

EXHIBIT A

LEGAL DESCRIPTIONS OF THREE PARCELS FOR "THE TRAX" PROJECT

Consists of:

EXHIBIT "A": Written Description of Parcels

EXHIBIT 'B-1': Map/Survey of Parcel A, APN #107-13-010 (part)

EXHIBIT 'B-2': Map/Survey of Parcel A, APN #107-13-010 (part)

EXHIBIT 'B-3': Map/Survey of Parcel B, APN #107-13-009

EXHIBIT 'B-4': Map/Survey of Parcel D, APN #107-13-011

“EXHIBIT A”

LEGAL DESCRIPTION

There are three parcels for The Trax project (collectively referred to herein as the “Property”):

1. Parcel 107-13-010 (Shown on the Concept Plan as Areas A & C)
2. Parcel 107-13-009 (Shown on the Concept Plan as Area B)
3. Parcel 107-13-011 (Shown on the Concept Plan as Area D)

PARCELS A, B AND D AS SET FORTH ON COF CONSOLIDATION MAP RECORDED IN 2006-3396857, OFFICIAL RECORDS OF COCONINO COUNTY ARIZONA AND MORE PARTICULARLY DESCRIBED BELOW; AND EXCEPT FROM SAID PARCELS ALL MINERALS CONTAINED THEREIN INCLUDING, WITHOUT LIMITING THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS AS RESERVED BY THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, A DELAWARE CORPORATION IN DEED RECORDED IN DOCKET 1442, PAGE 754.

PARCEL A

THE FOLLOWING DESCRIBES A PARCEL OF LAND, PORTIONS OF THE EXISTING BURLINGTON NORTHERN SANTA FE RAILWAY, HUNTINGTON DRIVE AS DESCRIBED IN DOCKET 861, PAGE 914 AND DOCKET 918, PAGE 574; PARCELS A, B, AND C RECORDED IN BOOK 8, PAGE 57; AND THE PARCEL DESCRIBED IN DOCKET 1442, PAGE 754, COCONINO COUNTY RECORDS; LYING IN SECTIONS 13 AND 14, TOWNSHIP 21 NORTH, RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN; FLAGSTAFF, COCONINO COUNTY, ARIZONA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING FOR REFERENCE AT A POINT ON A TANGENT IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ROUTE 66, MONUMENTED BY A FOUND BRASS CAP; THENCE NORTH 71 DEGREES 20 MINUTES 56 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT- OF-WAY LINE, 78.35 FEET TO A POINT OF CURVATURE THEREIN; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND ALONG SAID CURVE, CONCAVE NORTHWESTERLY, WITH RADIUS 2000.00 FEET AND CENTRAL ANGLE 34 DEGREES 02 MINUTES 50 SECONDS, AN ARC LENGTH OF 1188.48 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREES 56 MINUTES 54 SECONDS AN ARC LENGTH OF 68.01 FEET; THENCE NORTH 35 DEGREES 21 MINUTES 12 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT - OF-WAY LINE, 2555.80 FEET; THENCE NORTH 41 DEGREES 08 MINUTES 46 SECONDS EAST 103.31 FEET; THENCE NORTH 36 DEGREES 26 MINUTES 28 SECONDS EAST, 258.30 FEET; THENCE NORTH 44 DEGREES 14 MINUTES 44 SECONDS EAST, 153.19 FEET TO THE BEGINNING OF A NONTANGENT CURVE, TO WHICH POINT A RADIAL LINE BEARS NORTH 50 DEGREES 35 MINUTES 21 SECONDSWEST; THENCE NORTHEASTERLY ALONG SAID CURVE, CONCAVE SOUTHEASTERLY, WITH RADIUS 3745.72 FEET AND CENTRAL ANGLE 04 DEGREES 42 MINUTES 36 SECONDS, AN ARC LENGTH OF 307.92 FEET; THENCE NORTH 76 DEGREES 35 MINUTES 19 SECONDS EAST 37.30 FEET; THENCE SOUTH 40 DEGREES 09 MINUTES 12 SECONDS EAST, PARALLELWITH AND 74 FEET SOUTHWESTERLY FROM THE NEW FOURTH STREET CENTERLINE SHOWN THEREON , 136.09 FEET; THENCE SOUTH 45 DEGREES 52 MINUTES 40 SECONDS EAST 77.10 FEET; THENCE SOUTH 47 DEGREES 28 MINUTES 57 SECONDS EAST 81.84 FEET; THENCE NORTH 45 DEGREES 36 MINUTES 00 SECONDS EAST 3.00 FEET; THENCE SOUTH 42 DEGREES 59 MINUTES 24 SECONDS EAST, PARALLELWITH AND 59 FEET SOUTHWESTERLY FROM SAID NEWFOURTH STREET CENTERLINE, 47.26 FEET TO THE NORTHWESTERLY LINE OF THE NEW RAILWAY SHOWN THEREON;

