



CITY OF  
TUCSON

PLANNING AND  
DEVELOPMENT  
SERVICES  
DEPARTMENT

February 28, 2018

Ms. Linda Morales  
The Planning Center  
2 East Congress Street, Suite 600  
Tucson, AZ 85701

Dear Ms. Morales:

Subject: La Estancia PAD Minor Amendment to Village Commercial (VC) Development Area - Modify the development standard for minimum lot size

I have reviewed your letter dated January 25, 2018 (see attached) requesting a minor amendment regarding the following item:

- 1) To reduce the average lot size from 7,000 sqft to 5,000 sqft within the Village Commercial Development Area.

The PAD allows for minor changes to the development standards at the discretion of the acting City of Tucson Planning and Development Services Director if specific criteria are satisfied and the overall intent of the PAD is met.

The objectives of the La Estancia PAD is to create a mixed-use community that fosters current principles of planning and subdivision design and develop land uses logically to achieve continuity and establish a sense of identity. The request to provide clustering adjacent to the park meets these objectives by providing a logical progression of density from the interior to the periphery of the PAD.

Therefore, it is determined that this minor amendment request is a non-substantial change and is approved.

This minor amendment is supported by the following:

1. Adjustments to development standards that are in the interest of the community and do not affect health or safety issues (La Estancia PAD, IV.C. General Administration and Amendment Procedures, p.47).

However, this non-substantial change is approved as a Minor Amendment under the following condition:

1. If the average lot size of 5,000 sqft is used within the Village Commercial (VC) land use center, then the allowed 15% density increase is not also permitted, as the modification to the average lot size from 7,000 sqft to 5,000 sqft already serves as greater than a 15% in density for this development area.

Please note that a copy of this letter must be attached to any development package/plat submitted for the La Estancia PAD.

Sincerely,



Scott Clark, Interim Director  
Planning and Development Services Department

Attachments: Applicant's Request



January 25, 2018

John Beall  
Section Manager  
Entitlements and Special Exceptions  
City of Tucson Development Service  
201 North Stone, 3rd Floor  
Tucson, AZ 85701

**Subject: La Estancia Planned Area Development Minor Change Request**

TPC Job No.: AGS-03

Dear Mr. Beall:

On behalf of SBH La Estancia LP, this letter is to respectfully request administrative approval of a minor change to the La Estancia Planned Area Development (PAD). The minor change in question entails adjusting the development standards within the "Village Commercial (VC)" land use category, specifically related to the minimum lot size for residential development. Currently, the Village Commercial land use designation permits residential uses in accordance with the "Neighborhood Commercial (NC) Zone" as prescribed by the City of Tucson Unified Development Code (UDC). The NC zone allows for a minimum lot size of the 7,000 square feet which is consistent with the Low Density Residential (LDR) land use designation within the La Estancia PAD. Furthermore, there is no alternative within the NC zone that allows for a flexible lot development option (i.e. clustering) or the averaging of lot sizes.

As the intention of the La Estancia PAD is to establish a market-responsive development pattern that promotes a logical transition of residential uses within close proximity to the community park and center, the lot size limitation prescribed by the NC zone hinders the ability of the PAD to provide a diverse residential product within the Village Commercial land use category that meets the intention of the PAD and satisfies market demand. Administrative approval of this minor change to the La Estancia PAD would result in a development option that allows for an average lot size consistent with the PAD's Medium Density Residential (MDR) land use designation which abuts the VC development areas. The MDR land use designation within the PAD allows for the average lot size of 5,000 square feet and a density range of 5 to 10 residences per acre.

***Background***

The La Estancia Planned Area Development (PAD) is a 595-acre planning area that was approved by the City of Tucson Mayor and Council in October 1999 with the intention of developing in a mixture of uses in a series of phases. In 2006, the first phase of the PAD was platted, but due to the economic recession and the shift in real estate and housing trends, majority of the platted blocks remain undeveloped. In 2013, SBH La Estancia LP purchased the property and has diligently worked to get plats reapproved and necessary utilities and infrastructure installed. However, given the shift in market demand towards smaller lot sizes, the property owner has experienced undue challenges marketing the approved lot sizes. Because of the difficulty of the PADs current ability to satisfy market demand while preserving a logical transition of residential densities near the community park and center, the property owner is pursuing administrative relief to provide a clustered residential option consistent with the

surrounding Medium Density Residential (MDR) blocks within the Village Commercial (VC) land use designation.

***Minor Change Justification***

Per the La Estancia PAD, minor changes may be made to the development standards at the discretion of the acting City of Tucson Development Services Director if specific criteria are satisfied and the overall intent of the PAD is met. The following offers a justification and support based on the specified minor change criteria and objectives of the PAD for the administrative approval which would permit a modified average lot size within the Village Commercial (VC) land use category. (Direction for Minor Changes is described on page 47 of the La Estancia PAD.)

*Criterion #1: "Changes in residential densities not to exceed an increase of 15% of the maximum allowable in each Development area provided the increase does not cause an increase to the overall unit cap of 4,067 for the project."*

The intent of modifying the minimum lot size within the Village Commercial land use category from 7,000 square foot minimum, as prescribed by the Neighborhood Commercial (NC) Zone, to an average lot size of 5,000 square foot is to create greater flexibility within the PAD that is responsive to the current housing market demand. An average lot size of 5,000 square feet is consistent with the MDR land use designation that abut the Village Commercial development areas, thus demonstrating compatibly with the adjacent uses and densities.

