will be provided through the site connecting to the 12-inch main in Ina Road via an existing 8-inch stub on the north side of the site and completing the loop by connecting to an existing 8-inch stub in Silverbell Road adjacent to the property.

2. Sewer

The project will connect to the Pima County Regional Wastewater Reclamation Department system. Per a Sewer Capacity Allocation Request filed with PCRWRD, the downstream system has the capacity to serve the development at the time of request (see ***Exhibit II.K.3: Sewer Capacity Letter***). The existing sewer has a depth of approximately ten feet, which is adequate to allow gravity service to this project. About 65 linear feet of 8-inch gravity sewer through the northern nine acres of the site will be required to serve the southern four acres.

3. Natural Gas

The development is within the service area of Southwest Gas Corporation. Southwest Gas has 6-, 8-, and 12-inch lines within Ina Road but no service in Silverbell Road. The lines within Ina Road appear to be located near the median in the northern part of the Right of Way. Any future connections to these natural gas facilities will be determined through the development plan process.

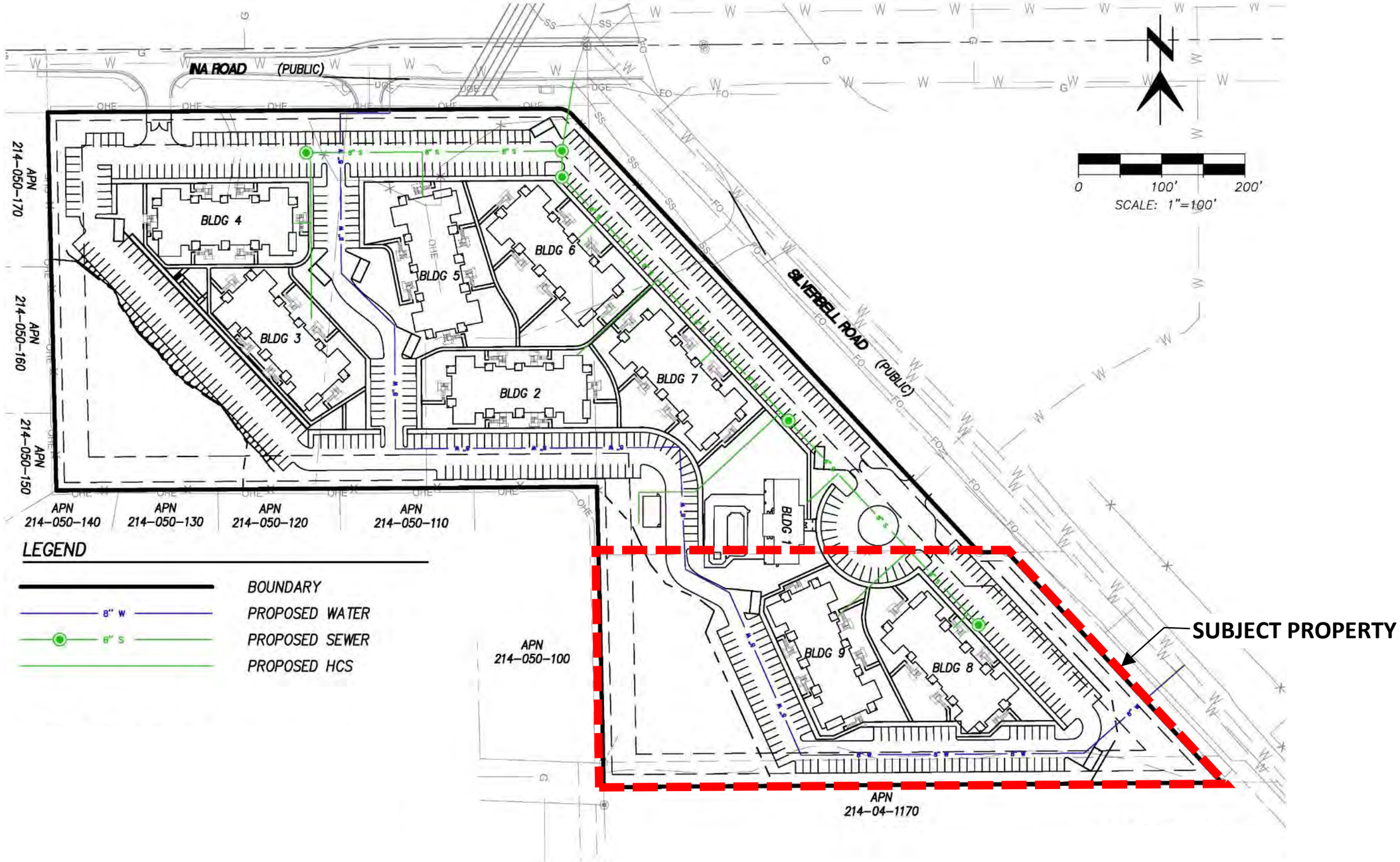
4. Electricity

The development is within the N2 district of Tucson Electric Power's Distribution Services Responsibility Area Map. An existing overhead power line is available along the south side of Ina Road and near the western property line as well as along the southern property line. There are no power facilities located in Silverbell Road. This information was provided to us by TEP in their service maps (13-12-02-01 & 02).

5. Communication

Comcast Communications is available along the north side of the property in the Ina Road Right of Way.

Exhibit II.K.1: Proposed Utilities



February 10, 2023

acall
2 E. Congress Street Suite 600
Suite 600
Tucson, AZ 85701
Attn: Adam Call

SUBJECT: **Water Availability for Project: The Place at Ina Crossroads Rezoning, APN: 214040450, Case#: TW-WAV-0223-00080, 13S12E02, Location Code: MARANA, Total Area: 4.08ac**

Water Supply

Tucson Water will provide water service to this project based on the subject zoning of the above parcel. Tucson Water has an assured water supply (AWS) designated from the State of Arizona Department of Water Resources (ADWR). An AWS designation means Tucson water has met the criteria established by ADWR for demonstration of a 100-year water supply - it does not mean that water service is currently available to the subject project.

Water Service

The approval of water meter applications is subject to the current availability of water service at the time an application is received. The developer shall be required to submit a water master plan identifying, but not limited to: 1) Water Use; 2) Fire Flow Requirements; 3) Offsite/Onsite Water Facilities; 4) Loops and Proposed Connection Points to Existing Water System; and 5) Easement/Common Areas.

Any specific area plan fees, protected main/facility fees and/or other needed facilities' cost, are to be paid by the developer. *If the existing water system is not capable of meeting the requirements of the proposed development, the developer shall be financially responsible for modifying or enhancing the existing water system to meet those needs.* ***This letter shall be null and void two years from the date of issuance.***

Issuance of this letter is not to be construed as agency approval of a water plan or as containing construction review comments relative to conflicts with existing water lines and the proposed development.

If you have any questions, please call New Development at (520) 791-4718.

Sincerely,

Michael Mourreale

Michael Mourreale, P.E.
Engineering Manager
Tucson Water Department

P.O.BOX 27210 • TUCSON, AZ 85726-7210
(520) 791-4718 • www.tucsonaz.gov/water

PIMA COUNTY
WASTEWATER RECLAMATION
201 NORTH STONE AVENUE
TUCSON, ARIZONA 85701-1207

JACKSON JENKINS
DIRECTOR

PH: (520) 724-6500
FAX: (520) 724-9635

February 7, 2023

Adam Call
The Planning Center
2 E Congress St., Suite 600
Tucson, AZ 85701

Sewerage Capacity Investigation No. P23WC00036 Type I

RE: **The Place at Ina Crossroads Rezoning, Parcel 214040450**
Estimated Flow 12,960 gpd (ADWF)

Greetings:

The above referenced project is tributary to the Agua Nueva Water Reclamation Facility via the Continental Ranch Interceptor.

Capacity is currently available for a project this size in the public sewer G-2004-170, downstream from manhole 3271-08.

This letter is not a reservation or commitment of treatment or conveyance capacity for this project. It is not an approval of point and method of connection. It is an analysis of the system as of this date. Allocation of capacity is made by the Type III Capacity Response.

If further information is needed, please feel free to contact us at (520) 724-6488.

Reviewed by: Mirela Hromatka, Planner Sr.

L. Public Service Impacts

1. Police

The Marana Police Department will serve the site. The nearest Marana Police Department facilities are at the Marana Police Department Ina Road Substation (5100 W Ina Road), approximately one mile east of the proposed development.

2. Fire

The site is within the Northwest Fire District boundary and is approximately two miles southeast of Northwest Fire District Station #34, 8165 North Wade Road. The Northwest Fire District serves all of the adjacent properties.

3. Refuse

Solid waste receptacles will be located onsite in appropriate locations to allow collection from a private waste collection service such as Waste Management or Republic Services.

4. Schools

The subject property is located within the Marana Unified School District (MUSD), which uses the following metrics for estimating student enrollment projections:

- Elementary School: 0.25 students per home
- Junior High and High School: 0.10 students per home

Using these enrollment projections, the 60 units developed on the subject property are expected to generate 21 students (15 elementary students and six junior high/high school students). Several public and charter schools are located within the vicinity of the subject property, offering a range of educational options for future residents.

5. Parks

Crossroads at Silverbell District Park is the nearest public park to the project site, offering ball fields, sports courts, ramadas, grills, playground areas, a splash pad, and access to the Loop. The amenities available at the park provide numerous recreation options to residents of The Place at Ina Crossroads, in addition to the planned amenities within the proposed development.

M. Recreation & Trails

Recreation amenities will be provided in the overall development of The Place at Ina Crossroads. The primary amenity will be a centrally located pool and clubhouse just north of the subject property. The undeveloped area along the subject property's western slope will remain as open space under the same ownership as the overall development. Pedestrian circulation throughout the overall development will connect to onsite amenity areas and the larger pedestrian and trail network offsite, including the planned Silverbell Road Path. Direct connection to Ina Road's existing sidewalks and bike lanes provides safe and convenient access from the project to the Santa Cruz River Park, approximately half a mile to the east, giving residents access to over 137 miles of car-free paved shared-use paths via The Loop trail network.

