



BOARD OF SUPERVISORS AGENDA ITEM REPORT (BOSAIR)

All fields are required. Enter N/A if not applicable. For number fields, enter 0 if not applicable.

Award Type: Agenda Item

Is a Board Meeting Date Requested? Yes

Requested Board Meeting Date: 11/18/2025

Project Title / Description: RESOLUTION: P20CR00003 SUKI INVESTMENT GROUP, LLC - W. MAGEE ROAD CONCURRENT PLAN AMENDMENT AND REZONING

Agenda Item Report

Introduction / Background: The Board of Supervisors approved a five-year time extension subject to modified standard and special conditions on August 5, 2025.

Discussion: The time limit and rezoning conditions contained in Rezoning Ordinance 2021-12 may be modified by resolution.

Conclusion: The resolution reflects the Board of Supervisors' approval.

Recommendation: Approval

Fiscal Impact: 0

Support of Prosperity Initiative: 13. Support Small Business

Provide information that explains how this activity supports the selected Prosperity Initiative: Resolution memorializes five-year time extension for business site.

Board of Supervisor District: • 1

Department: Development Services - Planning

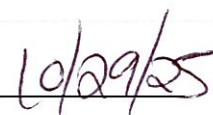
Name: Donna Spicola

Telephone: 5207248800

Department Director Signature: _____

 For

Date: _____



Deputy County Administrator Signature: _____
County Administrator Signature: _____



Date: 11/3/2025
Date: 11/3/2025



Subject: P20CR00003

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NOVEMBER 18, 2025 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS
FROM: Thomas Drzazgowski, Deputy Director
Public Works-Development Services Department-Planning Division
DATE: October 28, 2025

RESOLUTION FOR ADOPTION

**P20CR00003 SUKI INVESTMENT GROUP, LLC – W. MAGEE ROAD CONCURRENT PLAN
AMENDMENT AND REZONING**

Owner: Suki Investment Group, LLC
(District 1)

If approved, adopt RESOLUTION NO. 2025 - _____

OWNERS: Suki Investment Group, LLC
5210 E. Williams Circle, Suite 720
Tucson AZ 85710

AGENT: Kale Investment Company, LLC
Attn: Craig Courtney
5151 N Oracle Road, Suite 210
Tucson, AZ 85701

DISTRICT: 1

STAFF CONTACT: Donna Spicola, Planner II

STAFF RECOMMENDATION: APPROVAL

TD
Attachments

c: Craig Courtney

RESOLUTION 2025-_____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; IN CASE P20CR00003 SUKI INVESTMENT GROUP, LLC – W. MAGEE ROAD CONCURRENT PLAN AMENDMENT AND REZONING; LOCATED AT THE NORTHWEST CORNER OF W. MAGEE ROAD AND N. LA CHOLLA BOULEVARD, AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 AND THE TIME LIMIT SET FORTH IN SECTION 3 OF ORDINANCE NO. 2021-12.

The Board of Supervisors of Pima County, Arizona finds that:

1. On January 5, 2021, in rezoning case P20CR00003, the Pima County Board of Supervisors approved the rezoning of approximately .88 acres located at the northwest corner of W. Magee Road and N. La Cholla Boulevard as shown on Exhibit A from the TR (Transitional) to the CB-2 (General Business) zone, subject to standard and special conditions.
2. On May 4, 2021, the Pima County Board of Supervisors adopted rezoning Ordinance 2021-12, recorded at Sequence 20211271033, rezoning the approximate .88 acres described in rezoning case P20CR00003 and memorializing the standard and special conditions.
3. The owner of the rezoning site applied for a five-year extension of the time limit set forth in Section 3 of Ordinance No. 2021-12.
4. On August 5, 2025, the Pima County Board of Supervisors approved a five-year time extension subject to modified standard and special conditions.
5. Ordinance No. 2021-12 allows the Board of Supervisors to amend the time limit and rezoning conditions by resolution.

