

ORDINANCE NO. 2014-31

AN ORDINANCE AMENDING THE FLAGSTAFF ZONING MAP DESIGNATION OF APPROXIMATELY 36.94 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE INTERSECTION OF ROUTE 66 AND WOODY MOUNTAIN ROAD, FROM RURAL RESIDENTIAL (“RR”) TO HIGHWAY COMMERCIAL (“HC”) FOR 3.6 ACRES, AND TO MEDIUM DENSITY RESIDENTIAL (“MR”) FOR 33.33 ACRES.

RECITALS:

WHEREAS, the Applicant, York Breckenridge GP, LLC for Aspen Heights Mixed-Use Development has applied for a Zoning Map amendment of approximately 36.94 acres of real property located within the City of Flagstaff, a legal description of which is designated as **Exhibits “A” and “B,”** attached hereto and incorporated by this reference, from “RR” Rural Residential to “HC,” Highway Commercial, for 3.6 acres and “MR,” Medium-Density Residential, for 33.33 acres, for purposes of developing a mixed-use student-housing project with cottage-style living and commercial development; 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 September 24, 2014, and 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. The subject property shall be developed in substantial conformance to the Concept Plan submitted by the Applicant, consistent with the uses including the density and intensity and general layout approved by the Inter-Division Staff (IDS) on August 25, 2014 and as presented to the Planning and Zoning Commission with this amendment request except as modified herein.
2. Development of the MR zone shall be limited to the number of units (224) and beds (714) identified in the Zone Change Plan and used for the preparation of all impact analysis.
3. Development of the HC zone shall include 20,000 square feet of general service/retail/office or mixed-use development.
4. Per the acceptance of the Traffic Impact Analysis prepared for this project, both vehicular and non-vehicular access shall be provided between the proposed student-housing project and the proposed commercial development as well as pedestrian/bicycle connections to the future development of the vacant land to the west.
5. The Applicant shall enter into a Development Agreement with the City to, address at a

minimum the proportional-share contribution of the signalized intersection of Route 66 and Woody Mountain Road, off-site sewer improvement requirements, on-site water/sewer modifications, roadway/edge improvements and a management-operation plan.

6. At the time of site plan submittal, the Applicant shall provide a minimum of fifteen percent (15%) of the lot area as open space and a minimum of five percent (5%) of the lot area as civic space.
7. Outdoor lighting shall be extinguished at the close of business except for security lighting no further than 50 feet from the entrance to any building.
8. If the residential development is operated as a rooming and boarding facility, a conditional-use permit shall be reviewed and approved by the Planning and Zoning Commission.
9. Site plan review and approval by staff for the residential and commercial developments is required to assure that all conditions, requirements and terms that are included in the Zoning Map Amendment Ordinance and Development Agreement are accomplished.
10. The Applicant will work with the dark skies community to minimize the impact on the observatories and to come up with conditions for the Development Agreement to achieve those results.

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 any and all statements made by the Applicant and its representatives or agents at City Council meetings; and

WHEREAS, staff recommends approval of the Zoning Map amendment application, subject to the conditions proposed above, 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 Zoning Map amendment with the above 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 33.33 acres of the subject property is amended to "MR" Multi-Family Residential" and the zoning map designation for 3.6 acres of 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.

SECTION . This Ordinance shall be effective thirty (30) days after the effective date of Ordinance No. 2014-30.

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

EXHIBIT A

The following is a description of a parcel of land, being portions of that parcel described in Instrument 3546194, Coconino County Records, situate in section 19, Township 21 North, Range 7 East, G.& S.R.M., Flagstaff, Coconino County, Arizona being more particularly described as follows:

Commence at the northwest corner of said parcel, which is a point on the north boundary of the "Presidio West Tract" as described in Instrument 3229602 and is a point on the south Right-of-Way line of U.S. Highway 66; The Point of Beginning;

Thence South 85°15'51" East along said north boundary a distance of 782.96 feet to the northeast corner of Instrument 3546194 which is a point on the centerline of Woody Mountain Road;

Thence South 00°18'32" East along said centerline a distance of 200.55 feet;

Thence North 85°16'49" West a distance of 786.49 feet to a point on the west line of said parcel;

Thence North 00°42'05" East along said west line a distance of 200.49 feet to the True Point of Beginning;

Said Parcel contains 156,857 sq. ft. or 3.60 acres of land more or less as shown on the attached Exhibit B which by this reference is made a part hereof.



