



CITY OF  
TUCSON

PLANNING AND  
DEVELOPMENT  
SERVICES  
DEPARTMENT

February 3, 2017

Ms. Keri Silvyn, Esq.  
Lazarus, Silvyn & Bangs, P.C.  
Grant Road Professional Plaza  
5983 E. Grant Road, Suite 290  
Tucson, Arizona 85712

Dear Ms. Silvyn:

SUBJECT: Irvington Commercial Center Planned Area Development  
(PAD 29), Architectural Review Committee

I have reviewed your letter (attached) requesting clarification regarding the timing of the Architectural Review Committee (ARC) self-certification letter in which the Irvington Commercial Center PAD requires that architectural review and approval is through a self-certification process, wherein the ARC provides a letter of approval to the City at the time of development package submittal.

You are correct in that the PAD did not contemplate that a single development package would be processed for the entire Irvington Commercial Center with building plans to be submitted subsequently at a later date. Because the ARC authority is related to architectural design, which is not part of a development package submittal, the appropriate time for the ARC self-certification is at the time of either building plan submittal or submittal of a revised development package that would include building plans.

Therefore, it is determined that the request for clarification to the timing of the ARC self-certification letter is more appropriate at the time of building plan or revised development package processing, and is not in conflict with the overall goals and objectives of the Irvington Commercial Center PAD.

Sincerely,

Lynne Birkinbine  
Interim Director  
Planning and Development Services Department



LAW OFFICES OF

Lazarus, Silvyn & Bangs, P.C.

A PROFESSIONAL CORPORATION

Via electronic mail to: [John.Beall@tucsonaz.gov](mailto:John.Beall@tucsonaz.gov)

February 3, 2017

John Beall  
City of Tucson  
201 N. Stone Ave;  
Tucson, Arizona 85701

Re: PAD 29 – Irvington Commercial Center (“PAD 29”); Architectural Review Committee

Dear John:

As you know, our firm represents Irvington I-19 Partners (“IIP”) related to the zoning entitlements and development of PAD 29. This letter clarifies the appropriate timing for the Architectural Review Committee (“ARC”) self-certification pursuant to PAD 29.

The duties of the ARC are to “review and approve architectural design within the Property for compliance with the Development Standards in Section 3 of this PAD and any additional design criteria for the Property.” See PAD 29, §3.C.14. The review and approval is through a self-certification process, wherein the ARC provides a letter of approval to the City “at the time of development package submittal.” For many developments, the development package submittal and architectural/building plans run simultaneously. For PAD 29, IIP made the decision, instead, to process the development package for the entire Irvington Commercial Center with building plans to be submitted subsequently. Because the ARC authority is related to architectural design, which is not part of a development package submittal, the appropriate time for the ARC self-certification is at the time of either building plan submittal or submittal of a revised development package that would include building plans.

Therefore, and pursuant to our discussions, IIP will provide the ARC self-certification letter to the City at the time of building plan or revised development package processing as appropriate. Thank you for your assistance in clarifying the administration of this section of the PAD. As always, it is a pleasure working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Keri Silvyn', is written over a light blue horizontal line.

Keri L. Silvyn  
Lazarus, Silvyn & Bangs, P.C.

cc: Rob East, Bourn Companies, Inc.

Don Bourn, Bourn Companies, Inc.  
Alan Tanner, Bourn Companies, Inc.

Initials: \_\_\_\_\_