

Zoning & Land Use

Polsinelli attorneys are keenly aware that for a client's project concept to become reality, local and state approvals are not only required, but also must be in a form that makes the project feasible. We also recognize that unreasonable or overly restrictive zoning, permitting or subdivision requirements are often the difference between a project moving forward or remaining a concept.

Realizing the impact these challenges present to our clients' businesses, our lawyers are committed to being well versed in local requirements and state-enabling legislation that local communities must adhere to in developing their projects. We also have extensive experience in dealing with state and local decision makers, which enhances our ability to navigate zoning and land use issues on behalf of our clients. In addition, many of our lawyers have backgrounds that include years of governmental service, allowing them to address our clients' needs from a unique and valuable perspective.

We use our firm grasp of zoning and land use, as well as our deep experience in the industry to provide our clients with practical legal advice that meets the individual business objectives of our clients.

The developers we service need a strong advocate to navigate the challenging waters of the land use process. Whether at the podium or the negotiating table, Polsinelli stands ready to be part of these teams.

Matters

- Sandstone American Ranch – Represented buyer with respect to the acquisition of a 2,000-acre property in Douglas County, Colorado, for the development of an equestrian residential community, including establishing the homeowner association, obtaining entitlements and negotiation of various development agreements, including the approval of a Rural Site Plan and Exception, an Open Space Agreement, an Inclusion Agreement into the Perry Park Water and Sanitation District and other easements.
- Bond Financed Mixed Use Commercial Project – Represented purchaser of mixed-use project consisting of residential, retail and office space situated on 9.4 acres in downtown San Francisco and refinanced by the proceeds of two series of variable rate revenue refunding bonds.
- Mixed Use/Museum Site – Represented developer client in obtaining approval of \$90 million in Special Obligation Bond financing to help fund \$600 million mixed-use project that will feature the first “franchise” location of the American Museum of Natural History in the country.
- One Lincoln Park Condominiums – Represented the developer of a 181-unit multi-story, mixed-use project in central downtown Denver, including the land acquisition, zoning, construction lending, formation of the association, creation of the covenants, conditions and restrictions, and multiple other aspects of documentation and implementation.

- Prairie Center – Represented buyer with respect to the acquisition and development of Prairie Center, a 2,200-acre master-planned community in Brighton, Colorado, including single-family homes, townhomes, condominiums, open space, recreational centers, schools, trail systems, retail, and an on-site regional hospital. Negotiated public and private financing, development agreements, annexation agreement, and zoning. Assisted the client with respect to the creation and funding of special districts for service to the project.
- Mission Center Mall – Represented the owner/developer with respect to the ongoing development of a mixed-use project known as “The Gateway,” including condominiums, retail, office, hotel, a movie theater and restaurants in Mission, Kansas.
- Retail Site Redevelopment – Represented an 88-acre retail site, including the structuring of economic development incentives, including both Tax Increment Financing and a Community Improvement District; the issuance of municipal bonds to fund the project; the development and analysis of redevelopment pro formas; land assemblage including dozens of property owners; condemnation proceedings; blight and environmental remediation; litigation; and serving as lead negotiators and chairs of numerous meetings before the City Council, TIF Commission and numerous taxing jurisdictions.
- Sprint Corporation – Represented owner/developer with respect to the development of its \$1 billion world headquarters office campus located in Overland Park, Kansas.
- Prominent International Retailer Headquarters and Office Park – Represented a Fortune 50 international retail corporation in all aspects of the relocation and development of its two-million-square-foot headquarters and the development of an 800-acre business park.
- Kansas Speedway – Represented owner and developer with respect to the development of NASCAR’s 80,000-seat Kansas International Speedway located in Kansas City, Kansas.
- Schlitterbahn – Represented owner and developer with respect to the ongoing development of an \$800 million year-round family resort Schlitterbahn water park complex with adjacent retail and entertainment river walk project located in Kansas City, Kansas.
- OnGoal, LLC / Sporting KC/ Livestrong Sporting Park – Developed 18,000-seat soccer and entertainment stadium, national-level youth tournament athletic complex, and 4,500-employee medical IT office complex to be occupied by Cerner Corporation.
- Prominent Kansas City real estate developer – Represented purchaser with respect to the acquisition of 230-acre parcel in Johnson County, Kansas. Obtained all land use entitlements and economic development incentives to develop a three million-square-foot industrial/office park.
- Large real estate owner/operator – Represented owner with respect to the sale of property to be used for redevelopment as a Federal Express Ground Facility in St. Louis County, Missouri, including extensive negotiations of complex terms and conditions for sale of property, modification of leases with tenants, and billboard and cell site leases on the property.
- Prominent National Industrial Park Developer – Represented one of the nation’s largest industrial park developers in development of multiple premier office, industrial and warehouse business parks, including infrastructure and project development, governmental approvals, leasing and governmental incentives for millions of square feet of new facilities.

Publications

June 20, 2025

Texas Multifamily Revolution: Governor Abbott Considers Texas Senate Bill That Could Transform Zoning for Mixed-Use Residential / Multifamily Developments

May 15, 2024

SCOTUS Decision May Limit Municipalities’ Ability to Collect Impact Fees

August 31, 2023

Sackett v. EPA Aftermath: EPA's New WOTUS Rule has Unforeseen Impacts in 27 States Challenging Previous Biden Rule

May 30, 2023

Wetlands Redefined: Supreme Court Narrows Scope of Clean Water Act in Landmark Decision