

AGENDA MATERIAL

Suki Investment Group, LLC, DATE 1-5-21 ITEM NO. PA 9

An Arizona Limited Liability Company

340 N. Main, Tucson, Arizona 85701

Phone: 520-247-3306

Email: ccourtney@azredco.com

January 4, 2021

Mr. Chris Poirier, Deputy Director

Public Works-Development Services Department – Planning Division

201 North Stone Ave. 1st floor,

Tucson, Arizona 85701

Phone: 724-6596/Email: chris.poirier@pima.gov

Copy to Kathryn Skinner, P.E., Deputy Director

Pima County Department of Transportation

201 N Stone Ave, 4th Fl

Tucson, AZ 85701

Phone: (520) 724-6410

Email: kathryn.skinner@pima.gov

Copy to Ms. Terrill L. Tillman, AICP, Principal Planner

Pima County Planning Division

201 North Stone Ave. 1st floor,

Tucson, Arizona 85701

Phone: 724-6921/ Email: terri.tillman@pima.gov

Re: Agreement to clarify certain Transportation and other Standard and Special Conditions for rezoning cases P20CR0003 (Lot 6 of Magee Center) and Case Co9-07-026 (Lot 5 of Magee Center).

Dear Mr. Poirier:

Based on our recent discussions regarding harmonizing certain Standard and Special Conditions submitted by staff for Lot 6 of Magee Center's rezoning case # P20CR0003 and those approved in Lot 5's rezoning Case Co9-07-026, modified in Resolution 2020-61, we agreed we would use this separate correspondence to clarify language in two of Lot 6's proposed rezoning conditions in order to describe how these requirements will be combined and implemented by the affected pima county departments. If this language represents what we agreed upon, please sign where indicated below.

REASONS FOR THIS ADDED LANGUAGE.

Since performing Lot 6's proposed rezoning conditions described in staff's report to the Board of Supervisors is directly dependent on merging the design of its development with Lot 5's approved Preliminary Development Plan (PDP) as modified in Resolution 2020 – 61, cross-referencing Lot 5's Transportation language into Lot 6's will avoid confusion and the opportunity for errors in interpretation.

In addition, because Transportation's provisions referenced in Lot 5's case covers one possible result (what happens if no "substantial change" occurs in the intensity or buildable square footage designated in Lot 5's PDP)

JAN 05 21 AM 09:40 PCD CLK OF HD

and the other possible result being proposed in Lot 6, (the design of a combined Development Plan resulting in a "substantial change" to Lot 5's densities listed in its PDP), we would like a description of those two possible outcomes referenced in Transportation's proposed requirement in Paragraph 2.B. of this case.

This treatment is consistent with the Staff's addition of item # 3 in this case, a restatement of Flood Control's requirement described in paragraph 3.B. of Lot 5's Resolution 2020 – 61.

Additionally, for clarification purposes the Applicant also requests the phrase described below be included at the end of rezoning condition #7.

If these insertions are included in this rezoning case, it will provide the Applicant, Staff and any third-party consultants with a consolidated picture on what the Applicant and Lot 5 are to do to meet these two requirements and how Lot 5's PDP may be used to create an integrated site plan.

REQUESTED INSERTIONS TO LOT 6 REZONING CONDITIONS.

To accomplish the above, which shall be for the benefit of the properties, Lots 5 and 6, please consider the following Applicant's insertions to Staff's recommended rezoning conditions in 2. B. and 7 being sent to the Board of Supervisors for our January 5, 2021 hearing:

Transportation conditions:

- B. A traffic impact study will be required at time of development or building plan submittal to determine if mitigation is needed, **if the proposed Development Plan for Lots 5 and 6 exceeds the approved buildable square footages and intensities creating a substantial change beyond those described in Lot 5's approved Preliminary Development Plan (PDP) and the rezoning conditions stated in Lot 5's Resolution 2020-61. For** any mitigation required by the Traffic Impact Study **due to a substantial change resulting from** higher trip generating uses **than those described in Lot 5's PDP**, such as drive-through restaurants, convenience store and gasoline station, **which will be permitted under this rezoning, will be** the responsibility of the Owner(S)/Developer of any Magee Center properties.

Rezoning condition #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 its public hearing, **along with the rights described in these Standard and Special Conditions.**

If this correspondence is an accurate description of our mutual understanding of the above two rezoning conditions, please return a signed and dated copy of this letter.

We appreciate your efforts on our behalf in clarifying these items so our development process can more easily be managed by your staff and our consultants.

Sincerely,

Craig R. Courtney, Manager for Property Development & Consultants, LLC
Representative for Suki Investment Group, LLC

The above is agreed to and approved by

X

Chris Roirier, Deputy Director

Public Works-Development Services Department – Planning Division