NOW, THEREFORE, IT IS RESOLVED:

Section 1: The rezoning conditions in Section 2 of Ordinance No. 2021-12 are restated and modified as follows:

1. The property owner shall not further lot split or subdivide residential property without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. Adherence to a development agreement for assessment and payment of all non-residential impact fees.
 - B. A traffic impact study will be required at time of development or building plan submittal to determine if mitigation is needed. Any mitigation required by the Traffic Impact Study for higher trip generating uses such as drive thru restaurants, convenience store and gasoline station will be the responsibility of the Owner(s)/Developer of any Magee

Center properties

- C. Access and maintenance agreements shall be required between the rezoning and adjacent properties.
- D. No additional access to Magee Road is allowed from the site.
- 3. Regional Flood Control District condition: A drainage plan requiring on site detention and first flush retention for Lots 5 and 6 shall be designed and approved by Pima County Regional Flood Control District to mitigate the 100-year peak discharge.
- 4. Wastewater conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the plan amendment/rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) 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 plan amendment/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(s) 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(s) shall time all new development within the plan amendment/rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the plan amendment/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(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the plan amendment/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(s) 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 plan amendment/rezoning area.
- 5. 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.
- 6. 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.

7. Lot 5 and 6 shall be developed as an integrated site and subject to general adherence to the preliminary development plan for Lot 5 from Resolution 2020-061 as approved at public hearing (Exhibit B).
8. Less restrictive rezoning applications may not be submitted under the approved comprehensive plan designation. A separate comprehensive plan amendment and rezoning are required for less restrictive zoning.
9. The use of the property is limited to restaurants with or without a bar and CB-1 zone uses except for automotive related uses other than retail sales and fueling bays, and stand-alone bars.
10. 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.
11. The property owner shall execute the following disclaimer regarding ~~Proposition 207 rights~~ 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 2. The time limit in Section 3 of Ordinance 2021-12 is amended and extended as follows:

1. Conditions 1 through 11 shall be completed by January 5, ~~2026~~ 2031.

Section 3. The rezoning conditions may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Passed and adopted, this _____ day of _____, 2025.

Chair, Pima County Board of Supervisors

ATTEST:

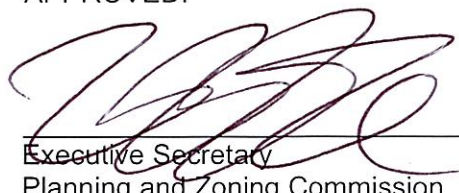
Clerk, Board of Supervisors

APPROVED AS TO FORM:



Deputy County Attorney
Jacob Kavkewitz

APPROVED:



