



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 3/15/2022

\*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

**\*Title:**

RESOLUTION AND ORDINANCE: P21CR00001 AMERICAN DREAM EPSILON LLC – W. INA ROAD PLAN AMENDMENT AND REZONING

**\*Introduction/Background:**

The Board of Supervisors approved the concurrent plan amendment and rezoning on September 7, 2021.

**\*Discussion:**

The plan amendment and rezoning was for approximately .87 acres from the Low Intensity Urban 1.2 to the Low Intensity Urban 1.2 land use designation subject to a rezoning policy, and to rezone from the CR-1 (Single Residence) to the TR (Transitional) zone for an expansion to the existing cosmetic clinic originally approved as an adaptive re-use.

**\*Conclusion:**

The Resolution and Ordinance reflect the Board of Supervisors' approval.

**\*Recommendation:**

Approval

**\*Fiscal Impact:**

0

**\*Board of Supervisor District:**

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Terrill L. Tillman, AICP, Principal Planner

Telephone: 520-724-6921

Department Director Signature: \_\_\_\_\_

Date: 2/23/22

Deputy County Administrator Signature: \_\_\_\_\_

Date: 2/23/2022

County Administrator Signature: \_\_\_\_\_

Date: 2/23/2022



Subject: P21CR00001

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**MARCH 15, 2022 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

**DATE:** February 22, 2022

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**RESOLUTION FOR ADOPTION**

**P21CR00001 AMERICAN DREAM EPSILON LLC – W. INA ROAD PLAN AMENDMENT AND REZONING**

Owners: American Dream Epsilon LLC  
(District 1)

**If approved, adopt RESOLUTION NO. 2022 - \_\_\_\_\_**

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**OWNERS:** American Dream Epsilon LLC  
Attn: Dr. Sofia Rubbani  
14225 N. Honey Bee Trail  
Oro Valley, AZ 85755-4743

**AGENT:** The Planning Center  
Attn: Lexy Wellott  
2 E. Congress, Suite 600  
Tucson, AZ 85701

**DISTRICT:** 1

**STAFF CONTACT:** Terrill L. Tillman, AICP, Principal Planner

**STAFF RECOMMENDATION:** APPROVAL

TD/TT/ds  
Attachments

c: The Planning Center, Attn: Lexy Wellott

RESOLUTION 2022-\_\_\_\_\_

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO PLANNING; AMENDING THE PIMA COUNTY COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY .87 ACRES OF PROPERTY (PARCEL CODE 225-49-1870, ADDRESSED AS 1230 W. INA ROAD) LOCATED ON THE NORTHWEST CORNER OF W. INA ROAD AND N. SAN BLAS DRIVE, IN CASE P21CR00001 - AMERICAN DREAM EPSILON, L.L.C. - W. INA ROAD PLAN AMENDMENT AND REZONING, FROM LOW INTENSITY URBAN 1.2 (LIU-1.2) TO LOW INTENSITY URBAN 1.2 (LIU-1.2) WITH REZONING POLICY, IN SECTION 35 OF TOWNSHIP 12 SOUTH, RANGE 13 EAST, IN THE CATALINA FOOTHILLS PLANNING AREA.

IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AS FOLLOWS:

Section 1. The Pima County Comprehensive Plan Land Use Map in the Catalina Foothills Planning Area is hereby amended to change the planned land use intensity category for approximately .87 acres, as referenced in P21CR00001 American Dream Epsilon LLC – W. Ina Road Concurrent Plan Amendment and Rezoning, located on the northwest corner of W. Ina Road and N. San Blas Drive addressed as 1230 W. Ina Road, in Section 35, Township 12 South, Range 13 East, as shown on the map attached to this Resolution as Exhibit A and incorporated by this reference, from Low Intensity Urban 1.2 (LIU-1.2) to Low Intensity Urban 1.2 (LIU-1.2) with a rezoning policy.

Section 2. The Pima County Comprehensive Plan Regional, Rezoning and Special Area Policies are amended to include the subject site with the following Rezoning Policy:

Notwithstanding the objectives and residential density allowed under the Low Intensity Urban 1.2 (LIU-1.2) comprehensive plan land use designation, a rezoning to the TR (Transitional) zone for professional or semi-professional office or personal services only, shall be deemed in conformance with the comprehensive plan.

