

DRAFT AGENDA

REGULAR COUNCIL MEETING
TUESDAY
NOVEMBER 19, 2013

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M. AND 6:00 P.M.

4:00 P.M. MEETING

Individual Items on the 4:00 p.m. meeting agenda may be postponed to the 6:00 p.m. meeting.

1. **CALL TO ORDER**

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

2. **ROLL CALL**

NOTE: One or more Councilmembers may be in attendance telephonically or by other technological means.

MAYOR NABOURS

VICE MAYOR EVANS

COUNCILMEMBER BAROTZ

COUNCILMEMBER BREWSTER

COUNCILMEMBER ORAVITS

COUNCILMEMBER OVERTON

COUNCILMEMBER WOODSON

3. **PLEDGE OF ALLEGIANCE AND MISSION STATEMENT**

MISSION STATEMENT

The mission of the City of Flagstaff is to protect and enhance the quality of life of its citizens.

4. **APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

5. **PUBLIC PARTICIPATION**

Public Participation enables the public to address the Council about an item that is not on the agenda (or is listed under Possible Future Agenda Items). Comments relating to items that are on the agenda will be taken at the time that the item is discussed. If you wish to address the Council at tonight's meeting, please complete a comment card and submit it to the recording clerk as soon as possible. Your name will be called when it is your turn to speak. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

6. PROCLAMATIONS AND RECOGNITIONS

None

7. APPOINTMENTS

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that the City Council may vote to go into executive session, which will not be open to the public, for the purpose of discussing or considering employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body....., pursuant to A.R.S. §38-431.03(A)(1).

None

8. LIQUOR LICENSE PUBLIC HEARINGS

None

9. CONSENT ITEMS

All matters under Consent Agenda are considered by the City Council to be routine and will be enacted by one motion approving the recommendations listed on the agenda. Unless otherwise indicated, expenditures approved by Council are budgeted items.

None

10. ROUTINE ITEMS

- A. Consideration and Approval of (A) Settlement Agreement; (B) Authorization for Litigation:** (A) Vedula Elevation, LLC (Elevation); (B) Campus Crest at Flagstaff II, LLC (The Grove Phase I) and FSL St. Francis Villas, LP (Flagstaff Senior Meadows)

RECOMMENDED ACTION:

- (A) Approve Settlement Agreement with Vedula Elevation, LLC;
- (B) Authorize litigation to collect outstanding balance of sewer capacity fees owed for the Grove Phase I and Flagstaff Senior Meadows.

RECESS

6:00 P.M. MEETING

RECONVENE**NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION**

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

11. ROLL CALL

NOTE: One or more Councilmembers may be in attendance telephonically or by other technological means.

MAYOR NABOURS

VICE MAYOR EVANS

COUNCILMEMBER BAROTZ

COUNCILMEMBER BREWSTER

COUNCILMEMBER ORAVITS

COUNCILMEMBER OVERTON

COUNCILMEMBER WOODSON

12. PUBLIC PARTICIPATION**13. CARRY OVER ITEMS FROM THE 4:00 P.M. AGENDA****14. PUBLIC HEARING ITEMS**

- A. Public Hearing, Consideration and Adoption of Resolution No. 2013-30:** A resolution amending the Flagstaff Area Regional Land Use and Transportation Plan to change the land use designation of approximately 4.02 acres of real property located at 600 West University Heights Drive from Parks and Recreation to High Density Residential (Changing Land Use Designation for Trailside Apartments).

RECOMMENDED ACTION:

- 1) Open the Public Hearing; receive public testimony; close the Public Hearing
- 2) Read Resolution No. 2013-30 by title only
- 3) City Clerk reads Resolution No. 2013-30 by title only (if approved above)
- 4) Adopt Resolution No. 2013-30

- B. Public Hearing, Consideration and Adoption of Ordinance No. 2013-24:** An ordinance amending the Flagstaff Zoning Map designation of approximately 4.02 acres of real property located at 600 West University Heights Drive from "SC", Suburban Commercial, to "HDR", High Density Residential (Amending Zoning Map for Trailside Apartments).

RECOMMENDED ACTION:**At the November 19, 2013 Council Meeting:**

- 1) Open the Public Hearing; receive public testimony; close the Public Hearing
- 2) Read Ordinance No. 2013-24 by title only for the first time
- 3) City Clerk reads Ordinance No. 2013-24 by title only for the first time (if approved above)

At the December 2, 2013 Council Meeting:

- 4) Read Ordinance No. 2013-24 by title only for the final time
- 5) City Clerk reads Ordinance No. 2013-24 by title only for the final time (if approved above)
- 6) Adopt Ordinance No. 2013-24

- C. Public Hearing:** Consideration of a Major Amendment to the Flagstaff Regional Plan for Little America Resorts and Hotels, Inc.

RECOMMENDED ACTION:

Open and close the public hearing

15. REGULAR AGENDA

- A. Consideration and Approval of Agreement:** Consideration of Amendment Two to the Fourth Amended and Restated Development Agreement and Waiver ("Amendment") between the City of Flagstaff and Flagstaff Aspen Place, LLC, and Alliance Bank of Arizona, for Aspen Place at the Sawmill Commercial Parcels.

RECOMMENDED ACTION:

Approve the proposed Amendment to the Development Agreement between the City of Flagstaff and Flagstaff Aspen Place, LLC, and Alliance Bank of Arizona as recommended by city staff and authorize the Mayor to sign the agreement.

- B. Consideration and Adoption of Ordinance No. 2013-23:** An ordinance amending the Flagstaff Zoning Map designation of approximately 3.15 acres of real property located at 601 East Piccadilly Drive from HC (Conditional), Highway Commercial Conditional, to HC (Conditional), Highway Commercial Conditional, by removing, modifying and replacing those conditions previously imposed (Aspen Place North).

RECOMMENDED ACTION:

- 1) Read Ordinance No. 2013-23 by title only for the final time
- 2) City Clerk reads Ordinance No. 2013-23 by title only for the final time (if approved above)
- 3) Adopt Ordinance No. 2013-23

- C. Consideration and Approval of Contract:** Third Amendment to Development Incentive Agreement between the City of Flagstaff, Aspen Place North, L.L.C. and Alliance Bank of Arizona.

RECOMMENDED ACTION:

Approve the Third Amendment to Development Incentive Agreement between the City of Flagstaff, Aspen Place North, L.L.C. and Alliance Bank of Arizona

- D. Consideration and Adoption of Resolution No. 2013-29:** A resolution approving a Pre-Annexation Agreement between the Grand Canyon Trust and the City of Flagstaff, Arizona, opening the opportunity for a connection to the City sewer system.

RECOMMENDED ACTION:

- 1) Read Resolution No. 2013-29 by title only
- 2) City Clerk reads Resolution No. 2013-29 by title only (if approved above)
- 3) Adopt Resolution No. 2013-29

16. DISCUSSION ITEMS

- A. Regional Plan: Council Policy 'Parking Lot' Pending Discussion Items**

RECOMMENDED ACTION:

City Council will review the compiled Regional Plan Policy 'Parking Lot' and discuss process for pulling items from the parking lot into Council discussion, debate and direction at the December 6, 2013 Council Regional Plan retreat and other Council meetings as necessary.

Council will also take public comments, Planning and Zoning Commission recommendations and County Board of Supervisor recommendations into consideration during the Regional Plan parking lot discussions.

17. POSSIBLE FUTURE AGENDA ITEMS

Verbal comments from the public on any item under this section must be given during Public Participation (#5) near the beginning of the meeting. Written comments may be submitted to the City Clerk. After discussion and upon agreement of three members of the Council, an item will be moved to a regularly-scheduled Council meeting.

- A. Request by Vice Mayor Evans to place an item on a future agenda to discuss a relocation ordinance**
 - B. Request by Mayor Nabours to place an item on a future agenda re moving forward with a sale of city land (parcel 104-19-117) at the southwest corner of Butler Avenue and Lone Tree Road**
 - C. Request by Mayor Nabours to place an item on a future agenda to establish a Charter review committee consisting of citizens and staff to review and report to Council if changes to the Charter should be proposed to the voters**
 - D. Request by Mayor Nabours to place an item on a future agenda to establish an ad hoc committee consisting of citizens and staff to review and report to Council as to the options available for a program of burying utility lines in viewshed areas**
- 18. INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF, REQUESTS FOR FUTURE AGENDA ITEMS**

19. ADJOURNMENT**CERTIFICATE OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at _____ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this ____ day of _____, 2013.

Elizabeth A. Burke, MMC, City Clerk

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Anja Wendel, Senior Assistant City Attorney AW
Date: 11/07/2013
Meeting Date: 11/19/2013



TITLE:

Consideration and Approval of (A) Settlement Agreement; (B) Authorization for Litigation: (A) Vedura Elevation, LLC (Elevation); (B) Campus Crest at Flagstaff II, LLC (The Grove Phase I) and FSL St. Francis Villas, LP (Flagstaff Senior Meadows)

RECOMMENDED ACTION:

- (A) Approve Settlement Agreement with Vedura Elevation, LLC;
- (B) Authorize litigation to collect outstanding balance of sewer capacity fees owed for the Grove Phase I and Flagstaff Senior Meadows.

Policy Decision or Reason for Action:

The City made errors in invoicing sewer capacity and other fees for multi-family residential developments. Following discovery of the errors, in May 2013 the City issued new invoices for amounts owed. Fees are still owed for three developments: Elevation, the Grove Phase I, and Flagstaff Senior Meadows. The City has reached a settlement in principle with the developer for Elevation, and a settlement agreement will be presented at the November 19, 2013 Council Meeting. City staff is recommending that the Council authorize litigation for collection of fees still owed for the other developments.

Subsidiary Decisions Points: The City has development agreements for the Elevation and Grove Phase I. Pursuant to these agreements the City must engage in settlement efforts and non-binding mediation before commencing litigation.

Financial Impact:

City sewer capacity fees and development fees are established by City ordinance, based upon studies and following a public hearing. The fees help pay for infrastructure and services that benefit the developments and community. The developers dispute the amounts owed. In the event the fees are not collected, the City will sustain losses. If litigation is authorized, the City will incur litigation expenses. In the event these matters proceed to trial, the City may recoup attorneys fees assuming it is the prevailing party.

Connection to Council Goal:

- 1. Repair Replace maintain infrastructure (streets & utilities)
- 11. Effective governance

Has There Been Previous Council Decision on This:

The City Council has received legal advice and considered settlement offers in prior Executive Sessions.

Options and Alternatives:

1. Approve Settlement Agreement with Vedula Elevation, LLC. (Elevation)

Pros: The City will recoup approximately 90% of the fees owed and avoid time and expense of litigation.
Cons: The City will relinquish certain rights and waive 10% of fees owed.

2. Do not approve Settlement Agreement with Vedula Elevation, LLC, and authorize litigation.

Pros: The City may be able to recover the entire amount owed.
Cons: The City will incur the time, risks, and expense of litigation. The City may recover less than 90% of the amount owed.

3. Authorize litigation for collection of fees owed for the Grove Phase I and Flagstaff Senior Meadows.

Pros: City will be further along in efforts to collect fees owed. The City to date has been unable to achieve satisfactory settlement agreements, and this is the next step (after any required non-binding mediation).
Cons: The City will incur the time, risks, and expense of litigation.

Key Considerations:

The City has a fiscal responsibility to ensure fees are collected, and that all developments pay their fair share of City infrastructure and services.

Community Benefits and Considerations:

The Flagstaff community through the City's elected officials has approved the fees for developments.

Community Involvement:

Inform

Expanded Options and Alternatives:

City staff hopes that these matters will be resolved amicably and will continue to work towards that goal.

Attachments:

Form Review

Inbox	Reviewed By	Date
Revenue Director	Anja Wendel	11/07/2013 04:52 PM
Senior Assistant City Attorney AW (Originator)	Anja Wendel	11/07/2013 05:07 PM
Revenue Director	Elizabeth A. Burke	11/08/2013 09:35 AM
City Attorney	Elizabeth A. Burke	11/08/2013 11:15 AM
Revenue Director	Andy Wagemaker	11/08/2013 11:17 AM
City Attorney	Michelle D'Andrea	11/08/2013 11:49 AM
Form Started By: Anja Wendel		Started On: 11/07/2013 08:32 AM
Final Approval Date: 11/08/2013		

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Brian Kulina, Planning Development Manager
Date: 10/24/2013
Meeting Date: 11/19/2013



TITLE:

Public Hearing, Consideration and Adoption of Resolution No. 2013-30: A resolution amending the Flagstaff Area Regional Land Use and Transportation Plan to change the land use designation of approximately 4.02 acres of real property located at 600 West University Heights Drive from Parks and Recreation to High Density Residential (Changing Land Use Designation for Trailside Apartments).

RECOMMENDED ACTION:

- 1) Open the Public Hearing; receive public testimony; close the Public Hearing
- 2) Read Resolution No. 2013-30 by title only
- 3) City Clerk reads Resolution No. 2013-30 by title only (if approved above)
- 4) Adopt Resolution No. 2013-30

Policy Decision or Reason for Action:

The Flagstaff Planning and Zoning Commission conducted a Public Hearing to consider this Regional Plan amendment request at its regular meeting on October 23, 2013. The Planning Commission voted (7-0) to forward the request to the City Council with a recommendation of approval. Regional Plan amendments are required to be adopted by resolution.

Financial Impact:

None

Connection to Council Goal:

Retain, expand, and diversify economic base
Effective governance

Has There Been Previous Council Decision on This:

This Regional Plan amendment request is accompanied by a Zoning Map amendment request.

Options and Alternatives:

The City Council may approve, deny, or modify the resolution as necessary to ensure that the development meets the objectives of the Regional Land Use and Transportation Plan and the City of Flagstaff's development goals.

Background/History:

See the Introduction and Discussion section of the Planning and Zoning Commission Regional Land Use and Transportation Plan Amendment Staff Report, dated October 23, 2013, a copy of which is attached, for the Background/History discussion.

Key Considerations:

Regional Plan amendments are adopted by the City Council via resolution. Resolution No. 2013-30 changes the land use designation of approximately 4.02 acres from Parks and Recreation to High Density Residential.

Expanded Financial Considerations:

None

Community Benefits and Considerations:

Community benefits and considerations related to this Regional Plan amendment request are addressed in the attached Planning and Zoning Commission Regional Land Use and Transportation Plan Amendment Staff Report, dated October 23, 2013.

Community Involvement:

Inform

The Developer held a neighborhood meeting on September 6, 2013, at which sixteen people attended. Notice of the neighborhood meeting was provided in accordance with the Zoning Code. The results of the neighborhood meeting are included in the Citizen Participation Plan and Report, a copy of which is included in the attached Planning and Zoning Commission Attachments. The Planning and Zoning Commission conducted a Public Hearing on October 23, 2013. Notice of that Public Hearing was provided in accordance with State statute and the Zoning Code. At the Planning and Zoning Commission meeting, one member of the public provided comments expressing concern about traffic, parking, and the possibility of the proposed development compromising the views to the mountains. The member of the public further commented that they would rather see an apartment complex developed on the subject property rather than a commercial use.

As of this writing, staff has received one letter, from the Sinclair Springs Townhomes Owners Association, and one phone call. The letter expressed concerns over parking and building height, as it related to the view of the mountains. The caller was looking to gather additional information related to the proposal and stated that a comment letter would be forthcoming. To date, staff has not received that letter.

Expanded Options and Alternatives:

- (Recommended Action): The City Council may approve the Regional Plan amendment as recommended by the Planning and Zoning Commission and staff by reading and adopting Resolution No. 2013-30.
- The City Council may approve the Regional Plan amendment with modifications to the resolution.
- The City Council may deny the Regional Plan amendment.

Attachments: [Res. 2013-30](#)
 [CC Public Hearing Legal Notices](#)
 [Draft PZC Minutes \(10/23/2013\)](#)

PZC Staff Report

PZC Staff Report Attachments (1 of 2)

PZC Staff Report Attachments (2 of 2)

Form Review

Inbox	Reviewed By	Date
Current Planning Manager	Mark Sawyers	10/30/2013 01:31 PM
Planning Director	Jim Cronk	10/30/2013 03:49 PM
Legal Assistant	Vicki Baker	10/30/2013 04:46 PM
Senior Assistant City Attorney JS	James Speed	10/31/2013 07:27 AM
Community Development Director	Mark Landsiedel	10/31/2013 09:38 AM
DCM - Jerene Watson	Jerene Watson	10/31/2013 12:11 PM
Form Started By: Brian Kulina		Started On: 10/24/2013 02:00 PM
	Final Approval Date: 10/31/2013	

RESOLUTION NO. 2013-30

A RESOLUTION AMENDING THE FLAGSTAFF AREA REGIONAL LAND USE AND TRANSPORTATION PLAN TO CHANGE THE LAND USE DESIGNATION OF APPROXIMATELY 4.02 ACRES OF REAL PROPERTY LOCATED AT 600 WEST UNIVERSITY HEIGHTS DRIVE FROM PARKS AND RECREATION TO HIGH DENSITY RESIDENTIAL

RECITALS:

WHEREAS, the Flagstaff Area Regional Land Use and Transportation Plan (the "Regional Plan") was adopted by the Mayor and Council of the City of Flagstaff (the "City Council") on November 13, 2001 and ratified by the qualified electors of the City of Flagstaff (the "City") on May 21, 2002; and

WHEREAS, among other things, the Regional Plan establishes the authority and procedure for minor amendments; and

WHEREAS, pursuant to Arizona Revised Statutes (A.R.S.) § 9-461.06 and the Regional Plan, the City has consulted with, advised and provided the opportunity for public comment on the proposed amendment to the Regional Plan; and

WHEREAS, pursuant to A.R.S. § 9-461.06 and the Regional Plan, the City Planning and Zoning Commission held a public hearing on the proposed Regional Plan amendment and provided notice of such hearing in the manner required by A.R.S. § 9-461.06(E).

WHEREAS, pursuant to A.R.S. § 9-461.06 and the Regional Plan, the City Council held a public hearing in the City Council Chambers on the proposed Regional Plan amendment and provided notice of such hearing by publication of said notice in the manner required by A.R.S. § 9-461.06(E); and

WHEREAS, the City Council finds and determines that (i) proper notice of the proposed Regional Plan amendment has been given in a manner required by A.R.S. § 9-461.06, and (ii) that each of the required publications have been made in the *Arizona Daily Sun*, a newspaper of general circulation within the City; and

WHEREAS, the City Council desires to amend the Regional Plan to change the land use designation for approximately 4.02 acres of real property located at 600 West University Heights Drive from Parks and Recreation to High Density Residential.

ENACTMENTS:

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

SECTION 1. That the Flagstaff Area Regional Land Use and Transportation Plan is hereby amended to change the land use designation for approximately 4.02 acres of real property

located at 600 West University Heights Drive, and more particularly depicted in **Exhibit "A"**, attached hereto and incorporated by this reference, from Parks and Recreation to High Density Residential.

SECTION 2. That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

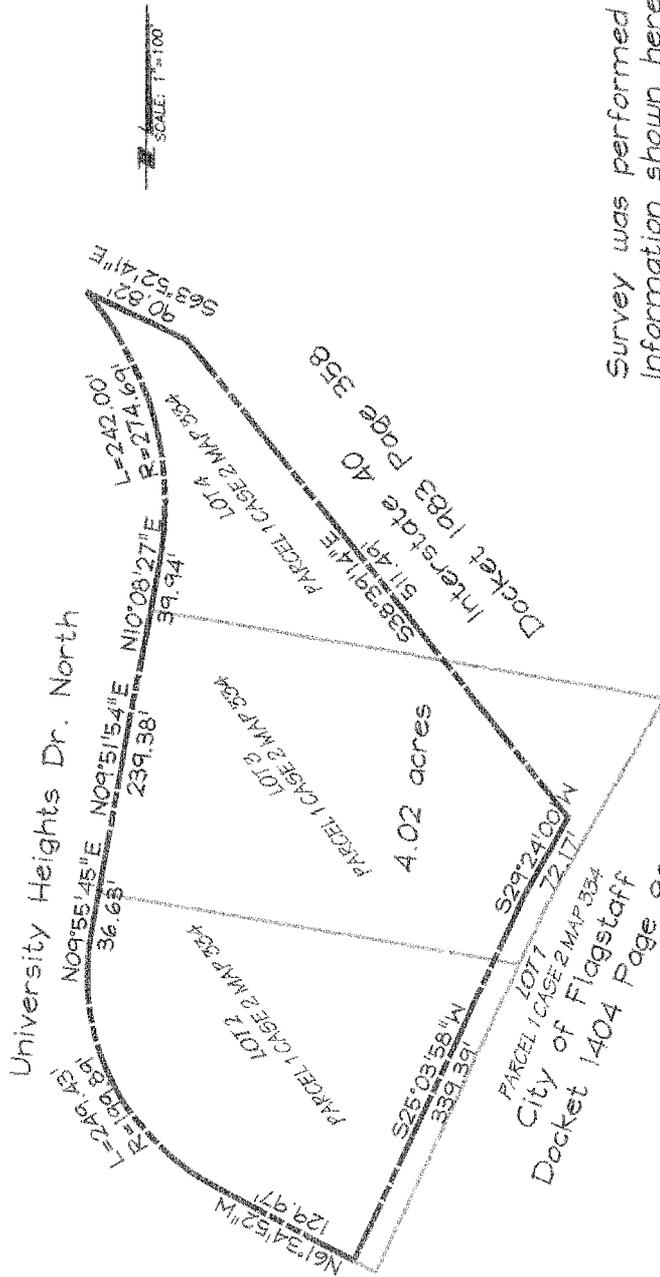
CITY ATTORNEY

EXHIBIT "A"
TO
RESOLUTION NO. 2013-30

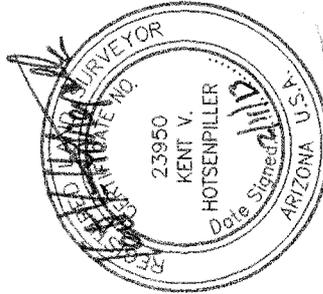
REZONING LEGAL DESCRIPTION
OF

INSTRUMENT 3564866

PORTIONS OF LOTS 2, 3, & 4 OF PARCEL 1, DIVISION OF LAND MAP RECORDED IN CASE 2 MAP 334 AND A PORTION OF "COMMERCIAL AREA" AS SHOWN ON FINAL PLAT OF UNIVERSITY HEIGHTS, CASE 2 MAP 276, COCONINO COUNTY RECORDS LOCATED IN THE SE1/4 SECTION 29, T 21 N, R 7 E, FLAGSTAFF, COCONINO COUNTY, ARIZONA



Survey was performed in July of 2012.
Information shown hereon is true and correct to the best of my knowledge.



Expires on 3/31/15

DESCRIPTIVE TITLE

HORIZONTAL SCALE: 1"=100'

VERTICAL SCALE:

DESIGNED/DRAWN BY:

PROJECT NO. 12965

DATE: 2/11/13

Mogollon
ENGINEERING & SURVEYING

411 W. Santa Fe Avenue, Flagstaff, Az. 86001
P.O. Box 1962, Flagstaff, Az. 86002
Phone: 928-214-0214 • Fax: 928-985-0016

EXHIBIT B
LEGAL
DESCRIPTION

ZONING

Notice is hereby given that the City of Flagstaff will hold a

PUBLIC HEARING

At Flagstaff City Hall, 211 West Aspen Avenue,
Flagstaff, Arizona

6:00 p.m. on December 3, 2013

For the purpose of considering the following:

**REGIONAL LAND USE AND
TRANSPORTATION PLAN AMENDMENT FROM
PARKS TO HIGH DENSITY RESIDENTIAL AND
ZONING MAP AMENDMENT FROM
SUBURBAN COMMERCIAL (SC) TO THE HIGH
DENSITY RESIDENTIAL (HR) RELATED TO
4.02 ACRES LOCATED AT 600 W.
UNIVERSITY HEIGHTS DRIVE N.**

Interested persons may appear at the meeting and be heard for or against any proposed action regarding the area, or may file a written statement.

For Information Contact

Brian Kulina, Planning Development Manager
211 W Aspen Avenue, Flagstaff, AZ 86001
bkulina@flagstaffaz.gov, (928) 213-2613

City of Flagstaff

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Flagstaff City Council will hold a Public Hearing on November 19, 2013, at 6:00 p.m. to consider a Regional Land Use and Transportation Plan amendment and a Zoning Map amendment requests.

A. Explanation of Matters to be Considered:

A proposed Regional Land Use and Transportation Plan amendment from Parks to High Density Residential and a Zoning Map amendment from Suburban Commercial (SC) to High Density Residential (HR) for approximately 4.02 acres, as described in Part B below and highlighted on the map.

The proposed amendments will allow for the development of multi-family residential, consisting of three three-story buildings, a clubhouse, and 111 apartment units.

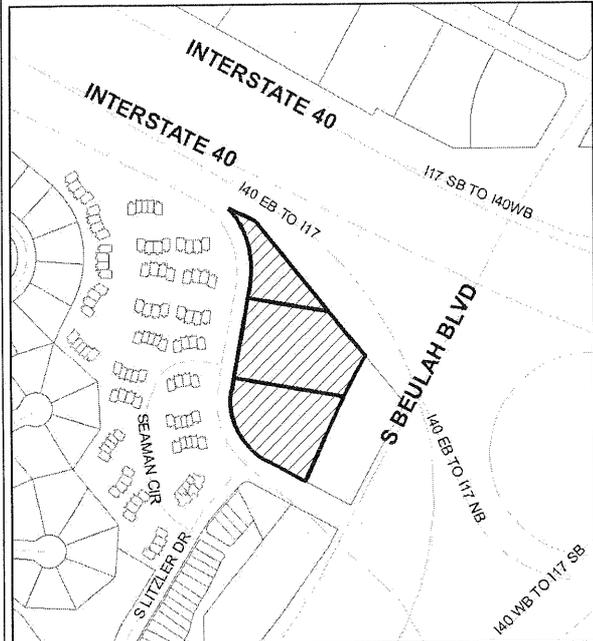
B. General Description of the Affected Area:

Approximately 4.02 acres located at 600 W University Heights Dr N, Coconino County Assessor's Parcel Numbers 112-20-013A, -014B, -015B, within the Southeast Quarter of Section 29, Township 21 North, Range 7 East, of the Gila and Salt River Base and Meridian, City of Flagstaff, Coconino County, Arizona.

Interested parties may file comments in writing regarding the proposed amendments or may appear and be heard at the hearing dates set forth above. Maps and information regarding the proposed amendments are available at the City of Flagstaff, Planning and Development Services Section, 211 West Aspen Avenue.

Unless otherwise posted, all City Council meetings are held in the Council Chambers of City Hall, 211 West Aspen Avenue, Flagstaff, Arizona.

PROPOSED REGIONAL PLAN AMENDMENT and REZONE
Regional Land Use and Transportation Plan Amendment from Parks to High Density Residential and Zoning Map Amendment from Suburban Commercial (SC) to High Density Residential (HR)



APN: 112-20-013A, 014B, 015B
ACRES: ~4.02



FOR FURTHER INFORMATION CONTACT

Brian Kulina
Planning Development Manager
Planning & Development Services
211 West Aspen Avenue
Flagstaff, Arizona 86001

(928) 213-2613
bkulina@flagstaffaz.gov



Publish: November 1, 2013

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Flagstaff City Council will hold a Public Hearing on November 19, 2013, at 6:00 p.m. to consider a Regional Land Use and Transportation Plan amendment and a Zoning Map amendment requests.

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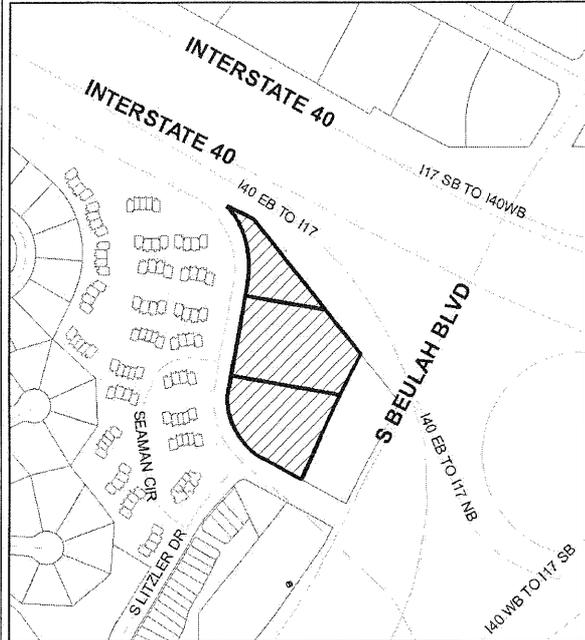
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Unless otherwise posted, all City Council meetings are held in the Council Chambers of City Hall, 211 West Aspen Avenue, Flagstaff, Arizona.

PROPOSED REGIONAL PLAN AMENDMENT and REZONE
Regional Land Use and Transportation Plan Amendment from Parks to High Density Residential and Zoning Map Amendment from Suburban Commercial (SC) to High Density Residential (HR)



APN: 112-20-013A, 014B, 015B
ACRES: ~4.02



FOR FURTHER INFORMATION CONTACT

Brian Kulina
Planning Development Manager
Planning & Development Services
211 West Aspen Avenue
Flagstaff, Arizona 86001

(928) 213-2613
bkulina@flagstaffaz.gov



Mail: November 1, 2013

Trailside Project - 600 - 800 W. University Heights Drive
List of Property Owners within in 300 Feet

APN	Name	Address	City/State/Zip	Subdivision
11263095	3175 SHOSHONE LLC	7581 E LAS PALMAS	PHOENIX, AZ 85050	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263081	ACTON WILLIAM B & TAMMY L	8933 LAKE MEADE RANCHEROS	KINGMAN, AZ 86401	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11220013A	600 W UNIVERSITY HEIGHTS DR	21750 N 30TH WAY	PHOENIX, AZ 85050	UNIVERSITY HEIGHTS
11220014B	700 W UNIVERSITY HEIGHTS DR	21750 N 30TH WAY	PHOENIX, AZ 85050	UNIVERSITY HEIGHTS
11220015B	800 W UNIVERSITY HEIGHTS DR	21750 N 30TH WAY	PHOENIX, AZ 85050	UNIVERSITY HEIGHTS
11263157	ALONSO PERGENTINO JR & KAREN DENISE	3200 S LITZLER DR NO 19-224	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263190	ANDERSON MATTHEW T	3438 E TONTO LN	PHOENIX, AZ 85050	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263158	ANDERSON PAUL J JR	5920 E PAKE VIEW RD	CAVE CREEK, AZ 85331	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263182	ANDRE-SPRINGER SUZANNE	2025 HOLLY DR	PRESCOTT, AZ 86305	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263165	BRANDENBERG JIM & ROSE TRUST DTD 8-30-12	6410 W FORT AU PRINCE LN	GLENDALE, AZ 85306	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263093	BULLARD JIM W & DONNA D CPWROS	2250 N AMOIRE DR	CAMP VERDE, AZ 86322	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263067	BURKHALTER SONJA	3200 S LITZLER DR NO 8-232	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263059	CAIN KAITLIN	3200 S LITZLER DR 7-228	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11219010C	521 W UNIVERSITY HEIGHTS DR	211 W ASPEN AVE	FLAGSTAFF, AZ 86001	UNIVERSITY HEIGHTS
11220012B	3101 S BEULAH BLVD	211 W ASPEN AVE	FLAGSTAFF, AZ 86001	UNIVERSITY HEIGHTS
11263058	CLARK JOSEPH V & CHRISTINA E JT ; CAMPBELL RHIANNON JT	4532 W COMMONWEALTH PL	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263079	COLLINS JOSHUA DOUGLAS	3200 LITZLER DR 10-140	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263105	COOPER FRANK L & WINNIE L CPWROS	4158 E FLOWER CIR	MEZA, AZ 85206	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263098	DAVIS BRITTAIN K & RACHEL LEVINE CPWROS	3200 S LITZLER DR APT 11-249	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263099	DEDMON ERIC JT ; KRYSLE FREEMAN JT	3200 S LITZLER DR APT 12 150	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263204	DENHAM KYLE	3219 S JUSTIN ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263187	DERIEUX NICHOLAS A & CORRIEN CPWROS	1400 W MELISSA DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263094	DONALDSON RACHEL	4255 E SOLIERE AVE NO 131	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263159	DOWELL ALAN B & THERESA G TRUSTEES ; DOWELL T & A FAMILY TRUST DTD 2-11-05	906 PARKER DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263097	EGAN AMY CHRISTINE JT ; EGAN MICHAEL J & PAMELLA A JT	3200 S LITZLER DR 11-248	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257037	EVANS BRYAN M & ELLA M	3264 S LITZLER DR	FLAGSTAFF, AZ 86001	SINCLAIR SPRINGS TOWNHOUSES
11263102	FINE DEBORAH M	3327 S JUSTIN ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263096	FLEMING WILLIAM A & VIOLA	474 PLAT RD	COLGATE, WI 53017	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263086	GARCIA JESHUA DAVID G	1685 W SHELLIE DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263085	GARN STEVE L & MELANIE PANLA	20 E CAMINO DE DIANA	GREEN VALLEY, AZ 85614	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263066	GERLAK ROBERT J & JANNA M CPWROS	1150 SCHULTZ PASS RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263170	GINTHER BRYAN D	6018 E ROY ROGERS LN	CAVE CREEK, AZ 85331	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263205	GOLDBERG MARC & SYLVIA TRUSTEES ; GOLDBERG FAMILY TRUST U/A/D 7-12-06	2510 E ELDER DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263089	GOLOB DEVELOPMENT LLC	PO BOX 1176	PAGE, AZ 86040	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263053	GRASSER PAUL R & ANNE M CPWROS	3704 N COLTON RANCH RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263054	GRASSER PAUL R & ANNE M CPWROS	3704 N COLTON RANCH RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263104	GREEN LIGHT INVESTMENTS LLC	2095 N FOXHILL RD	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257040	HALBIG COLIN M & MARGUERITE D	42210 N STONEMARK DR	ANTHEM, AZ 85086	SINCLAIR SPRINGS TOWNHOUSES
11263189	HARRINGTON TIMOTHY P CPWROS ; HOWARD SHERRIL R CPWROS	2665 N INDIAN RIDGE DR	TUCSON, AZ 85715	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263168	HEAL PROPERTIES LLC	8050 US NAVAL OBSERVATORY RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263080	HEITLAND ANN RAE	8340 CABALLO WY	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263172	HICKETHIER JERRY L & PAMELA S TRUSTEES ; HICKETHIER LIV TRUST DITD 2/13/02	1929 VENTOR CIR	PRESCOTT, AZ 86301	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263207	HISER BOB & DONNETTA	1040 ARDREY CIR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263075	IMAM SYED AHSAN	3200 S LITZLER DR APT 9-236	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263203	JACOBS JONATHAN J	3200 LITZLER DR 25-150	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263083	JDS EST III LLC	907 W SHERRI DR	GILBERT, AZ 85233	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263185	JIBRI LLC	10317 WARREN'S WAY	WANAQUE, NJ 07465	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263073	KELLAR ROBERT PHILIP & MYONG S	4613 W SELDON LN	GLENDALE, AZ 85302	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263162	KING DAVID	PO BOX 1071	FLAGSTAFF, AZ 86002	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263074	KINNEY KAREN ELIZABETH	3200 S LITZLER DR NO 9-139	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263076	LAPENTA ZACHARY T	300 TARPON AVE	SE RIO RANCHO, NM 87124	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263175	LEE LANA A	180 WEST GOLD RUSH TRAIL	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263065	LEE MARGARET M JT ; JANIS ANTHONY JT	1051 W BEAL RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263171	LIANG-DEMIGUEL BERNADETTE	3200 LITZLER DR 21-134	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263100	MCDERMOTT/ZICKERMAN LLC	6918 N HIGHLANDS DR	PARADISE VALLEY, AZ 85253	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263161	MCDONALD JOSEPH D & RACHAEL L	310 SO WILLIAMS BLVD #310	TUCSON, AZ 85711	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263106	MCVEY STEVE & LINDA CPWROS	3200 SOUTH LITZLER DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263160	MILLER FAMILY LIVING TRUST DTD 4-27-10	7572 E BUTEO DR	SCOTTSDALE, AZ 85255	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263088	MILLER FAMILY LIVING TRUST DTD 4-27-10	1616 N PRAIRIE WAY	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263101	MORGAN DONNA M	3298 S DEBBIE ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS

Trailside Project - 600 - 800 W. University Heights Drive
List of Property Owners within in 300 Feet

11263178	MYERS CHRISTINA L JT ; BERGSTRESSER SCOTT K JT	1135 TOVAL TRL	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263179	NAGILLER SANDRA J REVOCABLE TRUST DTD 10-18-12	PO BOX 50052	PARKS, AZ 86018	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263071	NAPIER JOHN D	1263 E STONE RIDGE DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263152	NAVARRO TOMAS & ELIZABETH CPWROS	3115 W PATRICIA LN	YUMA, AZ 85365	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263200	NEALE REGINA & VINCENT G JT	23 RUSSEL LN	LAGUNA NIGUEL, CA 92677	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263154	O'CONNOR BRIGID M	PO BOX 32459	PHOENIX, AZ 85064	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263174	ORR KEVIN C & YVONNE J JT	1200 GORDON DR	KINGMAN, AZ 86409	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263090	PERKINS LIVING TRUST DTD 10-1-09	7970 N BADER RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263173	PRIEFER DENISE ARMAND	1416 N SUNSET DR	PAYSON, AZ 85541	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263062	RAGSDALE EVAN C	PO BOX 95	FLAGSTAFF, AZ 86002	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263078	REETHS D'ANN M	3200 S LITZLER DR 9-239	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257039	RITZ KAREN	7724 W CALAVAR RD	PEORIA, AZ 85381	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263183	ROBERTS ANGELA	700 W UNIVERSITY AVE 6-204	FLAGSTAFF, AZ 86001	SINCLAIR SPRINGS TOWNHOUSES
11263153	ROBINSON PAUL N	PO BOX 237	CAMP VERDE, AZ 86322	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263103	ROEHM JESICA	3200 S LITZLER DR 12-154	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263084	ROWLAND BRIAN K & MELODY L	1782 W FETLOCK TRL	SURPRISE, AZ 85387	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263072	SACKS DARRYL R & CAROL E REVOCABLE TRUST ; DATED 12/25/00	439 CANNES ST	HENDERSON, NV 89015	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263077	SACKS DARRYL R & CAROL E REVOCABLE TRUST ; DATED 12/25/09	3200 S LITZLER DR 11-148	HENDERSON, NV 89015	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263092	SCHRACHTA JOHN C	8937 W DALEY LN	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263186	SCOTT ANDREW J	1501 E LAREDO ST	PEORIA, AZ 85383	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263166	SHIELDS THOMAS K & CARRIE A	23762 LADRILLO ST	CHANDLER, AZ 85225	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263084	SIMONEAU ROBERT A & MARTHA D CPWROS	323 S RIVER RUN NO 1	WOODLAND HILLS, CA 91367	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257043	SINCLAIR SPRINGS TOWNHOMES ASSOC INC	1456 W UNIVERSITY HTS DR N	FLAGSTAFF, AZ 86001	SINCLAIR SPRINGS TOWNHOUSES
11263202	SMITH MATTHEW V AKA ; SMITH MATT	4045 LAUSANNE WAY	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263107	SNOWDEN-SANTI LIVING TRUST DTD 11-25-98	5791 WISHING WELL DR	FORT MOHAVE, AZ 86426	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263169	SONDGEROTH KENNETH L & SHERRY L CPWROS	7371 W DREAMVIEW TRL	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263201	T & A RENTS LLC	3200 S LITZLER DR 23-242	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263191	TAYLOR ALLISON	112 RYANS LN	MIDWAY, UT 84049	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263188	TOWNSEND ERYN D JT ; TOWNSEND DUANE E & JOAN C JT	2328 W SILVERTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263069	TURNER MATTHEW A	5240 E MOCKINGBIRD	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263063	WAGNER ROBIN ; WAGNER VICTOR	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263064	WALTON SCOTT & CARRIE	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263068	WALTON SCOTT & CARRIE	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263206	WALTON SCOTT & CARRIE	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257038	WEDEMAYER ROBERT G & PAULA JT	PO BOX 187	JACKSONVILLE, NY 14854	SINCLAIR SPRINGS TOWNHOUSES
11263196	WELLS THEODORE	430 EAST ST	PITTSFORD, NY 14534	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263082	WHITE JANET LEE	3200 S LITZLER DR NO 10-143	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263164	WINIECKI STEVEN V & SHAWN D	3980 WESTWOOD CIR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263087	WITHEROW DIANA HAYES	2377 S CLIFFVIEW ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263192	ZAVALA JOAQUIN & MARIA G	2511 O'BRIEN CIRCLE	CAMARILLO, CA 93010	VILLAGE @ UNIVERSITY HEIGHTS CONDOS



MINUTES - Draft

City of Flagstaff
PLANNING & ZONING COMMISSION
4:00 PM– Wednesday, October 23, 2013
City of Flagstaff, Council Chambers

CALL TO ORDER

Chairman Carpenter called the meeting to order at 4:03 p.m.

COMMISSION MEMBERS:

PRESENT:

David Carpenter, Chairman; Jim McCarthy; Justin Ramsey; Tina Pfeiffer; Stephen Dorsett, Vice Chairman; Steve Jackson; Paul Moore

CITY STAFF:

Mark Sawyers, Staff Liaison
Brian Kulina, Planning Development Manager
Kimberly Sharp, Comprehensive Planning Manager
Becky Cardiff, Recording Secretary

GENERAL BUSINESS

A. PUBLIC COMMENT

None.

B. APPROVAL OF MINUTES

- 1) Regular meeting of October 9, 2013.

Motion: Move to approve the minutes of the Regular Meeting of October 9, 2013, as submitted

Action: Approve as submitted **Moved by:** Commissioner McCarthy **Seconded by:** Commissioner Jackson. Motion carried unanimously with Commissioner Moore abstaining due to his absence at the meeting.

PUBLIC HEARING

1. Trailside Apartments

Address: 600 W University Heights Drive North
Assessor's Parcel Number: 112-20-013A, 014B, 015B
Property Owner: Chason Development
Applicant: Mogollon Engineering
Application Number: **PGMG 2013-0001**
City Staff: Brian Kulina
Action Sought: Regional Land Use and Transportation Plan Amendment

A Regional Land Use and Transportation Plan amendment request from Mogollon Engineering and Surveying, Inc., on behalf of Chason Development, to change the land use designation for approximately 4.02 acres located at 600 W University Heights Drive North from Parks and Recreation to High Density Residential.

Mr. Kulina gave a PowerPoint Presentation on the proposed project and answered questions from Commissioners. Discussion was held on the resource protection calculation in conjunction with the Affordable Housing Incentive Policy.

Kent Hotsenpillar, Mogollon Engineering on behalf of the owner, introduced the Development team for the proposed project and indicated they were available for questions.

Motion: Motion to open the public hearing **Moved by:** Chairman Carpenter **Seconded by:** Commissioner McCarthy. Motion carried unanimously.

Public Comment:

Ms. Berta Glawischnig, resident of The Village of University Heights, expressed concern about traffic, parking and the possibility of the proposed project compromising the viewshed. She indicated she would rather have apartments instead of something like a Wal-Mart.

Motion: Motion to close the public hearing **Moved by:** Chariman Carpenter **Seconded by:** Commissioner McCarthy. Motion carried unanimously.

Discussion was held about the proposed project. Chairman Carpenter expressed his concern about voting on the Regional Plan Amendment before hearing staff's presentation on the rezoning application which follows. He recommended to the Commission to postpone voting on this application until the rezoning application is heard.

2. Trailside Apartments

Address: 600 W University Heights Drive North
Assessor's Parcel Number: 112-20-013A, 014B, 015B
Property Owner: Chason Development
Applicant: Mogollon Engineering
Application Number: **PREZ 2013-0002**
City Staff: Brian Kulina
Action Sought: Zoning Map Amendment

A Zoning Map amendment request from Mogollon Engineering and Surveying, Inc., on behalf of Chason Development, to rezone approximately 4.02 acres located at 600 W University Heights Drive North from Suburban Commercial (SC) zone . to the High Density Residential (HR) zone.

Mr. Kulina gave a PowerPoint Presentation on the proposed project and answered questions from Commissioners. Discussion was held on access, parking and the allowed reductions.

Kent Hotsenpillar, Mogollon Engineering on behalf of the owner, discussed the parking reduction was given due to the proximity to a bus station and also expressed the owner would like a Development Agreement drafted just as much as the city so he doesn't believe that it should be a condition of the project. He also discussed traffic, access conditions and each building will have rainwater harvesting. Mr. Hotsenpillar also answered questions on flood zone issues.

Motion: Motion to open the public hearing **Moved by:** Chairman Carpenter **Seconded by:** Commissioner Moore. Motion carried unanimously.

Public Comment: None

Motion: Motion to close the public hearing **Moved by:** Chairman Carpenter **Seconded by:** Vice Chairman Dorsett. Motion carried unanimously.

Discussion was held on the proposed project.

Motion: Motion to forward to City Council for approval application PGMG 2013-0001 , to change the land use designation for approximately 4.02 acres located at 600 W University Heights Drive North from Parks and Recreation to High Density Residential **Moved by:** Carpenter Carpenter **Seconded by:** Commissioner Dorsett. Motion carried unanimously.

Motion: Motion to forward to City Council for approval application PREZ 2013-0002, to rezone approximately 4.02 acres located at 600 W University Heights Drive North from Suburban Commercial (SC) zone to the High Density Residential (HR) zone **Moved by:** Carpenter Carpenter **Seconded by:** Commissioner Moore. Motion carried unanimously.

Little America Hotels & Resorts

Address:	2515 E Butler Avenue
Assessor's Parcel Number:	106-09-001, 106-09-002, 106-04-005B, 106-04-009F, 106-10-002, 106-10-001D, 106-10-001C, 106-10-001B, 104-12-004
Property Owner:	Holding Family
Applicant:	Little America Hotels & Resorts, Inc.
Application Number:	PSPR 2013-0013
City Staff:	Kimberly Sharp
Action Sought:	Major Regional Plan Amendment

A Major Regional Plan Amendment request from Design Workshop, Inc. on behalf of the Holding Family, to amend land use designations of approximately 505 acres located at 2515 E Butler Avenue from Planning Reserve Area (PRA) to Regional Commercial, High-Density, Medium Density, and Low Density Residential, and Urban Open Space.

Ms. Sharp gave a brief introduction of the proposed project and then introduced the development team.

PLANNING AND DEVELOPMENT SERVICES REPORT
REGIONAL LAND USE AND TRANSPORTATION PLAN AMENDMENT

PUBLIC HEARING
PGMG 2013-0001

DATE: **October 15, 2013**
MEETING DATE: **October 23, 2013**
REPORT BY: **Brian Kulina**

REQUEST:

A Regional Land Use and Transportation Plan amendment request from Mogollon Engineering and Surveying, Inc., on behalf of Chason Development, to change the land use designation for approximately 4.02 acres located at 600 W University Heights Drive North from Parks and Recreation to High Density Residential.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission forward the Regional Land Use and Transportation Plan amendment to the City Council with a recommendation for approval.

PRESENT LAND USE:

Undeveloped located in the Park and Recreation land use category.

PROPOSED LAND USE:

High Density Residential land use category that would accommodate the development of 11-unit, multi-family residential apartment complex.

NEIGHBORHOOD DEVELOPMENT:

North: Interstate-40 and Woodland Village Shopping Center; Commercial Regional/Community land use designation
East: Interstate-17, Circle K, and Table Rock Apartments; Urban Open Space and High Density Residential land use designation
South: Townhomes; Urban Open Space land use designation
West: Village at University Heights Condominiums; High Density Residential land use designation

REQUIRED FINDINGS:

The Planning and Zoning Commission shall find that the proposed Flagstaff Area Regional Land Use and Transportation Plan (the "Regional Plan") amendment meets the requirements of Section 11-10.10.020 of the General Plan and Subdivision Code (City Code Title 11).

In considering the request for an amendment to the Regional Plan, the goals and policies set forth as guidelines should be weighed against the requested changes. "General plans are not static documents; they recognize growth as a dynamic process, which will require revisions to the plan as circumstances, prudent, and compelling reasons warrant" (the Regional Plan, Page 1-9).

STAFF REVIEW:

Introduction and Discussion

The Applicant, Mogollon Engineering and Surveying, Inc., is requesting a minor Flagstaff Area Regional Land Use and Transportation Plan (the "Regional Plan") amendment to ensure conformance with a proposed Zoning Map amendment for the development of a 111-unit, multi-family residential apartment complex known as "Trailside Apartments." The subject property is located at 600 W University Heights Drive North and contains approximately 4.02 acres. Vehicular access to the site is provided from University Heights Drive North. Pedestrian and bicycle access to the site is provided from University Heights Drive North and Beulah Boulevard. The subject property contains forest resources, which will be protected in accordance with the Resource Protection Standards found within Section 10-50.90 of the Zoning Code (Page 50.90-1); however, there are no slope or floodplain resources on-site.

A Zoning Map amendment request, which is directly related to this application, has been scheduled for Planning and Zoning Commission consideration immediately following final action on this application.

Regional Land Use and Transportation Plan Amendment Request

The request before the Planning and Zoning Commission is to change the land use designation for the subject property on Regional Land Use Map from Parks and Recreation category to High Density Residential category. Staff has attached excerpts from the Land Use and Growth Management Element, the Housing and Neighborhoods Element, the Transportation Element, and the Community Character and Design Element of the Regional Plan to this report.

Applicable General Plan Goals and Policies

Goal LU1 (Land Use and Growth Management)

"Greater Flagstaff will have a compact land use pattern within a well-defined boundary that shapes growth in a manner that preserves the region's natural environment, livability, and sense of community. Flagstaff will continue to offer the primary types of housing design developments that have defined its land use patterns: the conventional and traditional neighborhood scale which provide a choice of housing types and supporting non-residential uses within walking distances." (Regional Plan, Page 2-5)

Policy LU1.7 – Promote Infill Development

"If properly designed, infill development can serve an important role in achieving quality, mixed-use neighborhoods. The Regional Plan promotes infill development in the city's Urban Growth Boundary, in preference to development of outlying or more remote lands adjacent to the city. Development of infill areas in the city shall occur in a manner that is in character and context with existing, surrounding development. In some instances, sensitively designed, high quality infill development can help stabilize and revitalize existing older neighborhoods." (Regional Plan, Page 2-11)

Policy LU1.9 – Promote Quality Design

"The Regional Plan promotes quality design and development. Particular emphasis shall be placed on improved character of the public realm, including attention to streetscape design, and sensitivity to the neighborhood character and context for new development in or near existing neighborhoods. Quality design shall be an important element in successful infill development and redevelopment. In addition, plan policies have been developed which address design standards that minimize risk due to natural hazards, such as floods and wildfire." (Regional Plan, Page 2-13)

Goal HN1 (Housing and Neighborhoods)

“The supply of affordable home ownership, rental, and special needs housing units affordable to low- and moderate-income households will be increased.” (Regional Plan, Page 2-30)

Goal T3 (Transportation)

“The region’s development pattern will support a diverse range of transportation choices, including transit, walking and bicycling, as well as driving.” (Regional Plan, Page 3-10)

Policy OSPR1.6 – Provide Parks, Open Space, and Recreation Facilities throughout the Region

“Integrate parks, open space, and recreational facilities when suitable with other public facilities. Recreational use and regional open space land may be permitted where it is consistent with the Land Use Plan and other policies. Active and passive recreational sites shall be located throughout the region to diffuse the impact of growth and development. The location of recreational sites on the interface areas between the city and county shall be used as a means to provide recreational uses to nearby city and county residents.” (Regional Plan, Page 4-6)

Strategy OSPR1.6(c) – Acquire and Designate Lands for Parks/Recreations

“Acquire additional park/recreation lands, and/or designated City-owned lands, to accommodate growth and eliminate deficiencies.” (Regional Plan, Page 4-6)

Goal CD2 (Community Character and Design)

“The Flagstaff region will continue to protect its unique character that reflects its forested setting of ponderosa pine trees, pinon and juniper vegetation, and meadows through quality design and development. Emphasis will be placed on quality design in both the public realm – streets, civic buildings, and other public spaces – as well as the private realm – commercial buildings, work places, and housing. Preservation of vegetation and wildlife are part of the quality design and development process.” (Regional Plan, Page 5-4)

Policy Analysis

Goal LU1 and Policies LU1.7 and LU1.9, as listed above, have been partially addressed by the design and location of the proposed project, in that the property is considered an “in-fill” project, and is located within the city’s Urban Growth Boundary. The proposed development of 111-unit, multi-family residential apartment complex provides a compact land use pattern and additional housing type to an existing neighborhood. Furthermore, the subject property is located within walking distance to a range of services, including a convenience store and the Woodlands Village shopping center, and has convenient access to major transportation corridors like Interstate-17, Interstate-40, and Milton Road.

Policy LU1.9 and Goal CD2 address improvements to the character of the public realm and designing a new development to be compatible with the context of nearby neighborhoods, while maintaining a sense of connection to the region’s natural setting. This has been addressed through an enhancement to the streetscape design with the addition of median landscaping and the repair of sidewalks along University Heights Drive North. In addition, several large ponderosa pines have been preserved throughout the site to help maintain a sense of connection to the natural environment. Site design enhances the public realm by practicing “building forward” and locating the buildings adjacent to the intersection of University Heights Drive North and Beulah Boulevard and adjacent to Sinclair Wash. Perimeter parking provides a buffer along University Heights Drive North between the existing residential and the proposed development. The carriage units are located to provide additional buffering between Interstate-40 and the development. The architectural style of the buildings follows a theme found locally and within the region.

Goal HN1 seeks to increase the supply of affordable housing in the community. A Development Agreement between the City of Flagstaff (the “City”) and Chason Development has been drafted and includes an affordable rental component that

October 23, 2013

provides for 14 percent of the residential units, 12 units total, to be set at an average of 80-percent Area Median Income for a period of 30 years.

Goal T3 is addressed through a variety of transportation choices that will be available for the residents of the project. A public transit stop for Route 4 of the Mountain Line service line is located approximately one-fifth of a mile from the intersection of University Heights Drive North and Beulah Boulevard and a stop for Route 10 of the Mountain Link service line located approximately two-fifths of a mile from the intersection of University Heights Drive North and Beulah Boulevard. A series of pedestrian paths link all areas of the project internally, while existing sidewalks and the Flagstaff Urban Trail System (FUTS) will provide external bicycle and pedestrian links to adjacent development and the regional network.

Policy OSPR1.6 and Strategy SOPR1.6(c) contemplate the acquisition of additional property to accommodate growth and eliminate park and recreation deficiencies. The current Regional Plan land use designation for the subject property is Parks and Recreation. To date, the City has made no effort to acquire this private property for conversion to a City-owned park. While the City of Flagstaff Parks and Recreation Organizational Master Plan identifies a park deficit in and around the University Heights neighborhood, conversations with the Parks Section has concluded that the subject property is not feasible for the development of a park as it does not meet the geographic location for a west side park and furthermore, the site does not meet the minimum size recommendation of 8 acres or greater, and the City has no funds currently available for the purchase of the property.

While it is not necessary to list all the possible goals, policies, or strategies of the Regional Plan, it should be apparent that there are other goals, policies and strategies that support the need for additional housing types, particularly when the neighborhood is developed with compatible and interconnected land uses, such as single-family residential, regional commercial, and the proposed apartments. This land use combination creates a mixed-use neighborhood. Development of this nature establishes a more pedestrian friendly environment and increases the sustainability of the community by providing additional travel modes and reduced vehicle trips.

PUBLIC FACILITIES AND SERVICE IMPACT ANALYSIS:

Water and Sewer System, Stormwater Impacts, and Traffic Impacts

The Zoning Map amendment request requires preparation and submittal of a Water/Sewer Impact Analysis, a Drainage Impact Analysis, and a Traffic Impact Analysis. Review of those analyses have determined that the subject property has adequate water supply and pressure, existing sewer capacity to meet the needs of the development, and fully improved street facilities. Additional information regarding the impacts of development on the City's infrastructure system can be found in the accompanying Zoning Map amendment staff report.

Parks, Schools, and Fire Protection

The closest existing City-owned park to the subject property is Bow and Arrow Park located approximately three-fifths of a mile away. In order to offset the impact of additional residents on the current park system, it has been recommended, with the concurrence of the Parks Section and the agreement of the Developer, that the proposed development include a playground structure, in addition to any amenities provided within the clubhouse, that are designed to meet the needs of children ages 5 to 12.

The subject property is located within the Flagstaff High School, Mount Elden Middle School, and DeMiguel Elementary School attendance boundaries.

PGMG 2013-0001
October 23, 2013

The closest City Fire Station to the subject property is Fire Station 6-S Lake Mary Road, which, according to the Fire Department, is located approximately 1.1-miles away within the desired four-minute response time.

Other Requirements

Included as an attachment to the Zoning Map amendment staff report is: a Site Plan; Elevations, Building Plans, and Unit Plans; a Preliminary Landscape Plan; a Resource Protection Plan; a Preliminary Water and Sewer Plan; a Preliminary Grading and Drainage Plan; and an Electrical Site Plan.

Public Input

Public hearings before the Planning and Zoning Commission and City Council are conducted in conjunction with the Zoning Map amendment request. In accordance with Arizona Revised Statute and Section 10-20.30.080 (Page 20.30-9) of the Zoning Code, notice of public hearing was provided by placing an ad in the Daily Sun, posting notices on the property, and mailing a notice to all property owners within 300-feet of the site.

In accordance with Section 10-20.30.060 of the Zoning Code (Page 20.30-5), a Citizen Participation Plan was prepared and implemented prior to the scheduling of the public hearings and a copy of the Citizen Participation Report is attached to this report for review by the Planning and Zoning Commission and City Council.

As of this writing, staff has received one letter, a copy of which is attached to this report, from the Sinclair Springs Townhomes Owners Association, on behalf of the owners of the forty townhomes immediately south of the subject property. The concerns expressed in the letter were parking and building height, as it pertained to maintaining the views of the mountains.

RECOMMENDATION:

Staff believes that the proposed amendment to the High Density Residential land use category is supportable under the guidelines of the Flagstaff Area Regional Land Use and Transportation Plan, and would recommend approval.

Attachments:

- Regional Land Use and Transportation Plan Amendment Application
- Executive Summary for General Plan Amendment Application
- Narrative for General Plan Amendment Application
- Citizen Participation Plan and Report
- Citizen Comment Letter
- Public Hearing Legal Advertisements
- Regional Plan Elements

TREWS 102



City of Flagstaff

Community Development Division

211 W. Aspen Ave
 Flagstaff, AZ 86001
 www.flagstaff.az.gov

P: (928) 213-2618
 F: (928) 779-7684

PREZ/PGM

Date Received 9/23/13	Application for Zoning Map Amendment and/or Regional Plan Amendment	File Number DEV12-066
Property Owner(s) Chason Development	Title	Phone 716-833-1000
Mailing Address 105 Affinity Lane		City, State, Zip Buffalo NY 14215
Applicant(s) Mogallon Engineering	Title	Phone 214-0214
Mailing Address P.O. Box 1952		City, State, Zip Flagstaff
Project Representative Steve Goldstein	Title	Phone 480-481-0600
Mailing Address 5111 N Scottsdale Rd. Suite 160		City, State, Zip Scottsdale
Requested Review <input checked="" type="checkbox"/> Zoning Map Amendment <input checked="" type="checkbox"/> Regional Plan Amendment <input type="checkbox"/> Continued		

Site Address 600 W. University Hts Dr	Parcel Number(s) 112-20-013A, 014B, 015B	Subdivision, Tract & Lot Number University Height
Existing Zoning District SC	Proposed Zoning District: HR	Existing Regional Plan Land Use Category Parks
Existing Use Vacant	Proposed Use apartments	
Property Information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Located in an existing Local/National Historic District? (Name: _____) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Existing structures are over 50 years old at the time of application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject property is undeveloped land?	

Requested Urban Growth Boundary Change (If Applicable) HR High Density	State Reason for Request To Build Apartments
Note: Indicate how the change of zone will not be detrimental to the majority of persons or properties in the surrounding area, or to the community in general. If modification to the Regional Plan is requested, clearly state reason(s) for modification. (Attach separate sheets as necessary). Incomplete submittals will not be scheduled.	

Property Owner Signature(required) <i>[Signature]</i>	Date: 9/23/13	Applicant Signature <i>[Signature]</i>	Date: 9/23/13
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For City Use			
Date Filed: 9-24-13	File Number(s): PREZ 20130002 -PGM 20130001	Type of Zoning Map Amendment: <input type="checkbox"/> Small-scale <input type="checkbox"/> Medium-scale <input checked="" type="checkbox"/> Large-scale	
P & Z Hearing Date: 10/23/13	Publication and Posting Date: 10/19/13		
Council Hearing Date:	Publication and Posting Date:		
Fee Receipt Number: 13-0035517	Amount: \$ 4410.12	Date: 2/12/13	

Action by Planning and Zoning Commission:	Action by City Council:
<input type="checkbox"/> Approved	<input type="checkbox"/> Approved
<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
<input type="checkbox"/> Continued	<input type="checkbox"/> Continued

Staff Assignments	Planning KUUNA	Engineering G. MILLER	Fire M. STREET	Public Works/Utilities DAVIS	Stormwater BROWN
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**Trailside - Executive Summary for General Plan Amendment Application
Flagstaff City Code Section 11-10.10.020(E)(1)**

1. Proposed General Plan amendment with a description of the section of the General Plan for which the amendment is requested.

a. A summary of the reason(s) for the request;

The Property is designated as “Parks” in the General Plan, and the applicant is seeking an amendment of the General Plan classification to High Density Residential, so that the property may be developed as multi-family housing with 11% of the units as affordable rental housing. The Section of the General Plan affected is Map 4, the City Land Use Plan, and other subsidiary maps that designate the Property as a park.

b. Identification of supporting key points discussed in the narrative or other submitted studies;

- **Protecting the character of the area by providing for a use which is compatible with the adjacent high density residential uses;**
- **Provision of twelve (12) units of affordable rental housing, in keeping with the Council’s and the General Plan’s policies;**
- **Promotion of the goals of neighborhood livability and walkability by providing for rental units within walking or cycling distance for attendance at Northern Arizona University or patronage of nearby retail shopping areas and restaurants, as well as walking or cycling access to jobs at those establishments;**
- **Creation of housing with a sense of connection to Flagstaff’s natural environment through the use of high quality design, native materials, colors and roof forms that relate to the locale;**
- **Provision of landscape enhancements in the median on West University Heights Drive to beautify the streetscape and increase the attractiveness of the Property as a residential development.**

c. Statement of community benefits to be accrued through the proposed amendment; and

- **Protecting the character of the area by providing for a use which is compatible with the adjacent high density residential uses;**
- **Provision of twelve (12) units of affordable rental housing, in keeping with the Council’s and the General Plan’s policies;**
- **Promotion of the goals of neighborhood livability and walkability by**

providing for rental units within walking or cycling distance for attendance at Northern Arizona University or patronage of nearby retail shopping areas and restaurants, as well as walking or cycling access to jobs at those establishments;

- Creation of housing with a sense of connection to Flagstaff's natural environment through the use of high quality design, native materials, colors and roof forms that relate to the locale;
- Provision of landscape enhancements in the median on West University Heights Drive to beautify the streetscape and increase the attractiveness of the Property as a residential development.

d. An introduction to the applicant's team (owner, developer, and/or representative), including contact information.

The applicant is Trailside MAR LLC of which the members are Mark Chason and a Chason family trust. Mark Chason is the President of The Chason Companies, with headquarters in Buffalo, New York, and has been involved in most aspects of real estate ownership, management and development for over 35 years. The Chason Companies, and its predecessors, have been in the real estate business for more than 90 years in the state of New York, with extensive experience in the development and operation of apartment complexes built under state and federal housing programs. Mr. Chason can be contacted at The Chason Companies, LLC, 105 Kenville Road , Buffalo , New York, 14215.

2. An analysis of the site in terms of its physical characteristics, surrounding uses within 1,000 feet of the subject property, and the existing character of the area.

The Property is an undeveloped parcel located at the corner of West University Heights Drive and Beulah Boulevard in the City of Flagstaff and is bordered by I-40 to the north and northeast, by high density residential uses to the west and southwest of the Property, and by City of Flagstaff property to the east. The easterly portion of the site has had fill placed on it by a previous owner and has no trees located on it. The westerly portion of the site has 100+ Ponderosa Pines located on it. These trees are in a medium condition due too their proximity to University Heights Drive and I-40. The surrounding uses are generally residential with some commercial uses north of I-40 which lead to the residential character of the neighborhood.

3. A land use analysis providing information about the proposed development, plans for any exception parcels, and a land use compatibility analysis. Items to address include:

a. Overall description and need for the proposed amendment;

The Property is an undeveloped parcel located at the corner of West University Heights Drive and Beulah Boulevard in the City of Flagstaff and is bordered by I-40 to the north and northeast, by high density residential uses to the west and

southwest of the Property, and by City of Flagstaff property to the east.

The Property is designated as “Parks” in the General Plan, and the applicant is seeking an amendment of the General Plan classification to High Density Residential, so that the property may be developed as multi-family housing with 11% of the units as affordable rental housing. Since all the privately owned property in the immediate vicinity of the parcel is classified as High Density Residential, the amended General Plan classification would be compatible with the developed uses in the vicinity of the Property.

There are no exception parcels involved with this project.

b. Existing Land Use Plan and Proposed Land Use Plan;

The Property is designated as “Parks” in the General Plan, and the applicant is seeking an amendment of the General Plan classification to High Density Residential, so that the property may be developed as multi-family housing with 11% of the units as affordable rental housing.

c. Proposed residential unit count, density, and anticipated housing mix, if applicable;

This information was provided in a table on the Site Plan and is restated here as follows:

Unit count: 111
Density: 27.61 units per net acre

Housing Mix:

Type	Quantity	Percentage
Carriage (1 bed, 1 bath, garage)	12	11
Studio	9	8
A1 (1 bed, 1 bath)	42	38
B1 (2 bed, 2 bath)	30	27
B2 (2 bed, 2 bath)	18	16

d. Proposed development phasing and timing;

The project will be developed in one phase, beginning in the second quarter of 2014.

e. Existing and proposed internal and external circulation and pedestrian opportunities (include circulation plan);

Under the proposed development, this site would be connected to the adjoining FUTS trail by a pedestrian bridge over a portion of the floodplain. The site is also close to a NAIPTA bus stop on Beulah Boulevard for Route 4 which provides

connectivity with NAU's Mountain Link bus service and direct service to Coconino Community College. For further information, the Site Plan and Landscape Plan, copies of which are attached, depict the internal circulation features and the connection with the FUTS trail.

f. Open space concept plan;

Under Section 10-40.30.030, fifteen percent (15%) of the gross lot area must be devoted to open space. The proposed development will have twenty-five percent (25%), or 1.66 acres, devoted to open space landscape areas. The Landscape Plan, a copy of which is attached, depicts the open space concept plan.

g. Land use buffering techniques, if applicable;

The applicant has proposed landscaping the median on West University Heights Drive North with trees and shrubs to buffer the high density residential uses across that Drive from the Property from the view of the Property, as well as the Property from viewing the other high density uses. Landscaping on the Property, as well as the clubhouse and cabana for the development will provide buffering for the residential units in the development from the street. Carriage house units with residences above garages will be built on the side of the Property that is adjacent to ADOT's right-of-way for I-40 as a method of visual buffering of the highway for the other units.

h. Incompatibility issues and proposed solutions.

The proposed General Plan amendment is to High Density Residential, which is the same designation as that for the surrounding residential areas. Since all the privately owned property in the immediate vicinity of the parcel is classified as High Density Residential, the amended General Plan classification would be compatible with the developed uses in the vicinity of the Property.

**Trailside – Narrative for General Plan Amendment Application
Flagstaff City Code 11-10.10.020(E)(4)**

4. A detailed narrative that shall include at a minimum the following:

a. Project title and date;

The project title and date, which were included on the Site Plan and all other plans previously submitted, is Trailside. January 15, 2013 is the date on the Site Plan.

b. Legal description of the parcel;

The legal description of the property is attached to this Narrative.

c. Site acreage;

The site consists of 4.02 acres.

d. Description of the applicable section of the General Plan for which the amendment is requested;

The Section of the General Plan for which the amendment is requested is Map 4, the City Land Use Plan, and other subsidiary maps that designate the Property as a park.

e. Statement of current zoning and proposed zoning, if applicable;

The Property, 600 – 800 W. University Heights Drive, is presently zoned SC, Suburban Commercial. The applicant seeks a rezoning to HR, High Density Residential.

f. An explanation of why the proposed amendment is necessary and the public benefit that will be realized by the amendment;

The Property, 600 – 800 W. University Heights Drive, is presently zoned SC, Suburban Commercial and the Regional Plan designation is “Parks.” The applicant seeks a rezoning to HR, High Density Residential, and an amendment of the Regional Plan classification to High Density Residential, so that the property may be developed as multi-family housing with 11% of the units as affordable rental housing, which would be compatible with the high density residential uses in the immediate vicinity of the Property.

g. An explanation of how the proposed amendment(s) will affect the vision expressed in the written goals, objectives and policies of the General Plan that are most relevant to the proposed amendment. When a proposed amendment(s) is inconsistent with General Plan goals, objectives and policies, the proposed amendments(s) must include one of the following:

(1) Justification for an exception to the written goals, objectives, and policies.

The requested amendment is for a change in the zoning designation from Suburban Commercial (“SC”) to High Density Residential (“HR”). Under the General Plan, the present designation for the area in which the Property is located is “Parks,” although it is privately owned. This category is affected by funding resources, development patterns, existing development and deficiencies within a given area.

According to Brian Grube, the Interim Director of the Recreation Division, the Property:

“does not meet the geographic location for a west side park as identified in the [new Parks and Recreation Master] plan, which was north of I-40. It also does not meet the minimum size recommendation of 8 acres or greater. There are no funds currently available for purchase of that property.”

It should be noted that the present zoning of Suburban Commercial is also not compatible with the General Plan designation of “Park” for the Property.

The amendment to High Density Residential would bring this parcel into the same Regional Plan classification as the properties in private ownership which are located across West University Heights Drive from the Property on the west and south. The Property is bordered on the north by State land and on the east by City land.

The amendment, by making possible the proposed project on the Property, would meet the following goals of the present General Plan of:

- **Placing development close to public transit (provided by NAIPTA); providing access for pedestrians and bicyclists;**
- **Applying design guidelines that take into consideration the natural and built environment of Flagstaff;**
- **Enhancing a people-oriented neighborhood with existing access to the Flagstaff Urban Trail System, and local shopping and restaurants;**
- **Providing affordable housing; and**
- **Emphasizing infill development which helps increase housing availability in existing residential areas.**

(2) A proposal to modify or eliminate the inconsistent goals, objectives, and policies.

