

AGENDA

CONTINUATION OF REGULAR
COUNCIL MEETING OF JULY 1, 2014
WEDNESDAY
JULY 2, 2014

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

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. **Public Hearing, Consideration and Adoption of Ordinance No. 2014-21:** An ordinance amending the Flagstaff Zoning Map designation of approximately 3.06 acres of real property located at 703 South Blackbird Roost from "MH," Manufactured Housing, to "HC," Highway Commercial. ***(Zoning Map amendment ordinance review for the development known as "The Standard".)*** **CONSIDERATION OF THIS ITEM WILL END AT 9:30 P.M. (IF NECESSARY) AND CONTINUE UNTIL 6:00 P.M. ON WEDNESDAY, JULY 2, 2014**

RECOMMENDED ACTION:

At the July 1, 2014 Council Meeting:

- 1) Hold the Public Hearing
- 2) Read Ordinance No. 2014-21 by title only for the first time
- 3) City Clerk reads Ordinance No. 2014-21 by title only for the first time (if approved above)

At the July 15, 2014 Council Meeting:

- 4) Read Ordinance No. 2014-21 by title only for the final time
- 5) City Clerk reads Ordinance No. 2014-21 by title only for the final time (if approved above)
- 6) Adopt Ordinance No. 2014-21

5. ADJOURNMENTCERTIFICATE 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 _____, 2014.

Elizabeth A. Burke, MMC, City Clerk

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Brian Kulina, Planning Development Manager
Date: 07/02/2014
Meeting Date: 07/02/2014



TITLE:

Public Hearing, Consideration and Adoption of Ordinance No. 2014-21: An ordinance amending the Flagstaff Zoning Map designation of approximately 3.06 acres of real property located at 703 South Blackbird Roost from "MH," Manufactured Housing, to "HC," Highway Commercial. ***(Zoning Map amendment ordinance review for the development known as "The Standard".)***
CONSIDERATION OF THIS ITEM WILL END AT 9:30 P.M. (IF NECESSARY) AND CONTINUE UNTIL 6:00 P.M. ON WEDNESDAY, JULY 2, 2014

RECOMMENDED ACTION:

At the July 1, 2014 Council Meeting:

- 1) Hold the Public Hearing
- 2) Read Ordinance No. 2014-21 by title only for the first time
- 3) City Clerk reads Ordinance No. 2014-21 by title only for the first time (if approved above)

At the July 15, 2014 Council Meeting:

- 4) Read Ordinance No. 2014-21 by title only for the final time
- 5) City Clerk reads Ordinance No. 2014-21 by title only for the final time (if approved above)
- 6) Adopt Ordinance No. 2014-21

Policy Decision or Reason for Action:

The Planning and Zoning Commission conducted a Public Hearing to consider this Zoning Map amendment request at its regular meeting on June 11, 2014. The Planning and Zoning Commission voted (6-0) to continue discussion and action to the next regular meeting scheduled for June 25, 2014. At the June 25, 2014 meeting, the Planning Commission, after receiving additional public comment, voted (6-0) to forward this Zoning Map amendment request to the City Council with a recommendation for denial based on the second required finding of the Zoning Code that the proposed amendment was detrimental to the public interest, health, safety, convenience, or welfare of the City.

Subsidiary Decision Points:

If the first reading of the ordinance is successful, the accompanying Development Agreement will be scheduled for consideration by the City Council on July 15, 2014 prior to the final reading of the ordinance.

Financial Impact:

No financial liabilities are associated with the approval of this Zoning Map amendment.

Connection to Council Goal:

Repair Replace maintain infrastructure (streets & utilities)
Retain, expand, and diversify economic base
Effective governance

Has There Been Previous Council Decision on This:

No previous City Council action or decisions have been made related to this Zoning Map amendment request or the Subject Property.

Options and Alternatives:

- 1) Approve the ordinance with the proposed conditions.
- 2) Approve the ordinance with no condition, additional conditions, or modified conditions.
- 3) Deny the ordinance based on the required findings of Section 10-20.50.040(F)(1)(a) of the Zoning Code.

Background/History:

Landmark Properties, Inc. (the "Developer"), is requesting a Zoning Map amendment to rezone approximately 3.06 acres located at 703 S Blackbird Roost (the "Subject Property") from the Manufactured Housing (MH) zone to the Highway Commercial (HC) zone. This amendment, along with other parcels, would allow the development of a mixed-use multi-family style student housing development consisting of 191-units (650 beds) located within two buildings and including approximately 10,000 square feet of commercial uses and a six-level parking garage. The Subject Property is currently developed as a manufactured home park known as Arrowhead Village. There are no natural resources on-site and all existing slope is manmade from previous development. 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 use north of the Subject Property is predominately light industrial and office development including automotive repair, motorcycle repair, and carpentry services. Land uses to the east of the Subject Property are a mixture of residential and commercial development including two apartment complexes, automotive repair, automotive accessories sales, and motorcycle rentals. Land uses to the south of the Subject Property are comprised of primarily commercial including automotive parts sales and lodging. Land uses to the east of the Subject property is primarily residential with a small amount of commercial including an existing manufactured home park known as Millpond Village Apartments and lodging.

