



COCONINO COUNTY RECORDER
OFFICIAL RECORDS OF
COCONINO COUNTY

INST#: 93-01088 FEE: \$ 28.00
AT THE REQUEST OF:
CITY OF FLAGSTAFF
DATE: 01/14/93 TIME: 10:40
DKT: 1535 PG: 923 #PAGES: 47

ORDINANCE NO. 1779

AN ORDINANCE AMENDING THE CITY OF FLAGSTAFF ZONING MAP BY ADOPTING A SPECIFIC PLAN FOR A PORTION OF McMILLAN MESA, AND REZONING CERTAIN PARCELS OF LAND TO ACCOMPLISH THE DESIGNATIONS SET FORTH IN THE McMILLAN MESA AREA PLAN.

WHEREAS, the Council has reviewed the Planning Division report dated September 9, 1992, in regard to the proposed amendment to the Growth Management Guide 2000, the adoption of the "McMillan Mesa Area Plan", and the proposed revision to the City of Flagstaff Zoning Map; and discussed generally the adoption of the specific plan for 146 acres located in the 300 block of East Forest Avenue; and

WHEREAS, the Council has found that the specific plan protects the operational safety and arterial function of the newly realigned Forest/Cedar Avenue and reserves the previously adopted roadway corridor alignment for the future location of a north-south enterprise roadway in the most favorable location; that the proposed specific plan will maintain a self-contained neighborhood concept to include an elementary school site and neighborhood park; that the plan will maintain the open space and pedestrian components previously identified in the GMG 2000; that the adoption of the plan will promote a higher quality of development than could be achieved under the existing zoning categories of the Land Development Code; and

WHEREAS, the Council finds that the circulation elements set forth in the specific plan are in conformance with policy statements 35, 36 and 37 of the GMG 2000; that the land use and zoning concepts set forth in the specific plan further policies 8, 23 and 31 of the GMG 2000; that the self-contained neighborhoods, the proposed densities, and the activity center set forth in the plan are in conformance with policy number 13 and 14 of the GMG 2000; that the open space and pedestrian component elements specific plan are in conformance with policy numbers 17 and 44 of the GMG 2000; and

WHEREAS, the Council has determined that it will adopt the McMillan Mesa Village Specific Plan prepared by Cella Barr Associates (dated August 14, 1992) as an amendment to the GMG 2000 and following the Council public hearing dated October 6, 1992; and

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WHEREAS, the Council finds that the zoning that has been proposed by the specific plan will be beneficial to the community as a whole, and that it will not be detrimental to adjacent or surrounding lands and their existing and planned uses; and

WHEREAS, the Council has reviewed the minutes of the Planning Commission of September 15 and September 22, 1992, which reflect that the Planning and Zoning Commission held public hearings in regard to the proposed adoption of the specific area plan, and which terminated with the adoption of Resolution No. 92-04 generally approving the adoption of the plan with staff's recommendation and itemizing certain amendments to the staff's recommendation, and that said motion was passed by unanimous vote of the Commission; and

WHEREAS, the Council has reviewed the stipulations that have been prepared by the Planning staff with the original staff recommendations as modified by the motion of the Planning and Zoning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1: The zoning designations that will control the development of the land within the area of the McMillan Mesa Specific Plan are set forth below. The Council adopts Exhibit 1 to this Ordinance as a general identification of the parcels included within the specific plan. The illustration of parcels in Exhibit 1 is intended to aid in the understanding of this Ordinance. The descriptions in Exhibit 1 are illustrative only and the formal legal descriptions set forth in the specific exhibits that follow Exhibit 1 shall control to identify the specific parcels and zoning.

- A. Development area "A", consisting of approximately 1.25 acres, is hereby rezoned from Rural Residential (RR) to Suburban Commercial (SC). The legal description of development area "A" is attached to this Ordinance as Exhibit A.
- B. Development area "B", of approximately 25.15 acres is hereby rezoned from Rural Residential (RR) to High Density Residential District (HR). The legal description of development area "B" is attached hereto as Exhibit B.
- C. Development area "C", of approximately 8.41 acres is hereby rezoned from Rural Residential (RR) to Suburban Commercial (SC). The legal description of development area "C" is attached hereto as Exhibit C.

- D. Development area "D", of approximately 27.21 acres is hereby rezoned from Rural Residential (RR) to Business park (BP). The legal description of development area "D" is attached hereto as Exhibit D.
- E. Development area "E", of approximately 7.80 acres is hereby rezoned from Rural Residential (RR) to Business Park (BP). The legal description of development area "E" is attached hereto as Exhibit E.
- F. Development area "F", of approximately 27.50 acres is hereby rezoned from Rural Residential (RR) to Business Park (BP). The legal description of development area "F" is attached hereto as Exhibit F.
- G. Development area "G", consisting of approximately 2.48 acres, is hereby rezoned from Rural Residential (RR) to Business Park (BP). The legal description of development area "G" is attached hereto as Exhibit G.
- H. Development area "H", containing approximately 8.07 acres is hereby rezoned from Residential District (R-1) to Medium Density Residential (MR). The legal description of development area "H" is attached hereto as Exhibit H.
- I. Development area "I", of approximately 12.66 acres shall retain its existing zoning of Residential District (R-1) and High Density Residential (HR) as shown on the existing City of Flagstaff map. The legal description of Development area "I" is attached hereto as Exhibit I.
- J. Development area "J", consisting of approximately 27.75 acres, is hereby rezoned from Single Family Residential Established (R-1-E), Single Family (R-1), and Rural Residential (RR) is hereby rezoned to Public Land District (PL). The legal description of development area "J" is attached hereto as Exhibit J.