THENCE SOUTH 41 DEGREES 56 MINUTES 14 SECONDS WEST, ALONG SAID NORTHWESTERLY LINE, 3431.57 FEET TO THE NORTHWESTERLY LINE OF THE EXISTING RAILWAY SHOWN THEREON; THENCE NORTH 52 DEGREES 41 MINUTES 54 SECONDS WEST, RADIAL TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF ROUTE 66, 41.69 FEET TO THE TRUE POINT BEGINNING. THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE LINE BETWEEN THE EAST AND SOUTH QUARTER CORNERS OF SECTION 14, TOWNSHIP 21 NORTH, RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN, WITH BEARING SOUTH 43 DEGREES 20 MINUTES 20 SECONDS WEST PER CITY OF FLAGSTAFF COORDINATE-SYSTEM DATA DATED NOVEMBER 1997.

PARCEL B

THE FOLLOWING DESCRIBES A PARCEL OF LAND, PORTIONS OF THE EXISTING BURLINGTON NORTHERN SANTA FE RAILWAY; INDUSTRIAL DRIVE DESCRIBED IN DOCKET 918, PAGE 574; AND PARCEL 1 DESCRIBED IN DOCKET 1967, PAGE 587, RECORDS OF COCONINO COUNTY, LYING IN THE LOT 2 OF SECTION 13, TOWNSHIP 21 NORTH, RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN; FLAGSTAFF, COCONINO COUNTY, ARIZONA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING FOR REFERENCE AT A POINT OF TANGENCY IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ROUTE 66 NORTHEAST OF FOURTH STREET; THENCE NORTH 56 DEGREES 57 MINUTES 16 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 35.78 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 58 DEGREES 57 MINUTES 16 SECONDS EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE 1154.90 FEET; THENCE SOUTH 33 DEGREES 02 MINUTES 44 SECONDS EAST, PERPENDICULAR TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 39.49 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE EXISTING BURLINGTON NORTHERN SANTA FE RAILWAY AND THE BEGINNING OF A NON-TANGENT CURVE, TO WHICH POINT A RADIAL LINE BEARS NORTH 37 DEGREES 26 MINUTES 34 SECONDS WEST; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF THE NEW RAILWAY SHOWN THEREON AND ALONG SAID CURVE, CONCAVE SOUTHEASTERLY, WITH RADIUS 7718.99 FEET AND CENTRAL ANGLE 10 DEGREES 37 MINUTES 12 SECONDS, AN ARC LENGTH OF 1430.75 FEET; THENCE SOUTH 41 DEGREES 56 MINUTES 14 SECONDS WEST, ALONG SAID NORTHWESTERLY LINE, 205.84 FEET; THENCE SOUTH 48 DEGREES 03 MINUTES 46 SECONDS EAST, ALONG SAID NORTHWESTERLY LINE, 12.00 FEET; THENCE SOUTH 41 DEGREES 56 MINUTES 14 SECONDS WEST, ALONG SAID NORTHWESTERLY LINE, 373.32 FEET; THENCE NORTH 42 DEGREES 59 MINUTES 24 SECONDS WEST, PARALLEL WITH AND 52 FEET EASTERLY FROM THE NEW FOURTH STREET CENTERLINE SHOWN THEREON 53.01 FEET; THENCE NORTH 28 DEGREES 59 MINUTES 56 SECONDS WEST, 60.86 FEET; THENCE NORTH 40 DEGREES 09 MINUTES 12 SECONDS WEST, 223.43 FEET; THENCE NORTH 05 DEGREES 56 MINUTES 36 SECONDS EAST, 37.99 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, TO WHICH POINT A RADIAL LINE BEARS NORTH 42 DEGREES 46 MINUTES 55 SECONDS WEST; THENCE NORTHEASTERLY ALONG SAID CURVE, CONCAVE SOUTHEASTERLY, RADIUS 3750.72 FEET AND CENTRAL ANGLE 02 DEGREES 37 MINUTES 04 SECONDS, AN ARC LENGTH OF 171.37 FEET; THENCE NORTH 31 DEGREES 15 MINUTES 33 SECONDS EAST, 21.79 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, TO WHICH POINT A RADIAL LINE BEARS NORTH 39 DEGREES 50 MINUTES 57 SECONDS WEST; THENCE NORTHEASTERLY ALONG SAID CURVE, CONCAVE SOUTHEASTERLY, WITH RADIUS 3757.72 FEET AND CENTRAL ANGLE 01 DEGREES 47 MINUTES 06 SECONDS, AN ARC LENGTH OF 117.07 FEET; THENCE NORTH 51 DEGREES 55 MINUTES 35 SECONDS EAST, 141.45 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, TO WHICH POINT A RADIAL LINE BEARS NORTH 38 DEGREES 03 MINUTES 52 SECONDS WEST; THENCE NORTHEASTERLY ALONG SAID CURVE, CONCAVE SOUTHEASTERLY, WITH RADIUS 3860.32 FEET AND CENTRAL ANGLE 05 DEGREES 05 MINUTES 23 SECONDS, AN ARC LENGTH OF 342.92 FEET; THENCE NORTH 49 DEGREES 02 MINUTES 29 SECONDS EAST, 29.52 FEET TO THE TRUE POINT OF BEGINNING. THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE LINE BETWEEN THE EAST AND SOUTH QUARTER CORNERS OF SECTION 14, TOWNSHIP 21 NORTH,

RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN, WITH BEARING SOUTH 43 DEGREES 20 MINUTES 20 SECONDS WEST PER CITY OF FLAGSTAFF COORDINATE—SYSTEM DATA DATED NOVEMBER 1997.

PARCEL D

THE FOLLOWING DESCRIBES A PARCEL OF LAND, PORTIONS OF PARCEL 2 DESCRIBED IN DOCKET 1967, PAGE 587 AND OF THE PARCEL DESCRIBED IN INSTRUMENT 2001-3104611, RECORDS OF COCONINO COUNTY, LYING IN THE WEST HALF OF SECTION 13, TOWNSHIP 21 NORTH, RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN; FLAGSTAFF, COCONINO COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL 2 DESCRIBED IN DOCKET 1904, PAGE 288, RECORDS OF COCONINO COUNTY, MONUMENTED BY A FOUND ALUMINUM CAP MARKED "ARENCO LS 13010 LS 18297; THENCE NORTH 00 DEGREES 32 MINUTES 48 SECONDS WEST ALONG THE WESTERLY LINE OF PARCEL 2 DESCRIBED IN SAID DOCKET 1967, PAGE 587, PARALLEL WITH AND 40 FEET EASTERLY FROM THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 13, 0.29 FEET TO AN ANGLE POINT THEREIN; THENCE NORTH 00 DEGREES 33 MINUTES 37 SECONDS WEST, CONTINUING ALONG SAID WESTERLY LINE, PARALLEL WITH AND 40 FEET EASTERLY FROM THE WEST LINE OF THE LOT 2 OF SAID SECTION 13, 66.44 FEET TO THE SOUTHEASTERLY LINE OF THE NEW RAILWAY SHOWN THEREON; THENCE NORTH 41 DEGREES 56 MINUTES 14 SECONDS EAST, ALONG SAID SOUTHEASTERLY LINE, 639.20 FEET; THENCE SOUTH 42 DEGREES 59 MINUTES 24 SECONDS EAST, PARALLEL WITH AND 57 FEET SOUTHWESTERLY FROM THE NEW FOURTH STREET CENTERLINE SHOWN HEREON, 59.42 FEET; THENCE SOUTH 39 DEGREES 10 MINUTES 34 SECONDS EAST 180.40 FEET; THENCE SOUTH 42 DEGREES 59 MINUTES 24 SECONDS EAST, PARALLEL WITH AND 69 FEET SOUTHWESTERLY FROM SAID NEW FOURTH STREET CENTERLINE, 255.07 FEET TO THE BEGINNING OF A 25-FOOT CORNER CUTOFF; THENCE SOUTH 00 DEGREES 30 MINUTES 36 SECONDS WEST, ALONG SAID CORNER CUTOFF, 36.27 FEET TO THE END THEREOF; THENCE SOUTH 44 DEGREES 00 MINUTES 36 SECONDS WEST, PARALLEL WITH AND 40 FEET NORTHWESTERLY FROM THE NEW HUNTINGTON DRIVE CENTERLINE SHOWN THEREON, 586.47 FEET TO THE EAST LINE OF PARCEL 1 DESCRIBED IN SAID DOCKET 1904, PAGE 288; THENCE NORTH 00 DEGREES 32 MINUTES 55 SECONDS WEST ALONG SAID EAST LINE, 136.52 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 1, MONUMENTED BY A FOUND ALUMINUM CAP MARKED "AEC LS 13010 LS 18297; THENCE NORTH 36 DEGREES 08 MINUTES 55 SECONDS WEST, ALONG THE EASTERLY LINE OF PARCEL 2 DESCRIBED IN SAID DOCKET 1904, PAGE 288, 185.56 FEET TO THE NORTHEASTERLY CORNER THEREOF, MONUMENTED BY A FOUND ALUMINUM CAP MARKED "NES LS 14671; THENCE SOUTH 89 DEGREES 51 MINUTES 25 SECONDS WEST, ALONG THE LINE BETWEEN THE SOUTHWEST QUARTER OF SECTION 13 AND LOT 2 THEREOF, AND ALONG THE NORTH LINE OF SAID PARCEL 2, 236.39 FEET TO THE POINT OF BEGINNING.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE LINE BETWEEN THE EAST AND SOUTH QUARTER CORNERS OF SECTION 14, TOWNSHIP 21 NORTH, RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN, WITH BEARING SOUTH 43 DEGREES 20 MINUTES 20 SECONDS WEST PER CITY OF FLAGSTAFF COORDINATE-SYSTEM DATA DATED NOVEMBER 1997.