If the proposed Zoning Map amendment request is approved, the next steps in the process will be the filing of an application for Site Plan and Conditional Use Permit review followed by Civil Improvement Plan submittal and Building Plan submittal. A Development Agreement between the City and Landmark Properties has been drafted, a copy of which is attached to this report, to address various impacts on the surrounding neighborhood (i.e. building height, pedestrian crossing of Route 66, traffic calming and landscaping enhancements on Clay Avenue, etc.), affordable housing, project management, and good neighbor responsibilities. The Development Agreement must be approved by the City Council via a resolution prior to the second reading of the Zoning Map amendment ordinance. The proposed development encompasses four separately identified parcels (APN's 103-02-021, 103-02-020, 103-01-003, and 103-01-005E). Only parcel APN 103-02-021 is subject to the proposed Zoning Map amendment; however, all parcels within the proposed development were analyzed for conformance to existing and proposed development standards. As a condition of approval, all parcels must be combined into one parcel prior to building permit submittal.

Key Considerations:

Zoning Map amendments are adopted by the City Council via ordinance when the proposed amendment meets the following findings: the proposed amendment is consistent with and conforms to the goals of the General Plan and any applicable specific plans; the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City of Flagstaff 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.

Community Benefits and Considerations:

Community benefits and considerations related to this Zoning Map amendment are addressed in the attached Planning and Zoning Commission staff report dated June 5, 2014.

Community Involvement:

Inform, Consult, Involve, Collaborate

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 and City Code, notice of the public hearing must be provided by placing an ad in a newspaper of general circulation within the City, posting a notice on the property subject to the proposed amendment, and mailing a notice to all property owners within 300-feet of the property subject to the proposed amendment. All notifications must be completed at least 15-days prior to the first scheduled public hearing. In order to notice as many people as possible, staff ensured that a notice was published in the Daily Sun, four notice signs were posted on the site (one at the north driveway of Arrowhead Village on Blackbird Roost, one at the south driveway of Arrowhead Village on Blackbird Roost, one at the driveway between the Snow Peak Inn and AAMCO on Route 66, and one adjacent to the abandon gas station on Route 66), and a notice was mailed to all property owners within 600-feet of the site as well as all residents within the Arrowhead Village park. A copy of the publication notice, pictures of the postings, a mailing list, and a copy of the mailing notice are attached to this report.

As of the writing of the attached staff report, staff has received eight letters, 37 e-mails, and one online petition, which can be divided into three categories: opposed, neutral, and support. Those comments in opposition (43 total) expressed concerns over location, traffic, neighborhood character, displacement of low income residents, view shed preservation, building height, student behavior, pedestrian connectivity, parking, availability of land within Northern Arizona University, inflated rent, conflict to Flagstaff Regional Plan 2030, conflict to La Plaza Vieja Neighborhood Plan, conflict to the Flagstaff Regional Land Use and Transportation Plan, and the implementation of a Health Impact Assessment. The online petition, which contains approximately 395 signatures, opposes the proposed Zoning Map amendment and expresses support for the immediate creation of a plan to accommodate expected student body growth. Those neutral comments (2 total) expressed support for using a Health Impact Assessment as a tool in the decision making process. Those comments in support (1 total) expressed the need for student housing, conformance with the goals of the Regional Plan, conformance with the goals of Friends of Flagstaff's Future, and compatibility. A table summarizing all public comments received to the date of this writing as well as copies of each comment is attached to this report.

As of the writing of this report, staff has received 11 additional e-mails, one letter, and one online petition, which can be divided into three categories: opposed, neutral, and support. Those comments in opposition (7 total) expressed concerns over traffic, clarifying Friends of Flagstaff's future position, location, displacement of low income residents, adequacy of proposed compensation package, neighborhood character, affordable housing, noise, heavy truck traffic, littering, lighting, building height infill, ghetto-ization of students, increased crime, loss of rental income, building size, building design, increase in housing prices, availability of land within Northern Arizona University, number of students, conformance with Flagstaff Regional Plan 2030. The online petition, which contains approximately 445

signatures, opposes the proposed Zoning Map amendment and expresses support for the immediate creation of a plan to accommodate expected student body growth. Those neutral comments (2 total) clarified the position of NAIPTA regarding the relocation of the Barnes & Nobel transit stop. Those comments in support (3 total) expressed the need for a pedestrian crossing of Route 66, the need for traffic calming along Blackbird Roost, support for staff recommended conditions regarding building mass and appearance, improvements to the community, support for and the benefit of the relocation package, potential energy conservation, and conformance with the Regional Plan.