With recognition that the VC development areas do not have a prescribed range of maximum allowable units and as the requested modification is consistent with the MDR development standards of the PAD, the maximum allowable units within the VC development areas will be limited to no more than a 15% increase of the 5-10 density range as permitted in the MDR land use designation. Additionally, a modification to the permitted average lot size within the VC land use designation will not cause nor will it cause an increase in the overall unit cap of 4,067.

*Criterion #2: "Adjustments to development standards that are in the interest of the community and do not affect health or safety issues"*

The current land use plan of the PAD situates the Village Commercial (VC) land use designation adjacent to the community park and center. The modification of average lot size of 5,000 square feet with the VC land use designation allows for the logical progression of residential densities in that more dense residential developments may be achieved immediately adjacent to the community area while lower densities may be achieved on the periphery. The ability to provide a clustered product adjacent to the community park and center better facilitates community interaction and further reduces the automobile-centric nature of low density residential areas.

The following objectives of the PAD support this minor change request:

- Foster current principles of planning and subdivision design that reflects a sense of community and neighborhood.
- Develop land uses logically on the property (considering clustering, massing and intensity of scale), to achieve continuity of design and establish a sense of identity.

January 23, 2018

Mr. John Beall

La Estancia PAD Minor Amendment

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AGS-03

- Encourage innovative and imaginative design that creates a unique community character, encourage interaction among neighbors and diminishes the dominance of the automobile.
- Assure compatibility of new development with the existing environment by using compatible land uses, density transitions, setbacks, and variations in building heights and by providing visual and pedestrian linkages.

Thank you for the opportunity to request administrative approval of this minor change to the La Estancia PAD to allow for a more flexible option within the designated Village Commercial developments area. Please let me know if you need any additional information.

Sincerely,

The Planning Center



Linda Morales, AICP  
CEO / Principal



CITY OF  
TUCSON

PLANNING AND  
DEVELOPMENT  
SERVICES  
DEPARTMENT

July 20, 2015

Mr. Bob Bambauer, P.E., Vice President  
Sunbelt Holdings  
6720 North Scottsdale Road, Suite 250  
Scottsdale, AZ 85253-4424

Dear Mr. Bambauer:

Subject: Minor Change to the La Estancia Planned Area  
Development – Design Guidelines

I have reviewed your letters of July 14, 2015 and June 17, 2015  
(see attached) requesting a minor change for the La Estancia PAD –  
Design Guidelines and clarification on the Design Review Process.

Clarification: The Design Review Process is a Self-Certification  
(design review) process in which a builder will submit house plans  
and elevations to the La Estancia Design Review Committee  
(DRC) for comment and approval. The DRC will provide the  
builder with an approved letter that proposed plans are in  
conformance with the La Estancia PAD and Design Guidelines.  
The builder will include the DRC approval letter with their house  
plans on submittal to the City of Tucson. The City will only be  
reviewing the plans for Building Safety and Building Code issues  
as all design review per the La Estancia PAD will be performed by  
the DRC.

The proposed minor change request is:

- 1) Allow for a revision to the La Estancia PAD Design Guidelines  
(July 2006) to reflect the current building practices and  
building specifications being used by the majority of the  
builders in the City of Tucson and Pima County.

The La Estancia PAD allows for minor changes and adjustments to  
development standards that do not adversely affect the overall  
purpose and intent of the Plan.

Therefore, it is determined that this minor change request is not in conflict with the overall intent of the La Estancia PAD, and any changes must conform to the goals and objectives of the Plan.

This minor change is supported by the following:

1. Foster current principles of planning and subdivision design that reflects a sense of community and neighborhood;
2. Develop land uses logically on the property (considering clustering, massing, and intensity of scale), to achieve continuity of design and establish a sense of identity;
3. Ensure coordinated, responsible planning through the use of cohesive procedures, regulations, standards and guidelines.

Please note as a requirement of approval for the minor change the master developer is to provide PDSD a clean version of the revised Design Guidelines document with an approved revision date of July 20, 2015 (1 hard copy and 1 CD containing a pdf).

Sincerely,



Ernie Duarte,

Director

Planning and Development Services Department

Attachments: Applicant's Request

# SBH LA ESTANCIA LP

June 17, 2015

Mr. Ernie Duarte, Director of Development Services  
City of Tucson  
201 N. Stone 3<sup>rd</sup> Floor  
Tucson AZ, 85701

Subject: La Estancia Design Review Approval

Dear Mr. Duarte:

Thank you for meeting with our La Estancia team on Friday. As we discussed, I am sending this letter to confirm the La Estancia Design Review Process as well as the Builder house plan process.

It is our understanding that the sequence of events is the following:

1. Builder will submit house plans and elevations to the La Estancia Design Review Committee (DRC).
2. The DRC will comment and ultimately approve the drawings.
3. The DRC will provide the Builder with an approval letter based on the house plans being in substantial conformance with the La Estancia PAD and Design Guidelines that are in effect at the time the building plans are submitted.
4. The Builder will submit the house plans to the City of Tucson (along with the DRC approval letter).
5. The City will review the house plans for Building Safety and Building Code issues. The City does not have a Design Review Committee and will rely on the La Estancia DRC for Design Review Approval.

If there are any questions, please feel free to contact me at 602-531-4837.