N. Cultural, Archaeological & Historic Resources

Information regarding cultural, archaeological and historical resources can be found in the document entitled "*Class I Literature Review for Silverbell Crossroads Development in Marana, Pima County, Arizona*" prepared by PaleoWest, LLC which is submitted under a separate cover.

THE PLACE AT SILVERBELL & INA

III. APPENDICES



A. AZGFD Heritage Data Management System Environmental 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:
The Place at Ina & Silverbell

Project Description:
Multi-Family Development

Project Type:
Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

Contact Person:
Garrett Aldrete

Organization:
The Planning Center

On Behalf Of:
CONSULTING

Project ID:
HGIS-17857

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.

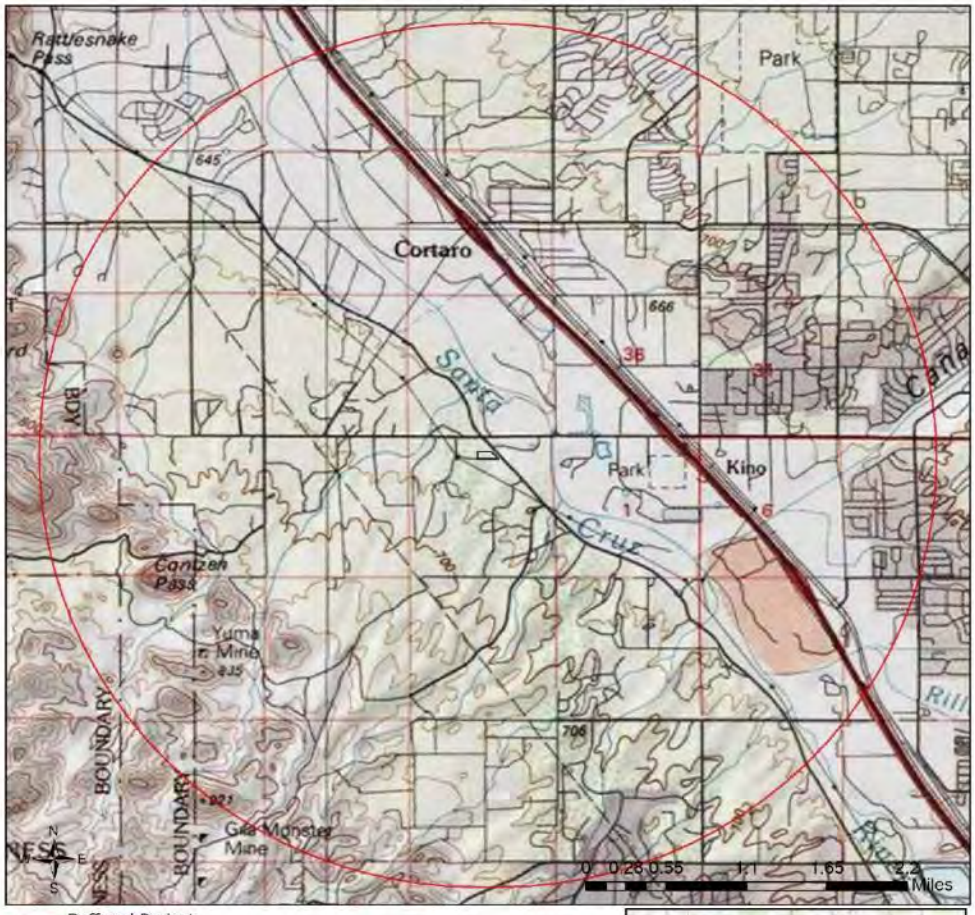
Locations Accuracy Disclaimer:
Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

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

The Place at Ina & Silverbell

USA Topo Basemap With Locator Map



Buffered Project Boundary

Project Boundary

Project Size (acres): 4.08

Lat/Long (DD): 32.3355 / -111.0876

County(s): Pima

AGFD Region(s): Tucson

Township/Range(s): T13S, R12E

USGS Quad(s): JAYNES

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



The Place at Ina & Silverbell

Web Map As Submitted By User



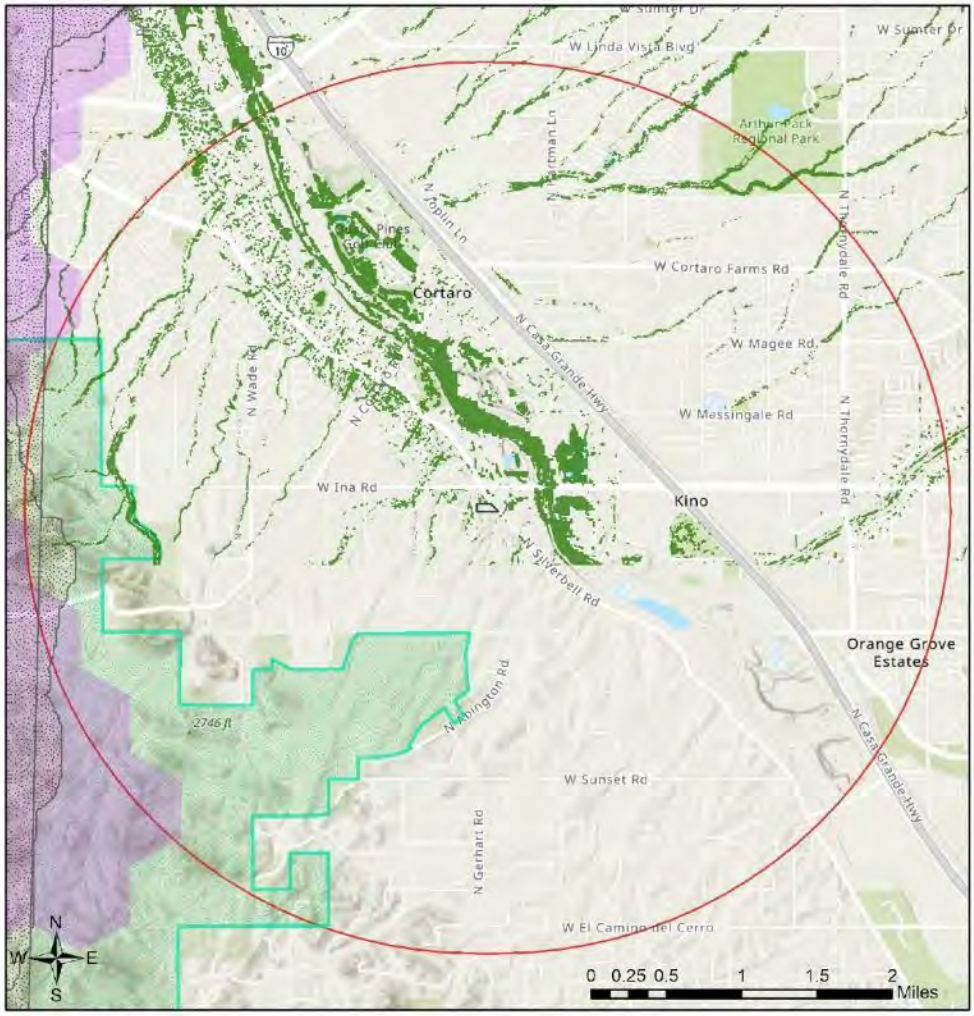
Buffered Project Boundary
Project Boundary

Project Size (acres): 4.08
Lat/Long (DD): 32.3355 / -111.0876
County(s): Pima
AGFD Region(s): Tucson
Township/Range(s): T13S, R12E
USGS Quad(s): JAYNES

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

The Place at Ina & Silverbell

Important Areas



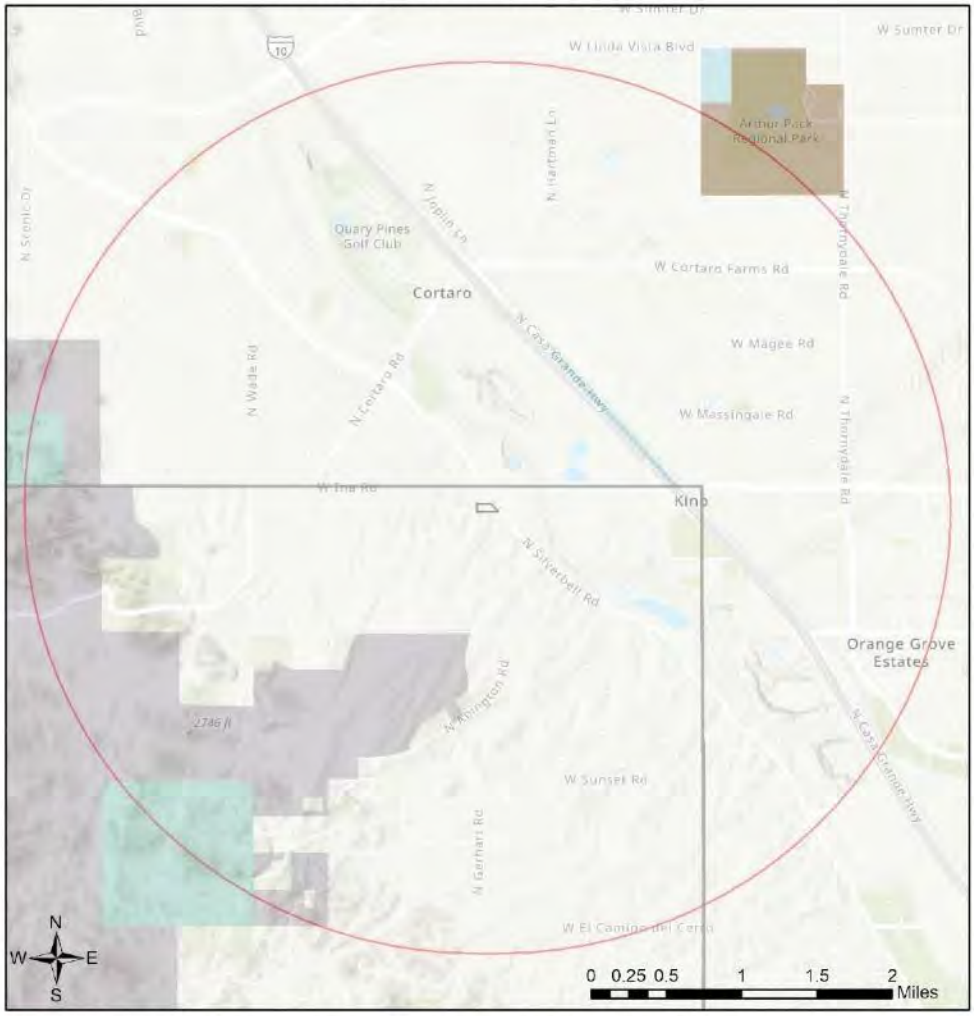
- Buffered Project Boundary
- Project Boundary
- Important Bird Areas
- Critical Habitat
- Pinal County Riparian
- Important Connectivity Zones
- Wildlife Connectivity

