

PLANNING AND DEVELOPMENT SERVICES REPORT
PRELIMINARY PLAT

PPPL2014-0005

DATE: **September 18, 2014**
MEETING DATE: **September 24, 2014**
REPORT BY: **Brian Kulina, AICP**

REQUEST:

A Preliminary Plat request from Mogollon Engineering & Surveying, Inc., on behalf of Pinnacle 146 LLC, for a subdivision of approximately 18.59 acres into 106 single-family townhouse lots located at 800 E Sterling Lane, within the Medium Density Residential (MR) zone.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission forward the Preliminary Plat to the City Council with a recommendation for approval.

PRESENT LAND USE:

Undeveloped land within the Pinnacle Pines townhouse subdivision

PROPOSED LAND USE:

Unit 2 of the Pinnacle Pines subdivision consisting of 106 townhouse lots

NEIGHBORHOOD DEVELOPMENT:

North: Undeveloped land; Rural Residential (RR) zone
East: Pinnacle Pines Unit 1; Medium Density Residential (MR) zone
South: US Forest Service land; Rural Residential (RR) zone
West: US Forest Service land; Rural Residential (RR) zone

REQUIRED FINDINGS:

The Planning and Zoning Commission shall find that the proposed Preliminary Plat meets the requirement of the Zoning Code (City Code Title 10), the Subdivision Code (City Code Title 11), and the Engineering Design Standards and Specifications for New Infrastructure (City Code Title 13).

STAFF REVIEW:

Introduction and Discussion

Pinnacle 146, LLC (the "Owner") is the property owner of record of approximately 18.59 acres located at 800 E Sterling Lane within the Pinnacle Pines townhouse subdivision (the "Subject Property"). The proposed preliminary plat subdivides the Subject Property into 106 single-family residential townhouse lots. This is the second phase of the Pinnacle Pines townhouse subdivision. The first phase, Unit 1, is nearing build-out with 102 single-family residential townhouse lots on approximately 22 acres.

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In August of 1998, the City Council approved Ordinance No. 1976 that conditionally rezoned the site from Rural Residential (RR) to Medium Residential (MR) for the development of an affordable residential townhouse project consisting of 548 units called Zuni Heights. Concurrently, the Growth Management Guide 2000 land use designation for the site was amended from Medium Density Residential to High Density Residential in order to support the increase in density. Subsequent to the approval of Growth Management Guide amendment and rezoning, platting was not pursued and the site was never developed.

On March 7, 2005, the City Council approved Resolution No. 2005-15 approving a Development Agreement between the City and developer, Resolution No. 2005-16 that amended the Flagstaff Area Regional Land Use and Transportation Plan land use designation for the site from High Density Residential to Medium Density Residential in order to support a reduced density, Ordinance No. 2005-05 that modified the conditions of Ordinance No. 1976 for the development of a single-family residential townhouse project consisting of 206 units called Pinnacle Pines, and a tentative plat for Unit 1 of the subdivision.

The Pinnacle Pines Unit 1 Final Plat, a copy of which is attached, created 102 single-family residential townhouse lots and identified the area that is currently intended for development of Unit 2 as Tract 15 with a note that it was to be retained by the owner/developer for future development. As part of the Development Agreement associated with the rezoning, it was agreed that secondary access to the site shall be provided through a "Southerly Access" to John Wesley Powell Boulevard prior to or concurrent with the platting and construction of the 103rd residential lot. The "Southerly Access" was proposed in one of two locations. The first, and most preferred, option was through the Forest Service land to the south as part of a land trade to create a Regional Park. Unfortunately, the land trade was never completed and the Regional Park designation on the land has since been removed. The second option was through Tract 7 at the southwest corner of Unit 1. While not explicitly depicted on the final plat as a potential location for the "Southerly Access," it was noted that a private roadway easement was reserved across Tract 7. Civil Improvement Plans for the construction of the "Southerly Access" have been submitted to the City and are currently under review. Approval of the Civil Improvement Plans and commencement of construction must occur prior to or concurrent with the final platting of Phase 1 of Unit 2.

Flagstaff Area Regional Land Use and Transportation Plan

The Flagstaff Regional Plan 2030 designates the Subject Property as Suburban. The Suburban area types have medium to low densities of people, residences, jobs, and activities; the streets and sidewalks vary in pattern; the area is drivable to access homes and jobs, yet, walkable by special pedestrian facilities such as FUTS trails; some services and goods are available to the residents; the area may have access to public transportation. The proposed plat is in conformance with the current designation.

ZONING REQUIREMENTS:

The Subject Property is currently zoned, conditionally, Medium Density Residential (MR). The MR zone is intended to apply to areas appropriate for moderate density residential with a variety of housing types, including affordable and planned residential development that allow for higher densities. The density ranges in the MR zone from a required minimum density of 6 dwelling units/acre to a maximum density of 9 dwelling units/acre within the Resource Protection Overlay (RPO) zone. While the setbacks within the MR zone do not specifically allow for a 0-foot side setback in order to accommodate townhouse development, Ordinance No. 2005-05 was approved subject to conformance with a concept plan that showed reduced setbacks. Provided development conforms to the development standards of the MR zone as modified by Ordinance No. 2005-05, no additional use entitlement work is required.