Sincerely,

***SBH La Estancia, LP***



Bob Bambauer, P.E.  
Vice President

BB:dh

# SBH La Estancia LP

July 14, 2015

Mr. John Beall  
City of Tucson Development Services  
201 N Stone  
Tucson AZ 85701

Re: La Estancia de Tucson PAD/Design Guidelines

Dear Mr. Beall:

First, thank you for your help and guidance with the La Estancia Planned Area Development (PAD) and associated Design Guidelines (DG's). We purchased the La Estancia property in 2013 and have been diligently working on plan re-approvals as well as constructing the underground utilities in the main spine roads.

We have reviewed the DG's (approved 7-12-2006) internally as well as with a builder that is currently in escrow to purchase the first 195 lots in La Estancia. We have both agreed that the 2006 version needs some minor changes to reflect the current building practices being used by the vast majority of the builders in the City of Tucson and Pima County. The main change that we have discussed is in the section of Product Walls. On page 24 under Prohibited materials, all 4 inch CMU is listed. We suggest that this be removed from the Prohibited Materials section. Internal house or yard walls are currently being built using 4 inch CMU by most builders in Tucson and Pima County. **This is standard practice and does not compromise safety or the design goals of the PAD.** We would also like to remove the reference to White Vinyl Fence as an acceptable material in the DG's (also on Page 24). In my opinion the White Vinyl Fence, if built, would compromise the design goals of the PAD and DG's. Please note that the Community (or Perimeter) Walls will be built using 6 inch concrete slump block as detailed on the revised Landscape Irrigation and Wall plans that were recently approved as part of the Revised Tentative Plat approval.

There are other changes to the document that are related to Varying Rear Setbacks. We reduced the number of adjacent dwelling units from 3 to 2 that can have the same rear setback. This should make a better streetscape from the main roadways. Most other changes were minor and involved reducing the recess areas for windows and garage doors to match current builder specifications.

I have included this letter, a letter of understanding for the design review process as well as a copy of the revised design guidelines (all in electronic format) and ask that the City of Tucson Development Services Department give an administrative approval of these documents as these changes do not compromise safety or the design goals of the PAD and Design Guidelines.

Please let me know how we should proceed to obtain your administrative approval.

Sincerely,  
*SBH La Estancia*



Bob Bambauer  
Vice President

BB:dh



CITY OF  
TUCSON

PARKS & RECREATION  
DEPARTMENT

May 22, 2008

Mr. Brad Burns, CEO/President  
Origin Properties  
2670 Crimson Canyon Drive, Suite 110  
Las Vegas, Nevada 89128

Dear Mr. Burns:

**Re: La Estancia de Tucson Planned Area Development (PAD)  
Letter of Refinement (Letter) – Park Elements**

**Julian Wash Linear Park, Internal Community Park, Gas Line Park, and  
Neighborhood Pocket Parks**

Thank you for meeting with City staff recently regarding specific park elements related to the La Estancia PAD. As discussed, we are requesting clarification of aspects of the parks element. La Estancia will include an interconnected open space/recreational system consisting of the Julian Wash Linear Park, the internal Community Park, and the Gas Line Park (see the attached Exhibit, which also identifies phasing). In addition, the owner/developer will provide pocket parks within each residential development. The purposes of this Letter are to clarify and refine when the park elements need to be completed, and identify associated tracking mechanisms. Information provided in this Letter is summarized in the attached Table. We acknowledge your desire to move forward with the platting and development of La Estancia, and believe that the clarification and refinements provided herein will facilitate the Parks Department's approval of this and future La Estancia plats.

#### **1. Julian Wash Linear Park and Phase 1 of the Gas Line Park**

**Existing Agreements.** When the PAD was adopted, it was envisioned that development would occur sequentially in phases. Phase 1 would be completed prior to initiating Phase 2, Phase 2 would be completed prior to initiating Phase 3, etc. Currently, the Julian Wash linear park needs to be completed by the owner/developer during Phase 1, and prior to the issuance of permits for dwelling units or commercial structures in any phase other than Phase 1. Portions of the Gas Line Park will also be completed during Phase 1.

**La Estancia de Tucson Planned Area Development (PAD)**

May 22, 2008

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Phasing. Based on a July 20, 2007 Letter of Refinement, Phase 1 includes most of the area north of Camino Boleadoras and south of the Julian Wash (see attached Exhibit). Phase 2 is generally that area south of Camino Boleadoras.

During your recent meeting with staff, you indicated that in response to market conditions, you anticipate beginning development of Phase 2 shortly after Phase 1 gets underway.

Clarification Sought. We would like greater specificity regarding when during Phase 1 the Julian Wash Linear Park and Phase 1 of the Gas Line Park need to be completed. We also seek to identify mechanisms to track when the parks need to be completed and accepted by the City of Tucson (City). To that end, we propose the following:

Proposed Refinements regarding the Julian Wash Linear Park, and Gas Line Park - Phase 1. The Julian Wash Linear Park and the Gas Line Park – Phase 1 will be completed, and accepted by the City, prior to the following:

- Issuance by the City of Tucson of a certificate of occupancy (C of O) for the first dwelling unit above and beyond a) 75% of the total dwelling units to be built in Phase 1, or b) the first 500 units in Phase 1, whichever comes first; or
- Issuance by the City of Tucson of a C of O for the first dwelling unit or commercial structure in a phase other than Phase 1.