SECTION 2: The August 14, 1992 edition of the McMillan Mesa Village Specific Plan, prepared by Cella Barr Associates, which has previously been made a Public Record by deposit with the City Clerk and by Council Resolution No. 1810, is hereby adopted by reference and declared to be an official planning document for the development within the land encompassed by the plan and legally described in Section 1 above.

Paragraphs Number I, II, and III of the plan are declared to be planning and policy statements that will govern development within the area.

Paragraphs Number IV, V and VI of the plan are declared to be regulatory in nature and binding upon the applicant and upon the applicant's successors, heirs and assigns. In general, development within the planned area shall be consistent with and in compliance with the provisions of the existing City of Flagstaff Land Development Code, including the regulations governing subdivision and minor land divisions (and in conformance with the City of Flagstaff Engineering Standards). When a conflict may occur between the provisions of the Land Development Code and the provisions of Paragraphs IV, V and VI of the Specific Area Plan, the more restrictive of the conflicting provisions shall apply to govern the development of the land. The procedure for approval of development shall be as specified in the Land Development Code, as that may be amended from time to time.

Paragraph VII of the Specific Plan, entitled Appendices, is considered to be informational material upon which the plan is based.

SECTION 3: The Council finds that during the planning process that has occurred to date, either the developer has proposed, the staff has recommended, or the Planning and Zoning Commission has recommended that certain stipulations should apply to the development of Parcels A through J. The Council finds these stipulations to be reasonable and necessary to the public safety, welfare and convenience and adopts these stipulations as requirements for the specific areas set forth below.

A. Development area "A", stipulations and requirements:

- (1) Development option to be limited to office use only.
- (2) F.U.T.S. easement, design and construction per City standards is required at subdivision platting stage, or, if a plat is not required, at the site plan review stage. The alignment shall connect the intersection of Turquoise Drive/Forest/Cedar Avenue to the development area's south boundary line.
- (3) Sidewalk installation along north property is required at subdivision platting stage, or absent a requirement for a plat, shall occur with site plan approval. The alignment may be designed to permit construction of sidewalk outside of the existing drainage channel adjacent to Forest/Cedar Avenue back of curb.

B. Development area "B", stipulations and requirements:

- (1) Street phasing to be amended to include the construction of Village, Turquoise, Gemini and Pine Cliff.

(2) The sidewalk to be located along north property line may be placed outside of Forest/Cedar Avenue drainage and shall be designed and constructed per City of Flagstaff standards when property is platted.

(3) The proposed F.U.T.S. alignment located along west portion of the Area shall be designed and constructed per City of Flagstaff standards when property is platted.

(4) Area restrictions include:

Building height shall be limited to one story within 100 feet of Forest Avenue right-of-way as illustrated on Exhibit "H" of the Specific Plan.

Setbacks from Forest Avenue right-of-way will be 50 feet for buildings and parking as illustrated on Exhibit "H" of the Specific Plan.

C. Development area "C", stipulations and requirements:

(1) All uses located in this development area shall be performed or carried out entirely within an enclosed building with the exception of outdoor dining and temporary outdoor art displays. The Planning Director may approve certain activities which cannot be carried on within building provided such activity is screened so as not to be visible from neighboring property and streets.

(2) Off-street sidewalk along north property boundary to be designed and installed per City of Flagstaff standards when property is platted.

(3) Area "C" phasing shall be corrected to replace Gemini or Turquoise with Gemini or Pine Cliff.

D. Development area "D", stipulations and requirements:

(1) F.U.T.S. easement, design, and construction per City of Flagstaff standards is required when development area is platted.

(2) Area restrictions to include:

No restaurant development option will be allowed.

Fifty percent (50%) of the trees located in the tree protection area, as shown on Exhibit 1 of the

Specific Plan, and having a DBH of six (6) inches or more shall be retained and protected. Prior to development approval of area "D", the protection area, as illustrated on Exhibit I shall be legally described.

Street phasing to be amended to include the construction of Village, Gemini, and Pine Cliff.

