



# MEMORANDUM

**DATE:** May 18, 2020

**TO:** Clerk of the Board

**FROM:** Mark Holden, AICP, Principal Planner *Mark Holden*

**SUBJECT:** May 19, 2020 Board of Supervisors Public Hearing, Agenda Item #26:  
Co9-07-026 LAWYERS TITLE OF AZ TR 7992-T - MAGEE ROAD #2  
REZONING – second amendment of Transportation rezoning condition

Item #26 on the Board of Supervisors May 19, 2020 public hearing agenda is a rezoning closure and time extension for case Co9-07-026 LAWYERS TITLE OF AZ TR 7992-T - MAGEE ROAD #2 REZONING. Staff has drafted a staff report and updated the original rezoning conditions for approval if the board denies closure and approves the time extensions of the rezoning.

Staff sent a memo to the Clerk of the Board on Thursday, May 14, 2020, amending new rezoning condition 2-B per request of the Department of Transportation (PCDOT). PCDOT has since communicated with the applicant and come to an agreement on Transportation condition 2-B, to be amended as follows:

2. Transportation conditions:

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- B. A Traffic Impact Study will be required if there is a substantial change that results in an increase in the buildable square footage over the current approved Preliminary Development Plan or there is not a sufficient reduction in the approved buildable area to accommodate a more intense parking use so as not to exceed the allowable building area under the current rezoning, based on a combined Development Plan for the subject property and the remnant parcel. Any Traffic Impact Study, whether it contains any portion of the Magee Center properties, including one from the adjacent development utilizing the Magee Center access point on Magee Road, that determines off-site improvements are necessary, will not be the responsibility of the Owner(s)/Developer of any Magee Center properties.

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The other Transportation rezoning conditions in the staff report are to remain as presented.

Additionally, the Regional Flood Control District has requested that updated Flood Control rezoning condition 3-B be amended as follows:

3. Flood Control conditions:

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- B. The site design must include detention and retention at the time of development. The site is required to provide first flush retention of the first 0.5 inch of rainfall. In addition, the site is required to provide on-site detention to reduce the developed 10-year peak discharge to the undeveloped 10-year peak discharge at each outlet. However, should the adjacent Lot 6 be rezoned, the development of these two properties will be required to mitigate the 100-year peak discharge.

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All other Flood Control conditions in the staff report are to remain as presented.

cc: Craig Courtney, Magee Como Development Association LLC  
Eric Shepp, Deputy Director, Regional Flood Control District  
Kathryn Skinner, Deputy Director, Pima Co. Dept. of Transportation