**2. Internal “Community Park” and Phase 2 of the Gas Line Park**

The internal Community Park is located in the Phase 2 area. While Phase 1 is planned for single-family residential development, Phase 2 may include multi-family residential development.

Existing Agreements. Per a July 20, 2007 PAD Letter of Refinement, the approximately 7.6-acre internal Community Park is to be constructed by the owner/developer prior to the issuance of the 500<sup>th</sup> final inspection permit for a residential unit in Phase 1. Connectivity will be provided between the internal Community Park and the adjacent Vail School District site. Phase 2 of the Gas Line Park will be completed during development of Phase 2.

Proposed Refinement: Timing of Completion of the internal Community Park, and Gas Line Park – Phase 2. During your recent meeting, you proposed tying

**La Estancia de Tucson Planned Area Development (PAD)**

May 22, 2008

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the timing of construction of the internal Community Park to Phase 2 development. We propose that the internal Community Park and the Gas Line

Park – Phase 2 shall be completed by the owner/developer, and accepted by the City, prior to the following:

- Issuance by the City of Tucson of a C of O for the first dwelling unit above and beyond a) 20% of the total dwelling units to be built in Phase 2, or b) the first 250 units in Phase 2, whichever comes first.

Note: According to Development Services Department staff, one C of O is issued for a multi-family residential building, enabling multiple dwelling units to be occupied. For tracking purposes per this Letter, the number of dwelling units permitted based on the issuance of a certificate of occupancy for a multi-family residential building is the number to be used. For example, if one C of O is issued for an apartment building that consists of 20 residential units, it is considered as 20 C of Os.

**3. Neighborhood Pocket Parks**

**Existing Agreements:** Neighborhood pocket parks are to be constructed by the owner/developer within each residential subdivision. A minimum of 200 square feet of pocket park per each residential dwelling unit will be provided. The pocket park will be completed prior to the issuance of a C of O for the first residential unit above and beyond 50% of the total residential units to be constructed in the subdivision.

**Proposed Refinement:** We propose that neighborhood pocket parks be constructed by the owner/developer within each residential subdivision or residential development (i.e., for residential development such as apartments that goes through the development plan review and not the subdivision platting process). The pocket park will be constructed prior to the issuance of a C of O for the first residential unit above and beyond 50% of the total residential units to be constructed in the subdivision or development.

**4. Owner/Developer to Notify City of Tucson**

During the recent meeting, you offered to notify the City when the time is approaching for the various park elements to be constructed. Staff proposes that the owner/developer notify the City of Tucson Building Official and the Director of the Parks and Recreation Department, in writing, as follows:

## **La Estancia de Tucson Planned Area Development (PAD)**

May 22, 2008

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- When 75% of the trigger number of C of Os have been applied for, to give awareness of the approaching time when the parks need to be completed and accepted by the City; and
- When the trigger C of O has been applied for, such that the identified park or parks need to be completed and accepted by the City, prior to the issuance of any additional C of Os, as per this Letter.

### **5. Notes on Plats and Development Plans**

To assist in implementing this agreement, relative to the Julian Wash Linear Park, internal Community Park, Gas Line Park, and the pocket parks, staff requests that notes addressing the following information be placed on all future La Estancia plats and development plans, in the General Notes section, under the subtitle "Park Requirements":

- which (if any) park facilities need to be constructed in conjunction with the plat or plan;
- if no park facilities need to be constructed;
- the entity responsible for the construction, ownership, and maintenance of the park facility;
- when the park facility needs to be constructed, completed and accepted, i.e., prior to the issuance of a certificate of occupancy for a specific number of dwelling units (or commercial structures), as set forth in this Letter;
- when the owner/developer needs to notify the City regarding the "trigger" Certificates of Occupancy, as per this Letter;
- calculations demonstrating how the square footage requirement is being met (for pocket parks); and
- any other clarification notes as needed.

### **6. Future Revisions**

Because development of the La Estancia community will occur over a period of time, it is recognized that there may be subsequent refinements to the agreements set forth in this letter. Any refinements must be agreed to by the owner/developer and the City of Tucson.

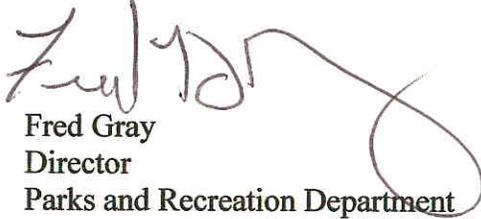
**La Estancia de Tucson Planned Area Development (PAD)**

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We appreciate this opportunity to work together to refine the parks element of the PAD. The parks facilities as outlined herein will contribute to the success of the project, and will benefit future La Estancia residents as well as the Tucson community. Please indicate your acceptance of the refinements by signing below.