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Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

The Place at Ina & Silverbell

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): 4.08
Lat/Long (DD): 32.3355 / -111.0878
County(s): Pima
AGFD Region(s): Tucson
Township/Range(s): T13S, R12E
USGS Quad(s): JAYNES

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Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Special Status Species Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Bat Colony						
Crotalus willardi willardi	Arizona Ridge-nosed Rattlesnake		S			1A
Dendrocygna bicolor	Fulvous Whistling-Duck	SC				
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
Kinosternon sonoriense sonoriense	Desert Mud Turtle			S		1B
Leptonycteris yerbabuenae	Lesser Long-nosed Bat	SC				1A
Macrotus californicus	California Leaf-nosed Bat	SC		S		1B
Myotis velifer	Cave Myotis	SC		S		1B
Opuntia versicolor	Stag-horn Cholla				SR	
Poeciliopsis occidentalis occidentalis	Gila Topminnow	LE				1A
Tadarida brasiliensis	Brazilian Free-tailed Bat					1B
Terrapene ornata luteola	Desert Box Turtle			S		1A

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					
Saguaro National Park (West) to Santa Cruz River	Pima County Wildlife Movement Area - Landscape					
Santa Cruz River	Pima County Wildlife Movement Area - Riparian/Wash					

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
Anthus spragueii	Sprague's Pipit	SC				1A
Antrostomus ridgwayi	Buff-collared Nightjar		S			1B
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		1B
Botaurus lentiginosus	American Bittern					1B
Calypte costae	Costa's Hummingbird					1C
Chilomeniscus stramineus	Variable Sandsnake					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
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
Cynanthus latirostris	Broad-billed Hummingbird		S			1B
Cyprinodon macularius	Desert Pupfish	LE				1A
Dipodomys spectabilis	Banner-tailed Kangaroo Rat			S		1B
Empidonax wrightii	Gray Flycatcher					1C
Euderma maculatum	Spotted Bat	SC	S	S		1B
Eumops perotis californicus	Greater Western Bonneted Bat	SC		S		1B
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
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
Leopardus pardalis	Ocelot	LE				1A
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 occultus	Arizona Myotis	SC		S		1B
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
Peucaea carpalis	Rufous-winged Sparrow					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
Phrynosoma solare	Regal Horned Lizard					1B
Phyllorhynchus browni	Saddled Leaf-nosed Snake					1B
Poeciliopsis occidentalis occidentalis	Gila Topminnow	LE				1A
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
Tadarida brasiliensis	Brazilian Free-tailed Bat					1B
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					
Odocoileus hemionus	Mule Deer					
Pecari tajacu	Javelina					
Puma concolor	Mountain Lion					
Zenaida asiatica	White-winged Dove					
Zenaida macroura	Mourning Dove					

Project Type: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

Project Type Recommendations:
Fence recommendations will be dependent 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/.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize 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.

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

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (https://azstateparks.com/).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches.

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found on the Wildlife Friendly Guidelines portion of the Wildlife Planning page at https://www.azgfd.com/wildlife/planning/wildlifeguidelines/.

Design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Reduce/minimize barriers to allow movement of amphibians or fish (e.g., eliminate falls). Also for terrestrial wildlife, washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found on the home page of this application at https://www.azgfd.com/wildlife/planning/wildlifeguidelines/.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (http://www.azdeq.gov/).

Based on the project type entered, coordination with Arizona Department of Water Resources may be required (https://new.azwater.gov/).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (http://www.usace.army.mil/)

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife at PEP@azgfd.gov or at https://www.azgfd.com/wildlife/planning/wildlifeguidelines/ and https://www.azgfd.com/Wildlife/LivingWith.

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

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

Project Location and/or Species Recommendations:
HDMS records indicate that one or more native plants listed on the **Arizona Native Plant Law and Antiquities Act** have been documented within the vicinity of your project area. Please contact:
Arizona Department of Agriculture
1688 W Adams St.
Phoenix, AZ 85007
Phone: 602.542.4373
https://agriculture.az.gov/sites/default/files/Native%20Plant%20Rules%20-%20AZ%20Dept%20of%20Ag.pdf starts on page **44**

Analysis indicates that your project is located in the vicinity of an identified ***wildlife habitat connectivity feature***. The **County-level Stakeholder Assessments** contain five categories of data (Barrier/Development, Wildlife Crossing Area, Wildlife Movement Area- Diffuse, Wildlife movement Area- Landscape, Wildlife Movement Area- Riparian/Washes) that provide a context of select anthropogenic barriers, and potential connectivity. The reports provide recommendations for opportunities to preserve or enhance permeability. Project planning and implementation efforts should focus on maintaining and improving opportunities for wildlife permeability. For information pertaining to the linkage assessment and wildlife species that may be affected, please refer to: https://www.azgfd.com/wildlife/planning/habitatconnectivity/identifying-corridors/.
Please contact the Project Evaluation Program (pep@azgfd.gov) for specific project 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:

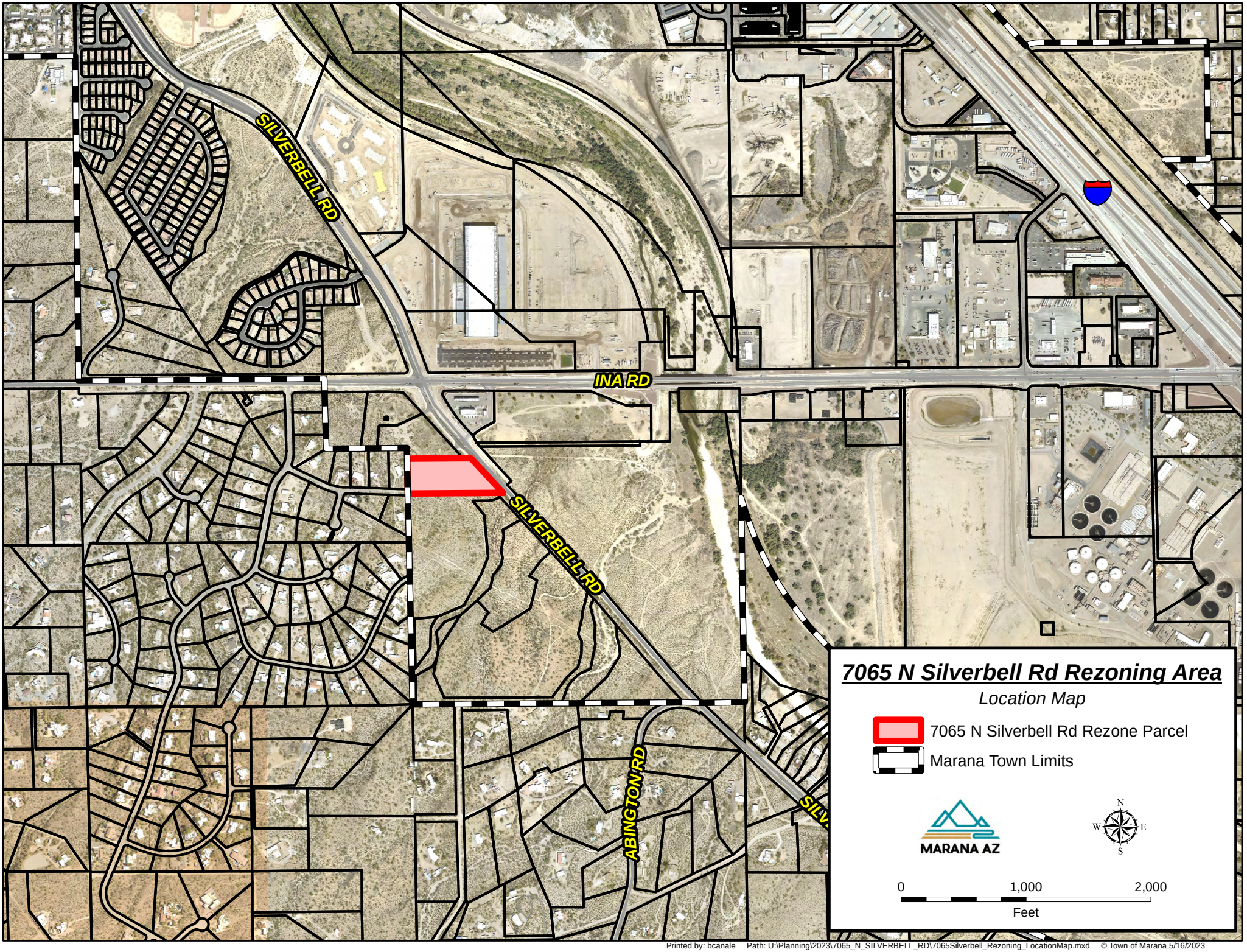
Phoenix Main Office
9828 North 31st Avenue #C3
Phoenix, AZ 85051-2517
Phone: 602-242-0210
Fax: 602-242-2513

