

## LAND USE & ZONING

### DEVELOPMENT AGREEMENTS

Land Use Development Agreements serve an important role for developers, property owners, banks, capital groups and municipalities. However, the process of creating the agreement can be complex and involve a number of parties.

Land use and zoning attorneys at Gallagher & Kennedy assist clients by navigating the complex process of entering into development agreements with Arizona towns, cities and counties.

From solving complex zoning and land use issues to presenting cases at public hearings and negotiating agreements with municipalities across Arizona, our land use attorneys provide the knowledge and support required for our clients to efficiently complete development projects of all types and sizes, as well as public infrastructure projects.

#### THE BENEFITS OF DEVELOPMENT AGREEMENTS

Aside from the fact that a sound development agreement is critical to obtaining funding for development projects, the agreements also specify the standards and conditions that will govern development of a property – protecting both the developer as well as the municipality. The agreements can also outline the benefits that the city is willing to offer to developers in exchange for completing certain projects within its jurisdiction.

For example, when cities and towns are looking to incentivize the development of large-scale projects, they will often provide tax reimbursements in return for the creation of city infrastructure. Also, cities and counties will routinely agree to maintain existing zoning entitlements as part of their agreements with developers to construct public infrastructure. It is not uncommon for cities and counties to compete with one another to attract large employers and plants, and this competition often results in cost-saving opportunities for developers.

#### Representative Experience:

- Successfully represented private developers in structuring and utilizing existing incentive opportunities for office and mixed-use projects, including the Collier Center and the Camelback Esplanade in Phoenix
- Negotiated several high profile economic incentive agreements, including agreements for the Scottsdale Waterfront and IKEA
- Represented regional and national developers in the development of master planned communities