



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 5/16/2023

*\*= Mandatory, information must be provided*

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

**\*Title:**

ORDINANCE: P22RZ00010 EDWIN LLC – E. DREXEL ROAD REZONING

**\*Introduction/Background:**

The Board of Supervisors approved this rezoning on March 7, 2023.

**\*Discussion:**

The rezoning was for approximately 30.27-acres from the SR (AE) (Suburban Ranch – Airport Environs) to the CI-2 (AE) (General Industrial – Airport Environs) zone for a 400,000 square-foot warehouse and logistics center and a 150,000 square foot manufacturing/processing/assembly and office building.

**\*Conclusion:**

The Ordinance reflects 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: \_\_\_\_\_

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

Date: \_\_\_\_\_

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

Date: \_\_\_\_\_



Subject: P22RZ00010

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**MAY 16, 2023 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

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

**DATE:** April 26, 2023

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**ORDINANCE FOR ADOPTION**

**P22RZ00010 EDWIN LLC – E. DREXEL ROAD REZONING**

Owners: Edwin LLC  
(District 4)

**If approved, adopt ORDINANCE NO. 2023 - \_\_\_\_\_**

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**OWNERS:** Edwin LLC  
4725 S. Contractors Way  
Tucson, AZ 85714

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

**DISTRICT:** 4

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

**STAFF RECOMMENDATION: APPROVAL**

TD/TT  
Attachments

c: Brian Underwood

ORDINANCE 2023 - \_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 30.27 ACRES OF PROPERTY (PARCEL CODES 141-03-0120, 141-03-0130, AND 141-03-0140) FROM THE SR (AE) (SUBURBAN RANCH – AIRPORT ENVIRONS) TO THE CI-2 (AE) (GENERAL INDUSTRIAL - AIRPORT ENVIRONS) ZONE, IN CASE P22RZ00010 – EDWIN LLC – E. DREXEL ROAD REZONING, LOCATED ON THE SOUTH SIDE OF THE TERMINUS OF E. DREXEL ROAD, APPROXIMATELY ONE-HALF MILE EAST OF THE INTERSECTION OF S. WILMOT ROAD AND E. DREXEL ROAD, AMENDING PIMA COUNTY ZONING MAP NO. 31.

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

Section 1. The 30.27 acres located on the south side of the terminus of E. Drexel Road, approximately one-half mile east of the intersection of S. Wilmot Road and E. Drexel Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 31, is rezoned from the SR (AE) (Suburban Ranch – Airport Environs) to the CI-2 (AE) (General Industrial - Airport Environs) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. A Traffic Impact Study (TIS) shall be submitted for review and approval by the Department of Transportation with the development plan submittal. Offsite improvements determined necessary as a result of the TIS shall be provided by the property owner(s).
  - B. Prior to development plan approval, written proof of coordination with the City of Tucson is required regarding any traffic impacts to their roadway system.
  - C. A cross access easement through the adjacent private properties to the south will be required prior to development plan approval. The location and design shall be determined at the time of development plan submittal and are subject to the Department of Transportation approval.
  - D. The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, drives, physical barriers, drainageways and drainage easements.
  - E. Prior to development plan approval, written proof from the HOA or governing body of Southpointe Business Park shall be provided allowing use of its private road common area.

3. Regional Flood Control District conditions:
  - A. First Flush retention shall be provided in Low Impact Development practices distributed throughout the site.
  - B. If the detailed engineering analysis of the boundary channels shows that additional width is required to accommodate boundary channel design requirements, the site layout shall be modified to provide the necessary area to mitigate flood and erosion risk and impacts to adjacent properties.
  - C. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. Regional Wastewater Reclamation conditions:
  - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
  - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
  - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
  - F. The owner shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: 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.

6. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
7. Adherence to preliminary development plan (Exhibit B) approved at public hearing.
8. The development shall meet Section 18.57.031E2 ADC-2 Land Use Overlay Zone of the Pima County Zoning Code. The office use is considered accessory to the main use and the assembly and distribution of petroleum based products is allowed.
9. 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.
10. 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 10 of Section 2 shall be completed no later than March 7, 2028.