EXHIBIT B
CONCEPTUAL SITE PLANS

PARKING BREAKDOWN

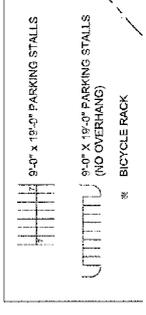
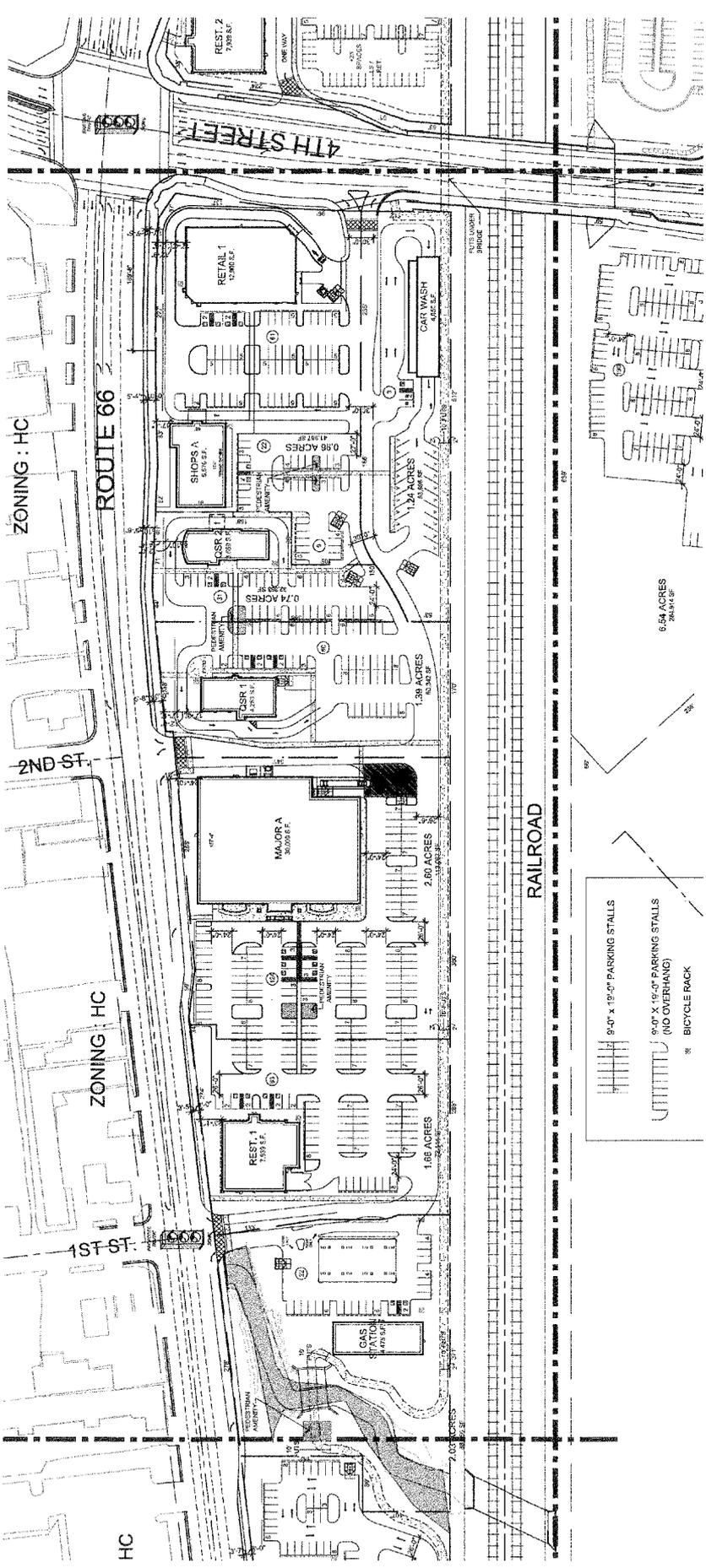
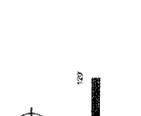
Area: 9' x 18' Accessible Stall: 11 x 20' (HC includes in overall count for each user)