Executive Secretary
Planning and Zoning Commission

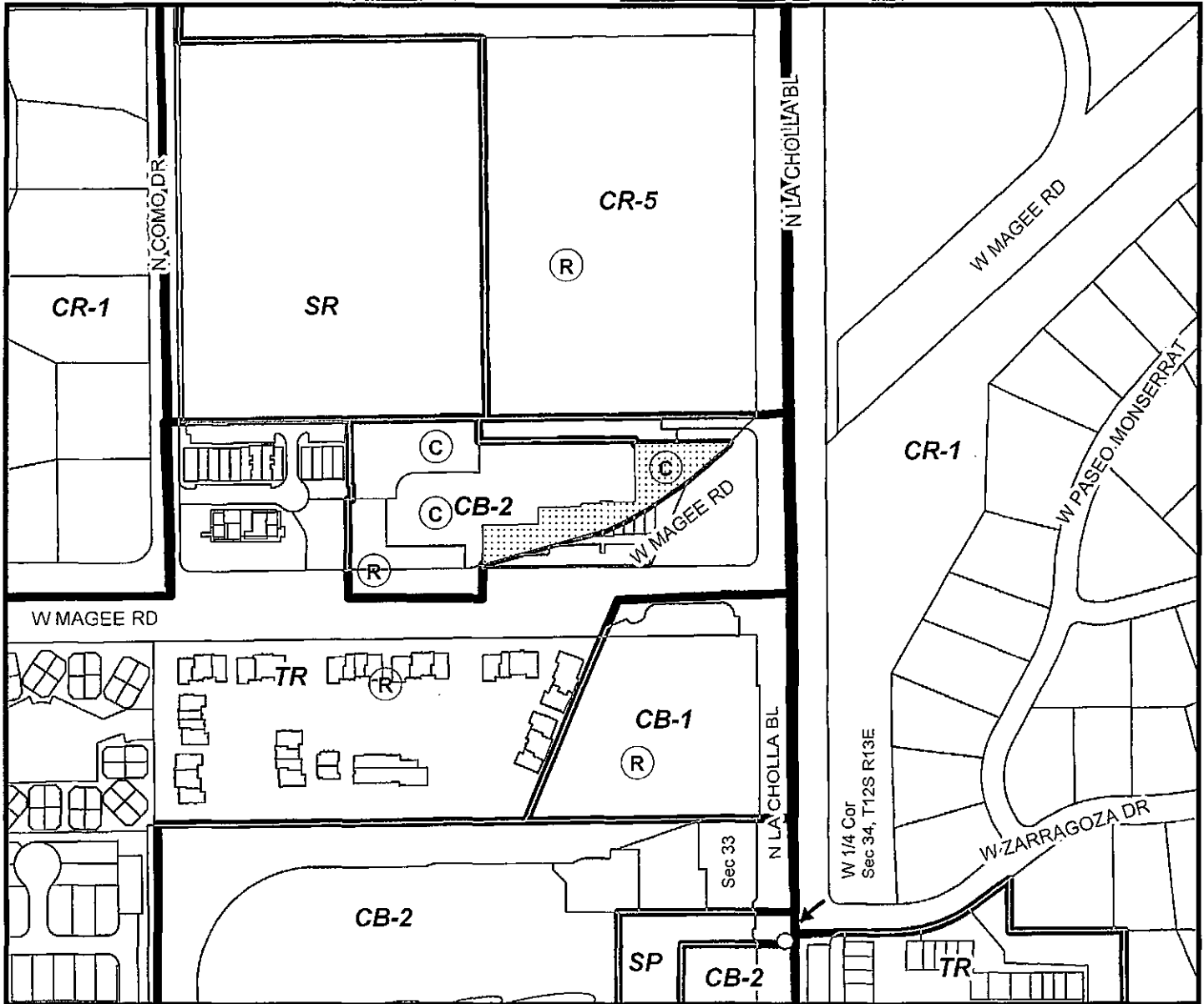
EXHIBIT A

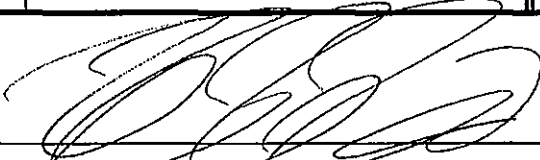
AMENDMENT NO. 84 BY ORDINANCE NO. 2021-12
TO PIMA COUNTY ZONING MAP NO. 115 TUCSON AZ. LOT 6 OF
MAGEE CENTER II BEING A PART OF SECTION 33 T12S R13E.



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

ADOPTED: May 4, 2021 EFFECTIVE: May 4, 2021




EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM TR .88 ac
ds-March 5, 2021