Sincerely,



Fred Gray  
Director  
Parks and Recreation Department

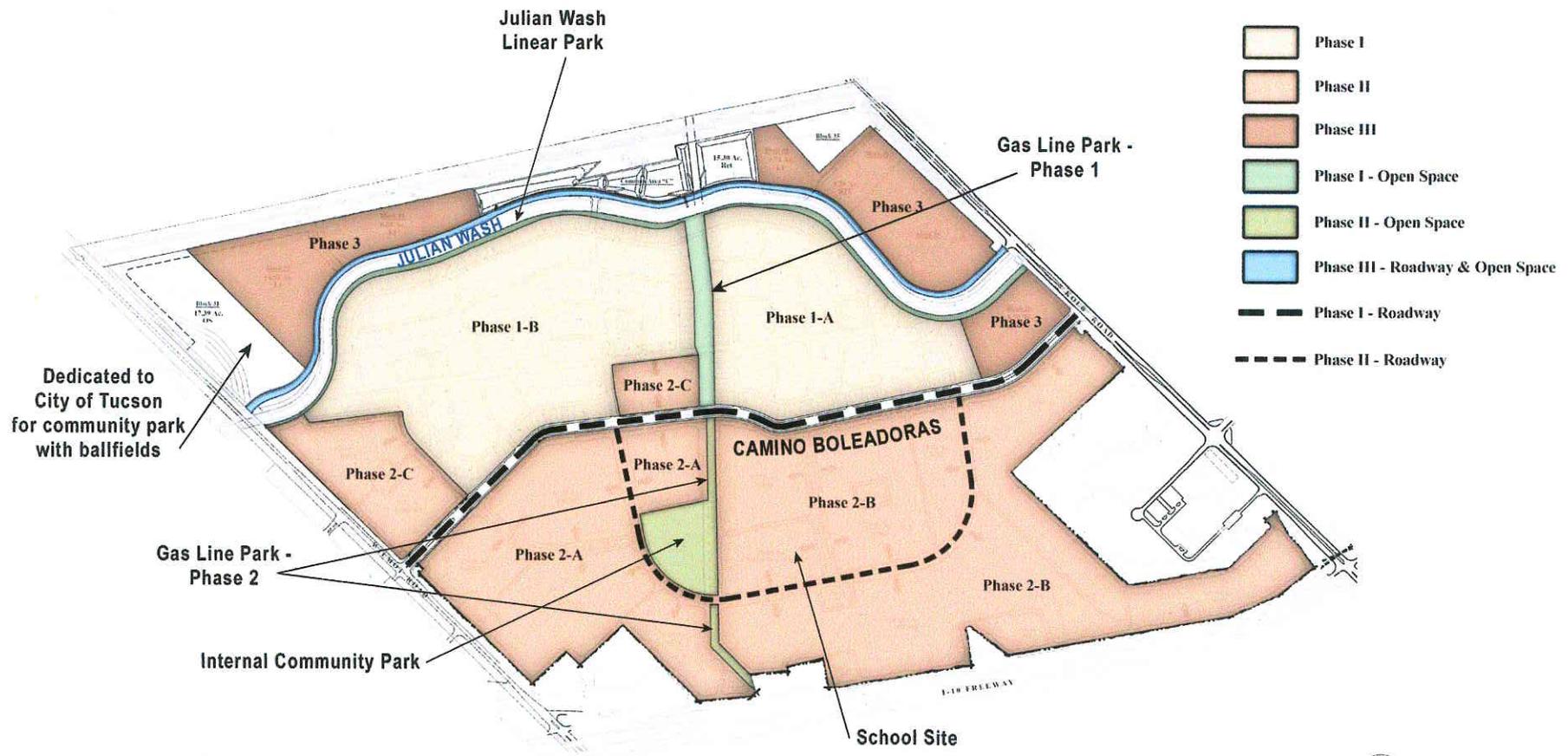
FG:JD:JH:i/LAESTANCIALTR

Attachments: 1- Map  
2 - Table

Approved By: LA ESTANCIA LLC



Brad Burns  
Origin Properties *its Manager*



**PARKS PLAN**

**La Estancia de Tucson**  
Tucson, Arizona

Note: Phasing shown on this map is per the July 20, 2007, PAD Letter of Refinement



Modified by COT  
Urban Planning & Design  
May 2008 JN

**TABLE – LA ESTANCIA PAD, PARKS**  
May 2008

<b>PARK</b>	<b>RESPONSIBLE ENTITY</b>	<b>WHEN PARKS NEED TO BE COMPLETED AND ACCEPTED</b>	<b>OWNER/DEVELOPER TO NOTIFY CITY (two notifications)</b>	<b>AMOUNT OF PARK SPACE TO BE PROVIDED</b>
<b>Julian Wash Linear Park and Gas Line Park – Phase 1</b>	<p>Construction – owner/developer</p> <p>Ownership – City of Tucson (Julian Wash Linear Park only)</p> <p>Maintenance – City of Tucson</p>	<p>Prior to issuance of C of O* for first dwelling unit above and beyond a) <b>75% of the total</b> to be built in Phase 1**, or b) <b>500 units</b>, whichever comes first</p> <p>or</p> <p>Prior to issuance of C of O for first dwelling unit or commercial structure in a phase other than Phase 1.</p>	<p>When submitting application for C of O that is 75% of trigger; and</p> <p>When submitting application for trigger C of O.</p>	N/A
<b>Internal Community Park and Gas Line Park – Phase 2</b>	<p>Construction – owner/developer</p> <p>Ownership – City of Tucson (internal Community Park only)</p> <p>Maintenance – City of Tucson</p>	<p>Prior to issuance of C of O for first dwelling unit above and beyond a) <b>20% of the total units</b> to be built in Phase 2, or b) <b>250 units</b>, whichever comes first.</p>	<p>When submitting application for C of O that is 75% of trigger; and</p> <p>When submitting application for trigger C of O.</p>	N/A
<p><b>Neighborhood Pocket Parks</b></p> <p><b>Single-family residential</b></p> <p>-----</p> <p><b>Multi-family Residential</b></p>	<p>Construction – all pocket parks by owner/developer</p> <p>Ownership and maintenance – subdivision</p> <p>-----</p> <p>Ownership and maintenance - developer</p>	<p>Prior to issuance of C of O for first dwelling unit above and beyond <b>50% of the total units</b> to be built in the subdivision or development.</p>	<p>When submitting application for C of O that is 75% of trigger; and</p> <p>When submitting application for trigger C of O.</p>	<p>200 square feet of pocket park per each residential dwelling unit; applies to single-family and multi-family residential units</p>