Section 3. The various County officers and employees are authorized and directed to perform all acts necessary to give effect to this Resolution.

Section 4. This Resolution shall become effective on the date of adoption.

Passed and adopted, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chair, Pima County Board of Supervisors

ATTEST:

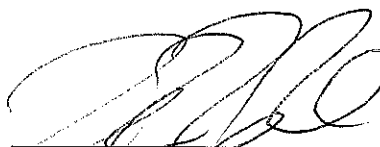
\_\_\_\_\_  
Clerk, Board of Supervisors

APPROVED AS TO FORM:



\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

APPROVED:



\_\_\_\_\_  
Executive Secretary  
Planning and Zoning Commission


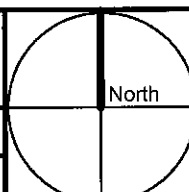
# COMPREHENSIVE PLAN AMENDMENT

## Planned Land Use Exhibit A

 Subject Property



0 145 290 580 Feet

Taxcode: 225-49-1870	<b>P21CR00001 AMERICAN DREAM EPSILON LLC - W. INA ROAD PLAN AMENDMENT &amp; REZONING</b>		District: 1 Location: Northwest corner of W. Ina Road and N. San Blas Drive
	From Low Intensity Urban 1.2 (LIU-1.2) to Low Intensity Urban 1.2 (LIU-1.2) with a rezoning policy .87 Acres +/-		
	Catalina Foothills Planning Area under Pima Prospects Section 35, Township 12 South, Range 13 East		
	Planning and Zoning Commission Hearing: July 28, 2021	Map Scale: 1:4,000	
Board of Supervisors Hearing: September 7, 2021		Map Date: October 20, 2021 / dms	



Subject: P21CR00001

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**MARCH 15, 2022 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

**DATE:** February 22, 2022

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**ORDINANCE FOR ADOPTION**

**P21CR00001 AMERICAN DREAM EPSILON LLC – W. INA ROAD PLAN AMENDMENT AND REZONING**

Owners: American Dream Epsilon LLC  
(District 1)

**If approved, adopt ORDINANCE NO. 2022- \_\_\_\_\_**

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**OWNERS:** American Dream Epsilon LLC  
Attn: Dr. Sofia Rubbani  
14225 N. Honey Bee Trail  
Oro Valley, AZ 85755-4743

**AGENT:** The Planning Center  
Attn: Lexy Wellott  
2 E. Congress, Suite 600  
Tucson, AZ 85701

**DISTRICT:** 1

**STAFF CONTACT:** Terrill L. Tillman, AICP, Principal Planner

**STAFF RECOMMENDATION: APPROVAL**

TD/TT/ds  
Attachments

c: The Planning Center, Attn: Lexy Wellott

ORDINANCE 2022-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY .87 ACRES OF PROPERTY (PARCEL CODE 225-49-1870, ADDRESSED AS 1230 W. INA ROAD) FROM CR-1 (SINGLE RESIDENCE) TO TR (TRANSITIONAL) ZONE, IN CASE P21CR00001 AMERICAN DREAM EPSILON LLC – W. INA ROAD CONCURRENT PLAN AMENDMENT AND REZONING, LOCATED ON THE NORTHWEST CORNER OF W. INA ROAD AND N. SAN BLAS DRIVE, AND AMENDING PIMA COUNTY ZONING MAP NO. 76 & 77.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. The .87 acres located on the northwest corner of W. Ina Road and N. San Blas Drive addressed as 1230 W. Ina Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map Nos. 76 & 77, is rezoned from the CR-1 (Single Residence) to TR (Transitional) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Environmental Planning conditions: Upon the effective date of the Ordinance, the owner(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.
3. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
4. Adherence to the sketch plan as approved at public hearing (Exhibit B).
5. The use of the property is limited to a cosmetic clinic and office.
6. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

7. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Section 3. Time limits of conditions. Conditions 1 through 7 of Section 2 shall be completed no later than September 7, 2026.