Affordable Housing

Section 7.2 of the Development Agreement stated: "The Developer shall show on the Tentative (Preliminary) and Final Plats and Concept Plan the proposed location of ten (10) to fifteen (15) affordable dwelling units, which may be located on lands also noted as proposed open space, as illustrated on said plats and concept plan. The dedication clause on all Tentative (Preliminary) and Final Plats shall reflect that the Developer shall dedicate such parcels to a land trust created by the City for

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affordable housing purposes, provided that the City shall have amended the City Code within two (2) years of the recordation of the first Final Plat to allow incentives to developers to incorporate affordable housing components into subdivisions, which the City and [d]eveloper shall be able to agree meet the Developer’s needs for this Project. If the condition regarding the City Code amendments and agreement by the [d]eveloper and the City do not occur within said two (2) year period, then the land proposed on said plats for location of affordable dwelling units shall be dedicated for open space in lieu of affordable housing units.” In accordance with the Development Agreement, the Concept Plan identified 11 affordable housing units in the subdivision, eight (8) in Unit 1 and three (3) in Unit 2. The City completed the process to amend City Code to incorporate affordable housing incentives; however, an agreement between the City and the developer regarding the affordable units was never reached. As such, the requirement to provide affordable housing within the development has lapsed.

Understanding the need for affordable housing within the City, the Owner has agreed, through the negotiation of the Pinnacle Pines First Amended and Restated Development Agreement, a copy of which is attached to this report and must be approved by City Council prior to preliminary plat approval, to a one thousand dollars (\$1,000.00) per lot contribution that will be made at the time of building permit issuance for each lot within Unit 2. In consideration for this contribution, the City has allowed the Owner to plat the three lots on Unit 2 that were initially intended for affordable housing units as traditional market rate lots. This results in a total of 106 lots being platted within Unit 2 and a total of one hundred six thousand dollars (\$106,000.00) being contributed by the Owner to further the City’s affordable housing initiatives.

Density/Intensity/Development Standards

The Subject Property is proposed to develop as phase two of the Pinnacle Pines subdivision, and includes 106 single-family residential townhouse lots. The Medium Density Residential (MR) zone has an established minimum density requirement of 6 dwelling units per acre and a maximum density threshold, within the Resource Protection Overlay (RPO) zone, of 9 dwelling units per acre. Unit 2 has a proposed density of 5.7 dwelling units per acre; however, the overall development has a density of 6.9 dwelling units per acre, based on 209 dwelling units and a net area, not including approximately 9.65 acres of public open space, of 30.45 acres. The overall density of the project is in compliance with the Medium Density Residential (MR) zone.

The Medium Density Residential (MR) zone does not accommodate the 0-foot side setback necessary for the development of a townhouse lot. Ordinance No. 2005-05 was approved subject to conformance to a concept plan that show reduced setbacks. Table 1 summarizes the development standards that will be applicable to the development of Unit 2. Those standards that are different from the base MR zone have been highlighted.

Table 1 – Development Standards	
Standard	Unit 2 Preliminary Plat
Acres	18.6
Maximum Building Height (feet)	35
Maximum Coverage	67%
Building Placement Requirements (Minimum Setbacks):	
Front (feet)	10 (building) 20 (garage)
Side (feet)	5 (exterior) 0 (interior)
Rear (feet)	15

Natural Resources

In accordance with Section 10-50.90.020.A of the Zoning Code (Page 50.90-2), the Subject Property is located within the

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established Resource Protection Overlay (RPO) zone. When Pinnacle Pines was initially entitled, a Preliminary Slope and Forest Resource Plan was submitted to and approved by the City in conjunction with Ordinance No. 2005-05 and the Development Agreement. That plan established a 50% forest protection threshold, a 70% protection threshold for areas with 17% slope, and an 80% protection threshold for areas with 25% slope. In addition, the development provided dedicated open space and was therefore entitled to a 5% reduction in resource protection. The preliminary plat for Unit 2 conforms to these required resource protection standards.

Open Space/Landscaping

In accordance with Section 10-40.30.030.C of the Zoning Code (Page 40.30-9), a minimum of 15% of the gross lot area shall be developed as open space. Based on the acreage of the Subject Property, that translates into approximately 2.79 acres of open space. The Zoning Code further clarifies that open space includes active and passive recreation uses, landscape areas, and areas set aside for resource preservation. The majority of the open space for Unit 2 will be located to the north and west, and utilized as resource preservation areas. The proposed development is part of the larger Pinnacle Pines subdivision that provides for approximately 9.65 acres, approximately 24% of the total development area, of open space spread throughout the development.