- h. Cumulative impact of the proposal on land use categories within the City based

on the General Plan Land Use map;

The proposed amendment would remove 4.02 acres from the Parks classification in the General Plan Land Use map and reclassifying them as High Density Residential. The applicant does not have access to databases with the information necessary to answer this question otherwise. The applicant does not have the information required to state how this affects percentages of total land in the City classified as Parks or as High Density Residential uses.

i. Cumulative impact of the proposal on the supply of land zoned in the same category within the City;

The Property is zoned Suburban Commercial. The proposed amendment of the zoning map would remove 4.02 acres from the Suburban Commercial category and transfer them to the High Density Residential classification. The applicant does not have access to databases with information necessary to otherwise answer this question. The applicant does not have the information required to state how this affects percentages of total land in the City classified as Suburban Commercial or as High Density Residential uses.

j. Impact on transportation and service needs;

The proposed development is in an area of multifamily housing with fully developed roads, signalized intersections, an existing FUTS trail, and a NAIPTA bus stop on Beulah Boulevard within less than one-quarter mile of the Property. As a multifamily residential infill development of 111 units in an area that is already built out, the applicant does not believe that the proposed development will create significant impacts on current levels of service for police, fire, water, wastewater, and stormwater.

k. Impact and/or benefit to housing which may result from the proposal;

The proposed project will provide 111 units of rental housing, including 12 units of affordable rental housing. According to the Comprehensive Housing Market Analysis, as of July 1, 2011, by the U.S. Department of Housing and Urban Development, the rental vacancy rate was 6.5 percent in 2011 with an estimated demand for the period from July 1, 2011, to July 1, 2014 for 240 rental units ranging in size from studios to two bedroom apartments, with rents from \$800/month to \$1,300/month. The proposed project will provide units with a market rental range from \$700 to \$1,250, and with affordable units ranging from \$675 to \$867.

l. Impact on the implementation of the General Plan Goals and policies resulting from the proposal.

The amendment to High Density Residential would bring this parcel into the same Regional Plan classification as the properties in private ownership which are located across West University Heights Drive from the Property on the west and south. The Property is bordered on the north and northeast by State land and on the east by

City land.

The amendment, by making possible the proposed project on the Property, would meet the following goals of the present General Plan of:

- **Placing development close to public transit (provided by NAIPTA); providing access for pedestrians and bicyclists;**
- **Applying design guidelines that take into consideration the natural and built environment of Flagstaff;**
- **Enhancing a people-oriented neighborhood with existing access to the Flagstaff Urban Trail System, and local shopping and restaurants;**
- **Providing affordable housing; and**
- **Emphasizing infill development which helps increase housing availability in existing residential areas.**

Legal Description for Narrative

CITIZENS PARTICIPATION PLAN
for
REZONING AND REGIONAL LAND USE PLAN AMENDMENT

A REQUEST FROM CHASON COMPANIES FOR A 111 UNIT APARTMENT COMPLEX
LOCATED ON ASSESSOR PARCELS 112-20-013A, 014B, AND 015B, 600 W. UNIVERSITY
HEIGHTS DRIVE

Parcels within 300 feet of the parcel will be notified via a letter and invited to a Citizens Participation Plan meeting. The letters of notification will be mailed by August 28, 2013 and will include a brief description of the project. The letter will inform the neighbors of a community meeting to be held Friday, September 06, 2013, 5:00 pm, at City of Flagstaff Fire Station #6, 3877 S. Lake Mary Road, Flagstaff, AZ.

A description of the project will be presented. A question and answer session will follow. This will allow any neighborhood concerns to be identified and addressed prior to submission to the Planning and Zoning Commission. Concerns raised will be reported to the Community Development Department in a Citizen's Participation Plan report to be submitted with the Rezoning and RLUTP applications.

CITIZENS PARTICIPATION PLAN MEETING
for
REZONING AND REGIONAL LAND USE PLAN AMENDMENT
NOTIFICATION LETTER

A REQUEST FROM CHASON COMPANIES FOR A 111 UNIT APARTMENT COMPLEX
LOCATED ON ASSESSOR PARCELS 112-20-013A, 014B, AND 015B, 600 W. UNIVERSITY
HEIGHTS DRIVE

Chason Companies has submitted to City of Flagstaff a request to rezone 4.02 acres to construct 111 apartments. The three parcels are currently zoned SC, Suburban Commercial. The parcels have a Regional Land Use and Transportation Plan, (RLUTP), designation of Parks. The parcels would be rezoned to HR, High Density Residential zone. The RLUTP designation would be amended to High Density Residential. A Citizen's Participation Meeting is required for the rezoning and RLUTP Amendment. All property owners within 300 feet of the site will be notified and invited to a neighborhood meeting.

The meeting will be held on Friday, September 06, 2013, 5:00 pm, at City of Flagstaff Fire Station #6, 3877 S. Lake Mary Road, Flagstaff, AZ. A description of the project will be presented. A question and answer session will follow. This will allow any neighborhood concerns to be identified and addressed prior to submission to the Planning and Zoning Commission. Concerns raised will be reported to the Community Development Department in a Citizen's Participation Plan report to be submitted with the Rezoning and RLUTP applications.

Questions about this meeting should be directed to Kent Hotsenpiller, Mogollon Engineering and Surveying, 411 W. Santa Fe, Flagstaff. 928-214-0214 phone and email mogollon99@aol.com.

CITIZENS PARTICIPATION PLAN REPORT
for
REZONING AND REGIONAL LAND USE PLAN AMENDMENT

A REQUEST FROM CHASON COMPANIES FOR A 111 UNIT APARTMENT
COMPLEX LOCATED ON ASSESSOR PARCELS 112-20-013A, 014B, AND 015B,
600 W. UNIVERSITY HEIGHTS DRIVE

WHAT: Citizens Participation Plan Meeting
WHEN: Friday, Sept. 06, 2013, 5:00 pm
WHERE: Flagstaff Fire Station # 6 Meeting Room
3877 S. Lake Mary Road
Flagstaff, AZ

Chason Companies has submitted to City of Flagstaff a request to rezone 4.02 acres to construct 111 apartments. The three parcels are currently zoned SC, Suburban Commercial. The parcels have a Regional Land Use and Transportation Plan, (RLUTP), designation of Parks. The parcels would be rezoned to HR, High Density Residential zone. The RLUTP designation would be amended to High Density Residential. A Citizen's Participation Meeting is required for the rezoning and RLUTP Amendment. All property owners within 300 feet of the site, as well as homeowners associations that govern land within 1000 feet of the parcels, have been notified via mail and invited to a neighborhood meeting. A list of notification addresses was submitted to City staff with the site plan submittal.

Notification letters were sent out August 27. A 4' x 4' sign was posted on-site August 27, at 10:00 am. The sign had an information box that contained meeting announcements. The sign was clearly visible from University Heights Drive North and read: (see photo)

CITIZENS PARTICIPATION PLAN MEETING
for
REZONING AND REGIONAL LAND USE PLAN AMENDMENT
NOTIFICATION LETTER

A REQUEST FROM CHASON COMPANIES FOR A 111 UNIT APARTMENT
COMPLEX LOCATED ON ASSESSOR PARCELS 112-20-013A, 014B, AND 015B,
600 W. UNIVERSITY HEIGHTS DRIVE

Friday, September 06, 2013 5:00 pm
City of Flagstaff Fire Station #6, 3877 S. Lake Mary Road, Flagstaff, AZ.

The meeting commenced at 5:00 at Fire Station #6 on Friday, Sept. 6, 2013 in the conference room.

Sixteen people attended the meeting, four representing the developer, two represented the seller of the property and 10 citizens. A site plan, building floor plans and elevations of the proposed buildings mounted on foam core posters were on display. It was explained that the parcels are currently zoned Suburban Commercial and are to be rezoned to HR. Most folks were curious about what the project involved. They broke in to small groups with a representative from the developer for individual questions. Common concerns were traffic impacts to University Heights Drive, trail connections, parking, property values, and water availability. One comment sheet was received, the individual asked about a bridge over Sinclair Wash for pedestrians and bicycles, traffic access to and from University Drive North, snow removal from sidewalks, and weed removal from sidewalks and median for visibility. One couple was interested in first floor units with a garage as a possible rental for themselves. Another citizen was concerned that there were too many rentals in the area as she is having difficulty renting her house out.

Traffic concerns were about the increased traffic to University Heights Drive North, particularly in the morning rush hour. The developer's representatives mentioned that the City's analysis of this project did not find traffic impacts high enough to require a Traffic Impact Analysis. ADOT and the City have done recent improvements to Beulah Blvd., I-40/I-17, Lake Mary Road, and University Heights Drive North to address traffic at current and foreseeable levels for the future for development possible in the immediate area. It was also pointed out that the current zoning of this property, Suburban Commercial could potentially generate more traffic than residential uses.

Many people asked about connections to the FUTS. It was explained that there are two proposed connections from the site to the FUTS. The existing sidewalk along University Heights Drive is in disrepair and the developer will be required to replace/repair certain portions of the sidewalk, which will improve public access to the FUTS.

Parking concerns were voiced. It was explained that the project meets current city parking requirements and many units have a carport or garage. Additionally, the site is within a few hundred feet of a bus line. Concerns were that places have been rented out in the area to students and do not have enough parking for residents or visitors. This leads to parking on adjoining streets and yards.

Several people asked about their property values being affected by the development. It is not known precisely what effect this development would have on existing values. These are rental units so there would not be any competition with the condominiums or nearby single family residences. It would be safe to say that apartments would not have as negative effect as would many allowed commercial uses under the current zoning.

Several expressed concern over water availability. They believe they are under water rationing and wonder how the City can supply more developments with water. It was explained that all developments are analyzed by city staff for water and sewer capacity.

A Water and Sewer Impact Analysis was not required for this project. Water rationing is to promote water conservation, not because the City is running out of water supply. The City is at a Level 2 Water conservation mode all of the time. This only allows landscape watering every other day based on address.

Snow removal was another concern. An individual commented that the condominiums across the street piled their snow on the sidewalk adjoining these parcels. The developer's representatives assured this individual that the development would follow City Ordinances with regard to sidewalk snow removal.

A copy of the Citizens Participation Plan, notification letter, mailing list, assessor maps, meeting sign in sheet, sign picture, meeting photos and comment sheet are attached.

CITIZEN'S PARTICIPATION PLAN
 TRAILSIDE APARTMENTS REZONING AND RLUTP AMENDMENT
 SEPTEMBER 06, 2013

NAME	ADDRESS
Paula + Harold Able	1512 W Univ Hgts Dr N
SKIP NIEMUEC	8585 E HARTFORD DR.
Steven Goldstein	5620 N. Scottsdale Rd S
Kent Hotsenpiller	411 W. Santa Fe
Nick Keupert	3325 Andrew Douglas. Flagstaff
John + Cynthia Lovely	1130 Shullenbarger
Tres Flook	1381 Shullenbarger Flg
Corrien DeRieux	3200 S Litzler Dr
Va + Martin Rozell	3330 So. Hillary Way
Wendy Troxler	1472 W. Univ. Hgts Dr. N.
Diana Witherow	2377 S. CN. off View St
Hilton Harris	405 N. Beaver St #7

send P&Z notice
 to: 1400 W. melissa
 Flag 8600 S

CITIZEN'S PARTICIPATION PLAN
TRAILSIDE APARTMENTS REZONING AND RLUTP AMENDMENT
SEPTEMBER 06, 2013

NAME John Lovely

ADDRESS 1130 Shullenbarger, FLG 86005

ISSUES, CONCERNS, AND COMMENTS

^{Bicycle}
Bridge over Sinclair Wash - Foot/Traffic
Traffic Access to/from Univ Hts. Or N
Snow/ice removal from sidewalks
and center divider - Visibility

CITIZEN'S PARTICIPATION PLAN
TRAILSIDE APARTMENTS REZONING AND RLUTP AMENDMENT
SEPTEMBER 06, 2013

NAME _____

ADDRESS _____

ISSUES, CONCERNS, AND COMMENTS

Traffic, Parking, Snow Removal - condos plow into car
site.
Water Rationing,
rental, rather than buy/own she owns/rents in area
property values

All gone by 5:30
stay still 6:00

Change Zip Code to 86005

3175 SHOSHONE LLC
7581 E LAS PALMAS
PRESCOTT VALLEY, AZ 86314

ACTON WILLIAM B & TAMMY L
8933 LAKE MEADE RANCHEROS
KINGMAN, AZ 86401

AGN DEV CORP PROFIT SHARING
PLAN & TRUST
21750 N 30TH WAY
PHOENIX, AZ 85050

ALONSO PERGENTINO JR & KAREN
DENISE
3200 S LITZLER DR NO 19-224
FLAGSTAFF, AZ 86001

ANDERSON MATTHEW T
3438 E TONTO LN
PHOENIX, AZ 85050

ANDERSON PAUL J JR
5920 E PAKE VIEW RD
CAVE CREEK, AZ 85331

ANDRE-SPRINGER SUZANNE
2025 HOLLY DR
PRESCOTT, AZ 86305

BRANDENBERG JIM & ROSE TRUST
DTD 8-30-12
6410 W PORT AU PRINCE LN
GLENDALE, AZ 85306

BULLARD JIM W & DONNA D
CPWROS
2250 N AMORIE DR
CAMP VERDE, AZ 86322

BURKHALTER SONJA
3200 S LITZLER DR NO 8-232
FLAGSTAFF, AZ 86001

CAIN KAITLIN
3200 S LITZLER DR 7-228
FLAGSTAFF, AZ 86001

CITY OF FLAGSTAFF
211 W ASPEN AVE
FLAGSTAFF, AZ 86001

CLARK JOSEPH V & CHRISTINA E JT ;
CAMPBELL RHIANNON JT
4532 W COMMONWEALTH PL
CHANDLER, AZ 85226

COLLINS JOSHUA DOUGLAS
3200 LITZLER DR 10-140
FLAGSTAFF, AZ 86001

COOPER FRANK L & WINNIE L
CPWROS
4158 E FLOWER CIR
MESA, AZ 85206

DAVIS BRITTAIN K & RACHEL
LEVINE CPWROS
3200 S LITZLER DR APT 11-249
FLAGSTAFF, AZ 86001

DEDMON ERIC JT ; KRYSTLE
FREEMAN JT
3200 S LITZLER DR APT 12 150
FLAGSTAFF, AZ 86001

DENHAM KYLE
3219 S JUSTIN ST
FLAGSTAFF, AZ 86001

DERIEUX NICHOLAS A & CORRIEN
CPWROS
1400 W MELISSA DR
FLAGSTAFF, AZ 86001

DONALDSON RACHEL
4255 E SOLIERE AVE NO 131
FLAGSTAFF, AZ 86004

DOWELL ALAN B & THERESA G
TRUSTEES ; DOWELL T & A FAMILY
TRUST DTD 2-11-05
906 PARKER DR
FLAGSTAFF, AZ 86001

EGAN AMY CHRISTINE JT ; EGAN
MICHAEL J & PAMELLA A JT
3200 S LITZLER DR 11-248
FLAGSTAFF, AZ 86001

EVANS BRYAN M & ELLA M
3264 S LITZLER RD
FLAGSTAFF, AZ 86001

FINE DEBORAH M
3327 S JUSTIN ST
FLAGSTAFF, AZ 86001

FLEMING WILLIAM A & VIOLA
474 PLAT RD
COLGATE, WI 53017

GARCIA JESHUA DAVID G
1685 W SHELLIE DR
FLAGSTAFF, AZ 86001

GARN STEVE L & MELANIE PANLA
20 E CAMINO DE DIANA
GREEN VALLEY, AZ 85614

GERLAK ROBERT J & JANNA M
CPWROS
1150 SCHULTZ PASS RD
FLAGSTAFF, AZ 86001

GINTHER BRYAN D
6018 E ROY ROGERS LN
CAVE CREEK, AZ 85331

GOLDBERG MARC & SYLVIA
TRUSTEES ; GOLDBERG FAMILY
TRUST U/A/D 7-12-06
2510 E ELDER DR
FLAGSTAFF, AZ 86001

GOLOB DEVELOPMENT LLC
PO BOX 1176
PAGE, AZ 86040

GRASSER PAUL R & ANNE M CPWROS
3704 N COLTON RANCH RD
FLAGSTAFF, AZ 86001

GREEN LIGHT INVESTMENTS LLC
2095 N FOXHILL RD
FLAGSTAFF, AZ 86004

HALBIG COLIN M & MARGUERITE D
42210 N STONEMARK DR
ANTHEM, AZ 85086

HARRINGTON TIMOTHY P CPWROS ;
HOWARD SHERRIL R CPWROS
2665 N INDIAN RIDGE DR
TUCSON, AZ 85715

HEAL PROPERTIES LLC
8050 US NAVAL OBSERVATORY RD
FLAGSTAFF, AZ 86001

HEITLAND ANN RAE
8340 CABALLO WY
FLAGSTAFF, AZ 86004

HICKETHIER JERRY L & PAMELA S
TRUSTEES ; HICKETHIER LIV TRUST
DITD 2/13/02
1929 VENTOR CIR
PRESCOTT, AZ 86301

HISER BOB & DONNETTA
1040 ARDREY CIR
FLAGSTAFF, AZ 86001

IMAM SYED AHSAN
3200 S LITZLER DR APT 9-236
FLAGSTAFF, AZ 86001

JACOBS JONATHAN J
3200 LITZLER DR 25-150
FLAGSTAFF, AZ 86001

JDS EST III LLC
907 W SHERRI DR
GILBERT, AZ 85233

JIBRI LLC
10317 WARREN'S WAY
WANAQUE, NJ 07465

KELLAR ROBERT PHILIP & MYONG S
4613 W SELDON LN
GLENDALE, AZ 85302

KING DAVID
PO BOX 1071
FLAGSTAFF, AZ 86002

KINNEY KAREN ELIZABETH
3200 S LITZLER DR NO 9-139
FLAGSTAFF, AZ 86001

LAPENTA ZACHARY T
300 TARPON AVE
SE RIO RANCHO, NM 87124

LEE LANA A
180 WEST GOLD RUSH TRAIL
FLAGSTAFF, AZ 86001

LEE MARGARET M JT ; JANIS
ANTHONY JT
1051 W BEAL RD
FLAGSTAFF, AZ 86001

LIANG-DEMIGUEL BERNADETTE
3200 LITZLER DR 21-134
FLAGSTAFF, AZ 86001

LITZLER LLC
6918 N HIGHLANDS DR
PARADISE VALLEY, AZ 85253

ORR KEVIN C & YVONNE J JT
1200 GORDON DR
KINGMAN, AZ 86409

O'CONNOR BRIGID M
PO BOX 32459
PHOENIX, AZ 85064

NEALE REGINA & VINCENT G JT
23 RUSSEL LN
LAGUNA NIGUEL, CA 92677

NAVARRO TOMAS & ELIZABETH
CPWROS
3115 W PATRICIA LN
YUMA, AZ 85365

NAPIER JOHN D
1263 E STONE RIDGE DR
FLAGSTAFF, AZ 86001

NAGILLER SANDRA J REVOCABLE
TRUST DTD 10-18-12
PO BOX 50052
PARKS, AZ 86018

MYERS CHRISTINA L JT ;
BERGSTRESSER SCOTT K JT
1135 TOVAL TRL
FLAGSTAFF, AZ 86001

MORGAN DONNA M
3298 S DEBBIE ST
FLAGSTAFF, AZ 86001

MILLER FAMILY LIVING TRUST DTD
4-27-10
1616 N PRAIRIE WAY
FLAGSTAFF, AZ 86004

MCVEY STEVE & LINDA CPWROS
7572 E BUTEO DR
SCOTTSDALE, AZ 85255

MCDONALD JOSEPH D & RACHAEL L
3200 SOUTH LITZLER DR
FLAGSTAFF, AZ 86001

MCDERMOTT/ZICKERMAN LLC
310 SO WILLIAMS BLVD #310
TUCSON, AZ 85711

THE VILLAGE AT UNIVERSITY
HEIGHTS OWNERS ASSOCIATION
323 S. RIVER RUN ROAD, #1
FLAGSTAFF, AZ 86001

ZAVALA JOAQUIN & MARIA G
2511 O'BRIEN CIRCLE
CAMARILLO, CA 93010

WITHEROW DIANA HAYES
2377 S CLIFFVIEW ST
FLAGSTAFF, AZ 86001

WINIECKI STEVEN V & SHAWN D
3980 WESTWOOD CIR
FLAGSTAFF, AZ 86001

WELLS THEODORE
430 EAST ST
PITTSFORD, NY 14534

WEDEMEYER ROBERT G & PAULA J
PO BOX 187
JACKSONVILLE, NY 14854

WALTON SCOTT & CARRIE
2705 W CREIGHTON DR
FLAGSTAFF, AZ 86001

WAGNER ROBIN ; WAGNER VICTOR
5240 E MOCKINGBIRD
FLAGSTAFF, AZ 86004

TURNER MATTHEW A
2328 W SILVERTON DR
FLAGSTAFF, AZ 86001

TOWNSEND ERYN D JT ; TOWNSEND
DUANE E & JOAN C JT
112 RYANS LN
MIDWAY, UT 84049

TAYLOR ALLISON
3200 S LITZLER DR 23-242
FLAGSTAFF, AZ 86001

T & A RENTS LLC
7371 W DREAMVIEW TRL
FLAGSTAFF, AZ 86001

SONDGEROTH KENNETH L & SHERRY
L CPWROS
5791 WISHING WELL DR
FORT MOHAVE, AZ 86426

SNOWDEN-SANTI LIVING TRUST DTD
11-25-98
4045 LAUSANNE WAY
FLAGSTAFF, AZ 86004

SMITH MATTHEW V A/K/A ; SMITH
MATT
1456 W UNIVERSITY HTS DR N
FLAGSTAFF, AZ 86001

SINCLAIR SPRINGS TOWNHOMES
ASSOC INC
323 S RIVER RUN NO 1
FLAGSTAFF, AZ 86001

SIMONEAU ROBERT A & MARTHA D
CPWROS
23762 LADRILLO ST
WOODLAND HILLS, CA 91367

SHIELDS THOMAS K & CARRIE A
1501 E LAREDO ST
CHANDLER, AZ 85225

SCOTT ANDREW J
8937 W DALEY LN
PEORIA, AZ 85383

SCHRACHTA JOHN C
3200 S LTIZLER DR 11-148
FLAGSTAFF, AZ 86001

SACKS DARRYL R & CAROL E
REVOCABLE TRUST ; DATED 12/25/00
439 CANNES ST
HENDERSON, NV 89015

ROWLAND BRIAN K & MELODY L
17282 W FETLOCK TRL
SURPRISE, AZ 85387

ROEHM JESICA
3200 S LITZLER DR 12-154
FLAGSTAFF, AZ 86001

ROBINSON PAUL N
PO BOX 237
CAMP VERDE, AZ 86322

ROBERTS ANGELA
700 W UNIVERSITY AVE 6-204
FLAGSTAFF, AZ 86001

RITZ KAREN
7724 W CALAVAR RD
PEORIA, AZ 85381

REETHS D'ANN M
3200 S LITZLER DR 9-239
FLAGSTAFF, AZ 86001

RAGSDALE EVAN C
PO BOX 95
FLAGSTAFF, AZ 86002

PRIEFER DENISE ARMAND
1416 N SUNSET DR
PAYSON, AZ 85541

PERKINS LIVING TRUST DTD 10-1-09
7970 N BADER RD
FLAGSTAFF, AZ 86001



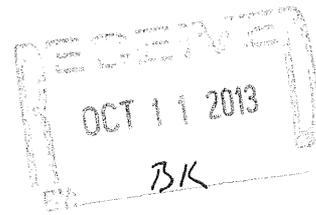


**CITIZENS PARTICIPATION PLAN MEETING
for
REZONING AND REGIONAL LAND USE
PLAN AMENDMENT NOTIFICATION LETTER**

**A REQUEST FROM CHASON COMPANIES
FOR A 111 UNIT APARTMENT COMPLEX
LOCATED ON ASSESSOR PARCELS
112-20-013A, 014B, AND 015B,
600 W. UNIVERSITY HEIGHTS DRIVE**

**Friday, September 06, 2013 5:00 pm
City of Flagstaff Fire Station #6,
3877 S. Lake Mary Road, Flagstaff, AZ.**

Sinclair Springs
Town homes Owners Association
c/o Sterling Real Estate Management
323 S. River Run Road, Suite 1
Flagstaff, AZ 86001



October 9, 2013

Mr. Brian Kulina
Planning Development Manager
City of Flagstaff
211 West Aspen Avenue
Flagstaff, AZ 86001

Dear Mr. Kulina:

The Board of Directors of the Sinclair Springs Townhomes Owners Association has been advised of the City of Flagstaff's Planning and Zoning Commission public hearing to consider a high density apartment development at 600 West University Heights Drive North.

This letter is on behalf of the owners of forty (40) townhomes in University Heights immediately to the south of the proposed development on Litzler Drive. Our concern is the extreme lack of parking in the area. Unless the development will have 1-1/2 parking spaces per bedroom, many people will be cruising the neighborhood trying to park somewhere, especially in the winter months when on-street parking is prohibited.

Also, mountain views from our property will be blocked by a high-rise development. Unless our concerns are mitigated, we are not in favor of the development proceeding forward.

Sincerely,

Michael R. Savoy
President
Sinclair Springs Townhomes Owners Association
Board of Directors



be with the Lord Wednesday, October 2, 2013, in her home in Flagstaff, Arizona. Dora was born February 8, 1954 to Cecilia Segura and Adrian Alonzo Sr., in San Antonio, Texas.

Dora was the 5th oldest of 8 children. Dora was preceded in death by her parents, 2 older brothers, and 1 younger sister. She is

survived by her children, Cecilia Tafoya and Deborah (Zack) Foltz, her siblings Domingo, Survey, Lidia, and Paul. She is also survived by 5 grandchildren, and 3 great-grandchildren, and many nieces and nephews. For the past 24 and a half years Dora worked for W.L. Gore and Associates. She has many friends from Flagstaff and all over the U.S. She loved spending time with family and friends, going to the movies, crocheting, plus she had many other interests.

A memorial service will be held on Saturday, October 5, 2013 at 10:30 a.m. at Life Church, 2587 E. 7th Ave., Flagstaff, Arizona.

Condolences can be sent to 5250 N. Hwy 89 Space # 55, Flagstaff, AZ 86004

he needed to go back, Federal Aviation Administration spokeswoman Laura Brown said.

Instead, he ended up needing to use the eight-lane Capitol Expressway as a runway and successfully navigated a landing through power lines and cars before pulling over into a right-hand turn lane, San Jose police Sgt. Heather Randol said.

"It required some skill on (the pilot's) part," Randol said. "We're just thankful nobody got injured."

In Alabama, safety workers hoisted double red flags at Gulf Shores because of treacherous rip currents ahead of the storm.

In Mississippi, Gov. Phil Bryant declared a state of emergency, urging residents to prepare. State Emergency Management Agency Director Robert Latham said local schools will decide whether to play football games. He said the southern part of the state could have tropical storm-force winds by late Friday.

"I know that Friday night football in the South is a big thing, but I don't think anybody wants to risk a life because of the potential winds," Latham said.

Louisiana Gov. Bobby Jindal also declared a state of emergency, citing the possibility of high winds, heavy rain and tides. Florida Gov. Rick Scott also declared an emergency for 18 counties.

The Army Corps of Engineers said it was closing a structure intended to keep storm surge out of the Inner Harbor Navigation Canal in Louisiana — known

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NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Flagstaff Planning and Zoning Commission will hold a Public Hearing on October 23, 2013, at 4:00 p.m. and the Flagstaff City Council will hold a Public Hearing on December 3, 2013, at 6:00 p.m. to consider a Regional Land Use and Transportation Plan amendment and a Zoning Map amendment requests.

A. Explanation of Matters to be Considered:

A proposed Regional Land Use and Transportation Plan amendment from Parks to High Density Residential and a Zoning Map amendment from Suburban Commercial (SC) to High Density Residential (HR) for approximately 4.02 acres, as described in Part B below and highlighted on the map.

The proposed amendments will allow for the development of multi-family residential, consisting of three three-story buildings, a clubhouse, and 111 apartment units.

B. General Description of the Affected Area:

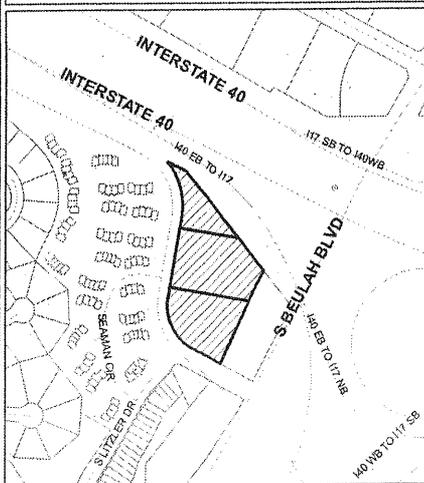
Approximately 4.02 acres located at 600 W University Heights Dr N, Coconino County Assessor's Parcel Numbers 112-20-013A, -014B, -015B, within the Southeast Quarter of Section 29, Township 21 North, Range 7 East, of the Gila and Salt River Base and Meridian, City of Flagstaff, Coconino County, Arizona.

The Council hearing for these items may be continued if the Planning and Zoning Commission has not given a recommendation.

Interested parties may file comments in writing regarding the proposed amendments or may appear and be heard at the hearing dates set forth above. Maps and information regarding the proposed amendments are available at the City of Flagstaff, Planning and Development Services Section, 211 West Aspen Avenue.

Unless otherwise posted, all Planning and Zoning Commission and City Council meetings are held in the Council Chambers of City Hall, 211 West Aspen Avenue, Flagstaff, Arizona.

PROPOSED REGIONAL PLAN AMENDMENT and REZONE
Regional Land Use and Transportation Plan Amendment from Parks to High Density Residential and Zoning Map Amendment from Suburban Commercial (SC) to High Density Residential (HR)



APN: 112-20-013A, 014B, 015B
ACRES: ~4.02

FOR FURTHER INFORMATION CONTACT

Brian Kulina
Planning Development Manager
Planning & Development Services
211 West Aspen Avenue
Flagstaff, Arizona 86001
(928) 213-2613

bkulina@flagstaffaz.gov

Publish: October 4, 2013



ELWYN GUS I

Elwyn Gus Palmer, 94, entered into his eternal reward on Saturday, September 28, 2013.

Gus was born in Taylor, Arizona, on March 23rd, 1919. His parents are Arthur and Evaline Augusta Gibbons Palmer. He was the 6th child of 11 children. He lived in Taylor until his Sophomore year of high school, when his family moved to Holbrook. Gus married his high school sweetheart, Ruth Westover, on June 26, 1939. They began their life together in Winslow, where he worked for the railroad. In 1944 they moved to Flagstaff where he had a dairy business, and later spent 20 years working at the Navajo Army Depot. In 2010, the Palmers moved to Thatcher, Arizona, where the air was easier to breathe.

Gus Palmer's life was a life of service. Throughout his life he has blessed others through his selfless acts of kindness and love. He was always one of the first to help put the roof on the home someone in need; to visit those who needed a lift; or to help loved ones move across the country. He spent years of service working with branches and wards of the Church of Jesus Christ of Latter-day Saints in Flagstaff and Cameron. He also spent years and years volunteering to help in the Church athletic programs. After retirement, Gus and Ruth went on two missions for their Church — one at the Oakland Temple Visitor's Center,



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B. General Description of the Affected Area:

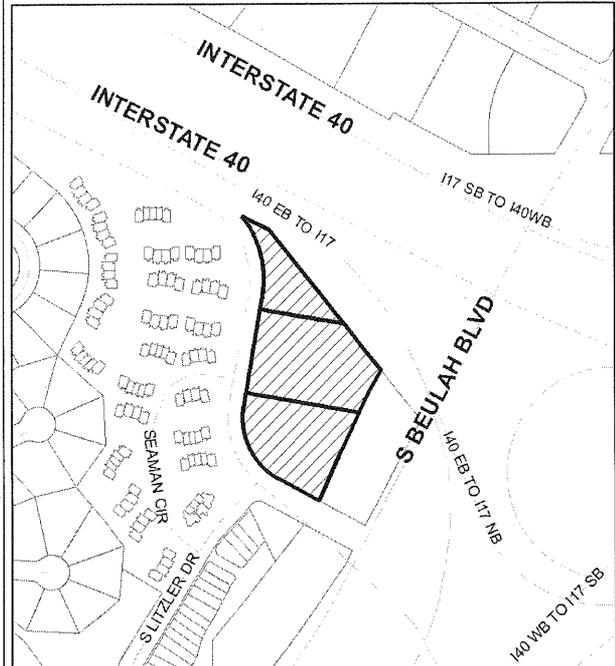
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PROPOSED REGIONAL PLAN AMENDMENT and REZONE
Regional Land Use and Transportation Plan Amendment from Parks to High Density Residential and Zoning Map Amendment from Suburban Commercial (SC) to High Density Residential (HR)



APN: 112-20-013A, 014B, 015B
ACRES: ~4.02



FOR FURTHER INFORMATION CONTACT

Brian Kulina
Planning Development Manager
Planning & Development Services
211 West Aspen Avenue
Flagstaff, Arizona 86001

(928) 213-2613
bkulina@flagstaffaz.gov



Mail: October 4, 2013

Trailside Project - 600 - 800 W. University Heights Drive
List of Property Owners within in 300 Feet

11263095	3175 SHOSHONE LLC	7581 E LAS PALMAS	PRESCOTT VALLEY, AZ 86314	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263081	ACTON WILLIAM B & TAMMY L	8933 LAKE MEADE RANCHEROS	KINGMAN, AZ 86401	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11220013A	AGN DEV CORP PROFIT SHARING PLAN & TRUST	21750 N 30TH WAY	PHOENIX, AZ 85050	UNIVERSITY HEIGHTS
11220014B	AGN DEV CORP PROFIT SHARING PLAN & TRUST	21750 N 30TH WAY	PHOENIX, AZ 85050	UNIVERSITY HEIGHTS
11220015B	AGN DEV CORP PROFIT SHARING PLAN & TRUST	21750 N 30TH WAY	PHOENIX, AZ 85050	UNIVERSITY HEIGHTS
11263157	ALONSO PERGENTINO JR & KAREN DENISE	3200 S LITZLER DR NO 19-224	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263190	ANDERSON MATTHEW T	3438 E TONTO LN	PHOENIX, AZ 85050	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263158	ANDERSON PAUL J JR	5920 E FAKE VIEW RD	CAVE CREEK, AZ 85331	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263182	ANDRE-SPRINGER SUZANNE	2025 HOLLY DR	PRESCOTT, AZ 86305	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263165	BRANDENBERG JIM & ROSE TRUST DTD 8-30-12	6410 W PORT AU PRINCE LN	GLENDALE, AZ 85306	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263093	BULLARD JIM W & DONNA D CPWROS	2250 N AMORIE DR	CAMP VERDE, AZ 86322	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263067	BURKHALTER SONJA	3200 S LITZLER DR NO 8-232	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263059	CAIN KAITLIN	3200 S LITZLER DR 7-228	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11219010C	CITY OF FLAGSTAFF	211 W ASPEN AVE	FLAGSTAFF, AZ 86001	UNIVERSITY HEIGHTS
11220012B	CITY OF FLAGSTAFF	211 W ASPEN AVE	FLAGSTAFF, AZ 86001	UNIVERSITY HEIGHTS
11263058	CLARK JOSEPH V & CHRISTINA E JT ; CAMPBELL RHIANNON JT	4532 W COMMONWEALTH PL	CHANDLER, AZ 85226	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263079	COLLINS JOSHUA DOUGLAS	3200 LITZLER DR 10-140	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263105	COOPER FRANK L & WINNIE L CPWROS	4158 E FLOWER CIR	MESA, AZ 85206	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263098	DAVIS BRITTAIN K & RACHEL LEVINE CPWROS	3200 S LITZLER DR APT 11-249	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263099	DEDMON ERIC JT ; KRYSLE FREEMAN JT	3200 S LITZLER DR 12-150	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263204	DENHAM KYLE	3219 S JUSTIN ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263187	DERIEUX NICHOLAS A & CORRIEN CPWROS	1400 W MELISSA DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263094	DONALDSON RACHEL	4255 E SOLIERE AVE NO 131	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263159	DOWELL ALAN B & THERESA G TRUSTEES ; DOWELL T & A FAMILY TRUST DTD 2-11-05	906 PARKER DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263097	EGAN AMY CHRISTINE JT ; EGAN MICHAEL J & PAMELLA A JT	3200 S LITZLER DR 11-248	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257037	EVANS BRYAN M & ELLA M	3264 S LITZLER DR	FLAGSTAFF, AZ 86001	SINCLAIR SPRINGS TOWNHOUSES
11263102	FINE DEBORAH M	3327 S JUSTIN ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263096	FLEMING WILLIAM A & VIOLA	474 PLAT RD	COLGATE, WI 53017	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263086	GARCIA JESHUA DAVID G	1685 W SHELLIE DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263085	GARN STEVE L & MELANIE PANIA	20 E CAMINO DE DIANA	GREEN VALLEY, AZ 85614	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263066	GERLAK ROBERT J & JANINA M CPWROS	1150 SCHULTZ PASS RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263170	GINTHER BRYAN D	42210 N STONEWARK DR	CAVE CREEK, AZ 85331	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263205	GOLDBERG MARC & SYLVIA TRUSTEES ; GOLDBERG FAMILY TRUST U/A/D 7-12-06	2510 E ELDER DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263089	GOLOB DEVELOPMENT LLC	PO BOX 1176	PAGE, AZ 86040	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263053	GRASSER PAUL R & ANNE M CPWROS	3704 N COLTON RANCH RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263054	GRASSER PAUL R & ANNE M CPWROS	3704 N COLTON RANCH RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263104	GREEN LIGHT INVESTMENTS LLC	2095 N FOXHILL RD	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257040	HALBIG COLIN M & MARGUERITE D	42210 N STONEWARK DR	ANTHEM, AZ 85086	SINCLAIR SPRINGS TOWNHOUSES
11263189	HARRINGTON TIMOTHY P CPWROS ; HOWARD SHERRILL R CPWROS	2665 N INDIAN RIDGE DR	TUCSON, AZ 85715	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263168	HEAL PROPERTIES LLC	8050 US NAVAL OBSERVATORY RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263080	HEITLAND ANN RAE	8340 CABALLO WY	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263172	HICKETHIER JERRY L & PAMELA S TRUSTEES ; HICKETHIER LIV TRUST DTD 2/13/02	1929 VENTOR CIR	PRESCOTT, AZ 86301	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263207	HISER BOB & DONNETTA	1040 ARDREY CIR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263075	IMAM SYED AHSAN	3200 S LITZLER DR APT 9-236	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263203	JACOBS JONATHAN J	3200 LITZLER DR 25-150	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263083	JDS EST III LLC	907 W SHERRI DR	GILBERT, AZ 85233	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263185	JIBRI LLC	10317 WARREN'S WAY	WANAQUE, NJ 07465	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263073	KELLAR ROBERT PHILIP & MYONG S	4613 W SELDON LN	GLENDALE, AZ 85302	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263162	KING DAVID	PO BOX 1071	FLAGSTAFF, AZ 86002	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263074	KINNEY KAREN ELIZABETH	3200 S LITZLER DR NO 9-139	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263076	LAPENTA ZACHARY T	300 TARPON AVE	SE RIO RANCHO, NM 87124	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263175	LEE LANA A	1051 W BEAL RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263065	LEE MARGARET M JT ; JANIS ANTHONY JT	3200 LITZLER DR 21-134	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263171	LIANG-DEMIQUEL BERNADETTE	6918 N HIGHLANDS DR	PARADISE VALLEY, AZ 85253	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263100	LITZLER LLC	310 SO WILLIAMS BLVD #310	TUCSON, AZ 85711	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263161	MCDERMOTT/ZICKERMAN LLC	3200 SOUTH LITZLER DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263106	MCDONALD JOSEPH D & RACHAEL L	7572 E BUTEO DR	SCOTTSDALE, AZ 85255	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263160	MCVEY STEVE & LINDA CPWROS	1615 N PRAIRIE WAY	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263088	MILLER FAMILY LIVING TRUST DTD 4-27-10			

Trailside Project - 600 - 800 W. University Heights Drive
List of Property Owners within in 300 Feet

11263101	MORGAN DONNA M	3298 S DEBBIE ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263178	MYERS CHRISTINA L JT ; BERGSTRESSER SCOTT K JT	1135 TOVAL TRL	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263179	NAGILLER SANDRA J REVOCABLE TRUST DTD 10-18-12	PO BOX 50032	PARKS, AZ 86018	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263071	NAPIER JOHN D	1263 E STONE RIDGE DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263152	NAVARRO TOMAS & ELIZABETH CPWROS	3115 W PATRICIA LN	YUMA, AZ 85365	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263200	NEALE REGINA & VINCENT G JT	23 RUSSELL LN	LAGUNA NIGUEL, CA 92677	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263154	O'CONNOR BRIGID M	PO BOX 32459	PHOENIX, AZ 85064	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263174	ORR KEVIN C & YVONNE J JT	1200 GORDON DR	KINGMAN, AZ 86409	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263090	PERKINS LIVING TRUST DTD 10-1-09	7970 N BADER RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263173	PRIEFER DENISE ARMAND	1416 N SUNSET DR	PAYSON, AZ 85541	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263062	RAGSDALE EVAN C	PO BOX 95	FLAGSTAFF, AZ 86002	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263078	REETHS D'ANN M	3200 S LITZLER DR 9-239	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257039	RITZ KAREN	7724 W CALAVAR RD	PEORIA, AZ 85381	SINCLAIR SPRINGS TOWNHOUSES
11263183	ROBERTS ANGELA	700 W UNIVERSITY AVE 6-204	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263153	ROBINSON PAUL N	PO BOX 237	CAMP VERDE, AZ 86322	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263103	ROEHM JESICA	3200 S LITZLER DR 12-154	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263184	ROWLAND BRIAN K & MELODY L	17282 W FETLOCK TRL	SURPRISE, AZ 85387	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263072	SACKS DARRYL R & CAROL E REVOCABLE TRUST ; DATED 12/25/00	439 CANNES ST	HENDERSON, NV 89015	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263077	SACKS DARRYL R & CAROL E REVOCABLE TRUST ; DATED 12/25/09	3200 S LITZLER DR 11-148	HENDERSON, NV 89015	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263092	SCHRACHTA JOHN C	8937 W DALEY LN	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263186	SCOTT ANDREW J	1501 E LAREDO ST	PEORIA, AZ 85383	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263166	SHIELDS THOMAS K & CARRIE A	23762 LADRILLO ST	WOODLAND HILLS, CA 91367	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263084	SIMONEAU ROBERT A & MARTHA D CPWROS	323 S RIVER RUN NO 1	FLAGSTAFF, AZ 86001	SINCLAIR SPRINGS TOWNHOUSES
11257043	SINCLAIR SPRINGS TOWNHOMES ASSOC INC	1456 W UNIVERSITY HTS DR N	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263202	SMITH MATTHEW V AKA ; SMITH MATT	4045 LAUSANNE WAY	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263107	SNOWDEN-SANTI LIVING TRUST DTD 11-25-98	5791 WISHING WELL DR	FORT MOHAVE, AZ 86426	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263169	SONDGEROTH KENNETH L & SHERRY L CPWROS	7371 W DREAMVIEW TRL	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263201	T & A RENTS LLC	3200 S LITZLER DR 23-242	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263191	TAYLOR ALLISON	112 RYANS LN	MIDWAY, UT 84049	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263188	TOWNSEND ERYN D JT ; TOWNSEND DUANE E & JOAN C JT	2328 W SILVERTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263069	TURNER MATTHEW A	5240 E MOCKINGBIRD	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263063	WAGNER ROBIN ; WAGNER VICTOR	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263064	WALTON SCOTT & CARRIE	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263088	WALTON SCOTT & CARRIE	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263206	WEDEMEYER ROBERT G & PAULA JT	PO BOX 187	JACKSONVILLE, NY 14854	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257038	WELLS THEODORE	430 EAST ST	PITTSFORD, NY 14534	SINCLAIR SPRINGS TOWNHOUSES
11263196	WHITE JANET LEE	3200 S LITZLER DR NO 10-143	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263082	WINECKI STEVEN V & SHAWN D	3980 WESTWOOD CIR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263164	WITHEROW DIANA HAYES	2377 S CLIFFVIEW ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263087	ZAVALA JOAQUIN & MARIA G	2511 O'BRIEN CIRCLE	CAMARILLO, CA 93010	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263192				

GOAL LU1

Greater Flagstaff will have a compact land use pattern within a well-defined boundary that shapes growth in a manner that preserves the region’s natural environment, livability, and sense of community. Flagstaff will continue to offer the primary types of housing design developments that have defined its land use patterns: the conventional and traditional neighborhood scale which provide a choice of housing types and supporting non-residential uses within walking distances.

Rationale

The Flagstaff area has a relatively finite amount of developable private land. Roughly two-thirds of the area's approximately 48,000 acres of private land are already developed. Increasingly, development in the region has spread across the rural landscape because of the desirability of these rural environs. This leapfrog development is an inefficient use of land and natural and financial resources within the Flagstaff Metropolitan Planning Organization planning area. This dispersed development increases traffic congestion, and places a strain on the ability of the City and County to provide needed services and facilities, such as transportation, police, and fire and emergency services.

A compact land use pattern, on the other hand, shapes growth in a manner that preserves the region's natural environment, livability, and sense of community. The *Regional Plan* establishes an Urban Growth Boundary that identifies lands that are currently most appropriate for compact, urban development. These lands shall be planned for the full range of urban services, and are appropriate for annexation under appropriate conditions. By directing growth to well-defined contiguous areas, development is more efficiently served, open lands and natural resources can be better protected; public facilities and services can be delivered more effectively; neighborhoods can provide a greater range of options for housing types in more areas of the region; and a diverse range of transportation choices can be made available. With a finite supply of land, the *Regional Plan* shall provide for the region’s growth in a manner that balances growth and conservation. It is recognized that state trust and privately-owned lands may be developed at their current zoning category unless they are acquired or protected for open space purposes.

Policies and Strategies

Implementation Matrix Key

In the “Time Frame” column, the first number indicates when the action should be initiated and the second number indicates when it should be completed relative to *Regional Plan* ratification. For example, “0–1” means the action should be initiated as soon as possible and be completed no later than within one year of plan ratification. These time frames are set with the understanding that they are meant as best estimates and may have to be adjusted given the numerous parties involved in implementation of any given strategy.

The following abbreviations are used throughout the matrix:

ADOT	Arizona Department of Transportation	PRA	Planning Reserve Area
CIP	Capital improvement Program	RGB	Rural Growth Boundary
FHWA	Federal Highway Administration	UGB	Urban Growth Boundary
FMPO	Flagstaff Metropolitan Planning Organization	USFS	United States Forest Service

<i>Policy</i>	<i>Strategy</i>	<i>Responsible Party</i>	<i>Time Frame/ Years</i>
<p>Policy LU1.7—Promote Infill Development</p> <p>If properly designed, infill development can serve an important role in achieving quality, mixed-use neighborhoods. The <i>Regional Plan</i> promotes infill development in the city's Urban Growth Boundary, in preference to development of outlying or more remote lands adjacent to the city. Development of infill areas in the city shall occur in a manner that is in character and context with existing, surrounding development. In some instances, sensitively designed, high quality infill development can help stabilize and revitalize existing older neighborhoods.</p>	<p><i>Strategy LU1.7(a)—Implement McMillan Mesa Master Plan</i></p>	City	1-5
	<p>The McMillan Mesa planning process concluded with a major amendment to the <i>Regional Plan</i>, adopted by the City Council, to implement the recommendations of the McMillan Mesa Master Plan. The primary focus of the Master Plan, and the major amendment, is to preserve significant City and private land holdings in the study area as natural open space, while still allowing for some development of other uses and giving consideration to protection of viewsheds and open space corridors and enhancement of quality design. The <i>Regional Plan</i> recognizes that certain private lands on the Mesa have approvals in place for development, and that unless they are acquired by the City, these development entitlements cannot be altered.</p> <p><i>Strategy LU1.7(b)—Acquire Access Easements or Open Lands</i></p> <p>Proceeds from City-owned land that is disposed, sold, or leased for development shall be used to acquire non-motorized access easements, as a priority, or to purchase high priority open lands or critical urban open space lands.</p>	City	Throughout life of <i>Regional Plan</i>
	<p><i>Strategy LU1.7(c)—Develop Community-Based Infill Programs</i></p> <p>Develop neighborhood infill programs that provide residents with the opportunity to gain familiarity with and provide input on urban design, existing development, compatibility, scale, landscaping and other land use patterns.</p>	City	Throughout life of <i>Regional Plan</i>
	<p><i>Strategy LU1.7(d)—Designate Infill Incentive Areas</i></p> <p>Where appropriate, designate infill incentive areas that will benefit the neighborhood through the development and application of incentives for development.</p>	City	Throughout life of <i>Regional Plan</i>

Flagstaff Area Regional Land Use and Transportation Plan

<i>Policy</i>	<i>Strategy</i>	<i>Responsible Party</i>	<i>Time Frame/ Years</i>
<p>Policy LU1.9—Promote Quality Design</p> <p>The <i>Regional Plan</i> promotes quality design and development. Particular emphasis shall be placed on improved character of the public realm, including attention to streetscape design, and sensitivity to neighborhood character and context for new development in or near existing neighborhoods. Quality design shall be an important element in successful infill development and redevelopment. In addition, plan policies have been developed which address design standards that minimize risks due to natural hazards, such as floods and wildfire.</p>	<p>See Strategies for Quality Design in the Community Character and Design Element</p>		
<p>Policy LU1.10—Place Emphasis on all Transportation Modes</p> <p>The <i>Regional Plan</i> provides for key roadway connections, with highest priority for missing pieces in core parts of the street grid system, including north/south connections. All commercial and residential areas shall include full accommodation for pedestrian and bicycle travel and transit access.</p>	<p>See Strategies in the Transportation Element</p>		
<p>Policy LU1.11—Place Emphasis on and Encourage Traditional Neighborhood Development and Redevelopment Design</p> <p>The <i>Regional Plan</i> promotes the creation and establishment of neighborhood units with mixed land uses, a variety of dwelling types, activity centers that are walkable, alternate modes of transportation routes, and design that is sensitive to existing surrounding development.</p>	<p><i>Strategy LU1.11(a)—Develop and Apply Various Tools to Achieve Development and Establishment of Traditional Neighborhoods with Mixed-Uses</i></p> <p>Use Traditional Neighborhood Design criteria, overlay districts, and incentives to develop Planning Reserve Areas; undeveloped infill sites specifically those designated commercial, and medium- and high-density residential; and redevelopment areas</p>	City	0-1

GOAL HN1

The supply of affordable home ownership, rental, and special needs housing units affordable to low- and moderate-income households will be increased.

Rationale

The greatest deficiency in the Flagstaff housing market is the absence of housing that is affordable to low- and moderate-income households. The median price of a newly constructed house in Flagstaff is \$189,000, while the median sales price for existing homes is \$177,500. Flagstaff land costs, topography, and geology severely hinder the construction of homes within the range in which 50% of potential homebuyers could afford. Current market rents are too high for the estimated 3,000 households that are living in substandard conditions. While some progress has been made in the construction of affordable rental housing, little progress has been made in the production of affordable owner-occupied housing. In general, affordable housing shall be located in the city, where adequate public facilities and services are available.

Policies and Strategies

<i>Policy</i>	<i>Strategy</i>	<i>Responsible Party</i>	<i>Time Frame/ Years</i>
<p>Policy HN1.1—Evaluate and Adjust Housing Policies and Strategies</p> <p>The City and County shall maintain a current assessment of housing and economic conditions and adjust their housing planning, policy, and strategy approaches as necessary to ensure community services and resources are delivered appropriately and efficiently to meet community needs and vision.</p>	<p><i>Strategy HN1.1(a)—Increase Funding For Affordable Housing</i></p> <p>Increase funding for affordable housing through an aggressive grant/loan/bond writing campaign to fund the priority programs defined in the Flagstaff Consolidated Plan.</p>	<p>City, County, state and federal agencies, private financial institutions, for-profit and non-profit housing providers</p>	<p>Throughout life of Regional Plan</p>
	<p><i>Strategy HN1.1(b)—Ensure Affordable Housing Supply</i></p> <p>Consider methods to ensure an affordable housing supply, including amending zoning district regulations; establishing incentive programs, density bonuses, and housing set-asides where legal; supporting non-profit developers in addressing special population needs; and providing support through non-profit agencies for the marketing and sale of affordable units.</p>	<p>City, County, for-profit and non-profit housing providers</p>	<p>0-3</p>
	<p><i>Strategy HN1.1(c)—Special Needs Facilities</i></p> <p>Support the development of facilities and services for homeless persons, persons with AIDS, victims of domestic violence, the elderly, handicapped, mentally ill, and disabled.</p>	<p>City, County, non-profit housing providers, state agencies</p>	<p>0-5</p>

GOAL T3

The region's development pattern will support a diverse range of transportation choices, including transit, walking and bicycling, as well as driving.

Rationale

In general, development in the region is oriented to a street system developed to serve the automobile. Auto-oriented development patterns lend to sprawling subdivisions and strip commercial developments. This land development pattern typically is not in a form or density that supports transit, walking, or bicycling, although exceptions can be found Downtown and in older neighborhoods. In order to support a multi-modal transportation system, the region's development patterns must change to support a balanced transportation system.

Policy	Strategy	Responsible Party	Time Frame/ Years
<p>Policy T3.1—Establish a Comprehensive Bicycling Network and Trails System</p> <p>This system shall connect all residential and commercial districts of the region, and provide direct access to schools, the NAU campus, public parks and the external recreational trail system on public lands. Advanced cyclists will largely be served by on-street facilities: bike lanes, wide shoulders, and in limited circumstances, wide curb lanes. Where no opportunities for such facilities exist, advanced cyclists may be accommodated on off-street multi-use paths. In many cases, parallel systems will be necessary to serve the utilitarian needs of basic riders. This may mean parallel paved bike paths or multi-use paths or nearby, parallel roads with lower volumes of traffic. The utilitarian trips of children cyclists—primarily trips to school—will be accommodated on signed bike routes, bike lanes on lower volume roads (i.e., minor collectors), and, where compatible with the Flagstaff Urban Trail System plan, off-street multi-use paths.</p> <p>Speed, volume, and connectivity factors, among others, will influence which types of facilities are necessary and when they must be improved to accommodate the various levels of cyclists.</p>	<p><i>Strategy T3.1(a)—Implement Transportation Improvement Program</i></p> <p>Develop pedestrian, bicycle, and trail master plans and incorporate related projects into the Transportation Improvement Program.</p>	City, County, FMPO	Annually
	<p><i>Strategy T3.1(b)—Coordinate Trail Programs with USFS Trail System</i></p> <p>The City and County shall coordinate the trail program with the Forest Service to support the policies in this <i>Regional Plan</i> and the recommendations in the <i>Greater Flagstaff Area Open Spaces and Greenways Plan</i>.</p>	City, County, USFS	Through-out life of <i>Regional Plan</i>
	<p><i>Strategy T3.1(c)—Identify Critical Bikeways Corridors</i></p> <p>Critical corridors will be identified for bikeways to establish a system that provides connectivity and mobility for bicyclists.</p>	City, County, FMPO	0-2
	<p><i>Strategy T3.1(d)—Develop Bikeways Facilities</i></p> <p>Develop bikeways facilities that serve the utilitarian needs of advanced, basic, and children bicyclists.</p>	City, County, State & FMPO	0-2
	<p><i>Strategy T3.1(e)—Develop Standards for Range of Cyclists</i></p> <p>Develop standards for the development of bikeways facilities for advanced, basic, and children cyclists.</p>	City, County, State & FMPO	0-2

Flagstaff Area Regional Land Use and Transportation Plan

Policy	Strategy	Responsible Party	Time Frame/ Years
<p>Policy OSPR1.5—Protect “Neighborhoods”</p> <p>Preserve “Neighborhoods” to the extent possible in order to create buffers between communities and to provide recreational opportunities for nearby residents. Should development occur in “Neighborhoods” areas, provisions shall be incorporated to ensure continued access to public lands.</p>	<p><i>Strategy OSPR1.5(a)—Preserve “Neighborhoods”</i></p> <p>Adopt vegetation and wildlife protection standards and guidelines to preserve “Neighborhoods” between residential communities.</p> <p><i>Strategy OSPR1.5(b)—Establish “Neighborhoods” Associations</i></p> <p>Establish “Neighborhoods” associations to provide stewardship of designated adjacent open space lands.</p>	<p>City & County</p> <p>City & County in cooperation with homeowners associations, neighborhood groups, etc.</p>	<p>0-3</p> <p>1-5</p>
<p>Policy OSPR1.6—Provide Parks, Open Space, And Recreation Facilities Throughout the Region</p> <p>Integrate parks, open space, and recreational facilities when suitable with other public facilities. Recreational use of regional open space land may be permitted where it is consistent with the Land Use Plan and other policies. Active and passive recreational sites shall be located throughout the region to diffuse the impact of growth and development. The location of recreational sites on the interface areas between the city and the county shall be used as a means to provide recreational uses to nearby city and county residents.</p>	<p><i>Strategy OSPR1.6(a)—Adopt Locational Policies</i></p> <p>Adopt location policies and standards for the development of parks, open space, and recreational facilities.</p> <p><i>Strategy OSPR1.6(b)—Pursue Acquisition of Open Space Properties</i></p> <p>Fund an open spaces acquisition and management program by pursuing sources of revenues, such as private funding and donations, sales taxes, impact fees, private-public partnerships, grants, and easements.</p> <p><i>Strategy OSPR1.6(c)—Acquire and Designate Lands for Parks/Recreation</i></p> <p>Acquire additional park/recreation lands, and/or designated City-owned lands, to accommodate growth and eliminate deficiencies.</p>	<p>City & County</p> <p>City & County</p> <p>City</p>	<p>0-3</p> <p>Throughout life of Regional Plan</p> <p>Throughout life of Regional Plan</p>

<i>Policy</i>	<i>Strategy</i>	<i>Responsible Party</i>	<i>Time Frame/ Years</i>
<p>Policy CD1.4—Protect Forested Settings, Key Entry Points, and Corridors</p> <p>The presence of forested settings and viewsheds are key features in the region and present particularly strong experiences at entry points to the community and along key highway corridors. Their character shall be retained and enhanced.</p>	<p><i>Strategy CD1.4(a)—Coordinate with ADOT and USFS</i></p> <p>The City and the County shall work with ADOT and USFS to develop standards and guidelines to protect, maintain and enhance the function and visual character of entryways and key highway, mountains, and viewsheds.</p>	City, County, ADOT, USFS	1-5
	<p><i>Strategy CD1.4(b)—Develop Design Standards</i></p> <p>The City and the County shall develop design standards and guidelines to protect and enhance viewsheds, entry points, and key roadway corridors.</p>	City & County	0-3
<p>Policy CD1.5—Continue Inter-agency Coordination for Development and Protection of Wildlife Habitat and Corridors</p> <p>Continue coordination between governmental agencies which provides early identification of potential development areas that are attractive to wildlife and that create nuisance problems and conditions that are dangerous to people and/or wildlife.</p>	<p><i>Strategy CD1.5(a)—Through Planning Efforts Attempt to Avoid Potential Human-Wildlife Conflicts</i></p> <p>The City and County should consult with the appropriate state and federal agencies for their review and comments in order to avoid creating potential human-wildlife conflict situations.</p>	City, County, USFS, AZ Game & Fish	Throughout life of Regional Plan

GOAL CD2

The Flagstaff region will continue to protect its unique character that reflects its forested setting of ponderosa pine trees, piñon and juniper vegetation, and meadows through quality design and development. Emphasis will be placed on quality design in both the public realm—streets, civic buildings, and other public spaces—as well as the private realm—commercial buildings, work places, and housing. Preservation of vegetation and wildlife are part of the quality design and development process.

Rationale

The significant natural areas in the region enrich the community’s quality of life in many ways, including by providing scenic vistas and numerous recreational opportunities. As the community develops, it is important that the natural appearing landscapes adjacent to urban and residential areas be maintained. Development should blend harmoniously with the natural environment. Through the thoughtful design of new and redeveloping areas, connections to the natural environment can be provided and impacts to topographic features minimized. Buildings, streets, landscaping, and public outdoor spaces will be arranged to preserve and accentuate the city’s and the region’s unsurpassed scenic views. To the extent that the preservation, acquisition, or creation of open spaces during the development design and review process is required, vegetation, wildlife and habitat should be preserved.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Brian Kulina, Planning Development Manager
Date: 10/25/2013
Meeting Date: 11/19/2013



TITLE:

Public Hearing, Consideration and Adoption of Ordinance No. 2013-24: An ordinance amending the Flagstaff Zoning Map designation of approximately 4.02 acres of real property located at 600 West University Heights Drive from "SC", Suburban Commercial, to "HDR", High Density Residential (Amending Zoning Map for Trailside Apartments).

RECOMMENDED ACTION:

At the November 19, 2013 Council Meeting:

- 1) Open the Public Hearing; receive public testimony; close the Public Hearing
- 2) Read Ordinance No. 2013-24 by title only for the first time
- 3) City Clerk reads Ordinance No. 2013-24 by title only for the first time (if approved above)

At the December 2, 2013 Council Meeting:

- 4) Read Ordinance No. 2013-24 by title only for the final time
- 5) City Clerk reads Ordinance No. 2013-24 by title only for the final time (if approved above)
- 6) Adopt Ordinance No. 2013-24

Policy Decision or Reason for Action:

The Flagstaff Planning and Zoning Commission conducted a Public Hearing to consider this Zoning Map amendment request at its regular meeting on October 23, 2013. The Planning Commission voted (7-0) to forward the request to the City Council with a recommendation of approval subject to two conditions. The attached ordinance list the two conditions of approval. Zoning Map amendments are required to be adopted by ordinance.

Subsidiary Decisions Points:

If the first reading of the ordinance is successful, the attached Development Agreement will be scheduled for consideration by the City Council on December 3, 2013, prior to the second reading of the ordinance.

Financial Impact:

None

Connection to Council Goal:

Retain, expand, and diversify economic base
Effective governance

Has There Been Previous Council Decision on This:

This Zoning Map amendment request is accompanied by a Regional Plan amendment request.

Options and Alternatives:

The City Council may approve the ordinance with the proposed conditions, approve the ordinance with additional or modified conditions, or deny the ordinance.

Background/History:

See the Introduction/Background section of the Planning and Zoning Commission Zoning Map Amendment Staff Report, dated October 23, 2013, a copy of which is attached, for the Background/History discussion.

Key Considerations:

Zoning Map amendments are adopted by the City Council via ordinance. Ordinance No. 2013-24 changes the Zoning Map designation of approximately 4.02 acres from the Suburban Commercial (SC) zone to the High Density Residential (HR) zone.

Expanded Financial Considerations:

None

Community Benefits and Considerations:

Community benefits and considerations related to this Zoning Map amendment request are addressed in the attached Planning and Zoning Commission Zoning Map Amendment Staff Report, dated October 23, 2013.

Community Involvement:

Inform

The Developer held a neighborhood meeting on September 6, 2013, at which sixteen people attended. Notice of the neighborhood meeting was provided in accordance with the Zoning Code. The results of the neighborhood meeting are included in the Citizen Participation Plan and Report, a copy of which is attached to the accompanying Regional Land Use and Transportation Plan Amendment Staff Report. The Planning and Zoning Commission conducted a Public Hearing on October 23, 2013. Notice of that Public Hearing was provided in accordance with State statute and the Zoning Code. At the Planning and Zoning Commission meeting, one member of the public provided comments expressing concern about traffic, parking, and the possibility of the proposed development compromising the views to the mountains. The member of the public further commented that they would rather see an apartment complex developed on the subject property rather than a commercial use.

As of this writing, staff has received one letter, from the Sinclair Springs Townhomes Owners Association, and one phone call. The letter expressed concerns over parking and building height, as it related to the view of the mountains. The caller was looking to gather additional information related to the proposal and stated that a comment letter would be forthcoming. To date, staff has not received that letter.

Expanded Options and Alternatives:

- (Recommended Action): The City Council may approve the Zoning Map amendment as recommended by the Planning and Zoning Commission and staff by reading and adopting Ordinance No. 2013-24.
- The City Council may approve the Zoning Map amendment with additional or modified conditions of approval.
- The City Council may deny the Zoning Map amendment.

Attachments: [Ord. 2013-24](#)
 [CC Public Hearing Legal Notices](#)
 [Draft PZC Minutes \(10/23/2013\)](#)
 [PZC Staff Report](#)
 [PZC Staff Report Attachments](#)

Form Review

Inbox	Reviewed By	Date
Current Planning Manager	Mark Sawyers	10/30/2013 01:31 PM
Planning Director	Jim Cronk	10/30/2013 03:55 PM
Legal Assistant	Vicki Baker	10/30/2013 04:46 PM
Senior Assistant City Attorney JS	James Speed	10/31/2013 07:35 AM
Community Development Director	Mark Landsiedel	10/31/2013 09:36 AM
DCM - Jerene Watson	Jerene Watson	10/31/2013 12:10 PM
Form Started By: Brian Kulina		Started On: 10/25/2013 01:54 PM
	Final Approval Date: 10/31/2013	

ORDINANCE NO. 2013-24

AN ORDINANCE AMENDING THE FLAGSTAFF ZONING MAP DESIGNATION OF APPROXIMATELY 4.02 ACRES OF REAL PROPERTY LOCATED AT 600 WEST UNIVERSITY HEIGHTS DRIVE FROM "SC", SUBURBAN COMMERCIAL, TO "HDR", HIGH DENSITY RESIDENTIAL

RECITALS:

WHEREAS, the applicant has applied for a map amendment of approximately 4.02 acres of real property located within the City of Flagstaff at 600 West University Heights Drive, a legal description of which is designated as **Exhibit "A"**, attached hereto and incorporated by this reference, from "SC", Suburban Commercial, to "HDR", High Density Residential, for purposes of developing multi-family residential apartment complex and attendant features; and

WHEREAS, the Council finds that the applicant has complied with all application requirements set forth in Chapter 10-20 of the Flagstaff Zoning Code; and

WHEREAS, the Planning and Zoning Commission has formally considered the proposed map amendment application, following proper notice and hearing, on October 23, 2013 with the result that the Planning and Zoning Commission has recommended approval of the requested zoning application, subject to the following conditions:

1. The subject property be developed in substantial conformance to the entire conceptual plans approved by the Inter-Division Staff (IDS) on September 9, 2013 and as presented to the Planning and Zoning Commission with this amendment request.
2. Prior to building permit submittal, the Property Owner shall combine Coconino County Assessor parcel numbers 111-20-013A, 112-20-14B, and 112-20-015B.

WHEREAS, the City Council has read and considered the staff reports prepared by Planning Division staff and has considered the narrative prepared by the applicant; and

WHEREAS, staff recommends approval of the map amendment application, subject to the conditions proposed by the Planning and Zoning Commission, and the Council has considered the conditions and has found them to be appropriate for the site; and

WHEREAS, the Council finds that the proposed map amendment with the conditions will not be detrimental to the uses of adjoining parcels or to other uses within the vicinity;

ENACTMENTS:

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

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. The zoning map designation for the subject property is amended to "HDR", High Density Residential.

SECTION 3. That City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions and intents of this Ordinance.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

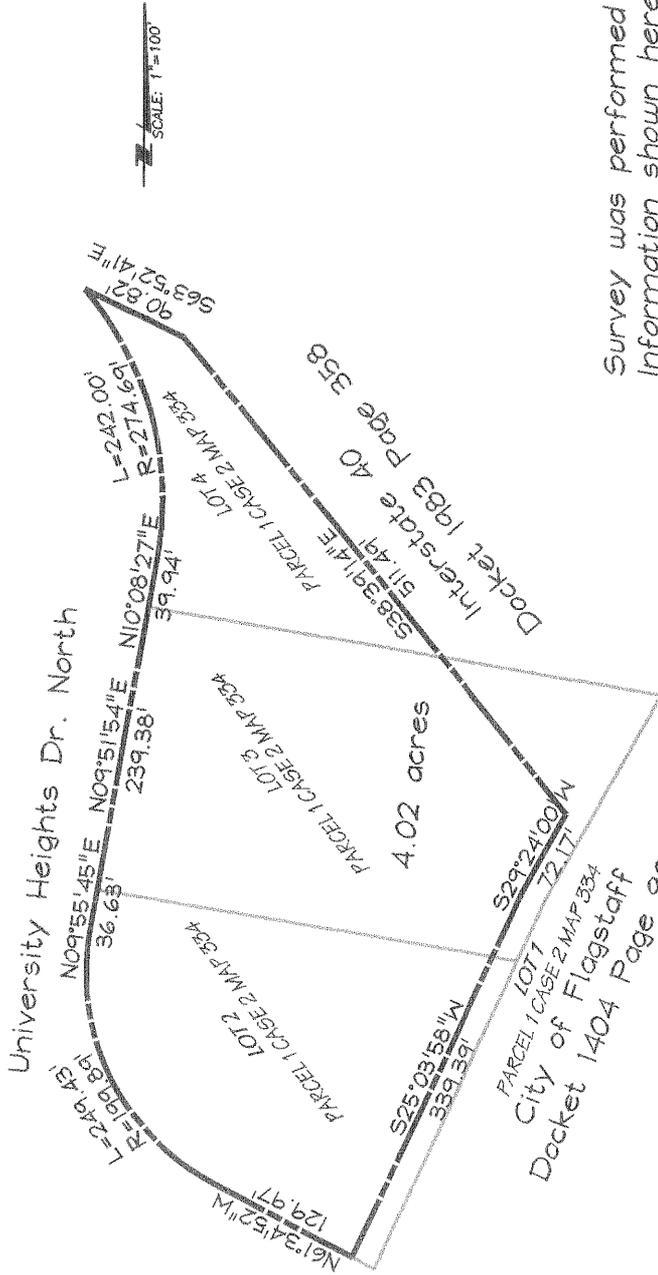
CITY ATTORNEY

EXHIBIT "A"
TO
ORDINANCE NO. 2013-24

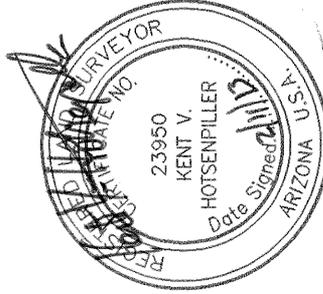
REZONING LEGAL DESCRIPTION
OF

INSTRUMENT 3564866

PORTIONS OF LOTS 2, 3, & 4 OF PARCEL 1, DIVISION OF LAND MAP RECORDED IN CASE 2 MAP 334 AND A PORTION OF "COMMERCIAL AREA" AS SHOWN ON FINAL PLAT OF UNIVERSITY HEIGHTS, CASE 2 MAP 276, COCONINO COUNTY RECORDS LOCATED IN THE SE1/4 SECTION 29, T 21 N, R 7 E, FLAGSTAFF, COCONINO COUNTY, ARIZONA



Survey was performed in July of 2012.
Information shown hereon is true and correct to the best of my knowledge.



Expires on 3/31/13

DESCRIPTIVE TITLE

HORIZONTAL SCALE: 1"=100'

VERTICAL SCALE:

DESIGNED/DRAWN BY:

PROJECT NO. 12965

DATE: 2/11/13

Mogollon
ENGINEERING & SURVEYING

411 W. Santa Fe Avenue, Flagstaff, Az. 86001
P.O. Box 1962, Flagstaff, Az. 86002
Phone: 928-214-2214 • Fax: 928-918-0015

EXHIBIT B
LEGAL
DESCRIPTION

LEGAL DESCRIPTION FROM TITLE REPORT, PTA #00666256, 9/06/2012:

LOTS 2, 3, AND 4, PARCEL 1, AS SHOWN ON DIVISION OF LAND MAPS, RECORDED IN CASE 2, MAP 334, RECORDS OF COCONINO COUNTY, ARIZONA, BEING A RESUBDIVISION OF "COMMERCIAL AREA" OF UNIVERSITY HEIGHTS, AS SHOWN ON THE PLAT THEREOF RECORDED IN CASE 2, MAPS 276-276D, RECORDS OF COCONINO COUNTY, ARIZONA.