Section 4. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Section 5. The effective date of this Ordinance is the date the Chair of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chair, Pima County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors

APPROVED AS TO FORM:



\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

APPROVED:

\_\_\_\_\_  
Executive Secretary  
Planning and Zoning Commission



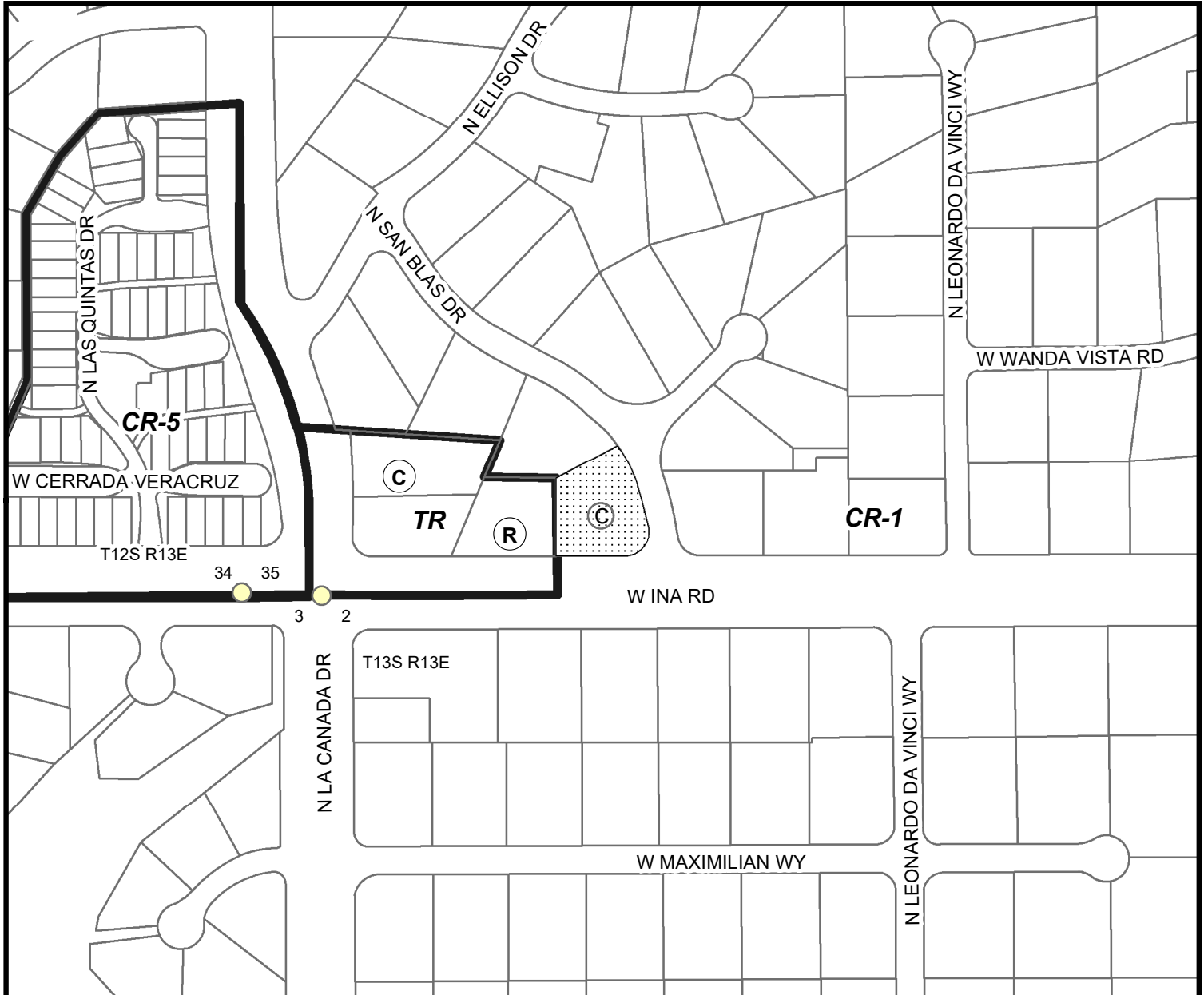
# EXHIBIT A

AMENDMENT NO.'S \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
TO PIMA COUNTY ZONING MAP NO.'S 76, 77 TUCSON AZ. BEING A  
PART OF ORANGE GROVE PARK (BK 13, PG 19), LOT 28 LOCATED IN THE  
SW 1/4 OF SECTION 35 OF T12S R13E.