OSR 1: (1700 + 10)	50 spaces required (3 HC) (HC provided: 4 spaces)	Major A: (1200)	110 spaces required (5 HC) 124 spaces provided (HC provided: 6 spaces)	Shops A: (1500)	28 spaces required (2 HC) 31 spaces provided (HC provided: 2 spaces)
Gas Station: (1200)	20 spaces required (1 HC) (HC provided: 2 spaces)	OSR 2: (1700 + 10)	63 spaces required (3 HC) 31 spaces provided (HC provided: 4 spaces)	Retail 1: (1000)	43 spaces required (3 HC) 61 spaces provided (HC provided: 4 spaces)
		Rest 1: (1700 + 20)	100 spaces required (5 HC) 81 spaces provided (HC provided: 4 spaces)	Car Wash (1.5 + Drive Thru)	3 spaces required (1 HC) 3 spaces provided (HC provided: 1 space)

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03.21.14
1086-ST17



Butler Design Group, Inc
architects & planners

THE TRAX

FOURTH STREET / ROUTE 66

PROPOSED REDEVELOPMENT SITE
Flagstaff, Arizona



Development | Services | Investments

PARKING BREAKDOWN

Standard Stalls: 9' x 16' / Accessible Stalls: 11' x 20' (NC includes in overall count for each user)