EXCEPTING THEREFROM ANY PORTION OF SUBJECT PROPERTY CONVEYED TO THE CITY OF FLAGSTAFF RECORDED IN DOCKET 1404, PAGE 906, RECORDS OF COCONINO COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

AN IRREGULAR SHAPED PAREL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 21 NORTH, RANCE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, BEING A PORTION OF THAT PARCEL OF LAND DESCRIBED AS UNIVERSITY HEIGHTS AND RECORDED IN CASE 2 MAP 276-276D, (RECORD #1, R1) OFFICE OF THE RECORDER (O,C,C,R.), FLAGSTAFF, ARIZONA, AND BEING MORE PARTICULARLLY DESCRIBED AS FOLLOWS:

THAT PARCEL OF LAND BOUND ON THE WEST BY THE WEST LINE OF A 40 FOOT WIDE DRAINAGE EASEMENT DESCRIBED IN (R1) AND BOUND ON THE EAST BY THE EAST LINE OF SAID (R1), WHICH IS COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF U.S. ROUTE 89.

EXCEPT THEREFROM ANY PORTION LYING WITHIN THAT PARCEL OF LAND DESCRIBED IN DOCKET 609, PAGE 74 (O.C.C.R.).

ALSO EXCEPT THEREFROM ANY PORTION WITHIN THAT PARCEL OF LAND DESCRIBED IN DOCKET 1376, PAGE 15 (O.C.C.R.).

ALSO EXCEPT THEREFROM ANY PORTION LYING WITHIN LOTS 9 AND 10 (R1).

AND

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF ARIZONA, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, BY INSTRUMENT RECORDED AS DOCKET 1983, PAGE 358, RECORDS OF COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 3 AND 4, PARCEL 1, AS SHOWN ON DIVISION OF LAND MAPS, RECORDED IN CASE 2, MAP 334, RECORDS OF COCONINO COUNTY, ARIZONA, BEING A RESUBDIVISION OF "COMMERCIAL AREA" OF UNIVERSITY HEIGHTS, AS SHOWN ON THE PLAT THEREOF RECORDED IN CASE 2, MAPS 276-276D, RECORDS OF COCONINO COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4" IRON PIPE MARKING THE EAST QUARTER CORNER OF SECTION 29, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA;

THENCE SOUTH 00°32'30" EAST ALONG THE EAST LINE OF SAID SECTION A DISTANCE OF 420.69 FEET TO THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 40 (ASHFORK-FLAGSTAFF HIGHWAY);

THENCE NORTH 63°52'40" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 4.83 FEET TO THE TRUE POINT OF BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4;

THENCE CONTINUING NORTH 63°52'40" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 264.70 FEET;

THENCE NORTH 26°17'10" EAST, A DISTANCE OF 25.00 FEET;

THENCE NORTH 63°52'40" WEST, A DISTANCE OF 416.85 FEET;

THENCE FROM A LOCAL TANGENT BEARING OF SOUTH 63°52'40" EAST, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 280.00 FEET, A LENGTH OF 118.78 FEET;

THENCE SOUTH 63°52'40" EAST, A DISTANCE OF 90.86 FEET;

THENCE SOUTH 38°39'42" EAST, A DISTANCE OF 511.75 FEET TO THE EASTERLY LINE OF SAID LOT 3;

THENCE ALONG SAID EASTERLY LINE OF SAID LOTS 3 AND 4, NORTH 29°24'13" EAST, A DISTANCE OF 218.49 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4.02 ACRES OF LAND MORE OR LESS AS SHOWN ON EXHIBIT B WHICH BY THIS REFERENCE IS MADE A PART HEREOF.



Expires: 3/31/15

City File Number _____

Descriptive Title _____

ZONING

Notice is hereby given that the City of Flagstaff will hold a

PUBLIC HEARING

At Flagstaff City Hall, 211 West Aspen Avenue,
Flagstaff, Arizona

6:00 p.m. on December 3, 2013

For the purpose of considering the following:

**REGIONAL LAND USE AND
TRANSPORTATION PLAN AMENDMENT FROM
PARKS TO HIGH DENSITY RESIDENTIAL AND
ZONING MAP AMENDMENT FROM
SUBURBAN COMMERCIAL (SC) TO THE HIGH
DENSITY RESIDENTIAL (HR) RELATED TO
4.02 ACRES LOCATED AT 600 W.
UNIVERSITY HEIGHTS DRIVE N.**

Interested persons may appear at the meeting and be heard for or against any proposed action regarding the area, or may file a written statement.

For Information Contact

Brian Kulina, Planning Development Manager
211 W Aspen Avenue, Flagstaff, AZ 86001
bkulina@flagstaffaz.gov, (928) 213-2613

City of Flagstaff

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Flagstaff City Council will hold a Public Hearing on November 19, 2013, at 6:00 p.m. to consider a Regional Land Use and Transportation Plan amendment and a Zoning Map amendment requests.

A. Explanation of Matters to be Considered:

A proposed Regional Land Use and Transportation Plan amendment from Parks to High Density Residential and a Zoning Map amendment from Suburban Commercial (SC) to High Density Residential (HR) for approximately 4.02 acres, as described in Part B below and highlighted on the map.

The proposed amendments will allow for the development of multi-family residential, consisting of three three-story buildings, a clubhouse, and 111 apartment units.

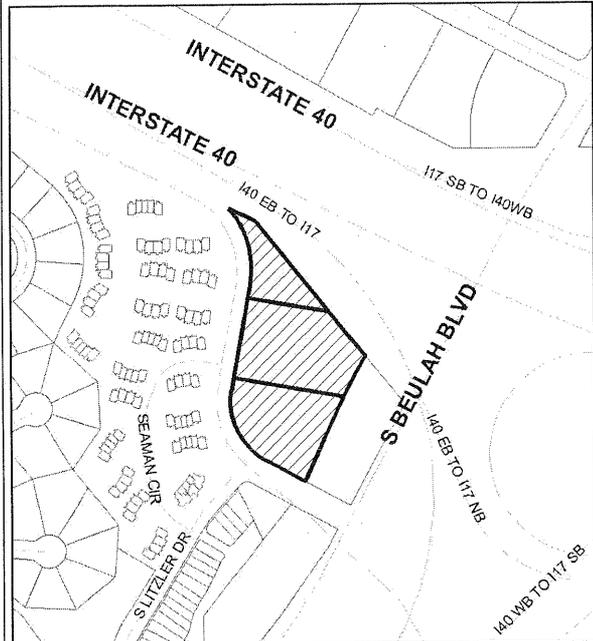
B. General Description of the Affected Area:

Approximately 4.02 acres located at 600 W University Heights Dr N, Coconino County Assessor's Parcel Numbers 112-20-013A, -014B, -015B, within the Southeast Quarter of Section 29, Township 21 North, Range 7 East, of the Gila and Salt River Base and Meridian, City of Flagstaff, Coconino County, Arizona.

Interested parties may file comments in writing regarding the proposed amendments or may appear and be heard at the hearing dates set forth above. Maps and information regarding the proposed amendments are available at the City of Flagstaff, Planning and Development Services Section, 211 West Aspen Avenue.

Unless otherwise posted, all City Council meetings are held in the Council Chambers of City Hall, 211 West Aspen Avenue, Flagstaff, Arizona.

PROPOSED REGIONAL PLAN AMENDMENT and REZONE
Regional Land Use and Transportation Plan Amendment from Parks to High Density Residential and Zoning Map Amendment from Suburban Commercial (SC) to High Density Residential (HR)



APN: 112-20-013A, 014B, 015B
ACRES: ~4.02

FOR FURTHER INFORMATION CONTACT

Brian Kulina
Planning Development Manager
Planning & Development Services
211 West Aspen Avenue
Flagstaff, Arizona 86001

(928) 213-2613
bkulina@flagstaffaz.gov



Publish: November 1, 2013

NOTICE OF PUBLIC HEARINGS

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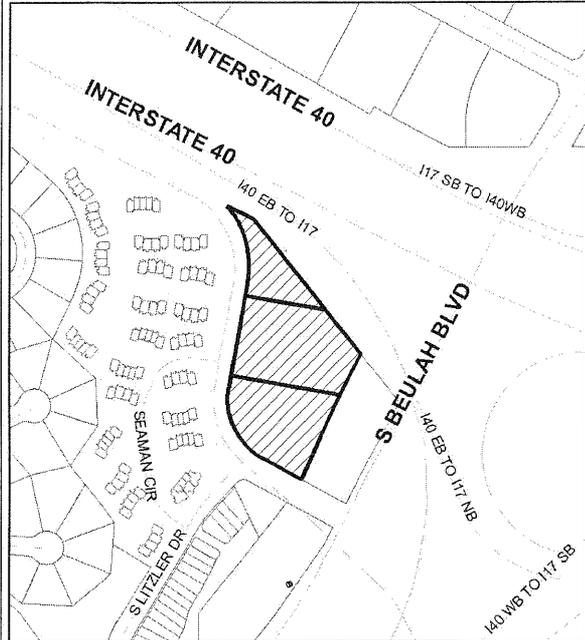
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Regional Land Use and Transportation Plan Amendment from Parks to High Density Residential and Zoning Map Amendment from Suburban Commercial (SC) to High Density Residential (HR)



APN: 112-20-013A, 014B, 015B
ACRES: ~4.02



FOR FURTHER INFORMATION CONTACT

Brian Kulina
Planning Development Manager
Planning & Development Services
211 West Aspen Avenue
Flagstaff, Arizona 86001

(928) 213-2613
bkulina@flagstaffaz.gov



Mail: November 1, 2013

Trailside Project - 600 - 800 W. University Heights Drive
List of Property Owners within in 300 Feet

APN	Name	Address	City/State/Zip	Subdivision
11263095	3175 SHOSHONE LLC	7581 E LAS PALMAS	PHOENIX, AZ 85050	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263081	ACTON WILLIAM B & TAMMY L	8933 LAKE MEADE RANCHEROS	KINGMAN, AZ 86401	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11220013A	600 W UNIVERSITY HEIGHTS DR	21750 N 30TH WAY	PHOENIX, AZ 85050	UNIVERSITY HEIGHTS
11220014B	700 W UNIVERSITY HEIGHTS DR	21750 N 30TH WAY	PHOENIX, AZ 85050	UNIVERSITY HEIGHTS
11220015B	800 W UNIVERSITY HEIGHTS DR	21750 N 30TH WAY	PHOENIX, AZ 85050	UNIVERSITY HEIGHTS
11263157	ALONSO PERGENTINO JR & KAREN DENISE	3200 S LITZLER DR NO 19-224	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263190	ANDERSON MATTHEW T	3438 E TONTO LN	PHOENIX, AZ 85050	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263158	ANDERSON PAUL J JR	5920 E PAKE VIEW RD	CAVE CREEK, AZ 85333	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263182	ANDRE-SPRINGER SUZANNE	2025 HOLLY DR	PRESCOTT, AZ 86305	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263165	BRANDENBERG JIM & ROSE TRUST DTD 8-30-12	6410 W FORT AU PRINCE LN	GLENDALE, AZ 85306	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263093	BULLARD JIM W & DONNA D CPWROS	2250 N AMOIRE DR	CAMP VERDE, AZ 86322	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263067	BURKHALTER SONJA	3200 S LITZLER DR NO 8-232	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263059	CAIN KAITLIN	3200 S LITZLER DR 7-228	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11219010C	521 W UNIVERSITY HEIGHTS DR	211 W ASPEN AVE	FLAGSTAFF, AZ 86001	UNIVERSITY HEIGHTS
11220012B	3101 S BEULAH BLVD	211 W ASPEN AVE	FLAGSTAFF, AZ 86001	UNIVERSITY HEIGHTS
11263058	CLARK JOSEPH V & CHRISTINA E JT ; CAMPBELL RHIANNON JT	4532 W COMMONWEALTH PL	CHANDLER, AZ 85226	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263079	COLLINS JOSHUA DOUGLAS	3200 LITZLER DR 10-140	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263105	COOPER FRANK L & WINNIE L CPWROS	4158 E FLOWER CIR	MEZA, AZ 85206	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263098	DAVIS BRITTAIN K & RACHEL LEVINE CPWROS	3200 S LITZLER DR APT 11-249	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263099	DEDMON ERIC JT ; KRYSLE FREEMAN JT	3200 S LITZLER DR APT 12 150	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263204	DENHAM KYLE	3219 S JUSTIN ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263187	DERIEUX NICHOLAS A & CORRIEN CPWROS	1400 W MELISSA DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263094	DONALDSON RACHEL	4255 E SOLIERE AVE NO 131	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263159	DOWELL ALAN B & THERESA G TRUSTEES ; DOWELL T & A FAMILY TRUST DTD 2-11-05	906 PARKER DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263097	EGAN AMY CHRISTINE JT ; EGAN MICHAEL J & PAMELLA A JT	3200 S LITZLER DR 11-248	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257037	EVANS BRYAN M & ELLA M	3264 S LITZLER DR	FLAGSTAFF, AZ 86001	SINCLAIR SPRINGS TOWNHOUSES
11263102	FINE DEBORAH M	3327 S JUSTIN ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263096	FLEMING WILLIAM A & VIOLA	474 PLAT RD	COLGATE, WI 53017	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263086	GARCIA JESHUA DAVID G	1685 W SHELLIE DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263085	GARN STEVE L & MELANIE PANLA	20 E CAMINO DE DIANA	GREEN VALLEY, AZ 85614	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263066	GERLAK ROBERT J & JANNA M CPWROS	1150 SCHULTZ PASS RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263170	GINTHER BRYAN D	6018 E ROY ROGERS LN	CAVE CREEK, AZ 85331	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263205	GOLDBERG MARC & SYLVIA TRUSTEES ; GOLDBERG FAMILY TRUST U/A/D 7-12-06	2510 E ELDER DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263089	GOLOB DEVELOPMENT LLC	PO BOX 1176	PAGE, AZ 86040	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263053	GRASSER PAUL R & ANNE M CPWROS	3704 N COLTON RANCH RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263054	GRASSER PAUL R & ANNE M CPWROS	3704 N COLTON RANCH RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263104	GREEN LIGHT INVESTMENTS LLC	2095 N FOXHILL RD	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257040	HALBIG COLIN M & MARGUERITE D	42210 N STONEMARK DR	ANTHEM, AZ 85086	SINCLAIR SPRINGS TOWNHOUSES
11263189	HARRINGTON TIMOTHY P CPWROS ; HOWARD SHERRIL R CPWROS	2665 N INDIAN RIDGE DR	TUCSON, AZ 85715	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263168	HEAL PROPERTIES LLC	8050 US NAVAL OBSERVATORY RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263080	HEITLAND ANN RAE	8340 CABALLO WY	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263172	HICKETHIER JERRY L & PAMELA S TRUSTEES ; HICKETHIER LIV TRUST DITD 2/13/02	1929 VENTOR CIR	PRESCOTT, AZ 86301	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263207	HISER BOB & DONNETTA	1040 ARDREY CIR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263075	IMAM SYED AHSAN	3200 S LITZLER DR APT 9-236	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263203	JACOBS JONATHAN J	3200 LITZLER DR 25-150	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263083	JDS EST III LLC	907 W SHERRI DR	GILBERT, AZ 85233	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263185	JIBRI LLC	10317 WARREN'S WAY	WANAQUE, NJ 07465	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263073	KELLAR ROBERT PHILIP & MYONG S	4613 W SELDON LN	GLENDALE, AZ 85302	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263162	KING DAVID	PO BOX 1071	FLAGSTAFF, AZ 86002	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263074	KINNEY KAREN ELIZABETH	3200 S LITZLER DR NO 9-139	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263076	LAPENTA ZACHARY T	300 TARPON AVE	SE RIO RANCHO, NM 87124	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263175	LEE LANA A	180 WEST GOLD RUSH TRAIL	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263065	LEE MARGARET M JT ; JANIS ANTHONY JT	1051 W BEAL RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263171	LIANG-DEMIGUEL BERNADETTE	3200 LITZLER DR 21-134	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263100	LITZLER LLC	6918 N HIGHLANDS DR	PARADISE VALLEY, AZ 85253	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263161	MCDERMOTT/ZICKERMAN LLC	310 SO WILLIAMS BLVD #310	TUCSON, AZ 85711	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263106	MCDONALD JOSEPH D & RACHAEL L	3200 SOUTH LITZLER DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263160	MCVEY STEVE & LINDA CPWROS	7572 E BUTEO DR	SCOTTSDALE, AZ 85255	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263088	MILLER FAMILY LIVING TRUST DTD 4-27-10	1616 N PRAIRIE WAY	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263101	MORGAN DONNA M	3298 S DEBBIE ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS

Trailside Project - 600 - 800 W. University Heights Drive
List of Property Owners within in 300 Feet

11263178	MYERS CHRISTINA L JT ; BERGSTRESSER SCOTT K JT	1135 TOVAL TRL	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263179	NAGILLER SANDRA J REVOCABLE TRUST DTD 10-18-12	PO BOX 50052	PARKS, AZ 86018	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263071	NAPIER JOHN D	1263 E STONE RIDGE DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263152	NAVARRO TOMAS & ELIZABETH CPWROS	3115 W PATRICIA LN	YUMA, AZ 85365	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263200	NEALE REGINA & VINCENT G JT	23 RUSSEL LN	LAGUNA NIGUEL, CA 92677	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263154	O'CONNOR BRIGID M	PO BOX 32459	PHOENIX, AZ 85064	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263174	ORR KEVIN C & YVONNE J JT	1200 GORDON DR	KINGMAN, AZ 86409	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263090	PERKINS LIVING TRUST DTD 10-1-09	7970 N BADER RD	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263173	PRIEFER DENISE ARMAND	1416 N SUNSET DR	PAYSON, AZ 85541	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263062	RAGSDALE EVAN C	PO BOX 95	FLAGSTAFF, AZ 86002	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263078	REETHS D'ANN M	3200 S LITZLER DR 9-239	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257039	RITZ KAREN	7724 W CALAVAR RD	PEORIA, AZ 85381	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263183	ROBERTS ANGELA	700 W UNIVERSITY AVE 6-204	FLAGSTAFF, AZ 86001	SINCLAIR SPRINGS TOWNHOUSES
11263153	ROBINSON PAUL N	PO BOX 237	CAMP VERDE, AZ 86322	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263103	ROEHM JESICA	3200 S LITZLER DR 12-154	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263084	ROWLAND BRIAN K & MELODY L	1782 W FETLOCK TRL	SURPRISE, AZ 85387	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263072	SACKS DARRYL R & CAROL E REVOCABLE TRUST ; DATED 12/25/00	439 CANNES ST	HENDERSON, NV 89015	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263077	SACKS DARRYL R & CAROL E REVOCABLE TRUST ; DATED 12/25/09	3200 S LITZLER DR 11-148	HENDERSON, NV 89015	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263092	SCHRACHTA JOHN C	8937 W DALEY LN	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263186	SCOTT ANDREW J	1501 E LAREDO ST	PEORIA, AZ 85383	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263166	SHIELDS THOMAS K & CARRIE A	23762 LADRILLO ST	CHANDLER, AZ 85225	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263084	SIMONEAU ROBERT A & MARTHA D CPWROS	323 S RIVER RUN NO 1	WOODLAND HILLS, CA 91367	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257043	SINCLAIR SPRINGS TOWNHOMES ASSOC INC	1456 W UNIVERSITY HTS DR N	FLAGSTAFF, AZ 86001	SINCLAIR SPRINGS TOWNHOUSES
11263202	SMITH MATTHEW V AKA ; SMITH MATT	4045 LAUSANNE WAY	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263107	SNOWDEN-SANTI LIVING TRUST DTD 11-25-98	5791 WISHING WELL DR	FORT MOHAVE, AZ 86426	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263169	SONDGEROTH KENNETH L & SHERRY L CPWROS	7371 W DREAMVIEW TRL	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263201	T & A RENTS LLC	3200 S LITZLER DR 23-242	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263191	TAYLOR ALLISON	112 RYANS LN	MIDWAY, UT 84049	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263188	TOWNSEND ERYN D JT ; TOWNSEND DUANE E & JOAN C JT	2328 W SILVERTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263069	TURNER MATTHEW A	5240 E MOCKINGBIRD	FLAGSTAFF, AZ 86004	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263063	WAGNER ROBIN ; WAGNER VICTOR	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263064	WALTON SCOTT & CARRIE	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263068	WALTON SCOTT & CARRIE	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263206	WALTON SCOTT & CARRIE	2705 W CREIGHTON DR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11257038	WEDEMAYER ROBERT G & PAULA JT	PO BOX 187	JACKSONVILLE, NY 14854	SINCLAIR SPRINGS TOWNHOUSES
11263196	WELLS THEODORE	430 EAST ST	PITTSFORD, NY 14534	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263082	WHITE JANET LEE	3200 S LITZLER DR NO 10-143	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263164	WINIECKI STEVEN V & SHAWN D	3980 WESTWOOD CIR	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263087	WITHEROW DIANA HAYES	2377 S CLIFFVIEW ST	FLAGSTAFF, AZ 86001	VILLAGE @ UNIVERSITY HEIGHTS CONDOS
11263192	ZAVALA JOAQUIN & MARIA G	2511 O'BRIEN CIRCLE	CAMARILLO, CA 93010	VILLAGE @ UNIVERSITY HEIGHTS CONDOS



MINUTES - Draft

City of Flagstaff
PLANNING & ZONING COMMISSION
4:00 PM– Wednesday, October 23, 2013
City of Flagstaff, Council Chambers

CALL TO ORDER

Chairman Carpenter called the meeting to order at 4:03 p.m.

COMMISSION MEMBERS:

PRESENT:

David Carpenter, Chairman; Jim McCarthy; Justin Ramsey; Tina Pfeiffer; Stephen Dorsett, Vice Chairman; Steve Jackson; Paul Moore

CITY STAFF:

Mark Sawyers, Staff Liaison

Brian Kulina, Planning Development Manager

Kimberly Sharp, Comprehensive Planning Manager

Becky Cardiff, Recording Secretary

GENERAL BUSINESS

A. PUBLIC COMMENT

None.

B. APPROVAL OF MINUTES

- 1) Regular meeting of October 9, 2013.

Motion: Move to approve the minutes of the Regular Meeting of October 9, 2013, as submitted

Action: Approve as submitted **Moved by:** Commissioner McCarthy **Seconded by:** Commissioner Jackson. Motion carried unanimously with Commissioner Moore abstaining due to his absence at the meeting.

PUBLIC HEARING

1. Trailside Apartments

Address: 600 W University Heights Drive North
Assessor's Parcel Number: 112-20-013A, 014B, 015B
Property Owner: Chason Development
Applicant: Mogollon Engineering
Application Number: **PGMG 2013-0001**
City Staff: Brian Kulina
Action Sought: Regional Land Use and Transportation Plan Amendment

A Regional Land Use and Transportation Plan amendment request from Mogollon Engineering and Surveying, Inc., on behalf of Chason Development, to change the land use designation for approximately 4.02 acres located at 600 W University Heights Drive North from Parks and Recreation to High Density Residential.

Mr. Kulina gave a PowerPoint Presentation on the proposed project and answered questions from Commissioners. Discussion was held on the resource protection calculation in conjunction with the Affordable Housing Incentive Policy.

Kent Hotsenpillar, Mogollon Engineering on behalf of the owner, introduced the Development team for the proposed project and indicated they were available for questions.

Motion: Motion to open the public hearing **Moved by:** Chairman Carpenter **Seconded by:** Commissioner McCarthy. Motion carried unanimously.

Public Comment:

Ms. Berta Glawischnig, resident of The Village of University Heights, expressed concern about traffic, parking and the possibility of the proposed project compromising the viewshed. She indicated she would rather have apartments instead of something like a Wal-Mart.

Motion: Motion to close the public hearing **Moved by:** Chariman Carpenter **Seconded by:** Commissioner McCarthy. Motion carried unanimously.

Discussion was held about the proposed project. Chairman Carpenter expressed his concern about voting on the Regional Plan Amendment before hearing staff's presentation on the rezoning application which follows. He recommended to the Commission to postpone voting on this application until the rezoning application is heard.

2. Trailside Apartments

Address: 600 W University Heights Drive North
Assessor's Parcel Number: 112-20-013A, 014B, 015B
Property Owner: Chason Development
Applicant: Mogollon Engineering
Application Number: **PREZ 2013-0002**
City Staff: Brian Kulina
Action Sought: Zoning Map Amendment

A Zoning Map amendment request from Mogollon Engineering and Surveying, Inc., on behalf of Chason Development, to rezone approximately 4.02 acres located at 600 W University Heights Drive North from Suburban Commercial (SC) zone . to the High Density Residential (HR) zone.

Mr. Kulina gave a PowerPoint Presentation on the proposed project and answered questions from Commissioners. Discussion was held on access, parking and the allowed reductions.

Kent Hotsenpillar, Mogollon Engineering on behalf of the owner, discussed the parking reduction was given due to the proximity to a bus station and also expressed the owner would like a Development Agreement drafted just as much as the city so he doesn't believe that it should be a condition of the project. He also discussed traffic, access conditions and each building will have rainwater harvesting. Mr. Hotsenpillar also answered questions on flood zone issues.

Motion: Motion to open the public hearing **Moved by:** Chairman Carpenter **Seconded by:** Commissioner Moore. Motion carried unanimously.

Public Comment: None

Motion: Motion to close the public hearing **Moved by:** Chairman Carpenter **Seconded by:** Vice Chairman Dorsett. Motion carried unanimously.

Discussion was held on the proposed project.

Motion: Motion to forward to City Council for approval application PGMG 2013-0001 , to change the land use designation for approximately 4.02 acres located at 600 W University Heights Drive North from Parks and Recreation to High Density Residential **Moved by:** Carpenter Carpenter **Seconded by:** Commissioner Dorsett. Motion carried unanimously.

Motion: Motion to forward to City Council for approval application PREZ 2013-0002, to rezone approximately 4.02 acres located at 600 W University Heights Drive North from Suburban Commercial (SC) zone to the High Density Residential (HR) zone **Moved by:** Carpenter Carpenter **Seconded by:** Commissioner Moore. Motion carried unanimously.

Little America Hotels & Resorts

Address:	2515 E Butler Avenue
Assessor's Parcel Number:	106-09-001, 106-09-002, 106-04-005B, 106-04-009F, 106-10-002, 106-10-001D, 106-10-001C, 106-10-001B, 104-12-004
Property Owner:	Holding Family
Applicant:	Little America Hotels & Resorts, Inc.
Application Number:	PSPR 2013-0013
City Staff:	Kimberly Sharp
Action Sought:	Major Regional Plan Amendment

A Major Regional Plan Amendment request from Design Workshop, Inc. on behalf of the Holding Family, to amend land use designations of approximately 505 acres located at 2515 E Butler Avenue from Planning Reserve Area (PRA) to Regional Commercial, High-Density, Medium Density, and Low Density Residential, and Urban Open Space.

Ms. Sharp gave a brief introduction of the proposed project and then introduced the development team.

PLANNING AND DEVELOPMENT SERVICES REPORT
ZONING MAP AMENDMENT

PUBLIC HEARING
PREZ 2013-0002

DATE: **October 15, 2013**
MEETING DATE: **October 23, 2013**
REPORT BY: **Brian Kulina**

REQUEST:

A Zoning Map amendment request from Mogollon Engineering and Surveying, Inc., on behalf of Chason Development, to rezone approximately 4.02 acres located at 600 W University Heights Drive North from Suburban Commercial (SC) to High Density Residential (HDR).

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission forward the Zoning Map amendment to the City Council with a recommendation for approval subject to the conditions as noted in the Recommendation section of this report.

PRESENT LAND USE:

Undeveloped land in the Suburban Commercial (SC) zone.

PROPOSED LAND USE:

A 111-unit, multi-family residential apartment complex containing three (3) apartment building, three (3) carriage buildings, and a clubhouse.

NEIGHBORHOOD DEVELOPMENT:

North: Interstate-40 and Woodland Village Shopping Center; Highway Commercial (HC) zone
East: Interstate-17, Circle K, and Table Rock Apartments; Highway Commercial (HC) and High Density Residential (HR) zones
South: Townhomes; High Density Residential (HR) zone
West: Village at University Heights Condominiums; High Density Residential (HR) zone

REQUIRED FINDINGS:

STAFF REVIEW. An application for a Zoning Map amendment shall be submitted to the Planning Director and shall be reviewed and a recommendation prepared. The Planning Director's recommendation shall be transmitted to the Planning Commission in the form of a staff report prior to a scheduled public hearing. The recommendation shall set forth whether the Zoning Map amendment should be granted, granted with conditions to mitigate anticipated impacts caused by the proposed development, or denied; and shall include an evaluation of the consistency and conformance of the proposed amendment with the goals of the General Plan and any applicable specific plans; and a recommendation on the amendment based on the standards of the zones set forth in Section 10-40.20 "Establishment of Zones" of the Zoning Code (Page 40.20-1).

FINDINGS FOR REVIEWING PROPOSED AMENDMENTS. All proposed amendments shall be evaluated as to whether the application is consistent with and conforms to the goals of the General Plan and any applicable specific plans; and the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City of Flagstaff (the "City") and will add to the public good as described in the General Plan; and the affected site is physically

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suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access, public services, and utilities to ensure that the requested zone designation and the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located. If the application is not consistent with the General Plan and any other applicable specific plan, the applicable plan must be amended in compliance with the procedures established in Chapter 11-10 of the City Code (Title 11: General Plans and Subdivisions) prior to considering the proposed amendment.

STAFF REVIEW:

Introduction/Background

The Applicant, Mogollon Engineering and Surveying, Inc., is requesting a Zoning Map amendment to rezone approximately 4.02 acres located at 600 W University Heights Drive North from the Suburban Commercial (SC) zone to the High Density Residential (HR) zone. This amendment would allow the development of a 111 unit multi-family residential apartment complex with 12 affordable housing units set at an average of 80 percent Area Median Income for a period of 30 years. The subject property is currently undeveloped land with some large groupings of ponderosa pine trees. The terrain has a slope gradient of three-and-one-half percent (3.5%) from the north to the south toward Sinclair Wash. For additional information on the reason for the request, site characteristics, and anticipated community benefits, please reference the attached Site Analysis and Reason for Request Narrative.

Land uses north of the subject property, across Interstate-40 along Woodlands Village Boulevard, are predominately commercial and include such amenities as hotels, grocery stores, restaurants, banks, clothing stores, office supply stores, and physical fitness facilities. Land uses to the east of the subject property, across Beulah Boulevard and Interstate-17, are a mixture of commercial and residential development and include a convenience store and an apartment complex. The land uses to the south and west of the subject property, across University Heights Drive North, are comprised of various types of residential development, including single-family, townhouse, and condominiums.

If the Zoning Map amendment request is approved, the next steps in the process will be the filing of an application for Site Plan review followed by Civil Construction Plan submittal and Building Plan submittal. A Development Agreement between the City and Chason Development has been drafted, a copy of which is attached to this report, for the dedication of affordable housing units and must be approved by the City Council via a resolution prior to the second reading of the Zoning Map amendment ordinance. The subject property currently covers three separately identified parcels (APN's 112-20-013A, -014B, and -015B). These parcels must be combined into one parcel prior to building permit submittal.

A Flagstaff Area Regional Land Use and Transportation Plan (the "Regional Plan") amendment request, which is directly related to this application, was recommended for approval by staff on September 9, 2013. Final action on the Regional Plan amendment was taken by the Planning and Zoning Commission prior to the consideration of this application.

Proposed Development Concept Plans

The Applicant, Mogollon Engineering and Surveying, Inc., is requesting a Zoning Map amendment for a 111-unit, multi-family residential apartment complex known as "Trailside Apartments."

General Plan – Flagstaff Area Regional Land Use and Transportation Plan

The Regional Plan identifies the subject property as having a land use designation of Parks and Recreation. A Regional Plan amendment to change the land use designation to High Density Residential has been requested by the Application and was considered prior to the consideration of this application. All substantive Regional Plan issues were addressed in the previous

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Regional Plan amendment report. The zoning contemplated by this Zoning Map amendment request is in conformance with the land use designation contemplated in the accompanying Regional Plan amendment request.

Zoning – City of Flagstaff Zoning Code

The City of Flagstaff Zoning Code, which was adopted in November 2011, (the “Zoning Code”) identifies the 4.02 acre subject property as being located in the Suburban Commercial (SC) zone. Multi-family residential uses are allowed within the SC zone as part of a mixed-use development located above or behind permitted non-residential uses or when classified as a Planned Residential Development, which is subject to the issuance of a Conditional Use Permit (Section 10-40.30.040.B of the Zoning Code, Page 40.30-16); however, these development options are limited to a maximum density of 13 dwelling units/acre and a maximum building height of 25 feet. A comparison of the current and proposed zoning can be found under the “Building Form and Density Standards” subsection of this report.

Open Space

Development within the proposed High Density Residential (HR) zone is required to maintain a minimum of 15 percent of the lot area as open space. In accordance with Section 10-40.30.030.C of the Zoning Code (Page 40.30-9), the areas set aside for resource preservation (i.e. floodplains, slopes, and forests), active and passive recreation uses, landscape areas, and community gardens may be used to satisfy the open space standard. Using these parameters, the 4.02 acre (175,111 square feet) site is required to maintain at least 26,267 square feet of open space. The proposed development maintains 49,154 square feet of open space, which is 28% of the lot area. The majority of the open space is clustered around the clubhouse and in the middle of the site, which provides an outdoor amenity with playground equipment and barbeques.

Building Form and Density Standards

Table 1 below compares development standards for the existing SC zone and the proposed HR zone. The maximum permitted building height in the HR zone is 60 feet. The maximum building height proposed is 39 feet, 6 inches for the three (3) apartment buildings, 24 feet, 3 inches for the three (3) carriage buildings, and 23 feet for the clubhouse.

In the HR zone, the maximum density is 22 dwelling units/acre within the Resource Protection Overlay (RPO) zone and 29 dwelling units/acre outside of the RPO zone. The subject property is located within the RPO zone and is proposed to develop at the maximum density permitted. Section 10-30.20.050 of the Zoning Code (Page 30.20-7) allows for the use of a density bonus, which is an increase in residential units over the maximum residential density permitted, when at least 10 percent of the proposed dwelling units are designated affordable. The Developer has agreed, as evidenced by the attached draft Development Agreement, to develop 14 percent of the proposed dwelling units as affordable. In accordance with Table 10-30.20.050.A of the Zoning Code (Page 30.20-8), this provides for a density bonus of 27 percent. The following formula was used in the implementation of the density bonus:

The development has a maximum density of 88 units (22 du/ac x 4.02 ac) and provides 12 units (14 percent) affordable to category 1 households, the density bonus is 23 units (27 percent), calculated as $88 \times .27 = 23$ units.

When the density bonus is added to the maximum permitted density, the subject property is entitled to develop 111 units.

The subject property has two street frontages, Beulah Boulevard and University Heights Drive North, and backs up to Interstate-40 Arizona Department of Transportation (ADOT) right-of-way. The setbacks applied to the development of this site are as follows: 10-foot front setback along University Heights Drive North, 15-foot rear setback along Beulah Boulevard/Sinclair Wash, and 5-foot side setback along Interstate-40 ADOT right-of-way.

Table 1 – Comparison of Development Standards

Standard	Existing Zone (SC)	Proposed Zone (HR)
Acres	4.02	4.02
Total Resource Protection Land (acres)	4.02	4.02
Maximum Building Height (feet)	25	60
Maximum Coverage	0.8 FAR	50%
Building Placement Requirements (Minimum Setbacks):		
Front (feet)	15	10 (second floor and below) 15 (above second floor)
Side (feet)	15 (adjacent to residential) 0 (all other uses) 10 (exterior)	5 (interior lots) 5 (corner lots, interior) 5 (corner lots, exterior)
Rear (feet)	15 (adjacent to residential) 0 (all other uses)	15
Minimum Open Space (%)	15 (when part of mixed-use development or planned residential development)	15
Density Requirements:		
Minimum (du/ac)	0	13
Maximum, Inside RPO (du/ac)	13	22
Maximum, Outside RPO (du/ac)	13	29

Parking

Table 10-50.80.040.A of the Zoning Code (Page 50.80-6) establishes the minimum number of parking spaces required for development. Parking for a multi-family development is calculated per unit type provided with different parking standards for market rate units and affordable units. The affordable unit parking standard is intended to be used as an affordable housing incentive. As such it is a reduced requirement from the market rate standard. The Developer is not proposing the use of the affordable standard and has instead used the market rate standard to calculate the required parking as follows:

Unit Type	Parking Standard (per unit)	Number of Units Provided	Parking Required
Studio	1.25	9	11.25
1 Bedroom	1.5	54 (includes carriage units)	81
2+ Bedroom	2.0	48	96
Guest Space for Multi-Family Dwelling	0.25 per each 2+ bedroom unit	48	12
Total			200.25

In accordance with Section 10-50.80.060.A.1 of the Zoning Code (Page 50.80-12), a parking reduction up to 10 percent may be approved for any use within one-quarter of a mile of a bus stop. Currently, there is a stop for Route 4 of the Mountain Line service line located approximately one-fifth of a mile from the intersection of University Heights Drive North and Beulah Boulevard. The Developer has proposed to take advantage of this allowed reduction and reduce the required parking by 11 spaces (5.5%). The total on-site parking provided for this development is 189 spaces, which is comprised of 75 garage

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spaces, 114 surface spaces, and 7 accessible spaces. A final parking analysis done with the review of a more detailed site plan submittal will ensure that all parking spaces and drive aisles meet the minimum dimension standards.

Design Review

Site Planning Standards

In accordance with Section 10-30.60.030 of the Zoning Code (Page 30.60-2), the Applicant conducted a site analysis, a copy of which is attached to this report, that considers the topography of the site, solar orientation, existing/native vegetation types and relative quality, view corridors, climate, subsurface conditions, drainage swales and stream corridor, and the built environment and land use context. Implementation of the findings of the site analysis will be ensured during the review of a more detailed site plan submittal.

Pedestrian and Bicycle Circulation Systems

On-site pedestrian circulation is provided through an extensive network of walkways. These walkways are designed to on-site connections between several internal functions, including building entrances, parking areas, and open space amenities. In addition, they provide off-site connections to the adjoining public sidewalks and Flagstaff Urban Trail System (FUTS) trail, which can both be used to access nearby transit stops and other non-residential amenities.

While there is no dedicated on-site bicycle circulation system, bicycles can utilize the on-site pedestrian system to gain access to building entrances, open space amenities, and the adjoining public sidewalks and FUTS trail. In accordance with Section 10-30.60.040.A.3 of the Zoning Code (Page 30.60-7) and Section 10-50.80.050 of the Zoning Code (Page 50.80-11), 12 bicycle parking spaces, utilizing a rack system, are being provided on-site.

Parking Lots, Driveways, and Service Areas

One hundred fourteen (114) surface parking spaces are provided on-site. The majority of these spaces are screened from the public way by the placement of the buildings. The remaining perimeter spaces are setback from the property line and will be screened with landscaping in accordance with Section 10-30.60.050.A.4 of the Zoning Code (Page 30.60-9).

Design standards require new development to minimize the number of curb cuts (i.e. driveways) onto a public street. There are no existing curb cuts along the eastern edge of University Heights Drive North. Three new curb cuts are proposed, two of which are located in alignment with existing driveways/roadways or median breaks. An internal circulation system connects the southernmost curb cut with the northernmost curb cut, which is designed with right in/right out movements only.

The concept plan identifies four residential trash dumpster enclosures located along the main circulation route. Staff will ensure that these enclosures meet city standards for screening, operation, and location during the review of a more detailed site plan submittal.

Compatibility and Architectural Design Standards

“Scale” refers to similar or harmonious proportions, overall height and width, the visual intensity of the development, and the building massing. The proposed development, at three stories, would be one of the tallest structures in the immediate area. Taken in context to other existing structures in the area, this is not out of character. The residential structures immediately adjacent to the proposed development, across University Heights Drive North, are two stories in height and the Interstate-40/Interstate-17 ramp, immediately north of the proposed development, is approximately 20 feet above the grade of the subject property.

During the review of the conceptual site plan, architectural design standards such as building materials, massing, roof form, and scale were applied and approved by staff. Additional information regarding the architectural design of the building can

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be found on the elevations (color and line drawing) and building material sample sheet attached to this report. Staff will confirm that any secondary materials and accent colors comprise less than 25 percent of the exterior walls of each elevation during the review of a more detailed site plan submittal.

Landscaping

A preliminary landscape plan, a copy of which is attached to this report, was prepared and submitted with this application. The plan has been accepted as meeting the general intent of the parking lot landscaping, public right-of-way landscaping, open space landscaping, and landscape screening standards found within Section 10-50.60 of the Zoning Code (Page 50.60-1). With the utilization of an affordable housing incentive, landscaping can be reduced in accordance with Section 10-30.20.040.B.5 of the Zoning Code (Page 30.20-7) by no more than 10 percent. The Developer has proposed to use this incentive to reduce the amount of parking area landscaping required; however, they are still providing parking area landscaping beyond the reduced requirement. A final landscape plan will be reviewed at the time of a more detailed site plan submittal.

PUBLIC SYSTEMS IMPACT ANALYSIS:

Traffic and Access

The site is bound on the south and west by University Heights Drive North, on the east by Beulah Boulevard, and on the north by Interstate-40. Access to the site is provided by University Heights Drive North. There are no vehicular connections to Beulah Boulevard or Interstate-40. With the exception of some minor improvements to deteriorated sidewalks along University Heights Drive North, the adjacent roadways and intersection are fully improved with curb, gutter, sidewalk, and signalization.

A Traffic Impact Statement (TIS) was prepared by the Applicant and demonstrated the anticipated traffic volume generated from the proposed development. The Traffic Engineer reviewed the conceptual site plan and TIS and it was determined that the increased traffic volumes did not meet the threshold for a full Traffic Impact Analysis (TIA), which would have analyzed certain off-site locations and provided recommendations of needed mitigation measures.

Water and Wastewater

Existing water mains in the area include a 30-inch transmission main in Beulah Boulevard and a 12-inch public main in University Heights Drive North. Individual water service to each building will be provided by the construction of a new 8-inch water main running through the site and connecting to the main in University Heights Drive North. Existing public sewer mains in the area include an 18-inch gravity transmission main in the City-owned parcel, which runs parallel with Sinclair Wash, and an 8-inch public main in University Heights Drive North. Individual sewer service to each building will be provided by the construction of a new 8-inch sewer main running through the site and connecting to the main in the City-owner parcel.

A Water and Sewer Impact Analysis was not required provided the new 8-inch water main connected to the main in University Heights Drive North to create a looped system. A separate analysis performed by the City determined that the existing off-site and proposed on-site water and sewer system infrastructures were adequate to accommodate the proposed development. The analysis further determined that there is adequate system capacity, and additional analysis work would not be required for this project. No off-site infrastructure improvements, outside of those necessary to complete the on-site systems, are required of this development.

Stormwater

A Drainage Impact Analysis and a Drainage Report were prepared for the proposed development. Stormwater runoff will be detained in a series of four Low Impact Development (LID) basins dispersed throughout the site. Stormwater will also be stored in a series of two underground retention/detention basins located underneath parking areas at the eastern and northeastern edge of the site. All stormwater will eventually be released to Sinclair Wash, which runs parallel with the eastern edge of the site. A portion of the proposed apartment buildings is currently located within the FEMA delineated floodplain for Sinclair Wash. The Applicant has designed the site to elevate the buildings above the floodplain and will be pursuing a Letter of Map Amendment to remove them formally from the FEMA floodplain. The Stormwater Manager reviewed the conceptual site plan and Drainage Impact Analysis report and it was determined that there are no downstream impacts associated with the proposed development.

Parks and Recreation

The closest City-owned park to the subject property is Bow and Arrow Park located approximately three-fifths of a mile away. In order to offset the impact of the additional residents on the current park system, it has been recommended, with the concurrence of the Parks Section and the Developer, that the proposed development should include an on-site playground structure, in addition to any amenities provided within the clubhouse, which would be designed to meet the needs of children ages 5 to 12. Staff is confident that the park and recreational needs of the residents of the proposed development will be met through various amenities provided on-site and offset the impacts generated by the proposed development.

OTHER REQUIREMENTS:

Resources

The subject property is located within the Resource Protection Overlay zone as defined by Section 10-50.90.020.A of the Zoning Code (Page 50.90-2). There are no defined floodplain or slope resources on-site. The Natural Resource Protection Plan (NRPP) prepared by the Applicant, a copy of which is attached to this report, identifies 489 total forest tree points on-site. In accordance with Table 10-50.90.060.A of the Zoning Code (Page 50.90-7), forest resources within a residential development must be protected at a 50 percent threshold. This threshold can be reduced with the utilization of an affordable housing incentive. In accordance with Table 10-30.20.040.B of the Zoning Code (Page 30.20-6), forest resource protection thresholds can be reduced by 45 percent when 14 percent of the proposed units are being developed as category 1 affordable.

Using this reduction, the forest resource protection threshold that is applied to this development is 27.5 percent. The NRPP proposed to save 135 forest tree points, which is 27.61 percent of the total on-site forest tree points. The NRPP is in conformance with the Zoning Code resource protection standards.

Citizen Participation

Public hearings before the Planning and Zoning Commission and the City Council are conducted in conjunction with any request for Zoning Map amendment. In accordance with Arizona Revised Statute, notice of the public hearing was provided by placing an ad in the Daily Sun, posting a notice on the property, and mailing a notice to all property owners within 300 feet of the subject site.

As of this writing, staff has received one letter, a copy of which is attached to this report, from the Sinclair Springs Townhomes Owners Association, on behalf of the owners of the forty townhomes immediately south of the subject property.

The concerns expressed in the letter were parking and building height, as it pertained to maintaining the views of the mountains.

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October 23, 2013

Section 10-20.30.060 of the Zoning Code (Page 20.30-5) required the Applicant for the proposed Zoning Map amendment to conduct a neighborhood meeting prior to the Planning and Zoning Commission public hearing. In accordance with Section 10-20.30.060.F of the Zoning Code (Page 20.30-7), a "Record of Proceedings" of the neighborhood meeting was created and filed. A copy of the record is identified as the Citizen Participation Report and is attached to this report. The neighborhood meeting was held on Friday, September 6, 2013 at 5:00pm in the meeting room of Flagstaff Fire Station 6. Sixteen people attended the meeting; four representing the Developer, two representing the seller of the subject property; and 10 citizens. Project representatives presented general information about the project, including the entitlements required for development, answered questions, and listened to recommendations. The neighborhood meeting notification, meeting, and record of proceedings were conducted in compliance with the requirements of the Zoning Code.

DISCUSSION:

In accordance with Section 10-40.30.040.A.1 of the Zoning Code (Page 40.30-13), the Suburban Commercial (SC) zone: applies in areas with suburban character that are appropriate for neighborhood commercial uses; allows retail and service establishments that supply commodities or perform services meeting the needs of adjacent residential neighborhoods; and ensures that such commercial zones will be compatible with adjacent non-commercial development. The retail and service needs of the University Heights neighborhood is currently met through the convenience store located approximately 0.2 miles away at the northwest corner of Lake Mary Road and Beverly Avenue as well as the Woodlands Village Shopping Center located approximately 0.3 miles away at the northwest corner of Beulah Boulevard and Woodlands Village Boulevard. Both of these retail/service developments are within easy walking and bicycling distance from the subject property and the adjacent neighborhood. This amount of retail/service uses appears to adequately address the day-to-day needs of the neighborhood. The most logical use to replace the Suburban Commercial (SC) zone is the High Density Residential (HR) zone based on the compatibility of a high density residential development with the surrounding existing residential uses and the City's ability to provide public services to the proposed development as demonstrated in the Public Systems Impact Analysis section of this report.

RECOMMENDATION:

Staff believes that the proposed Zoning Map amendment has been justified in light of the proposed Regional Plan amendment and would recommend in favor of amending the Zoning Map for 4.02 acres from the Suburban Commercial (SC) zone to the High Density Residential (HR) zone, subject to the following conditions:

1. The subject property shall be developed in substantial conformance to the entire conceptual plans approved by the Inter-Division Staff (IDS) on September 9, 2013 and as presented to the Planning and Zoning Commission with this amendment request.
2. Prior to building permit submittal, the Property Owner shall combine Coconino County Assessor parcel numbers 112-20-013A, 112-20-014B, and 112-20-015B.

ATTACHMENTS

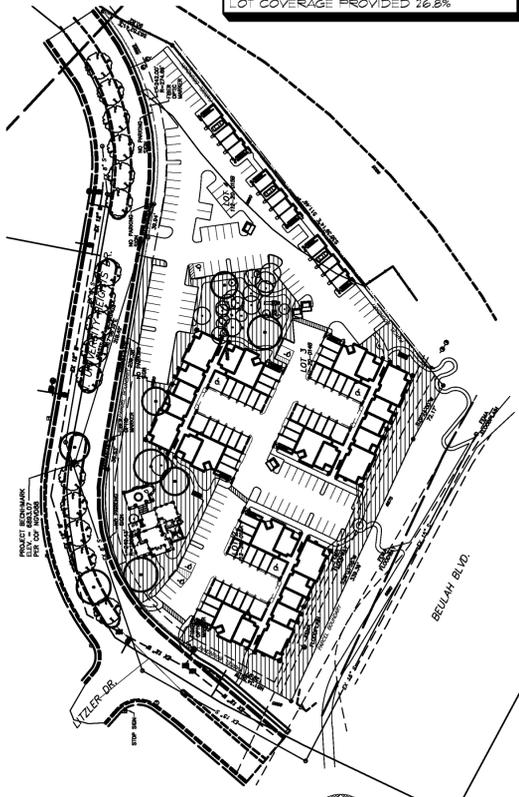
- Zoning Map Amendment Application
- Current City of Flagstaff Zoning Map
- Vicinity Map for Zoning Map Amendment
- Reason for Request Narrative
- Site Analysis
- Public Hearing Legal Advertisements
- Citizen Participation Plan (Included in PGMG2013-0001 Packet)

PREZ 2013-0002

October 23, 2013

- Citizen Comment Letter
- Draft Development Agreement
- Building Colors and Materials Sample Sheet
- Site Plan Packet:
 - Site Plan
 - Unit Plans
 - Building Plans
 - Elevations (Color and B&W Line Drawing)
 - Preliminary Landscape Plan
 - Natural Resource Protection Plan
 - Preliminary Underground Utilities Plan
 - Preliminary Grading and Drainage Plan
 - Electrical Site Lighting Plan
 - Electrical Site Photometric Plan
 - Electrical Site Lighting Cut Sheets

OPEN SPACE REQUIRED = 26,261 SF. (15%)
 OPEN SPACE PROVIDED = 49,154 SF. (28%)
 MAX. LOT COVERAGE ALLOWABLE 50%
 LOT COVERAGE PROVIDED 26.8%



OPEN SPACE
 SCALE: 1"=100'-0"



PROJECT OWNER/DEVELOPER
 MARK CHASON
 CHASON DEVELOPMENT
 105 AFFINITY LANE
 BUFFALO, NY 14215

PROJECT ARCHITECT
 SKIP NIEMIEC
 L.R. NIEMIEC ARCHITECTS
 8585 E. HARTFORD DRIVE SUITE #115
 SCOTTSDALE, AZ 85255

PROJECT DATA (THIS PROJECT WILL BE CONSTRUCTED IN ONE PHASE)

PARCEL SIZE: 4.02 +/- NET ACRES
EXISTING ZONING: H.C. PROPOSED ZONING: H.R.
DENSITY: 21.61 DU/NET ACRE (111) TOTAL UNITS

TOTAL UNIT MIX (ALL BUILDINGS 2-STORY + 3-STORY)

TYPE	MARKET RATE QUANTITY	AFFORDABLE QUANTITY	%	GROSS	BALCONY SF.	GROSS SF.
* CARRIAGE (1 BED 1 BATH)	12	11	6.62			1,944
* STUDIO	2	7	4.63			4,167
* A1 (1 BED 1 BATH)	39	3	3.8	582		24,444
* B1 (2 BED 2 BATH)	28	2	2.1	938		28,140
* B2 (2 BED 2 BATH)	18	16	1.66			20,988
TOTALS	99	12	100			85,683

* EXCLUDES BALCONY

ATTACHED GARAGES (60) IN 30-FLEX + (15) IN CARRIAGE BLDG. = 75 (62.5%)
 * DIRECT ACCESS GARAGE
 * GROUND FLOOR UNITS (6) HAVE DIRECT ACCESS GARAGE

CORRIDORS	GROSS SF.
1ST FLOOR	11,826
2ND FLOOR	1,785
3RD FLOOR	1,785
BALCONIES	6,969
TOTAL	34,365

COMMON AREAS	GROSS SF.
CLUBHOUSE/OFFICE	2,125
CABANA	648
TOTAL COMMON AREAS	2,773

SUMMARY OF TOTAL BUILDINGS

	GROSS SF.
APARTMENTS	85,683
GARAGES	18,198
CORRIDORS/BALCONIES	34,365
COMMON AREAS	2,773
TOTALS	141,019

AFFORDABLE INCENTIVES PROPOSED:
 A. DENSITY BONUS
 B. RESOURCE PROTECTION REDUCTION
 C. 10% LANDSCAPE STANDARD REDUCTION

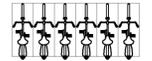
AFN 12-20-013A
 AFN 12-20-014B
 AFN 12-20-015C

PARKING CALCULATIONS

MARKET RATE PARKING:
 CARRIAGE - (12) x (15) = 18
 STUDIO - (9) x (12) = 112.5
 A1 - (42) x (15) = 63
 B1 - (30) x (2.25) = 67.5
 B2 - (18) x (2.25) = 40.5
 REQUIRED = 200.25 SPACES

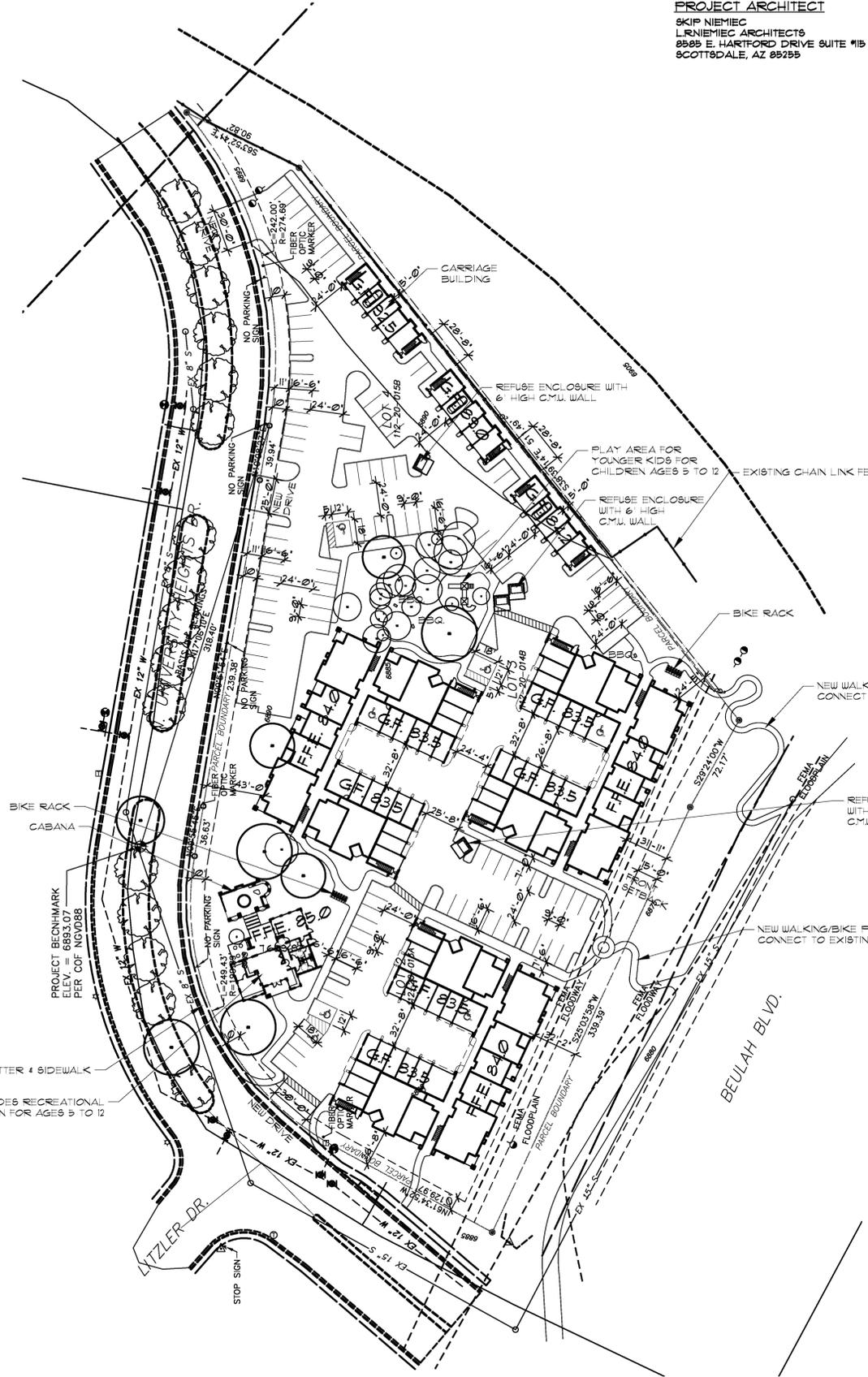
TOTAL REQUIRED = 200 SPACES
TOTAL PARKING PROVIDED = 183 SPACES
 (BUS SERVICE AREA IS ALLOUED A REDUCTION OF 15% USE 5.5% REDUCTION OR 11 PARKING SPACES) 200 SPACES - 11 SPACES = 189 SPACES

PARKING PROVIDED:
 15 GARAGE + 114 SURFACE = 189 SPACES / 111 UNITS = 1.70 SPACES PER UNIT
 (1 OF THE PARKING SPACES SHALL BE ACCESSIBLE)



INDICATES BIKE RACK
 EACH SPACING = 5' X 2'
 (BICYCLE PARKING REQ. 189 x .05 = 9.45)
 (12) PROVIDED ON SURFACE

NOTE:
 AT LEAST 2% OF THE UNITS, BUT NO LESS THAN ONE SHALL BE A TYPE 'A1' UNIT, THESE UNITS MUST BE DISPERSED AMONG THE VARIOUS CLASSES OF UNITS.



SITE PLAN
 SCALE: 1"=50'-0"



VICINITY MAP
 N.T.S.



PROPOSED ADDRESS
 600 W. UNIVERSITY
 HEIGHTS DRIVE

Flagstaff, AZ.

Site Plan
 Scale: 1" = 50'-0"

DRAWN BY: BS
 CHECKED BY: PROJECT NO.
 DATE: 9-10-2013
 SHEET NO.

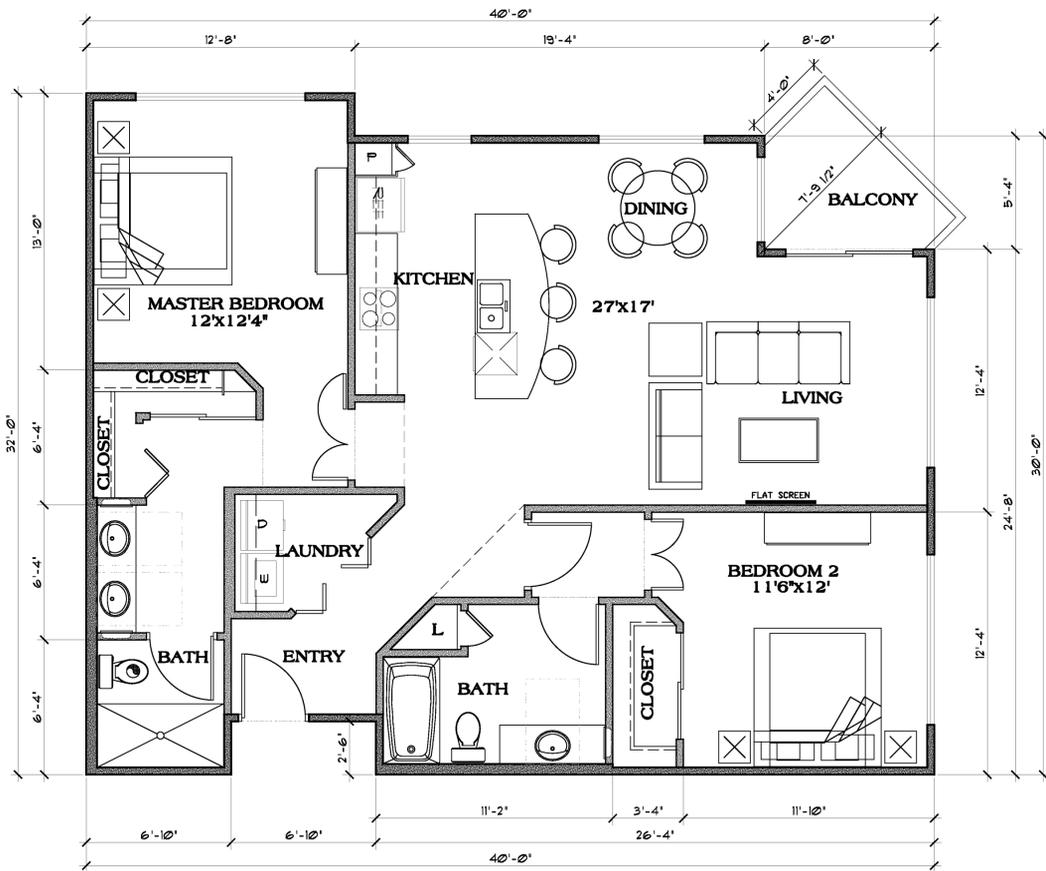
AS-1

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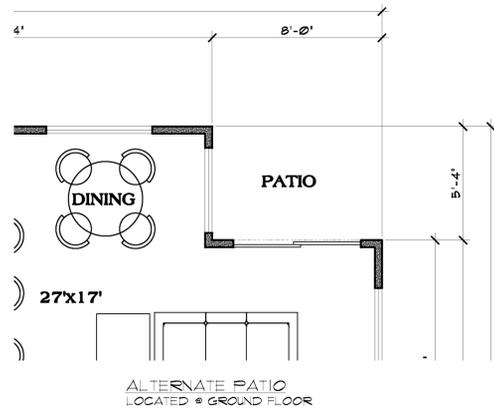
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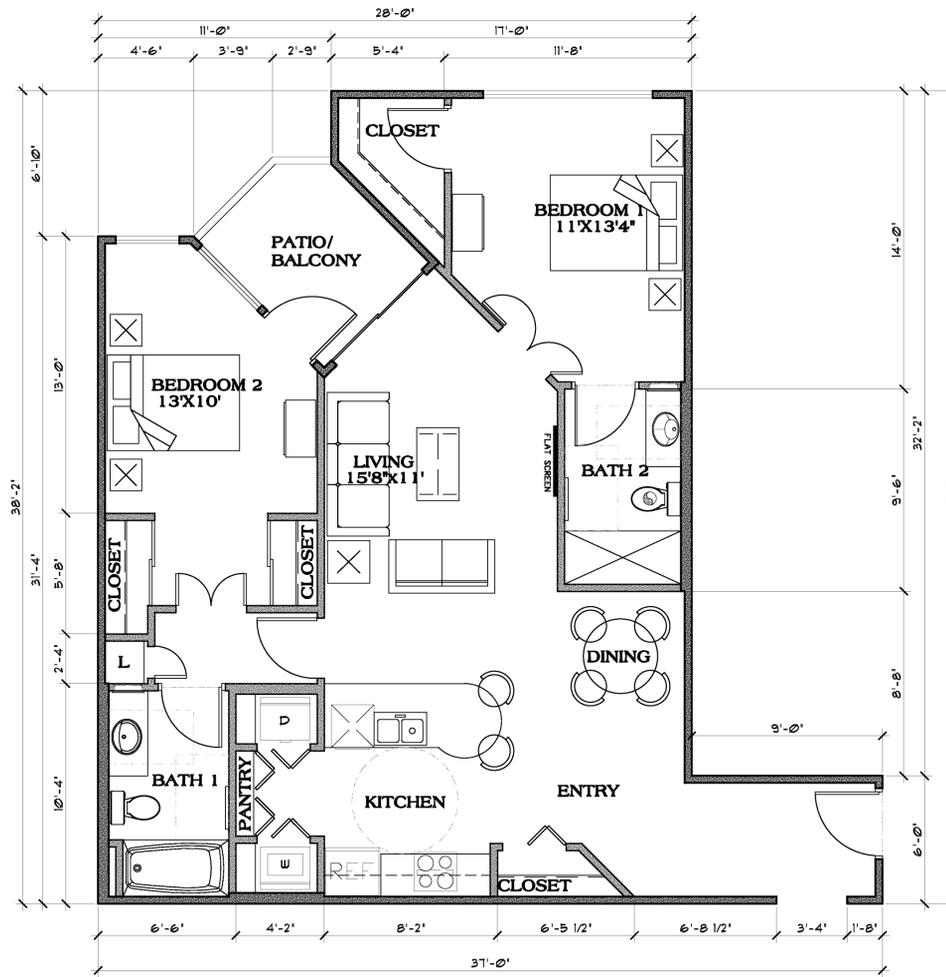


UNIT B2
GRC08 • 1,166 SF.

Scale: 1/4" = 1'-0"

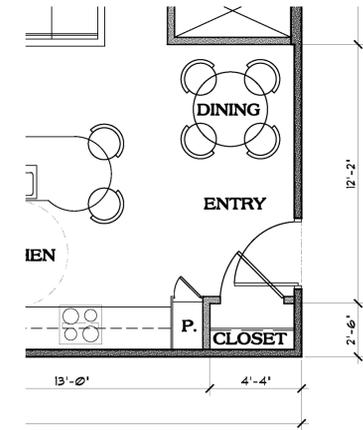


ALTERNATE PATIO
LOCATED • GROUND FLOOR



UNIT B1
GRC08 • 938 SF.

Scale: 1/4" = 1'-0"



ALTERNATE ENTRY
WHERE OCCURS

Unit Plans
Scale: 1/4" = 1'-0"

PROPOSED ADDRESS
600 W. UNIVERSITY
HEIGHTS DRIVE

Flagstaff, AZ.



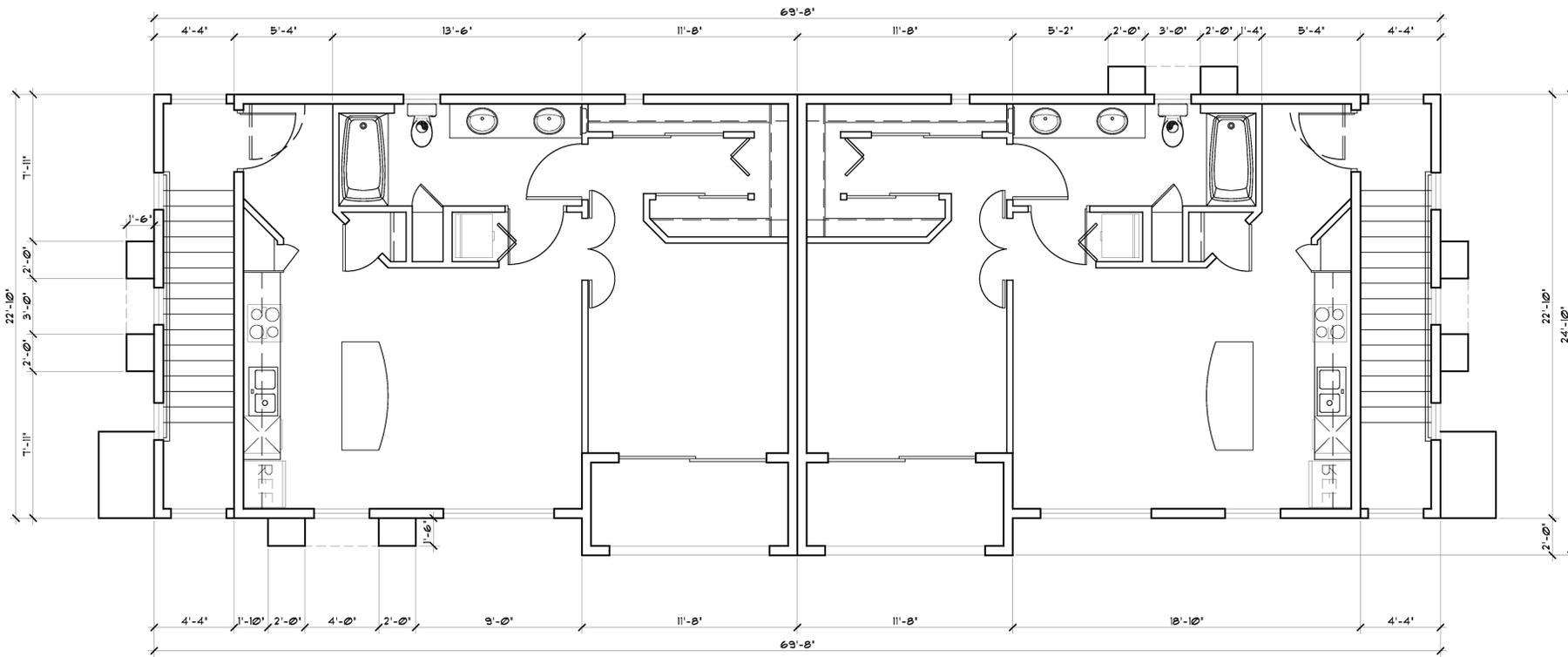
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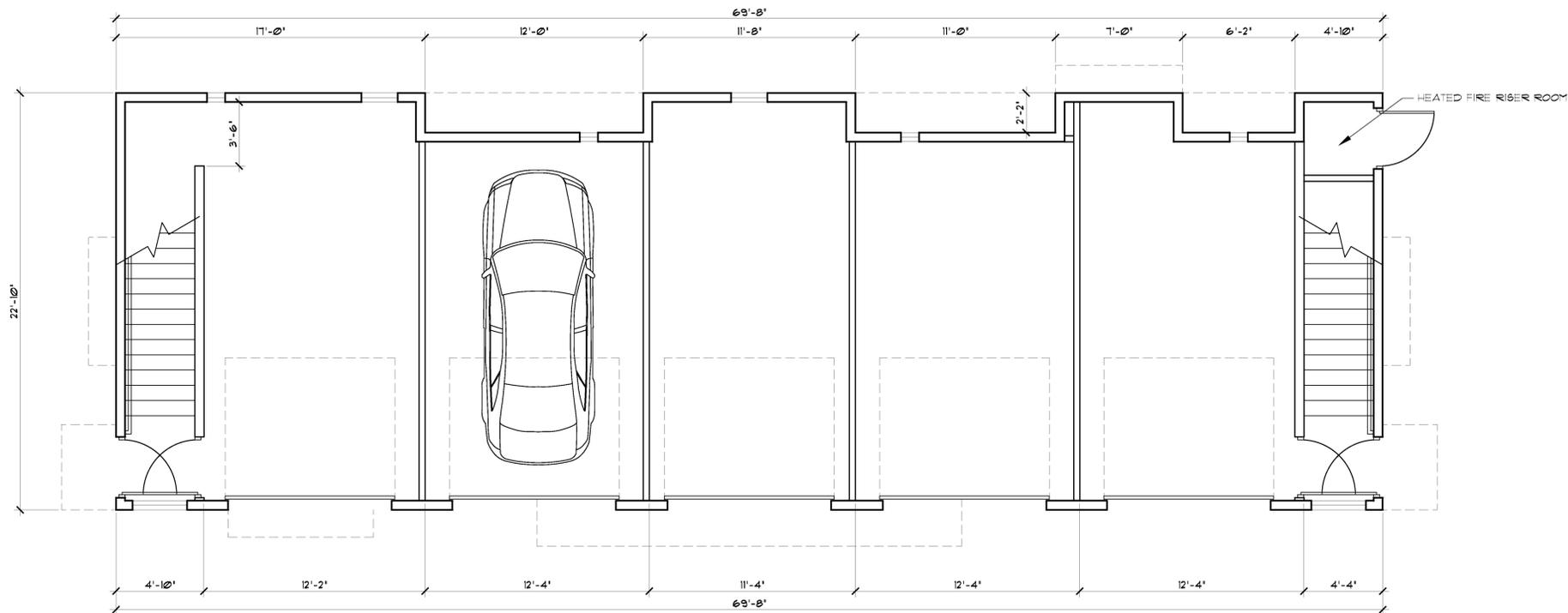


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CARRIAGE BUILDING SECOND FLOOR
Scale: 1/4" = 1'-0"



CARRIAGE BUILDING GROUND LEVEL
Scale: 1/4" = 1'-0"

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HEIGHTS DRIVE
Flagstaff, AZ.

Bldg. Plans
Scale: 1/4" = 1'-0"

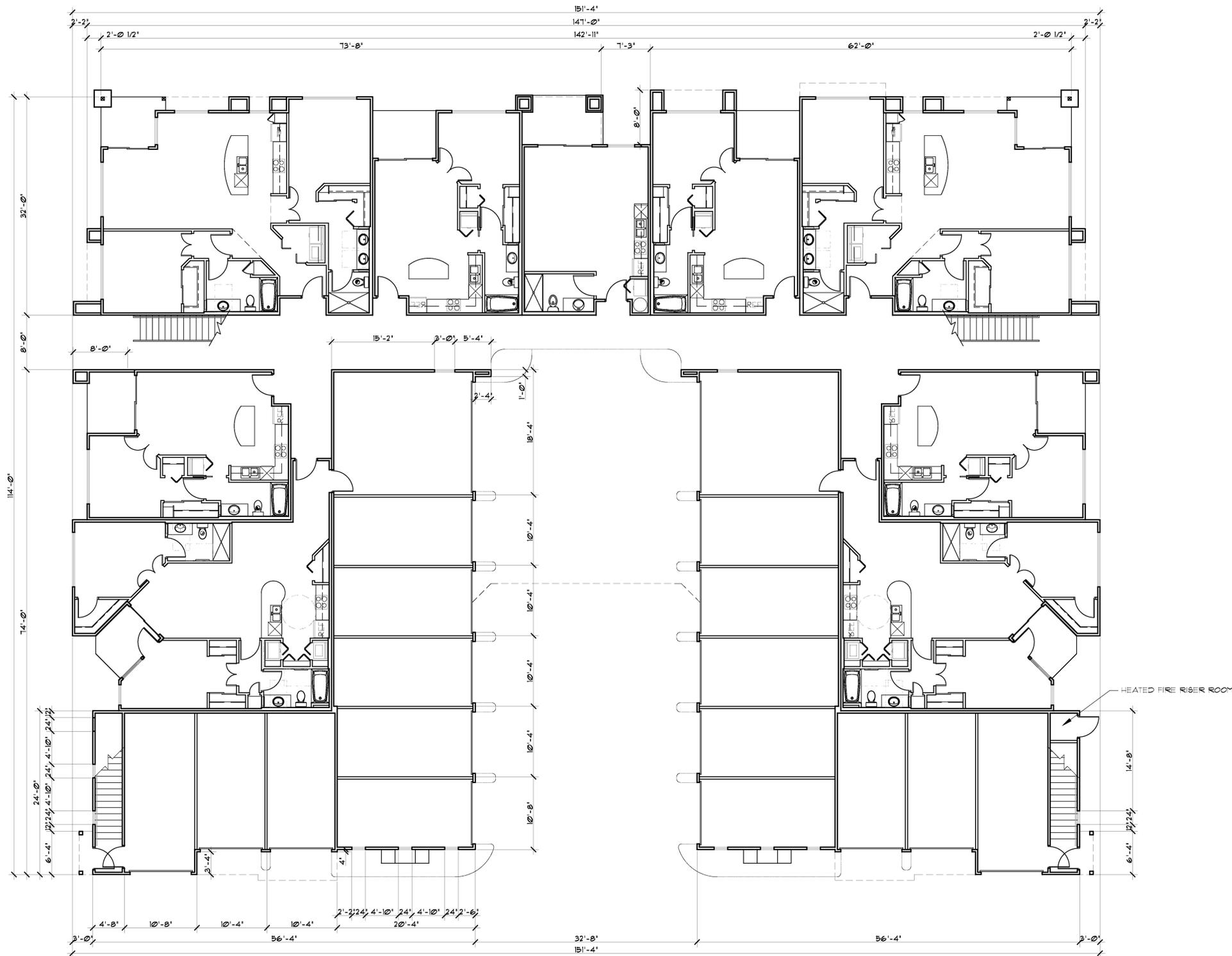
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BUILDING #1 GROUND FLOOR
Scale: 1/8" = 1'-0"

UNIT COUNT	
STUDIO	1
A1	4
B1	2
B2	2
TOTAL THIS FLOOR	9

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600 W. UNIVERSITY
HEIGHTS DRIVE

Flagstaff, AZ.

Bldg. Plans
Scale: 1/8" = 1'-0"

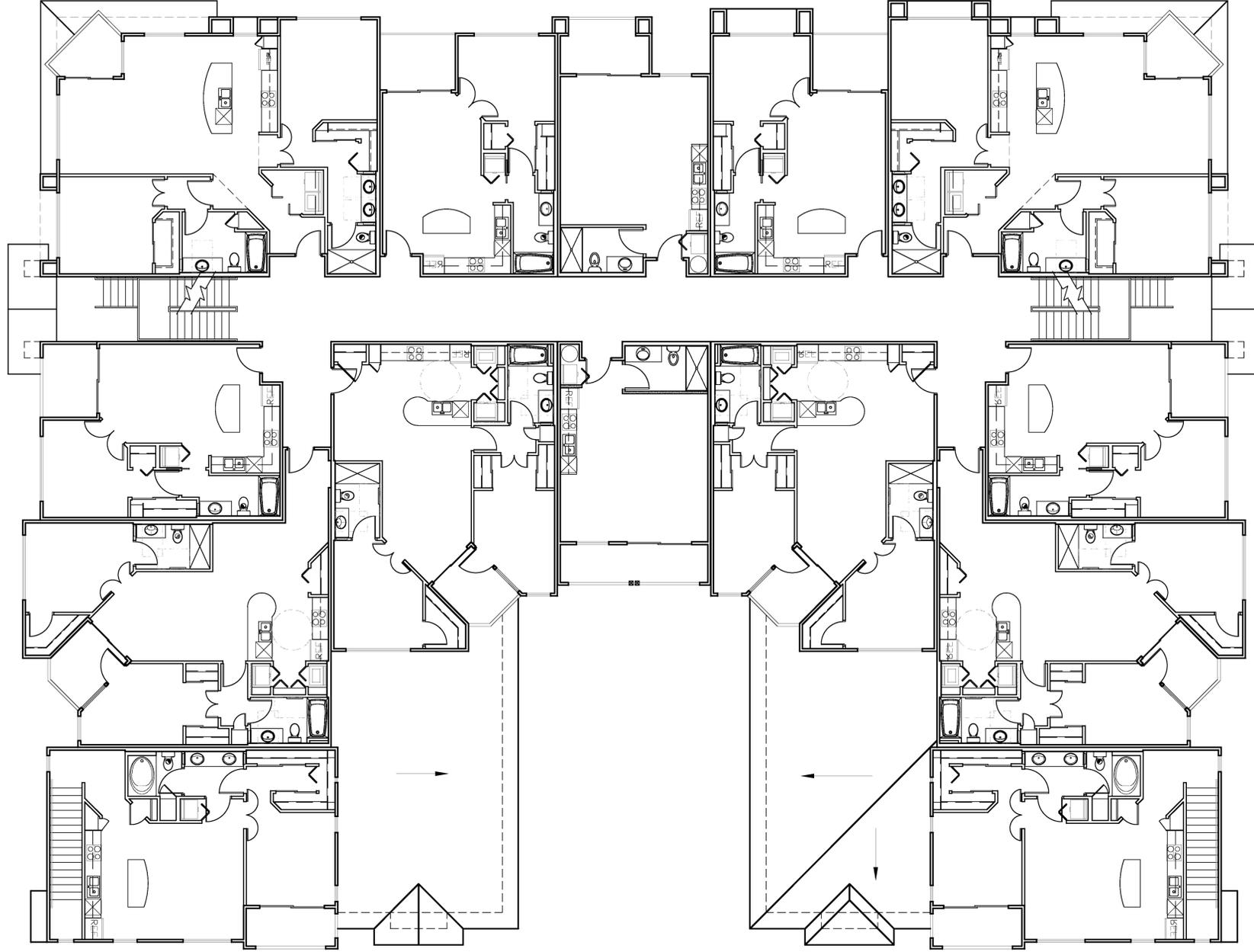
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○ BUILDING #1 SECOND FLOOR
Scale: 1/8" = 1'-0"

UNIT COUNT	
STUDIO	2
CARRIAGE	2
A1	4
B1	2
B2	4
TOTAL THIS FLOOR	14

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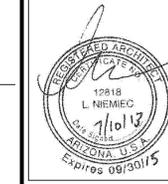
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600 W. UNIVERSITY
HEIGHTS DRIVE
Flagstaff, AZ.

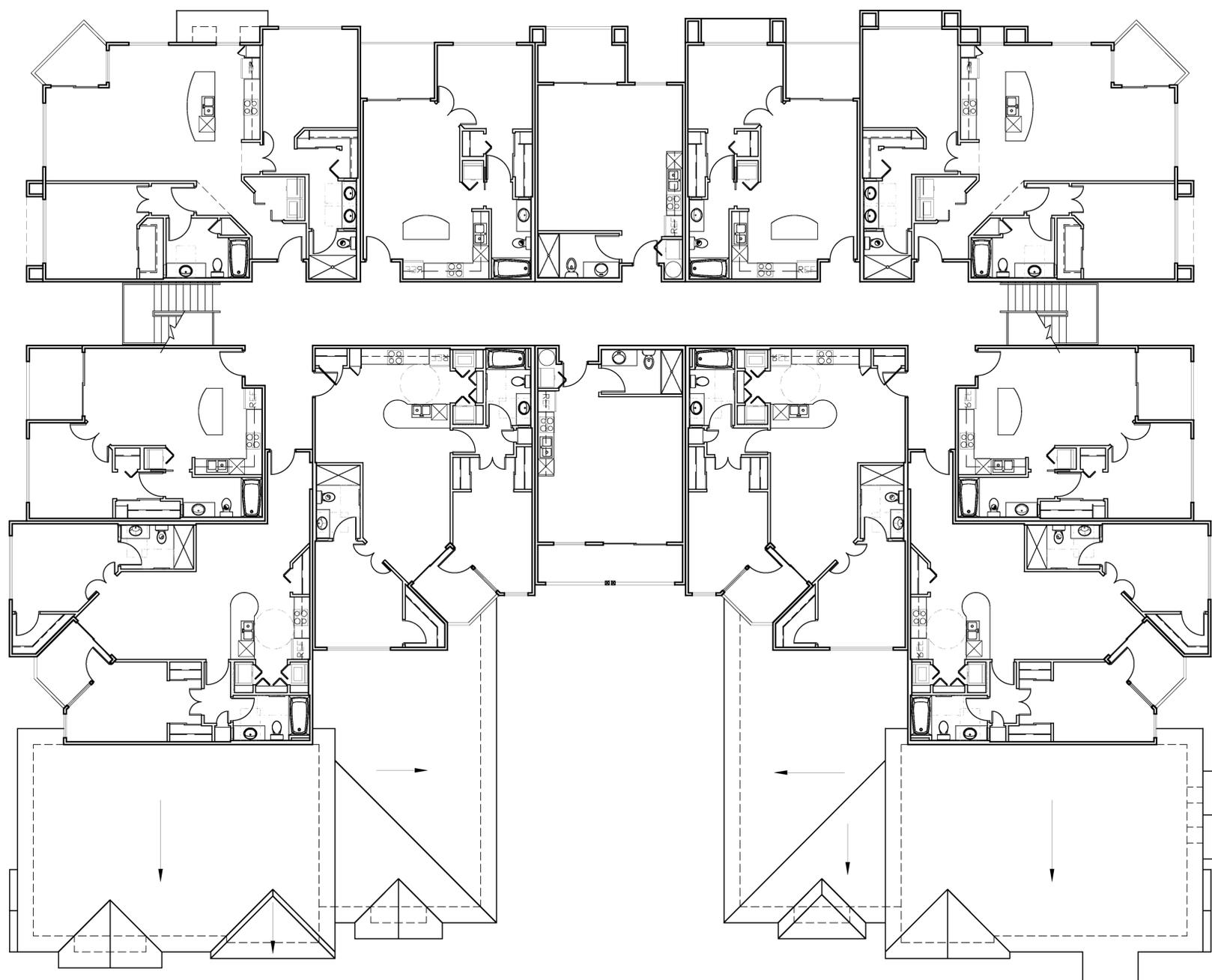
Bldg. Plans
Scale: 1/8" = 1'-0"

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BUILDING #1 THIRD FLOOR
Scale: 1/8" = 1'-0"

UNIT COUNT	
STUDIO	2
A1	4
B1	2
B2	4
TOTAL THIS FLOOR	12

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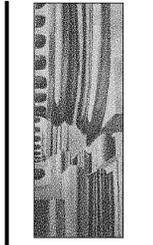


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600 W. UNIVERSITY
HEIGHTS DRIVE
Flagstaff, AZ.

Bldg. Plans
Scale: 1/8" = 1'-0"

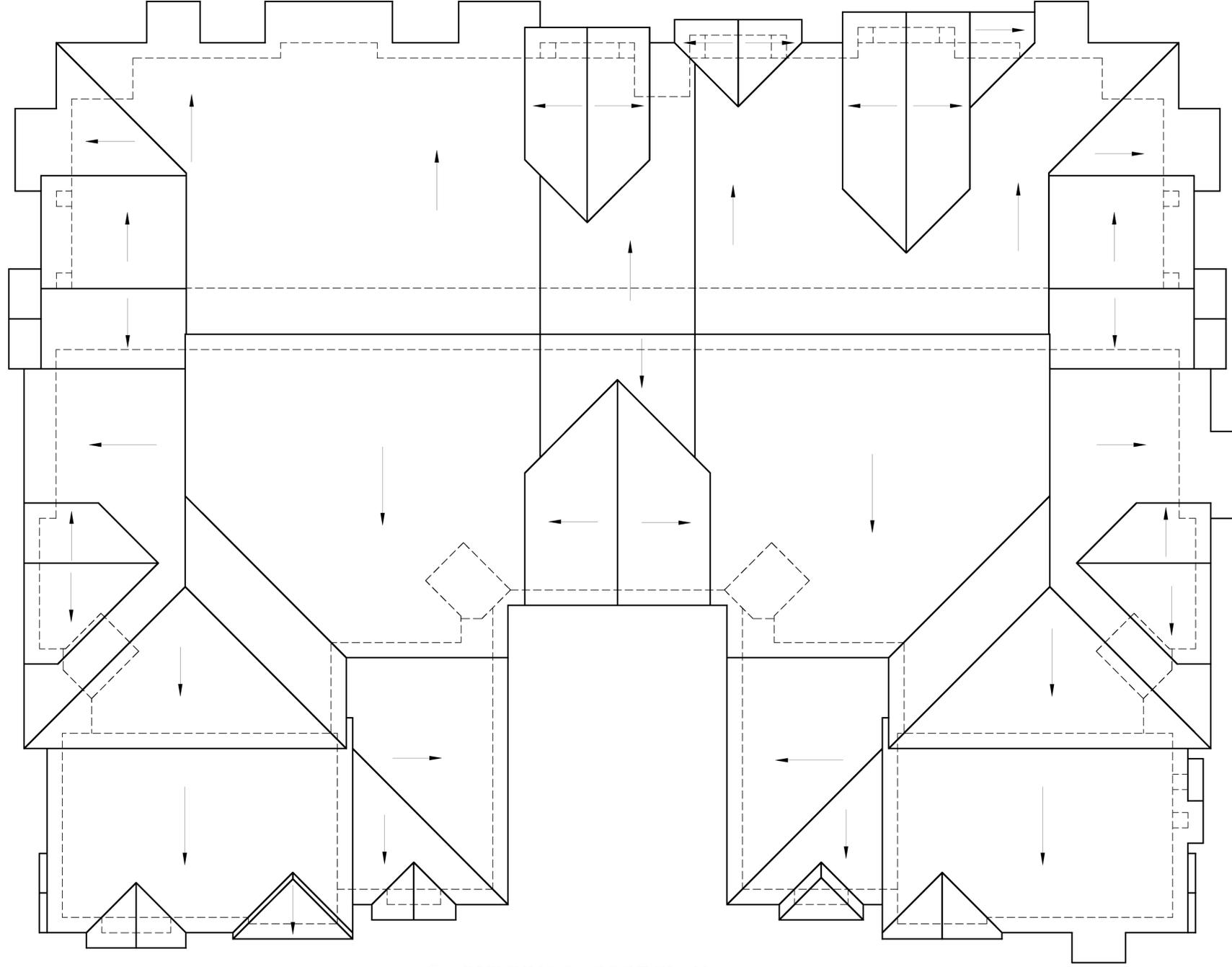
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○ BUILDING #1 ROOF PLAN
Scale: 1/8" = 1'-0"

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DATE: 7-10-2013
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A-7

Bldg. Plans
Scale: 1/8" = 1'-0"

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HEIGHTS DRIVE

Flagstaff, AZ.



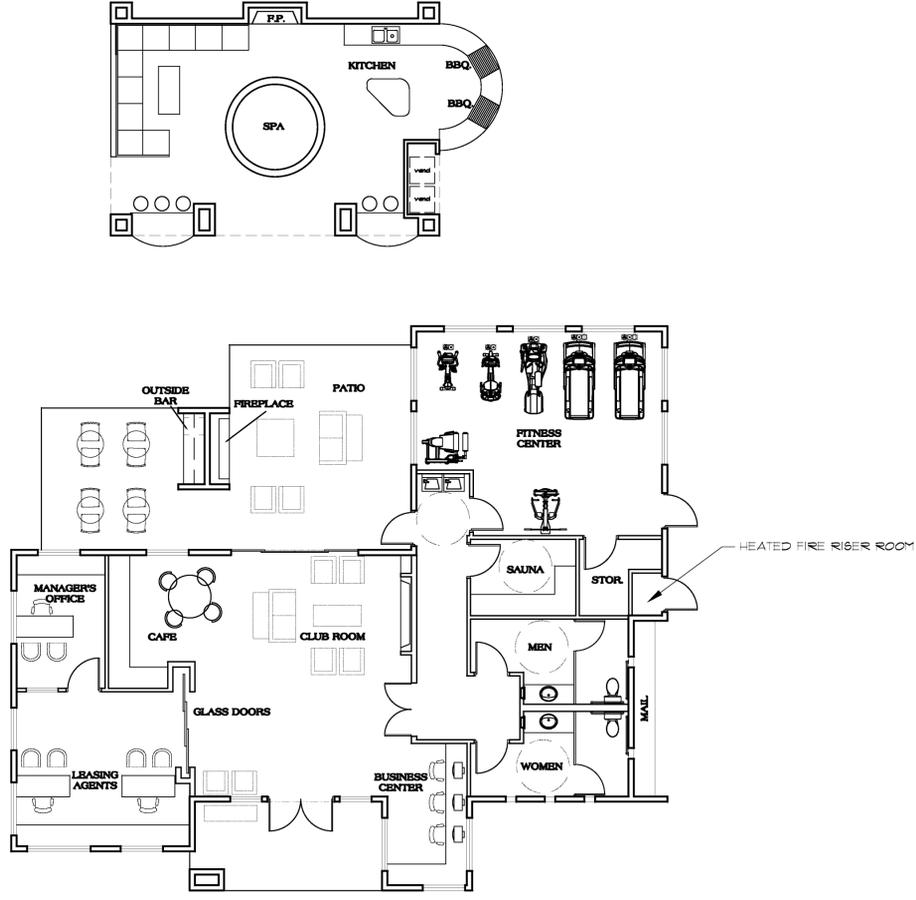
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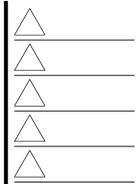
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CLUBHOUSE & CABANA
 CLUBHOUSE GROSS = 2,272 SF.
 CABANA GROSS = 651 SF.

Scale: 1/8" = 1'-0"



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PROPOSED ADDRESS
 600 W. UNIVERSITY
 HEIGHTS DRIVE

Flagstaff, AZ.

Bldg. Plans
 Scale: 1/8" = 1'-0"

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○ FRONT/STREET ELEVATION
Scale: 3/16" = 1'-0"



○ LEFT SIDE ELEVATION
Scale: 3/16" = 1'-0"

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PROPOSED ADDRESS
600 W. UNIVERSITY
HEIGHTS DRIVE

Flagstaff, AZ.

ELEVATIONS
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HEIGHTS DRIVE

ELEVATIONS
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○ REAR ELEVATION Scale: 3/16" = 1'-0"



○ RIGHT SIDE ELEVATION Scale: 3/16" = 1'-0"

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HEIGHTS DRIVE
Flagstaff, AZ.

ELEVATIONS
Scale: 3/16" = 1'-0"

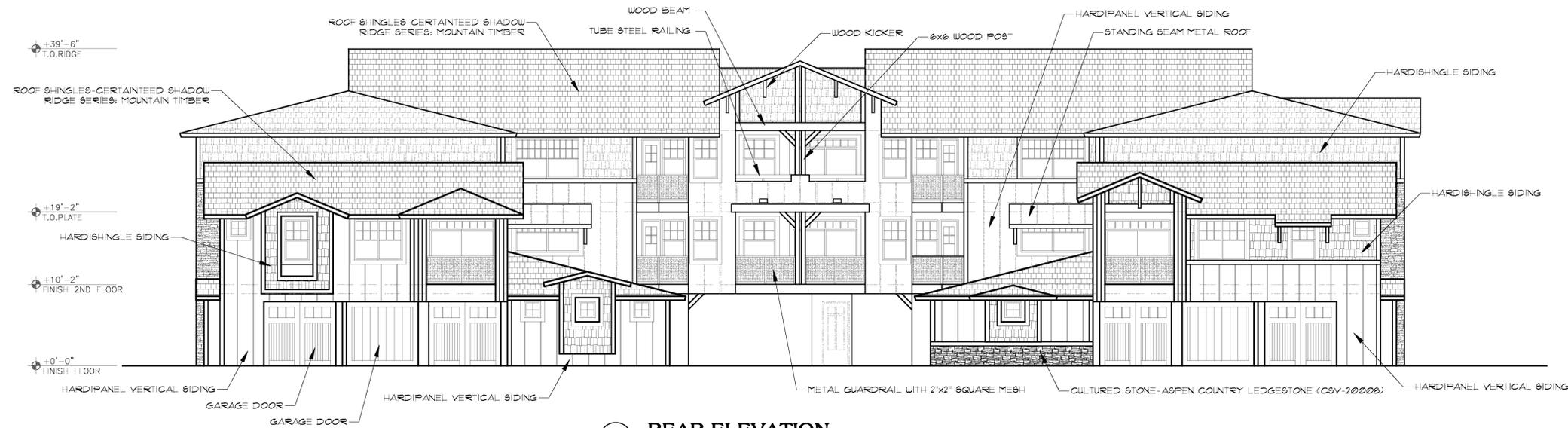
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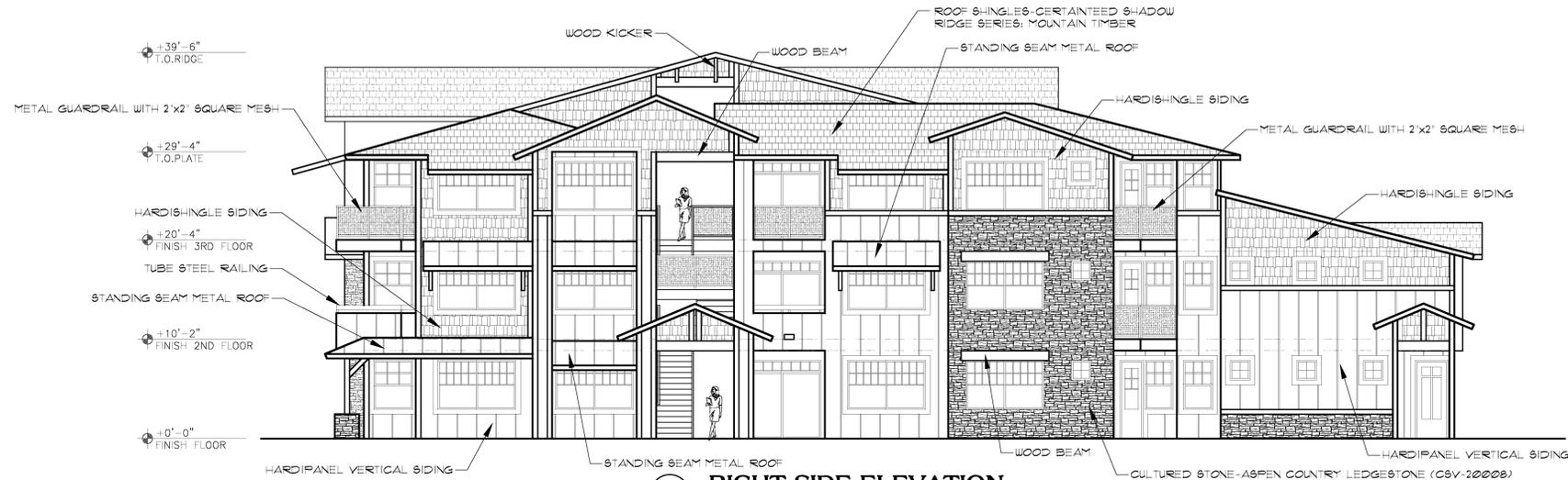
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REAR ELEVATION

Scale: 1/8" = 1'-0"



RIGHT SIDE ELEVATION

Scale: 1/8" = 1'-0"

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PROPOSED ADDRESS
600 W. UNIVERSITY
HEIGHTS DRIVE

ELEVATIONS
Scale: 1/8" = 1'-0"

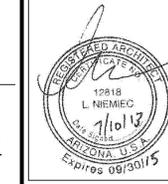
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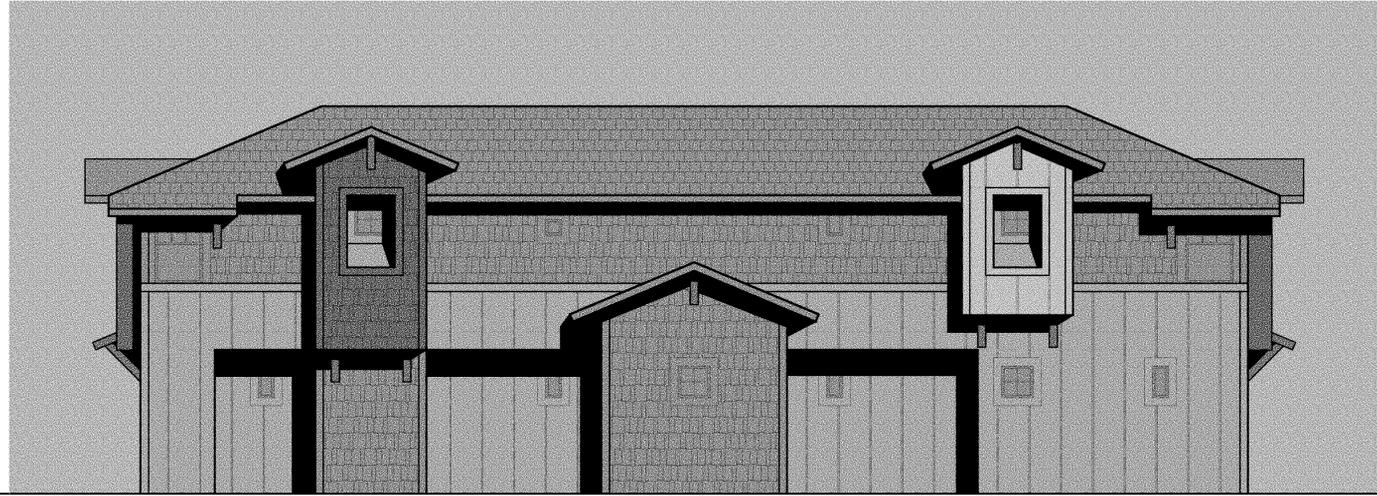
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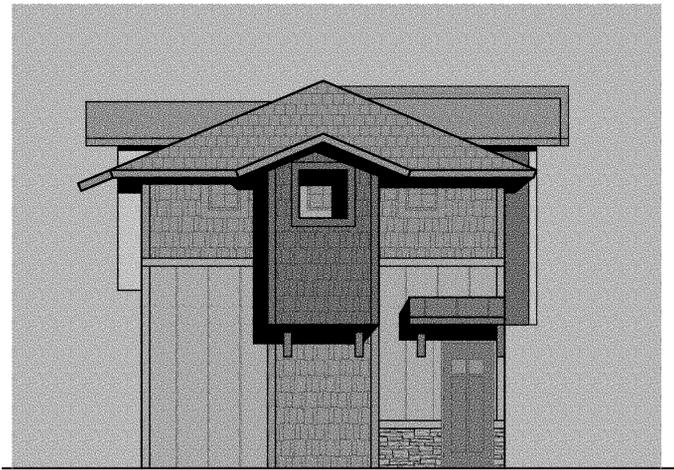
○ FRONT ELEVATION

Scale: 3/16" = 1'-0"



○ REAR ELEVATION

Scale: 3/16" = 1'-0"



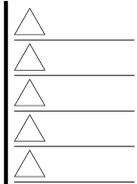
○ LEFT SIDE ELEVATION

Scale: 3/16" = 1'-0"



○ RIGHT SIDE ELEVATION

Scale: 3/16" = 1'-0"



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PROPOSED ADDRESS
600 W. UNIVERSITY
HEIGHTS DRIVE

Flagstaff, AZ.

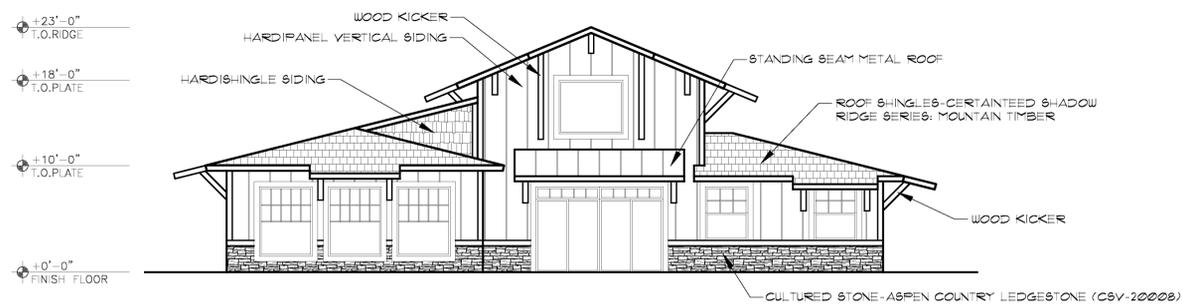
ELEVATIONS
Scale: 3/16" = 1'-0"

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DATE: 7-10-2013
SHEET NO:

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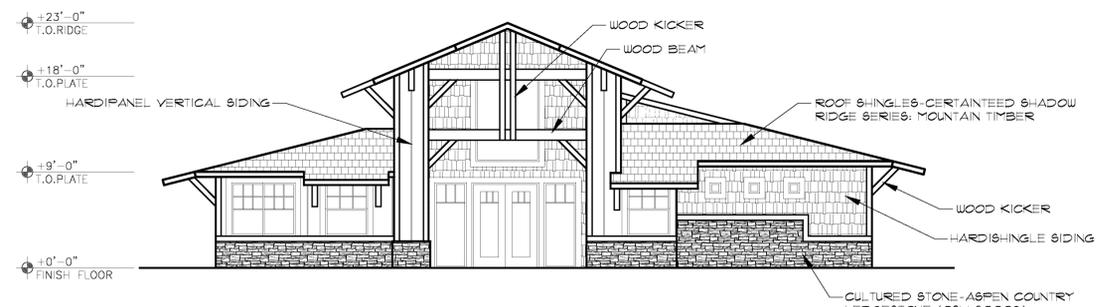


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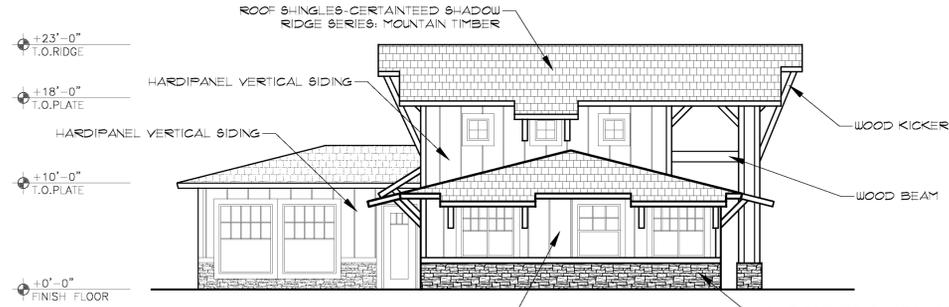
CLUBHOUSE REAR ELEVATION

Scale: 1/8" = 1'-0"



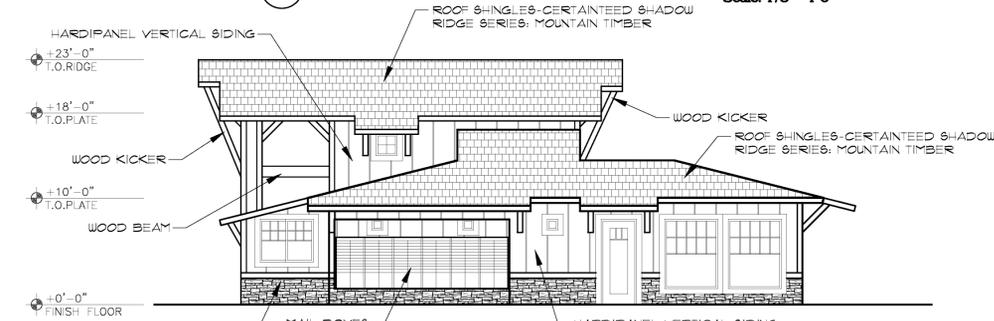
CLUBHOUSE FRONT ELEVATION

Scale: 1/8" = 1'-0"



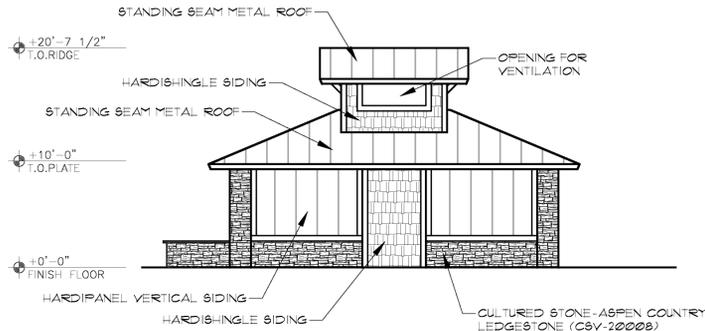
CLUBHOUSE LEFT ELEVATION

Scale: 1/8" = 1'-0"



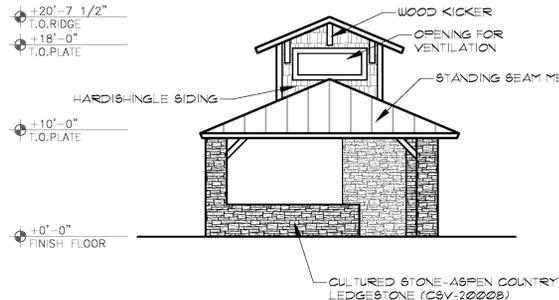
CLUBHOUSE RIGHT ELEVATION

Scale: 1/8" = 1'-0"



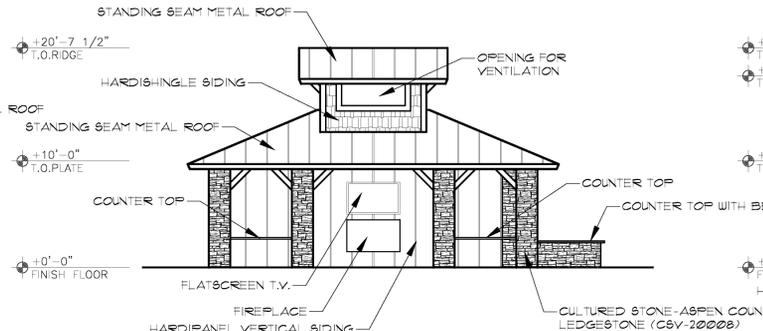
CABANA REAR ELEVATION

Scale: 1/8" = 1'-0"



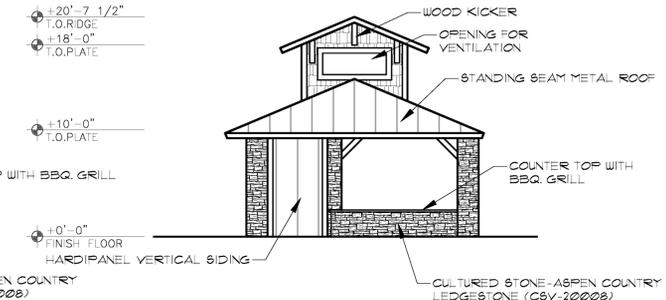
CABANA LEFT ELEVATION

Scale: 1/8" = 1'-0"



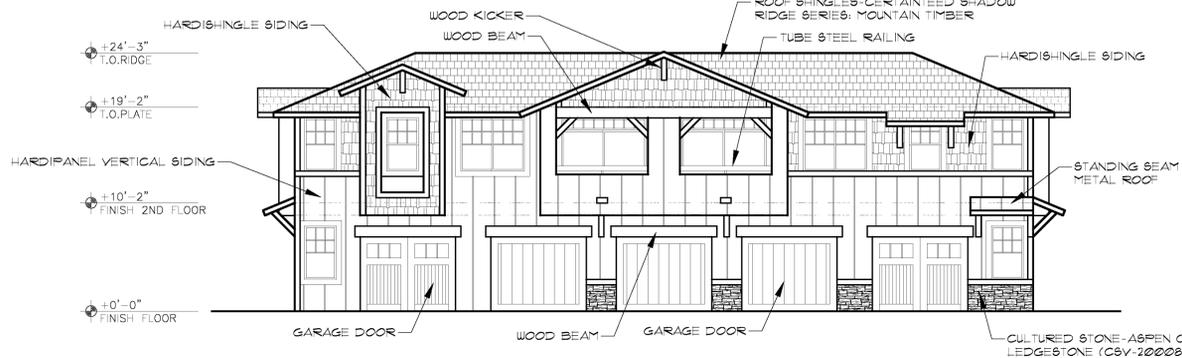
CABANA FRONT ELEVATION

Scale: 1/8" = 1'-0"



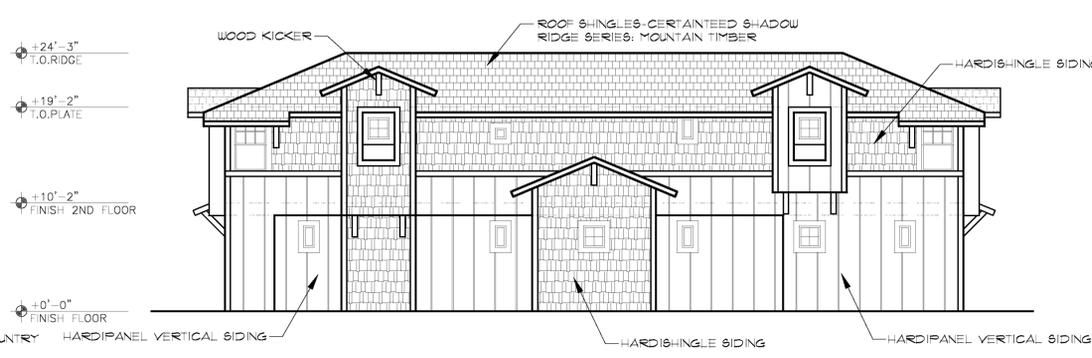
CABANA RIGHT ELEVATION

Scale: 1/8" = 1'-0"



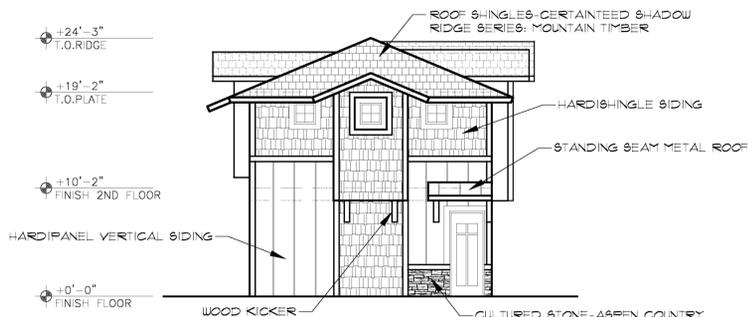
CARRIAGE BLDG. FRONT ELEVATION

Scale: 1/8" = 1'-0"



CARRIAGE BLDG. REAR ELEVATION

Scale: 1/8" = 1'-0"



CARRIAGE BLDG. LEFT ELEVATION

Scale: 1/8" = 1'-0"



CARRIAGE BLDG. RIGHT ELEVATION

Scale: 1/8" = 1'-0"

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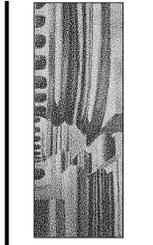


PROPOSED ADDRESS
600 W. UNIVERSITY
HEIGHTS DRIVE
Flagstaff, AZ.

ELEVATIONS
Scale: 1/8" = 1'-0"

DATE: 7-10-2013
SHEET NO.

A11.1



L.R. Niemiec Architects
L.R. NIEMIEC ARCHITECTS/PLANNERS, INC. • 8585 EAST HARTFORD DRIVE, SUITE 115 • SCOTTSDALE ARIZONA 85255 • (480) 998-7576

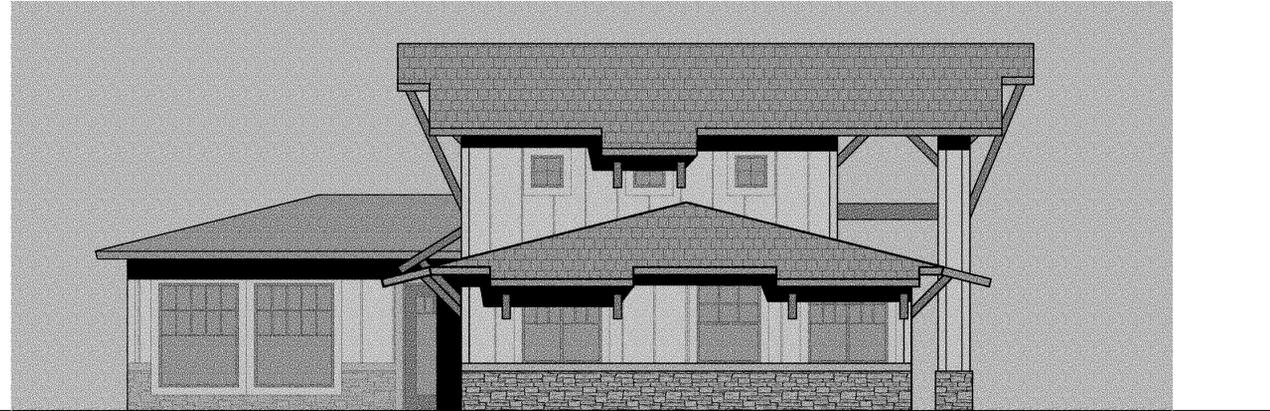




○ CLUBHOUSE REAR ELEVATION
Scale: 3/16" = 1'-0"



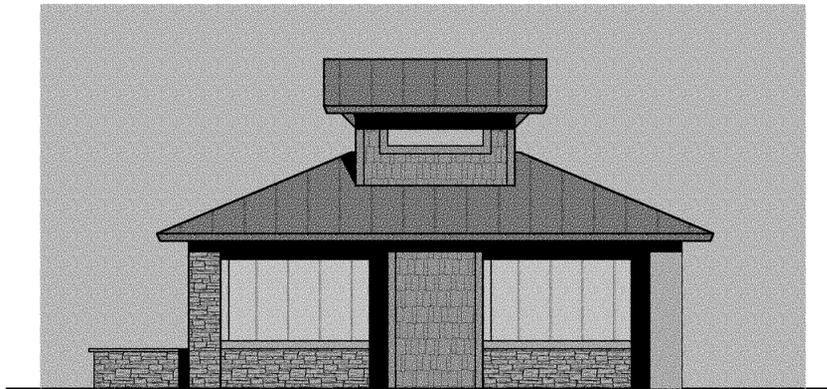
○ CLUBHOUSE FRONT ELEVATION
Scale: 3/16" = 1'-0"



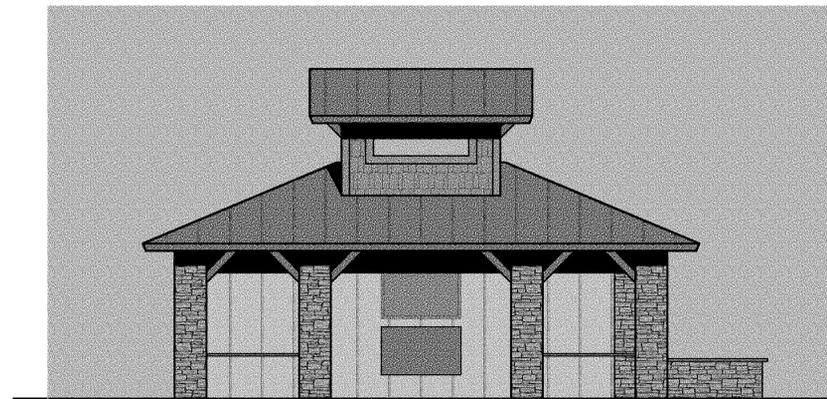
○ CLUBHOUSE LEFT ELEVATION
Scale: 3/16" = 1'-0"



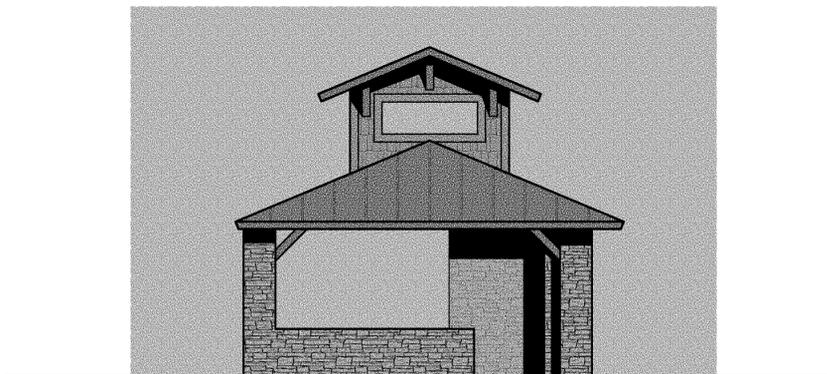
○ CLUBHOUSE RIGHT ELEVATION
Scale: 3/16" = 1'-0"



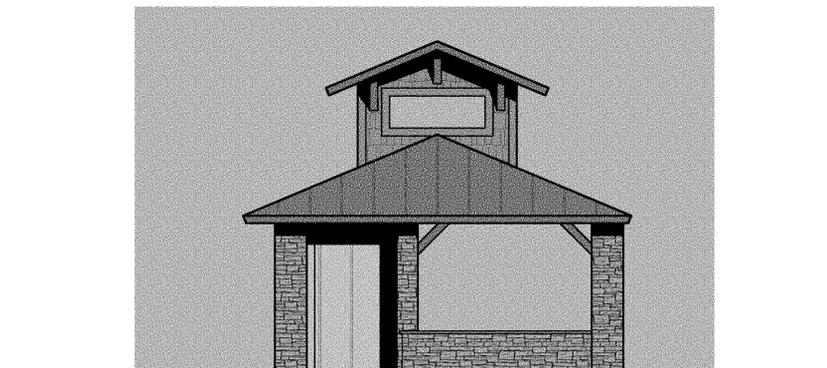
○ CABANA REAR ELEVATION
Scale: 3/16" = 1'-0"



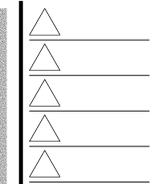
○ CABANA FRONT ELEVATION
Scale: 3/16" = 1'-0"



○ CABANA LEFT ELEVATION
Scale: 3/16" = 1'-0"



○ CABANA RIGHT ELEVATION
Scale: 3/16" = 1'-0"



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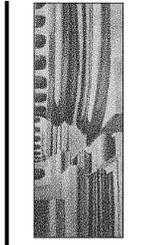


PROPOSED ADDRESS
600 W. UNIVERSITY
HEIGHTS DRIVE
Flagstaff, AZ.

ELEVATIONS
Scale: 3/16" = 1'-0"

DRAWN BY: NS
CHECKED BY:
PROJECT NO.
DATE: 7-10-2013
SHEET NO.

A-12

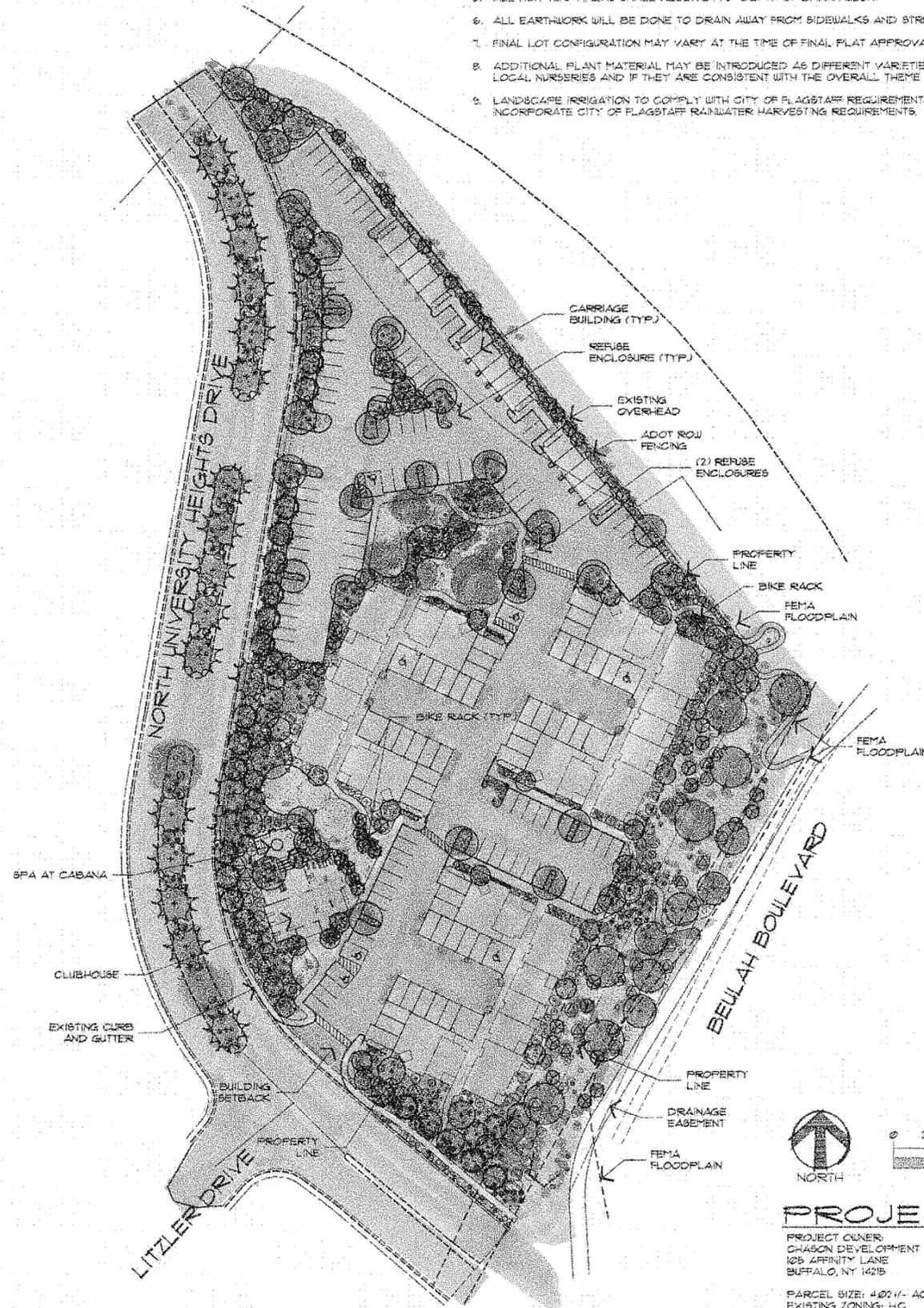


L.R. Niemiec Architects
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CONCEPTUAL GENERAL NOTES

1. CONCEPTUAL LANDSCAPE PLAN IS SCHEMATIC IN NATURE. AT THE TIME OF LANDSCAPE CONSTRUCTION DRAWINGS ACTUAL LOCATIONS, QUANTITIES, SIZES, AND SPECIES SHALL BE DETERMINED AND WILL BE PER CITY CODES.
2. ALL TREES USED WITHIN THIS PROJECT SHALL BE NURSERY GROWN OR ARE TO REMAIN IN PLACE. EXACT LOCATIONS AND QUANTITIES SHALL BE DETERMINED ON LANDSCAPE CONSTRUCTION DRAWINGS.
3. ALL LANDSCAPE AREAS SHALL RECEIVE AN AUTOMATIC IRRIGATION SYSTEM.
4. ALL PLANT MATERIAL SHALL BE INSTALLED PER CITY REQUIREMENTS. PLANT MATERIAL INSTALLED WITHIN EIGHT DISTANCE TRIANGLES SHALL BE OF A SPECIES THAT DOES NOT GROW TO A HEIGHT OF MORE THAN 36" AND SHALL BE MAINTAINED PER CITY REQUIREMENTS.
5. ALL NON-TURF AREAS SHALL RECEIVE A 2" DEPTH OF BARK MULCH.
6. ALL EARTHWORK WILL BE DONE TO DRAIN AWAY FROM SIDEWALKS AND STRUCTURES.
7. FINAL LOT CONFIGURATION MAY VARY AT THE TIME OF FINAL PLAT APPROVAL.
8. ADDITIONAL PLANT MATERIAL MAY BE INTRODUCED AS DIFFERENT VARIETIES BECOME AVAILABLE THROUGH LOCAL NURSERIES AND IF THEY ARE CONSISTENT WITH THE OVERALL THEME OF THIS PROJECT.
9. LANDSCAPE IRRIGATION TO COMPLY WITH CITY OF FLAGSTAFF REQUIREMENTS AND BE DESIGNED TO INCORPORATE CITY OF FLAGSTAFF RAINWATER HARVESTING REQUIREMENTS.



MASTER PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	COMMENTS
TREES (DECIDUOUS)					
	Acer x freemanii	Freeman Maple	2" Cal. Min.	25	Standard-trunk, Dense Canopy
	Betula occidentalis	River Birch	2" Cal. Min.	41	Standard-trunk, Dense Canopy
	Cercle occidentalis	Western Redbud	2" Cal. Min.	26	Standard-trunk, Dense Canopy
	Malus species	Flowering Crabapple	2" Cal. Min.	10	Standard-trunk, Dense Canopy
	Plantanus virginii	Arizona Sycamore	2" Cal. Min. 36" Box Min.	8	Standard-trunk, Dense Canopy
	Populus tremuloides	Quaking Aspen	1" Cal. Min. 18 Gal. Min.	23	Standard-trunk, Dense Canopy
TREES (EVERGREEN)					
	Picea abies	Norway Spruce	2" Cal. Min.	21	Standard-trunk, Dense Canopy
	Pinus ponderosa	Ponderosa Pine	2" Cal. Min. 24" Box Min.	10	Standard-trunk, Dense Canopy
	Pseudotsuga menziesii	Rocky Mountain Douglas Fir	1" Cal. Min. 24" Box Min.	20	Standard-trunk, Dense Canopy
SHRUBS (DECIDUOUS)					
	Artemisia ludoviciana	Prairie Sage	1 Gal.	21	As Per Plan
	Barbarea thunbergii	Japanese Barberry	5 Gal.	16	As Per Plan
	Cercocarpus species	Mountain Mahogany	5 Gal.	32	As Per Plan
	Cornus stolonifera	Red Twig Dogwood	5 Gal.	67	As Per Plan
	Cotoneaster divaricatus	Spreading Cotoneaster	5 Gal.	54	As Per Plan
	Eucymne alatus 'Compacta'	Dwarf Burning Bush	5 Gal.	28	As Per Plan
	Potentilla fruticosa	Potentilla	5 Gal.	78	As Per Plan
	Ribes aurum	Golden Currant	5 Gal.	7	As Per Plan
	Spiraea species	Spiraea	5 Gal.	12	As Per Plan
SHRUBS (EVERGREEN)					
	Arctostaphylos species	Manzanita	5 Gal.	45	As Per Plan
	Mahonia aquifolium	Oregon Grape Holly	5 Gal.	101	As Per Plan
	Pinus mugo	Mugo Pine	5 Gal.	42	As Per Plan
	Yucca baccata	Banana Yucca	5-Gal.	31	As Per Plan
GRASSCOVERS					
	Arctostaphylos uva-ursi	Kinnikinnick	1 Gal.	78	As Per Plan
	Juniperus horizontalis	Juniper	1 Gal.	92	As Per Plan
	Lonicera japonica 'Halliana'	Halls Honeysuckle	1 Gal.	94	As Per Plan
	Taxodium canadensis	Gambelster	1 Gal.	120	As Per Plan
VINES					
	Hedera species	Ivy	15 Gal.	14	Trained to Structure
	Lonicera japonica 'Halliana'	Halls Honeysuckle	15 Gal.	8	Trained to Structure
GRASSES					
	Bouteloua gracilis	Blue Grama	5 Gal.	93	As Per Plan
	Festuca glauca	Blue Fescue	5 Gal.	46	As Per Plan
	Muhlenbergia rigens	Deer Grass	5 Gal.	175	As Per Plan
MISCELLANEOUS					
	SEASONAL ANNUALS			4" POTS	300 PLANTED @ OC.
	BARK MULCH - DARK FOREST BROWN OR EQUAL - 2" DEPTH IN ALL SPECIFIED PLANTING AREAS (TYP.) - 40,400 SQ. FT.				
	TURF - (75% KENTUCKY BLUE, 15% FESCUE, 10% RYE) - 1,325 SQ. FT. WITH 4" EXTRUDED CONCRETE HEADER - 480 LB.				
	NATIVE GRASS AND WILDFLOWER SEED MIX - 26,280 SQ. FT. (REFERENCE NATIVE GRASS & WILDFLOWER SEED MIX MATRIX)				
	SURFACE SELECT BOULDERS				

GRASS & WILDFLOWER MIX

LBS/AC.	BOTANICAL NAME	COMMON NAME
3	Bouteloua curtipendula	Bideplate Grama
2	Eriogonum spicatum	Aspen Fleabane
1	Festuca arizonica	Arizona Fescue
2	Hilaria jamesii	Gambel's Grass
3	Lupinus angustis	Silvery Lupine
2	Oryzopsis hymenoides	Indian Rice Grass
3	Peristemon bairdii	Palmer's Peristemon
1	Suaeda frutescens	Bottlebrush Squirt
2	Stipa comata	Needle and Thread Grass

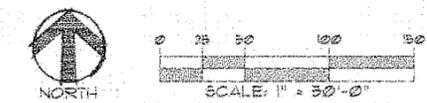
BREEDLING RATE: 15 LBS / ACRE

PLANT QUANTITY SCHEDULE

LOCATION	TREES (ON AVERAGE)	SHRUBS (ON AVERAGE)	GROUNDCOVER (ON AVERAGE)
STREET BUFFER	1 PER 25 LF.	2 PER TREE	2 PER TREE
UNIVERSITY HEIGHTS DR. REQUIRED	33	78	78
UNIVERSITY HEIGHTS DR. PROVIDED	33	105 (+27)	124 (+46)
BEULAH BOULEVARD REQUIRED	11	34	34
BEULAH BOULEVARD PROVIDED	21 (+10)	50 (+16)	34
PERIPHERAL BUFFER	1 PER 25 LF.	2 PER TREE	2 PER TREE
PERIPHERAL BUFFER REQUIRED	23	50	50
PERIPHERAL BUFFER PROVIDED	26 (+3)	58 (+8)	50
PARKING AREA	2 PER 8 SPACES	2 PER TREE	2 PER TREE
PARKING AREA REQUIRED	23	58	58
PARKING AREA PROVIDED	30 (+7)	61 (+3)	83 (+25)
PARKING LOT SCREEN	NOT REQUIRED	2 PER SPACE	NOT REQUIRED
PARKING LOT SCREEN REQUIRED	-	52	-
PARKING LOT SCREEN PROVIDED	-	54 (+2)	-
BUILDING FOUNDATION	1 PER 25 LF.	2 PER TREE	2 PER TREE
BUILDING FOUNDATION REQUIRED	61	122	122
BUILDING FOUNDATION PROVIDED	63 (+2)	216 (+94)	123 (+1)

PARKING ISLAND REQUIREMENTS

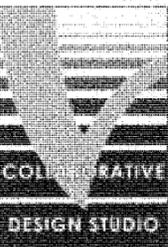
REQUIRED LANDSCAPE AREA CALCULATION	REQUIRED (SQ. FT.)	PROVIDED (SQ. FT.)
114 (PARKING SPACES) X 30 (SQ. FT. OF LANDSCAPE REQUIRED PER SPACE)	3,420	3,115
- 10% (PER AFFORDABLE HOUSING INCENTIVE LANDSCAPE STANDARDS REDUCTION)	-342	-311.5



PROJECT DATA

PROJECT OWNER:
CHASON DEVELOPMENT
105 AFFINITY LANE
BUFFALO, NY 14215

PARCEL SIZE: 4.07 +/- ACRES
EXISTING ZONING: LHC
ONSITE LANDSCAPE AREA: 12,080 SQ. FT. 166 +/- ACRE
LANDSCAPE COVERAGE: 25%
RAINWATER HARVESTING REQUIREMENT: 30,120 GALLONS



COLLABORATIVE V
DESIGN STUDIO INC.
7116 EAST 1ST AVE.
SUITE 103
SCOTTSDALE, ARIZONA
85251
OFFICE: 480-347-0570
FAX: 480-652-6012



08/30/2018

PRELIMINARY
NOT FOR CONSTRUCTION

LANDSCAPE IMPROVEMENTS
TRAILSIDE APARTMENTS
Flagstaff, Arizona

Preliminary Landscape Plan

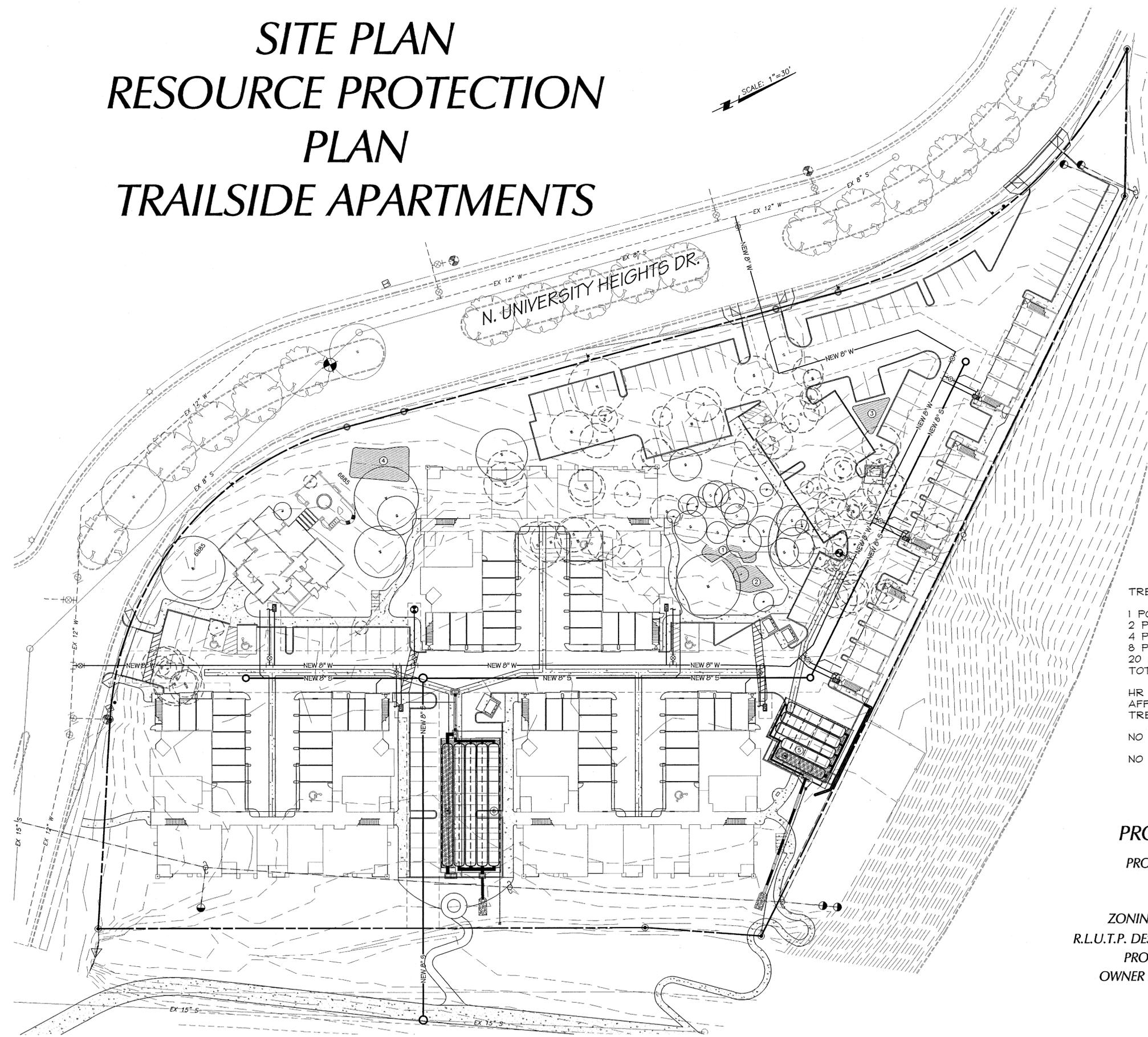
DESIGNED BY: PV/SJ
DRAWN BY: BJ/SJ
CHECKED BY: PV / MD
DATE: January 29, 2018
REVISED: August 14, 2018
2nd City Review

Trailside Apartments
Landscape Concept

LS-1

SITE PLAN RESOURCE PROTECTION PLAN TRAILSIDE APARTMENTS

SCALE: 1"=30'



-  1 POINT TREE
-  1 POINT TREE SAVE
-  2 POINT TREE
-  2 POINT TREE SAVE
-  4 POINT TREE
-  4 POINT TREE SAVE
-  8 POINT TREE
-  8 POINT TREE SAVE
-  20 POINT TREE
-  20 POINT TREE SAVE

TREE RESOURCE CALCULATIONS

1 POINT TREES 25 TOTAL= 25 POINTS SAVE 5= 5 POINTS
 2 POINT TREES 28 TOTAL= 56 POINTS SAVE 7= 14 POINTS
 4 POINT TREES 35 TOTAL= 140 POINTS SAVE 8= 32 POINTS
 8 POINT TREES 21 TOTAL= 168 POINTS SAVE 3= 24 POINTS
 20 POINT TREES 5 TOTAL= 100 POINTS SAVE 3= 60 POINTS
 TOTAL POINTS = 489 TOTAL SAVE POINTS = 135 (27.61%)

HR ZONE REQUIRES 50% TREE RESOURCE PROTECTION
 AFFORDABLE HOUSING INCENTIVE IS 45% REDUCTION = 27.5%
 TREE RESOURCE PROTECTION

NO SLOPE RESOURCES LOCATED ON SITE
 NO RURAL OR URBAN FLOODPLAIN RESOURCES ON SITE

PROJECT INFORMATION

PROJECT NAME: TRAILSIDE APARTMENTS
 ADDRESS: 600, 700, & 800 W. UNIVERSITY HEIGHTS DR.
 APN: 112-20-013A, 014B, & 015B
 ZONING DISTRICT: HR
 R.L.U.T.P. DESIGNATION: HIGH DENSITY RESIDENTIAL
 PROPOSED USE: APARTMENTS
 OWNER DEVELOPER: CHASON DEVELOPMENT
 105 AFFINITY LANE
 BUFFALO, NY 14215
 (716) 833-1000








DATE: 8/15/13
 DESIGNED BY:
 DRAWN BY:
 CHECKED BY:

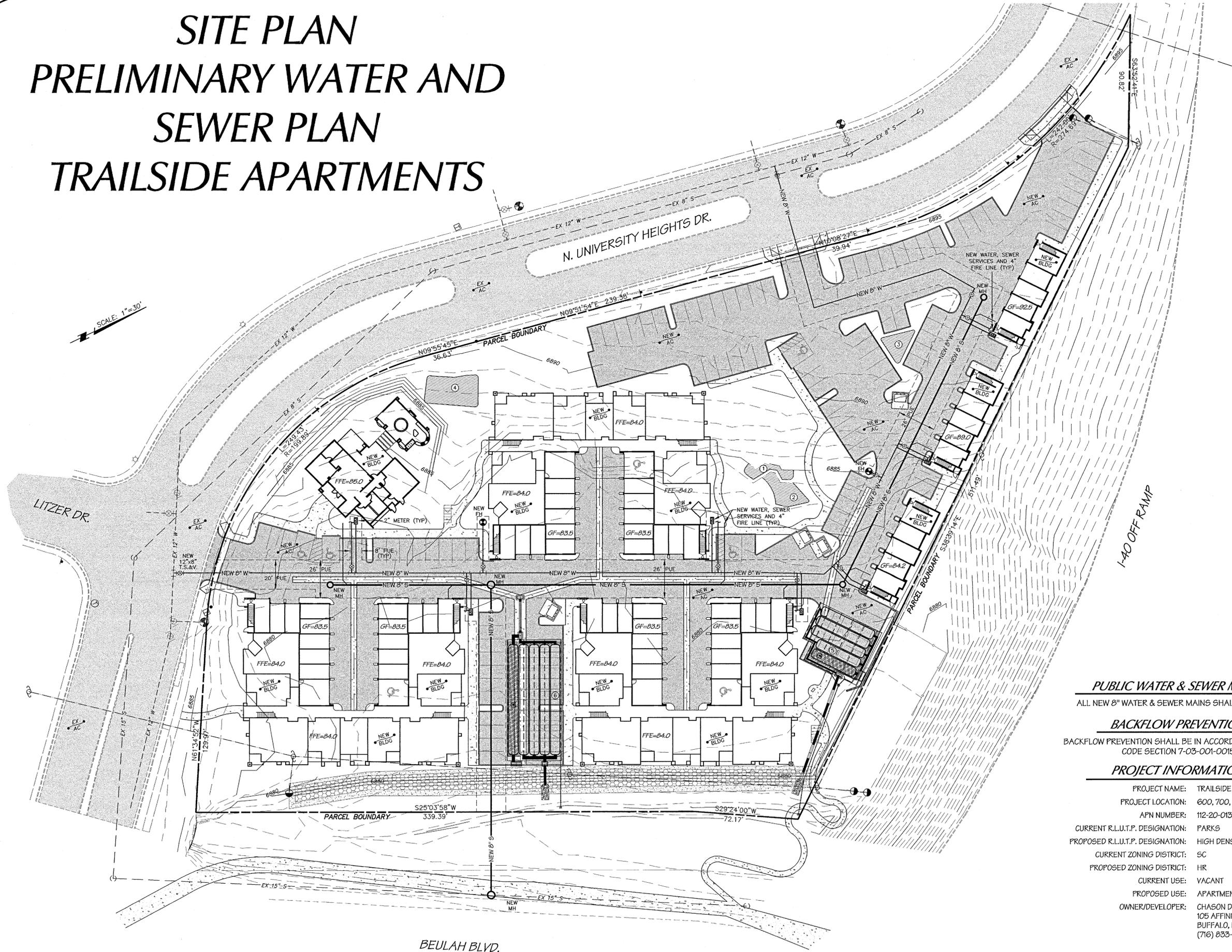
PROJECT NO. 12146
 FN. TREE-RESOURCE DMG
 VERT. SCALE: N/A
 HOR. SCALE: 1"=30'

REVISIONS: COF comments 8/15/13

8/15/13
 MES# 121465

TRAILSIDE APARTMENTS
 NATURAL RESOURCE
 PROTECTION PLAN

SITE PLAN PRELIMINARY WATER AND SEWER PLAN TRAILSIDE APARTMENTS



SCALE: 1"=30'

PUBLIC WATER & SEWER MAINS

ALL NEW 8" WATER & SEWER MAINS SHALL BE PUBLIC.

BACKFLOW PREVENTION

BACKFLOW PREVENTION SHALL BE IN ACCORDANCE WITH CITY CODE SECTION 7-03-001-0015

PROJECT INFORMATION

PROJECT NAME: TRAILSIDE APARTMENTS
 PROJECT LOCATION: 600, 700, & 800 W. UNIVERSITY HEIGHTS DR.
 APN NUMBER: 112-20-013A, 014B, & 015B
 CURRENT R.L.U.T.P. DESIGNATION: PARKS
 PROPOSED R.L.U.T.P. DESIGNATION: HIGH DENSITY RESIDENTIAL
 CURRENT ZONING DISTRICT: SC
 PROPOSED ZONING DISTRICT: HR
 CURRENT USE: VACANT
 PROPOSED USE: APARTMENTS
 OWNER/DEVELOPER: CHASON DEVELOPMENT
 105 AFFINITY LANE
 BUFFALO, NY 14215
 (716) 833-1000

SHEET NO. 1 OF 1

COF PROJECT #

Mogollon
 ENGINEERING & SURVEYING
 411 N Santa Fe Avenue, Flagstaff, AZ 86001
 P.O. Box 1162, Flagstaff, AZ 86002
 Phone: 928-214-0214 • Fax: 928-214-0015
 Expires on 7/31/15

Mogollon
 ENGINEERING & SURVEYING
 PROJECT NO. 12965
 REVISIONS: PER C.O.F. COMMENTS DATED 5/20/13
 DATE: 6/14/13
 DESIGNED BY: R2/MPK
 DRAWN BY: PHE
 CHECKED BY: R2/MPK
 VERT. SCALE: 1"=30'
 HOR. SCALE: 1"=30'

Mogollon
 ENGINEERING & SURVEYING
 TRAILSIDE APARTMENTS
 PRELIMINARY
 UNDERGROUND UTILITIES
 8/14/13
 MES# 12965



Symbol	Label	Qty	Catalog Number	Description	Lamp	Lumens	LLF
	SP1	15	VISIONAIRE SUN-1 T4 55 3 1 PPM BZ SF120, BRONZE FINISH.	24"L. X 15"W. X 9"H. FULL CUTOFF POLE LUMINAIRE, TYPE 4. POLE MOUNT AT +20 FT. A.F.G.	(1) 55W LPS	7800	0.90
	SW1	20	LIGHTWAY WPRW-18 A L 18 T Z39 CEG CB3 01, BRONZE FINISH.	TRAPEZOID AREA WALL LUMINAIRE W/ FLAT CLEAR GLASS LENS AT +12' A.F.G.	(1) 18W LPS	1800	0.90
	SW2	4	VISIONAIRE SUN-1 T3 55 3 1 WM BZ SF120, BRONZE FINISH.	24"L. X 15"W. X 9"H. FULL CUTOFF WALL LUMINAIRE, TYPE 3. WALL MOUNT AT +15 FT. A.F.G.	(1) 55W LPS	7800	0.90
	SW3	12	LIGHTWAY MERW-612 A A 1013 3 23 WSA, TEXTURED BRONZE FINISH.	WALL SCONCE WITH WHITE SMOOTH ACRYLIC DIFFUSER LENS, WALL MOUNT AT +6 FT. A.F.F.	(1) 13W CFL	900	0.75

ELECTRICAL SITE LIGHTING PLAN

SCALE: 1" = 40' - 0"

Fixture Label & Description	Qty	Lamp Watts	Type	Initial Lumens & Shielding	Unit Qty	Sub-Total Lumens	Total Lumens
SITE							
PS1 20' Pole Light	15	55	LPS	7,800 F	15	117,000	117,000
SW1 Wall Pack	20	18	LPS	1,800 F	20	36,000	36,000
SW2 Wall Pack	4	55	LPS	7,800 F	4	31,200	31,200
SW3 Wall Sconce	12	13	CFL	900 F	12	10,800	10,800
						184,200	195,000

Lumens Used for New Shielded Lights	184,200
Lumens Used for New Unshielded Lights	10,800
Total Lumens Allowed for Unshielded Lights	22,110
Lumens Used for Non-LPS Lights	10,800
Total Lumens Allowed for Non-LPS Lights	20,100
Total Lumens Used for New Lights	195,000
Total Lumens Allowed per Site Net Acre	201,000
Total Lumens Used / Lumens Allowed Ratio for New Lights	97%

OUTDOOR LUMENS CALCULATION TABLE

Project Name : Trailside Apartments
Subject : Calculations per Flagstaff Lumen Cap

Lamp Type:
 LPS - Low Pressure Sodium
 HPS - High Pressure Sodium
 MH - Metal Halide
 CMH - Ceramic Metal Halide
 FL - Linear Fluorescent

Lamp Type:
 CFL - Compact Fluorescent
 LED - Light Emitting Diode
 INC - Incandescent
 HAL - Halogen

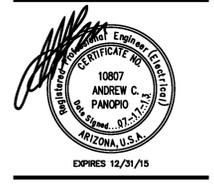
Shielding Type:
 F - Fully Shielded
 U - Unshielded

Project Zone _____ II
 Lighting Class _____ 2
 Site Net Acre _____ 4.02

Total Outdoor Lumens Allowed per Site Net Acre _____ 50,000 X 4.02 = **201,000**
Total Outdoor Lumens Allowed for Unshielded Lights _____ 5,500 X 4.02 = **22,110**
Total Outdoor Lumens Allowed for Non-LPS Lights _____ 5,000 X 4.02 = **20,100**

Rev. Date: Description:

TRAILSIDE APARTMENTS
FLAGSTAFF, ARIZONA
ELECTRICAL SITE LIGHTING PLAN



NP ENGINEERING INC.
 4115 N. 15TH AVE.
 PHOENIX, AZ 85015
 PH: (602) 265-1559 FAX: (602) 265-1605

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NP Proj. No: **13-015**
 Project Manager: **RP**
 Drawn by: **NFE**
 Date: **07-17-2013**

E1



LUMINAIRE SCHEDULE							
Symbol	Label	Qty	Catalog Number	Description	Lamp	Lumens	LLF
☐	SP1	15	VISIONAIRE SUN-1 T4 55 3 1 PPM BZ SF120, BRONZE FINISH.	24"L. X 15"W. X 9"H. FULL CUTOFF POLE LUMINAIRE, TYPE 4. POLE MOUNT AT +20 FT. A.F.G.	(1) 55W LPS	7800	0.90
☐	SW1	20	LIGHTWAY WPRW-18 A L 18 T Z39 CEG CB3 01, BRONZE FINISH.	TRAPEZOID AREA WALL LUMINAIRE W/ FLAT CLEAR GLASS LENS AT +12' A.F.G.	(1) 18W LPS	1800	0.90
☐	SW2	4	VISIONAIRE SUN-1 T3 55 3 1 WM BZ SF120, BRONZE FINISH.	24"L. X 15"W. X 9"H. FULL CUTOFF WALL LUMINAIRE, TYPE 3. WALL MOUNT AT +15 FT. A.F.G.	(1) 55W LPS	7800	0.90
☐	SW3	12	LIGHTWAY MERW-612 A A 1Q13 3 23 WSA, TEXTURED BRONZE FINISH.	WALL SCONCE WITH WHITE SMOOTH ACRYLIC DIFFUSER LENS. WALL MOUNT AT +6 FT. A.F.F.	(1) 13W CFL	900	0.75

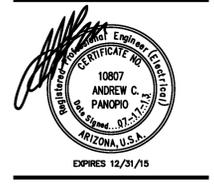
STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
1. Site Calc	+	0.6 fc	3.5 fc	0.0 fc	N / A	N / A
2. Spill Light at Property Line at +6' A.F.G.	X	0.0 fc	0.5 fc	0.0 fc	N / A	N / A

ELECTRICAL SITE PHOTOMETRIC PLAN
SCALE: 1" = 40' - 0"

OUTDOOR LUMENS CALCULATION TABLE										
Project Name : Trailside Apartments										
Subject : Calculations per Flagstaff Lumen Cap										
Lamp Type:			Lamp Type:			Shielding Type:				
LPS - Low Pressure Sodium			CFL - Compact Fluorescent			F - Fully Shielded				
HPS - High Pressure Sodium			LED - Light Emitting Diode			U - Unshielded				
MH - Metal Halide			INC - Incandescent							
CMH - Ceramic Metal Halide			HAL - Halogen							
FL - Linear Fluorescent										
Project Zone _____ II										
Lighting Class _____ 2										
Site Net Acre _____ 4.02										
Total Outdoor Lumens Allowed per Site Net Acre _____						50,000	X	4.02	=	201,000
Total Outdoor Lumens Allowed for Unshielded Lights _____						5,500	X	4.02	=	22,110
Total Outdoor Lumens Allowed for Non-LPS Lights _____						5,000	X	4.02	=	20,100
Fixture Label & Description	Qty	Lamp Description Watts	Type	Initial Lumens & Shielding	Unit Qty	Sub-Total Lumens		Total Lumens		
						Shielded	Unshielded			
SITE										
PS1 20' Pole Light	1	55	LPS	7,800	F	15	117,000			117,000
SW1 Wall Pack	1	18	LPS	1,800	F	20	36,000			36,000
SW2 Wall Pack	1	55	LPS	7,800	F	4	31,200			31,200
SW3 Wall Sconce	1	13	CFL	900	F	12		10,800		10,800
							184,200	10,800		195,000
Lumens Used for New Shielded Lights										184,200
Lumens Used for New Unshielded Lights										10,800
Total Lumens Allowed for Unshielded Lights										22,110
Lumens Used for Non-LPS Lights										10,800
Total Lumens Allowed for Non-LPS Lights										20,100
Total Lumens Used for New Lights										195,000
Total Lumens Allowed per Site Net Acre										201,000
Total Lumens Used / Lumens Allowed Ratio for New Lights										97%

Rev. Date: Description:
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TRAILSIDE APARTMENTS
FLAGSTAFF, ARIZONA
ELECTRICAL SITE PHOTOMETRIC PLAN



NP ENGINEERING INC.
 4115 N. 15TH AVE.
 PHOENIX, AZ 85015
 PH: (602) 265-1559 FAX: (602) 265-1605
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NP Proj. No: **13-015**
 Project Manager: **RP**
 Drawn by: **NFE**
 Date: **07-17-2013**

LPS - Sunset
HID / FLUORESCENT

TYPE: SP1, SW2

Dimensional Drawings

Fixture	A	B	C	Max. Watts	Lbs
SUN-1	15"	24"	9"	55 W	45
SUN-2	15"	29"	9"	90 W	50
SUN-3	20"	29"	9"	2 x 90 W	60
SUN-4	15"	52"	9"	180 W	70
SUN-6	15"	57"	6"	216 W	44

The LPS Sunset family of Low Pressure Sodium luminaires is designed to maximize the benefits of Low Pressure Sodium lighting; or 64-216 watts of Fluorescent lighting. A popular version of the LPS Sunset fixture is the twin-90 watt luminaire which utilizes two-90 watt lamps mounted side-by-side enabling the use of a standard shoebox design which coordinates well with most architectural applications.

The LPS Sunset family is available in five sizes of housings with arm or yoke mount options. Two reflector options are available with a Type III providing an asymmetrical distribution, and a Type IV providing a forward throw distribution pattern. A durable polyester powder coat finish is available in a variety of architectural colors.

Low Pressure Sodium lighting is the community standard for a number of areas where observatories are located. The International Dark-Sky community favors the use of this light source for all types of outdoor lighting. Street lighting, roadways, bridges and general area lighting are ideal applications for the LPS Sunset family of fixtures.

Model	Optics	Wattage	Source	Voltage	Mounting	Finish	Options
SUN-1	Type III (T3)	55 (55)	LPS (L)	120 (1)	Bolt-On Arm (BOA)	Bronze (BZ)	Photocell & Receptacle (PC120) (PC208) (PC240) (PC277) (PC480)**
SUN-2	Type IV (T4)	90 (90)	LPS (L)	208 (2)	Parallel Pole Mount (PPM)	Black (BK)	Photo Receptacle (PR)
SUN-3	Type IV (T4)	2 x 90 (2x90)	LPS (L)	240 (3)	Yoke Mount (YM)	White (WH)	Fusing (SF120) (SF277) (SF208) (DF240) (DF480)**
SUN-4	Type III (T3)	135 (135)	LPS (L)	277 (4)	Wall Mount (WM)	Forest Green (FG)	Terminal Block (TB)
SUN-4	Type III (T3)	180 (180)	LPS (L)	480 (5)	Wall Mount (WM)	Grey (GY)	Cast Wall Plate (BAWP)
SUN-6	Type III (T3)	216 (216)	LPS (L)	M Tap (M Tap)	Silver Metallic (SL)	Internal Light Shield (ILS)	Dual Circuit (DC)
SUN-6	Type IV (T4)	216 (216)	LPS (L)	120-277 (UNV)	Custom Color (CC)	Emergency Battery Pack (EBP)	Emergency Battery Pack (EBP)

VISIONAIRE LIGHTING

28435 Industry Drive, Valencia, California 91355
West Coast Sales: 800-375-4486 / 661-257-0284 • Fax: 800-375-3146 / 661-257-0281
East Coast Sales: 866-350-0991 • Fax: 866-405-3754
www.lightwayind.com • sales@lightwayind.com

WPRW

TYPE: SW1

Construction:

- Cast aluminum housing
- Aluminum reflector
- Clear tempered glass lens

Lamps:

- Lamps INCLUDED

Notes:

- Wall mounting bracket attaches to 4" recessed outlet box
- Pulse start magnetic ballast and lamp with (MH)
- 1/2" coin plugs for photocell or surface mount condition
- MR lamp comes with 12' of wire (12v transformer by others)
- Photocell (Z1) - specify voltage 120v or 277v
- Battery backup (WPRW-9); one (1) CFL lamp only
- Battery backup (WPRW-18); two (2) CFL lamps only
- Photocell (Z1) - specify voltage 120v or 277v
- Dark Sky compliant
- CSA listed WET location

TYPE: SW1

WPRW-9 Height - 9 3/4" Width - 14 1/4" Depth - 11 3/4"

WPRW-18 Height - 9 3/4" Width - 18 1/4" Depth - 13 3/4"

ORDERING INFORMATION

Example: WPRW-18-U-2T42-3-Z99-CEG-CBB-02-12

Model	Cage	Voltage	Lamping	Kelvin	Finish	Diffuser	Options
WPRW-9	A 120v NFF (Elec)	120 (1)	1026 (1) 26w Elec	2700K	Z99 Bronze	CEG Clear Tempered Glass	14 Quartz Restrike 21 Photocell-Specify Voltage MR 20w, MR16 Lamp
WPRW-9	B 277v NFF (Elec)	277 (1)	1132 (1) 32w Elec	3500K	Optional (See Price List)		BB option - See Notes W1 Yolk W2 Gloss White W3 Satin White B1 Satin Black B2 Text Black T4 Shimmer Gray M13 Anod Silver T6 Pewter W13 Pearl Beige
WPRW-18	7 Quad-tap (Mag)	120-277 (UNV)	1M70 (1) 70w MH Mag 1M100 100w MH Mag 1M150 150w MH Mag 2T32 (2) 32w Elec 2T42 (2) 42w Elec 1M150 150w MH Mag 1M250 250w MH Mag L18 18w LPS	4400K	T (MH)		06 650 Lumen (nominal) 12 1250 Lumen (nominal)

Lightway

28435 Industry Drive, Valencia, California 91355
West Coast Sales: 800-375-4486 / 661-257-0284 • Fax: 800-375-3146 / 661-257-0281
East Coast Sales: 866-350-0991 • Fax: 866-405-3754
www.lightwayind.com • sales@lightwayind.com

MERW-612

TYPE: SW3

Construction:

- Steel housing and chassis
- Diffuser is .10 extruded white acrylic
- Accent bars and rings are extruded aluminum

Lamps:

- Lamps INCLUDED

Notes:

- Integral mounting plate; keyhole slots left and right
- Top and bottom white acrylic lens - standard
- ADA compliant cage styles A, B and D only
- Not all material and accent styles are available - consult factory
- Dimming ballast may be limited with some lamps
- Photocell (Z1) - increases fixture depth 1 1/2"
- Photocell (Z1) - specify voltage 120v or 277v
- Aluminum lens cover (ALC) eliminates up/down light
- UL and CUL listed WET location

ORDERING INFORMATION

Example: MERW-612-H-U-1Q18-3-Z3-WSA

Model	Cage	Voltage	Lamping	Kelvin	Finish	Diffuser	Options
MERW-612	A 120v NFF (Elec)	120 (1)	1013 (1) Q18w	2700K	B1 Satin Black	WSA White Smooth Acrylic	(Dimming option - See Notes) DM10 - Mark 10 Dimming Ballast DM17 - Mark 7 Dimming Ballast 01 120v 02 277v
MERW-612	B 277v NFF (Elec)	277 (1)	1018 (1) Q18w	3500K	Z1 Satin Bronze	Optional Cage Accents (See Page 2)	
MERW-612	D 277v NFF (Elec)	277 (1)	1018 (1) Q18w	4400K	Z3 Text Bronze	Material (See Price List)	

Lightway

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MERW Series
Cage Styles and Accents

TYPE: SW3

MERW-A, MERW-B, MERW-D, MERW-E, MERW-F, MERW-G, MERW-H

SC Screen Complete, CC Center Complete, CH Center Half, EC Ends Complete

Filigree, Mesh, Perforated, Waffle

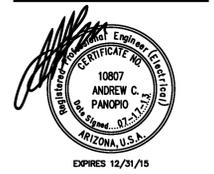
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Rev. Date: Description:

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TRAILSIDE APARTMENTS
FLAGSTAFF, ARIZONA
ELECTRICAL SITE LIGHTING CUT SHEETS



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NP Proj. No: 13-015
Project Manager: RP
Drawn by: NFE
Date: 07-17-2013

E3

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Roger Eastman, Zoning Code Administrator
Date: 11/07/2013
Meeting Date: 11/19/2013



TITLE:

Public Hearing: Consideration of a Major Amendment to the Flagstaff Regional Plan for Little America Resorts and Hotels, Inc.

RECOMMENDED ACTION:

Open and close the public hearing

Policy Decision or Reason for Action:

A public hearing of the City Council is required for all applications for a major amendment to the Flagstaff Regional Land Use and Transportation Plan.

Financial Impact:

None.

Connection to Council Goal:

1. Retain, expand, and diversify economic base
2. Effective governance

Has There Been Previous Council Decision on This:

No.

Options and Alternatives:

None at this time as the purpose of this agenda item is to hear from the public on the proposed Regional Plan amendment application for Little America Resorts and Hotels, Inc.

Final Approval Date: 11/08/2013



Planning and Zoning Commission Staff Report City of Flagstaff – Comprehensive Planning

October 15, 2013

To: Planning and Zoning Commission

From: Kimberly Sharp, AICP –Comprehensive Planning Manager

Meeting Date: November 13, 2013

Re: Little America Hotels and Resorts, Inc. Major Plan Amendment Application

Public Hearing #2 [City of Flagstaff Aquaplex Community Meeting Room, 1702 N. Fourth St. – 5 p.m.]

Application Number: PSPR20130013

REQUEST

Little America Hotels & Resorts, Inc. has submitted a Major Regional Land Use and Transportation Plan Amendment Application to the City of Flagstaff, and has submitted all required materials and studies within the legal time frame (City Code Title 11). Address: 2515 E. Butler Avenue.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission forward the Regional Land Use and Transportation Plan amendment to the City Council with a recommendation for approval with conditions. *Items in this report typed in blue indicate a variation or addition from the Staff Report dated October 23, 2013 – Public Hearing #1.*

PRESENT LAND USE:

Developed land (approx. 42 acres) Regional Commercial – no change requested; undeveloped land (approx. 495 acres) in Planning Reserve Area land use category – land use amendment request.

PROPOSED LAND USE:

The proposed development is comprised of 537 acres south of East Butler Avenue and east of Interstate 40, and includes retaining approximately 42 acres of existing Regional Commercial land use designation at the Little America hotel site, with the remainder of the undeveloped site changing from the designated Planning Reserve Area to land use designations of:

- Regional Commercial – *approximately 9.7 additional acres*, with:
 - o Hospitality [an additional hotel/resort with resort amenities including a public golf course and club house];
 - o A neighborhood commercial center at the current truck stop location (approx. 157,000 sq. ft. net increase);
- High, Medium and Low Density Residential (approx. 1,400 units) – *approximately 336 acres*;
- Recreational facilities including FUTS trails, hiking and biking trails, parks, and a public golf course – *approximately 148 acres*.
- *From the Applicant's submission, p. 5:*

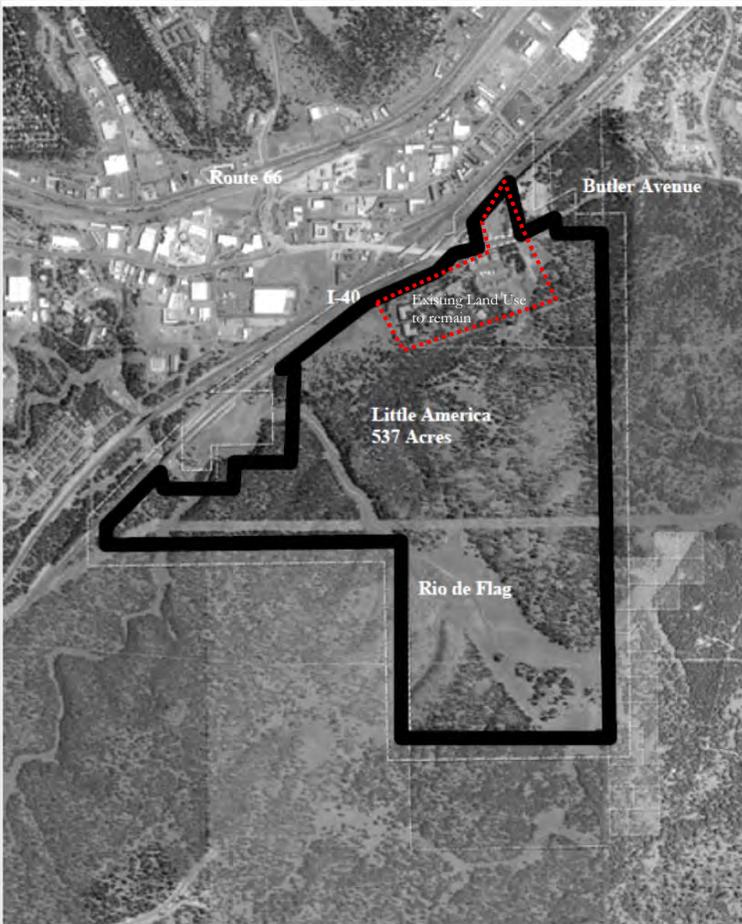
<u>Little America Development – Land Use</u>		
Current Land Use	Land Proposed Land Use	Acres
Commercial Regional/Community	Commercial Regional/Community	41.8
Planning Reserve Area	Commercial Regional/Community	9.7
Planning Reserve Area	Low Density Residential	25.7
Planning Reserve Area	Low Density Residential Amenity (golf course)	182.1
Planning Reserve Area	Medium Density Residential	57.7
Planning Reserve Area	High Density Residential	71.0
Planning Reserve Area	Open Space	148.7536
	Total Acres	536.8

SURROUNDING USES

- North: Interstate-40 and Regional Commercial – tractor trailer parking; Black Bart’s restaurant and campground.
- East: Herold Ranch Road, low-density residential and estate residential; county island with rural residential; the future Canyon del Rio neighborhood development.
- South: Undeveloped land – Planning Reserve Area land use designation.
- West: Rio de Flag, undeveloped land and Single-family residential and institutional uses; future Juniper Point neighborhood development

REQUIRED FINDINGS:

The Planning and Zoning Commission shall find that the proposed Flagstaff Area Regional Land Use and Transportation Plan (the current “Regional Plan”) amendment meets the requirements of Division 11-10.10.020 of the General Plan and Subdivision Code (City Code Title 11). In considering the request for an amendment to the Regional Plan, the goals and policies set forth as guidelines should be weighed against the requested changes. “General plans are not static documents; they recognize growth as a dynamic process, which will require revisions to the plan as circumstances, prudent, and compelling reasons warrant” (Regional Plan, p. 1-9).



STAFF REVIEW

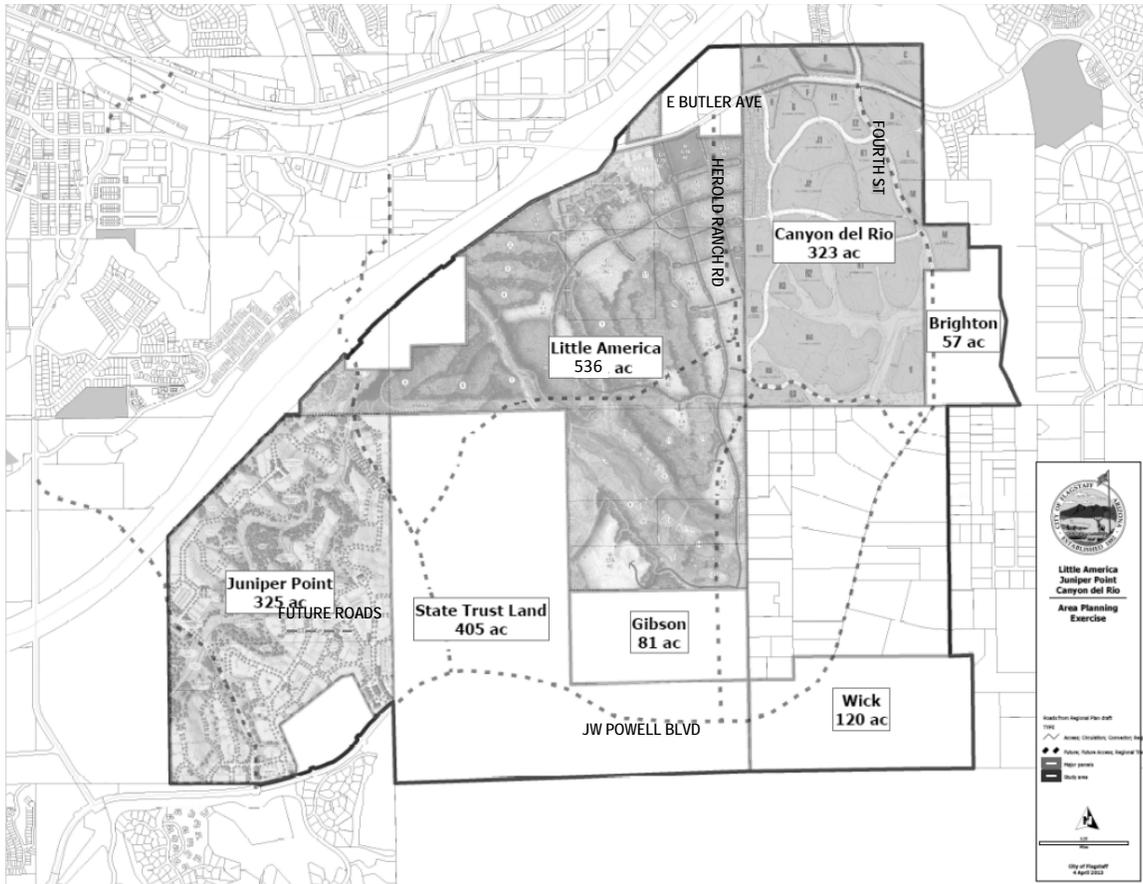
Background

Little America Flagstaff Hotel is owned by the R.E. Holding family, who built Little America Flagstaff in 1972. The family-owned resort company owns other facilities in Wyoming, Utah, and Arizona, Sun Valley Resort in Idaho, and Snowbasin Resort in Utah. The existing Flagstaff hotel consists of 247 sleeping rooms, swimming pool, playground, volleyball court and nature trails. Many local community members use the existing trails on the property for recreation and bicycle commuting. The family intends to keep the property open to the public. The family business also operates a truck stop at this location.

Design Workshop out of Denver, Colorado, is the submitting design team coordinating between the owner and the City of Flagstaff, via the owner’s representative, Wally Huffman.

Location

The Little America development is located centrally in the City of Flagstaff, and is located between two other master planned communities currently under review– Canyon del Rio and Juniper Point (see map below). The Rio de Flag runs through the property, as well as many social hiking trails. A City utility pump station sits on Little America property along the Rio de Flag. The map below also outlines Regional Plan roads from *Map 10: Circulation – Regional Roadway Categorization Plan*.



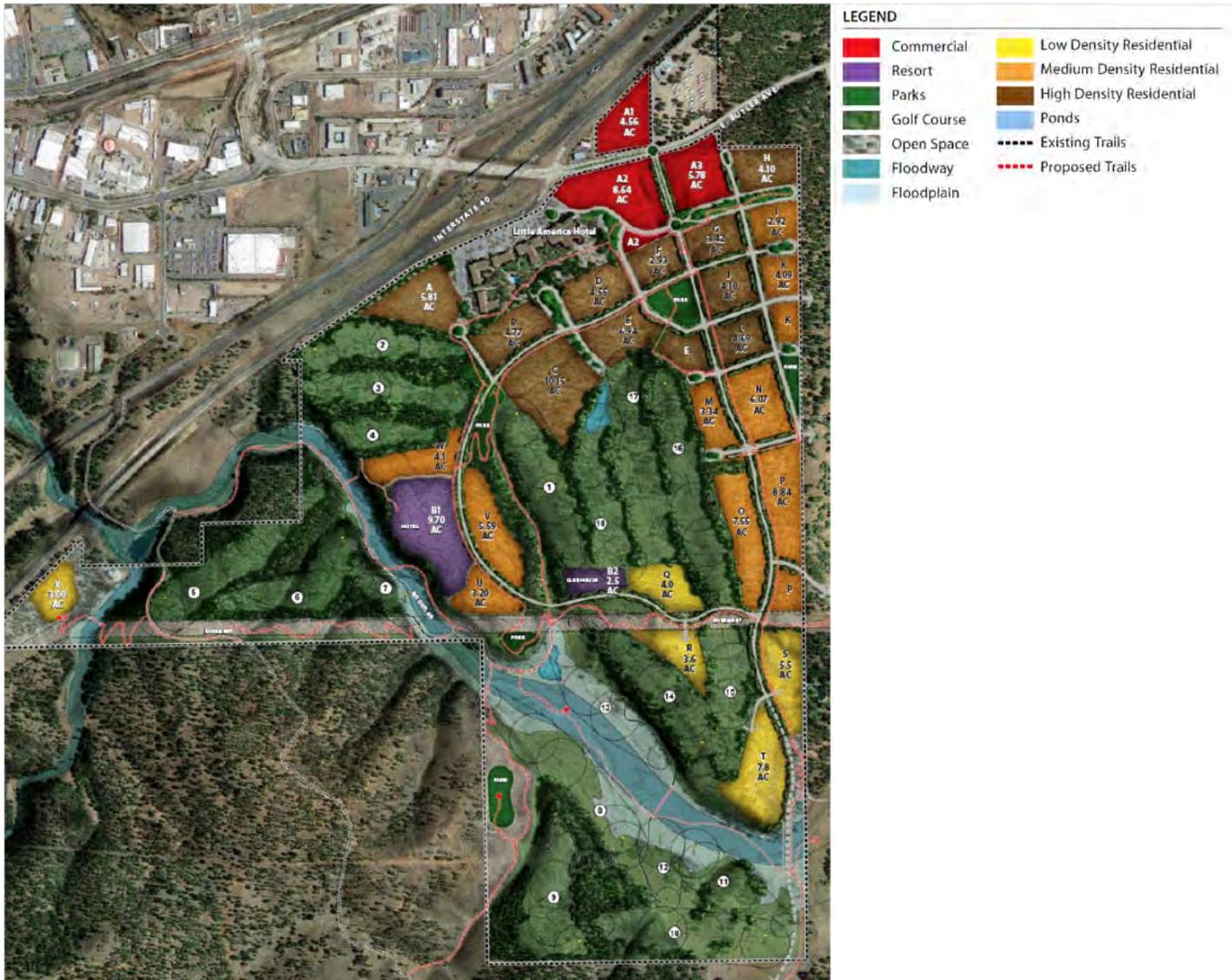
Major Plan Amendment and Reports

The applicant submitted all required materials for a major Regional Land Use and Transportation Plan amendment by the due date of July 1, 2013. The full application and reports are available for the public on-line:

<http://www.flagstaff.az.gov/index.aspx?nid=1342>. All of the items below are hyperlinked to the City of Flagstaff website:

- [Little America Major Plan Amendment](#)
 - [Exhibit A - Legal Description](#)
 - [Exhibit C - Water/Wastewater/Reclaim Water Analysis](#)
 - [Exhibit D - Traffic Impact Analysis Report](#)
 - [Traffic Background Exhibits](#)
 - [Re-submitted Traffic Impact Analysis Report \(09/20/13\)](#)
 - [Exhibit E - Drainage Impact Analysis](#)
 - [Exhibit F - School Impact Analysis](#)
 - [Exhibit G - Economic Development Analysis](#)
 - [Exhibit H - Cultural Resource Study](#)
 - [Exhibit J - Coconino County Assessors Map](#)
 - [Neighborhood Meeting Report \(10/09/13\)](#)
 - [Planning & Zoning Work Session presentation \(10/09/13\)](#)

The Little America Major Plan Amendment Application includes a 'masterplan', which is represented in the graphic below.



Phasing:

The Little America development project is proposed to be developed in twelve phases, over a 10-15 year time frame. After the full approval process for a Major Plan Amendment and re-zoning is complete, the project will also be required to obtain site design approvals and building permits for each phase before construction can begin. The following table outlines the phases, and 'Areas' are outlined in the Development Master Plan, p. 3 of this report. Phases 1-4 are primarily the multi-family developments near East Butler Avenue. The resort, club house and golf course are proposed for Phase 5. The existing truck stop is proposed to be phased out during phases 2-4.

**Little America Flagstaff
Proposed Development Summary
April 12, 2013**

Little America Proposed Development - Residential				
	Acres	Units/Acre	Total Units	Notes
Area A	5.81	20.0	116	Phase 5 – Multi-family Residential
Area B	4.77	14.0	67	
Area C	10.15	14.0	142	Phase 6 & 7
Area D	4.55	16.0	73	Phase 2 & 3 – Multi-family Residential
Area E	6.94	14.0	97	
Area F	2.93	18.0	53	
Area I	4.10	20.0	82	Phase 1 – Multi-family Residential
Area J	3.42	18.0	62	
Area K	2.92	12.0	35	
Area L	4.10	16.0	66	Phase 4 – Multi-family Residential
Area M	4.09	12.0	49	
Area N	4.69	14.0	66	Phase 6 & 7
Area O	3.34	12.0	40	Phase 9 – Medium Density Residential
Area P	6.07	12.0	73	
Area Q	7.55	12.0	91	Phase 10 & 11 – Single-family Residential
Area R	6.82	12.0	82	
Area S	4.00	4.0	16	
Area T	3.60	4.0	14	
Area U	5.50	4.0	22	
Area V	7.80	4.0	31	
Area W	3.20	8.0	26	Phase 8 – Single-family Residential
Area X	5.59	8.0	45	
Area Z	4.10	8.0	33	Phase 12 – Medium Density Residential
Area ZZ	3.00	4.0	12	
Developed Acres / Total Units		119.0	1,391	

Little America Proposed Development - Commercial (Retail/Hotel/Conference Center)				
	Acres	Commercial / Conf Sq Ft	Hotel Rooms	Notes
Area G - Service Area Phased Out	8.64	94,090	0	Commercial/retail*
Area H	5.78	62,944	0	Commercial/retail* Phase 1
Area AA	4.56	49,658	0	Commercial/retail* Phase 12
Hotel/Conference Center and public golf course	9.70	40,000	200	Hotel-Conf Space / Rooms
Clubhouse	2.50	20,000	0	Clubhouse Phase 5
Totals w/o Service Area		26.62	217,034	200

*All Commercial/Retail calculated at .25 Floor Area Ratio (FAR)

Community Benefits

The applicant states that “The Little America Neighborhood will provide several community and public benefits to the City of Flagstaff.” - Page 5 of their application report, including:

- “Increase the City’s tax base from lodging, retail, restaurant and recreational sales as well as through property tax from new commercial and residential development.
- The creation of approximately 500 jobs directly related to the Little America Neighborhood, primarily attributable to visitor-related spending.
- Housing opportunities including a diversity of densities and types.
- A new community destination that does not compete with, but rather complements downtown Flagstaff. Additional visitors and residents in the Little America Neighborhood will patronize Flagstaff’s existing retail outlets and restaurant.
- A new hotel and supporting amenities that will complement the existing Little America Hotel and offer a new level of visitor experience within the Flagstaff market with immediate access to golf and other proposed recreational activities.
- Additional community recreational facilities including a public 18-hole golf course and an approximate five-mile trail system within the Little America property that connects to and expands the existing FUTS trail system, passive and active parks, a community garden as well as the potential for the activities listed on the Recreational Matrix – Potential Activity Program Summary.
- The addition of several parks within the proposed residential areas and throughout the Little America Neighborhood designed to complement the trail system and take advantage of the views.
- Restoration of existing and creation of new wetlands within the Rio de Flag corridor.
- A new neighborhood, design with SMART goals in mind, with a diverse selection of housing types, a mix of uses including retail, recreation and tourist attractions all within walking distance of each other. The neighborhood will also offer pedestrian/bike trails and walkable streets with connections to the city’s transit system.
- Reduce the number of curb cuts along E. Butler Avenue and the potential addition of a roundabout near the existing E. Butler Avenue and Harold Ranch Road intersection.”

Policy Review

The Major Plan Amendment application is applicable to Map 3: Regional Land Use Plan map and Map 4: City Land Use Plan map. The proposal does comply with the *Flagstaff Area Regional Land Use and Transportation Plan’s* goals and policies, and the application gives a thorough review on p. 70-76. The summary of the goal and policy analysis is as follows:

LAND USE GOAL 1

- Policies LU1.3 & LU1.5: The master plan for the Little America Neighborhood is within the Urban Growth Boundary and proposes compact mixed-use development that meets the required average density for the Planning Reserve Areas in which it is included.
- Policy LU1.4: Access to public lands is maintained through the inclusion of trails within the Little America Neighborhood that connect to the regional FUTS trail system.
 - Strategy LU1.6 (a): The extension of John Wesley Powell Boulevard and Harold Ranch Road are being discussed by a consortium of property owners in the area including the owners of the Little America property. The extension of these proposed roads and associated infrastructure are being investigated with regard to alignment, costs, financial responsibility and timing.
- Policy LU1.11: The master plan for the Little America property includes the key elements of traditional neighborhood design, including mixed land uses, walkable neighborhoods, a diversity of housing types and a trail system that offers alternative transportation options. The master plan is designed to complement the existing development by placing commercial and high density housing near E. Butler Avenue to invigorate activity near the transportation corridor and by reducing density to the east to complement the potential development at Canyon del Rio.

LAND USE GOAL 2

- The Little America property is within the urban growth boundary; therefore, the policies for rural growth areas are not applicable to this application.

LAND USE GOAL 3

- While the Little America property does not border Forest Service Lands, it does share a border with State Land Trust land. It is understood that this land is intended to be sold to benefit the state's educational system; however, at this time it remains undeveloped. The master plan includes recreation and open space areas that border the State Trust Land property. Connections to trails that run through State Trust Land are included in the plan.

COMMERCIAL DEVELOPMENT GOAL 1

- Policy C1.1: Commercial opportunities are present in the Little America Neighborhood and they have been placed near the transportation corridor along E. Butler Avenue and I-40 to maximize access to the retail and services for residents and visitors. The commercial area generally coincides with the location of Commercial Regional/Community on the Regional Plan Land Use Plan maps.
- Strategy C1.3(a): Future commercial development is included within the mixed-use area and is intended to offer a variety of ground floor retail providing the goods and services necessary to meet the needs of the neighborhood, surrounding community and visitors. The possibility of office suites above the retail may be included and can be accommodated to further serve the neighborhood. The buildings will be designed to create a neighborhood and serve as an amenity to residents and commuters on E. Butler Avenue and I-40.
- Strategy C1.3 (b): Adequate surface parking will be included within the commercial areas. The parking areas will include landscaping to soften the appearance from the road and within the development.
- Policy C1.4: The trail system within the Little America Neighborhood will extend to the commercial area providing an alternative transportation opportunity to residents.

COMMERCIAL DEVELOPMENT GOAL 2

- Policy CD2.1: Design guidelines will be established for the Little America Neighborhood that encourage quality design, complement the neighborhood's setting and embrace the resort nature of the project.
- Policy CD2.2: Streetscape designs will comply with road cross sections and landscape design standards.
- Policy CD2.4: The archeological survey conducted on the Little America property found no historic properties or archeological resources.
 - Strategy 2.5(a): Neighborhood parks and the potential for a community garden are an integral component of the Little America master plan as public gathering places to encourage community interaction.
 - Strategy 2.5(b): Parking lots will be designed and landscaped to visually break up large areas of surface parking and be screened from the public right-of-way.
 - Strategy CD2.5(c): Design guidelines will be established for the Little America Neighborhood.

NATURAL AND CULTURAL RESOURCES AND THE ENVIRONMENT GOAL 1

- Strategy NCR1.2 (b): The resort/public golf course will utilize reclaimed water for irrigation. Additionally, the neighborhood parks and streetscape within the development will use reclaimed water for irrigation to reduce the use of potable water.
- Strategy NCR1.2(c): Detention ponds have been incorporated into the golf course design in order to capture stormwater run-off within the site.
- Policy NCR1.6: Landscape buffers will be utilized for residential areas near E. Butler Avenue and I-40 in order to reduce traffic noise.
- Policy NCR1.9: The Little America Neighborhood Design Guidelines will include strategies to reduce night glare and ensure adherence with the City's lighting standards, which respect Dark Sky initiatives.
- Policy NCR1.10: The archaeological survey conducted on the Little America property found no historic properties or archeological resources.
- Policy NCR1.12: A complete analysis of the existing conditions on the Little America property was conducted prior to the commencement of planning. As such, the ecosystem and sensitive areas have been identified and avoided where possible. The master plan proposes to restore portions of the Rio de Flag that have been overtaken by noxious weeds and restore natural vegetation to these areas in an effort to improve not only the stream corridor but the plant and wildlife it supports.
- Policy NCR1.18: Floodplain and wetland restoration along the Rio de Flag will be completed in order to remove noxious weeds along the main flow channel.

COST OF DEVELOPMENT GOAL 1

- Policies and strategies related to cost of development are included in the Community Facilities and Services Element.

TRANSPORTATION GOAL 1

- Policy T1.1: The major roads within the Little America Neighborhood have been designed to accommodate multi-modal transportation alternatives including single-occupant, multi-occupant vehicles and public transit. Sidewalks and trails provide opportunities for pedestrian and bicycle transportation within the neighborhood with connectivity to the regional FUTS trail system.
- Policy T1.2: The road network within the Little America Neighborhood includes connection to the regional road system including E. Butler Avenue as well as connections to the proposed Canyon del Rio development to the east. A potential road connection to John Wesley Powell road to the south needs to be investigated.
- Strategies T1.2(a)(b) & (c): Design of the roads, required signaling, cross sections, design and connectivity will adhere to the guidelines established by the City.
- Strategy T1.9: The roads within the Little America Neighborhood will be pedestrian and bike friendly with landscaped sidewalks enabling transportation within the neighborhood. The proposed trail system provides connections to the regional FUTS trail system.

TRANSPORTATION GOAL 2

- Policy T2.3 (a): The major roads within the Little America Neighborhood have been designed to accommodate multi-modal transportation alternatives including multi-occupant vehicles and public bus transit.

TRANSPORTATION GOAL 3

- Policy T3.1: The existing and future trails on the Rural Open Spaces and Trails Plan has been incorporated into the master plan for the Little America property. The trail system within the property provides access not only within the property but takes advantage of possible links to the greater regional FUTS trail system.
- Policy T3.2: The design of the Little America Neighborhood promotes pedestrian-friendly access through the use of sidewalks and a comprehensive trail system that links the residential areas to the commercial and recreational uses on the property.

TRANSPORTATION GOAL 4

- Policy T4.1: Employment centers including retail, office and the existing Little America Hotel are located on E. Butler Avenue providing employees with easy access to regional transit lines along this road. Residents of the neighborhood can utilize the pedestrian-friendly trail system and/or sidewalks along the roads to access public transportation or E. Butler Ave.

COMMUNITY FACILITIES AND SERVICES GOAL 1

- Policy CFS1.1 (c): The proposed phasing plan for Little America has been developed to enable logical expansion of public facilities to serve the neighborhood. All standards for services for new developed will be complied with.

COMMUNITY FACILITIES AND SERVICES GOAL 1

- The master plan shows four means of access to the Little America Neighborhood: one directly onto E. Butler Avenue and three to the east through the proposed Canyon del Rio development to 4th Street. A potential fifth access point is shown to the south pending the decision to extend John Wesley Powell Boulevard and Herold Ranch Road.
- The Little America Neighborhood falls within the jurisdiction of the Flagstaff Fire Department. The closest existing fire station to the Little America property is on Butler Avenue to the east of the project, and a second proposed fire station included on Map 19: Regional Fire Protection Plan – Districts and Station map is located in the vicinity of the proposed Little America Neighborhood.

Planning Reserve Area

As a Planning Reserve Area (PRA) there are certain requirements to which the development proposal has been designed. From *Flagstaff Regional Land Use and Transportation Plan (RLUTP)* (pp. 1-36 – 1-38): To approve the development of a Planning Reserve Area (PRA), a proposal must be determined to:

- 1) Be Consistent with Regional Plan policies
- 2) Have Appropriate land uses and densities *as outlined in the RLUTP*
- 3) Have Adequacy of public facilities (*roads, pedestrian/bicycle connections, water, sewer, reclaim water, parks*)

- (1) **Consistency with Regional Plan Policies:** The Little America Hotel and Resorts development proposal for 537 acres includes an illustrative master plan that provides for a mix of uses consistent with Regional Plan policies for activity center(s), different housing types and densities, and various intensities of commercial and employment uses. Parks, a public golf course and public trails are also provided. An area for an institutional use (such as a school) is not designated. The applicant may consider Incentives for Affordable Housing, but is not prepared at this stage of the project to commit to incorporating minimum 10% affordable housing into the whole project. This issue will be revisited during the rezoning application phase. See 'Policy Review' pp. 5-7, this summary. The project has initiated and invited substantial community feedback. See *Neighborhood Meeting Report* – [hyperlink above](#) and noted in this report.
- (2) **Appropriate Land Uses and Density** – the development proposal indicates it will work in conjunction with proposed development (Canyon del Rio) to the east, and proposes a public golf course, FUTS trails, and stream restoration integrated into the sensitive natural landscape of the Rio de Flag riparian way. Highway I-40 and City-owned property for public utilities infrastructure border the project to the north west. The applicant is aware of its need to coordinate with the Arizona Department of Transportation (ADOT) regarding I-40 and the interchange onto Butler Avenue. The applicant is also currently discussing mitigating land needs with the City of Flagstaff along the western edge of the property. As a city utilities pump station was constructed on Little America land in 1991, there is a desire to swap land between the City of Flagstaff and Little America so that the pump station will be on city-owned land. This will be further evaluated and resolved at the rezone phase of the project. To the far west and south is undeveloped Arizona State Trust Land, Section 26, and privately-held vacant land. The most intense residential and commercial development is proposed along Butler Avenue and within ¼ mile of a Mountain Line transit stop. The least dense development is towards the forested are to the south, which is appropriate and compliant with policies for transition of densities.

Density:

- The development of the area of the site designated as PRA should average 6 dwelling units per acre to be compliant with Regional Plan – a *portion* of the property is within a '5 units per acre' PRA, and a *portion* is in a '7 units per acre' PRA category.
- Average density of the proposed development was calculated as (RLUTP, p. 1-37)

537	Total acres
- 47.8	existing commercial and proposed new commercial
- 182	public golf course
- <u>56.1</u>	<u>Rio de Flag Floodway</u>
251	acres
▶ 1415 units / 251 acres = 5.64 duc	
▶ this density includes other open space, roads and utilities easements.	

As proposed, the Little America proposal does not meet the Flagstaff Regional Plan PRA recommended average density of 6 dwelling units per acre. The project overall will maintain the community's intent of higher density at the activity center (E. Butler Avenue and Herold Ranch Road) and within close proximity to existing infrastructure. Lower densities are proposed to the south, as outlined in the Regional Plan. It is also appropriate that this development is proposing a majority of multi-family residential uses (86% of the residential acres for multi-family) versus 14% of the residential acres for single-family residential. The Traffic Modeling shows that intersections and the overall traffic grid is negatively impacted by the proposed average density of 5.64 dwelling units per acre. The Regional Plan is asking for higher densities, yet the community concerns over traffic congestion and increased water use, the applicant's current market analysis and traffic impacts indicate slightly lower densities are may be appropriate for this development.

The applicant submitted their own calculations for density, and they also subtracted steep slopes (17%+) and the utility easement from the calculation, to have an average gross density of 7.81 units per acre. This density average meets the requirement for the PRA of more than 6 units per acre; yet this particular calculation subtracted steep slopes and utility easements, which are not part of the RLUTP, p. 1-37 gross density formula. The Planning and Zoning Commission may discuss the amendment approval options with the proposed densities or recommend others.

Staff offers the following options for the commission's consideration:

- Approve the Major Plan Amendment with less density as outlined in the Regional Plan as part of the amendment. (RECOMMENDED)
- The development master plan will be revised to show an increased density to meet the average density of 6 dwelling units per acre, and subsequently address traffic concerns this entails.

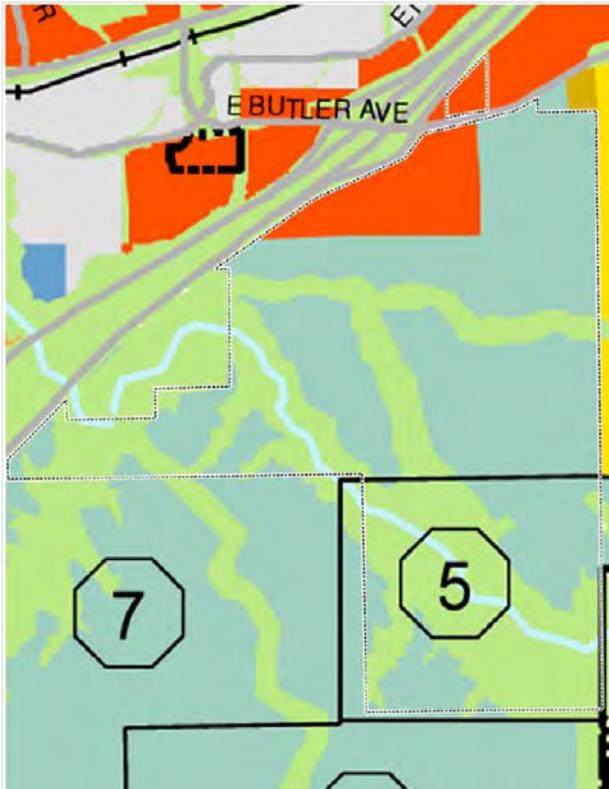
Land Use Categories:

Existing Land Use Categories

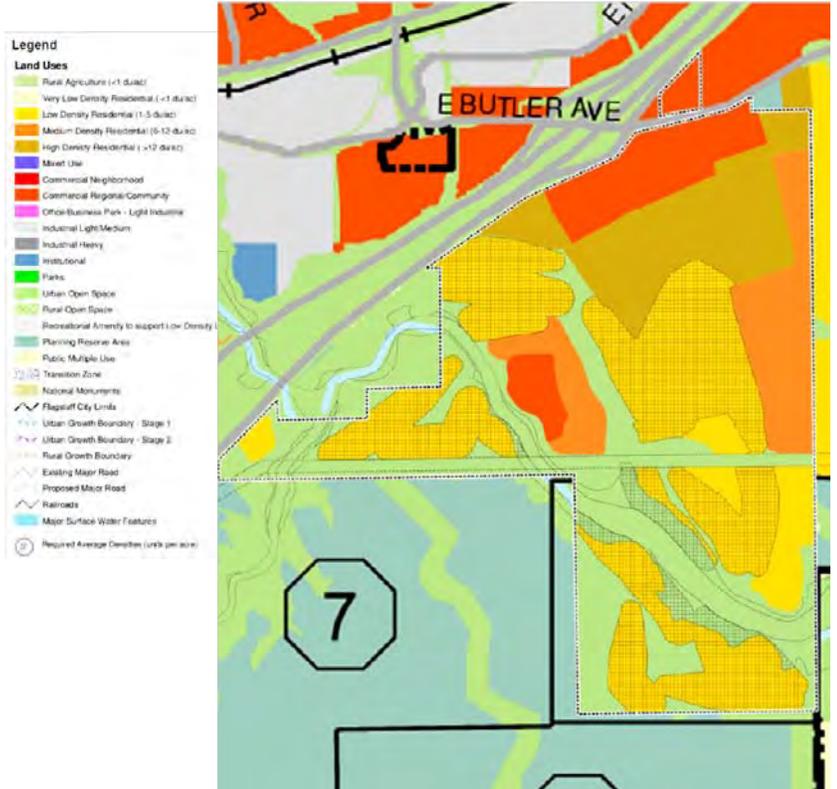
The current Land Use on the Little America Property includes Regional Commercial (existing Little America resort and truck gas station) and Planning Reserve Area (PRA) of both 7 and 5 units per acre average.

Proposed Land Use Categories

- Regional Commercial for existing commercial and the new proposed resort hotel.
- High, medium and low-density residential, with a 'recreational amenity' overlay to support the low-density development (public golf course, trails, parks).
- Urban Open Space, as parks, trails and public golf course.



Existing Land Use Graphic



Proposed New Land Use Graphic

Zoning:

Current Zoning on Little America Property–

- The Estate Residential (ER) Zone allows for primarily single-family homes and multiple-family residential as part of a Planned Residential Development. The Estate Residential Zone allows one dwelling unit per acre maximum, to allow for large lot developments.
 - Golf courses are permitted with a conditional use permit; a resort hotel is not.
 - Estate Residential of 483 acres (-30% acres for resource protection, open space, roads and other infrastructure) = 338 acres; i.e. about 338 homes on one-acre lots would be permitted under the existing zoning.
- The Highway Commercial (HC) Zone is intended for a full-range of services, primarily along main commercial corridors; residential uses are permitted above or behind commercial uses.
 - This zone allows lodging (hotels, resorts, etc.)
 - The existing HC zoning on 53 acres has a maximum build-out with an allowed FAR of 3.0 of 6.9 million square feet of commercial with residential uses above or behind.
 - HC maximum height is 60' (about 5 stories). With a Conditional Use Permit, additional height is allowed.
 - HC maximum residential density (above or behind commercial) is 13 units per acre x 53 acres = 689 units.
- The existing Zoning allows: aprox. 338 units in ER and 689 units in HC, a total of 1,027 units.

Proposed Zoning on Little America Property:

- Highway Commercial (HC) for the activity center at Butler Avenue and Herold Ranch Road, as well as the existing and proposed new resort facilities.
- Single-family Residential (R1) with the recreational amenity to support Low Density
- Medium Density Residential (MR) – for townhouses and smaller homes
- High Density Residential (HR) – for apartments, particularly near the East Butler Avenue area
- Open Space (POS) – parks, trails and natural open space

The number of residential units in the submitted master plan totals 1,415 units.

- (3) Adequacy of public facilities for the proposed project is addressed through the Traffic Impact Analysis, Drainage Impact Analysis and the Water/Wastewater/Reclaim Water Analysis. There will be significant on-site and off-site improvements needed to support this development and to mitigate community impacts. See 'Utilities', 'Stormwater', 'Traffic' and 'Trails' below.

Utilities - The Water and Sewer Impact Analysis has been completed through the City's Utilities Division. Note that at the rezoning stage for this project, a concept utilities plan must be submitted. This concept utilities plan must show, within the subject site, location, size and type of existing and proposed utilities (water, sewer, reclaim lines), and preliminary connection locations to public utilities.

The review by the Utilities Division indicated that:

- A utility loop system of 20" minimum water main, which includes a secondary connection to the public system, is necessary to ensure a continuous supply for public safety..
- New water supply (wells), pump house and storage tank facilities will need to be contributed by this project and added to the public system in order to supply the necessary potable drinking water.
- The current wastewater collection system is adequate.
- The reclaimed water delivery system infrastructure will need to be expanded for the project's irrigation needs. Currently the city has enough reclaimed water to partially meet the applicant's needs for irrigation of golf, parks and landscaping. This supply of reclaim water will increase with population growth over time. The timing of the reclaim

water infrastructure improvements will need to be coordinated with a phasing to match the availability of additional reclaimed water.

- The Utilities Division has identified options to meet these needs. The details agreed upon for the preferred option will be resolved during the rezoning phase of the project.
- The golf course should be designed to minimize water requirements, for example: use natural/native grass fairways on the public golf course (example Pine Canyon golf in Flagstaff) in lieu of turf.

The applicant met with the City of Flagstaff Public Utilities department on September 10, 2013 to discuss the draft Public Water & Sewer Impact analysis (Analysis), which analyzed the Little America development requirements for water, wastewater and reclaimed water. As a result of the meeting, the applicant revised estimated water requirements for the golf course, parks and streetscape elements of the plan. The City has since revised the analysis and discussion regarding the estimated usage and availability between the applicant and City will continue. The Analysis indicated that there is not sufficient reclaimed water today for the golf course; however as Little America development as well as the development of other properties in the area progresses, the amount of available reclaimed water will increase. The applicant has indicated that development of the golf course will not occur until sufficient quantities of reclaimed are available.

The review by the City's Stormwater Section indicates that the Drainage Impact Analysis is adequate and meets the community's needs to manage stormwater run off. The use of the golf course to filter stormwater is commended. The Stormwater Manager reminds the applicant that the floodplain must be kept clear of development, including golf course. [The encroachment of the golf course into the rural floodplain is excessive. Stormwater staff will entertain some minor encroachments into the rural floodplain. These encroachments would be related to watercourse restoration efforts.](#)

Staff suggests six conditions specific to utilities and public facilities related to the Little America development proposal, refer to p. 14.

Traffic

The Little America Major Land Amendment application includes a graphic of future roadway conditions to address the proposed development – refer to illustrative master plan, p. 3. The main roads serving the project are the I-40 Interstate with an interchange at East Butler Avenue; East Butler Avenue being the main east to west connection; and Herold Ranch Road, which is currently a rural road ending in the county island to the south east of the Little America property. Currently, Little America's multiple access points off of East Butler Avenue and the commercial semi-truck traffic negatively impacts the city's circulation. A rural county island located southeast of the Little America property uses Herold Ranch Road exclusively for access. The project is currently in the major plan amendment stage, and therefore includes many elements that have only been developed to a preliminary planning level. These elements will be refined further as the project progresses through the City's rezoning phase.

- TIA Page 20 – “It has not yet been decided how secondary access to the site will be provided during the interim years until JW Powell is constructed, but secondary access will be required as part of the rezoning plan application” - a critical element of the rezoning/development agreement will be identifying true secondary access for traffic engineering standards and fire code compliance; along with any phasing of the development for the secondary access. This project needs to analyze the connection to JW Powell Boulevard as identified in the Regional Plan.
- All necessary Right of Way (ROW) dedications for roads of regional significance need to be resolve at the rezoning phase and part of the Development Agreement (DA).
- Coordination with ADOT for appropriate I-40 traffic interchange improvements will be necessary.
- Whether the truck stop stays or goes will greatly affect the Traffic Impact Analysis (TIA) calculations and ultimate improvements to East Butler Avenue and the I-40 interchange. The TIA for the rezoning application must address how the truck stop is phased out and when/how the replacement development and accompanying roadway improvements are resolved.

The applicant has retained the services of Felsburg, Holt & Ullevig (FHU), a firm specializing in transportation and environmental planning, traffic engineering, transportation system design, and environmental services. FHU has worked closely with the City's Traffic Engineer to identify the analysis requirements for the Little America project. The resulting Transportation Impact Analysis (TIA) has been revised twice over the past four months based on comments from the City's Traffic Engineer. Since the project is in the early planning stages, answers to all questions and issues cannot be addressed completely; however, the applicant and its consultant will continue to work closely with the City during the rezone application process.

Staff suggests four conditions specific to traffic related to the Little America development proposal, refer to p. 14.

Trails and Open Space

All floodplains, floodways, and steep slopes (+17% slope) are shown as undisturbed in the Little America Major Plan Amendment application. Public golf, parks and trails add to the 'green infrastructure' of the project. A close, detailed look at existing wildlife corridors, tree stands of large diameter (20"+) ponderosa pine, natural meadows and natural rock outcroppings need to be evaluated as part of the rezoning application. The project incorporates many trails into the development. The rezoning phase should depict how FUTS trails cross the site, with accompanying text to describe general alignment principles. There should also be a clear depiction of public trails and private access for recreational or residential amenities.

Public Services and Facilities

Little America will need to coordinate the need for public facilities and services with various agencies, such as the school systems and parks and recreation division, during the rezoning phase to ensure adequate facilities are provided for the increased population.

Public Concerns

Design Workshop hosted a Neighborhood Meeting on September 10, 2013 at Little America, as outlined as a required component of a Major Regional Land Use and Transportation Plan amendment (City Code Title 11). The purpose of the Neighborhood Meeting is to inform surrounding property owners and the general community of the intent of the development and the upcoming plan amendment process. The Neighborhood meeting was advertised in the Arizona Daily Sun, a sign was posted on the site, and all surrounding property owners were notified. Fifty-eight community members attended the Neighborhood Meeting, and a summary of the public concerns follows. A full account of all concerns were documented in the [Neighborhood Meeting Report](http://www.flagstaff.az.gov/DocumentCenter/View/43293): (For full report, see <http://www.flagstaff.az.gov/DocumentCenter/View/43293>)

- Will Little America be the developer of this project?
- Butler Avenue entrance – only one entrance/exit for 1400+ residences, 400 hotel rooms and an existing neighborhood?
- When will JW Powell Boulevard be extended? How will that work?
- Is another golf course necessary? Water for the golf course – only use reclaimed water.
- Will this project be successful if the golf course is not?
- Reclaim water into the Rio is for wildlife and ecosystem, not golf.
- Consider other recreational activities: hiking, biking, Frisbee golf, cross-country skiing, etc.
- What is the future of the existing truck stop?
- Open Space protection
- Public access to trails and wetlands restoration
- Commercial / retail space – please consider light industrial, research and development space for higher-paying jobs

The following narrative from the applicant is copied from the Neighborhood Meeting Report provided to staff: "The applicant appreciates the feedback from the community as this will help improve the master plan for the Little America property. The questions and concerns posed during the Neighborhood Meeting focused on two major themes: 1) water requirements and availability for the golf course, 2) traffic and connectivity. Since the plan is in its early stages, specific and concrete answers to these questions are not available, however, the applicant has been working with the City and the applicant's consultants to respond to the questions. "

Staff Recommendations and Conditions of Approval

Staff recommends that the Planning and Zoning recommend City Council approval of the Major Regional Plan Amendment for the Little America project, subject to the following conditions being addressed during the rezoning/development agreement phase of the project:

- (1) **WATER:** Show a complete utility loop system of 20" minimum water main (not just from Butler Ave. to Butler Ave.) and water supply infrastructure in the utilities concept plan.
- (2) **WATER:** Show all reclaim water on-site and off-site infrastructure improvements and adequate supply.
- (3) **STORMWATER:** The final design will be compliant with the findings of the Drainage Impact Analysis.
- (4) **STORMWATER:** Watercourse restoration design and intent is required as scoped and approved by the City Stormwater Section.
- (5) **STORMWATER:** [The golf course encroachment into the rural floodplain must be addressed to the satisfaction of the Stormwater Management Section as part of the Zoning Case.](#)
- (6) **TRAFFIC:** This project must have two remote access points (secondary access) to meet traffic and fire code regulations, and the rezoning proposal must address phasing of the development for secondary access.
- (7) **TRAFFIC:** This project needs to analyze JW Powell Boulevard as a secondary access during the rezoning phase of the project.
- (8) **TRAFFIC:** All Regional Plan roadway Right of Way (ROW) dedications for all roads of regional significance must be resolved during the rezoning/development agreement process. This includes, but is not limited to, East Butler Avenue access, Herold Ranch Road, and the internal street network.
- (9) **TRAFFIC:** The applicant must solidify interconnectivity with surrounding properties and land uses with roads and trails during the rezone/development agreement phase.
- (10) **PUBLIC FACILITIES:** Little America will coordinate the need for public facilities and services with various agencies during the rezoning phase of the project.
- (11) **Phasing Plan:** The rezoning application must include a detailed phasing plan for development that is linked to specific infrastructure improvements such as road improvements and full secondary access; water and sewer infrastructure and supply; and reclaim water infrastructure and supply.

Public Hearing Dates

As a reminder of the process forward for the Little America Major Regional Plan Amendment Application, the following public hearings have been scheduled:

The Flagstaff Planning and Zoning Commission

- Public Hearing #1 on October 23, 2013, at 4:00 p.m. at City Hall, Council Chambers [211 West Aspen Avenue]
- Public Hearing #2 on November 13, 2013 at 5:00 p.m. at the Aquaplex [1702 N. Fourth Street]

The Flagstaff City Council

- Public Hearing on November 19, 2013, at 6:00 p.m. at City Hall, Council Chambers [211 West Aspen Avenue]

NOTICE OF PUBLIC HEARINGS

Little America Hotels & Resorts, Inc. Major Plan Amendment

NOTICE IS HEREBY GIVEN that:

The Flagstaff Planning and Zoning Commission will hold **Public Hearing #1** on October 23, 2013, at 4:00 p.m. at City Hall, Council Chambers [211 West Aspen Avenue] and **Public Hearing #2** on November 13, 2013 at 5:00 p.m. at the Aquaplex [1702 N. Fourth Street] to consider a major amendment to the Regional Land Use and Transportation Plan.

The Flagstaff City Council will hold a **Public Hearing** on November 19, 2013, at 6:00 p.m. at City Hall, Council Chambers [211 West Aspen Avenue]

A. Explanation of Matters to be considered:

The Little America Hotels & Resorts, Inc. has submitted a Major Regional Plan Amendment Application to the City of Flagstaff. The proposed development is comprised of 537 acres south of East Butler Avenue and east of Interstate 40. The development proposal includes retaining existing "Regional Commercial" land use designation at the Little America hotel site, with the remainder of the undeveloped site changing from the designated "Planning Reserve Area" to land use designations of "Regional Commercial" with hospitality [an additional hotel/resort with resort amenities including a public golf course and club house]; and a neighborhood commercial center at the current truck stop location (approx. 157,000 sq. ft. net increase); "High, Medium and Low Density Residential" (approx. 1,400 units). And recreation with public FUTS trails, hiking and biking trails, parks and public golf.

B. General Description of the Affected Area:

Approximately 537 acres located at 2515 E. Butler Avenue, Coconino County Assessor's Parcel Numbers 106-09-001, 106-09-002, 106-04-005B, 106-04-009F, 106-10-002, 106-10-001D, 106-10-001C, 106-10-001B, 104-12-004. Within SW Quarter, SE Section: 23 Township; 21N Range: 07E Sixteenth: SE Quarter: SE Section: 23 Township: 21N Range: 7E E2 NW4 NE4 NW4 SW4; NE4 NE4 NW4 SW4; E2 SE4 NE4 NW4 SW4; E2 E2 SE 4 NW4 SW4; E2 NE4 NE4 SW4 SW4; S2 NE4 SW4 SW4; SE4 NW4 SW4 SW4; S2 SW4 SW4; E2 SW4; E2 SE4; SW4 SE4; SEC23 21N 7E

The Council hearing for these items may be moved if the Planning and Zoning Commission has not given a recommendation. Interested parties may file comments in writing regarding the proposed amendments or may appear and be heard at the hearing dates set forth above.

Maps and information regarding the proposed amendments are available at the City of Flagstaff, Planning and Development Services Section, 211 West Aspen Avenue. The full amendment application is available on-line, along with the Traffic Impact Analysis, Water and Wastewater Analysis, Drainage Impact Analysis, Economic Impact Analysis, Cultural Resource Study and the Coconino County Assessor's Map: <http://www.flagstaff.az.gov/index.aspx?nid=1342>



FOR FURTHER INFORMATION CONTACT

Kimberly Sharp, AICP
Comprehensive Planning Manager
Planning & Development Services
211 West Aspen Avenue
Flagstaff, Arizona 86001

(928) 213-2631
ksharp@flagstaffaz.gov



**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Elaine Averitt, Planning Development Manager
Date: 10/29/2013
Meeting Date: 11/19/2013



TITLE:

Consideration and Approval of Agreement: Consideration of Amendment Two to the Fourth Amended and Restated Development Agreement and Waiver ("Amendment") between the City of Flagstaff and Flagstaff Aspen Place, LLC, and Alliance Bank of Arizona, for Aspen Place at the Sawmill Commercial Parcels.

RECOMMENDED ACTION:

Approve the proposed Amendment to the Development Agreement between the City of Flagstaff and Flagstaff Aspen Place, LLC, and Alliance Bank of Arizona as recommended by city staff and authorize the Mayor to sign the agreement.

Policy Decision or Reason for Action:

- This request is the first of two related items; the second item is the second reading and adoption of the rezoning ordinance. Approval of the Amendment will clarify matters regarding development of the commercial parcels located at the southeast corner of Butler Avenue and Lone Tree Road within the Aspen Place at the Sawmill subdivision.
- On October 15, 2013, the City Council conducted a Public Hearing concerning the rezoning request for the Village at Aspen Place mixed use proposal. On October 15, the City Council approved the rezoning for the first time with stipulations.
- Subsidiary Decisions Points: A Council action approving this Amendment is included on the Council agenda for the November 19, 2013 meeting to be read and, at the Council's direction, approved prior to the second reading and approval of Rezoning Ordinance 2013-23.

Financial Impact:

The recommended action would permit the immediate development of 33,000 square feet of commercial and 222 luxury apartments on an infill location with existing infrastructure. Flagstaff Aspen Place ("Owner") would be responsible for costs associated with abandoning unused public utility stubs for the proposed Village at Aspen Place, constructing a right-turn lane from Butler Avenue onto Windsor Lane, and constructing a temporary southbound left turn access from Lone Tree onto Churchill Drive. Collection of the development fees (Fire and Police related) is described further under Expanded Financial Considerations.

Connection to Council Goal:

Retain, expand, and diversify economic base.
Effective governance.

Has There Been Previous Council Decision on This:

Yes, the City Council approved the zoning map amendment ordinance for the first time at the October 15, 2013 meeting.

Options and Alternatives:

- (Recommended Action): The Council may approve the proposed Amendment as presented.
- The Council may deny the proposed Amendment.
- The Council may modify the proposed Amendment.

Background/History:

See the Zoning Map Amendment report to the Planning and Zoning Commission dated September 3, 2013, attached with the Public Hearing PC REZ 2013-0001 staff summary report.

Key Considerations:

State law allows the City to enter into development agreements. The proposed amended Development Agreement, along with the Rezoning Ordinance, would govern the terms and conditions of the zoning and development of The Village at Aspen Place and the commercial parcels within the Aspen Place at the Sawmill subdivision, as defined in Section 1 of the Amendment. The New Frontiers parcel is not part of this Amendment.

Expanded Financial Considerations:

The original development plans for The Village at Aspen Place property planned for only 18 residential apartment units and 46,600 square feet of commercial development. As such, development fees (Fire and Police related) for only the first 18 residential apartment units and development fees for the commercial portion of the development will be waived consistent with the Fourth Amended development agreement. Owner also agrees to contribute \$25,000.00 to further affordable housing efforts by the City. Owner is in escrow with Alliance Bank of Arizona for a portion of the commercial parcels, and Alliance Bank has consented to and acknowledged this Amendment by their inclusion on the agreement.

Community Benefits and Considerations:

Development agreements have the potential to strengthen the planning process, encourage orderly development, facilitate the completion of public improvements, and provide certainty in the review process.

Community Involvement:

Inform. In accordance with State statute, notice of the public hearing for the Zoning Map Amendment associated with this development agreement amendment was provided by placing an ad in the Daily Sun, posting notices on the property, and mailing a notice to all property owners within 300 feet of the subdivision. One e-mail was received by staff before the Planning Commission meeting. Staff also responded to a request for information by a citizen at the Community Development counter.

Attachments: [Amend. to 4th Amended DA](#)

Form Review

Inbox	Reviewed By	Date
Purchasing Director	Rick Compau	11/05/2013 08:03 AM
Finance Director	Rick Tadder	11/05/2013 11:39 AM
Planning Director	Jim Cronk	11/06/2013 01:31 PM
Legal Assistant	Vicki Baker	11/06/2013 01:53 PM
Senior Assistant City Attorney JS	Vicki Baker	11/06/2013 01:53 PM
Community Development Director	Elizabeth A. Burke	11/07/2013 08:17 AM

DCM - Jerene Watson
Legal Assistant
Senior Assistant City Attorney JS

Form Started By: Elaine Averitt

Jerene Watson
Vicki Baker
Vicki Baker

Final Approval Date: 11/07/2013

11/07/2013 03:05 PM

11/07/2013 04:10 PM

11/07/2013 04:12 PM

Started On: 10/29/2013 05:16 PM

When recorded, mail to:

City Clerk
City of Flagstaff
211 West Aspen Avenue
Flagstaff, Arizona 86001

AMENDMENT TWO
to
Fourth Amended and Restated Development Agreement and Waiver
for
Aspen Place at the Sawmill Commercial Parcels

The following Amendment to the Fourth Amended and Restated Development Agreement and Waiver for Aspen Place at the Sawmill (this “Amendment”) is made this ____ day of _____, 2013 and is incorporated into and made a part of that certain Fourth Amended and Restated Development Agreement and Waiver dated August 11, 2010 and recorded in the Coconino County Records as Document No. 2010-3570207 (the “Fourth Amended and Restated Agreement”), as amended by Amendment One dated October 26, 2011 and recorded in the Coconino County Records as Document No. 3609215 with regard to the Residential Parcels only. Capitalized terms not defined herein shall have the meaning assigned to them in the Fourth Amended and Restated Agreement. This Amendment is made pursuant to Section 10.4 of the Fourth Amended and Restated Agreement, which permits the City and the Owner of a portion of Aspen Place at the Sawmill to amend the Agreement insofar as it affects that Owner’s portion of the Property. This Amendment only affects the Commercial Parcels as defined in Section 1 of this Amendment, below, and only operates to amend the Fourth Amended and Restated Agreement as to the Commercial Parcels for each individual Owner thereof. Accordingly, this Amendment is made by the City of Flagstaff (“City”) and Flagstaff Aspen Place, LLC, a Delaware limited liability company (“Owner” or “Flagstaff Aspen Place”), as successor in interest to Aspen Place North, LLC of the Commercial Parcels, in their entirety, and Alliance Bank of Arizona, as successor in interest to Flagstaff Aspen Place as to a portion of the Commercial Parcels as provided in Section 1, below.

NOW, THEREFORE , in consideration of the foregoing and the mutual promises and covenants contained in this Amendment, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Fourth Amended and Restated Agreement as follows:

1. The fourth sentence of Recital A is amended as follows:

Exhibit C depicts DESCRIBES the parcels of land owned by ~~Aspen Place North, L.L.C.~~ FLAGSTAFF ASPEN PLACE, LLC, as successor in interest to ~~Butler & Lone Tree, L.L.C.,~~ ASPEN PLACE NORTH, LLC, an Arizona limited liability company, and ALLIANCE BANK OF ARIZONA, A DIVISION OF WESTERN ALLIANCE BANK, AN ARIZONA CORPORATION (the COLLECTIVELY, “Commercial Parcels”).

2. The second sentence of Recital C is amended as follows:

WITH REGARD TO THE COMMERCIAL PARCELS, the REVISED SITE PLAN OF THE Master Plan DATED AUGUST 7, 2013, amends and restates in its entirety the “REVISED SITE PLAN OF THE Master Plan dated ~~September 14, 2005, as amended by Circle West Architects, PC, for the Sawmill District~~ DECEMBER 7, 2006.”

3. Recital D is amended as follows:

The Final Subdivision Plat for Aspen Pace at the Sawmill Improvement District was approved for the Property and recorded on May 14, 2007 and recorded in the Coconino County Records as Document No. 3438431 (~~the “Final Plat”~~) AND AMENDED ON DECEMBER 21, 2010 AND RECORDED IN THE COCONINO COUNTY RECORDS AS DOCUMENT NO. 3583171 (AS AMENDED, THE “FINAL PLAT”).

4. Recital F is amended as follows:

~~The current zoning of the Residential Parcels is High Density Residential, except for residential lots 106-115 which are zoned Urban Commercial District, and The current zoning for the Grocery Parcel and Commercial Parcels is Urban HIGHWAY Commercial District.~~

5. Section 2, Zoning, is amended as follows:

Zoning. Owners hereby agree to be subject to all the terms and conditions, and stipulations of City Ordinances 20016-13, ~~and~~ 2006-31, AND 2013-23, attached as ~~Exhibits I and J~~ N and incorporated by this reference (the “Zoning Ordinance”). Regarding the Zoning Ordinance, the City acknowledges and agrees that the zoning for the Commercial Parcels and Grocery Parcel is vested as ~~Urban~~ Highway Commercial, ~~and the zoning for the Residential Parcels is vested as High Density Residential, except for residential lots 106-115 which are zoned and vested Urban Commercial District.~~

6. The second sentence of Section 3, Development Standards, is amended as follows:

The City and Owners expressly acknowledge and agree that as consideration for Owner’s prior cooperation in the Lone Tree realignment, and prior land dedications and construction of other improvements for the benefit of the City as set forth in this Agreement, development of NON-RESIDENTIAL AND THE FIRST 18 RESIDENTIAL UNITS WITHIN THE COMMERCIAL PARCELS, AND DEVELOPMENT OF THE Grocery Parcel will not be subject to any impact fees which ARE CURRENTLY REQUIRED OR may be implemented by the City in the future, but the Property will be subject to applicable IMPROVEMENT district fees.

7. A new Section 3.1, Affordable Housing, is provided as follows:

3.1 Affordable Housing. Owner acknowledges the City of Flagstaff’s affordable housing set-aside policy but is not seeking any of the affordable housing incentives set forth in the 2011 City of Flagstaff Zoning Code. Owner is aware of the many goals, policies and strategies listed in the Flagstaff Area Regional Land Use and Transportation Plan related to the lack of affordable housing units within Flagstaff. With the development of the Commercial Parcels, Owner intends to provide market rate housing units for rental purposes. Owner, acknowledging that the development of the Commercial Parcels will not directly impact affordable housing shortages within Flagstaff, agrees to contribute \$25,000.00 within 10 business days of the certificate of occupancy for any residential unit within the Commercial Parcels to further the efforts of the City in addressing the lack of affordable housing units within the community. Further, the City and Owner acknowledge the prior contribution of Parcel 117 to the City with the recordation of the Aspen Place at Sawmill Final Plat.

8. Section 6.2.2 under Section 6.2, Commercial Development, is amended as follows:

~~6.2.2 Residential uses located in the UC HIGHWAY COMMERCIAL zoning district are permitted on the second floor, BEHIND or above COMMERCIAL BUILDINGS, by right, THROUGH THE MIXED USE DESIGNATION AS PROVIDED IN THE FLAGSTAFF ZONING CODE, EFFECTIVE NOVEMBER 11, 2011 (“THE ZONING CODE”). Any residential units depicted on the Master Plan located above a commercial building are conceptual in nature and are not required to be constructed. However, if single story buildings are constructed on Lots 125 or Lot 126, the design of the building shall not preclude the later construction of residential units above such single story commercial buildings. As used in the immediately preceding sentence, “shall not preclude” shall mean that the single story commercial buildings can be structurally modified in the future to accommodate residential units above the single story building.~~

9. Section 6.3.1 under Detention Basins, is amended as follows:

6.3.1 The underground detention system including all appurtenances shall be a publicly owned facility dedicated to the City. However, all maintenance responsibilities shall be that of the Home Owners Association(s) (“HOA(s)”), OR THE DECLARANT OR PROPERTY OWNERS ASSOCIATION (“POA(S)”) WITH REGARD TO THE COMMERCIAL PARCELS. Due to the complex nature of the system and difficulty of access to the system, the HOAs, DECLARANT OR POA(S) shall retain the services of a qualified agency to inspect on a bi-annual basis as a minimum, and to provide maintenance services, as necessary.

10. Section 6.4, Existing Streetscape Landscaping, is amended as follows:

Existing Streetscape Landscaping. Existing streetscape landscaping along Lone Tree Road and Butler Avenue must be maintained, transplanted to equivalent locations, or replaced with landscaping of a similar species in equivalent locations. Existing streetscape landscaping cannot be used to offset the landscape requirements of the ZONING Land Development Code. All landscaping from the back of curb to right-of-

way line on ~~internal~~ PUBLIC streets will be maintained by the HOA(s), OR WITH REGARD TO THE COMMERCIAL PARCELS, THE DECLARANT OR POA(S), AS APPLICABLE.

11. A new Section 6.5, Existing Unused Utility Services, is added as follows:

Existing Unused Utility Services. With regard to the Commercial Parcels, Owner, its successors and/or assigns, agree to abandon all unused public utility services, including water, wastewater and reclaimed services, in compliance with the City of Flagstaff Engineering Standards, and more specifically, Sections 13-06-007-0002(P)(2) and 13-09-003-0007(G) thereof, prior to the first certificate of occupancy (“COO”) within the applicable Commercial Parcel. Owner, its successors and/or assigns agree to cooperate with City, and to pay for the City’s direct expenses incurred to abandon the unused public utility services, including water, wastewater and reclaimed services. Those public utility services to be abandoned are depicted in the Abandonment of Unused Public Utility Services Plan, attached as **Exhibit O**, and incorporated by this reference.

11. Section 6.6.5, Open Space Requirements, is amended include a new sentence at the end of the paragraph as follows:

For the Commercial Parcels, the City acknowledges that the revised Master Plan complies with the Zoning Code open space requirements.

12. Section 7, Rights- of-Way Dedication, is amended follows, and a new Section 7.1.1 is added:

Right-of Way Dedication and Maintenance. EXCEPT AS PROVIDED IN THIS SECTION, all right-of-way dedications required within the Property ~~were~~ HAVE BEEN completed ~~in conjunction with the Final Plat~~ AS OF THE DATE OF THIS AMENDMENT, INCLUDING THE ADDITIONAL DEDICATIONS MADE TO THE CITY BY THE OWNER ASSOCIATED WITH THE NEW RIGHT TURN LANE FROM BUTLER ONTO WINDSOR. A PORTION OF (1) THE SIDEWALK IMPROVEMENTS ALONG SOUTH WINDSOR DRIVE ABUTTING THE FRONTAGE OF THE COMMERCIAL PARCELS AND (2) ON-STREET PARKING SPACES ALONG EAST KENSINGTON DRIVE REMAIN ON PRIVATE PROPERTY. THESE EXISTING IMPROVEMENTS ARE REQUIRED TO BE DEDICATED TO THE CITY PRIOR TO BUILDING PERMIT ISSUANCE FOR THE VILLAGE AT ASPEN PLACE AS PROVIDED FOR IN PC REZ 13-0001 (“THE VILLAGE AT ASPEN PLACE”). FURTHER, AS OF THE DATE OF THIS AMENDMENT, OWNER IS CONSTRUCTING A TEMPORARY, SOUTHBOUND LEFT-TURN ACCESS FROM LONE TREE ONTO CHURCHILL DRIVE (THE “TEMPORARY ACCESS”). THE TEMPORARY ACCESS WILL BE ALLOWED BY THE CITY UNTIL SUCH TIME THAT PHYSICAL, OPERATIONAL OR OTHER MODIFICATIONS TO LONE TREE ROAD MAKE THIS LEFT TURN UNVIABLE, AT THE CITY’S SOLE DISCRETION. UPON 60 DAYS NOTICE TO THE OWNER, THE CITY MAY CLOSE THE TEMPORARY ACCESS. Owners acknowledge that all other improvements in the right-of-way (such as water, detention

facilities, sidewalks (subject to the City's cost sharing policy under which the City pays 50% and the HOA(s) pay 50% of maintenance costs in residential areas only), any on-street parking spaces, street lights, AND landscaping) shall be maintained in perpetuity by the HOA(s), DECLARANT OR POA(S), AS APPLICABLE. The HOA(s), DECLARANT OR POA(S) shall also be responsible for snow removal outside the vehicular "travel way," as GENERALLY depicted on **Exhibits K and L**, Public and Private Maintenance exhibits, attached to this Agreement. The City and HOA(s), DECLARANT AND/OR POA(S), AS APPLICABLE, may elect to jointly resurface the "travel way" and any on-street parking areas which would require the HOA(s), DECLARANT AND/OR POA(S) to contribute on a pro-rated basis, to the City for paving and restriping the on-street parking spaces.

7.1.1. Owner acknowledges that all improvements in the right-of-way (such as water detention facilities, sidewalks, street furniture, pedestrian path lighting, private building encroachments, any on-street parking spaces and landscaping) shall be maintained in perpetuity by the Declarant or POA, as applicable, for the Commercial Parcels. Unless otherwise agreed to by the parties, Owner will ensure that maintenance and repair agreements involving work in the public rights-of-way entered into by Owner shall include the following indemnification provisions for the benefit of the City:

"Contractor agrees to indemnify, defend and hold harmless the City of Flagstaff, its officers, officials, agents and employees ("Indemnitee") from and against any and all claims, demands, actions, liabilities, damages, losses or expenses (including court costs, attorney's fees, and costs of claim processing, investigation and litigation) (collectively referred to as "Claims") for personal injury or bodily injury (including death) or property damage caused, in whole or in part, by willful misconduct or negligent acts or errors of Contractor, or any of Flagstaff Aspen Place's directors, officers, agents, employees, and subcontractors related to work performed to this maintenance and repair agreement."

13. Section 8, Construction of Public and Other Related Improvements, is amended as follows, and Sections 8.1.1, 8.1.2, and 8.1.3 are hereby deleted in their entirety:

The City acknowledges that with the exception of the landscaping improvements, SIDEWALKS, STREET FURNITURE, PEDESTRIAN PATH LIGHTING AND ON-STREET PARKING SPACES IN CONNECTION WITH THE DEVELOPMENT OF THE VILLAGE AT ASPEN PLACE AND discussed in this Section, ~~parking stall striping on sections of Piccadilly Drive, and associated ADA parking details,~~ the construction and dedication of all public improvements have been completed, and the City agrees to assume, at the City's expense, the maintenance and repairs of all public improvements in accordance with City policies, except as modified in Sections 6 and 7 above. Specifically, the scope and nature of the remaining improvements to be constructed in connection with the ~~Project~~ COMMERCIAL PARCELS are as follows:

8.1 Landscaping Improvements. ~~The required landscape construction improvements in the rights-of-way, as shown in the landscape plans prepared by the Campbell~~

Collaborative for Aspen Place at Sawmill, dated 02/14/2007, consisting of Sheet Numbers L.1.0 through S1.1 (the "Landscape Plans"), have not all been constructed by the present COMMERCIAL PARCEL Owners, as of the date of this Agreement. This includes landscaping and irrigation of remaining parkways, tracts, and one park or plaza as shown in **Exhibit M**, attached to this Agreement, which consists of: (1) Sheet Number L2.0 of the Landscape Plans with a depiction of landscape improvements not yet completed; and (2) a Table of Lots and Tracts that delineates the responsibility of the developer or owner of each lot. The future developer or Owners(s) of THE remaining Commercial and residential Parcels TO BE DEVELOPED will be required to show the landscaping improvements for their lot(s) as detailed in THE LANDSCAPE PLANS PREPARED BY THE CAMPBELL COLLABORATIVE FOR ASPEN PLACE AT SAWMILL, DATED 02/14/2007, CONSISTING OF SHEET NUMBERS L.1.0 THROUGH S1.1 (COLLECTIVELY, THE "LANDSCAPE PLANS"), **Exhibit M**, on their development applications and are responsible for completion of the adjacent landscape improvements within the right-of-way. The City will not issue certificates of occupancy for a building until the landscape improvements FOR THAT PARCEL have been installed and accepted by the City. All landscaping FOR THE COMMERCIAL PARCELS shown in **Exhibit M** LOCATED BETWEEN THE BUILDING(S) AND THE TRAVEL WAY must be maintained by THE DECLARANT OR a POA(s) ~~property owners' associations(s)~~.

14. Section 9, Notices, is amended as follows:

Notices. Any notice or other communication required or permitted to be given under this Agreement will be in writing and will be deemed to have been given if (1) delivered to the party at the address set forth below during normal business hours, (2) deposited in the U.S. Mail, registered or certified, return receipt requested, to the address set forth below, with sufficient postage, or (3) given to a recognized and reputable overnight delivery service, to the address set forth below, with the person giving the notice paying all required charges and instructing the delivery service to deliver on the following business day or at such other address, and to the attention of such other person or officer, as any party may designate in writing by notice duly given pursuant to this Section.

To City:

City Manager
 City of Flagstaff
 211 West Aspen Avenue
 Flagstaff, Arizona 86001

To Owners OF COMMERCIAL
 PARCELS:

ALLIANCE BANK OF ARIZONA
 214 E. BIRCH
 FLAGSTAFF, ARIZONA 86001
 ATTN: SHERRI SLAYTON

WITH COPY TO:

ALLIANCE BANK OF ARIZONA
 ONE E. WASHINGTON, SUITE
 1400
 PHOENIX, ARIZONA 85004

ATTN: MELISSA
GOLDENBERG

FLAGSTAFF ASPEN PLACE,
LLC, LLC
ONE EAST WASHINGTON,
SUITE 300PHOENIX, AZ 85004
ATTN: BRETT HERON

9.1 Notices will be deemed received (1) when delivered to the party, (2) three business days after being sent by U.S. mail, certified and return receipt requested, properly addressed, with sufficient postage, or (3) the following business day after being given to a recognized and reputable overnight delivery service.

15. Section 11, Waiver of Claim for Diminution in Value, is amended as follows:

11. Waiver of Claim for Diminution in Value. Each Owner hereby waives and fully releases any and all financial loss, injury, claims and causes of action that it may have, now or in the future, for any “diminution in value” and for any “just compensation” under the Private Property Rights Protection Act, codified in A.R.S. §§ 12-1131 through 12-1138, (the “Act”) in connection with the application of the City’s existing land use laws and including Ordinance Numbers 2006-13, and 2006-31 AND 2013-23 regarding the Property (collectively, the “Laws”). This waiver constitutes a complete release of any and all claims and causes of action that may arise or may be asserted under the Laws with regard to the subject Property. Owner agrees to indemnify, hold harmless and defend City, its officers, employees and agents, from any and all claims, causes of actions, demands, losses and expenses, including attorney’s fees and litigation costs, that may be asserted by or may result from any of the present or future owners of any interest in the Property seeking potential compensation, damages, attorney’s fees or costs under the Act that they may have, as a result of the application of the Laws upon the Property.

16. The following Exhibits C, F and K to the Fourth Amended and Restated Agreement are replaced, Exhibit M is deleted, and new Exhibits N and O added as follows:

Exhibit C	Legal Description Commercial Parcels – Modified
Exhibit F	Revised and Restated Master Plan – Commercial Parcel
Exhibit K	Public & Private Maintenance
Exhibit N	Commercial Parcels Zoning Ordinances
Exhibit O	Abandonment of Unused Public Utility Services Plan

17. Miscellaneous. This Amendment may be executed in any number of counterparts, each of which will for all purposes be deemed to be an original, and all of which are identical. Except as expressly amended hereby, the Fourth Amended and Restated Agreement shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the parties have caused this Amendment and Waiver to be executed by their duly authorized representatives as of the day and year first above written.

City of Flagstaff, a municipal corporation

Gerald W. Nabours, Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Flagstaff Aspen Place, LLC, a Delaware limited liability company

By: _____
Name: _____
Its: Manager

Alliance Bank of Arizona, a division of Western Alliance Bank, an Arizona corporation

By: _____
Name: _____
Its: _____

STATE OF ARIZONA)
COUNTY OF COCONINO)

ACKNOWLEDGMENT

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared Gerald W. Nabours, Mayor of the City of Flagstaff, known to be or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that she executed the same on behalf of the City of Flagstaff, for the purposes therein contained.

Notary Public
My Commission Expires:_____

STATE OF ARIZONA)
COUNTY OF _____)

ACKNOWLEDGMENT

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared _____, known to be or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same on behalf of Flagstaff Aspen Place, LLC, its manager, for the purposes therein contained.

Notary Public
My Commission Expires:_____

STATE OF ARIZONA)
COUNTY OF _____)

ACKNOWLEDGMENT

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared _____, known to be or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same on behalf of Alliance Bank, its _____, for the purposes therein contained.

Notary Public
My Commission Expires:_____

Exhibit C

Flagstaff Aspen Place Commercial Parcels

Lots 119, 120, 121, 122, 123, 125, 126, 127, 128, 129, 130 and 131 of Aspen Place at the Sawmill, according to plat recorded May 14, 2007 at Instrument Number 3438431, and Amendment recorded December 21, 2010 at Instrument No. 3583171, records of Coconino County, Arizona;

Except all oil, gas and other minerals as granted in Deed recorded in Docket 164, page 405, records of Coconino County, Arizona.

Alliance Bank Commercial Parcel

Lot 118, Aspen Place at the Sawmill, according to plat recorded May 14, 2007 at Instrument Number 3438431, and Amendment recorded December 21, 2010 at Instrument No. 3583171, records of Coconino County, Arizona;

EXCEPT all oil, gas and other minerals, as granted in Deed recorded in Docket 164, Page 405, records of Coconino County, Arizona; and

EXCEPT that portion of the Northwest Quarter of Section 22, Township 21 North, Range 7 East, Gila and Salt River Base and Meridian, Coconino County, Arizona:

That portion of Lot 118, Amended Final Subdivision Plat for Aspen Place at the Sawmill, Instrument 3583171, dated December 21, 2010, Coconino County Records, lying northerly of the following described line:

Commencing at the northernmost northeast corner of said Lot 118, from whence the southernmost northeast corner of said Lot 118 lies South $46^{\circ}27'22''$ East a distance of 35.17 feet along the northeasterly line of said Lot 118, per said Instrument 3583171;

Thence along said northeasterly line, and the westerly Right of Way line of Windsor Lane, South $46^{\circ}27'22''$ East a distance of 4.22 feet to a line parallel with and 3.00 feet southerly of the northerly line of said Lot 118, and the Point of Beginning of the line;

Thence leaving said northeasterly line along said parallel line the following courses:

South $88^{\circ}14'47''$ West a distance of 60.81 feet; and

South $88^{\circ}57'22''$ West a distance of 68.72 feet;

Thence leaving said parallel line, North $66^{\circ}01'02''$ West a distance of 7.09 feet to said northerly line, and the Terminus of the line.

Exhibit F

Revised and Restated Master Plan – Commercial Parcel

[see following pages]

THE VILLAGE AT ASPEN PLACE

A NEW MIXED USE BUILDING FOR:

BUTLER AVE. & LONE TREE RD.

FLAGSTAFF, ARIZONA

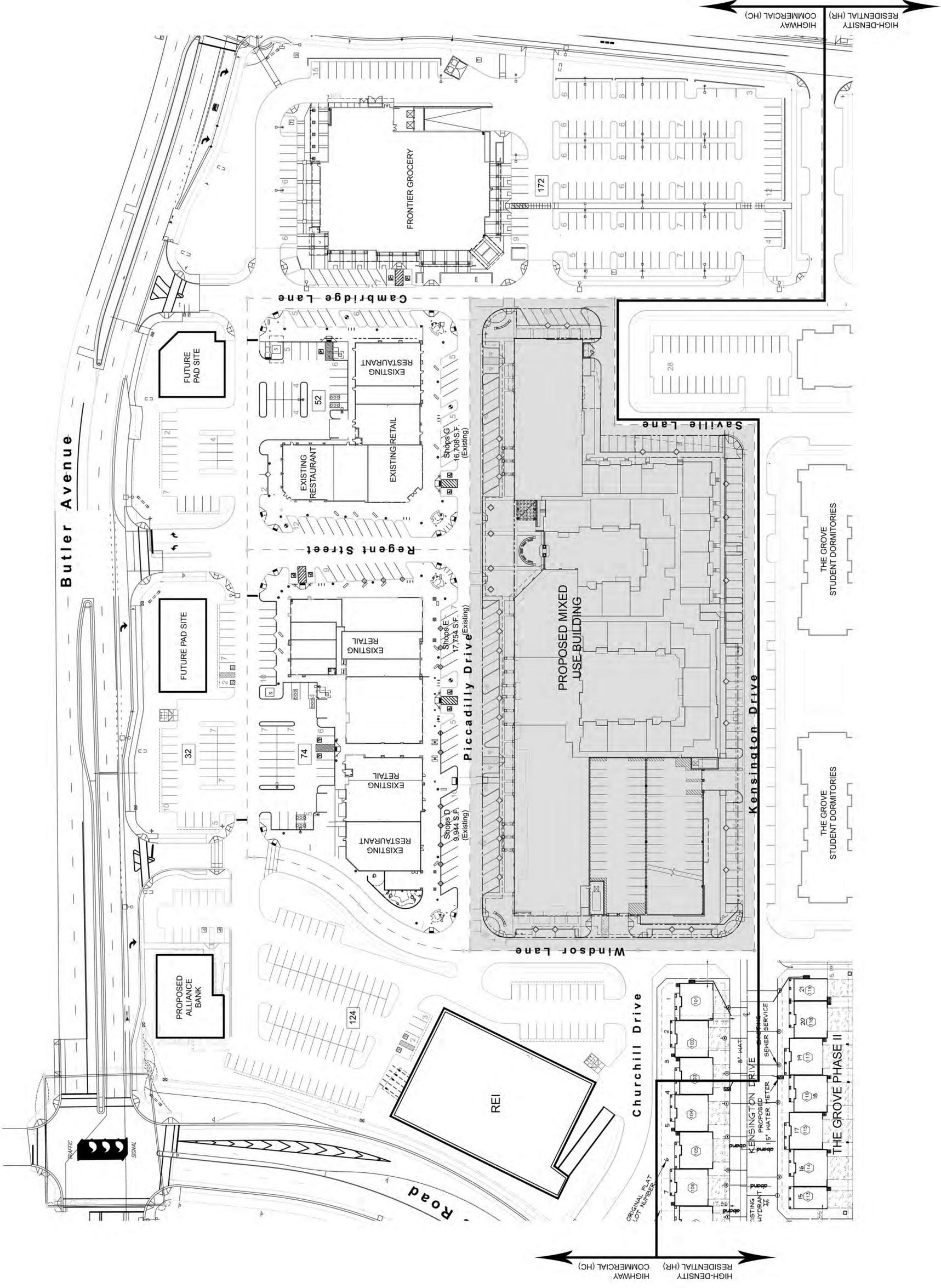
NSPJ ARCHITECTS
 NEARING STAATS PELOGAR & JONES AIA CHARTERED

3515 W. 75TH ST. STE. 201
 PRAIRIE VILLAGE, KANSAS 66208
 PHONE 913.831.1415 FAX 913.831.1563
 PWW.NSPJARCH.COM

REVISIONS

DATE
 June 28, 2013
 Job No.
 531713
 SHEET NO.

A0.02

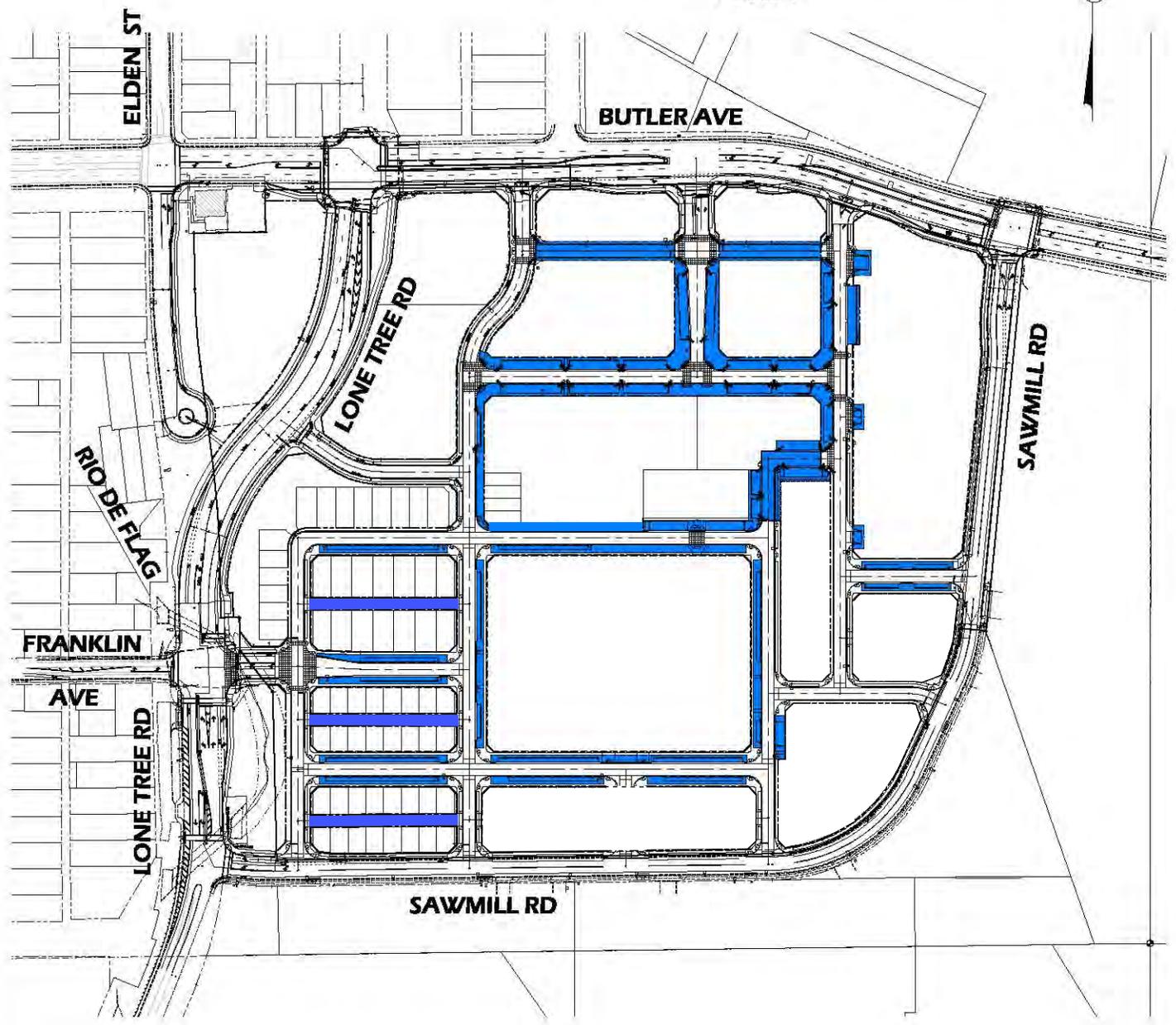
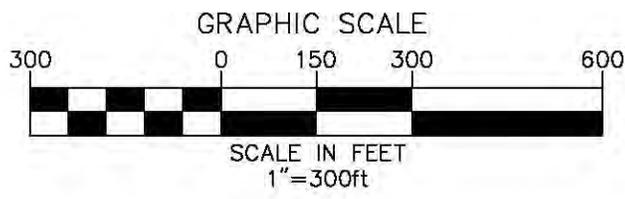


SURROUNDING DEVELOPMENT PLAN
 SCALE 1"=50'-0"
 NORTH

Exhibit K

Public & Private Maintenance

[see following page]



LEGEND

-  PRIVATELY MAINTAINED IMPROVEMENTS WITHIN PUBLIC RIGHT-OF-WAY
-  PUBLICLY MAINTAINED IMPROVEMENTS WITHIN PUBLIC RIGHT-OF-WAY

ASPEN PLACE AT THE SAWMILL PUBLIC & PRIVATE MAINTENANCE EXHIBIT K		DATE

Exhibit N

Commercial Parcels Zoning Ordinances

[see following pages]



ORDINANCE NO. 2006-13

AN ORDINANCE REZONING APPROXIMATELY 11.44 ACRES LOCATED AT 825 EAST BUTLER AVENUE FROM HR, HIGH-DENSITY RESIDENTIAL, TO UC, URBAN COMMERCIAL DISTRICT (CONDITIONAL).

Whereas, the Flagstaff City Council ("Council") finds that the applicant has fully complied with section 10-10-004-0007 of the Land Development Code by virtue of having paid the required fee and having supplied the required documentation; and

Whereas, the Council has read and considered the staff reports prepared by the City's Planning Division and has reviewed the Conceptual Site Plan for the subject property, and has considered the narrative prepared by the applicant; and

Whereas, the Planning and Zoning Commission ("Commission") has formally considered the present rezoning application following proper notice and public hearing, and the Commission has recommended approval of the requested rezoning application subject to the applicant's compliance with certain conditions set forth herein below; and

Whereas, City staff ("staff") have recommended approval of the rezoning application, subject to the general conditions proposed by the Commission, as modified by staff, and the Council has considered each of the conditions and has found them to be appropriate for the site and necessary for the proposed development; and

Whereas, the Council finds that the proposed rezoning and approved Conceptual Site Plan with conditions will not be detrimental to the uses of adjoining parcels or to other uses within the vicinity;

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

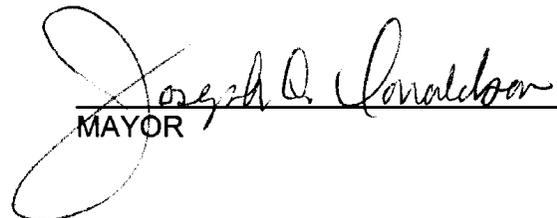
Section 1. That the subject property be rezoned from HR, High-density Residential, to UC, Urban Commercial District (conditional), as depicted in Exhibits A, B, C, and D attached to and made a part hereof.

Section 2. That the rezoning be conditional upon compliance with the provisions of the Land Development Code in the construction of the improvements shown upon the approved Conceptual Site Plan and be further conditioned upon the applicant's adherence to and satisfaction of the following general conditions proposed by the Commission:

GENERAL CONDITIONS:

1. The subject property shall be developed according to the Master Plan, dated September 14, 2005, as amended by Circle West Architects, PC, for the "Sawmill District," as presented with the rezoning request.
2. The project must comply with the terms and provisions of the "Amended and Restated Development Agreement" for the "Sawmill District," as presented with the rezoning request.
3. The project must comply with all requirements of the Land Development Code and other applicable City codes, ordinances and regulations.
4. The offsite improvements depicted in the Master Plan, dated September 14, 2005, must be constructed.
5. If at the expiration of two (2) years a building permit has not been issued for any building within the project, the City Council, after notification by certified mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

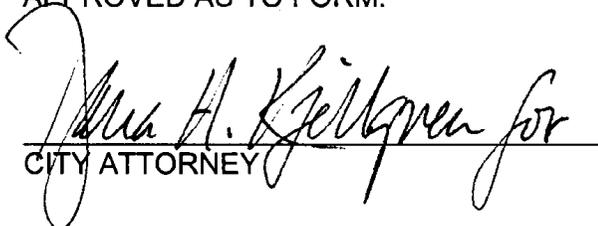
PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 2nd day of May, 2006.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Resolution No. _____

EXHIBIT A
LEGAL DESCRIPTION
FOR
SAWMILL DISTRICT RESIDENTIAL ZONING PARCEL
HR

THAT PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 21 NORTH,
RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO
COUNTY, ARIZONA, BEING A PORTION OF BOOK 11, MAP 45, O.C.C.R. MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

THE BASIS OF BEARING IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF
SECTION 22, PER BOOK 11 OF MAPS, PAGE 44 OF THE OFFICE OF THE COCONINO
COUNTY RECORDERS, SAID BEARING IS NORTH 89°14'32" EAST.

COMMENCING AT A FOUND 2-1/2" ALUMINUM CAP MARKED "LS 18221"
ACCEPTED AS THE WEST QUARTER CORNER OF SAID SECTION 22;

THENCE NORTH 89°14'04" EAST, A DISTANCE OF 977.02 FEET TO FOUND 5/8"
REBAR MARKING THE SOUTHWEST CORNER OF THE PARCEL OF LAND
DESCRIBED IN BOOK 11 OF MAPS, PAGE 44 AND 45, C.C.R.

THENCE NORTH 01°22'02" WEST, 130.26 FEET, TO THE **TRUE POINT OF
BEGINNING;**

THENCE NORTH 01°22'02" WEST, A DISTANCE OF 369.31 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671";

THENCE NORTH 38°22'02" WEST, A DISTANCE OF 99.66 FEET TO FOUND NAIL AND
TAG MARKED "LS 14671";

THENCE NORTH 01°17'12" WEST, A DISTANCE OF 63.28 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671";

THENCE SOUTH 88°42'48" WEST, A DISTANCE OF 35.00 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671";

THENCE NORTH 01°17'12" WEST, A DISTANCE OF 126.40 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671" MARKING THE BEGINNING OF A TANGENT
CURVE OF 1483.50 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°50'46", A DISTANCE OF 151.37 FEET TO FOUND 1-1/2" REBAR CAP MARKED "LS 14671";

THENCE NORTH 07°07'58" WEST, A DISTANCE OF 148.73 FEET;

THENCE NORTH 89°35'19" EAST, A DISTANCE OF 307.17 FEET TO THE BEGINNING OF A 1000.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 89°28'20" WEST;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°07'11", A DISTANCE OF 211.53 FEET;

THENCE NORTH 89°35'19" EAST, A DISTANCE OF 406.79 FEET TO THE BEGINNING OF A 300.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 85°30'55" WEST;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°14'13", A DISTANCE OF 27.42 FEET;

THENCE NORTH 00°45'08" WEST, A DISTANCE OF 182.61 FEET;

THENCE NORTH 89°35'19" EAST, A DISTANCE OF 399.47 FEET;

THENCE NORTH 05°41'23" EAST, A DISTANCE OF 377.82 FEET TO THE BEGINNING OF A 588.10 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 12°41'51" WEST;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°37'47", A DISTANCE OF 57.78 FEET TO FOUND 1-1/2" REBAR CAP MARKED "LS 14671";

THENCE SOUTH 71°40'22" EAST, A DISTANCE OF 149.96 FEET TO FOUND 1-1/2" REBAR CAP MARKED "LS 16630" MARKING THE BEGINNING OF A TANGENT CURVE OF 1841.60 FOOT RADIUS, CONCAVE NORTHEASTERLY;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°47'10", A DISTANCE OF 218.12 FEET TO FOUND 1-1/2" REBAR CAP MARKED "LS 16630";

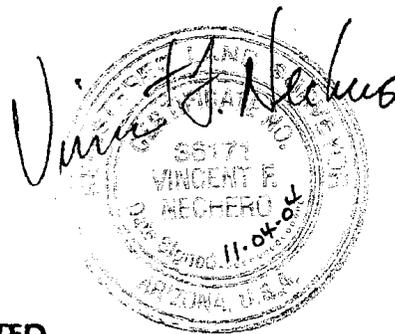
THENCE SOUTH 78°27'32" EAST, A DISTANCE OF 17.64 FEET TO FOUND REBAR WITH CAP MARKED "LS 15853";

THENCE SOUTH 05°41'10" WEST, A DISTANCE OF 715.16 FEET TO THE BEGINNING OF A TANGENT CURVE OF 329.85 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°59'46", A DISTANCE OF 109.36 FEET;

THENCE SOUTH 24°41'09" WEST, A DISTANCE OF 193.08 FEET TO THE BEGINNING OF A TANGENT CURVE OF 329.90 FOOT RADIUS, CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 64°35'15", A DISTANCE OF 371.88 FEET; THENCE SOUTH 89°16'24" WEST, A DISTANCE OF 939.92 FEET TO THE TRUE POINT OF BEGINNING; THE ABOVE DESCRIBED PARCEL CONTAINS 1,326,906.80 SQUARE FEET OR 30.46 ACRES MORE OR LESS.

EXHIBIT "B" ILLUSTRATES THE AFORE MENTIONED LEGAL DESCRIPTION MADE APART HEREOF.

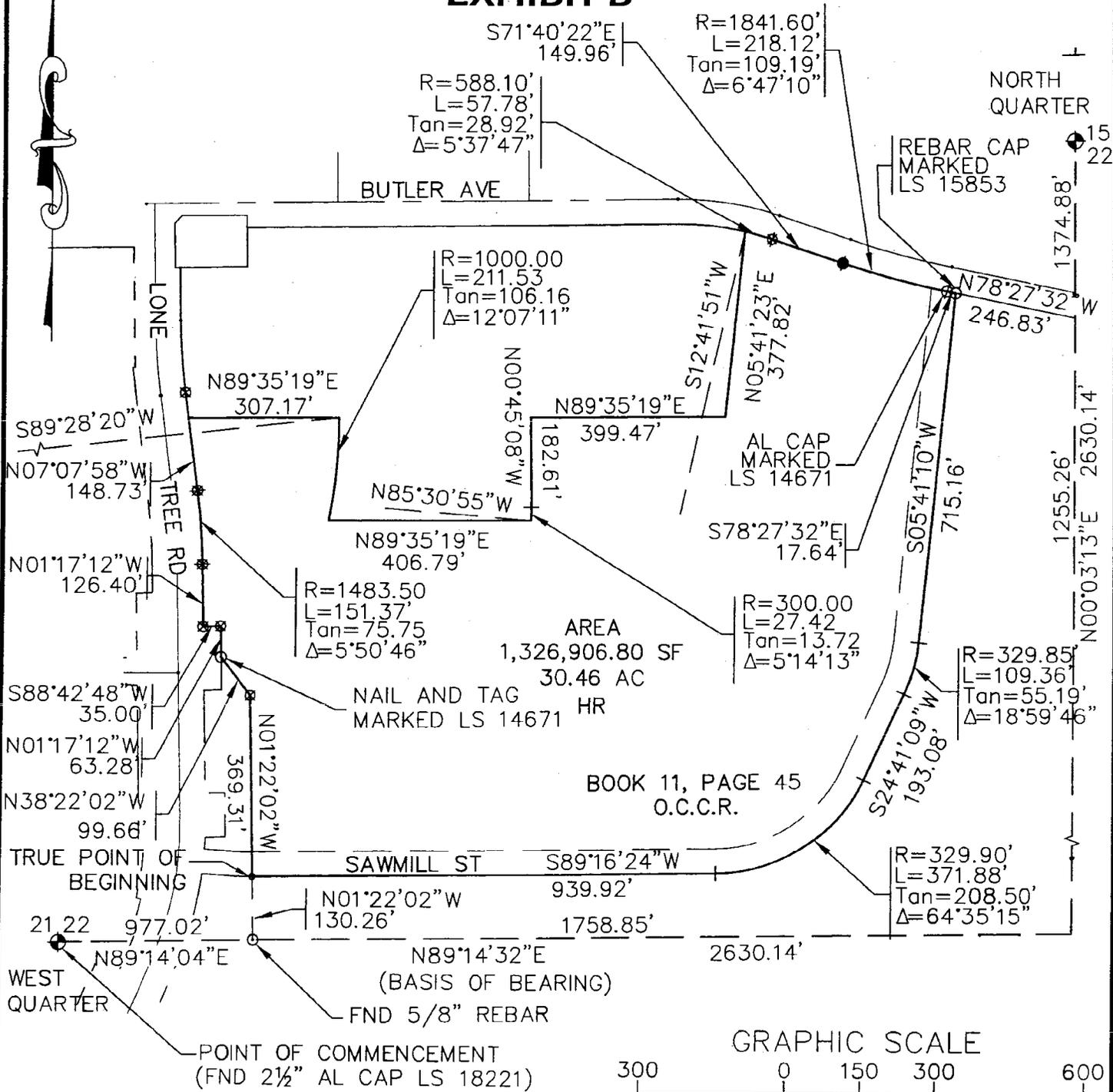


ACCEPTED
CITY OF FLAGSTAFF
ENGINEERING DIV
SURVEY 12/09/04
INT DATE

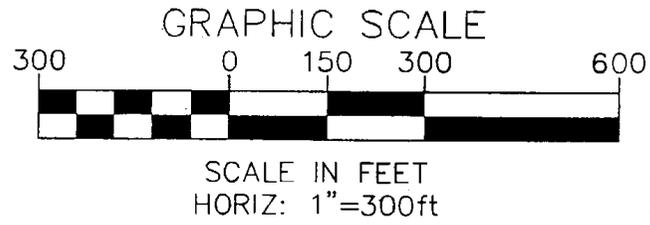
CITY FILE NO.

DESCRIPTIVE TITLE

EXHIBIT B



- ⊗ FND 1 1/2" REBAR CAP MARKED "NES LS 14671"
- SET 1/2" REBAR CAP MARKED "LS 16630"
- ⊕ FND 2" AL CAP MARKED "LS 16630"
- MONUMENT AS NOTED



10-27-04

CITY FILE NO.

**THE SAWMILL DISTRICT
HR RESIDENTIAL ZONING PARCEL
S22-T21N-R7E**

**EXHIBIT B
LEGAL EXHIBIT**

**PROJ#
194052.011**

Carter & Burgess

FOR LOCATION PURPOSES ONLY

Resolution No. _____

EXHIBIT C
LEGAL DESCRIPTION
FOR
SAWMILL DISTRICT COMMERCIAL ZONING PARCEL
UC

THAT PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, BEING A PORTION OF BOOK 11, MAP 45, O.C.C.R. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BASIS OF BEARING IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 22, PER BOOK 11 OF MAPS, PAGE 44 OF THE OFFICE OF THE COCONINO COUNTY RECORDERS, SAID BEARING IS NORTH 89°14'32" EAST.

COMMENCING AT A FOUND 2-1/2" ALUMINUM CAP MARKED "LS 18221" ACCEPTED AS THE WEST QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°14'04" EAST, A DISTANCE OF 977.02 FEET TO FOUND 5/8" REBAR MARKING THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN BOOK 11 OF MAPS, PAGE 44 AND 45, C.C.R.

THENCE NORTH 01°22'02" WEST, A DISTANCE OF 499.57 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671";

THENCE NORTH 38°22'02" WEST, A DISTANCE OF 99.66 FEET TO FOUND NAIL AND
TAG MARKED "LS 14671";

THENCE NORTH 01°17'12" WEST, A DISTANCE OF 63.28 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671";

THENCE SOUTH 88°42'48" WEST, A DISTANCE OF 35.00 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671";

THENCE NORTH 01°17'12" WEST, A DISTANCE OF 126.40 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671" MARKING THE BEGINNING OF A TANGENT
CURVE OF 1483.50 FOOT RADIUS, CONCAVE WESTERLY,

THENCE NORTHERWesterly, ALONG SAID CURVE, THROUGH A CENTRAL
ANGLE OF 5°50'46", A DISTANCE OF 151.37 FEET TO FOUND 1-1/2" REBAR CAP
MARKED "LS 14671";

THENCE NORTH 07°07'58" WEST, A DISTANCE OF 148.73 FEET TO THE **TRUE POINT
OF BEGINNING;**

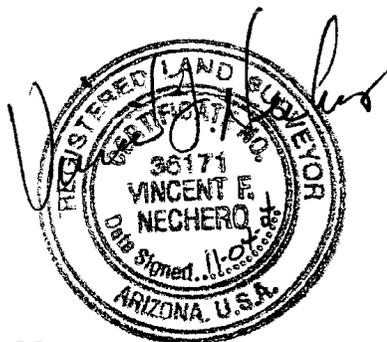
THENCE NORTH 07°07'58" WEST, A DISTANCE OF 52.38 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671" MARKING THE BEGINNING OF A TANGENT
CURVE OF 1380.34 FOOT RADIUS, CONCAVE EASTERLY;
THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE
OF 06°07'00", A DISTANCE OF 147.36 FEET TO A NAIL SET IN CONCRETE WITH A
TAG MARKED "LS 14671"
THENCE NORTH 01°00'58" WEST, A DISTANCE OF 106.12 FEET TO A NAIL SET IN
CONCRETE WITH A TAG MARKED "LS 14671";
THENCE NORTH 88°57'36" EAST, A DISTANCE OF 136.13 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671";
THENCE NORTH 01°00'59" WEST, A DISTANCE OF 79.17 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671";
THENCE NORTH 89°14'52" EAST, A DISTANCE OF 876.23 FEET TO FOUND 1-1/2"
REBAR CAP MARKED "LS 14671" MARKING THE BEGINNING OF A TANGENT
CURVE OF 588.10 FOOT RADIUS, CONCAVE SOUTHERLY;
THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE
OF 13°26'59", A DISTANCE OF 138.05 FEET;
THENCE SOUTH 05°41'23" WEST, A DISTANCE OF 377.82 FEET;
THENCE SOUTH 89°35'19" WEST, A DISTANCE OF 399.47 FEET;

THENCE SOUTH 00°45'08" EAST, A DISTANCE OF 182.61 FEET TO THE BEGINNING OF A TANGENT CURVE OF 300.00 FOOT RADIUS, CONCAVE WESTERLY;
THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°14'13", A DISTANCE OF 27.42 FEET;
THENCE SOUTH 89°35'19" WEST, A DISTANCE OF 406.79 FEET TO THE BEGINNING OF A 1000.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 78°24'29" WEST;
THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°07'11", A DISTANCE OF 211.53 FEET;
THENCE SOUTH 89°35'19" WEST, A DISTANCE OF 307.17 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 507,990.41 SQUARE FEET OR 11.66 ACRES MORE OR LESS.

EXHIBIT "D" ILLUSTRATES THE AFORE MENTIONED LEGAL DESCRIPTION MADE APART HEREOF.

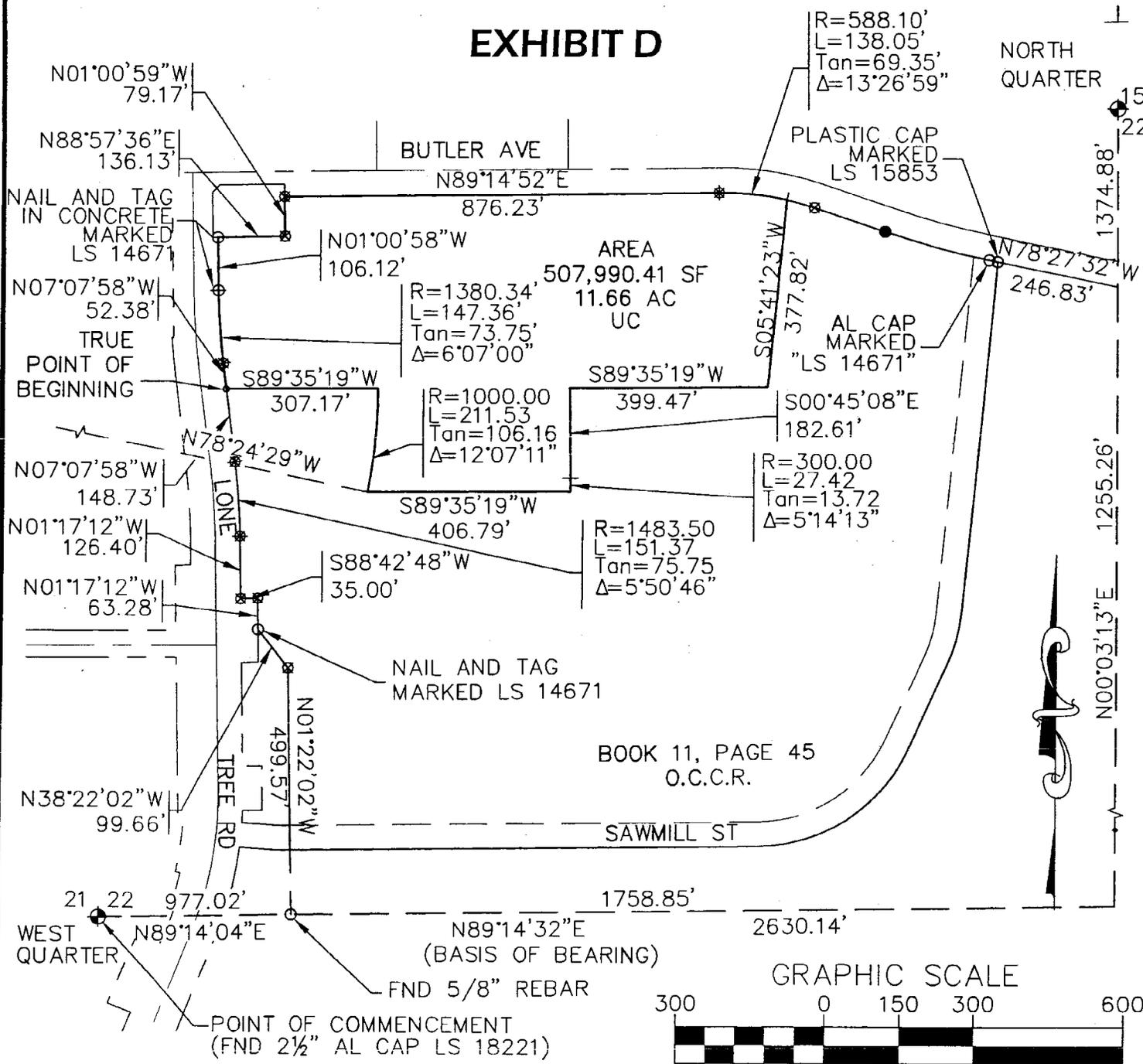
CITY FILE NO.



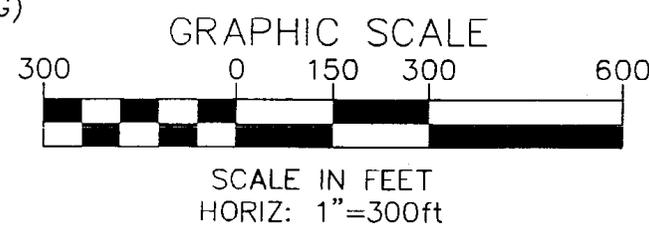
DESCRIPTIVE TITLE

ACCEPTED
CITY OF FLAGSTAFF
ENGINEERING DIV
SURVEY 12/09/04
INT CASE

EXHIBIT D



CITY FILE NO.



- ⊗ FND 1 1/2" REBAR CAP MARKED "NES LS 14671"
- SET 1/2" REBAR CAP MARKED "LS 16630"
- ⊕ FND 2" AL CAP MARKED "LS 16630"
- MONUMENT AS NOTED

10-27-04

THE SAWMILL DISTRICT
UC COMMERCIAL ZONING PARCEL
S22-T21N-R7E

EXHIBIT D
LEGAL EXHIBIT
Carter & Burgess

PROJ#
194052.011

FOR LOCATION PURPOSES ONLY



ORDINANCE NO. 2006-31

**AN ORDINANCE AMENDING REZONING ORDINANCE NO. 2006-13 TO
CORRECT THE LEGAL DESCRIPTIONS ATTACHED TO ORDINANCE NO.
2006-13, AND DECLARING AN EMERGENCY.**

Whereas, the legal descriptions of the property being rezoned by Ordinance No. 2006-13, in Exhibits A, B, C, and D, were exhibits from the earlier rezoning of the property; and

Whereas, the Council seeks to amend Ordinance No. 2006-13 by substituting the narrative and graphic legal descriptions in the attached Exhibits A through D; and

Whereas, the Notice of Public Hearing with regard to the proposed amendment to the zoning map contained the correct description of the property to be rezoned; and

Whereas, the Council finds that the proposed amendment of Ordinance 2006-13 does not alter or amend the text of the Ordinance;

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

Section 1. That Ordinance No. 2006-13 is amended by substituting the attached Exhibits A through D for those attached to the Ordinance adopted by the Council on May 2, 2006.

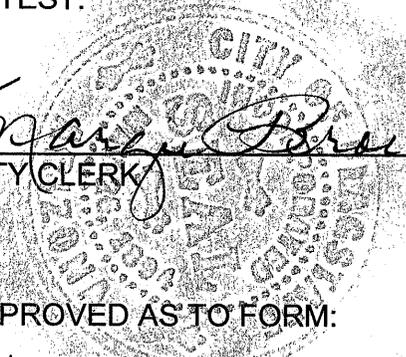
Section 2: That the immediate operation of the provisions of this Ordinance is necessary for the public peace, health and safety of the residents and citizens of the City of Flagstaff; that an emergency is, therefore, declared to exist; that this resolution shall be in full force and effect immediately upon its passage and adoption by the Council of the City of Flagstaff.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 21st day of November, 2006.

Joseph C. Imaldon
MAYOR

ATTEST:

Mary Brown
CITY CLERK

The seal of the City of Flagstaff is visible in the background, partially obscured by the signature of the City Clerk. It features a circular design with the words "CITY OF FLAGSTAFF" and "ARIZONA" around the perimeter.

APPROVED AS TO FORM:

Jana H. Gilgren for
CITY ATTORNEY

EXHIBIT A
LEGAL DESCRIPTION
FOR
SAWMILL DISTRICT RESIDENTIAL ZONING PARCEL
HR

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, BEING A PORTION OF BOOK 11 OF SURVEYS, PAGE 44 AND 45, ON FILE IN THE COCONINO COUNTY RECORDER'S OFFICE AND BEING DESCRIBED AS FOLLOWS:

THE BASIS OF BEARING IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 22, PER BOOK 11 OF SURVEYS, PAGE 44 AND 45, ON FILE IN THE COCONINO COUNTY RECORDER'S OFFICE, SAID BEARING IS NORTH 89°14'54" EAST.

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 22;

THENCE NORTH 89°14'54" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 977.14 FEET TO THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN BOOK 11 OF SURVEYS, PAGE 44 AND 45, C.C.R.

THENCE NORTH 01°22'02" WEST, 130.33 FEET TO THE **POINT OF BEGINNING**;
THENCE CONTINUING NORTH 01°22'02" WEST, A DISTANCE OF 369.31 FEET;
THENCE NORTH 38°22'02" WEST, A DISTANCE OF 99.66 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF LONE TREE ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:
THENCE NORTH 01°17'12" WEST, A DISTANCE OF 63.28 FEET;
THENCE SOUTH 88°42'48" WEST, A DISTANCE OF 35.00 FEET;
THENCE NORTH 01°17'12" WEST, A DISTANCE OF 126.40 FEET TO THE BEGINNING OF A TANGENT CURVE OF CONCAVE WESTERLY AND HAVING A RADIUS OF 1483.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, 114.16 FEET THROUGH A CENTRAL ANGLE OF 04°24'33"; THENCE SOUTH 90°00'00" EAST, 344.97 FEET; THENCE SOUTH 00°00'00" WEST, 71.77 FEET; THENCE SOUTH 90°00'00" EAST,

136.23 FEET; THENCE SOUTH 00°00'00" WEST, 15.00 FEET; THENCE SOUTH 90°00'00" EAST, 569.00 FEET; THENCE SOUTH 00°00'00" WEST, 297.46 FEET; THENCE SOUTH 90°00'00" EAST, 134.50 FEET; THENCE NORTH 00°00'00" EAST, 222.98 FEET; THENCE SOUTH 90°00'00" EAST, 287.14 FEET; THENCE SOUTH 05°41'23" WEST, 104.88 FEET; THENCE NORTH 84°18'37" WEST, 50.00 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 279.85 FEET, A RADIAL LINE BEARS AT SAID POINT (NORTH 84°18'37" WEST); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, 92.78 FEET THROUGH A CENTRAL ANGLE OF 18°59'46"; THENCE SOUTH 24°41'09" WEST, 193.08 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 329.90 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, 371.88 FEET THROUGH A CENTRAL ANGLE OF 64°35'15"; THENCE SOUTH 89°16'24" WEST, 939.92 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 828,561 SQUARE FEET OR 19.02 ACRES MORE OR LESS.

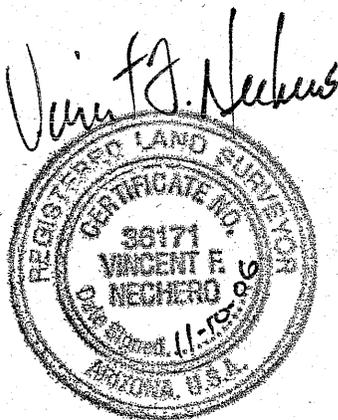
EXHIBIT "B" ILLUSTRATES THE AFORE MENTIONED LEGAL DESCRIPTION MADE APART HEREOF.

04-04080

CITY FILE NO.

Savannah Residential

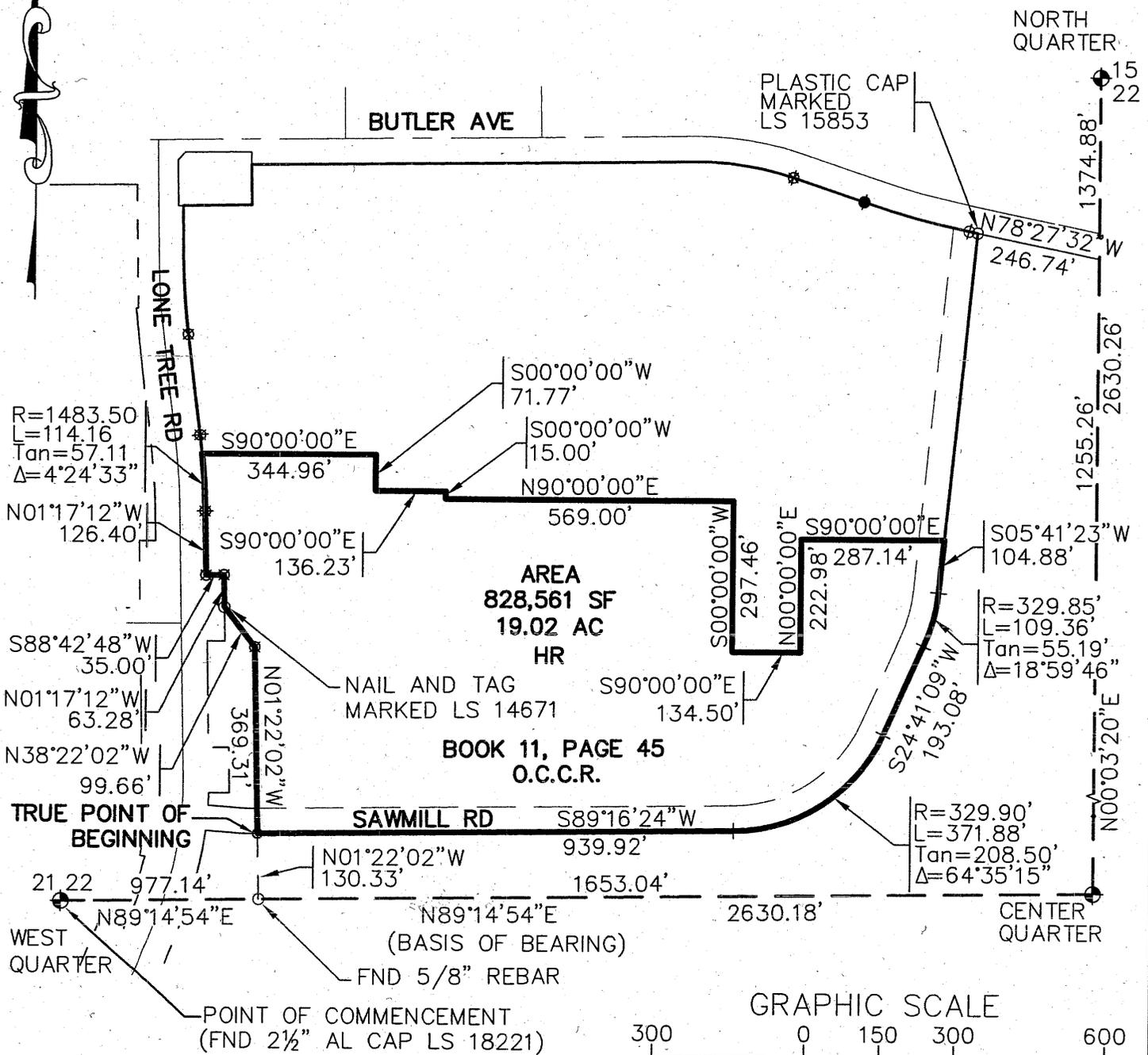
DESCRIPTIVE TITLE



ACCEPTED
CITY OF FLAGSTAFF
ENGINEERING DIV

SURVEY 11-13-06
INT DATE

EXHIBIT B



R=1483.50
L=114.16
Tan=57.11
Δ=4°24'33"

N01°17'12"W
126.40'

S88°42'48"W
35.00'

N01°17'12"W
63.28'

N38°22'02"W
99.66'

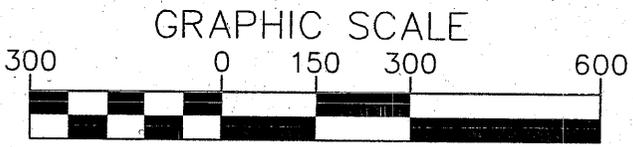
TRUE POINT OF BEGINNING

21.22
977.14'

WEST QUARTER

POINT OF COMMENCEMENT
(FND 2 1/2" AL CAP LS 18221)

- ⊗ FND 1 1/2" REBAR CAP MARKED "NES LS 14671"
- SET 1/2" REBAR CAP MARKED "LS 16630"
- ⊙ FND 2" AL CAP MARKED "LS 16630"
- MONUMENT AS NOTED



SCALE IN FEET
HORIZ: 1"=300ft

04-04080

APRIL 2006

CITY FILE NO.

**THE SAWMILL DISTRICT
HR RESIDENTIAL ZONING PARCEL
S22-T21N-R7E**

**EXHIBIT B
LEGAL EXHIBIT**

**PROJ#
194052.011**

Carter & Burgess

Ordinance
Resolution No. 2006.31

EXHIBIT C
LEGAL DESCRIPTION
FOR
SAWMILL DISTRICT COMMERCIAL ZONING PARCEL
UC

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, BEING A PORTION OF BOOK 11 OF SURVEYS, PAGE 44 AND 45, ON FILE IN THE COCONINO COUNTY RECORDER'S OFFICE AND BEING DESCRIBED AS FOLLOWS:

THE BASIS OF BEARING IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 22, PER BOOK 11 OF SURVEYS, PAGE 44 AND 45, ON FILE IN THE COCONINO COUNTY RECORDER'S OFFICE, SAID BEARING IS NORTH 89°14'54" EAST.

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 22;

THENCE NORTH 89°14'54" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 977.14 FEET TO THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN BOOK 11 OF SURVEYS, PAGE 44 AND 45, C.C.R.

THENCE NORTH 01°22'02" WEST, 130.33 FEET;

THENCE NORTH 01°22'02" WEST, A DISTANCE OF 369.31 FEET;

THENCE NORTH 38°22'02" WEST, A DISTANCE OF 99.66 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF LONE TREE ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHT (8) COURSES:

THENCE NORTH 01°17'12" WEST, A DISTANCE OF 63.28 FEET;

THENCE SOUTH 88°42'48" WEST, A DISTANCE OF 35.00 FEET;

THENCE NORTH 01°17'12" WEST, A DISTANCE OF 126.40 FEET TO THE BEGINNING OF A TANGENT CURVE OF CONCAVE WESTERLY AND HAVING A RADIUS OF 1483.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, 114.16 FEET THROUGH A CENTRAL ANGLE OF 04°24'33" TO THE **POINT OF BEGINNING**;

THENCE CONTINUING NORTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 37.20 FEET THROUGH A CENTRAL ANGLE OF $01^{\circ}26'13''$;
THENCE NORTH $07^{\circ}07'58''$ WEST, A DISTANCE OF 201.11 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1380.34 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 147.36 FEET THROUGH A CENTRAL ANGLE OF $06^{\circ}07'00''$;
THENCE NORTH $01^{\circ}00'58''$ WEST, A DISTANCE OF 106.12 FEET;
THENCE NORTH $88^{\circ}57'36''$ EAST, A DISTANCE OF 136.13 FEET;
THENCE NORTH $01^{\circ}00'59''$ WEST, A DISTANCE OF 79.17 FEET; TO THE SOUTHERLY RIGHT-OF-WAY LINE OF BUTLER AVENUE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES:
THENCE NORTH $89^{\circ}14'52''$ EAST, A DISTANCE OF 876.23 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 588.10 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 195.84 FEET THROUGH A CENTRAL ANGLE OF $19^{\circ}04'46''$;
THENCE SOUTH $71^{\circ}40'22''$ EAST, A DISTANCE OF 149.96 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1841.60 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 218.12 FEET THROUGH A CENTRAL ANGLE OF $06^{\circ}47'10''$;
THENCE SOUTH $78^{\circ}27'32''$ EAST, A DISTANCE OF 17.69 FEET;
THENCE SOUTH $05^{\circ}41'23''$ WEST, A DISTANCE OF 610.28 FEET;
THENCE NORTH $90^{\circ}00'00''$ WEST, A DISTANCE OF 287.14 FEET;
THENCE SOUTH $00^{\circ}00'00''$ WEST, A DISTANCE OF 222.98 FEET;
THENCE NORTH $90^{\circ}00'00''$ WEST, A DISTANCE OF 134.50 FEET;
THENCE NORTH $00^{\circ}00'00''$ EAST, A DISTANCE OF 297.46 FEET
THENCE SOUTH $90^{\circ}00'00''$ WEST, A DISTANCE OF 569.00 FEET;
THENCE NORTH $00^{\circ}00'00''$ EAST, A DISTANCE OF 15.00 FEET;
THENCE NORTH $90^{\circ}00'00''$ WEST, A DISTANCE OF 136.23 FEET;
THENCE NORTH $00^{\circ}00'00''$ EAST, A DISTANCE OF 71.77 FEET;
THENCE NORTH $90^{\circ}00'00''$ WEST, A DISTANCE OF 344.96 FEET TO THE **POINT OF BEGINNING.**

THE ABOVE DESCRIBED PARCEL CONTAINS 1,006,360 SQUARE FEET OR 23.10 ACRES MORE OR LESS.

EXHIBIT "D" ILLUSTRATES THE AFORE MENTIONED LEGAL DESCRIPTION MADE APART HEREOF.

04-04080
CITY FILE NO.

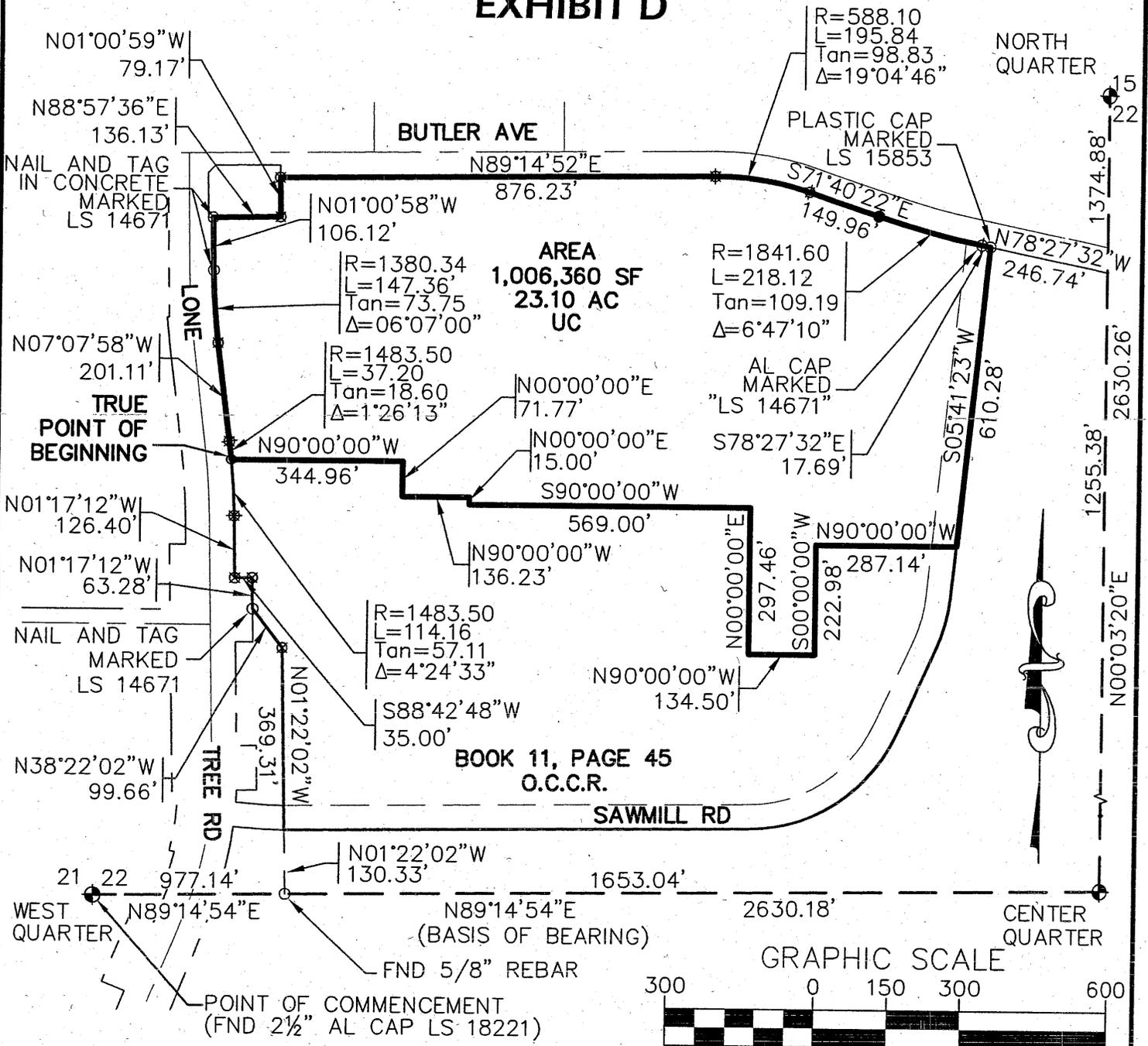
Sawmill Commercial
DESCRIPTIVE TITLE

Vincent E. Nechero



ACCEPTED
CITY OF FLAGSTAFF
ENGINEERING DIV
SURVEY 11-13-06
DATE

EXHIBIT D



04-04080

CITY FILE NO.

- ⊗ FND 1 1/2" REBAR CAP MARKED "NES LS 14671"
- SET 1/2" REBAR CAP MARKED "LS 16630"
- ⊕ FND 2" AL CAP MARKED "LS 16630"
- MONUMENT AS NOTED

APRIL 2006

THE SAWMILL DISTRICT
UC COMMERCIAL ZONING PARCEL
S22-T21N-R7E

EXHIBIT D
LEGAL EXHIBIT

PROJ#
194052.011

Carter & Burgess

ORDINANCE NO. 2013-23

AN ORDINANCE AMENDING THE FLAGSTAFF ZONING MAP DESIGNATION OF APPROXIMATELY 3.15 ACRES OF REAL PROPERTY LOCATED AT 601 EAST PICCADILLY DRIVE FROM HC (CONDITIONAL), HIGHWAY COMMERCIAL CONDITIONAL, TO HC (CONDITIONAL), HIGHWAY COMMERCIAL CONDITIONAL, BY REMOVING, MODIFYING AND REPLACING CONDITIONS PREVIOUSLY IMPOSED

RECITALS:

WHEREAS, Flagstaff Aspen Place, LLC (the “Applicant”) has applied for a map amendment of approximately 3.15 acres of real property located at 601 East Piccadilly (the “Property”), a legal description of which is designated as **Exhibit “A”**, attached hereto and incorporated by this reference, in order to construct a five-story mixed-use building with first floor retail space, luxury apartments on the remaining floors, and an adjacent parking garage; and

WHEREAS, in February of 2005, the Property was rezoned from I-3-E, Intensive Industrial District, Established, to UC (Conditional), Urban Commercial (Conditional), to allow for the development of a mixed-use project (the “Original Rezoning”); and

WHEREAS, in November of 2011 the City of Flagstaff enacted the 2011 Zoning Code which changed the UC, Urban Commercial, zoning designation to HC, Highway Commercial; and

WHEREAS, the Original Rezoning was approved with conditions that require development of the Property in accordance with a conceptual plan presented with and approved as part of the rezoning (the “Original Conditions”); and

WHEREAS, the Applicant is therefore seeking a map amendment of the Property from HC (Conditional), Highway Commercial Conditional, to HC (Conditional), Highway Commercial Conditional, in order to remove, modify and replace the Original Conditions; and

WHEREAS, the Council finds that the applicant has complied with all application requirements set forth in Chapter 10-20 of the 2011 Zoning Code; and

WHEREAS, the Planning and Zoning Commission has formally considered the proposed map amendment application, following proper notice and hearing, on September 11, 2013 with the result that the Planning and Zoning Commission has recommended approval of the requested zoning application, subject to the following conditions:

1. That the subject property is developed in substantial accordance to the entire conceptual plans approved by the Inter-Division Staff (IDS) on August 7, 2013, with the zoning map amendment request.
2. That all terms, conditions and restrictions detailed within “Amendment Two of the Fourth Amended and Restated Development Agreement for Aspen Place at the Sawmill” are fully satisfied.
3. That the color of the parking garage be complimentary to the Residential and Commercial portion of the building.

WHEREAS, the City Council has read and considered the staff reports prepared by the Planning Division and has considered the narrative prepared by the applicant; and

WHEREAS, staff recommends approval of the map amendment application, subject to the condition proposed by the Planning and Zoning Commission, and the Council has considered the conditions and has found them to be appropriate for the site; and

WHEREAS, the Council finds that the proposed map amendment with the conditions will not be detrimental to the uses of adjoining parcels or to other uses within the vicinity;

ENACTMENTS:

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

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. The zoning map designation for the subject property is amended from HC (Conditional), Highway Commercial Conditional, to HC (Conditional), Highway Commercial Conditional, through the approval of the application, site plan, and all other documents attached to the staff summary submitted in support of this ordinance.

SECTION 3. That City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions and intents of this Ordinance.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

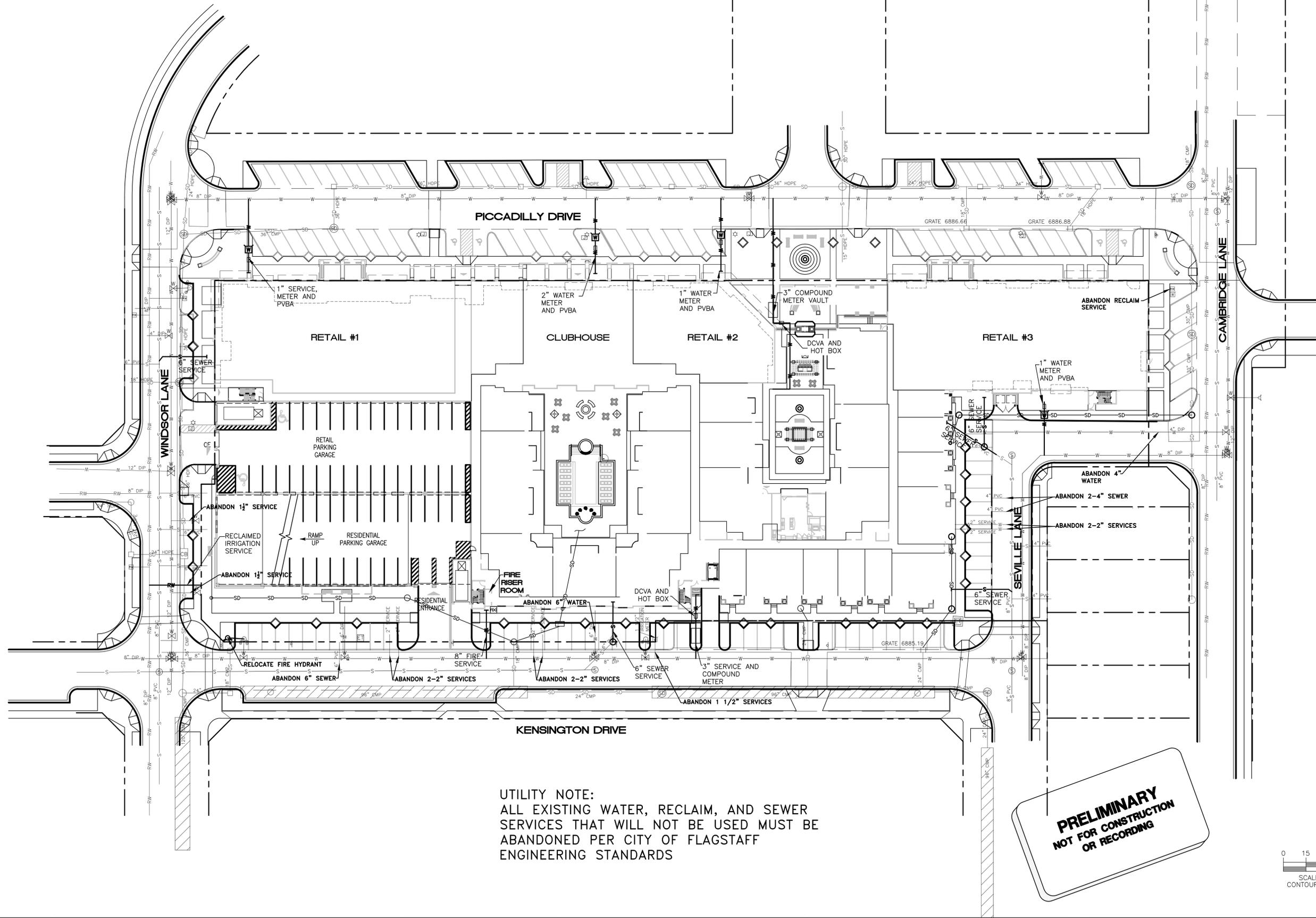
APPROVED AS TO FORM:

CITY ATTORNEY

Exhibit O

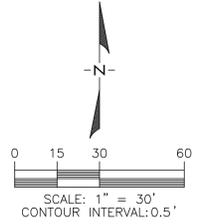
Abandonment of Unused Public Utility Services Plan

[see following page]



UTILITY NOTE:
 ALL EXISTING WATER, RECLAIM, AND SEWER SERVICES THAT WILL NOT BE USED MUST BE ABANDONED PER CITY OF FLAGSTAFF ENGINEERING STANDARDS

**PRELIMINARY
 NOT FOR CONSTRUCTION
 OR RECORDING**



112044

WOODSON ENGINEERING AND SURVEYING, INC.
 124 N. ELDEN ST. • FLAGSTAFF, AZ 86001 • PHONE: (928) 774-4636 FAX: (928) 774-4646

9/24/13

THE VILLAGE AT ASPEN PLACE
 EXISTING / NEW UTILITIES
 P&Z COMMISSION SUBMITTAL



NO.	REVISIONS:

WOODSON
 ENGINEERING AND SURVEYING, INC.
 124 N. ELDEN ST.
 FLAGSTAFF, AZ 86001
 PHONE: (928) 774-4636 FAX: (928) 774-4646

VILLAGE AT ASPEN PLACE

EXISTING / NEW UTILITIES

HOR SCALE: 1"=30'
VERT SCALE: NA
DATE: 7/12/13
PROJECT NO.: 112044
AGENCY NO.: DEV 12-073
SHEET NO.: C 0.01

DESIGNED BY: RLS
 DRAFTED BY: AAS
 CHECKED BY: RLS

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Elaine Averitt, Planning Development Manager
Date: 11/06/2013
Meeting Date: 11/19/2013



TITLE:

Consideration and Adoption of Ordinance No. 2013-23: An ordinance amending the Flagstaff Zoning Map designation of approximately 3.15 acres of real property located at 601 East Piccadilly Drive from HC (Conditional), Highway Commercial Conditional, to HC (Conditional), Highway Commercial Conditional, by removing, modifying and replacing those conditions previously imposed (Aspen Place North).

RECOMMENDED ACTION:

- 1) Read Ordinance No. 2013-23 by title only for the final time
- 2) City Clerk reads Ordinance No. 2013-23 by title only for the final time (if approved above)
- 3) Adopt Ordinance No. 2013-23

Policy Decision or Reason for Action:

The Flagstaff Planning and Zoning Commission conducted a public hearing to consider this zoning amendment request at its regular meeting of September 11, 2013. The Commission voted (4-0) to forward the request to the City Council with a recommendation of approval, with one added condition. The attached ordinance lists the three conditions of approval. Zoning Map amendments are required to be adopted by ordinance.

Subsidiary Decisions Points:

If the first reading of the rezoning ordinance is successful, the attached Amendment Two to the Fourth Amended and Restated Development Agreement and Waiver for Aspen Place at the Sawmill will be scheduled for consideration on November 5, 2013, prior to the second reading of the ordinance.

Financial Impact:

None

Connection to Council Goal:

5. Retain, expand, and diversify economic base
9. Zoning Code check in and analysis of the process and implementation

Has There Been Previous Council Decision on This:

Final Approval Date: 11/06/2013



City of Flagstaff

Community Development Division

211 W. Aspen Ave
Flagstaff, AZ 86001
www.flagstaff.az.gov

P: (928) 213-2618
F: (928) 213-2609

PREZ/PGM

Date Received		Application for Zoning Map Amendment and/or Regional Plan Amendment		File Number DEV12-073
Property Owner(s) FLAGSTAFF ASPEN PLACE, LLC	Title	Phone 480-556-8813	Email bhs@an@r&ddevelopment.com	
Mailing Address R&D Development, LLC One East Washington St. Ste. 300 Phoenix AZ 85004				
Applicant(s) Land Development Strategies, LLC	Title	Phone 913-515-2578	Email holenya@landstrategies.com	
Mailing Address 411 Nichols Rd. Ste 225, Kansas City, Mo. 64112				
Project Representative LOS/USPC ARCHITECTS, Bill Polgar	Title	Phone 913-8314415	Email billpolgar@uspcarch.com	
Mailing Address 2615 W. 75th St Ste 201, Prairie Village, MO 64078				
Requested Review <input checked="" type="checkbox"/> Zoning Map Amendment <input type="checkbox"/> Regional Plan Amendment <input type="checkbox"/> Continued				

Site Address 601 PEZZARD DR. FLAGSTAFF, AZ LOTS 125-131 ASPEN PLACE	Parcel Number(s) 104-19-125 thru 131	Subdivision, Tract & Lot Number Aspen Place at the Summit, EE, 125-31
Existing Zoning District HIGHWAY COMMERCIAL (HC)	Proposed Zoning District: Highway Commercial (HC)	Existing Regional Plan Land Use Category MINED USE
Existing Use VACANT LAND	Proposed Use 295 Residential Apartments (222 units)	
Property Information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Located in an existing Local/National Historic District? (Name: _____) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Existing structures are over 50 years old at the time of application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject property is undeveloped land?	
Requested Urban Growth Boundary Change (If Applicable) N/A	State Reason for Request N/A	

Note:
Indicate how the change of zone will not be detrimental to the majority of persons or properties in the surrounding area, or to the community in general. If modification to the Regional Plan is requested, clearly state reason(s) for modification. (Attach separate sheets as necessary). Incomplete submittals will not be scheduled.

Property Owner Signature (required) <i>[Signature]</i>	Date: 7-1-13	Applicant Signature <i>[Signature]</i>	Date: 7-1-13
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For City Use			
Date Filed: 8/12/2013	File Number(s): PREZ 2013 0001	Type of Zoning Map Amendment:	
P & Z Hearing Date: 9/11/2013	Publication and Posting Date:	<input type="checkbox"/> Small-scale <input type="checkbox"/> Medium-scale <input checked="" type="checkbox"/> Large-scale	
Council Hearing Date:	Publication and Posting Date:		
Fee Receipt Number: 13-0036349	Amount: \$3,272.	Date: 7/2/13	

Action by Planning and Zoning Commission:		Action by City Council:	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
<input type="checkbox"/> Continued		<input type="checkbox"/> Continued	

Staff Assignments	Planning Averitt	Engineering G. Miller	Fire Street	Public Works/Utilities Davis	Stormwater Brown
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NEIGHBORHOOD MEETING REPORT
FOR
The Village at Aspen Place
July 28, 2013

The Developer of the residential portion of Aspen Place wanted to make sure the neighbors adjacent to the development had proper notification to attend the Citizens Participation meeting. Therefore a second meeting was held on **August 28th** at **6pm** at the **New Frontiers Natural Marketplace** Conference Room, 320 So. Cambridge Ln, Flagstaff, AZ to discuss the amendment to the Zoning, Master Plan and Development Agreement for **The Village at Aspen Place** (formally known as Sawmill Village).

A sign was placed on the property on August 14, 2013 with a tube with fliers. Photos of the sign are attached. The mailing to the neighbors was also mailed on August 14, 2013. The complete mailing and the list of neighbors are attached to this report.

Ryan Smith of Smith Architects Inc presented the project with the current building elevations and site plans. Rick Schuller of Woodson Engineering was also present to respond to questions or comments. The meeting was attended by three citizens. A sign in sheet with names and addresses in attached to this report.

The first meeting was held June 18, 2013 at 6pm at the New Frontiers Natural Marketplace conference room. The meeting was attended by two citizens.

Comments and Responses

1. What are the rents?
 - The rents will not be established until the project is ready to open. The developer wants to be able to respond to the current market value, approximately \$1,000 to \$2,500 per month.
2. What are the unit sizes?
 - There will be studio, one bedroom and two bedrooms, up to 1,700 sq. ft.
3. Can this be converted to townhomes?
 - The building construction and development agreement are not setup to make these units townhomes. The developer owns and operated the complex.
4. Who is wanting to move in there?
 - The developer believes these rental units will be in demand by a varying population. Unlike several of the surrounding developments, it will not be planned specifically to NAU students. The target is for luxury apartment living for those who no longer wish to own homes.
5. What about kids?
 - The developer has found that there are typically very few kids for the target residents. Attendee thought that there should be some accommodations for children.
6. Will there be bike accommodations?
 - There may be simple bike racks for the renters.

7. Will there be real retail there?
 - The retail space consists of 33,306 sq ft that will be marketed to retail uses that similar to the existing Sawmill development. These may be restaurants, retail or other commercial use.
8. Low Lighting is desired
 - The development will meet the City of Flagstaff lighting requirements which specifically protect the Dark Skies concept.
9. What will be the targeted community? Will it be a multi-age community?
 - The development is not marketed to students, more former homeowners who no longer wish to own.
10. What materials will be used?
 - As shown on the provided elevations, the design of the elevations of the retail shops reflect many of the materials and design concepts already established within the Aspen Place development. These materials include brick and stone veneer, architectural concrete block, metal awnings, trusses and corrugated metal roofing. The remaining elevations have more of a residential feel while staying true to the original intent of the development. This includes the use of both lap and vertical siding, heavy timber supported balconies, gable roof ends supported by heavy timber beams and brackets and accents of shingle siding and corrugated metal roofs.
11. Is the open space designed for weather?
 - The open space has not been designed yet. The amenities list was shown to the attendees. A citizen encouraged the developer to provide covered areas for weather protection.
12. How is the garage hidden or blended in?
 - As shown on the elevations, the exterior facing of the garage will be constructed with materials that blend with the rest of the project and those which disguise the use as a concrete parking garage.

Attached
Copy of Mailing
Mailing List
Sign in sheet
Photo of sign

Elaine Averitt

From: Elaine Averitt

Sent: Monday, August 26, 2013 4:42 PM

To: 'Paul Beier'

Cc: Mark Sawyers

Subject: RE: sawmill commercial project - ballooning density and 80% reduction in open space.

Attachments: Village at Aspen Place_citizen inquiry.docx

Hi Paul,

Thanks for the email! This is to let you know that I've received your email and will need a little time to fully respond to your questions. Below, in red, is some of the requested information. I will try to have the remaining answers to you later this week. [added, in blue font, on 8/30/13]

Thank you,

Elaine Averitt, AICP

Planning Development Manager

(928) 213-2616 (Office)

(928) 779-7684 (Fax)

City of Flagstaff

Planning & Development Services

From: Paul Beier [mailto:Paul.Beier@nau.edu]

Sent: **Sunday, August 25, 2013 9:39 PM**

To: Elaine Averitt

Subject: sawmill commercial project - ballooning density and 80% reduction in open space.

Hi Elaine,

I see the last 3.1 acres of Sawmill is proposed to have 222 luxury apartments - only 68 fewer d.u. than the 290 planned for the ENTIRE Sawmill 38 acres in Dec 2066. The new plan also drops the amphitheater and adds a 5-story parking garage.

Please answer a few questions for me:

1. What is the total number of dwelling units in the Grove (Towers and Apartments)?

Please break this down by

number of 4-bedroom and 2-bedroom units.

GROVE 1 ("Towers"): 216 apartment units, 584 total beds. I do not know the breakdown of bedroom types. It would be on the building plans.

GROVE 2 (Townhouse-style apartments): 54 apartment units. 42-four bedroom units and 12-two bedroom units, for a total of 192 bedrooms.

2. How many bedrooms will be in each of the 222 new units? Please see attached tabulation.

3. How many housing units and bedrooms will be on the ~20 acres of residential areas in the Sawmill neighborhood? In the approx. 20 acre High Density Residential zoned area, there are now 270 total apartment units and 776 total bedrooms. Based on expected number of persons per bedroom, what human density should we expect on this 20 acres? Assuming 1 person per bedroom, 776 people.

4. What is the d.u. density and human density in the densest 5 or 10 acres in Flagstaff? (and where is that neighborhood?). We believe the development with the highest d.u. density in Flagstaff is the student apartments just off the NAU campus. Hilltop Townhomes at 1500 S San Francisco has 196 units. It appears these are on a 6.32 ac parcel which results in a 31 du/ac density.

Hilltop meets its recreational needs with large social spaces, workout rooms, and social gathering spaces. The Suites (on campus I believe) have 500 units--furnished 1 BR and 2 BR units. I don't know what the lot size is so I can't calculate density. Looking at human density and building height, the Drury Inn on Milton has 164 rooms and 6 stories(?) Adding the 6 parcels it sits on results in 85,105 sf total. $164/85,105 = 84 \text{ rooms/ac}$.

5. What is the total square feet of open space across the 38 acres in the new configuration? (The Dec 2006 approved plan had 8.8 acres). In general, each development as it is reviewed by staff, must meet the 20% open space requirement. If it is a "Major Site Development" like the Grove I, it is required to include 5% public open space which can be included within the 20%. I know that each separate development has met or exceeded the 20% open space. For example, the most recent Grove II has 21% open space including a Pavilion area with BBQ and tables.

The current proposed mixed-use development has 18.2% residential open space plus 6.3% civic space for a total of 24% of the site as open space. When you add the additional open areas located in the public right-of-way this increases. For example, the civic plaza facing Piccadilly has 3,500 sf in the public ROW (this was not counted as open space by the applicant).

I was a big fan of the 2006 plan. It had high density, too, but I felt this was a good location for a high-density neighborhood, and it did have substantial open space, most of which was not on a busy street and the linear garden and amphitheater could be used for a picnic lunch or short stroll. The huge increase in people with so little open space seems unhealthy, and out of character with Flagstaff. The pool, basketball, and volleyball courts are nice, active open space for college kids, but there seems to be loss of 100% of other types of open space. We appreciate your comments and will follow up with some additional information.

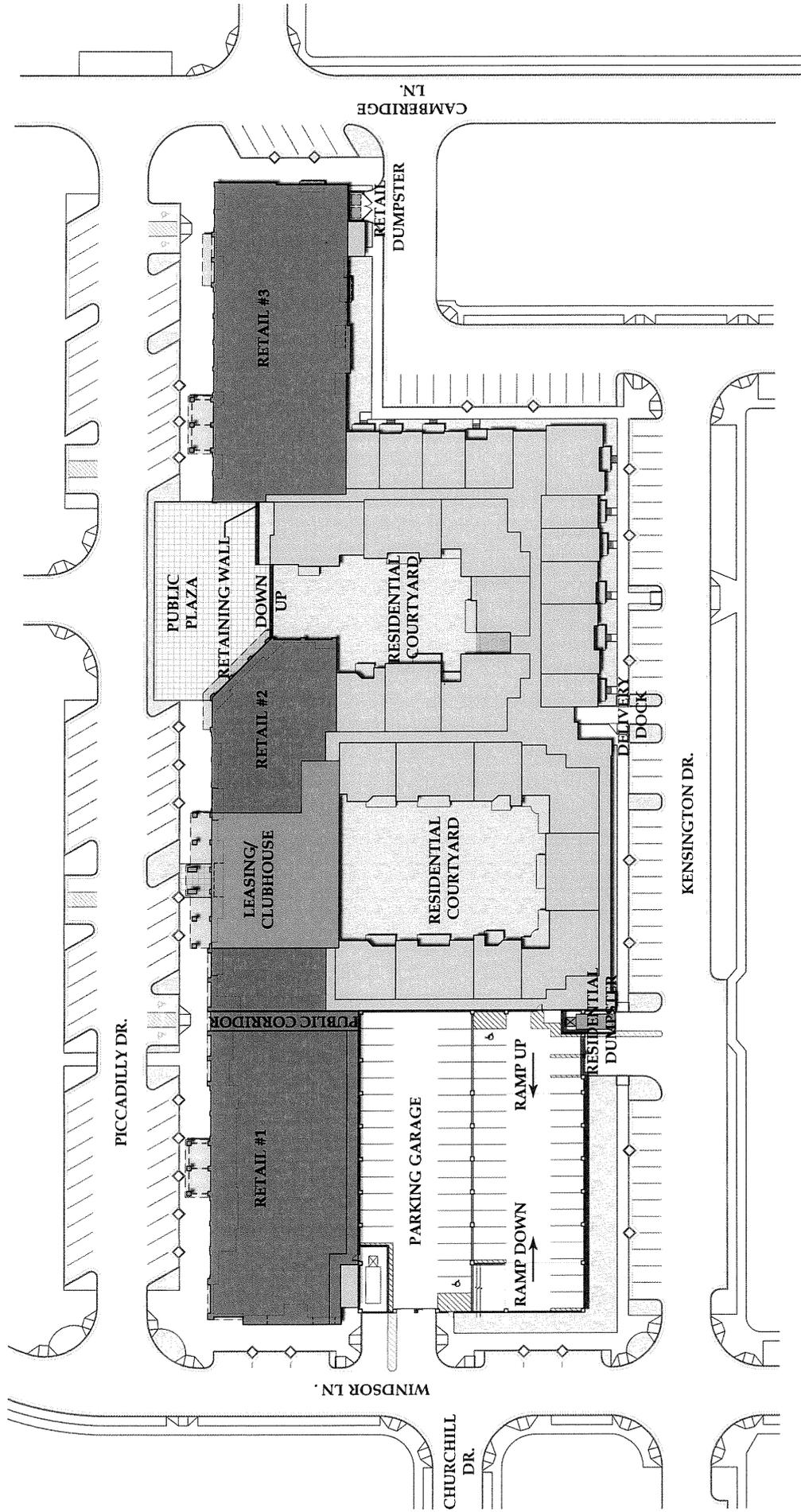
Thank you.

Paul Beier

Regents' Professor, School of Forestry, Northern Arizona University, Flagstaff AZ
86011-5018 USA

NAU 928 523 9341 <http://oak.ucc.nau.edu/pb1/>

mobile 1 928 699 3578 Skype paul.beier

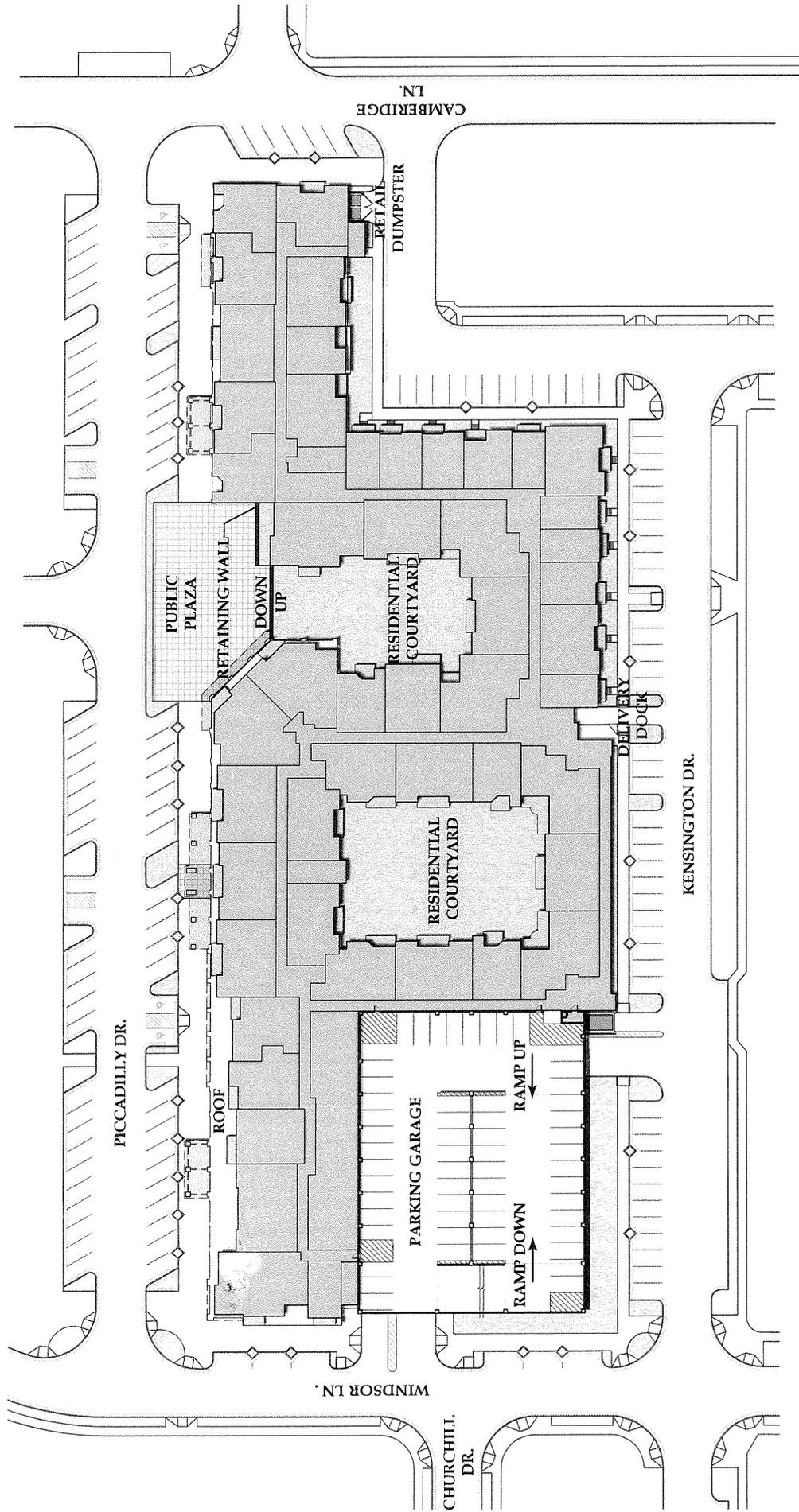


**PROPOSED PRELIMINARY
1ST FLOOR & SITE PLAN**

7 JUNE, 2013

SAWMILL VILLAGE

NSPJ
NEARING STAAVS PELOOGAR & JONG AIA CHARTERED
ARCHITECTS

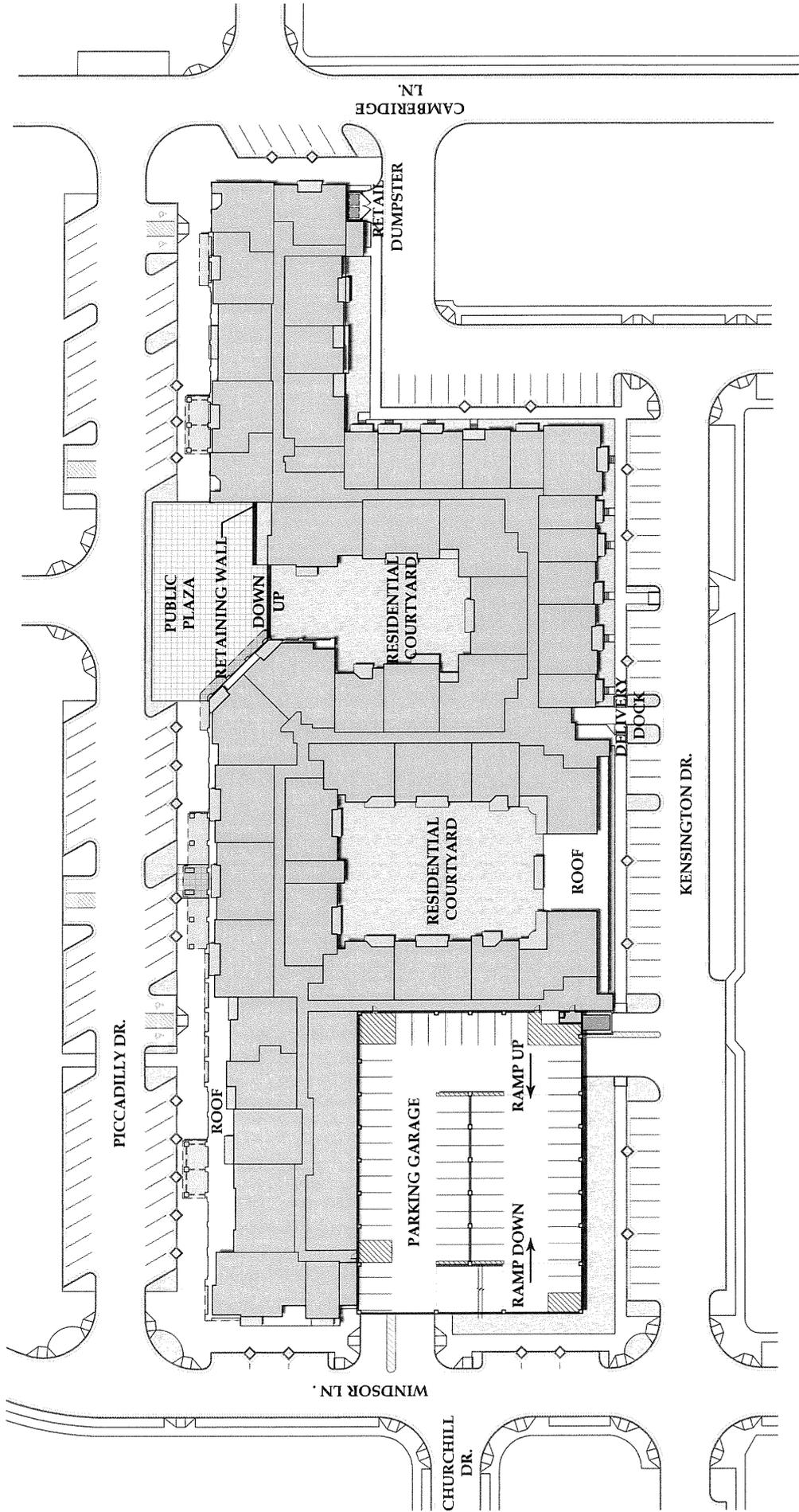


**PROPOSED PRELIMINARY
2ND-3RD FLOOR PLAN**

7 JUNE, 2013

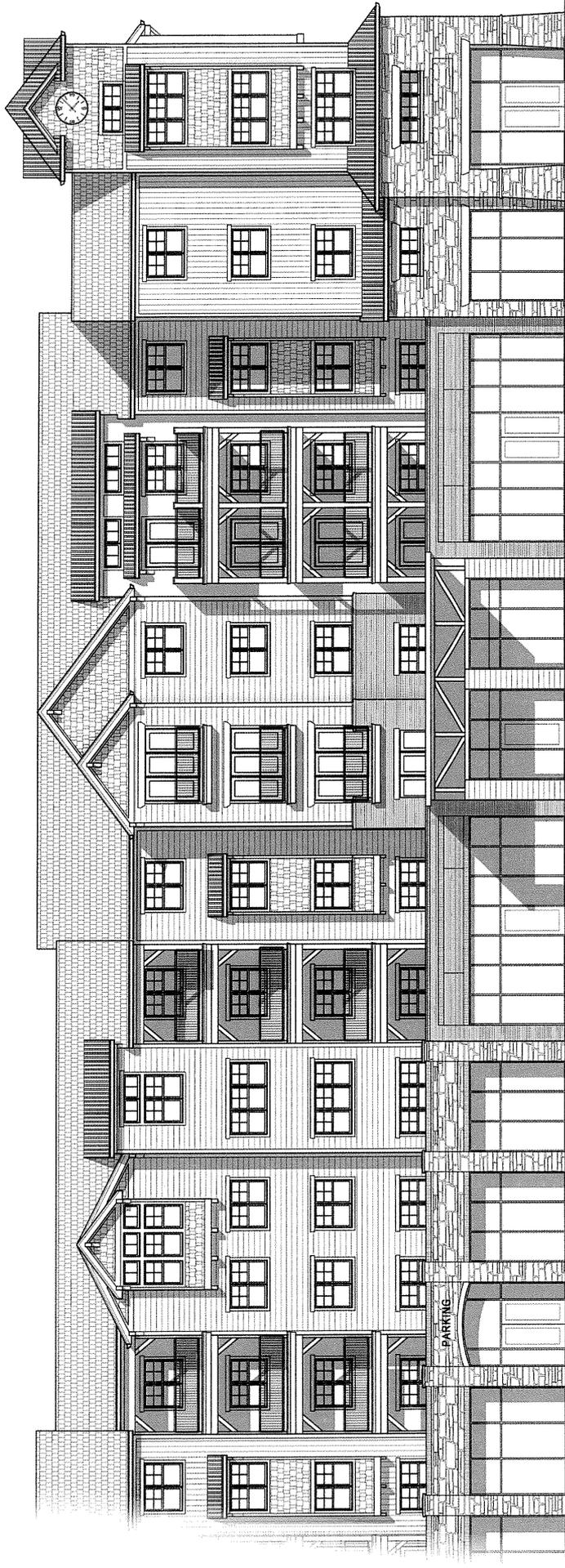
SAWMILL VILLAGE

NSPJ
NEARING STAFF'S REGISTERED & INCORPORATED VIA CHARTERED
ARCHITECTS



**PROPOSED PRELIMINARY
4TH-5TH FLOOR PLAN**

7 JUNE, 2013



PROPOSED CONCEPT
BUILDING ELEVATION

7 JUNE, 2013

SAWMILL VILLAGE

NSPJ
NEARING STAFFS, PRINCIPALS & ASSOCIATES
ARCHITECTS

ORDINANCE NO. 2013-23

AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL AMENDING THE FLAGSTAFF ZONING MAP DESIGNATION OF APPROXIMATELY 3.15 ACRES OF REAL PROPERTY LOCATED AT 601 EAST PICCADILLY DRIVE FROM HC (CONDITIONAL), HIGHWAY COMMERCIAL CONDITIONAL, TO HC (CONDITIONAL), HIGHWAY COMMERCIAL CONDITIONAL, BY REMOVING, MODIFYING AND REPLACING CONDITIONS PREVIOUSLY IMPOSED

RECITALS:

WHEREAS, Flagstaff Aspen Place, LLC (the "Applicant") has applied for a map amendment of approximately 3.15 acres of real property located at 601 East Piccadilly (the "Property"), a legal description of which is designated as **Exhibit "A"**, attached hereto and incorporated by this reference, in order to construct a five-story mixed-use building with first floor retail space, luxury apartments on the remaining floors, and an adjacent parking garage; and

WHEREAS, in February of 2005, the Property was rezoned from I-3-E, Intensive Industrial District, Established, to UC (Conditional), Urban Commercial (Conditional), to allow for the development of a mixed-use project (the "Original Rezoning"); and

WHEREAS, in November of 2011 the City of Flagstaff enacted the 2011 Zoning Code which changed the UC, Urban Commercial, zoning designation to HC, Highway Commercial; and

WHEREAS, the Original Rezoning was approved with conditions that require development of the Property in accordance with a conceptual plan presented with and approved as part of the rezoning (the "Original Conditions"); and

WHEREAS, the Applicant is therefore seeking a map amendment of the Property from HC (Conditional), Highway Commercial Conditional, to HC (Conditional), Highway Commercial Conditional, in order to remove, modify and replace the Original Conditions; and

WHEREAS, the Council finds that the applicant has complied with all application requirements set forth in Chapter 10-20 of the 2011 Zoning Code; and

WHEREAS, the Planning and Zoning Commission has formally considered the proposed map amendment application, following proper notice and hearing, on September 11, 2013 with the result that the Planning and Zoning Commission has recommended approval of the requested zoning application, subject to the following conditions:

1. That the subject property is developed in substantial accordance to the entire conceptual plans approved by the Inter-Division Staff (IDS) on August 7, 2013, with the zoning map amendment request.
2. That all terms, conditions and restrictions detailed within "Amendment Two of the Fourth Amended and Restated Development Agreement for Aspen Place at the Sawmill" are fully satisfied.
3. That the color of the parking garage be complimentary to the Residential and Commercial portion of the building.

WHEREAS, the City Council has read and considered the staff reports prepared by the Planning Division and has considered the narrative prepared by the applicant; and

WHEREAS, staff recommends approval of the map amendment application, subject to the condition proposed by the Planning and Zoning Commission, and the Council has considered the conditions and has found them to be appropriate for the site; and

WHEREAS, the Council finds that the proposed map amendment with the conditions will not be detrimental to the uses of adjoining parcels or to other uses within the vicinity;

ENACTMENTS:

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

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. The zoning map designation for the subject property is amended from HC (Conditional), Highway Commercial Conditional, to HC (Conditional), Highway Commercial Conditional, through the approval of the application, site plan, and all other documents attached to the staff summary submitted in support of this ordinance.

SECTION 3. That City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions and intents of this Ordinance.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

**PLANNING AND DEVELOPMENT SERVICES
ZONING MAP AMENDMENT REPORT**

PUBLIC HEARING
PC REZ 13-0001

DATE: September 3, 2013
MEETING DATE: September 11, 2013
REPORT BY: Elaine Averitt
CONTACT: 928-213-2616

REQUEST:

Zoning map amendment for approximately 3.15 acres of the Highway Commercial (HC) (conditional) zone located at 601 East Piccadilly Drive on parcel numbers 104-19-125, -126, -127, -128, -129, -130, -131, and Tract EE.

STAFF RECOMMENDATION:

Staff recommends approval of PC REZ 13-0001 with the conditions as noted in the Recommendation section of this report.

PRESENT LAND USE:

Undeveloped land in the Highway Commercial (HC) (conditional), zone.

PROPOSED LAND USE:

A mixed use development, consisting of one five-story building, with 33,000 square feet of retail at the first floor level, a five-story parking garage, and 222 luxury apartments.

NEIGHBORHOOD DEVELOPMENT:

North: Commercial (Aspen Place at the Sawmill buildings), HC Zone;
East: Residential (parking lot), HR Zone; and Commercial (parking lot), HC Zone;
South: Residential (student apartments), HR Zone;
West: Residential (apartments), HR Zone; and Commercial (in construction), HC Zone.

REQUIRED FINDINGS:

STAFF REVIEW. An application for an amendment to the Zoning Map shall be submitted to the Planning Director and shall be reviewed and a recommendation prepared. The Planning Director's recommendation shall be transmitted to the Planning Commission in the form of a staff report prior to a scheduled public hearing. The recommendation shall set forth whether the Zoning Map amendment should be granted, granted with conditions to mitigate anticipated impacts caused by the proposed development, or denied; and shall include an evaluation of the consistency and conformance of the proposed amendment with the goals of the General Plan and any applicable specific plans; and a recommendation on the amendment based on the standards of the zones set forth in Division 10-40.20 (Establishment of Zones).

FINDINGS FOR REVIEWING PROPOSED AMENDMENTS: All proposed amendments shall be evaluated as to whether the application is consistent with and conforms to the goals of the General Plan and any applicable specific plans; and the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City and will add to the public good as described in the General

Plan; and the affected site is physically suitable in terms of design, location, shape, size, operating characteristics and the provision of public and emergency vehicle access, public services, and utilities to ensure that the requested zone designation and the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located. If the application is not consistent with the General Plan and any other applicable specific plan, the applicable plan must be amended in compliance with the procedures established in City Code Title 11, Chapter 11-10 (General Plans) prior to considering the proposed amendment.

STAFF REVIEW:

Introduction/Background

The request is to amend 3.15 acres of the Highway Commercial (conditional) zone within the roughly 40-acre Aspen Place at the Sawmill subdivision. Conditional zoning consists of conditions that are not spelled out in the text of the zoning ordinance including, in this case, the attachment of written conditions of approval, a development agreement, and the approved Master Plan for Aspen Place at the Sawmill. Although some of the conditions of the original zoning case will be modified, including the concept plan layout and the amended development agreement, the Highway Commercial zoning designation on the subject parcels will remain.

Located within the Aspen Place at the Sawmill (“Aspen Place”) commercial development, the site is currently vacant, undeveloped subdivided land with new public and private infrastructure that includes streets, water, reclaimed water lines, sewer, and storm water infrastructure. The current owner, Flagstaff Aspen Place, LLC (subsidiary of the commercial real estate company known as RED Development), purchased the commercial parcels, not including New Frontiers, in October 2010 within the Aspen Place subdivision after the original owner/developer defaulted on bond payment obligations. The attached Reason for Request narrative by the applicant, Land Development Strategies, LLC, provides additional information on the request, background on the sawmill area, and anticipated community benefits.

Land uses north of the property, across Piccadilly Drive, consist of three commercial buildings with uses that include restaurants, clothing retailers, and spa services. RED Development is marketing the property to find tenants to occupy the remaining commercial suites. The east property line is bordered by a short portion of Seville and Cambridge Lanes and adjacent parking lots for New Frontiers and The Grove at Flagstaff student apartments. The site is bordered on the south by The Grove’s 216 student apartments owned by Campus Crest. The west property line is bordered by a portion of The Grove phase 2 student apartments (completed August 2013) south of Churchill Drive and a new REI retail store (in construction) north of Churchill Drive. The terrain on the subject site is generally flat at an elevation of approximately 6,890 feet.

If the zoning map amendment request is approved, the next steps in the process will be applications for Site Plan; followed by civil engineering and building plan permits. A resolution to amend the development agreement must be approved prior to the second reading of the zoning ordinance (see attached bulleted items listed by applicant). In addition, the amended development agreement will address responsibilities for abandoning unused city utility stub outs, dedication of right-of-way required on Windsor and Kensington due to the revised building layout, and the construction of a deceleration lane on eastbound Butler Avenue at the intersection of Windsor Lane. Additionally, an affordable housing contribution will be included. Seven parcels will need to be combined into one parcel for the development. The applicant received Inter-Division Staff (IDS) approval for the Conceptual Site Plan on August 7, 2013. The conditions of IDS review were

satisfied when the applicant submitted a revised Conceptual Site Plan for the Planning & Zoning Commission.

Proposed Development Site Plan

The applicant, Land Development Strategies, LLC, through their engineer, Woodson Engineering, is requesting a zoning map amendment for a mixed use development named “The Village at Aspen Place.” The site is located in the Aspen Place at the Sawmill mixed use development south of Butler Avenue and west of Sawmill Road. There are no slope, floodplain, or tree resources on the site. Access to the development will be via a grid network of public streets branching off of Butler Avenue, Lone Tree Road and Sawmill Road, including Windsor Lane, Regent Street, and Cambridge Lane off of Butler; Churchill Drive and Franklin Avenue off of Lonetree; and Windsor Lane, Seville Lane, Barrow Avenue and Kensington Drive off of Sawmill Road.

The Aspen Place at the Sawmill site plan that was approved in December 2006 depicts three two-story commercial buildings, a surface parking lot, and a small park and outdoor plaza open to the public. The 2006 plan includes 46,595 square feet of retail, mostly on the first floor, fourteen residential lofts on the second floor, and four live/work units fronting on Windsor Drive on the same parcels of this request. The Village at Aspen Place proposes to increase the building height from two to five stories, moderately decrease the amount of retail space, decrease the size of the outdoor plaza/park area, and significantly increase the number of residential units and associated private open space, as described in more detail below.

The proposed project (see Preliminary Site Plan / “Concept Plan”) consists of 33,000 square feet of retail at the first floor level and a public plaza facing Piccadilly Drive at the terminus of Regent Street. The 222 residential dwelling units are located on the first through fifth floors of the building. Eleven of these dwellings are located on the first floor and are designed with stoop entries (steps leading to a small porch) facing Kensington Drive and Seville Lane, as well as having access from an interior hallway. A five-story parking garage is located at the southwest corner of the development with one tier dedicated to retail patrons and the balance for residential use. A variety of public and private amenities will be included in the development (see attached Statement of Site Amenities provided by the project architect). The applicant notes that the amenity list will not be finalized until specific needs are identified. These will need to be identified in the more detailed Site Plan application following the zoning case. Potential amenities may include: public plaza including outdoor dining/gathering area, outdoor fireplace, open and covered seating, and landscaped pedestrian walkways around the site. Private amenities may include balconies/patio areas, a clubroom, fitness facility, resident room with movie and board game rental, mail room, outdoor fireplace/firepit, pool, hot tub, viewing fountain, seating, barbeque area, landscaped paths, and pet area. Architectural design is discussed under Design Review.

The development is not anticipated to include an affordable rental component. The applicant and residential developer, Land Development Strategies, has offered a contribution of approximately \$25,000 to be applied to affordable housing objectives. In 2007, as part of the Aspen Place at the Sawmill improvement district agreement, Lot 117 (1.74 acres) at the northwest corner of the project was donated by the developer to the City for affordable housing purposes. The City intends to utilize the property for affordable housing purposes by utilizing the proceeds from a future sale or lease arrangement to benefit other affordable housing opportunities. Furthermore, staff believes this contribution of land to the affordable housing program and the \$25,000 that has been offered by the developer to further assist the affordable housing program meets the

Council's goal of including affordable housing in rezoning applications involving residential density increases.

The developer will be required to complete the wide sidewalks, landscaping, street trees, and urban amenities such as pedestrian scale lighting, benches, and bicycle racks along the south side of Piccadilly Drive to match the existing character of the north side of Piccadilly Drive. Sidewalks ranging from six to twelve feet wide will be constructed around the perimeter of the building and will incorporate street trees in grates, landscaped areas close to the building, and decorative concrete accents.

General Plan/Regional Land Use and Transportation Plan

The *Flagstaff Regional Land Use Plan* identifies the subject property as in the Mixed Use category. This land use category is intended to be a setting for both residential and non-residential uses that are developed and operated in harmony with the quality design standards. The primary objective is to provide a mix of housing types, shopping, and employment to meet a wide variety of needs of housing choices and commercial and service uses, and employment centers as part of an activity of neighborhood center, that invites walking to gathering places, services, and conveniences, and that are fully integrated into the larger community. This category may include a mix of housing types at a required average density of not less than seven dwelling units per acre, including single-family detached and attached dwellings, and multi-family dwellings (Regional Plan, p. 1-27).

Commentary

Mixed Use development is a critical strategy for managing growth in the Flagstaff area. The *Regional Plan* describes the rationale in the following terms: Land in the Flagstaff Urban Growth Boundary suitable for development is a limited resource, and land use patterns should be planned in a manner that promotes efficient use of land. By focusing development as walk-able, mixed-use neighborhoods, and areas planned for infill and redevelopment where appropriate, development of the city will offer a real alternative to urban sprawl and peripheral expansion.

The proposed development will incorporate elements of Traditional Neighborhood Design (TND) as defined in the Regional Plan and the Flagstaff Zoning Code. Some of the TND and mixed use elements which are incorporated into the design are listed below:

- The Aspen Place at the Sawmill development has discernable edges in that it is bordered by an arterial road on the north and a collector street on the east and south. A portion of the western boundary of the development is defined by an open space band that corresponds to the Rio de Flag watercourse and the trail system that connects to NAU and other employment and service areas.
- The Aspen Place at the Sawmill development is about a quarter-mile in depth and just over a quarter-mile in width. As a result, the commercial area is within a five-minute walking distance of all portions of the residential area. The commercial area will help meet the daily, convenience-oriented needs of the residents in the area.
- The Aspen Place development currently includes student oriented 4-story apartments (The Grove I) at a density of 25 du/acre and student oriented 2-story townhome style apartments (The Grove II) at 14 du/acre. The proposed development will be a 5-story luxury apartment and mixed use development, marketed towards all ages of adults, at a density of 70 du/acre.

- The street pattern is laid out in a grid to approximate existing block patterns of the historic Southside neighborhood. Parking is allowed on internal streets, and streets have sidewalks on both sides. A typical interior street includes travel lanes in each direction, parking lanes on both sides of the street, and parkways and sidewalks on both sides of the street.
- The proposed development, located in a former brown field and infill area, will add a true vertical mixed use component with high-quality design standards in a highly walk-able neighborhood with easy access to transit.

Zoning/Flagstaff Zoning Code

The Flagstaff Zoning Code adopted in November 2011 classifies the 3.15-acre site as Highway Commercial (HC) Zone. Multi-family residential uses are allowed as part of a mixed-use development located above or behind commercial uses (Section 10-40.30.040, p.40.30-16, Endnote 6). Mixed use projects are permitted in the HC zone subject to meeting specific use regulations under “Mixed Use Development Standards” (Section 10-40.60.250), discussed on page 7 of this report. New residential uses are required to provide a minimum of 15 percent of the gross lot area in the form of common open space.

Open Space

A residential project, as noted above, is required to design 15 percent of the site as Common Open Space, defined in the zoning code as: “The minimum amount of open space area within a development intended or reserved for the use and enjoyment of all owners and occupants including but not limited to areas set aside for resource protection, passive and active recreation, gardens, and landscape areas.”

For mixed-use projects, the site layout and development standards (Table 10-40.60.250.A) state: “A mixed-use development shall be designed to provide residential uses with common or private open space (underline added), which may be in the form of roof gardens, individual balconies, or other means as approved by the Director.” When comparing the 2006 plan for the 3.15 acres to the currently proposed plan, it is evident that the 2006 plan had a larger “public” gathering area facing Kensington Drive. This was planned as a focal point for the Aspen Place development which originally anticipated that a 4-story condominium project (122 units), 64 duplex homes, and 51 detached single-family units would occupy the residential half of Aspen Place. However, due to changing economic and market conditions beginning in 2008 (particularly for new single-family residential and condominiums), the nature of the residential half of Aspen Place changed. In 2010, the developer defaulted on the high-density residential property and the city took control of it. In 2011, Campus Crest purchased the approximately 20 acres to develop student oriented housing near NAU. Rather than the condominium and single-family neighborhood envisioned between Sawmill and Kensington Drive, 4-story student housing buildings were constructed which included on-site amenities for the residents: volleyball, basketball, clubhouse with gym, pool, and grassy courtyards. Considering that the student oriented apartments have social/recreational needs met on-site, the proposed mixed-use development no longer needs the public gathering area facing Kensington, but rather needs a stronger civic open space presence along Piccadilly to tie in with the urban commercial nature. Also, since the vertical mixed-use development is proposing many more residential units (222 now versus 18 originally), the private open space element becomes more important. In view of the changes in the residential character over the last few years, staff feels that the mixed-use development has the appropriate location and mix of public open space and private open space for residents. At the same time, access to a variety of open space types is important for this dense of a community. The close proximity to the Flagstaff Urban Trail System, Sawmill Park, and Arroyo Park will help provide for recreational needs of the growing community.

Building Form and Density Standards

Table 1 compares development standards for existing HC zoning, compared to the proposed development with amended HC zoning. The maximum permitted height in the HC zoning district is 60 feet. The zoning code permits an additional five (5) feet of building height if the building includes sloped roofs with a pitch greater than 6:12 (Section 10-50.30.A.1.b.). Unoccupied architectural features are not counted towards the permitted height (Section 10-50.30.A.2.b.). The maximum building height proposed is 65 feet at the highest point of the pitched roof, plus an additional seven (7) feet for an unoccupied tower at the west end of the project. However, portions of the building along Kensington Drive will drop down to three stories (approximately 43 feet). In the HC zone, there is no density requirement (minimum or maximum); the gross density is limited by a maximum floor area ratio (FAR) of 3.0 (Section 10-40.30.040). Note that there is an editing error under Density Requirements in the table on page 40.30-19. This will be corrected to show no maximum gross density figures for the CC, HC, CS, and CB zones; the density is controlled through FAR.

In a mixed-use project, the code excludes residential square feet (gross) when above or behind commercial uses (p. 40.30-19, Endnote 5). Further, the definition of “Floor Area” (p. 80.20-31) excludes any floor space in the building designed for the parking of motor vehicles; therefore, the parking garage is not included in the FAR calculation.

For the proposed development, the table below shows a proposed maximum FAR of 2.49. This number includes the residential area (although not required to), but does not include the garage. The development will have street frontage on all sides; therefore, the only applicable setback is the “Front” setback which is zero. The setback along Piccadilly Drive will be zero since the right-of-way line falls at the face of the building. Other faces of the building vary in setback distance from zero to 24 feet or more. The garage, for example, is set back 24 feet from the back of the Kensington street curb.

TABLE 1

Subject Site	Existing Zoning (HC)	Proposed Amendment (HC)
Acres	3.15	3.15
Total Resource Protection Land (acres)	0	0
Maximum Height	60'	65'
Building Placement Requirements		
Setbacks : Front	0	0 (minimum)
Min. Residential Open Space	15%	18.2%
Min. Public/Civic Space	5%	6.3% <i>(not including plaza area in ROW)</i>
Maximum Gross Density (dwelling units per acre)	No maximum (if located above or behind commercial)	70
Max. Floor Area Ratio	3.0	2.49

Parking

The Flagstaff Zoning Code (Table 10-50.80.040.A) addresses the minimum number of parking spaces for “Shopping Centers”. The requirement for shopping centers with greater than or equal to 100,000 gross square feet (gsf) is: *One (1) space per 300 gsf for gsf over 100,000 gsf.*

Current constructed or approved commercial gross square feet, before the proposed development, is approximately 95,700. The subject development would therefore use the one space per 300 gsf for the commercial parking calculation. The ‘Residential’ parking requirement is:

Studio	1.25
1 Bedroom	1.5
2+ Bedroom	2.0
Guest spaces	0.25 per each 2+ bedroom unit

The applicant provided a parking calculation for the proposed mixed use development. This includes a requirement of 418 spaces for the residential units and 105 spaces for the retail space for a total of 523 spaces. The Mixed Use standards in the Zoning Code (Table 10-40.60.250.A) state: “To encourage the development of residential uses in existing and new commercial areas, the use of shared parking provisions shall be incorporated into mixed-use developments in compliance with Table 10-50.80.060 (parking adjustments).” A parking reduction up to ten (10) percent may be approved for any use within one-quarter mile of a bus stop and a reduction up to five (5) percent may be approved for the provision of bicycle parking. (The cumulative parking adjustment may not exceed 20 percent). The proposed development meets both of these provisions, therefore, the parking requirement can be reduced up to 15 percent which results in a minimum requirement of 445 spaces. The Conceptual Site Plan shows a total of 454 spaces: 351 spaces in the garage plus 103 on-street spaces. On-street spaces are located (or will be constructed) on all sides of the development. A final parking analysis will be done with review of the more detailed Site Plan submittal and will ensure that accessible parking space standards are met.

Mixed Use Design Standards (Section 10-40.60.250)

A mixed-use development combines residential and non-residential uses, or different types of non-residential uses, on the same site, with the residential units typically located above the non-residential uses (vertical mixed use). Residential units may be allowed at ground level behind street fronting non-residential uses (horizontal mixed use) only under limited circumstances. The proposed mixed-use development locates eleven (11) of the luxury apartments on the first floor facing Kensington Drive and Seville Lane, in an effort to provide compatibility with existing residential uses on the adjacent property. Sixteen (16) additional apartments are located on the first floor, behind non-residential uses, and facing one of two interior courtyards. All other residential units are located on the second through fifth floors, above the non-residential uses. The standards allow a lobby or other entry feature that allows access to the residential units to be located on the ground floor. A 5,986 square foot clubhouse is located on the first floor and provides access to and from the parking garage.

Design considerations require that a mixed-use development be designed to achieve the following objectives:

- Internal compatibility between the residential and non-residential uses on the site;
- Minimize potential glare, noise, odors, traffic and other potential nuisance conditions for residents;
- Consider existing and potential future uses on adjacent properties and include specific design features to minimize potential impacts;

- Ensure that residential units are of a residential character, and that appropriate privacy between residential units and other uses on the site is provided;
- Provide for convenient pedestrian access from streets, courtyards, plazas, and walkways; and
- Site planning and building design shall be compatible with and enhance the adjacent and surrounding residential neighborhood in terms of building design, color, exterior materials, landscaping, lighting, roof styles, scale, and signage.

Table 10-40.60.250.A. addresses additional site layout and design standards, including location of units, parking, loading areas, refuse and recycling areas, and open spaces. Table 10-40.60.250.B. addresses performance standards which include outdoor lighting, noise, and hours of operation. The Conceptual Site Plan meets the intent of these design and performance standards. During Site Plan review, staff will ensure that the final site layout achieves these objectives.

Design Review

Site Planning Design Standards (Section 10-30.60.030)

The applicant conducted a site analysis that considers views, solar orientation, climate, built environment and land use context and the findings were taken into account during project design development. For example, the outdoor civic plaza orients to views of pedestrian activity on both sides of Piccadilly Drive and takes advantage of an outstanding view of the San Francisco Peaks to the north.

Circulation Systems (Auto, Pedestrian, Bicycle and Transit, Sec. 10-30.60.040)

The original Aspen Place at the Sawmill zoning and platting established a site plan that ensures convenient connections to auto circulation systems. The street infrastructure has been constructed and the proposed mixed use project will maintain the current configuration of streets.

The proposed mixed use development is designed to provide an inviting, people-friendly area through a vibrant mix of urban amenities such as public plazas, outdoor dining areas, street trees and landscaping in planters, and pedestrian-scale lighting. Bicycle racks are required through the zoning code parking standards. The proposed project will maintain the existing sidewalk system and the highly connected street system surrounding and internal to the project and will utilize existing bike lanes and FUTS trails in the surrounding region. To facilitate access to the retail portion, a public corridor has been designed from the public parking tier of the garage to Piccadilly Drive.

There are several existing transit stops for the Mountain Line bus system in the vicinity of the project. The "Green" Route 3 and "Purple" Route 7 have a bus pullout stop along Butler Avenue to the west of the site at Elden Road and east-bound Butler at Regent Street. The "Gold" Route 4 has a stop along Lone Tree Road at Franklin and also south of Sawmill Park. An additional Route - Route 12 will have additional stops mirroring Route 4 stops. This route will be launched in early 2014. Any of these stops are within a few minute's walk from the site.

Parking Lots, Driveways and Service Areas (Section 10-30.60.050)

The 2006 master plan included a surface parking lot accessed from Kensington Drive. It would have been screened from the street through a 5-foot wide landscaping buffer and low wall. The current proposed plan includes a 5-story parking garage set back approximately 24 feet from the Kensington street curb. The conceptual plan depicts landscaping and benches in this setback area which will help screen the structure.

Because parking garages use less land area and are more efficient than surface parking, they are encouraged when feasible.

Design standards require new developments to minimize the number of curb cuts (and driveways) onto a public street. There are only two driveways associated with the current proposal: a residential driveway off of Kensington Drive into the parking garage, and a driveway off of Windsor Lane into the retail portion of the parking garage.

The proposed plan shows two retail dumpsters, one residential dumpster, and one delivery dock. One of the retail dumpsters is located in the parking garage and the other in a lower-visibility area off of Seville Lane. The residential dumpster is located near the residential entrance to the parking garage off of Kensington. During Site Plan review, staff will review to ensure that these services uses are effectively screened and meet Public Works standards for access.

“Scale” refers to similar or harmonious proportions, overall height and width, the visual intensity of the development, and the building massing. The proposed new development, at five (5) stories, would be one of Flagstaff’s tallest buildings (Drury Inn at Butler Ave./Milton Rd. is six stories). Taken in context with the 4-story apartment buildings south and adjacent to the subject site, the proposed development will not visually dominate these buildings. Relative to the existing commercial buildings north of the site, which are visually about 2-stories, the proposed development has the potential to look out of scale. However, the project architects have carefully designed the building to break down the building massing into smaller sub-volumes through various methods. Traditional proportions have been observed by designing the first floor commercial ceilings to a 14-foot height, and the residential floors having a 9’-1” height.

Architectural Design Standards (Section 10-50.20.030)

During the Conceptual Site Plan review, Architectural Design Standards such as building materials, massing, roof form, and scale were applied and approved by staff.

As described by the applicant (see elevation drawings A3.00-A3.09 and the 11x17 color elevations), the proposed first floor retail shops, located along Piccadilly Drive, reflect many of the materials and design concepts already established within the Aspen Place development. These materials include brick and stone veneer, architectural concrete block, metal awnings, trusses and corrugated metal roofing. The 222 residential units have more of a residential feel while staying true to the original design of the development. This includes the use of both lap and vertical siding, heavy timber supported balconies, gable roof ends supported by heavy timber beams and brackets, and accents of shingle siding and corrugated metal roofs.

Staff believes that the proposed building materials meet the intent of the zoning code. During Site Plan review staff will confirm that any secondary materials, such as stucco, make up less than 25 percent of the exterior walls of each elevation.

Landscaping

A preliminary landscape and hardscape location plan which meets the general intent of the parking lot landscaping, public right-of-way landscaping and open space landscaping has been accepted. A copy of the plan is included in the attachments (Sheet A0.01). A final landscape plan will be reviewed with the Site Plan submittal.

PUBLIC SYSTEMS IMPACT ANALYSIS:

Traffic and Access

The site is bounded on the north by Piccadilly Drive, on the south by Kensington Drive, on the east by Seville Lane plus a short stretch of Cambridge Lane, and on the west by Windsor Lane. Due to the neighborhood block pattern established with the Aspen Place at the Sawmill subdivision there is a high degree of connectivity throughout the project. Access is provided to the site by a number of collector and local streets as seen on the Surrounding Development Plan (Sheet A0.02). The subdivision plat dedicated rights-of-way for the realignment of Lone Tree Road, the widening of Butler Avenue, improvements on Sawmill Road, and rights-of-way for the new system of public streets on the interior of the development. All of these improvements were completed by the Improvement District that was formed in 2007.

The original Traffic Impact Analysis (TIA) for 40-acre Aspen Place at the Sawmill subdivision was completed in the fall of 2005. A subsequent revision was processed in 2006 for the Improvement District. An internal review of the trip generation types for this project was completed in July 2013 which found the volume of traffic generated by some of the subdivision developments increased from what was originally indicated in the TIA. Also, the subdivision roadway configuration changed from the original 2005 plan, which showed Windsor Lane as a private parking lot driveway rather than the public street that it is now. This has resulted in a considerably larger volume of traffic (eastbound on Butler) turning right into Windsor Lane. Staff's conclusion is that the new mixed-use project will have a minimal impact upon the overall regional transportation system, thus a revised TIA by the applicant was not required. However, the city engineering section determined that, based on changes to Windsor Lane and overall impacts of the subdivision developments, a new right-turn lane is required on the south side of Butler Avenue onto Windsor Lane. Flagstaff Aspen Place, LLC has agreed to dedicate the required right-of-way to the city, design and construct a new turn lane at Windsor Lane to mitigate the impacts of these changes. The future turn lane is depicted on Sheet A0.02. There were minimal impacts from the changes to the overall regional transportation system; therefore no other mitigating measures were required.

Water and Wastewater

Existing public water mains in the area include a 30-inch transmission main and a 10-inch public main in Butler Avenue, as well as 10-inch public mains in both Lone Tree Road and Sawmill Road. Following City Council approval of an improvement district for Aspen Place at the Sawmill in 2007, new 8-inch water mains were constructed beneath each internal street to serve the development.

Existing public sewer mains in the area include a 20-inch main in the channel of the Rio de Flag at the southwest corner of the site and an 8-inch main in a portion of Sawmill at the southeast corner of the site. New 8-inch sewer mains were constructed by the improvement district beneath internal streets and routed to connect to the existing sewer mains.

A public water and sewer impact analysis was prepared by the City for the proposed development as part of the rezoning process in 2006. According to the water and sewer impact analysis, the existing off-site and proposed on-site sewer and water system infrastructure were deemed adequate to accommodate the development, and no off-site improvements were required. In June 2013, the City of Flagstaff Utilities Department reviewed the City water and sewer master model and previous impact studies conducted in this area and determined that the proposed project will have no significant impact to either water, reclaimed water or sewer infrastructure off-site as a result of this development. There is adequate existing capacity and

no additional analysis work will be required for this project. No off-site infrastructure improvements other than that necessary to serve the subject site are required of this development.

Stormwater

All storm water infrastructure was constructed by the improvement district according to the Aspen Place at the Sawmill final plat and engineering plans, as described: Storm water runoff will be detained in a series of shallow detention basins generally located along realigned Lone Tree Road. Storm water will also be stored in a series of underground pipes to be located beneath internal streets. All storm water will eventually be released to the Rio de Flag at the southwest corner of the site. The Stormwater Manager reviewed the conceptual site plan for the proposed amendment to the master plan and found that there are no additional impacts associated with the proposed development as compared to previous proposal for this site.

Parks and Recreation

“Sawmill Park” is a small park associated with the Willow Bend Environmental Education Center, approximately two acres in size, south of the subject site. The nearest city park, Arroyo Park, is less than one mile south of the site. This is a neighborhood park on eight acres, which includes a youth baseball field. Flagstaff Urban Trail System (FUTS) trails are located on Lone Tree Road and provide connections to and through the NAU campus, to Coconino Community College and links to other regional trails throughout the city. A FUTS trail follows Sinclair Wash, located south of the subject site, which provides access to public lands south and east of Flagstaff. The Village at Aspen Place proposes a variety of public and private on-site amenities including private balconies/patio areas, clubroom, fitness facility, outdoor gathering areas, landscaped courtyards, and potentially a pool, barbeque area, and pet area. Combined with the convenient access to local parks and FUTS trails, the City recreation department does not anticipate any negative impacts to the City’s park and recreation facilities that would need to be offset by additional improvements.

OTHER REQUIREMENTS:

Resources

As previously mentioned the site is relatively flat and does not contain any slope, floodplain, or tree resources.

Citizen Participation

Public hearings before the Planning and Zoning Commission and City Council are conducted in conjunction with any request for zoning map amendment. In accordance with state statute, notice of the public hearing was provided by placing an ad in the Daily Sun, posting notices on the property, and mailing a notice to all property owners within 300 feet of the subject site. Planning staff requested and the applicant agreed to exceed the standard 300-foot requirement and notify all property owners within 300 feet of the entire Aspen Place at the Sawmill development. As of this writing, Planning staff has received one email dated 8/25/13 from a citizen who lives south of Aspen Place at the Sawmill (see attached email and staff response). The email expresses concerns about the proposed increase in density and questions whether there is adequate open space.

In addition, Section 10-20.30.060 of the Flagstaff Zoning Code requires the applicant for a zoning map amendment to conduct a neighborhood meeting prior to the Planning Commission public hearing; a Record of Proceedings is included with this application for zoning map amendment (see attached Neighborhood Meeting Report). The applicant held two neighborhood meetings, one on June 28, 2013, and the second on August 28, 2013 at the New Frontiers conference room. Five citizens total attended the two meetings. Developer representatives answered questions and listened to recommendations. The neighborhood meeting notification, meetings, and record of proceedings were conducted in compliance with the code requirements.

RECOMMENDATION:

Staff believes that the zoning map amendment request has been justified in light of being consistent with objectives and policies of the Regional Land Use Plan and would recommend in favor of amending 3.15 acres of the Highway Commercial (conditional) zone within the 40-acre Aspen Place at the Sawmill subdivision. Staff would recommend that such amendment be subject to the following conditions:

1. That the subject property is developed in substantial accordance to the entire conceptual plans approved by the Inter-Division Staff (IDS) on August 7, 2013, with the zoning map amendment request.
2. That all terms, conditions and restrictions detailed within “Amendment Two of the Fourth Amended and Restated Development Agreement for Aspen Place at the Sawmill” are fully satisfied.

ATTACHMENTS:

- Zoning Map Amendment Application and Reason for Request Narrative (by applicant)
- Vicinity Map for Zoning Map Amendment
- Applicant’s response to city staff comments, dated July 25, 2013
- Neighborhood Meeting Report by applicant (15 pages)
- Citizen Email, dated August 25, 2013
- Statement of Site Amenities by applicant
- Community Benefits, 1 pg. narrative by applicant
- IDS Conditions of Approval, dated Aug. 7, 2013
- Draft Amended Development Agreement -- bullet points (“Amendment Two”)
- Fourth Amended and Restated D.A. for Aspen Place at the Sawmill
- December 2006 Approved Site Plan (8.5 x 11”)
- Color Elevations (11” x 17”), proposed
- Approved 2013 Conceptual Site Plan, 24” x 36” (19 sheets, includes surrounding development, floor plans & elevations)
- Preliminary Utility Plan, one 24” x 36” sheet



MINUTES - Draft

City of Flagstaff
PLANNING & ZONING COMMISSION
4:00 PM– Wednesday, September 11, 2013
City of Flagstaff, Council Chambers

CALL TO ORDER

Chairman Carpenter called the meeting to order at 4:06 p.m.

COMMISSION MEMBERS:

PRESENT: David Carpenter, Chairman; Paul Moore; Jim McCarthy; Justin Ramsey;
Tina Pfeiffer (joined the meeting at 7:15 pm)

ABSENT: Stephen Dorsett, Vice Chairman; Steve Jackson

CITY STAFF:

Mark Sawyers, Staff Liaison

Kimberly Sharp, Comprehensive Planning Manager

Roger E. Eastman, AICP, Comprehensive Planning and Code
Administrator

Becky Cardiff, Recording Secretary

I. GENERAL BUSINESS

A. PUBLIC COMMENT

None.

B. APPROVAL OF MINUTES

- 1) Special meeting of September 4, 2013.

Motion: Move to approve the minutes of the Special Meeting of September 4, 2013, as submitted. Action: Approve Moved by: Commissioner McCarthy Seconded by: Commissioner Ramsey. Motion carried unanimously.

II. Public Hearing

1. ZONING MAP AMENDMENT FOR ASPEN PLACE AT SAWMILL Pages 1-69

Address:	601 East Piccadilly Drive
Assessor's Parcel Number:	104-19-125, -126, -127, -128, -129, -130, -131, and Tract EE
Property Owner:	Flagstaff Aspen Place, LLC
Applicant:	Land Development Strategies, LLC
Application Number:	PC REZ 13-0001
City Staff:	Elaine Averitt
Action Sought:	Zoning Map Amendment (Conditional)

A proposed zoning map amendment to the official Zoning Map for approximately 3.15 acres of Highway Commercial (HC) (conditional) zone located at 601 East Piccadilly Drive, a mixed use development consisting of one five-story building, with 33,000 square feet of retail at the first floor level, a five-story parking garage, and 222 luxury apartments.

Ms. Averitt gave a PowerPoint Presentation on the proposed project and answered questions from the Commissioners. Mr. Sawyers was present and answered questions from the Commissioners.

Brendan O'Leary, representative for the developer and investment group, gave a brief introduction to the project and introduced Bill Prelogar, architect for proposed project. Mr. Preglogar gave a PowerPoint presentation detailing the project and answered questions from Commissioners.

Reid Miller, City of Flagstaff Traffic Engineer, was present and answered Commissioners questions on traffic.

Rick Schuller, Civil Engineer representing the applicant, answered questions from Commissioners on drainage.

Motion: Motion to open the public hearing Moved by: Commissioner Moore Seconded by: Commissioner McCarthy. Motion carried unanimously.

Public Comment: None

Motion: Motion to close the public hearing Moved by: Commissioner McCarthy Seconded by: Commissioner Moore. Motion carried unanimously.

Discussion was held about the color of the building materials. Sarah Darr, Housing Program Manager City of Flagstaff, was present and answered questions about affordable housing.

Motion: Motion to forward to City Council for approval with Staff Conditions and a stipulation that the color of the parking garage be complimentary to the Residential and Commercial portion of the building Moved by: Commissioner McCarthy Seconded by: Commissioner Moore. Motion carried unanimously.

2. Public hearing/discussion/possible action regarding proposed amendments to the Flagstaff Zoning Code, Division 10-20.50 (Amendments to the Zoning Code Text and the Zoning Map) and Chapter 10-80 (Definitions).

Mr. Eastman gave a description of the proposed amendment to the Zoning Code.

Motion: Motion to open the public hearing Moved by: Commissioner McCarthy Seconded by: Commissioner Moore. Motion carried unanimously.

Public Comment was made as follows:

Richard Bowen, representing ECONA, believes this is a quality process that will create job growth and quality employers to Flagstaff. Mr. Bowen gave examples of several companies that will be expanding and using the rezoning process in the near future. He also gave examples of companies that chose not to come to Flagstaff because of the complex rezoning process as one of the reasons.

Keri Silvyn, Tucson, Az, gave an example of a property that has a zoning not in accordance with the Regional Plan that the property owner believe they would not be able to rezone with the current process. Ms. Silvyn stated she believes the amendment will help the community secure quality employers. She believes the amendment will ensure at the rezoning stage that there is an understanding of the impacts of the infrastructure and it balances the interests at stake. Ms. Silvyn answered questions from Commissioner Moore.

Mike Sistak, Government Affairs Director, Flagstaff Chamber of Commerce, gave a statement on behalf of Ms. Julie Pastrick, Chamber President; she thanked the City Council, stakeholders and Commission for work on amendment. Ms. Pastrick is in favor of the amendment to eliminate some of the upfront costs and asked commission for their support.

Marilyn Weissman, representing Friends of Flagstaff Future, believes there is more to why businesses are not here not just the rezoning process. She referred to the previous project that used the current rezoning process and that the developer complimented the City Staff on the process. She believes owners want to profit from rezoning and developers want to spend less money and this new process will be tedious and complicated. She believes the current process works.

Nat White, resident, submitted a written comment that is attached hereto.

Tish Bogan-Ozman, resident, is concerned for the natural and cultural resources. She believes that an impact study for those needs to be done when making the decision on the use and before rezoning the property.

Motion: Motion to close the public hearing Moved by: Chairman Carpenter Seconded by: Commissioner McCarthy. Motion carried unanimously.

Extensive discussion was held on the proposed amendment.

Motion: Motion to recommend approval of the proposed amendments to Division 10-20.50 (Amendments to the Zoning Code Text and the Zoning Map) as described in the staff report Moved by: Chairman Carpenter Seconded by: Commissioner Ramsey
Motion to Amend: Motion to amend the primary motion to include the following revised submittal requirements applicable to all projects i.e. small, medium, large and multi-phased scale projects: (1) a three-dimensional bulk and mass analysis/visualization of the project; (2) a maximum building envelope shall be defined for all proposed uses; and (3) a minimum boundary of protected natural resources shall be defined based on preliminary resource calculations Moved by: Commissioner Moore Seconded by: Commissioner McCarthy. Motion to amend carried unanimously. Primary motion to recommend approval of the proposed amendments to Division 10-20.50 (Amendments to the Zoning Code Text and the Zoning Map) as described in the staff report together with the amendments proposed by Commissioner Moore approved 4-1 with Commissioner McCarthy dissenting.

Pages 103-165

Public hearing/discussion/possible action regarding proposed amendments to the Flagstaff Zoning Code, Division 10-50.100, Sign Standards with specific reference to a new Section 10-50.100.080.E (Flagstaff Mall and Marketplace District).

City Staff: Roger E. Eastman AICP, Comprehensive Planning and Code Administrator

Mr. Eastman gave a brief description of the proposed amendment to the Zoning Code.

Motion: Motion to open the public hearing Moved by: Commissioner McCarthy Seconded by: Commissioner Moore. Motion carried unanimously.

Public Comment: none

Motion: Motion to close the public hearing Moved by: Chairman Carpenter Seconded by: Commissioner Moore. Motion carried unanimously.

Discussion was held on the proposed amendment. Mr. McCarthy submitted a written statement which is attached hereto.

Motion: Motion to forward to recommend that the City Council not approve the proposed amendments to Division 10-50.100 (Sign Standards) by adding a new Section 10-50.100.080.E (Flagstaff Mall and Marketplace District) Moved by: Commissioner McCarthy Seconded by: Commissioner Ramsey. Motion carried unanimously.

3. Draft Flagstaff Regional Plan 2030

City Staff: Kim Sharp, Comprehensive Planning Manager, Community Development

Ms. Sharp discussed the schedule for the City Council public hearings.

Discussion was held on possible meeting dates to move the Regional Plan discussion due to the time. The Regional Plan discussion will be tabled until the September 25th meeting

III. MISCELLANEOUS ITEMS TO/FROM COMMISSION MEMBERS

None given

ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

ATTACHMENTS:

Flagstaff Planning and Zoning Commission
Meeting for 11 September 2013, 4:00 p.m., Council Chambers
Agenda Item II-2, Flagstaff Mall and Marketplace Sign

Statement from Jim McCarthy:

The issue here is should we recommend that an otherwise illegal off-site sign be allowed for one developer. My concerns are several.

First, the public has been completely left out of the process, at least until it was put on the Planning and Zoning Commission agenda. Having the commission "make a recommendation" to council may be no more than a formality, considering that the previous council already made a private commitment to the land owner. Considering that the newly elected council may reconsider, it is imperative that this commission provided an independent thought-out recommendation.

Second, the proposal on the table today is contrary to the long-standing city policy to not allow billboards. Just this year, former city employee Paul Jones died. Paul spent city resources and a lot of his own energy in the effort to remove billboards from this city. The impressive viewshed we have in our built environment is to the credit of Paul and other city leaders, and also to the cooperation of many commercial interests.

Third, the one land owner is being given an opportunity that essentially no other land owner is allowed. Off-site signs are not allowed. The one exception that I know of is the Autopark sign on Route 66.

A basic tenant of our government is that all persons will receive equal treatment under the law. Under that principle, this proposal is quite possibly illegal. In fact, under the 14th amendment to our national constitution, it may be unconstitutional because it does not provide "equal protection of the law."

Lastly, I had some concern that this case will create a precedent. After consideration, I have concluded that it will not create a precedent. I say this because this case was decided under duress and not as part of a well-considered policy change. I consider this and the Autopark cases to be isolated incidents with clearly non-typical circumstances.

That said, certain city council members *have* stated that they intend to change the sign code and the approach we have taken for the last decades.

Regardless of the appropriateness of the sign otherwise, I also have concerns that since the sign will be on city property, that the sign will be tax-free to the developer and the city will be responsible for at least some aspects of the maintenance, an unusual and inappropriate situation.

In closing, I would like to summarize with three points. First, I will quote from the draft Flagstaff Regional Plan. "Good government processes lead to transparency and consistent decision making." (See draft of Aug 2013, Page XIV-4.) Support for this case would be in obvious contradiction to that regional plan principle.

Second, I will state that allowing one developer a sign that no other developer could legally build is wrong.

And third, the City of Flagstaff spent significant resources getting rid of billboard blight; we should respect that.

Thank you for listening.

PS:

After reading the prepared statement, I informally told the story of how a legislative body made an inappropriate decision and then reversed it. The case (*Illinois Central Railroad Co. v. Illinois*, decided in 1892) went to the U.S. Supreme Court. The court determined that in the case the legislative body wrongly granted a fee interest in the Chicago waterfront to a private railroad company and that because of the public trust doctrine, they could reverse the decision.

The analogy here is that there are certain things the city council cannot appropriately decide, e.g. agreeing to special treatment of certain landowners against the doctrine of equal treatment under the law, and that the council can (and should) reverse the former inappropriate decision.

David Carpenter

From: Tammy Bishop <tbishop@flagstaffaz.gov>
Sent: Monday, September 09, 2013 2:38 PM
Subject: Planning & Zoning Commission 9-11-13
Attachments: 09-11-13 P&Z Agenda.pdf

Importance: High

Good Afternoon Commission,
Please read the letter of recommendation below from a concerned citizen.
I have attached the agenda for Wednesday's meeting.

Thank you,
Tammy

From: Kathy Jenkins [<mailto:jenkins4flag@gmail.com>]
Sent: Sunday, September 08, 2013 5:42 PM
To: Tammy Bishop
Subject: Information for Planning & Zoning Commission 9-11-13

Please forward to the planning and zoning commission.

To Planning & Zoning Commission:

As a retired Flagstaff City Planner with 24 years of service, I would suggest the Commission send a recommendation of denial to the City Council on the staff proposal to change the rezoning submittal procedures.

Historically, rezoning cases of the 1980's would place the developer and the neighborhoods against each other. The hostility and confusion stemmed from a lack of information brought to the public review process. As members of the Planning & Zoning Commission, I would recommend that you not place yourselves, staff, developer and most importantly the concerned citizens (neighborhoods) in this situation.

With the adoption of the Land Development Code, the submittal requirements for a rezoning case increased. The cases brought forward to Public Hearing provided the necessary information for citizens of Flagstaff, Commissions and Council to support sound rezoning requests.

Those stricter requirements for rezoning submittals were amended in 2011 by the adoption of small, medium and large scale rezoning proposals. Based on the size of development being proposed the submittal requirements are either geared up or down.

This tiered process seems reasonable, a compromise between the 1972 Zoning Code and the original Land Development Code. I understand that only one rezoning request which was initiated by the City has been processed using the tiered submittal requirements.

The tiered process should be tested with upcoming rezoning requests before it's amended.

I understand and respect the Council's desire to fast track rezoning requests given the recent recession, but my past experience would discourage this approach. The most successful cases historically have taken a professional team of developers, architects, engineers and planners providing adequate information to the citizens of Flagstaff.

I appreciate the opportunity to submit my thoughts on this matter.

Sincerely,
David Reed Jenkins
1030 E. Appalachian Road
Flagstaff, AZ 86004
928-6073938

P&Z Commission,

9-11-2013

I am for smart, well planned growth. I am also for clear, efficient rezoning processes that support well planned growth and protect the investments and the values of our city.

Since the fiasco of the first Walmart development, and the associated revamping of the building codes, Flagstaff has demonstrated successful well planned growth. Walmart was the poster child for the bumper sticker "Don't Phoenix Flagstaff". The zoning change that allowed that to happen occurred with a concept plan, a large resort on rolling forested hills. The scar is healing and most people have forgotten what could have been, a shopping and hotel area that reflects Flagstaff.

As much as I have read the draft of the proposed changes before you today, I can not convince my self that we are not making Flagstaff vulnerable to zoning changes that can easily be driven by short term profit rather than good and long term planning. This is not painting all developers with the same brush. Rules that may seem burdensome are usually for those interested in beating the system, not the good guys.

I acknowledge that there can be limited circumstances where the previous and current processes may be obstacles, but there is no statistical evidence that this is the usual. The general statements given for the proposed changes on page 4 have not been demonstrated in any measurable way as the case over the years. In fact there seems to be no immediate need to rush.

- The existing zone change process discourages new development and capital investment in the City because of the uncertainty of the process.
- The existing process discourages zone change applications because full knowledge of the intended use is needed to determine the zoning, and it is too costly to develop detailed site plans, floor plans, elevations, etc. when the final user may not be known.
- Flagstaff has a low inventory of land suitable for development, and the current process tends to drive development to other communities.

Here are some suggestions before you pass this on to the council:

- Ask for pros and cons comparing the present process and the proposed process. This includes worse case scenarios where either process could be misused.
- Provide a current hypothetical scenario of this process; say for a zone change on the land either side of the north end of the 4th street bridge.
- Find some cities of comparable size to Flagstaff that have this process, and assess the results.
- Provide other evidence that the "Concept Zoning Plan" is useful and appropriate for Flagstaff.
- Define clearly how conditions applied to the "Concept Zoning Plan" by council can or cannot be changed after a time and perhaps after sale of the property.

We have grown under the existing code well over the years, so this is not a problem that needs to be rushed. There are folks that feel we are growing at a healthy rate and there are folks that may feel the faster we grow the better. My concern is that we grow in a health manageable way, but I am concerned this major change emphasizes faster over healthy. It needs further scrutiny.

Nat White

When recorded, mail to:

City Clerk
City of Flagstaff
211 West Aspen Avenue
Flagstaff, Arizona 86001

AMENDMENT NUMBER TWO

to
Fourth Amended and Restated Development Agreement and Waiver
for
Aspen Place at the Sawmill

The following Amendment Number Two to Fourth Amended and Restated Development Agreement and Waiver for Aspen Place at the Sawmill (this “Amendment”) is made this _____ day of _____, 2013 and is incorporated into and made a part of that certain Fourth Amended and Restated Development Agreement and Waiver dated August 11, 2010 and recorded in the Coconino County Records as Document No. 2010-3570207, as amended by Amendment One dated October 26, 2011 and recorded in the Coconino County Records as Document No. 3609215 (the “Agreement”). Capitalized terms not defined herein shall have the meaning assigned to them in the Agreement. This Amendment is made pursuant to Section 10.4 of the Agreement, which permits the City and the Owner of a portion of Aspen Place at the Sawmill to amend the Agreement insofar as it affects that Owner’s portion of the Property. Accordingly, this Amendment is made by the City of Flagstaff (“City”) and Flagstaff Aspen Place, LLC, a Delaware limited liability company (“Owner” or “Flagstaff Aspen Place”), as successor in interest to Aspen Place North, LLC of the Commercial Parcels.

1. The fourth sentence of Recital A is amended as follows:

Exhibit C depicts the parcels of land owned by Flagstaff Aspen Place, LLC as successor in interest to Aspen Place North, LLC an Arizona limited liability company (the “Commercial Parcels”).

2. Recital B is amended by adding a new sentence to the end thereof, to read as follows:

The Fourth Amended and Restated Development Agreement was subsequently amended by Amendment One to Fourth Restated Development Agreement and Waiver recorded on October 27, 2011 as Document Number 3609215.

3. The second sentence of Recital C is amended as follows:

In regard to the Commercial Parcels, the Master Plan amends and restates in its entirety the “Revised Site Plan of the Master Plan dated December 7, 2006.”

4. Recital F is amended as follows:

The current zoning of the Residential Parcels is High Density Residential, and the current zoning for the Grocery Parcel and Commercial Parcels is Highway Commercial.

5. Section 2, Zoning, is amended by adding a new sentence to the end thereof, to read as follows:

In regard to the Commercial Parcels, Flagstaff Aspen Place agrees to be subject to all the terms, conditions and stipulations of City Ordinances 2006-13, 2006-31, 2011-19 and 2013-23, attached as **Exhibit Q**, and incorporated by this reference (“Commercial Parcels Zoning Ordinances”).

6. The second sentence of Section 3, Development Standards, is amended as follows:

The City and Sawmill NF, LLC expressly acknowledge and agree that as consideration for Sawmill NF, LLC’s prior cooperation in the Lone Tree realignment, and prior land dedications and construction of other improvements for the benefit of the City as set forth in this Agreement, development of the Grocery Parcel will not be subject to any impact fees which may be implemented by the City in the future, but the Grocery Parcel will be subject to applicable district fees.

7. Section 6.5, Existing Unused Utility Services, is amended by adding a new sentence to the end thereof, to read as follows:

In regard to the Commercial Parcels, Flagstaff Aspen Place agrees to abandon all unused public utility services, including water, wastewater and reclaimed services, in compliance with the City of Flagstaff Engineering Standards. Those public utility services to be abandoned are depicted in the Abandonment of Unused Public Utility Services Plan, attached as **Exhibit R**, and incorporated by this reference. The Owner shall abandon all unused public utility services before the Building Certificate of Occupancy (BCOO) will be issued.

8. Section 6.6.5, Open Space Requirements, is amended by adding a new sentence to the end thereof, to read as follows:

Notwithstanding the foregoing, in regard to the Commercial Parcels, Flagstaff Aspen Place must comply with the open space requirements of the Flagstaff Zoning Code, effective November 11, 2011.

9. Section 7, Rights- of-Way Dedication, is amended by adding a new sentence to the end thereof, to read as follows:

Notwithstanding the foregoing, Flagstaff Aspen Place agrees to dedicate those right-of-way improvements, including the right turn lane at the intersection of East Butler Avenue and South Windsor Avenue, additional ninety degree parking along East Kensington Drive, and sidewalk improvements along South Windsor abutting frontage of the

Commercial Parcels, described and depicted in **Exhibit S**. (“Right-of-Way Improvements”). Flagstaff Aspen Place acknowledges that all improvements in the right-of-way (such as water detention facilities, sidewalks, any on-street parking spaces, landscaping) shall be maintained in perpetuity by Flagstaff Aspen Place. In addition, Flagstaff Aspen Place shall be responsible for snow removal outside the vehicular “travel way,” as depicted in **Exhibit T**, Public and Private Maintenance, attached to this Agreement. The City and Flagstaff Aspen Place may elect to jointly resurface the “travel way” and any on-street parking areas which would require Flagstaff Aspen Place to contribute, on a prorated basis, to the City for paving and re-striping the on street parking spaces. The foregoing maintenance provision shall apply to the Commercial Parcels in perpetuity, unless amended by the parties through a revised development agreement. Flagstaff Aspen Place will ensure that maintenance and repair agreements involving work in the public ways entered into by Flagstaff Aspen Place shall include the following indemnification provisions for the benefit of the City:

“Flagstaff Aspen Place agrees to indemnify, defend and hold harmless the City of Flagstaff, its officers, officials, agents and employees (“Indemnitee”) from and against any and all claims, demands, actions, liabilities, damages, losses or expenses (including court costs, attorney’s fees, and costs of claim processing, investigation and litigation) (collectively referred to as “Claims”) for personal injury or bodily injury (including death) or property damage caused, in whole or in part, by willful misconduct or negligent acts or errors of Flagstaff Aspen Place, or any of Flagstaff Aspen Place’s directors, officers, agents, employees, and contractors related to work performed to this maintenance and repair agreement.”

10. Section 8, Construction of Public and Other Related Improvements, is amended by adding a new sentence to the end thereof, to read as follows:

Notwithstanding the foregoing, Flagstaff Aspen Place agrees to construct the Right-of-Way Improvements described and depicted in **Exhibit S**.

11. Section 8.1, Landscape Improvements, is amended by adding a new sentence to the end thereof, to read as follows:

Notwithstanding the foregoing, in regard to the Commercial Parcels, Flagstaff Aspen Place agrees to construct and maintain, in perpetuity, all landscaping and irrigation improvements located within the right-of-way

12. Section 9, Notices, is amended as follows:

Notices. Any notice or other communication required or permitted to be given under this Agreement will be in writing and will be deemed to have been given if (1) delivered to the party at the address set forth below during normal business hours, (2) deposited in the U.S. Mail, registered or certified, return receipt requested, to the address set forth below, with sufficient postage, or (3) given to a recognized and reputable overnight delivery service, to the address set forth below, with the person giving the notice paying all

required charges and instructing the delivery service to deliver on the following business day or at such other address, and to the attention of such other person or officer, as any party may designate in writing by notice duly given pursuant to this Section.

To City:

City Manager
City of Flagstaff
211 West Aspen Avenue
Flagstaff, Arizona 86001

To Owners:

Campus Crest at Flagstaff, LLC
2100 Rexford Rd., Suite 414
Charlotte, North Carolina 28211
Attention: Andrew Young

Flagstaff Aspen Place, LLC
One East Washington Ste. 300
Phoenix, AZ 85004
Attention: Brett Heron

Sawmill NF, L.L.C.
Aspen Place North, L.L.C.
7114 East Stetson Drive, Suite 400
Scottsdale, Arizona 85251
Attention: Donald L. Meyers

9.1 Notices will be deemed received (1) when delivered to the party, (2) three business days after being sent by U.S. mail, certified and return receipt requested, properly addressed, with sufficient postage, or (3) the following business day after being given to a recognized and reputable overnight delivery service.

13. The Exhibits to the Agreement are amended as follows:

Exhibit C	Legal Description Commercial Parcels – Modified
Exhibit Q	Commercial Parcels Zoning Ordinances
Exhibit R	Abandonment of Unused Public Utility Services Plan
Exhibit S	Right-of-Way Improvements
Exhibit T	Public and Private Maintenance

14. Miscellaneous. This Amendment may be executed in any number of counterparts, each of which will for all purposes be deemed to be an original, and all of which are identical. Except as expressly amended hereby, the Agreement shall remain in full force and effect in accordance with its terms.

15. Waiver of Claim for Diminution in Value. Flagstaff Aspen Place hereby waives and fully releases any and all financial loss, injury, claims and causes of action that it may have, now or in the future, for any “diminution in value” and for any “just compensation” under the Private Property Rights Protection Act, codified in A.R.S. §§ 12-1131 through 12-1138, (the “Act”) in connection with the application of the City’s existing land use laws and including Ordinance Number 2013-23 regarding the Property (collectively, the

“Laws”). This waiver constitutes a complete release of any and all claims and causes of action that may arise or may be asserted under the Laws with regard to the subject Property. Flagstaff Aspen Place agrees to indemnify, hold harmless and defend City, its officers, employees and agents, from any and all claims, causes of actions, demands, losses and expenses, including attorney’s fees and litigation costs, that may be asserted by or may result from any of the present or future owners of any interest in the Property seeking potential compensation, damages, attorney’s fees or costs under the Act that they may have, as a result of the application of the Laws upon the Property.

16. **Affordable Housing Contribution.** Flagstaff Aspen Place acknowledges the City of Flagstaff’s affordable housing set-aside policy but is not seeking any of the affordable housing incentives set forth in the 2011 City of Flagstaff Zoning Code. Flagstaff Aspen Place is aware of the many goals, policies and strategies listed in the Flagstaff Area Regional Land Use and Transportation Plan related to the lack of affordable housing units within Flagstaff. With the development of the Commercial Parcels, Flagstaff Aspen Place intends to provide market rate housing units for rental purposes. Flagstaff Aspen Place, acknowledging that the development of the Commercial Parcels will not directly impact affordable housing shortages within Flagstaff, agrees to contribute \$25,000.00 to further the efforts of the City in addressing the lack of affordable housing units within the community. Further, the City and Flagstaff Aspen Place acknowledge the contribution of Parcel 117 to the City with the recordation of the Aspen Place at Sawmill final plat. The City acknowledges that this lot will be an asset to be utilized for affordable housing purposes.
17. **Liability and Indemnification.** Flagstaff Aspen Place shall indemnify, protect, defend and hold harmless the City, its Council members, officers, employees and agents for, from and against any and all claims, demands, losses, damages, liabilities, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, remedial actions of any kind, including, without limitation, reasonable attorney’s fees and costs of defense arising, directly or indirectly, in whole or in part, out of the performance of this Amendment by City or Flagstaff Aspen Place, or nonperformance of this Amendment by Flagstaff Aspen Place.

[Signature page follows.]

IN WITNESS WHEREOF, the parties have caused this Amendment and Waiver to be executed by their duly authorized representatives as of the day and year first above written.

City of Flagstaff

Flagstaff Aspen Place, LLC

By: Flagstaff Aspen Place, LLC
Its Manager

By: _____
Name: Brett Heron
Its: Manager

Gerald W. Nabours, Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

STATE OF ARIZONA)
COUNTY OF COCONINO)

ACKNOWLEDGMENT

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared Gerald W. Nabours, Mayor of the City of Flagstaff, known to be or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that she executed the same on behalf of the City of Flagstaff, for the purposes therein contained.

Notary Public
My Commission Expires:_____

STATE OF ARIZONA)
COUNTY OF _____)

ACKNOWLEDGMENT

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared Brett Heron, known to be or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same on behalf of Flagstaff Aspen Place, LLC, manager of [new name], for the purposes therein contained.

Notary Public
My Commission Expires:_____

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Mark Sawyers, Current Planning Manager
Co-Submitter: Mark Landsiedel, Community Development Director
Date: 11/06/2013
Meeting Date: 11/19/2013



TITLE:

Consideration and Approval of Contract: Third Amendment to Development Incentive Agreement between the City of Flagstaff, Aspen Place North, L.L.C. and Alliance Bank of Arizona.

RECOMMENDED ACTION:

Approve the Third Amendment to Development Incentive Agreement between the City of Flagstaff, Aspen Place North, L.L.C. and Alliance Bank of Arizona

Policy Decision or Reason for Action:

The Third Amendment to Development Incentive Agreement (DIA) addresses the following five main topics. These topics are shown, below, as numbered in the sections of the agreement:

2. Release of Cross-Default; Cross-Collateralization Upon Payoff
3. Release of Cross-Default, Cross-Collateralization of Financed Parcel
4. Covenant Regarding Common Ownership of Lot 122, 123, 125 and 126
5. Sales Tax Rebate
6. Modification to Section 4(ii) of Development Incentive Agreement

Financial Impact:

No direct financial impacts to the City as a result of this agreement.

Connection to Council Goal:

Retain, expand, and diversify economic base
Effective governance

Has There Been Previous Council Decision on This:

The City Council approved the original Development Incentive Agreement in June 2007 and, subsequently, the First Amended DIA in February 2010 and the Second Amended DIA in July 2010.

Options and Alternatives:

The City Council may approve the proposed Third Amendment to Development Incentive Agreement as recommended by City Staff, or modify the conditions, include additional conditions or deny the Third Amendment to the Development Incentive Agreement.

Background/History:

Red Reality Advisors closed on the Aspen Place at the Sawmill north property (commercial property) and assumed payment of the improvement bonds through the entity now know as Flagstaff Aspen Place LLC. The Development Incentive Agreement allowed for the sharing of sales tax revenue to repay the Bond Assessment.

Key Considerations:

Aspen Place North, L.L.C. has requested to further modify and amend certain terms and conditions of the Development Incentive Agreement as modified and amended by the Second Amendment.

The Third Amendment to the Development Incentive Agreement contains five main action sections. They are summarized below, as numbered in the agreement:

- 2. Release of Cross-Default; Cross-Collateralization Upon Payoff - Allows improvement bond payoff of the remaining portion an individual property without penalty.
- 3. Release of Cross-Default; Cross-Collateralization of Finance Parcel - Releases Lots 121, 122 and 123 from the cross collateralization of the second agreement.
- 4. Covenant Regarding Common Ownership of Lot 122, 123, 125 and 126 - Amends second amendment.
- 5. Sale Tax Rebate- Development Incentive Agreement requires that 80% of the retail improvements within the Project be substantially complete as of the tenth (10th) anniversary of the date of the original Agreement. Establishes 36,200 square feet of additional retail development to be deemed substantially complete with this term as established with the Second Amendment.
- 6. Modifications to Section 4(ii) of Development Incentive Agreement - The Sales Tax Rebate provided by the City to the Landowner pursuant to this Agreement may be assigned by the Landowner to any other party, including any successor owner of the Property or any portion thereof, without the City's approval.

Community Benefits and Considerations:

The Third Amendment allows for the continued development of the Sawmill development as approved by the Master Plan. Presently REI, consisting of approximately 23,825 square feet, is under construction and Alliance bank, consisting of 6,000 square feet, is currently under building plan review. Additionally, the mixed use development known as Village at Aspen Place is on the Council agenda for this evening for the second reading of the Zoning Map Amendment and consideration to amend the previous Development Agreement concerning the commercial parcels.

Community Involvement:

Not applicable.

Attachments: [Third ID Sawmill](#)

Form Review

Inbox	Reviewed By	Date
Purchasing Director	Mark Sawyers	11/07/2013 03:18 PM
Current Planning Manager (Originator)	Mark Sawyers	11/07/2013 03:25 PM
Purchasing Director	Elizabeth A. Burke	11/07/2013 03:44 PM

Planning Director	Elizabeth A. Burke	11/07/2013 04:00 PM
Legal Assistant	Elizabeth A. Burke	11/07/2013 04:00 PM
Community Development Director	Mark Landsiedel	11/07/2013 06:24 PM
Legal Assistant	Vicki Baker	11/08/2013 09:03 AM
City Attorney	Michelle D'Andrea	11/08/2013 09:24 AM
Community Development Director	Mark Landsiedel	11/08/2013 09:28 AM
DCM - Jerene Watson	Jerene Watson	11/08/2013 10:33 AM
Form Started By: Mark Sawyers		Started On: 11/06/2013 07:31 AM
Final Approval Date: 11/08/2013		

When Recorded Return To:

City Clerk
City of Flagstaff
211 W. Aspen Avenue
Flagstaff, Arizona 86001

THIRD AMENDMENT TO
DEVELOPMENT INCENTIVE AGREEMENT
(Aspen Place at the Sawmill)

THIS THIRD AMENDMENT TO DEVELOPMENT INCENTIVE AGREEMENT ("Third Amendment") is made and entered into as of the ____ day of _____, 2013 (the "Amendment Date"), to be effective as and when set forth in **Section 9** of this Third Amendment (the "Effective Date") by and among FLAGSTAFF ASPEN PLACE, L.L.C., a Delaware limited liability company ("Aspen Place"), as successor in interest to ASPEN PLACE NORTH, L.L.C., an Arizona limited liability company ("Aspen North") as to the parcels legally described in Exhibit "A" to this Third Amendment (the "Aspen Commercial Parcels"), in their entirety, ALLIANCE BANK OF ARIZONA, A DIVISION OF WESTERN ALLIANCE BANK, an Arizona corporation ("Alliance"), as to the parcel legally described in Exhibit "B" to this Third Amendment (the "Alliance Commercial Parcel") (the "Aspen Commercial Parcels" and the "Alliance Commercial Parcel" being collectively referred to herein as the "Commercial Parcels"), and the CITY OF FLAGSTAFF, an Arizona municipal corporation ("City").

RECITALS

A. The City and Aspen North's predecessor-in-interest, Butler & Lone Tree, L.L.C., an Arizona limited liability company, entered into that Development Incentive Agreement (Aspen Place at the Sawmill) dated as of June 1, 2007, and recorded on June 20, 2007 as Instrument No. 3444059, Official Records of Coconino County, Arizona (the "Development Incentive Agreement") and that certain Improvement District Development and Waiver Agreement dated as of June 1, 2007, and recorded on June 21, 2007 as Instrument No. 3444565, Official Records of Coconino County, Arizona (the "Waiver Agreement").

B. The City, Aspen North, and Aspen Place South, L.L.C., an Arizona limited liability company ("Aspen South"), subsequently entered into that certain First Amendment to Development Incentive Agreement (Aspen Place at the Sawmill) dated as of February 22, 2010, and recorded on February 25, 2010 as Instrument No. 3554385, Official Records of Coconino County, Arizona (the "First Amendment").

C. The City, Sawmill NF, L.L.C., an Arizona limited liability company ("Sawmill NF") and Aspen North subsequently entered into that certain Second Amendment to Development Incentive Agreement (Aspen Place at the Sawmill) dated as of August 11, 2010, and recorded on August 11, 2010, as Instrument No. 3570206, Official Records of Coconino County, Arizona (the "Second Amendment").

D. The Second Amendment provided that the City would take all reasonable steps to divide Assessment Parcel 2.01 into the New Northern Assessment Parcels. The City subsequently approved the Petition for Modification which was recorded in the Official Records of Coconino County on October 25, 2010 as Instrument No. 3577783 which divided Assessment Parcel 2.01 into the New Northern Assessment Parcels.

E. Section 31 of the Development Incentive Agreement provides that any subsequent amendments to the Development Incentive Agreement need only be executed by the City and the Landowner or Landowners who are affected or impacted, or whose parcels are affected or impacted, by such amendment.

F. On October 22, 2013, Aspen Place sold and conveyed fee simple title of the Alliance Commercial Parcel to Alliance, and the ID Bonds associated with the Alliance Commercial Parcel were paid in full.

G. The parties desire to enter into this Third Amendment to provide for the efficient future development of the Commercial Parcels and to clarify the rights and obligations of the parties as to the Commercial Parcels only.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby further modify and amend the Development Incentive Agreement, the First Amendment, and the Second Amendment as follows:

AGREEMENT

1. Definitions. All initial capitalized terms used in this Third Amendment shall have the meanings ascribed thereto in the Development Incentive Agreement, the First Amendment, and the Second Amendment, unless otherwise specifically defined herein. All references in the Development Incentive Agreement to "this Agreement" shall, from and after the date hereof, be deemed to mean and refer to the Development Incentive Agreement as modified and amended by the First Amendment, the Second Amendment, and this Third Amendment.

2. Release of Cross-Default; Cross-Collateralization Upon Payoff. For the avoidance of doubt, the parties acknowledge and agree that once the ID Bond Assessments are paid in full for a New Northern Assessment Parcel, said parcel shall automatically be released from the requirements of Section 3 of the Second Amendment and the City hereby authorizes the City Manager to execute and record such reasonable documentation to evidence that said parcel is no longer subject to the ID Bond Assessments, including without limitation a termination of that certain Improvement District Development and Waiver Agreement dated June 1, 2007. The ID Bond Assessments for the Alliance Commercial Parcel have been paid in full and as such the Alliance Commercial Parcel is released from the cross-default and cross-collateralization requirements imposed by Section 3 of the Second Amendment.

3. Release of Cross-Default; Cross-Collateralization of Financed Parcel. The parties acknowledge and agree that Lots 121, 122 and 123 of the New Northern Assessment Parcels, (i) have received development and construction financing from an unrelated third-party lender, such financing having been secured by first-lien deeds of trust on such Lots, and have been issued building permits with respect to the construction of vertical or tenant improvements. The owner of each Lot has also deposited with the City ID Bond Assurances sufficient in amount to pay the ID Bond Assessments allocable to each Lot. As such, the owner or owners of Lots 121, 122 and 123 are released from the cross-default

and cross-collateralization requirements imposed by Section 3 of the Second Amendment by virtue of their qualification under Section 3(b) of said Amendment.

4. Covenant Regarding Common Ownership of Lots 122, 123, 125 and 126. Section 4 of the Second Amendment is hereby deleted in its entirety.

5. Sales Tax Rebate. Section 4(b) of the Development Incentive Agreement requires that 80% of the retail improvements within the Project be substantially complete as of the tenth (10th) anniversary of the date of the Agreement. As of the date of this Amendment, a certificate of completion has been issued for twenty four thousand eighty nine (24,089) sq. ft. of retail improvements within Lot 124, which is a part of the Project but not a part of the Commercial Parcels. Certificates of completion have also been issued for forty three thousand eight hundred (43,800) sq. ft. of retail improvements within Lots 122 and 123, which are a part of the Project and also part of the Commercial Parcels. Based on the foregoing and to provide clarity to the Landowner of the Commercial Parcels as to the amount of additional retail improvements required to be constructed on the Commercial Parcels in order to be deemed “substantially complete” under Section 4(b) of the Agreement, the parties agree upon issuance of a certificate of completion for a total of thirty six thousand two hundred (36,200) square feet of additional retail improvements within the Commercial Parcels, the Project will be deemed “substantially complete”.

6. Modifications to Section 4(ii) of Development Incentive Agreement. As to the Commercial Parcels, Section 4(ii) of the Development Incentive Agreement is hereby amended and restated in its entirety to read as follows:

"The Sales Tax Rebate provided by the City to the Landowner pursuant to this Agreement may be assigned by the Landowner to any other party, including any successor owner of the Property or any portion thereof, without the City's approval."

7. No Further Modifications; Ratification. Except as specifically modified or amended pursuant to the terms of this Third Amendment, the terms and conditions of the Development Incentive Agreement, the First Amendment and the Second Amendment are hereby ratified and affirmed by the parties hereto and shall remain in full force and effect. In addition, the terms and conditions of the Waiver Agreement are hereby ratified and affirmed by the parties hereto and shall remain in full force and effect, unaffected by this Third Amendment.

8. Counterparts. This Third Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

9. Effective Date. This Third Amendment shall become effective upon the mutual execution of this Third Amendment by the parties hereto and the recordation of this Third Amendment in the Official Records of Coconino County, Arizona.

"Alliance"

ALLIANCE BANK OF ARIZONA, A DIVISION OF WESTERN ALLIANCE BANK, an Arizona corporation

By: _____
Name: _____
Its: _____

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On this ____ day of _____, 2013, before me, the undersigned officer, personally appeared _____, who acknowledged himself to be the _____ of ALLIANCE BANK OF ARIZONA, A DIVISION OF WESTERN ALLIANCE BANK:

_____ whom I know personally;
_____ whose identity was proven to me on the oath of _____, a credible witness by me duly sworn;
_____ whose identity I verified on the basis of his _____,

and he, in such capacity, being authorized so to do, executed the foregoing instrument for the purposes therein contained on behalf of that entity.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY SEAL:

Notary Public

EXHIBIT "A"

Aspen Commercial Parcels

Lots 119, 120, 121, 122, 123, 125, 126, 127, 128, 129, 130 and 131 of Aspen Place at the Sawmill, according to plat recorded May 14, 2007 at Instrument Number 3438431, and Amendment recorded December 21, 2010 at Instrument No. 3583171, records of Coconino County, Arizona;

Except all oil, gas and other minerals as granted in Deed recorded in Docket 164, page 405, records of Coconino County, Arizona.

EXHIBIT "B"

Alliance Commercial Parcel

Lot 118, Aspen Place at the Sawmill, according to plat recorded May 14, 2007 at Instrument Number 3438431, and Amendment recorded December 21, 2010 at Instrument No. 3583171, records of Coconino County, Arizona;

EXCEPT all oil, gas and other minerals, as granted in Deed recorded in Docket 164, Page 405, records of Coconino County, Arizona; and

EXCEPT that portion of the Northwest Quarter of Section 22, Township 21 North, Range 7 East, Gila and Salt River Base and Meridian, Coconino County, Arizona:

That portion of Lot 118, Amended Final Subdivision Plat for Aspen Place at the Sawmill, Instrument 3583171, dated December 21, 2010, Coconino County Records, lying northerly of the following described line:

Commencing at the northernmost northeast corner of said Lot 118, from whence the southernmost northeast corner of said Lot 118 lies South 46°27'22" East a distance of 35.17 feet along the northeasterly line of said Lot 118, per said Instrument 3583171;

Thence along said northeasterly line, and the westerly Right of Way line of Windsor Lane, South 46°27'22" East a distance of 4.22 feet to a line parallel with and 3.00 feet southerly of the northerly line of said Lot 118, and the Point of Beginning of the line;

Thence leaving said northeasterly line along said parallel line the following courses:

South 88°14'47" West a distance of 60.81 feet; and

South 88°57'22" West a distance of 68.72 feet;

Thence leaving said parallel line, North 66°01'02" West a distance of 7.09 feet to said northerly line, and the Terminus of the line.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Neil Gullickson, Planning Development Manager
Date: 10/15/2013
Meeting Date: 11/19/2013



TITLE:

Consideration and Adoption of Resolution No. 2013-29: A resolution approving a Pre-Annexation Agreement between the Grand Canyon Trust and the City of Flagstaff, Arizona, opening the opportunity for a connection to the City sewer system.

RECOMMENDED ACTION:

- 1) Read Resolution No. 2013-29 by title only
- 2) City Clerk reads Resolution No. 2013-29 by title only (if approved above)
- 3) Adopt Resolution No. 2013-29

Policy Decision or Reason for Action:

State law allows cities to enter into pre-annexation agreements by resolution. The proposed Pre-Annexation Agreement governs the terms and conditions of the annexation, zoning and development of the subject property.

Financial Impact:

No impacts are anticipated.

Connection to Council Goal:

1. Retain, expand, and diversify economic base
2. Effective governance

Has There Been Previous Council Decision on This:

None for this application. The Council at their September 7, 2010 meeting approved Resolution No. 2010-55 approving a pre-annexation agreement between Plateau Partners Group and the City. This agreement allowed sewer connection to the site that was once Northland Publishing located across Fort Valley Road from the Grand Canyon Trust Property. (This pre-annexation will also allow the Trust to connect to the City's sewer system.)

Options and Alternatives:

The City Council may approve, deny, or modify the agreement as necessary to ensure that the development meets the objectives of the Regional Land Use Plan and the City's development goals.

Background/History:

The Grand Canyon Trust's facility is located at 2601 North Fort Valley Road, just outside of the City's corporate boundary and within the regulatory jurisdiction of Coconino County (see attached map). Currently two structures are located on the site, including a recently constructed building which is used for their volunteer program. This building includes a kitchen for the preparation of food for field trips. The trust has signed an agreement with Coconino County which prohibits the installation of sinks in the new kitchen until additional sewer capacity is demonstrated.

The attached letter from the applicant indicates the Trust's desire to hook into the City's sewer system and abandon the use of the septic system.

The City's Water Commission reviewed and unanimously approved a recommendation by City staff that this property be allowed to connect to the existing sewer main located in Fort Valley Road and that the approval is contingent upon the approval of a pre-annexation agreement.

The site is located adjacent to Fort Valley Road; under Fort Valley Road the City owns and maintains an 8-inch sewer main. This portion of Fort Valley Road is currently owned and maintained by ADOT. Previous to this time, ADOT has been reluctant to allow cutting of the pavement and trenching within their ROW. ADOT has scheduled, for next spring, a pavement preservation and overlay for this section of Fort Valley Road. ADOT has indicated to City staff that if sewer taps are needed, the physical construction (pavement cuts and trenching) must take place before it begins its maintenance program.

Late in 2012, City staff received a conceptual annexation application that included this and several other properties adjacent to the Trust property. As part of the review, it was discovered that all but one critical property owner was willing to participate in the annexation. Staff understands that the recent death of the property owner has left the estate in a "make no change" position. As such, that application has not moved forward though staff understands that the other property owners continue to be interested in annexation if/when annexation can be supported.

Key Considerations:

The existing development requires sewer services to be provided by the City. City policy is to require annexation before providing services. In cases where annexation is not practical at this time, a pre-annexation agreement is recommended. The site is currently served by City water and has been for a number of years. With the Pre-Annexation Agreement, the City agrees to provide sewer services to the property prior to the property's annexation into the City. When it becomes legally permissible, the City will take such action as is necessary to annex the property. The proposed agreement also requires the owner to abandon the existing septic system after connection to the City's sewer system.

Community Benefits and Considerations:

Connection to the City's sewer system will mitigate any impacts the existing or an expanded septic system might have on the Rio de Flag.

Community Involvement:

None. A pre-annexation agreement does not require public or neighborhood notification.

Attachments: [Res. 2013-29](#)
 [Pre-Anx Agreement](#)
 [WC Minutes 10-17-2013](#)
 [GCT Letter](#)
 [Location map](#)

Inbox	Reviewed By	Date
Current Planning Manager	Mark Sawyers	10/29/2013 11:26 AM
Utilities Director	Brad Hill	11/04/2013 11:23 AM
Planning Director	Jim Cronk	11/07/2013 11:20 AM
Legal Assistant	Vicki Baker	11/07/2013 12:29 PM
Senior Assistant City Attorney JS	Vicki Baker	11/07/2013 12:29 PM
Community Development Director	Mark Landsiedel	11/07/2013 06:04 PM
DCM - Jerene Watson	Jerene Watson	11/08/2013 03:45 AM
Form Started By: Neil Gullickson		Started On: 10/15/2013 01:31 PM
Final Approval Date: 11/08/2013		

RESOLUTION NO. 2013-29

**A RESOLUTION OF THE CITY OF FLAGSTAFF, ARIZONA APPROVING A
PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF FLAGSTAFF
AND THE GRAND CANYON TRUST**

RECITALS:

WHEREAS, the Grand Canyon Trust, an Arizona non-profit corporation ("Owner"), owns approximately 1.15 acres of real property at 2601 North Fort Valley Road in Coconino County, Arizona, legally described and depicted in Exhibit "A", attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, although Owner desires to annex the Property into the City of Flagstaff, annexation is not legally permissible at this time as the Property, though it adjoins the existing boundary of the City, does not meet the dimensional prerequisites for annexation found in A.R.S. § 9-471(H); and

WHEREAS, Owner and the City of Flagstaff wish to enter into a Pre-Annexation Agreement, a copy of which is attached to the Staff Summary Report submitted in support of this Resolution, in order to facilitate the eventual annexation of the Property and to address issues related to the Property's future development within the City's municipal boundaries; and

WHEREAS, A.R.S. § 9-500.05 authorizes municipalities to enter into development agreements for the purpose of addressing issues related to annexation.

ENACTMENTS:

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

SECTION 1. The Pre-Annexation Agreement proposed by City staff and the Owner and submitted as an attachment to the Staff Summary Report for the Council meeting of November 19, 2013, is hereby approved, and the Mayor is authorized and directed to execute the Agreement on behalf of the City of Flagstaff.

SECTION 2. That City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions, and intents of this Resolution, including, but not limited to, the recording of any necessary documents in the Office of the Coconino County Recorder .

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT A

Legal Description for APN 111-01-012C Grand Canyon Trust

Sixteenth: SE Quarter: SW Section: 04 Township: 21N Range: 07E BEG S4 COR SEC 4; TH N 89-57-47 E 36.08'; TH N 32-35-30 W 611.76' TO TPOB; TH N 32-35-30 W 179'; TH S 59-01-12 W 279.86'; TH S 32-35-30 E 179'; TH N 59-01-12 E 279.86' TO TPOB LESS THE FOLLOWING DESC TRACT; COMMENCING AT SE COR SEC 4 21N-07E; TH ALNG S LINE OF SEC 4, S 89-54-33 W 2644.36' TO EXISTING R/W CENTERLINE OF US 180; TH ALNG R/W CENTERLINE N 32-38-45 W 632.02'; TH ALNG SAID R/W CENTERLINE ALNG A CURVE RIGHT 146.01'; TH S 59-32-39 W 33' TO EXISTING WLY R/W OF US 180 AND THE POB; TH S 59-32-39 W 7'; TH N 29.34.19 W 32.39' TO NLY LINE OF ABOVE DESC PROP; TH ALNG NLY PROP LINE N 58-57-57 E 6.64' TO SAID EXISTING WLY R/W LINE; TH ALNG EXISTING WLY R/W ALNG CURVE LEFT 32.46' TO POB.

**PRE-ANNEXATION AGREEMENT
BETWEEN THE CITY OF FLAGSTAFF AND THE GRAND CANYON TRUST**

This Pre-Annexation Agreement (the "Agreement") is made and entered into this _____ day of _____, 2013 by and between the City of Flagstaff, an Arizona municipal corporation (the "City") and the Grand Canyon Trust, an Arizona non-profit corporation, with its principal office located at 2601 North Fort Valley Road, Flagstaff, Arizona 86001 (the "Owner") (collectively "Parties").

RECITALS

- A. The Owner owns certain parcels of real property depicted and legally described in **Exhibit A** attached hereto. For purposes of this Agreement, the parcel described in this exhibit is referred to as the "Property."
- B. The Property is currently located in an unincorporated area of Coconino County, Arizona. Although the Parties desire to annex the property into the City, annexation is not currently legally permissible because the Property, though it adjoins the existing boundary of the City, does not meet the dimensional prerequisites for annexation found in A.R.S. § 9-471(H). The Owner acknowledges and understands that other properties adjacent to the Property may be added to future annexation proposals in order to meet the dimensional prerequisites necessary for annexation of the Property.
- C. The City has determined that entering into this Agreement will be in the best interests of the City and the public; will be a proper and legal exercise of City power; will promote orderly development of the Property and the surrounding area; and will promote the health, safety, welfare and economic development of the community in general.
- D. The Owner believes that annexation of the Property into the City, and development of the Property pursuant to the terms of this Agreement, will result in significant benefits to the Property, increase certainty concerning the City's regulatory treatment of the Property, and provide assurances regarding infrastructure affecting the Property.
- E. Pursuant to Flagstaff City Code §§ 2-04-001-0008 through 2-04-001-0009, the Owner has applied for out-of-City sewer service for the Property. The City's Water Commission has recommended the City grant this extension subject to the condition that the Owner agrees to the annexation of the Property.

- F. A.R.S. § 9-500.05 authorizes the City to enter into a development agreement with the Owner for the purpose of establishing the conditions, terms, restrictions and requirements for annexation of the Property by the City and other matters relating to the future development of the Property.
- G. The Owner's proposed development of the Property is in conformity with the City's Regional Land Use and Transportation Plan as of the date of this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing premises and agreements herein, the Parties hereto state, confirm and agree as follows:

1. Incorporation of Recitals and Exhibit. The foregoing recitals and exhibit are incorporated into this Agreement by this reference.
2. Annexation of Property. Owner hereby consents to the annexation of the Property into the City pursuant to A.R.S. § 9-471 *et seq.* When it becomes legally permissible for the City to annex the Property, the Owner will a) apply for annexation which includes executing and filing with the City an annexation petition as required by A.R.S. § 9-471 *et seq.* to initiate annexation, and b) sign any lawful annexation petition or other annexation document for the purpose of annexing the Property into the City of Flagstaff. The City will then hold such hearings and take such action as is necessary pursuant to A.R.S. § 9-471 *et seq.* to annex the property. Any successor(s) to Owner shall execute, file or sign any similar petitions or documents necessary to accomplish annexation of the Property.
3. Applicable Zoning. Pursuant to A.R.S. § 9-471(L), upon annexation, the City shall adopt a City zoning classification for the Property that permits densities and uses no greater than those permitted by Coconino County immediately before annexation.
4. Water and Sewer. The City agrees to provide sewer services to the Property, in accordance with the provisions of this Agreement and all applicable City, County and State requirements, prior to the Property's annexation into the City. The sewer shall be designated and extended by Owner at Owner's expense and in accordance with the City of Flagstaff Engineering Design and Construction Standards. The City, County and State shall provide joint review and approval of the construction plans and permits. The City

and County shall review and approve the development plans and permits and inspect the off-site sewer service installation(s).

5. Abandonment of Existing Septic System. The Owner agrees to properly abandon and decommission the Property's existing septic system facilities. Within ninety (90) days after connection to the City of Flagstaff sewer system, the Owner shall notify and submit a closure plan to the Arizona Department of Environmental Quality for approval. The closure plan shall meet the requirements, provisions and conditions contained in the Arizona Administrative Code and the existing City of Flagstaff Engineering Design and Construction Standards. All costs associated with the closing and proper decommissioning of the Property's septic system shall be the sole responsibility of the Owner. Within sixty (60) days of the closure plan being approved by the Arizona Department of Environmental Quality the Owner shall decommission and close the Property's septic system. The Owner agrees to provide the City's Utilities Department with written notice that a closure plan has been fully implemented within thirty (30) calendar days of completion.
6. Sewer Connection and Capacity Fees. Owner agrees that upon the extension of sewer services to the Property, Owner shall pay all fees required by the Flagstaff City Code as a condition for connection to the City's sewer collection system.
7. City Standards. The Owner agrees that if it develops the Property prior to annexation, it shall develop in general accordance with City development standards, and that it shall develop in specific compliance with City standards related to a) police and fire access and on-site needs, b) City design review standards, and c) City landscaping standards. Owner agrees to cooperate with the City to provide review by City staff during any development efforts through the County prior to annexation.
8. Waiver of Proposition 207 Rights. The Parties agree that the Property is subject to the provisions of Proposition 207, as adopted by the voters of the State of Arizona at the November 7, 2006, General Election, which is codified at A.R.S. § 12-1131, *et seq.* ("Proposition 207"). The Owner acknowledges that the Owner and the City are empowered to agree to a waiver of the terms and requirements of Proposition 207, in particular those items codified at A.R.S. § 12-1134, pursuant to A.R.S. § 12-1134(I). The Owner on behalf of itself and all other parties having an interest in the Property acknowledge and knowingly waives the provisions of Proposition 207, in particular A.R.S. §

12-1134, in connection with the future annexation of the Property as well as for any claim for diminution in value as a result of any subsequent rezoning of the Property by the City.

9. Negotiated Effort. The Parties agree that this Agreement represents the negotiated joint efforts of the Parties. In the event of a court of competent jurisdiction finds ambiguity, this Agreement shall not be construed against either Party in favor of a non-drafting Party.
10. Authority. All persons executing this document for the City and the Owner have all necessary and legal authority to enter into this Agreement for their respective corporations and the individual(s) executing this Agreement on behalf of their respective Parties are authorized and empowered to bind the party on whose behalf such individual is signing.
11. Successors and Assigns. The burdens and benefits of this Agreement will run with the land and be binding and inure to the benefit of the parties hereto and their respective successor and assigns. Upon the transfer of any portion of the Property, the transferring party will be released from any liability arising after the transfer with respect to the portion of the Property transferred.
12. Jurisdiction. The laws of the State of Arizona shall govern this Agreement and, in the even of a dispute, venue shall be in Coconino County, Arizona.
13. Attorney's Fees. If legal action by either Party is brought because of a breach of this Agreement or to enforce a provision of this Agreement, the prevailing Party is entitled to reasonable attorneys' fees and court costs.
14. Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled, in whole or in part and with respect to all or any portion of the Property, with the mutual written consent of the Parties hereto. Within ten (10) days after any such amendment or cancellation of this Agreement, the City will record such amendment or cancellation in the Official Records of Coconino County, Arizona.
15. Notice.
 - 15.1 Manner of Service. All notices, filing, consents, approvals or other communications provided for herein or given in connection herewith ("Notices") will be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered

or certified United States postal Service Mail, return receipt requested, postage prepaid to:

If to the City: City of Flagstaff
 Attn: City Manager
 211 West Aspen Avenue
 Flagstaff, Arizona 86001

With a copy to: Flagstaff City Attorney's Office
 211 West Aspen Avenue
 Flagstaff, Arizona 86001

If to the Owner: The Grand Canyon Trust
 2601 North Fort Valley Road
 Flagstaff, Arizona 86001

With a copy to: Darcy R. Allen
 Statutory Agent
 3055 W. Brenda Loop
 Flagstaff, Arizona 86001

or to such other addresses as either Party may from time to time designate in writing and deliver in like manner. Any such change of address Notice will be given at least ten (10) days before the date on which the change is to become effective.

15.2 Mailing Effective. Notice given by mail must be certified and will be deemed delivered seventy-two (72) hours following deposit in the U.S. Postal Service, in the manner set forth herein, or the next business day if sent by overnight delivery or courier.

16. Counterparts. This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.
17. Headings. The description headings of the paragraphs of this Agreement are inserted for convenience only and will not control or affect the meaning or construction of any of the provisions of this Agreement.
18. Entire Agreement. This Agreement constitutes the entire agreement between the Parties and will not be changed or added to except in the manner provided in Section 13. All prior and contemporaneous agreements, representations and understandings of the Parties, oral or written, other than specifically incorporated herein by reference, are superseded by this Agreement. All prior and contemporaneous agreements, representation and understandings or the City with any other parties, oral or written, other than

specifically incorporated herein by reference, regarding any portion of or all of the Property, are superseded by this Agreement.

19. Recordation. No later than ten (10) days after the City and the Owner have executed this Agreement, it will be recorded in its entirety by the City in the Official Records of Coconino County, Arizona.
20. Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable all other provisions hereof.
21. Cancellation. This Agreement is subject to cancellation for conflict of interest without penalty or further obligation as provided by A.R.S. § 38-511.
22. Term. This Agreement shall be effective upon its recordation and shall automatically terminate upon the effective date of the City Ordinance annexing the Property, provided, however, the City shall not discontinue applicable municipal services to the Property, once commenced, except as permitted by applicable law.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective as provided herein:

City of Flagstaff, an Arizona
Municipal Corporation

By: _____
Gerald W. Nabours, Mayor

Date: _____

Attested by:

By: _____
City Clerk

Date: _____

Approved As to Form:

By: _____
City Attorney

Date: _____

OWNER:

The Grand Canyon Trust, an
Arizona non-profit corporation.

By:

By: _____

Name:

Title:

Date: _____

STATE OF ARIZONA)
) ss.
County of Coconino)

Subscribed and sworn to before me this _____ day of
_____, 201__, by _____, the
_____ of Plateau Partner Group, an Arizona general
partnership.

Notary Public

My Commission Expires

EXHIBIT A

Legal Description for APN 111-01-012C Grand Canyon Trust

**Sixteenth: SE Quarter: SW Section: 04 Township: 21N Range: 07E BEG S4 COR SEC 4;
TH N 89-57-47 E 36.08'; TH N 32-35-30 W 611.76' TO TPOB; TH N 32-35-30 W 179';
TH S 59-01-12 W 279.86'; TH S 32-35-30 E 179'; TH N 59-01-12 E 279.86' TO TPOB
LESS THE FOLLOWING DESC TRACT; COMMEN- CING AT SE COR SEC 4 21N-
07E; TH ALNG S LINE OF SEC 4, S 89-54-33 W 2644.36' TO EXISTING R/W
CENTERLINE OF US 180; TH ALNG R/W CENTERLINE N 32-38-45 W 632.02'; TH
ALNG SAID R/W CENTERLINE ALNG A CURVE RIGHT 146.01'; TH S 59-32-39 W
33' TO EXISTING WLY R/W OF US 180 AND THE POB; TH S 59-32-39 W 7'; TH N
29.34.19 W 32.39' TO NLY LINE OF ABOVE DESC PROP; TH ALNG NLY PROP
LINE N 58-57-57 E 6.64' TO SAID EXISTING WLY R/W LINE; TH ALNG
EXISTING WLY R/W ALNG CURVE LEFT 32.46' TO POB.**



WATER COMMISSION
October 17, 2013
SUMMARIZED MINUTES

MEMBERS PRESENT

Brian Ketter
Karin Wadsack
Dick Kersey
Brad Garner
Bob Shinham
John Malin
John Nowakowski
Justin Ramsey

MEMBERS ABSENT

Hanna Cortner
Lindsay Wagner

STAFF PRESENT

Brad Hill
Ryan Roberts
Jim Davis
Neil Gullickson

OTHERS PRESENT

I. CALL TO ORDER

Chair, Brian Ketter called the meeting to order at 4:00 p.m.

II. APPROVAL OF MINUTES – September 19, 2013

Moved by Brian Ketter and seconded by Dick Kersey that the minutes of September 19, 2013 be approved. All approved.

Chair, Brian Ketter announced Commissioner Lindsay Wagner's request for resignation effective October 2013. The Water Commission thanked Lindsay for her years of service serving as a member.

III. PUBLIC PARTICIPATION – None

IV. NEW BUSINESS

A. Out-of-City Sewer Service Request (2601 Fort Valley Rd) – Jim Davis & Neil Gullickson

Mr. Rick Moore, Director of Recreation and Outreach, Grand Canyon Trust is requesting an out of City sewer service connection to service the existing buildings on the property located in a County island at 2601 Fort Valley Rd. The property currently has a septic system that has reached its maximum capacity and they are unable to install kitchen sinks or bathrooms in their new building until connection to the City sanitary sewer has been completed. The property, by itself, meets neither the minimum width nor depth requirement identified for annexation by the ARS. ARS requires minimum 300' adjacent to a city boundary and minimum 200 feet of depth from that line. This site has 279-feet of adjacency and 179-feet of depth.

Staff recommends approval of the request for out of City sewer service contingent on the owner entering into a pre-annexation agreement for the service. The pre annexation agreement shall be attached to the property deed so that it will transfer to future property owners in the event the current owner sells or subdivides the property. The site has been serviced by the City of Flagstaff with a ¾" water meter for well over forty years. In order to add the additional fixtures, a connection to the City's 8" sewer main line at the front of the property in Ft Valley Road is required.

The City Code requires that all water taps or connections made outside the corporate limits of the City shall be 110% of the standard charges, fees and/ or deposits. Before connection to the sewer

service is made, the applicant will pay sewer capacity fees based on the size of the existing water meter.

Moved by John Nowakowski and seconded by Brian Ketter to recommend to Council to approve the Out-Of-City sewer service request as presented. Motion passed.

V. OLD BUSINESS

A. Rate Study Scope of Work – Ryan Roberts

Ryan distributed a written working document and indicated he revised his intent and wants to try to get this prepared for Council. The intent is to get in agreement of the methodologies to lineout the Rate Consultant before they start the study.

City staff has previously discussed the following policies which involve the settings of Utility rates. The associated water policy section is referenced.

- Debt service goal of 20% reference policy# A 1.1
- Fixed costs v. commodity costs; reference policy# A 3.1
- Reclaimed water rates based on cost of service; reference policy# A 3.4

Policy Item 1- Which methodology should be used for establishing rates for out-of-City customers; rates for load-out customers

Current Methodology:

We currently use the Cost of service (COS) process for all customer classes including load out customers and then add 10% for out-of-City customers. Under this methodology, revenue requirements are allocated to the different user classes proportionate to their use of the water system. Allocations are based on average day (base), maximum day peak (Max Day) usage, maximum hour peak (Max Hour) usage, meters and services, billing and collection, and fire protection. Use of this methodology results in an AWWA accepted cost distribution amongst customer classes and a means of calculating and designing rates to proportionately recover those costs.

Proposed Methodology:

An alternative methodology used for establishing rates to out-of-city customers is the "Utility basis method". This method of calculation is commonly used by investor-owned or privately held utilities because it features a rate-of-return on invested capital component as part of the revenue requirement calculation. This rate-of-return component is used to compensate the utility's owners for the rate base assets they invested in to provide service. In many circumstances, the utility basis method is also used by publicly-owned municipal utilities investing in rate base assets to provide service to customers in adjoining outside city jurisdictions. Conceptually, inside city customers are viewed as the owners of; or investors in, the municipal utility providing service to outside city customers. Thus, the rate-of-return on invested capital component of the municipal utility's outside city revenue requirement allows inside city customers to be compensated for the rate base assets they invested in to provide outside city service.

The utility basis method used by City of Flagstaff recognizes inside city customers as owners of The Utility system who deserve a return on the investment they have made in the assets used to finance outside city service. Additionally, inside city customers must also be compensated for the annual loss in value (as measured by depreciation) of this rate base. The use of this methodology is also AWWA accepted.

GRAND CANYON TRUST

Mr. Neil Gullikson
Planning Development Manager
Community Development
211 W. Aspen Ave.
Flagstaff AZ 86001

Dear Mr. Gullikson:

I am writing on behalf of the Grand Canyon Trust, a regional conservation non-profit organization located at 2601 North Fort Valley Road. The purpose of this letter is to inform you that the Trust, located on county land within the Flagstaff city limits, is interested in beginning the process to sign a pre-annexation agreement with the city.

Currently, the Trust uses a septic system for waste disposal. However, our building is located near the Rio de Flag and we have long believed that being on city sewer makes sense for both the Trust and the city. In addition, we have recently constructed a new building for our volunteer program that has a kitchen for preparing food (no cooking) for field trips. We have signed an agreement with the county to not install the sinks in the new kitchen until we have secured additional sewer capacity. We believe that the potential environmental benefits of hooking into the city sewer are significant.

Simply put, we are proposing that the Trust sign a pre-annexation agreement with the city that allows us to install a service line from our property to the sewer line located in front of our property under US Highway 180. Mogollon Engineering is working with the city utilities division and the Arizona Department of Transportation to design the sewer service.

I'd appreciate any guidance and assistance that you can provide to move this effort forward.

Sincerely,



Rick Moore

Grand Canyon Trust

928-774-7488

rmoore@grandcanyontrust.org

CITY OF FLAGSTAFF
STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Kimberly Sharp, AICP, Comprehensive Planning Manager
Co-Submitter: Jim Cronk, Planning Director
Date: 11/07/2013
Meeting Date: 11/19/2013



TITLE

Regional Plan: Council Policy 'Parking Lot' Pending Discussion Items

RECOMMENDED ACTION:

City Council will review the compiled Regional Plan Policy 'Parking Lot' and discuss process for pulling items from the parking lot into Council discussion, debate and direction at the December 6, 2013 Council Regional Plan retreat and other Council meetings as necessary.

Council will also take public comments, Planning and Zoning Commission recommendations and County Board of Supervisor recommendations into consideration during the Regional Plan parking lot discussions.

INFORMATION

City Council has reviewed the Flagstaff Regional Plan 2030: Place Matters document one chapter at a time, allowing for public comment, Council questions to staff, and for Council to place items of concerns on a policy 'parking lot'. The chapters reviewed have been:

- September 3 - Introduction
- September 10 - Environmental Planning, Conservation and Open Space
- September 17 - Water Resources
- September 24 - Energy
- October 1 - Community Character
- October 8 - Public Facilities, Buildings, Services and Safety; Recreation
- October 15 - Transportation
- October 29 - Neighborhoods, Housing and Urban Conservation; Land Use
- November 5 - Amendment Table and Annual Report

The Council policy 'parking lot' has grown over the weeks to include all items placed on it by the Mayor, Vice-Mayor or Council members. *Please note the attached Parking Lot with attached public letters recieved the week of November 5.* On October 23, 2013, the City Planning and Zoning Commission unanimously passed adopting the **Flagstaff Regional Plan** with noted Planning and Zoning Commission suggested edits. *Please also note attached City Planning and Zoning Commission recommendations for edits to the **Flagstaff Regional Plan 2030: Place Matters.***

Further discussion on process to follow.

Attachments:

Form Review

Inbox	Reviewed By	Date
Legal Assistant	Vicki Baker	11/07/2013 03:17 PM
City Attorney	Michelle D'Andrea	11/08/2013 09:22 AM
Community Development Director	Mark Landsiedel	11/08/2013 09:28 AM
DCM - Jerene Watson	Jerene Watson	11/08/2013 10:31 AM
Form Started By: Kimberly Sharp, AICP		Started On: 11/07/2013 02:08 PM
Final Approval Date: 11/08/2013		