\* C of O is a Certificate of Occupancy

\*\* Phases per PAD Letter of Refinement dated July 20, 2007

**LA ESTANCIA 525, LLC**

**Robert L. Gugino  
Richard B. Price**

**4564 E. Camp Lowell Drive  
Tucson, Arizona 85712-1282**

**Office (520) 577-7171  
Fax (520) 529-0085  
[bob@gmlawaz.com](mailto:bob@gmlawaz.com)  
[tucsondeveloper@aol.com](mailto:tucsondeveloper@aol.com)**

September 26, 2011

Mr. Ernie Duarte, Director  
Mr. Andy Dinauer, Engineering Division Administrator  
City of Tucson Planning & Development Services  
201 North Stone Avenue  
Tucson, Arizona 85701

**Subject: La Estancia Onsite Required Roadway Improvements and Phasing**  
WLB No. 109033-A-001

Dear Messrs . Duarte and Dinauer:

As discussed during our recent meeting, La Estancia 525, LLC (Developer) would like to enter into an agreement with the City of Tucson (City) regarding the construction of Camino Boleadoras and the Phase 1 Residential lots. The purpose of this agreement is to establish guidelines for the construction sequencing and phasing to provide for the efficient and safe build out of the La Estancia Phase 1 improvements. The City and the Developer further agree that the Developer may construct Camino Boleadoras in phases from either the Kolb Road entrance or the Wilmot Road entrance as development progresses. The Phase 1 Improvements include the construction of Camino Boleadoras from Wilmot Road to Kolb Road and subdivision infrastructure to support 664 residential lots. All of these improvement plans have been approved by the City.

The Developer agrees to the following requirements as required by the City of Tucson Staff:

1. All lots available for release will have paved all-weather access. All roadways shall be a minimum of 24' wide and paved. The paved access will connect the current phase of development to either Kolb Road or Wilmot Road.
2. Emergency access will be provided on the existing sub-grade surface of Camino Boleadoras to either Kolb Road or Wilmot Road. The existing surface is suitable for emergency access and the Developer agrees to maintain the surface as needed. The emergency access road will connect to the paved access and complete the connection between Kolb Road and Wilmot Road for emergency purposes.
3. All drainage crossings of Camino Boleadoras will be installed prior to any lot releases.

**LA ESTANCIA 525, LLC**

Ernie Duarte/Andy Dinauer  
September 26, 2011  
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- 4. The sidewalk and landscaping will be constructed in accordance with the approved plan along the north side on Camino Boleadoras as adjacent lots are developed. The north half will be striped for two way traffic with transitions at either Kolb Road or Wilmot Road.
- 5. Removable bollards will be provided at the end of the paved access to limit access to emergency vehicles only.

Several options for access to the lots are shown on the attached exhibit. The following table outline the required improvements for accessing each lot group.

**TABLE 1 – ACCESS OPTIONS**

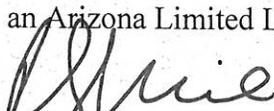
<b>OPTION</b>	<b>ACCESS FROM</b>	<b>ACCESS TO</b>	<b>APPROXIMATE NUMBER OF LOTS SERVED</b>
1	WILMOT ROAD	PASEO MONTE DE ORO	150
2	WILMOT ROAD	VIA BOMBACHAS	410
3	WILMOT ROAD	VIA CASA BONITA	510
4	KOLB ROAD	VIA ARROYO LARGO	150
5	KOLB ROAD	VIA CASA BONITA	250
6	KOLB ROAD	VIA BOMBACHAS	510

These options will be constructed from either the Kolb Road or Wilmot Road entrances or from the end of a previously completed option.

These options may be adjusted provided the proposed change conforms to the requirements as outlined in this agreement.

We thank you for the opportunity to clarify these infrastructure improvement requirements. If you concur with these refinements, please indicate as such in the signature block below. We look forward to continuing the positive relationship between the Developer and the City. Please do not hesitate to contact me if you'd like to discuss this matter further.

Sincerely,  
**LA ESTANCIA 525, LLC,**  
an Arizona Limited Liability Company

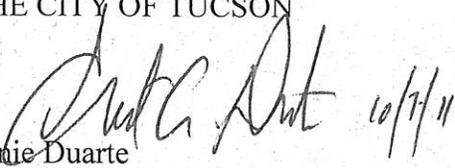
  
Richard B. Price  
Manager

**LA ESTANCIA 525, LLC**

Ernie Duarte/Andy Dinauer  
September 26, 2011  
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Agreed To:

THE CITY OF TUCSON

 10/7/11  
Ernie Duarte  
Planning & Development Services Director

THE CITY OF TUCSON

 9/30/11  
Andy Dinauer  
Engineering Administrator

Enclosures:

On-Site Roadway Phasing Exhibit by WLB Dated July 2011

EXHIBIT "A"

Legal Description

EXHIBIT "A"

Legal Description

Parcel 1

Blocks 26, 30, 32, 33, 34 and 36 and Common Areas "A" and "C" of FINAL BLOCK PLAT LA ESTANCIA DE TUCSON, a subdivision of Pima County, Arizona according to the map or plat thereof of record in the office of the County Recorder of Pima County, Arizona, in Book 54 of Maps and Plats at page 22 thereof.