AREA B

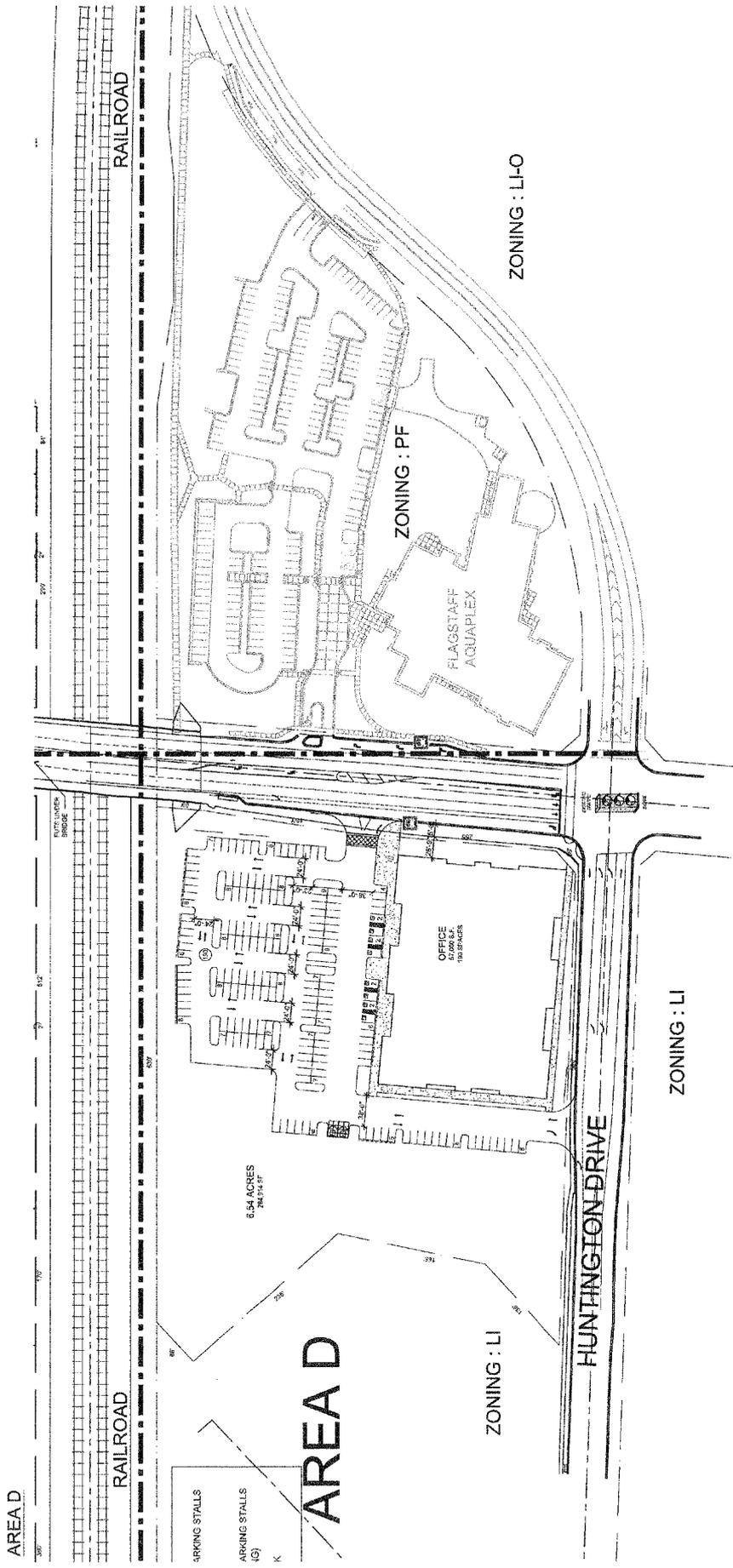
Office (1300) 100 spaces required (7 NC)

100 spaces provided

(NC includes 8 spaces)



SCALE: 1" = 60'



03-21-14
1086-ST17



Butler Design Group, Inc
architects & planners

THE TRAX
FOURTH STREET / ROUTE 66
PROPOSED REDEVELOPMENT SITE
Flagstaff, Arizona



Evergreen
Development Services | Investments

EXHIBIT C

ADOT Memorandum Dated February 8, 2014

MEMORANDUM

TO: Warren Sutphen, Flagstaff District Permits Office

FROM: Walter K. Link, Northern Regional Traffic Office (NRT)

DATE: February 8, 2014

RE: Trax Development, 2nd submittal, received December 16, 2013

Review comments on the 2nd submittal consist of evaluation to responses from the initial review. Only responses from the permittee that require additional comments or follow-up are presented. The following are recommendations to the Flagstaff District Permits Office concerning traffic engineering related concepts.

Item Number 1 (1st St. Signal):

Comment from initial review concerning the traffic signal warrant analysis at First Street/B40:

The traffic signal warrant analysis for the First Street/ Route 66/ Site Driveway needs to be more rigorous and provide some narrative about the decision to signalize. The Department requires explanation and justification to signalize in addition to meeting the numerical criteria. Please consult ADOT PGP 611 for a discussion on estimating or projecting warrants. Also, please provide a diagram of the expected layout of the signalized intersection including roadway geometrics, parking (internal throat distances), driveways, sidewalks, etc. pertinent to the study. The needs study should also include an analysis of and the need for and location of pedestrian signals, pedestrian push-buttons, and marked crosswalks. Access to existing business on the North side of Route 66 should be depicted and impact to their driveways discussed with mitigation.

Permittee response: Conceptual design and additional signal warrant detail will be provided with permit submittal.

NRT Comment: The above review comment stands: it is unwise to wait until a permit submittal to establish whether a traffic signal at First St/B40 will be allowed. Substantial delay will be incurred during the permitting process. If a traffic signal is approved, PGP 614(Review Process of Traffic Signals for Permits) must be followed; this process is also time-consuming.