- E. Development of area "E", stipulations and requirements:
- (1) Off-street sidewalk along north property boundary to be designed and installed per City of Flagstaff standards when property is platted.
 - (2) No restaurant development options will be allowed.
- F. Development area "F", stipulations and requirements:
- (1) Sidewalk installation along Forest/Cedar Avenue shall be designed and constructed per City of Flagstaff standards when property is platted.
 - (2) Restaurant development option shall be limited to one restaurant of the full-service, sit-down type, with no drive through or fast food characteristics. It shall be limited to size of 7,500 square feet and be located at least 250 feet from the northwest corner of development area.
 - (3) Fifty percent (50%) of the trees located in the tree protection area, as shown on Exhibit I of the Specific Plan, and having a DBH of six (6) inches or more shall be retained and protected. Prior to development approval of area "D", the protection area, as illustrated on Exhibit I shall be legally described.
- G. Development area "G", stipulations and requirements:
- (1) Restaurant development option shall not be permitted.
- H. Development area "H", stipulations and requirements:
- (1) The proposed F.U.T.S. alignment located along the west portion of the area shall be designed and constructed per City of Flagstaff standards when property is platted.

- (2) Street phasing to be amended to include the construction of Pine Cliff and Gemini.

I. Development area "I", stipulations and requirements:

- (1) The proposed F.U.T.S. alignment located along the west portion of the area shall be designed and constructed per City of Flagstaff standards when property is platted.
- (2) Greenbelt corridor widths illustrated on Exhibits "F" and "G" shall be defined and outlined in area "I" restrictions.
- (3) Density transfer section shall be amended as follows:

The maximum yield site capacity for residential units from Development Sub-Area I(c) (4.982 ac) shall be transferred to Development Sub-Area I(a) or Development Area "H" on the condition and with the restriction on Development Sub-Area I(c) that Development Sub-Area I(c) shall remain undeveloped open space, with no future right to any residential use. The development site capacity for residential use of Development Sub-Areas I(a) and I(b) shall be the sum of the calculated site capacities of Development Sub-Areas I(a), I(B), and I(c) under their current zoning. See Appendix A.

- (4) Area restrictions to include the following:

Only single family detached housing types will be permitted in that portion of Area I located south of Pinon Court.

J. Development area "J", stipulations and restrictions:

- (1) F.U.T.S. easement, design and construction per City of Flagstaff standards is required when development area is platted or site planned.
- (2) Open Space/Greenbelt area as illustrated on the Land Use Element of GMG 2000 shall be maintained and implemented into the future park/school site development.
- (3) The greenbelt corridor separating development areas "J" and "D" shall be centered on the parcel boundary.

- (4) Street phasing to be amended to include the construction of Pine Cliff or Gemini.

SECTION 4: The Council finds, based upon staff recommendation and upon the recommendation of the Planning and Zoning Commission following public hearings, that the following conditions of development shall also apply to the specific plan as a whole, and are hereby declared to be an obligation of the applicant and of the applicant's heirs, successors and assigns to be requirements to be met as part of the development of the parcel or parcels affected, or to be considered to be amendments to the specific plan as appropriate.

1. Developer shall construct a traffic signal at the intersection of Gemini and Forest/Cedar Avenue when a development area requiring Gemini construction is proposed for development.
2. Developer shall revise the drainage impact analysis of the specific plan to utilize the City's sub-regional detention basin policy approach, to include limiting the maximum number of detention basins to six, until a comprehensive, detailed hydrology report addressing multiple detention basin routing justifies the need for additional detention basins.
3. Exhibit "G", Greenbelt Corridor Section of the Specific Plan shall be amended by adding a minimum width of 50 feet.
4. That sign design standards of the specific plan relating to entryway sign be revised to allow the following:

Primary structure not to exceed five (5) feet in height and thirty-five (35) feet in length, with a sign area of not more than one hundred (100) square feet.

Secondary structure not to exceed four (4) feet in height and twenty-five (25) feet in length with a sign area of not more than fifty (50) square feet.
5. Tree protection Exhibit "I" shall be included in the specific plan.

SECTION 5: Prior to the second reading of the Ordinance, the developer shall cause the McMillan Mesa Specific Plan to be amended to reflect those of the stipulations and requirements set forth in Section 3 of this Ordinance that are itemized below:

Section 3:

- | | |
|----------------|----------------|
| A. (1) | F. (2) and (3) |
| B. (1) and (4) | G. (1) |
| C. (1) and (3) | H. (2) |
| D. (2) | I. (2) and (3) |
| E. (2) | J. (4) |

The amended Plan shall set forth the provisions itemized above as part of the pages of the Plan that discuss the development of the individual sub-areas, i.e. Development Area A, or D, etc. That amended Plan may include the stipulations and requirements that have not been itemized in this Section 5 as part of an addendum page or pages that sets forth a certified copy of this entire Ordinance.

PASSED AND ADOPTED by the Council and approved by the Mayor of the City of Flagstaff, this 15th day of December, 1992.

E. Javasi
MAYOR

ATTEST:

Linda Butler
CITY CLERK

APPROVED AS TO FORM:

Joseph R. Peraldo
CITY ATTORNEY