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

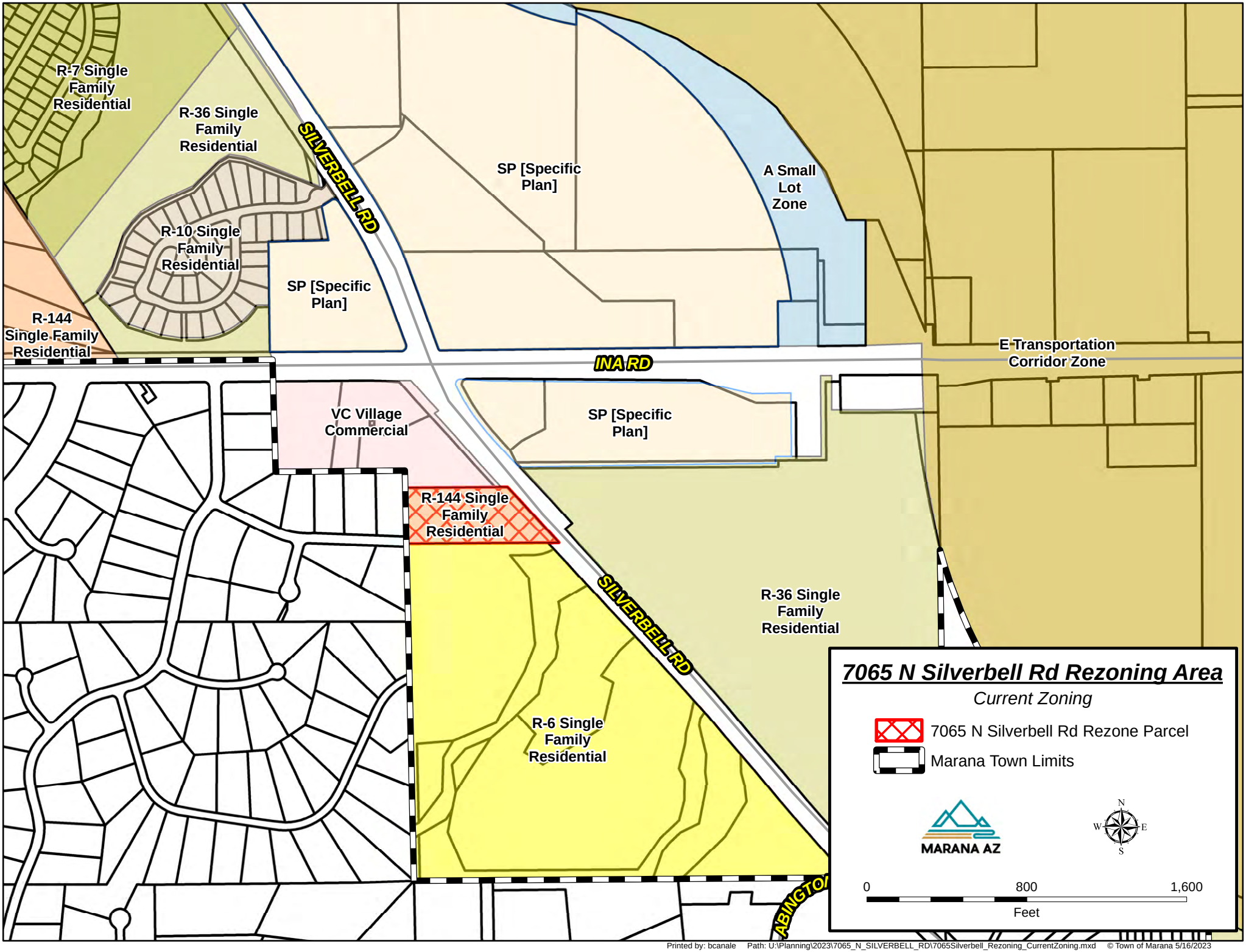
Flagstaff Sub-Office
SW Forest Science Complex
2500 S. Pine Knoll Dr.
Flagstaff, AZ 86001
Phone: 928-556-2157
Fax: 928-556-2121

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.

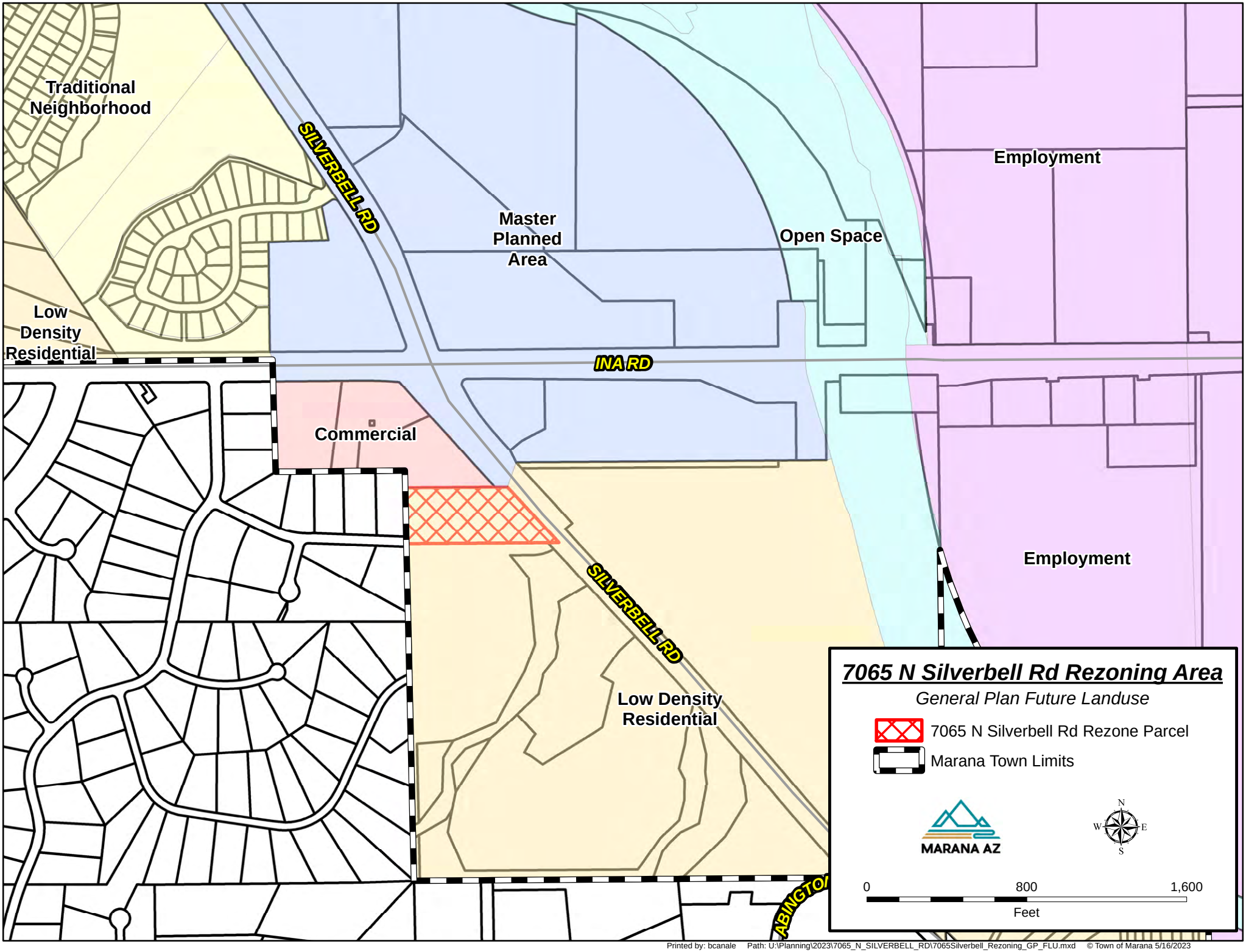
HDMS records indicate that **Sonoran Desert Tortoise** have been documented within the vicinity of your project area. Please review the Tortoise Handling Guidelines found at: https://www.azgfd.com/wildlife/nongamemanagement/tortoise/