Item Number 2 (Pedestrian Crossing):

Comment from initial review concerning pedestrian crossing of B40 to access development:

The TIA briefly discusses earlier ADOT concerns over pedestrian crossings of B40 to access the development. This remains a concern and given the distances of 1,200 feet and 1,400 feet between a potential traffic signal at 1st Street and Arrowhead and 4th St. signals respectively, the situation may not wait for an area wide planning effort as the TIA suggests. There is no such planning effort or project underway using public money to address this concern. As the TRAX development is the primary driving mechanism for these likely pedestrian movements the TIA needs to further analyze and either satisfy the Department these crossings are unlikely to occur or provide alternative solutions.

Permittee response: Additional discussion was added to the TIA and is paraphrased here. Medians were investigated and existing pavement width was found to be inadequate for pedestrian refuge. Further, there would be impact to existing driveways on the north side. "Median configuration and access control changes would best be addressed in the context of an area wide planning effort to address improvements to mitigate regional traffic demand" Further, the TIA discusses the distances between existing traffic signals and the proposed 1st St signal would provide approximately 600 feet between signalized crossings. "Since the likely pedestrian paths for potential users of the site will utilize routes that pass by signalized pedestrian crossings, additional pedestrian crossing provisions are not anticipated to be needed"

NRT Comment: The regional traffic engineer remains concerned the development has not made provision to address potential pedestrian crossing issues created expressly by the development. Admittedly, it is difficult to predict pedestrian volumes and crossing paths. The permittee should enter discussion with the City of Flagstaff (COF) regarding bonded provisions for an independent engineering study and pedestrian mitigation construction following the opening of the development and settling of vehicle and pedestrian traffic. After sufficient time, pedestrian volumes, patterns and concerns should be evident. This time could occur up to 12 months after the last parcel is developed. If the study did not develop into a project, any remaining bonded funds would be returned to the permittee. Until such agreement is made, or other analysis and/or mitigation provided, recommendation to approve access permits for the development cannot be provided.

Item Number 3 (Lighting):

Comment from the initial review concerning roadway and pathway lighting levels along the south side of B40 along the development frontage:

Recommend the TIA be modified to provide a stronger position on roadway and pathway lighting than it "should be considered". The Regional Traffic Office recommends an encroachment permit not be issued until a satisfactory study is completed and approved. This study will need to precede construction documents. Although the City of Flagstaff maintains lighting within the ADOT Right-of Way in City Limits via an intergovernmental agreement - the roadway lighting must be designed utilizing the illuminance method with appropriate design values and uniformity ratio selected. ADOT PGP 700 and AASHTO's Roadway Lighting Design Guide would be the primary reference documents.

Permittee response: Additional lighting discussion added. "Due to the increase in activity along the Route 66 frontage of the project and the addition of new access points, lighting levels should be

reviewed along Route 66 to ensure adequate visibility for motorists and pedestrians. It should be implemented according to local standards and practices during the permitting process. A lighting analysis should be provided along with the encroachment permit submittal”

NRT Comment: Although the City of Flagstaff will maintain the roadway lighting after its construction, the lighting design and target values will need to be approved by ADOT. It is recommended this analysis and design approach be completed prior to the permit submittal. Typically, the permit submittal would contain the construction plans for the lighting system; the target values for maintained illuminance and uniformity ratio and related discussions should take place prior to avoid excessive delay in the permitting process.

Item Number 4 (2nd Street):

Comment from the initial review concerning the site access driveway at 2nd Street and Route 66:

Site Driveway at 2nd Street. As above, please provide the Synchro HCM unsignalized capacity analysis report. Independent work suggests both AM and PM peak hour level of service for the NB left is poor. The westbound dedicated left-turn lane described in the report would appear to result in access issues for at least one property on the north side of Route 66. Please discuss and suggest mitigation for both concerns.

Permittee response: The access point is intended to be full-movement. HCM 2010 TWSC worksheets were included.

NRT Comment: Volumes for the SB movements from 2nd St and the EB left from Route 66 were not included in the analysis; however, with and without those volumes the NB left onto WB Route 66 is anticipated to have a Level of Service of F in both the AM and PM peak hours. Typically, an LOS of F for any individual movement for a new site driveway would be cause to eliminate the movement through a raised island. At this location, I would recommend allowing the driveway to be permitted as outlined in the TIA. The low volumes estimated to make this turn coupled with the availability of the proposed traffic signal at 1st St. should allow this driveway to function in an overall acceptable manner. As the encroachment permit is not a static permit, the permittee can be approached at a later time if the NB left movement onto Route 66 creates concerns. A likely mitigation would be the construction of a raised island preventing a left out movement from this driveway.