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 Chairman of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Chair, Pima County Board of Supervisors

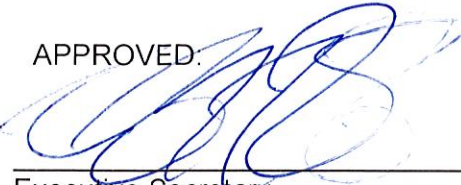
ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy County Attorney  
Jacob Kavkewitz

APPROVED:

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



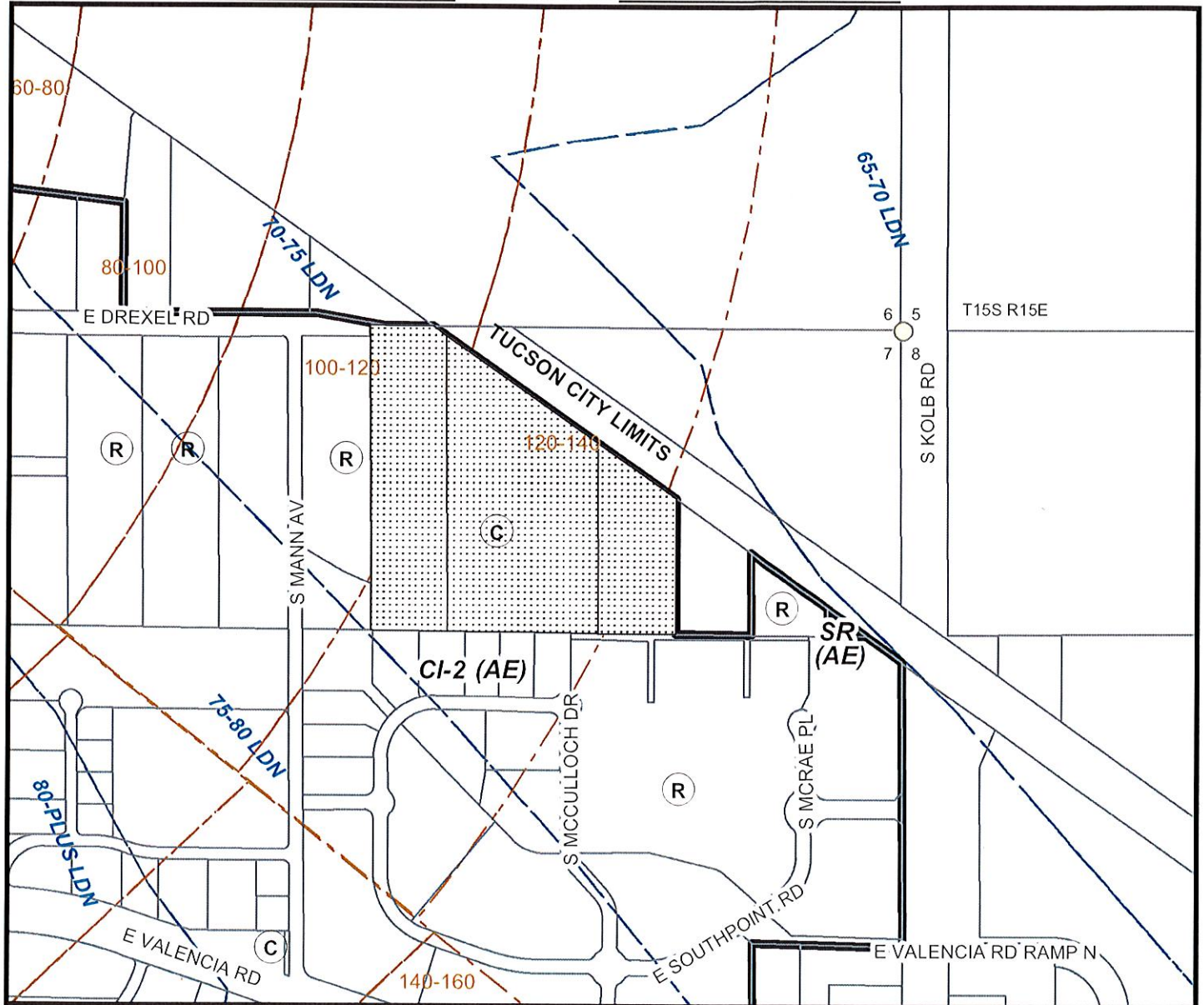
# EXHIBIT A

AMENDMENT NO. \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
 TO PIMA COUNTY ZONING MAP NO. 31 TUCSON AZ. BEING A  
 PART OF THE N 1/2 OF THE NE 1/4 OF SECTION 7, T15 R15E.



0 165 330 660 Feet

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



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

**C** NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
 FROM SR (AE) 30.27 ac  
 ds-April 11, 2023

P22RZ00010  
 141030120, 0130, 0140