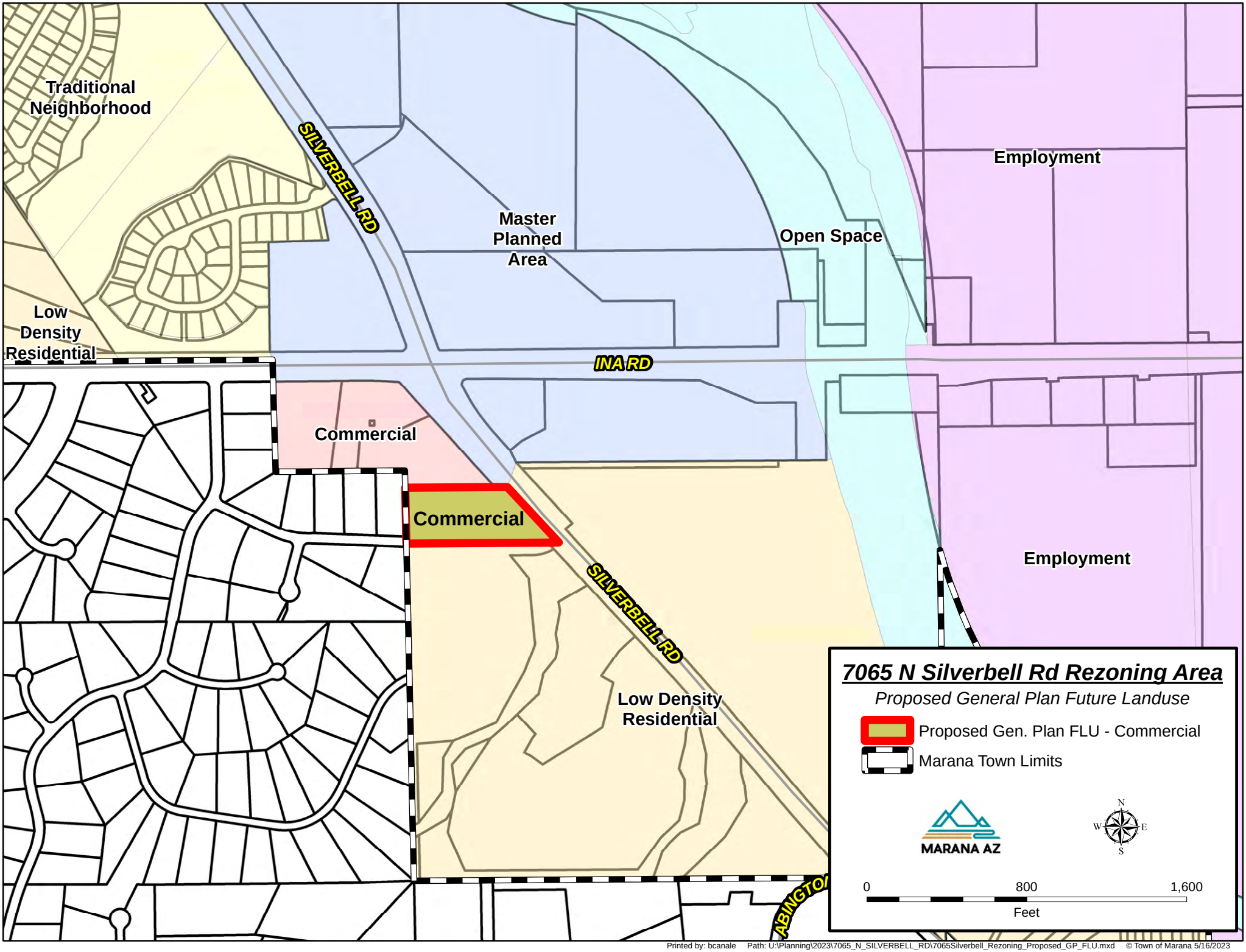
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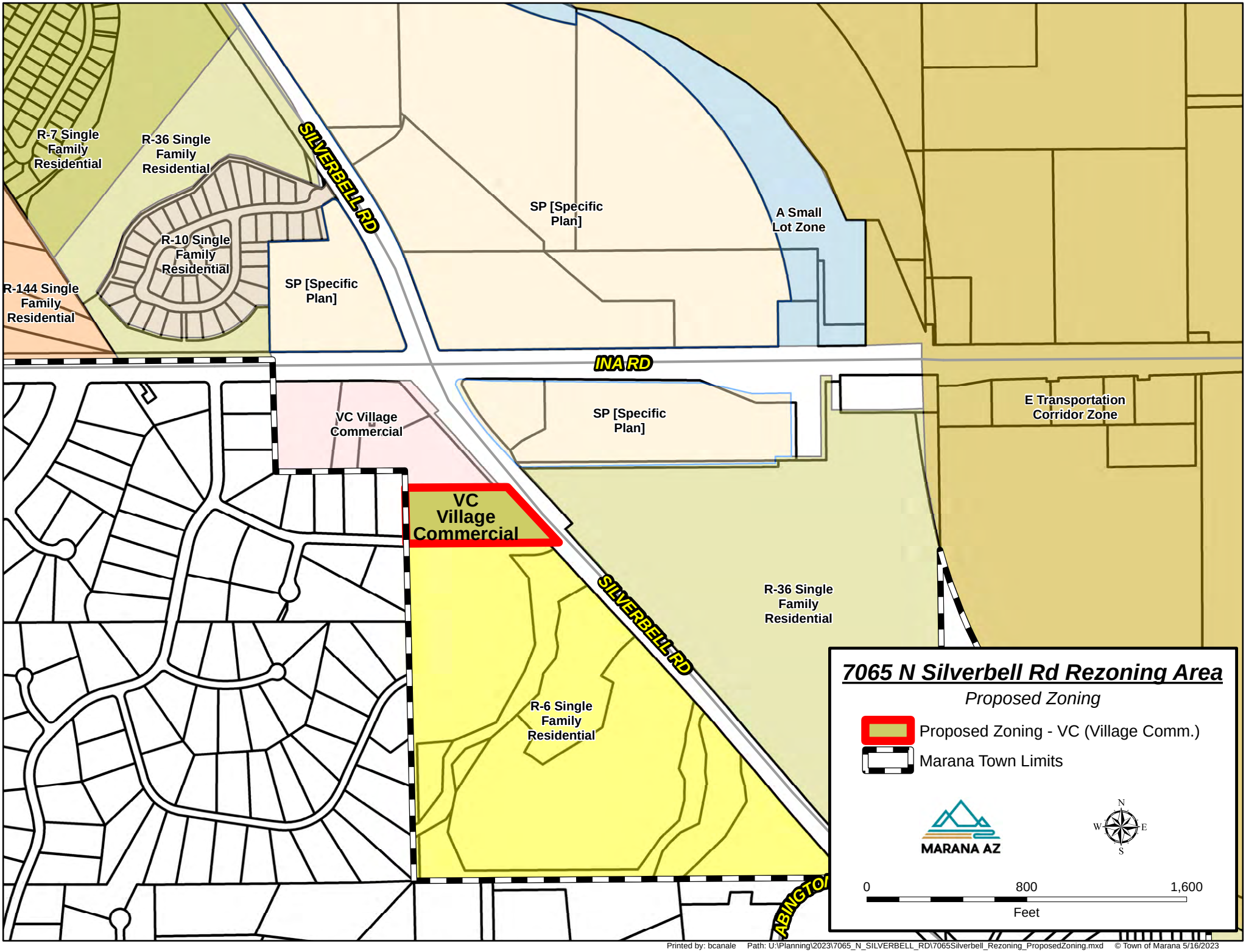
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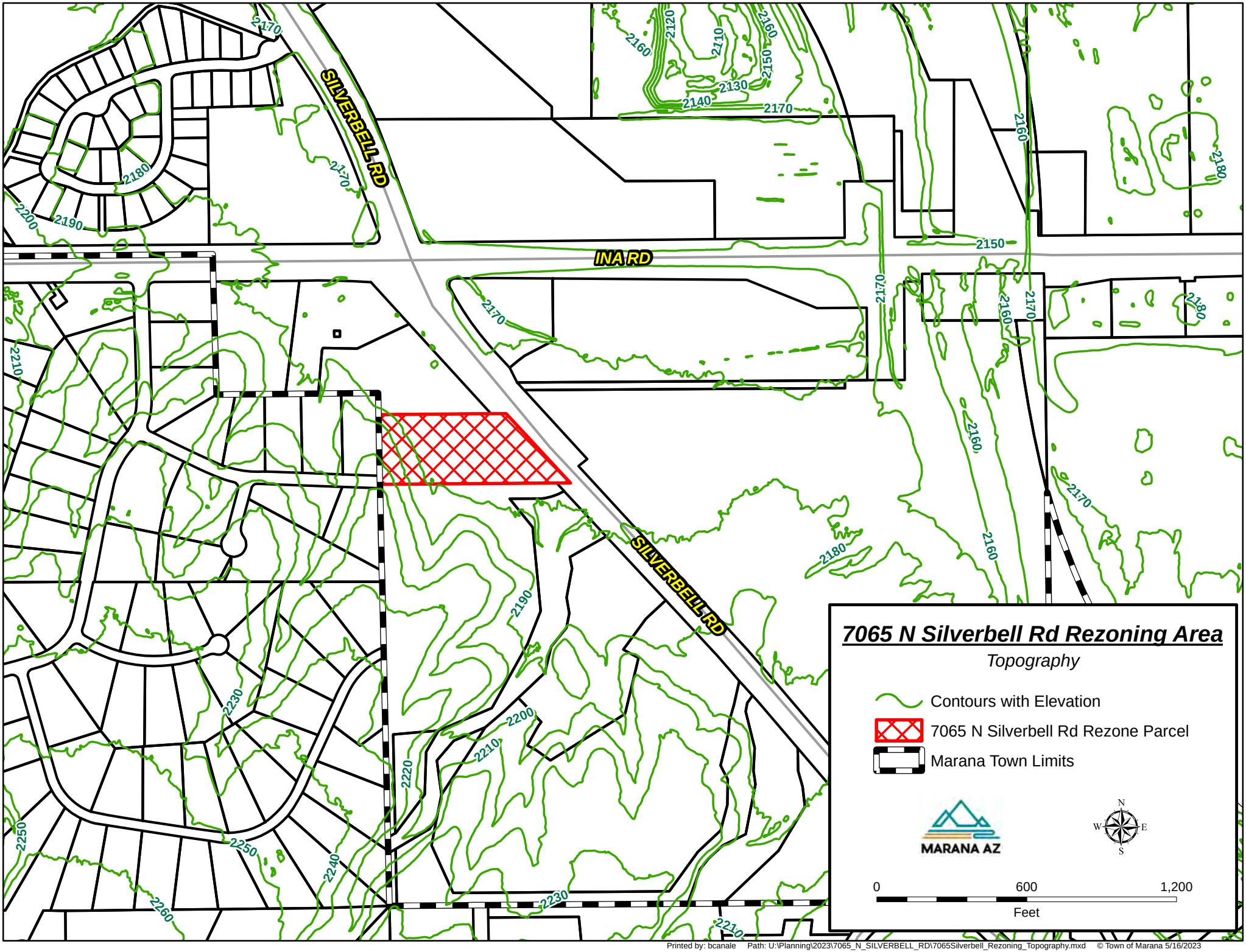
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Development Services / maranaplanning@maranaAZ.gov
11555 West Civic Center Drive / Marana, AZ 85653
Ph (520) 382-2600 / Fax (520) 382-2641 / maranaAZ.gov

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

Project No._____ **Date Received**_____

Revision Date 03/29/2019

Planning Commission Regular Meeting

Meeting Date: 08/30/2023

To: Planning Commission

From: Steven Cheslak, Principal Planner

Date: August 30, 2023

Strategic Plan Focus Area:
Not Applicable

Subject: **PCM2308-001:** Recommendation to the Town Council regarding revising Marana Town Code Title 17 (Land Development), chapter 17-4 (Zoning), section 17-4-3 (Use conditions matrix) to clarify that for home occupations, the use of amenities customarily incidental to a residential use is permitted subject to conditions. (Steven Cheslak)

Discussion:

Staff is requesting a recommendation to the Town Council for approval of an amendment that would revise Marana Town Code (MTC) Title 17 (Land Development), Chapter 17-4 (Zoning), Section 17-4-3 (Use conditions matrix) Table 3 - Conditions per use, to clarify that for home occupations, the use of amenities customarily incidental to a residential use, such as a swimming pool, playground equipment, and other similar amenities, is permitted subject to conditions.

The proposed amendment is similar in nature to the previously adopted revisions, updating and improving the Code as necessary. Based on recent home occupation business license activity and inquiries, it has been determined that a clarification is needed in regards to the use of a property for a home occupation, specifically the backyard outdoor area. The intent of this amendment is to allow use of amenities customarily incidental to a residential use, such as a swimming pool, playground equipment, and other similar amenities, subject to conditions, in the operation of a home-based business. Examples of the type of businesses that may take advantage of this amendment include: private lessons for swimming, yoga, gardening and sports coaching.

Marana Town Code Title 17 (Land Development), Chapter 17-4 (Zoning), Section 17-4-3 (Use conditions matrix) Table 3 - Conditions per use, Residential - Home Occupation conditions are proposed to be amended as follows:

A. A modification that clarifies an existing condition:
~~Does not include~~ *Additional conditions may apply for* specific uses regulated by other provisions of this title

B. The addition of the condition:
May include customary use of amenities customarily incidental to a residential use, such as a swimming pool, playground equipment, and other similar amenities, in the backyard only, and only during the hours of 8:00 AM to 5:00 PM.

Shown in it's entirety, Marana Town Code Title 17 (Land Development), Chapter 17-4 (Zoning), Section 17-4-3 (Use conditions matrix) Table 3 - Conditions per use, regarding Residential - Home Occupation, will be amended as follows (with additions shown with double underlining and deletions shown with strikeouts):

17-4-3 Use conditions matrix

The following table lists the conditions that apply to uses marked with a "U" in Table 2 (Use matrix). Where a zoning group is listed in the "zone(s)" column, the conditions apply to all zoning districts in that zoning group.

Table 3. Conditions per use (only amendments to Table 3 are shown; the remainder of Table 3 is unchanged)

USE	ZONE(S)	CONDITION(S)
Residential		
Home occupation	AG RA ER NR GR MR RR NC VC	Must be conducted by a full time occupant of the dwelling Shall not exceed 25% of the gross floor area of a dwelling Shall not employ more than one nonresident of the premises Exterior public display of stock-in-trade, external evidence of the home occupation, and outdoor storage of equipment or material associated with the home occupation are prohibited All parking shall be on site and shall not include commercial parking features such as wheel stops, parking lanes or striping Shall maintain the required residential off-street parking Shall not create more parking demand or vehicular or pedestrian traffic than a typical residential use No more than one vehicle shall be used in conjunction with the home occupation Shall not cause any sustained, unpleasant, or unusual noises or vibrations; noxious fumes or odors; or other nuisances in the immediate neighborhood Shall serve no more than five clients per day Shall serve no more than two clients at a time Any new structure or proposed changes to an existing structure used in conjunction with the home occupation must be consistent with the residential character of the dwelling Prohibited home occupations include auto repair and service; veterinarian service, kennels, and pet grooming; commercial food preparation; mortuary or embalming service; tattoo parlor; welding service; and any commercial use not customarily incidental to a residential use ~~Does not include~~ Additional conditions may apply for specific uses regulated by other provisions of this title May include customary use of amenities customarily incidental to a residential use, such as a swimming pool, playground equipment, and other similar amenities, in the backyard only, and only during the hours of 8:00 AM to 5:00 PM

Staff Recommendation:

Staff recommends that the Planning Commission forward the proposed amendments to Marana Town Code (MTC) Title 17 (Land Development), Chapter 17-4 (Zoning), Section 17-4-3 (Use conditions matrix) Table 3 - Conditions per use, to the Town Council with a recommendation for approval.

Suggested Motion:

I move to recommend to the Town Council approval of PCM2308-001, amending Chapter 17-4 (Zoning) of the Marana Town Code.

Attachments

Proposed Ordinance No. 2023.xxx

MARANA ORDINANCE NO. 2023.XXX

RELATING TO LAND DEVELOPMENT; REVISING MARANA TOWN CODE TITLE 17 (LAND DEVELOPMENT), CHAPTER 17-4 (ZONING), SECTION 17-4-3 (USE CONDITIONS MATRIX) TO CLARIFY THAT FOR HOME OCCUPATIONS, THE USE OF AMENITIES CUSTOMARILY INCIDENTAL TO A RESIDENTIAL USE IS PERMITTED SUBJECT TO CONDITIONS; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS A.R.S. §9-462.01 provides that the governing body of a municipality may adopt zoning regulations in order to conserve and promote the public health, safety and general welfare; and

WHEREAS the Mayor and Council of the Town of Marana have adopted Marana Town Code Title 17 (Land Development) to promote the health, safety, order, and general welfare of the present and future inhabitants of the Town; and

WHEREAS the Mayor and Council of the Town of Marana find that revising Marana Town Code Chapter 17-4 as set forth in this ordinance is in the best interests of the Town and its residents.

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

SECTION 1. Marana Town Code Title 17 (Land Development), Chapter 17-4 (Zoning), Section 17-4-3 (Use conditions matrix) is hereby amended as follows (with additions shown with double underlining and deletions shown with ~~strikeouts~~):

17-4-3 Use conditions matrix

The following table lists the conditions that apply to uses marked with a "U" in Table 2 (Use matrix). Where a zoning group is listed in the "zone(s)" column, the conditions apply to all zoning districts in that zoning group.

Table 3. Conditions per use (only amendments to Table 3 are shown; the remainder of Table 3 is unchanged)

USE	ZONE(S)	CONDITION(S)
Residential		
Home occupation	AG RA ER NR GR MR RR NC VC	Must be conducted by a full time occupant of the dwelling Shall not exceed 25% of the gross floor area of a dwelling Shall not employ more than one nonresident of the premises Exterior public display of stock-in-trade, external evidence of the home occupation, and outdoor storage of equipment or material associated with the home occupation are prohibited All parking shall be on site and shall not include commercial parking features such as wheel stops, parking lanes or striping Shall maintain the required residential off-street parking Shall not create more parking demand or vehicular or pedestrian traffic than a typical residential use No more than one vehicle shall be used in conjunction with the home occupation Shall not cause any sustained, unpleasant, or unusual noises or vibrations; noxious fumes or odors; or other nuisances in the immediate neighborhood Shall serve no more than five clients per day Shall serve no more than two clients at a time Any new structure or proposed changes to an existing structure used in conjunction with the home occupation must be consistent with the residential character of the dwelling Prohibited home occupations include auto repair and service; veterinarian service, kennels, and pet grooming; commercial food preparation; mortuary or embalming service; tattoo parlor; welding service; and any commercial use not customarily incidental to a residential use ~~Does not include~~ Additional conditions may apply for specific uses regulated by other provisions of this title May include customary use of amenities customarily incidental to a residential use, such as a swimming pool, playground equipment, and other similar amenities, in the backyard only, and only during the hours of 8:00 AM to 5:00 PM

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

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

SECTION 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, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. This ordinance shall be effective on the 31st day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, Arizona, this _____ day of _____ 2023.

_____
Mayor Ed Honea

ATTEST:

_____
David L. Udall, Town Clerk

APPROVED AS TO FORM:

_____
Jane Fairall, Town Attorney

Planning Commission Regular Meeting

Meeting Date: 08/30/2023

To: Planning Commission

From: Jane Fairall, Town Attorney

Date: August 30, 2023

Strategic Plan Focus Area:
Not Applicable

Subject: **PCM2308-002:** Recommendation to the Town Council regarding revisions to Marana Town Code (MTC) Title 17 (Land Development) related to transitional housing; Section 17-1-6 (Definitions), revising definitions for “Single-family dwelling” and “Transitional housing”; Section 17-4-2 (Use matrix) Table 2 - Use matrix, revising the permissiveness of transitional housing uses in several zoning districts from allowed upon approval of a conditional use permit to allowed upon meeting specified conditions; Section 17-4-3 (Use conditions matrix) Table 3 - Conditions per use, adding conditions per use for transitional housing in the allowed zoning districts; revising MTC Chapter 17-6 “General and Miscellaneous Development Regulations” to add new Section 17-6-12 (Transitional housing) establishing development regulations for transitional housing and a reasonable accommodation waiver process; providing that the revisions adopted by the ordinance shall apply to all specific plans in the Town that have more restrictive zoning requirements for transitional housing (Jane Fairall)

Discussion:

The proposed ordinance will make substantial revisions to Title 17 (Land Development) of the Marana Town Code related to transitional housing.

Definitions

The proposed ordinance will revise the definition of "transitional housing" in the Marana Town Code to more precisely describe the type of residence that is considered to be transitional housing, that being "a dwelling shared as a primary residence by adult persons with disabilities, as that term is defined under federal law for purposes of the fair housing act, who live together in an environment that may provide self-support or resident staff persons providing care, education, or activities for the residents." This definition includes, but is not limited to, sober living homes as defined under Arizona state law A.R.S. § 36-2061, and adult behavioral health therapeutic homes as defined in A.R.S. § 36-401.

Zoning

The proposed ordinance will change the zoning for transitional housing to mirror the zoning allowed for single-family detached residential uses. For most residential districts, transitional housing will now be permitted upon meeting certain specified conditions, rather than allowed upon approval of a conditional use permit (CUP). Town staff recommends making these changes to ensure compliance with federal law.

The Fair Housing Act (FHA) prohibits a broad range of practices that discriminate against individuals on the basis of race, color, religion, sex, national origin, familial status, and disability. The Act applies to municipalities and other local government entities and prohibits them from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons, including individuals with disabilities. Under the law, persons with disabilities are individuals with mental or physical impairments which substantially limit one or more major life activities. The term

mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness. The Fair Housing Act prohibits municipalities and other local government entities from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against individuals with disabilities.

The Fair Housing Act makes it unlawful to:

- Utilize land use policies or actions that treat groups of persons with disabilities less favorably than groups of non-disabled persons. An example would be an ordinance prohibiting housing for persons with disabilities or a specific type of disability, such as mental illness, from locating in a particular area, while allowing other groups of unrelated individuals to live together in that area.
- Take action against, or deny a permit, for a home because of the disability of individuals who live or would live there. An example would be denying a building permit for a home because it was intended to provide housing for persons with mental retardation.
- Refuse to make reasonable accommodations in land use and zoning policies and procedures where such accommodations may be necessary to afford persons or groups of persons with disabilities an equal opportunity to use and enjoy housing. What constitutes a reasonable accommodation is a case-by-case determination.

The Americans with Disabilities Act (ADA) provides that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” 42 U.S.C. § 12132. Like the FHA, this provision prohibits governmental entities from discriminating against disabled persons through zoning. Also like the FHA, the ADA’s protections extend to persons recovering from drug or alcohol addiction.

Development Standards

The proposed ordinance will also add new development standards for transitional housing to the Town Code, in new Section 17-6-12. These standards will help to ensure that these facilities comply with state law and reasonable development regulations. The regulations permit persons with disabilities to reside in single-family residential neighborhoods in compliance with the Fair Housing Act, while preserving the residential character of the neighborhood. The development standards include, but are not limited to, the following:

1. The number of residents at a transitional housing location, excluding staff, shall not exceed five.
2. No transitional housing location shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property of others.
3. A transitional housing location shall not be located on a lot that is within 1,200 feet, measured by a straight line in any direction, from the lot line of another transitional housing location.
4. Transitional housing locations shall have no identification from a public street by signage, graphics, display, or other visual means.
5. All administrative activities, including staffing, counseling, and other visitations, shall serve only the residents of the transitional housing. No group staff training with staff from other locations is permitted.
6. Large or multiple trash receptacles not usually found in the residential area where the transitional housing is located shall be blocked from public view.

Reasonable Accommodation Waiver

The proposed ordinance also includes a reasonable accommodation waiver process. The purpose of the reasonable accommodation waiver paragraph is to establish a procedure for persons with a disability to make a request for reasonable accommodation in the application of the Town’s zoning rules, policies, practices and procedures, pursuant to the Fair Housing Act. The FHA prohibits local governments from refusing to make reasonable accommodations when these accommodations are necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling.

A request for reasonable accommodation waiver must be made in writing to the Zoning Administrator. The Zoning Administrator will engage in the interactive process with the applicant. In order to grant the waiver, the Zoning Administrator must make the affirmative findings specified in the proposed ordinance, which are based on the requirements of the FHA and the ADA. Profitability or financial hardship of the owner/operator of a facility shall not be considered by the Zoning Administrator in determining whether to grant a reasonable accommodation waiver.

Staff Recommendation:

Staff recommends that the Commission recommend approval of the proposed ordinance to the Town Council.

Suggested Motion:

I move to recommend approval of PCM2308-002, the revisions to Marana Town Code Title 17 related to transitional housing, to the Town Council.

Attachments

Ordinance

MARANA ORDINANCE NO. 2023.XXX

RELATING TO LAND DEVELOPMENT; ADOPTING REVISIONS TO MARANA TOWN CODE TITLE 17 "LAND DEVELOPMENT"; REVISING MTC SECTION 17-1-6 (DEFINITIONS), TO REVISE DEFINITIONS FOR "SINGLE-FAMILY DWELLING" AND "TRANSITIONAL HOUSING"; REVISING MTC SECTION 17-4-2 (USE MATRIX) TO REVISE THE PERMISSIVENESS OF TRANSITIONAL HOUSING USES IN SEVERAL ZONING DISTRICTS FROM ALLOWED UPON APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOWED UPON MEETING SPECIFIED CONDITIONS; REVISING MTC SECTION 17-4-3 (USE CONDITIONS MATRIX) TO ADD CONDITIONS PER USE FOR TRANSITIONAL HOUSING IN THE ALLOWED ZONING DISTRICTS; REVISING MTC CHAPTER 17-6 "GENERAL AND MISCELLANEOUS DEVELOPMENT REGULATIONS" TO ADD NEW SECTION 17-6-12 (TRANSITIONAL HOUSING) ESTABLISHING DEVELOPMENT REGULATIONS FOR TRANSITIONAL HOUSING AND A REASONABLE ACCOMMODATION WAIVER PROCESS; PROVIDING THAT THE REVISIONS ADOPTED BY THIS ORDINANCE SHALL APPLY TO ALL SPECIFIC PLANS IN THE TOWN THAT HAVE MORE RESTRICTIVE ZONING REQUIREMENTS FOR TRANSITIONAL HOUSING; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS A.R.S. §9-462.01 provides that the governing body of a municipality may adopt zoning regulations in order to conserve and promote the public health, safety and general welfare; and

WHEREAS the Mayor and Council of the Town of Marana have adopted Marana Town Code Title 17 (Land Development) to promote the health, safety, order, and general welfare of the present and future inhabitants of the Town; and

WHEREAS the Mayor and Council of the Town of Marana find that revising Marana Town Code Title 17 as set forth in this ordinance is in the best interests of the Town and its residents.

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

SECTION 1. The revisions to Title 17 "Land Development" of the Marana Town Code, including revising MTC Section 17-1-6 (Definitions), to revise definitions for "Single-family dwelling" and "Transitional housing"; revising MTC Section 17-4-2 (Use

matrix) to revise the permissiveness of transitional housing uses in several zoning districts from allowed upon approval of a conditional use permit to allowed upon meeting specified conditions; revising MTC Section 17-4-3 (Use conditions matrix) to add conditions per use for transitional housing in the allowed zoning districts; revising MTC Chapter 17-6 "General and Miscellaneous Development Regulations" to add new section 17-6-12 (Transitional housing) establishing development regulations for transitional housing and a reasonable accommodation waiver process, one paper copy and one electronic copy of which are on file in the office of the Town Clerk, which were made a public record by and attached as Exhibit A to Resolution No. 2023-XXX of the Town of Marana, Arizona, are hereby referred to, adopted and made a part of this ordinance as if fully set out here.

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

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

SECTION 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, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. The MTC revisions adopted by this ordinance shall apply to all specific plans in the Town that have more restrictive zoning requirements for transitional housing than those set forth in revisions adopted by this ordinance.

SECTION 6. This ordinance is effective on the 31st day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this _____ day of _____, 2023.

_____
Mayor Ed Honea

ATTEST:

_____
David L. Udall, Town Clerk

APPROVED AS TO FORM:

_____
Jane Fairall, Town Attorney

MARANA RESOLUTION NO. 2023-XXX

RELATING TO LAND DEVELOPMENT; DECLARING AS A PUBLIC RECORD FILED WITH THE TOWN CLERK THE AMENDMENTS ADOPTED BY ORDINANCE NO. 2023.XXX, REVISIONS TO MARANA TOWN CODE TITLE 17 "LAND DEVELOPMENT"; REVISING MTC SECTION 17-1-6 (DEFINITIONS), TO REVISE DEFINITIONS FOR "SINGLE-FAMILY DWELLING" AND "TRANSITIONAL HOUSING"; REVISING MTC SECTION 17-4-2 (USE MATRIX) TO REVISE THE PERMISSIVENESS OF TRANSITIONAL HOUSING USES IN SEVERAL ZONING DISTRICTS FROM ALLOWED UPON APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOWED UPON MEETING SPECIFIED CONDITIONS; REVISING MTC SECTION 17-4-3 (USE CONDITIONS MATRIX) TO ADD CONDITIONS PER USE FOR TRANSITIONAL HOUSING IN THE ALLOWED ZONING DISTRICTS; REVISING MTC CHAPTER 17-6 "GENERAL AND MISCELLANEOUS DEVELOPMENT REGULATIONS" TO ADD NEW SECTION 17-6-12 (TRANSITIONAL HOUSING) ESTABLISHING DEVELOPMENT REGULATIONS FOR TRANSITIONAL HOUSING AND A REASONABLE ACCOMMODATION WAIVER PROCESS

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that the revisions to Title 17 "Land Development" of the Marana Town Code, including revising MTC Section 17-1-6 (Definitions), to revise definitions for "Single-family dwelling" and "Transitional housing"; revising MTC Section 17-4-2 (Use matrix) to revise the permissiveness of transitional housing uses in several zoning districts from allowed upon approval of a conditional use permit to allowed upon meeting specified conditions; revising MTC Section 17-4-3 (Use conditions matrix) to add conditions per use for transitional housing in the allowed zoning districts; revising MTC Chapter 17-6 "General and Miscellaneous Development Regulations" to add new section 17-6-12 (Transitional housing) establishing development regulations for transitional housing and a reasonable accommodation waiver process, a copy of which is attached to and incorporated in this resolution as Exhibit A and one paper copy and one electronic copy of which are on file in the office of the Town Clerk, are hereby declared to be a public record and ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this _____ day of _____, 2023.