The TIA recommends a Westbound Left-Turn lane on Route 66 with 240 feet of storage be implemented through striping. After field-reviewing this location, it is recommended a dedicated left-turn lane **not be implemented through re-striping**. Rather, the Two-Way-Center-Turn-Lane (TWCTL) continues to function as it currently is. If the TWCTL is removed and replaced, access into and out of driveways on the north side of Route 66 will be impacted. Although left-turning movements across double-yellow striping are a legal maneuver, driver behavior often does not follow the specifics of law in this case. Additionally, utilizing the TWCTL is consistent with other locations at non-signalized intersections in the area.

Item Number 5 (4th St/Rte 66):

Comment from the initial review concerning 4th St. and Route 66:

Analysis presented for 4th St/Rte 66 in the 2015 Total Traffic Scenario predicts the EB left and the WB left will deteriorate to LOS E and F respectively. Under ADOT Policy 240, mitigation is needed.

Permittee response: Discussion of impact of background traffic growth and lack of mitigation and alternative land use options added.

NRT Comment: The development will cause deterioration in the Level of Service at the Route 66/4th Street intersection. ADOT Policy acknowledges and allows a deterioration in urban areas to an LOS of D. The project will deteriorate all four left turning movements to below LOS D by 2017 when all parcels are complete. The NB left movement from 4th Street onto WB Route 66 in the PM peak hour will deteriorate from an LOS of D (2015 background) to LOS F in 2017 with Total traffic. Other left-turn movements will deteriorate from D to E. Typically, ADOT policy would require mitigation in a manner to not allow further degradation of the approach delay from LOS D or lower. The Route 66/4th St. intersection is currently at a maximum practical configuration by providing dual left-turn lanes in all directions. The ability to prevent individual movements from deteriorating below LOS D cannot be achieved by timing alone and geometric changes are not feasible. Complex interactions between travel patterns and demand use by the public combined with other retail developments in the area constantly changing in location and scope, can mitigate travel patterns in ways hard to predict. It is recommended that adherence to policy at this location be waived as compliance would likely require such fundamental change in the development as to render it infeasible.

Item Number 6 (Main St. – Site Driveway D1/Route 66):

NRT Comment: The TIA recommends a Westbound Left-Turn lane on Route 66 with 200 feet of storage be implemented through striping. After field-reviewing this location, it is recommended a dedicated left-turn lane **not be implemented through re-striping**. Rather, the Two-Way-Center-Turn-Lane (TWCTL) continues to function as it currently is. The same rationale discussed in Item Number 4 above.

Comments prepared by:

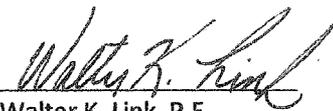
By:  Date: 2-8-14
Walter K. Link, P.E.
Northern Region Traffic Engineer
Arizona Department of Transportation
State of Arizona (Civil), License 25979

EXHIBIT D

Ordinance No. 2014-14

ORDINANCE NO. 2014-14

AN ORDINANCE AMENDING THE FLAGSTAFF ZONING MAP DESIGNATION OF APPROXIMATELY 33.6 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE INTERSECTION OF ROUTE 66 AND FOURTH STREET, FROM LIGHT INDUSTRIAL ("LI") AND LIGHT INDUSTRIAL OPEN ("LI-O"), TO HIGHWAY COMMERCIAL ("HC").

RECITALS:

WHEREAS, the applicant has applied for a Zoning Map amendment of approximately 33.6 acres of real property located within the City of Flagstaff, a legal description of which is designated as **Exhibit "A"**, attached hereto and incorporated by this reference, from "LI," Light Industrial, and "LI-O," Light Industrial Open, to "HC," Highway Commercial, for purposes of developing a commercial retail center with approximately 250,000 square feet of commercial building space; 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 Zoning Map amendment application, following proper notice and hearings, on May 14, 2014 and May 28, 2014, with the result that the Planning and Zoning Commission has recommended approval of the requested Zoning Map amendment 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 April 3, 2014, with the zoning map amendment request.
2. That all terms, conditions and restrictions detailed within "Development Agreement and Waiver between City of Flagstaff and Evergreen-TRAX, L.L.C." are fully satisfied.

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

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

WHEREAS, the Council finds that the proposed Zoning Map amendment with the condition 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 "HC," Highway Commercial.

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 _____, 2014.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY