

Paul Michaud

Subject: FW: Lincoln Medical SOD

From: Benjamin Tate <ben@witheymorris.com>

Sent: Wednesday, June 06, 2018 11:24 AM

To: Paul Michaud <pmichaud@paradisivalleyaz.gov>; Jason Morris <Jason@witheymorris.com>

Subject: RE: Lincoln Medical SOD

Paul,

Jason and I discussed the draft statement in light of last week's work session and we just have a few brief comments:

- 1) **Discouraging Urgent Care Use:** Although we understand this particular use was an issue raised by Council at the 5/31 work session, we have concerns about including specific language in the Statement of Direction discouraging the use. As we've discussed throughout this process, the applicant is not requesting any changes to the permitted uses in the Lincoln Plaza Medical Center SUP. From our perspective this issue is outside the scope of our proposed amendment to the SUP, particularly in light of the fact that an urgent care clinic currently exists on the property and any potential hospital network tenant for the Property is going to be very interested in preserving that use.

As we understand it, Council's concerns were not with the use itself but the trips and traffic it could potentially generate. As such, we believe that including specific language discouraging the use is unnecessary and has the potential to cause significant harm to the marketability and value of the end product if the urgent case use ends up being prohibited. Because the issue isn't the urgent care use itself, Council's concerns can ultimately be addressed through the traffic impact analysis, the provision of adequate parking, and off-site improvements on Lincoln Drive. Accordingly, we request that the statement discouraging the urgent case use be removed from the SOD.

- 2) **Landscape Buffer:** We would like to reiterate our concerns with the language in this section regarding the 50-foot recommended landscape buffer. While we understand that it is necessary to highlight the fact that the SUP guidelines recommend a 50-foot landscape buffer along Lincoln Drive, we think it is equally important to highlight that this site (and in fact many SUP sites along Lincoln Drive) would have significant difficulty conforming to the new guidelines due to its size and shape, particularly if additional ROW is dedicated to the Town. We request that language be added the SOD that reflects the need to balance the recommendation in the SUP guidelines with the existing conditions (undersized, irregular site) and the Town's desire for additional ROW.

Potential language: "In evaluating the appropriate depth of the landscape buffer relative to the SUP guidelines, the Planning Commission shall take into consideration, at a minimum, the Property's irregular shape, undersized lot, existing conditions, scope of the proposed development, and the Town's desire for additional Right-of-Way along Lincoln Drive."

Please let us know if you have any questions or need clarification on any of our comments.

Thank you,

Benjamin L. Tate