_____
Mayor Ed Honea

ATTEST:

_____
David L. Udall, Town Clerk

APPROVED AS TO FORM:

_____
Jane Fairall, Town Attorney

SECTION 1. Section 17-1-6 (Definitions) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining and deletions shown with ~~strikeouts~~):

17-1-6 Definitions

A. The following definitions are used in this title, unless a different meaning is clearly indicated by the context or by a more specific definition:

[No revisions to subparagraphs 1 through 181]

182. Single-family dwelling: A dwelling unit with kitchen and sleeping facilities, designed for occupancy by and occupied by one family. Includes "adult developmental home," "child developmental certified home," "child developmental home," "group home," and "intermediate care facility for individuals with intellectual disabilities," each as defined in A.R.S. § 36-551; includes "residential facility" as defined in A.R.S. § 36-581; includes "adult foster care home" and "assisted living home" each as defined in A.R.S. § 36-401, and includes "child care group home" as defined in A.R.S. § 36-897.

[No revisions to subparagraphs a and b]

[No revisions to subparagraphs 183 through 208]

209. Transitional housing: A dwelling shared as a primary residence by adult persons with disabilities, as that term is defined under federal law for purposes of the fair housing act, who live together in an environment that may provide self-support or resident staff persons providing care, education, or activities for the residents. Transitional housing's primary purpose is to provide shelter in a residential family-like environment. ~~A single-family dwelling where supervised, residential living is provided to not more than ten individuals who do not require institutional treatment and who have common needs for alternatives to incarceration or homelessness or who need treatment or rehabilitation for substance abuse, and where appropriate transitional living services are provided, including but not limited to substance abuse treatment or rehabilitation, or life skills assistance~~. Examples of transitional housing include but are not limited to ~~halfway houses, homeless shelters,~~ sober living homes as defined in A.R.S. § 36-2061, and adult behavioral health therapeutic homes as defined in A.R.S. § 36-401.

[No revisions to subparagraphs 210-222]

[No revisions to paragraphs B and C]

SECTION 2. Chapter 17-4 "Zoning" of the Marana Town Code is hereby revised as follows (with additions shown with double underlining and deletions shown with ~~strikeouts~~):

[No revisions to section 17-4-1]

17-4-2 Use matrix

A. Table 2 (use matrix) identifies the permissiveness of uses in all residential zoning groups and zoning districts other than the mixed use districts and the SP zone. (Uses for the mixed-use districts are set forth in the mixed-use zoning district use matrix found at table 8.)

B. The notations in table 2 have the following meanings:

1. "P" means the use is permitted subject to design standards.
2. "A" means the use is permitted as an accessory use located on the same lot with a permitted use.
3. "C" means the use is allowed upon approval of a conditional use permit (see section 17-3-2).
4. "U" means the use is allowed upon meeting the conditions set forth in table 3 below.
5. "T" means the use is allowed upon approval of a temporary use permit (see section 17-3-3).
6. "X" means the use is prohibited.

[No revisions to paragraph C]

Table 2. Use matrix (only amendments to Table 2 are shown; the remainder of Table 2 is unchanged)

Uses	AG	RA	ER	NR	GR	MR	RR	NC	VC	LI	HI
Residential											
~~Assisted living home~~	~~P~~	~~P~~	~~P~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~X~~	~~X~~
~~Adult foster care home~~	~~P~~	~~P~~	~~P~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~X~~	~~X~~
Transitional housing	U~~C~~	U~~C~~	U~~C~~	U~~C~~	U~~C~~	C	C	U~~C~~	U~~C~~	X	X

17-4-3 Use conditions matrix

The following table lists the conditions that apply to uses marked with a "U" in Table 2 (Use matrix). Where a zoning group is listed in the "zone(s)" column, the conditions apply to all zoning districts in that zoning group.

Table 3. Conditions per use (only amendments to Table 3 are shown; the remainder of Table 3 is unchanged)

USE	ZONE(S)	CONDITION(S)
Residential		
Transitional housing	AG, RA, ER, NR, GR	Must comply with all development standards for

		transitional housing, as set forth in section 17-6-12
	NC, VC	Must comply with all development standards for transitional housing, as set forth in section 17-6-12 Must comply with the development standards for R-3 zone as set forth in section 17-4-5(B)(7) Table 4 (Development standards per residential zone)

[No revisions to section 17-4-4 through 17-4-26]

SECTION 3. Chapter 17-6 "General and Miscellaneous Development Regulations" of the Marana Town Code is hereby revised by adding new section 17-6-12 (Transitional housing) as follows:

17-6-12 Transitional housing

A. The purpose of these regulations is to permit persons with disabilities to reside in single-family residential neighborhoods in compliance with the fair housing act, while preserving the residential character of the neighborhood.

B. All transitional housing locations shall obtain and maintain a town business license in compliance with chapter 9-2 of this code.

C. All transitional housing locations shall comply with the following standards:

1. The number of residents at a transitional housing location, excluding staff, shall not exceed five.
2. No transitional housing location shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property of others.
3. A transitional housing location shall not be located on a lot that is within 1,200 feet, measured by a straight line in any direction, from the lot line of another transitional housing location.
4. Transitional housing locations shall have no identification from a public street by signage, graphics, display, or other visual means.
5. Transitional housing locations shall be in compliance with all applicable town codes, including building codes, fire safety regulations, zoning, and subdivision codes. If a transitional housing location has one or more non-ambulatory residents, building code requirements in addition to those applicable to locations with no non-ambulatory residents shall apply.
6. Any parking for a transitional housing location shall be maintained on-site and comply with requirements set forth chapter 17-9 of this code.
7. Transitional housing locations shall comply with any applicable licensing requirements.

a. If a transitional housing location is required by Arizona law to obtain and maintain a state license, the transitional housing location shall provide a copy of that license and all renewals to the town for record-keeping purposes within ten days of receipt by the operator of the transitional housing location.

b. If a transitional housing location is not required by Arizona law to obtain and maintain a state license, the transitional housing location shall obtain and maintain either a certification by the Arizona recovery housing association or a permanent Oxford House charter, and shall provide a copy of the certification or charter to the town for record-keeping purposes within ten days of receipt by the operator of the transitional housing location.

c. If a required state license, Arizona recovery housing association certification, or Oxford House charter is suspended or revoked, the operator of the transitional housing location shall notify the town's license inspector within five business days of the suspension or revocation.

8. The exterior of the dwelling and yards shall be kept in a condition that is consistent with requirements set forth in title 18 of this code.

9. All administrative activities, including staffing, counseling, and other visitations, shall serve only the residents of the transitional housing. No group staff training with staff from other locations is permitted.

10. Large or multiple trash receptacles not usually found in the residential area where the transitional housing is located shall be blocked from public view.

11. If a transitional housing location ceases operation, the operator shall notify the development services department within 30 calendar days of the cessation.

12. Any applicable requirements or provisions of state law, including but not limited to any applicable requirements set forth in title 36 of the Arizona revised statutes, shall apply in addition to the provisions set forth in this section. To the extent that applicable state law conflicts with the provisions of this section, state laws shall preempt any conflicting provision, but shall not affect the remaining provisions of this section.

D. Reasonable Accommodation Waiver

1. The purpose of this paragraph is to establish a procedure for persons with a disability to make a request for reasonable accommodation in the application of the town's zoning rules, policies, practices and procedures pursuant to section 3604(f)(3)(b) of title 42 of the fair housing act, as it may be amended, which prohibits local government from refusing to make reasonable accommodations when these accommodations are necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling.

2. A request for a reasonable accommodation waiver must be in writing and filed with the zoning administrator. In all cases, the zoning administrator, or designee, shall make findings of fact in support of his or her determination and shall render a decision in writing.

3. The zoning administrator shall engage in an interactive process in considering the reasonable accommodation waiver request. The zoning administrator may meet with the person making the request for additional information, to discuss possible alternative accommodations, or to ascertain or clarify information sufficiently to make the required findings.
4. To grant a reasonable accommodation waiver, the zoning administrator must affirmatively find all of the following:
    a. The requesting party or future occupants of the housing for which the reasonable accommodation has been made are protected under the fair housing act and the Americans with disabilities act;
    b. The requested accommodation is reasonable and necessary to afford an individual with a disability an equal opportunity to use and enjoy a dwelling;
    c. The requested accommodation will be in compliance with all applicable building and fire codes;
    d. The requested accommodation will allow for the maintenance and preservation of the residential characteristics of the neighborhood and will not create a substantial detriment to neighboring properties by creating traffic impacts, parking impacts, impacts on water or sewer system, or other similar adverse impacts; and
    e. The requested accommodation will not impose an undue financial or administrative burden on the town, as "undue financial or administrative burden" is defined in federal or Arizona fair housing laws and interpretive case law.
5. Profitability or financial hardship of the owner/operator of a facility shall not be considered by the zoning administrator in determining whether to grant a reasonable accommodation waiver.
6. A person requesting a reasonable accommodation waiver may request review of the decision of the zoning administrator by submitting a written request for review to the zoning administrator within ten calendar days of receipt of the zoning administrator's determination.
    a. A review hearing shall be scheduled within 30 calendar days of the zoning administrator's receipt of the request.
    b. A hearing officer appointed by the town manager shall conduct the hearing.
    c. The hearing shall be conducted in an informal manner and the rules of evidence shall not apply.
    d. The decision of the hearing officer is final and not subject to any further administrative review.