In accordance with Section 10-50.60.020.A of the Zoning Code (Page 50.60-5), all new residential developments shall provide landscaping in compliance with the standards of the Zoning Code. As previously mentioned, the Subject Property is located within an established Resource Protection Overlay (RPO) zone, which requires a minimum level of preservation of existing trees. The preserved forest should, in accordance with Section 10-580.60.050.A.1.g of the Zoning Code (Page 50.60-18), offset some of the required landscaping, including any required bufferyard landscaping. In addition, on-lot front yard landscaping will be required at a rate of one (1) tree and two (2) shrubs per lot. A final landscaping plan, prepared in accordance with Section 10-50.60.030.C of the Zoning Code (Page 50.60-6), addressing common area landscaping will be required as part of the Civil Improvement Plan submittal. On-lot landscaping will be reviewed as part of the Building Permit submittal for each lot.

Lighting

In accordance with Section 10-50.70.040.B of the Zoning Code (Page 50.70-4), this development is located within Lighting Zone 2, and, in accordance with Table 10-50.70.050.A of the Zoning Code (Page 50.70-6), the maximum total lumens for a single-family residential development within Lighting Zone 2 is 10,000 lumens per lot, which includes a limit of 4,000 lumens per lot for partially shielded light fixtures. Final lighting compliance will be ensured during the building permit review process.

Building Design

Review and approval of Ordinance No. 2005-05 included the review and approval of conceptual building elevations, a copy of which is attached to this report, and were incorporated into the original Development Agreement. These same elevations will be carried forward in the Pinnacle Pines First Amended and Restated Development Agreement and must be approved by the City Council prior to preliminary plat approval. The conceptual building elevations are in conformance with the architectural design standards.

SYSTEMS ANALYSIS:

Traffic/Access/Pedestrian/Bicycle

A Traffic Impact Analysis (TIA) was reviewed and approved by the City in 2005 in association with the approval of Ordinance No. 2005-05. Primary vehicular, bicycle, and pedestrian access to the site are available from South Lone Tree Road and then west along Zuni Drive. Internal access to each lot is provided through a series of private paved streets. As a condition of the Development Agreement, secondary access to the site shall be provided, prior to or concurrent with the platting and construction of the 103rd residential lot, to John Wesley Powell Boulevard. The Development Agreement

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provided two options for achieving the secondary access. The first, and most preferred, option was a southerly extension of Sonoma Street through the Forest Service land as part of a larger City Regional Park project. Unfortunately, that project relied on a federal land exchange in order for the City to acquire the Forest Service land. That land exchanges was never fully executed and the land remains in the control of the Forest Service. The second option was an easterly extension of Sterling Lane through Tract 7 of Unit 1 and a parcel owned by Pine Canyon. Both options, in accordance with the Development Agreement and the TIA, were either shown or noted on the Unit 1 Final Plat and are acceptable to the City. The developer has obtained the necessary easements, copies of which are attached to this report, from the Pinnacle Pines Homeowners Association and Pine Canyon for the construction of the secondary access through Tract 7 of Unit 1. Civil Improvement Plans for the construction of the secondary access have been submitted to the City and are currently under review. Approval of the civil plans and commencement of construction must occur prior to or concurrent with the final platting of Phase 1 of Unit 2.

Water and Wastewater Systems

The Subject Property is served by the existing 8-inch looped water system and the existing 8-inch wastewater system in Unit 1. A Water and Sewer Impact Analysis was reviewed and approved by the City in 2005 in association with the approval of Ordinance No. 2005-05. New 8-inch water and sewer mains will be extended into Unit 2 to provide individual lot services. In accordance with the Development Agreement, a new water connection must be made from the existing 8-inch water main located in Sterling Lane to the existing 12-inch water main in John Wesley Powell Boulevard. This connection will be completed as part of the construction of the secondary access through Tract 7 of Unit 1.

Stormwater System

The original Drainage Master Plan for Pinnacle Pines accounted for the development of Unit 2. No new Low Impact Development (LID) or detention features are required on-site. However, the developer has agreed to incorporated new LID features into the final design of Unit 2 where practicable.

CITIZEN PARTICIPATION:

The existing zoning of the Subject Property allows for the proposed subdivision. No public hearings or public outreach are required by either the Zoning Code or the Subdivision Code as part of a preliminary plat review process. As of this writing, staff has received 7 e-mails, copies of which are attached, primarily expressing concerns over the location of the secondary access through Tract 7 of Unit 1. It is the understanding of staff that the Owner has reached out to the residents of Unit 1 through the Homeowners Association to discuss the project and the need for the secondary access.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission forward the preliminary plat to the City Council with a recommendation for approval.

Attachments:

- Preliminary Plat Application
- Pinnacle Pines Unit 1 Final Plat
- Draft Pinnacle Pines First Amended and Restated Development Agreement
- Secondary Access Easements
- Concept Elevations
- Public Comments
- Unit 2 Preliminary Plat