0 80 160 320 Feet  
[Scale bar with markings at 0, 80, 160, and 320 feet]

ADOPTED: \_\_\_\_\_ EFFECTIVE: \_\_\_\_\_



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

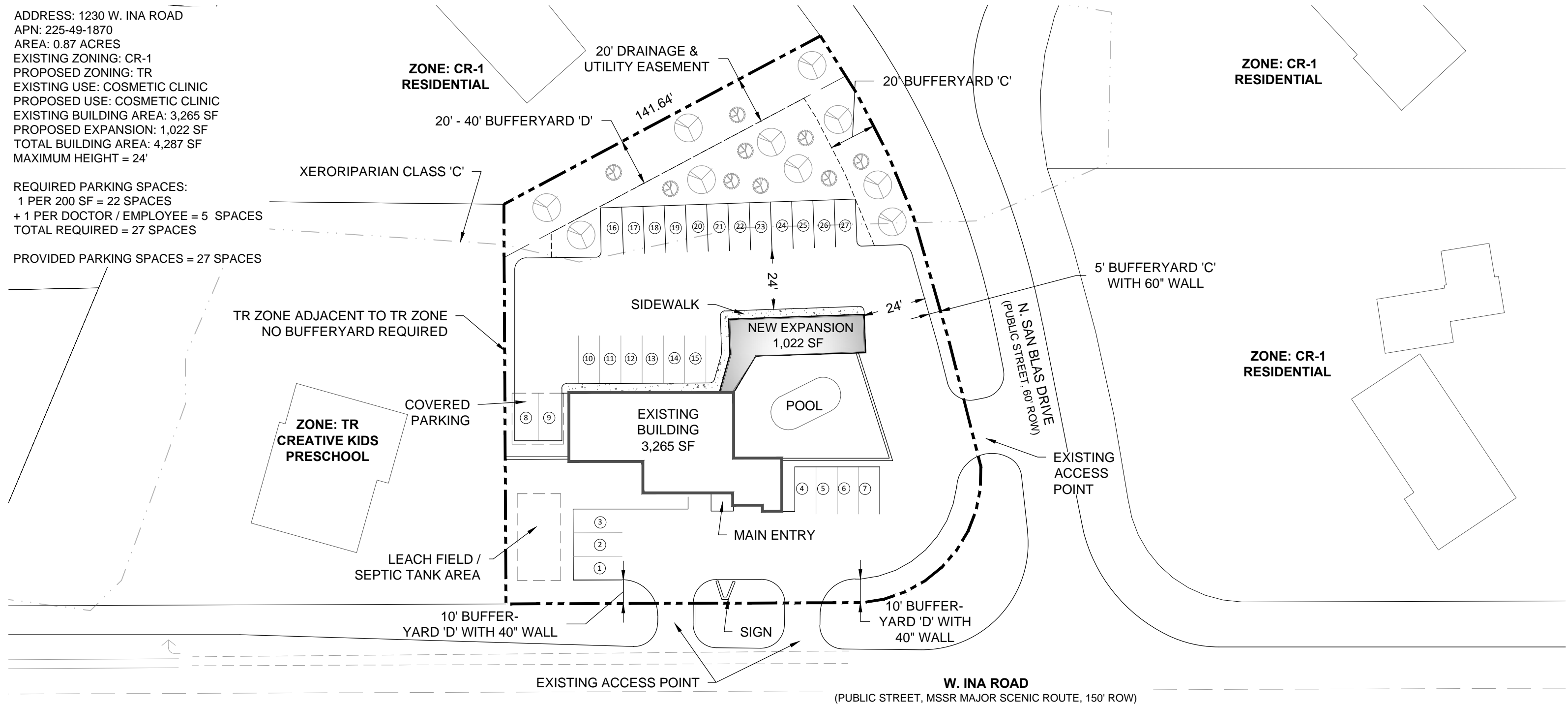
**(C)** NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
FROM CR-1 .87 ac  
ds-October 19, 12021

**P21CR00001**  
**225491870**



# PRELIMINARY SKETCH PLAN

PROVIDED PARKING SPACES = 27 SPACES



### LEGEND





 PROPERTY BOUNDARY  
 EASEMENT  
 XERORIPARIAN "C"  
 BUFFERYARD

Exhibit B  
Page 4 of 4

0' 20' 40'

SCALE: 1"=40'-0"

PROJECT: TCN-01 DATE: 06/29/21

FILE NAME: TCN-01\_SITE PLAN\_062921.DWG



# TUCSON COSMETICS