Section 10-20.30.060 of the Zoning Code (Page 20.30-5) requires the Developer to conduct a neighborhood meeting prior to the Planning and Zoning Commission public hearing in accordance with an approved neighborhood meeting plan. After completion of the neighborhood meeting, the Developer must prepare a Record of Proceedings in accordance with Section 10-20.30.060.F of the Zoning Code (Page 20.30-7). That record is then presented as part of the report to the Planning and Zoning Commission and City Council. The Neighborhood Meeting Plan, a copy of which is attached to this report, was submitted on February 7, 2014 and approved by staff on February 11, 2014. The required neighborhood meeting was conducted on February 19, 2014 at the Doubletree by Hilton Hotel Flagstaff. The meeting was noticed in accordance with established City standards. The meeting was conducted in an open house format with several stations set-up to discuss the various topics of interest. The results of the meeting were submitted on February 24, 2014 in a Neighborhood Meeting Summary, a copy of which is attached to this report. The meeting was attended by approximately 150 people. Comments were divided into two categories, non-supportive and supportive. The key areas of non-support were: concerns about the relocation of existing Arrowhead Village residents; traffic (into/through the neighborhood and along Route 66); and, gentrification of the area (increasing of property values and therefore rents). The key areas of support were: Northern Arizona University is not providing sufficient student housing (especially for Juniors/Seniors); location and proximity to campus (i.e. ability to walk and avoid automobile use); and, income/investment into the City. The Developers response to the comments received (i.e. relocation, traffic, gentrification, student housing needs, location and proximity to campus, and investment in the City) are included on Pages 4 and 5 of the Neighborhood Meeting Summary. As a result of this meeting, the Developer identified the need for two additional meetings, the first to discuss the relocation needs of the existing residents and the second to discuss "zoning" related topics (i.e. building design, traffic, site planning, etc.).

The second (Relocation) and third (Zoning) neighborhood meetings were held on April 21, 2014 and April 23, 2014, respectively, at the Doubletree by Hilton Hotel Flagstaff. Each meeting was noticed in accordance with established City standards. The meetings were conducted in a more traditional speaker/audience format with a primary presentation given in both English and Spanish followed by a question and answer (Q&A) session. The results of the meeting were submitted to staff on May 6, 2014 in a Follow-up Neighborhood Meeting Summary, a copy of which is attached to this report. The second neighborhood meeting was attended by approximately 101 people. During the Q&A session, the major topics of discussion were:

- When will the 180-day vacate notice be issued?
- Will residents have to sign any sort of a contract with the Developer in order to establish ownership of their trailer before May 20th?
- Will undocumented residents be eligible for state relocation funding? If not, will the Developer cover those funds?
- Are there enough spaces at trailer parks around the City at \$425 per month (or less) to accommodate all relocations?
- Can residents access the funds before the 180-day vacate notice?
- I want to be paid now and the proposed compensation is not enough.
- I want a mobile home fair first, will the Developer do that?
- The La Plaza Vieja Neighborhood Association Board of Directors has adopted the following position: All displaced residents must be fairly compensated and ensured access to permanent affordable housing. The Developers responses to these topics are included in Section C of the Follow-up Neighborhood Meeting Plan. The third neighborhood meeting was attended by approximately 98 people. During the Q&A session, the major topics of discussion were:

- How will students be “kept in line?”
- Are there “RAs” or “floor managers?”
- On-site management?
- There is a big need for student housing in the City. Upper-class students are being pushed off campus.
- What about traffic? Students crossing Route 66 will be at risk.
- We don’t want cars in our neighborhood.
- What happens after project is built and there are traffic issues?
- Who pays for these improvements? The City shouldn’t pay for these.
- Why can’t the project be two or three stories? Fifth floor isn’t wanted.
- Can the Developer reduce the height?

The Developers responses to these topics are included in Section D of the Follow-up Neighborhood Meeting Plan. Upon completion of all neighborhood meetings, it is the understanding of staff that the Developer continues to have conversations with the neighborhood regarding solutions to the above-referenced topics of discussion. One such conversation is the reduction of the building height for Building 200 along Blackbird Roost from a four and five story building to a four story building. The Developer intends to relocate these units to Building 100 adjacent to Route 66, which may require the issuance of a Conditional Use Permit by the Planning and Zoning Commission to exceed the established maximum building height.

Council Action:

ATTACHMENTS:

May be accessed at <http://www.flagstaff.az.gov/DocumentCenter/View/44506>

(Please allow time for this document to download - it is very large)

Attachments:

Form Review

Inbox	Reviewed By	Date
Current Planning Manager	Mark Sawyers	06/19/2014 08:56 AM
Planning Director	Dan Folke	06/19/2014 10:54 AM
Legal Assistant	Vicki Baker	06/19/2014 11:48 AM
City Attorney	Michelle D'Andrea	06/19/2014 12:25 PM
Community Development Director	Mark Landsiedel	06/19/2014 05:21 PM
DCM - Jerene Watson	Jerene Watson	06/19/2014 09:59 PM
Planning Development Manager - BK (Originator)	Brian Kulina	06/26/2014 11:59 AM
Form Started By: Brian Kulina		Started On: 06/18/2014 03:27 PM
Final Approval Date: 07/02/2014		