EXCEPT those portions of said Common Areas "A" and "C" resubdivided in FINAL PLAT OF LA ESTANCIA DE TUCSON, a subdivision of Pima County, Arizona according to the map or plat thereof of record in the office of the County Recorder of Pima County, Arizona, in Book 61 of Maps and Plats at page 90 thereof, as amended by Declaration of Scrivener's Error recorded in Docket 12969 at page 113.

Parcel 2

Lots 1-330 and Common Areas "A" (Park/Open Space) and "B" (Drainage) and Blocks D and E of FINAL PLAT LA ESTANCIA DE TUCSON, a subdivision of Pima County, Arizona according to the map or plat thereof of record in the office of the County Recorder of Pima County, Arizona, in Book 61 of Maps and Plats at page 90 thereof, as amended by Declaration of Scrivener's Error recorded in Docket 12969 at page 113.

EXCEPT that portion of said Block D resubdivided in FINAL PLAT OF LA ESTANCIA DE TUCSON, a subdivision of Pima County, Arizona according to the map or plat thereof of record in the office of the County Recorder of Pima County, Arizona, in Book 61 of Maps and Plat at page 91.

Parcel 3

Lots 331-410 of FINAL PLAT OF LA ESTANCIA DE TUCSON and Common Area "A" (Park/Open Space), a subdivision of Pima County, Arizona according to the map or plat thereof of record in the office of the County Recorder of Pima County, Arizona, in Book 61 of Maps and Plat at page 91.

Parcel 4

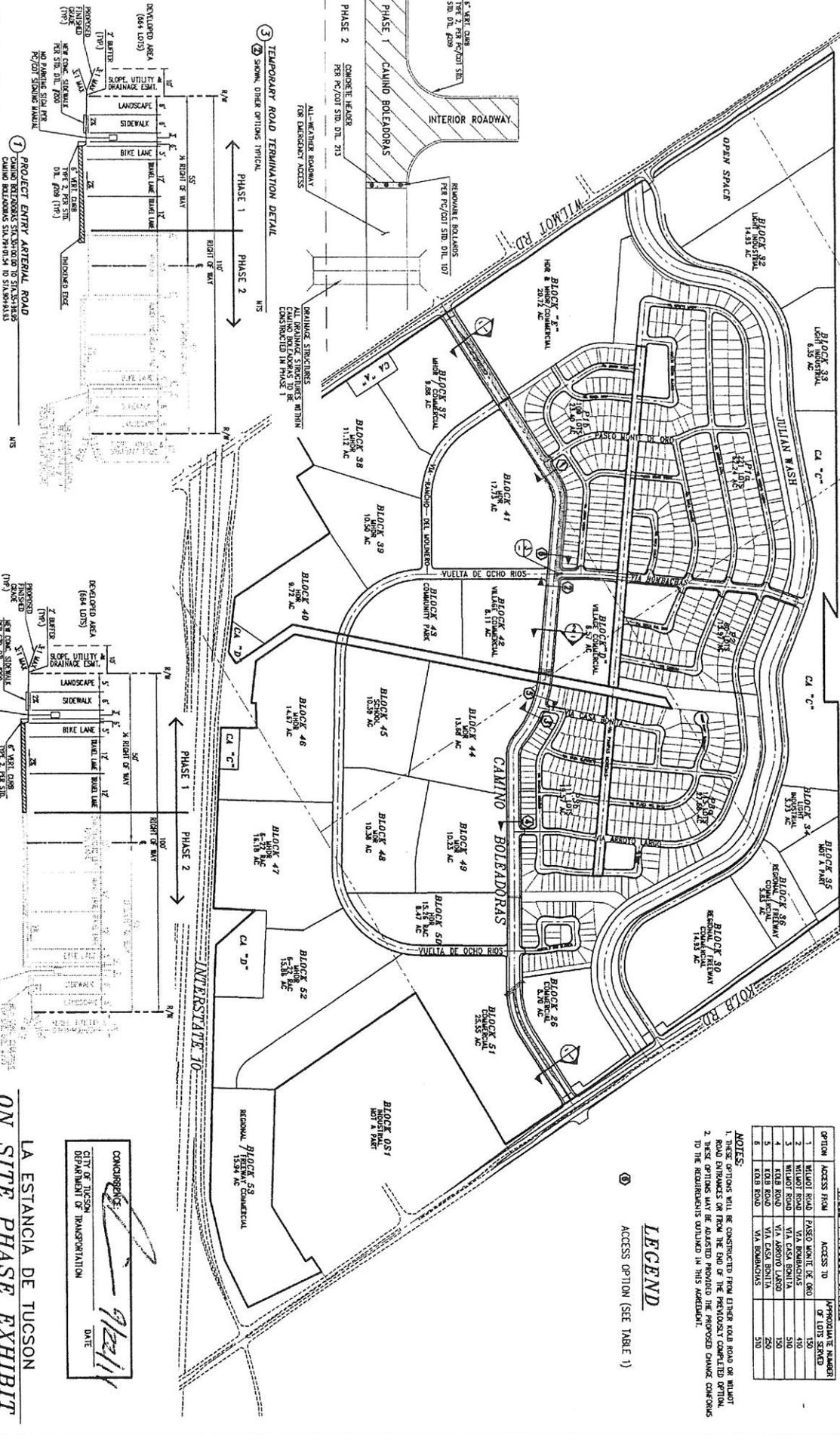
Lots 411-664 and Common Area "A" (Park/Open Space) and "B" (Drainage) of FINAL PLAT LA ESTANCIA DE TUCSON, a subdivision of Pima County, Arizona according to the map or plat thereof of record in the office of the County Recorder of Pima County, Arizona in Book 61 of Maps and Plats at page 92.