P20CR00003
225445770



RESUME

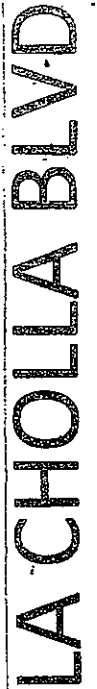


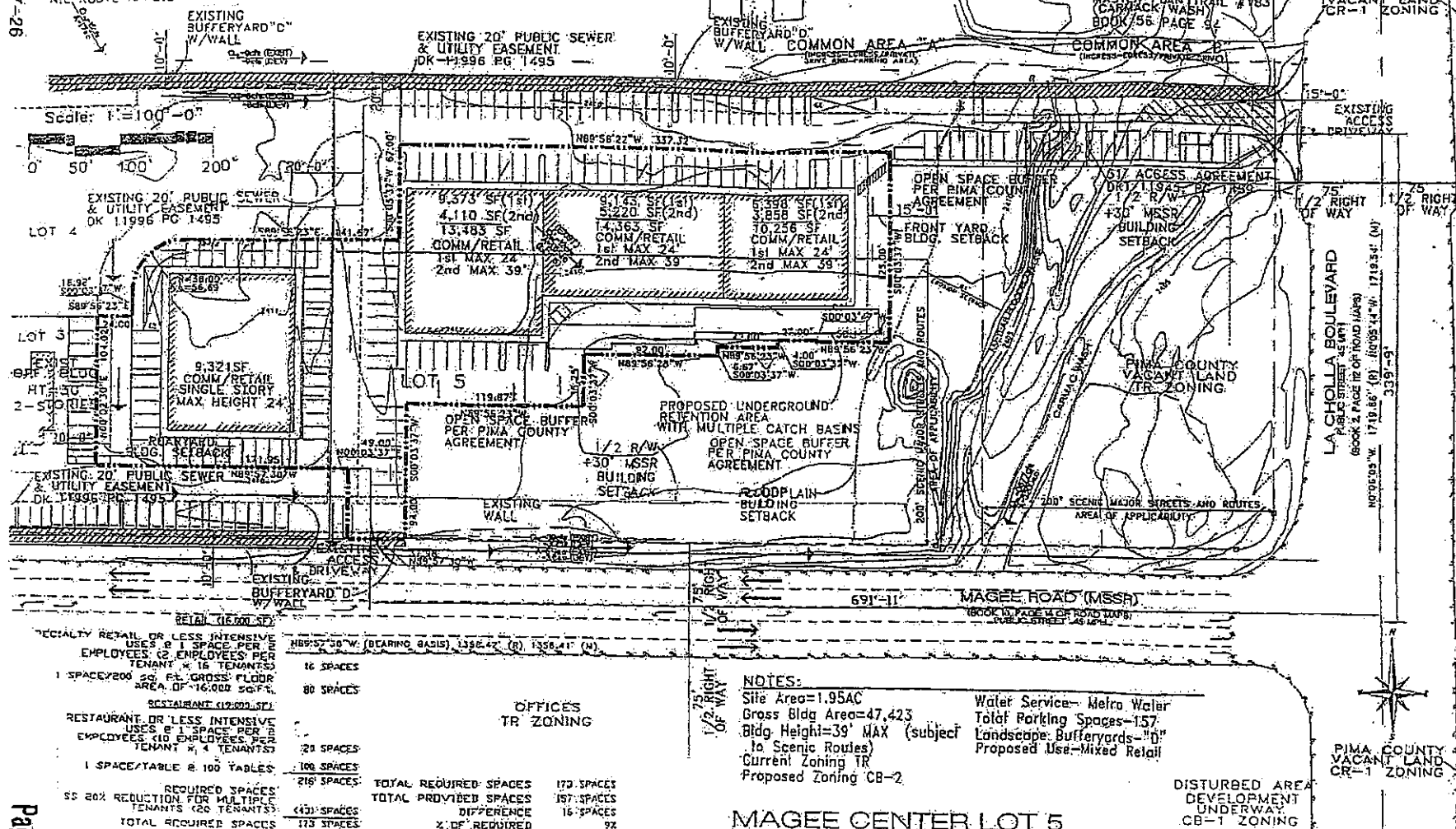
EXHIBIT "B"

SKETCH PLAN

= ~ 13,188 SF 2ND FLOOR

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NIC EDU/IE APPLIC



Approved at BOS Hearing 10-7-08 Co9-07-26

~~SECRET~~ ~~CONFIDENTIAL~~

Exhibit B
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