

Please Sign In and use this article's on page print button to print this article.

Commercial Real Estate

# Attorneys: Downturn amid Covid-19 may be good time to rezone property 🔑



A rezoning hearing sign.



By Corina Vanek Reporter, Phoenix Business Journal  
May 4, 2020, 12:00pm EDT

While many investors and developers are waiting out the pandemic before making any major business decisions, some Valley lawyers said now might be the best time for property owners to look at increasing the value of their land, either through rezoning to a more valuable use or taking a look at existing entitlements.

“There were a lot of lessons that came out of the recession,” said Adam Baugh, partner at Withey Morris PLC, a Valley firm that specializes in land use cases. “Those who saw opportunities in chaos; those who were willing to find value or opportunity in tough situations were very successful.”

Baugh said there is uncertainty in the economy as to when things will reopen but there are opportunities for people to increase their property values.

“People can’t control the prices and things that happen in the economy, but they can control getting new zoning,” Baugh said. “You could change agricultural land to residential or commercial or modify a [planned-area development]. It doesn’t mean you can’t increase your value.”



Adam Baugh, land use and zoning attorney for Withey Morris law firm.

PROVIDED BY WITHEY MORRIS

Cities have made efforts to move parts of the permitting and zoning process online, such as hosting virtual neighborhood meetings and online submittals. That could save clients money by eliminating travel time and other obstacles that face-to-face meetings can incur.

Jason Morris, partner at Withey Morris, said neighbors might be more inclined to speak at a virtual meeting using the chat function because they will not be intimidated by speaking in public or voicing their opinions in front of the group.



Jason Morris, a founding partner of Withey Morris PLC.

CHELSEA ALMEIDA

As things have slowed during the pandemic, city and county staff, attorneys and developers around the region might have more time to work on complex cases and opportunities developers may have passed up in busier times. Morris said he has worked with a client on a site where the zoning is in place, but it has issues with drainage that need to be solved before it can be developed. Now all parties involved can be easily added to a virtual meeting to address the problem.

Property owners can use the time to review any time-sensitive the have attached to their property, such as a site plan that could expire if development milestones are not met on time, Morris said.

The two attorneys say they have also worked with many clients to get approvals for modifications that have become necessary during the pandemic, such as drive-thru operations or outdoor dining, that people may perceive as safer when restaurants are able to open for on-site dining again.

“In many ways, the natural reaction is to wait out the downturn,” Baugh said. “But for those who see this as an opportunity to capitalize while others hunker down, I think they will be successful.”

**As May rents come due, Valley real estate leader eyes market effects** 🔑



**Site selectors: Phoenix positioned well for distribution sector growth** 🔑



**Valley cities, state prepare for budget pinch as a result of Covid-19** 🔑



**Computer programming training firm ramps up in Scottsdale** 🔑



**City North developer buys North Carolina building, eyes other US deals** 🔑



## MORE IN COMMERCIAL REAL ESTATE

[More >](#)



**Construction worker killed in March crushed after crane dropped load** 🔑

BY CORINA VANEK



**Phoenix general contractors collaborate on Covid-19 best practices** 🔑

BY CORINA VANEK



**Valley businesses can expect to boost cleaning budgets post-pandemic** 🔑

BY CORINA VANEK



**WeWork's woes cause mortgage-backed bonds to tumble** 🔑



**The week in Valley bankruptcies: 2 businesses submit filings**



### Corporate Philanthropy

Join us for an amazing luncheon highlighting the great generosity ...



**Jonathan Keyser sees new clients looking for a tenant rep - Part 2**

BY CORINA VANEK



**Pandemic sparks increase in Phoenix office space up for sublease**

BY CORINA VANEK



**Crunch time for US tenants and landlords**

FINANCIAL TIMES

**Latest People on the Move**

[More >](#)



**Shalene Belic...**  
Landmark Title A...



**Michael D'An...**  
The Related Gro...



**Dr. Frank L. Si...**  
Southeast Valley...

[Back to Top ▲](#)

# PHOENIX BUSINESS JOURNAL

[User Agreement](#) | [Privacy Policy](#) [Your California Privacy Rights](#) | [Ad Choices](#)

© 2020 American City Business Journals. All rights reserved. Use of and/or registration on any portion of this site constitutes acceptance of our User Agreement (updated 1/1/20) and Privacy Policy and Cookie Statement (updated 1/1/20). The material on this site may not be reproduced, distributed, transmitted, cached or otherwise used, except with the prior written permission of American City Business Journals.