Parcel 5

Common Areas "A, B, C and D" (Detention/Retention) and Blocks 37-42 and 44-53 of FINAL PLAT LA ESTANCIA DE TUCSON-PHASE II, a subdivision of Pima County, Arizona according to the map or plat thereof of record in the office of the County Recorder of Pima County, Arizona, in Book 64 of Maps and Plats at page 44, as amended by a Declaration of Scrivener's Error recorded in Docket 13543 at page 37.

EXHIBIT "B"

La Estancia Onsite Required Roadway Improvements and Phasing



**Table 1 - ACCESS OPTIONS**

OPTION	ACCESS FROM	ACCESS TO	APPROXIMATE NUMBER OF LOTS SERVED
1	WILMOT ROAD	PASO DORTE DE ORO	40
2	WILMOT ROAD	VIA BOMBAYAS	50
3	WILMOT ROAD	VIA CASA BENITA	150
4	ROB ROAD	VIA ARROYO LINDO	250
5	ROB ROAD	VIA CASA BENITA	250
6	ROB ROAD	VIA BOMBAYAS	50

**NOTES:**  
 1. THESE OPTIONS WILL BE CONSTRUCTED FROM EITHER ROB ROAD OR WILMOT ROAD ENTRANCES OR FROM THE END OF THE PREVIOUSLY COMPLETED OPTION.  
 2. THESE OPTIONS MAY BE ADJUSTED PROVIDED THE PROPOSED CHANGE CONFORMS TO THE REQUIREMENTS OUTLINED IN THIS AGREEMENT.

**LEGEND**  
 ③ ACCESS OPTION (SEE TABLE 1)

ACKNOWLEDGMENT OF REQUIRED ONSITE ROADWAY IMPROVEMENTS

This Acknowledgement of Required Onsite Roadway Improvements (the "Acknowledgement") is entered into as of September 26, 2011 by and between La Estancia 525, LLC, an Arizona limited liability company ("Owner") and The City of Tucson, a municipal corporation, (the "City") in regard to the following real property situated in Pima County, Arizona:

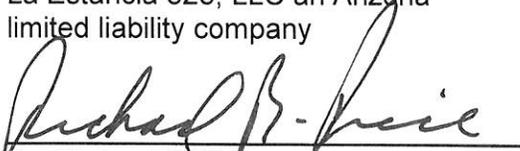
See Exhibit "A" attached hereto and incorporated herein (the "Property")

The parties hereto acknowledge that the construction of Camino Boleadros may be phased in accordance with the onsite roadway improvement requirements as set forth in the La Estancia Onsite Required Roadway Improvements and Phasing Letter dated July 20, 2011, entered between Owner and the City and which is attached hereto and incorporated herein as Exhibit "B".

Owner and the City hereby bind themselves and their successors to the terms set forth herein and the same shall run with the land.

DATED this 26 day of September, 2011

La Estancia 525, LLC an Arizona  
limited liability company



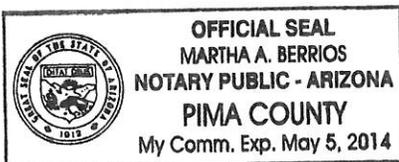
By: Richard B. Price  
Its: Manger

STATE OF ARIZONA            )  
  ) ss.  
County of Pima                )

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of September, 2011 by Richard B. Price, the Manger of La Estancia 525, LLC, an Arizona limited liability company.

My Commission Expires:

May 5, 2014

  
Notary Public

The City of Tucson Planning and Development Services Department

*Ernie Duarte* 10/7/11  
By: Ernie Duarte  
Its: Director

The City of Tucson Engineering Department

*Andy Dinauer* 9/30/11  
By: Andy Dinauer  
Its: Engineering Administrator

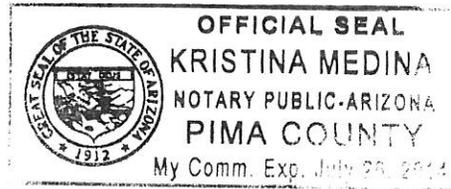
STATE OF ARIZONA )  
 ) ss.  
County of Pima )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of October, 2011 by Kristina Medina, the notary of the City of Tucson, a municipal corporation.

My Commission Expires:  
July 26, 2014

*Kristina Medina*  
Notary Public

STATE OF ARIZONA )  
 ) ss.  
County of Pima )



The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by \_\_\_\_\_, the \_\_\_\_\_ of the City of Tucson, a municipal corporation.

My Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public