HC zone

City File Number _____

Descriptive Title _____

HC REZONING MAP

A PORTION OF

INSTRUMENT 3546194

COCONINO COUNTY RECORDS LOCATED IN
SECTION 19, T 21 N, R 7 E, FLAGSTAFF,
COCONINO COUNTY, ARIZONA

U.S. HIGHWAY 66

N85°15'51"W

782.96'

South R.O.W. Hwy 66

NW corner
Ins. 3546194

500°42'05"W

HC

156,857 sq.ft.
3.60 acres

N85°16'49"W

786.49'

INSTRUMENT 3546194

Found 1/2" Rebar
Bent

NE corner
Ins. 3546194

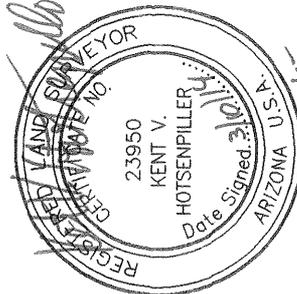
WOODY MOUNTAIN
ROAD

N00°18'32"W
200.55'

Future
Right-of-Way

SCALE: 1"=100'

Found 1/2" Rebar w/
Plastic Cap Illegible
Melted



Survey was performed in March of 2014.
Information shown hereon is true and
correct to the best of my knowledge.

Expires on 3/31/15

HORIZONTAL SCALE: 1"=100'

VERTICAL SCALE:

DESIGNED/DRAWN BY: kvh

PROJECT NO. 12992

DATE: 3/10/14

Mogollon
ENGINEERING
& SURVEYING

411 W. Santa Fe Avenue, Flagstaff, Az. 86001
P.O. Box 1952, Flagstaff, Az. 86002
Phone: 928-214-0214 • Fax: 928-913-0015

EXHIBIT B
HC REZONING
MAP

EXHIBIT A

The following is a description of a parcel of land, being portions of that parcel described in Instrument 3546194, Coconino County Records, situate in section 19, Township 21 North, Range 7 East, G.& S.R.M., Flagstaff, Coconino County, Arizona being more particularly described as follows:

Commence at the northwest corner of said parcel, which is a point on the north boundary of the "Presidio West Tract" as described in Instrument 3229602 and is a point on the south Right-of-Way line of U.S. Highway 66; thence South $00^{\circ}43'13''$ West along the west boundary of Ins. 3546194 a distance of 200.49 feet to the Point of Beginning;

Thence continue South $00^{\circ}43'13''$ West along said west boundary a distance of 906.95 feet;

Thence South $43^{\circ}44'41''$ West along said west boundary a distance of 785.39 feet to the southwesterly corner of Ins. 3546194;

Thence South $54^{\circ}53'44''$ East along the south line of Ins. 3546194 a distance of 708.86 feet to a point on the existing Right-of-Way line of Woody Mountain Road and which is the beginning of a non-tangent curve to the right, having a radius of 93.00 feet, and to which a radial line bears North $55^{\circ}10'12''$ West;

Thence northerly along said curve a distance of 103.66 feet through a central angle of $63^{\circ}51'49''$ to a point which is the beginning of a non-tangent curve to the left, having a radius of 5,679.58 feet, and to which a radial line bears South $49^{\circ}08'23''$ East;

Thence northeasterly along said curve a distance of 108.49 feet through a central angle of $01^{\circ}05'40''$;

Thence North $39^{\circ}45'57''$ East a distance of 350.56 feet;

Thence South $50^{\circ}14'03''$ East a distance of 50.00 feet to a point which is on the centerline of Woody Mountain Road;

Thence North $40^{\circ}18'44''$ East along said centerline a distance of 261.50 feet to a point which is the beginning of a curve to the left having a radius of 716.18 feet;

Thence northeasterly and northerly along said centerline along said curve a distance of 507.99 feet through a central angle of $40^{\circ}38'26''$;

Thence North $00^{\circ}18'32''$ West along said centerline a distance of 791.72 feet;

Thence North $85^{\circ}16'49''$ West a distance of 786.49 feet to the True Point of Beginning;

Said Parcel contains 1,451,992 sq. ft. or 33.33 acres of land more or less as shown on the attached Exhibit B which by this reference is made a part hereof.



Expires: 3/31/15

MR zone

City File Number _____

Descriptive Title _____

MR RZONING MAP

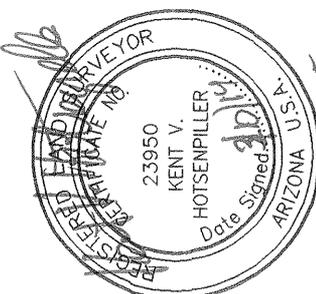
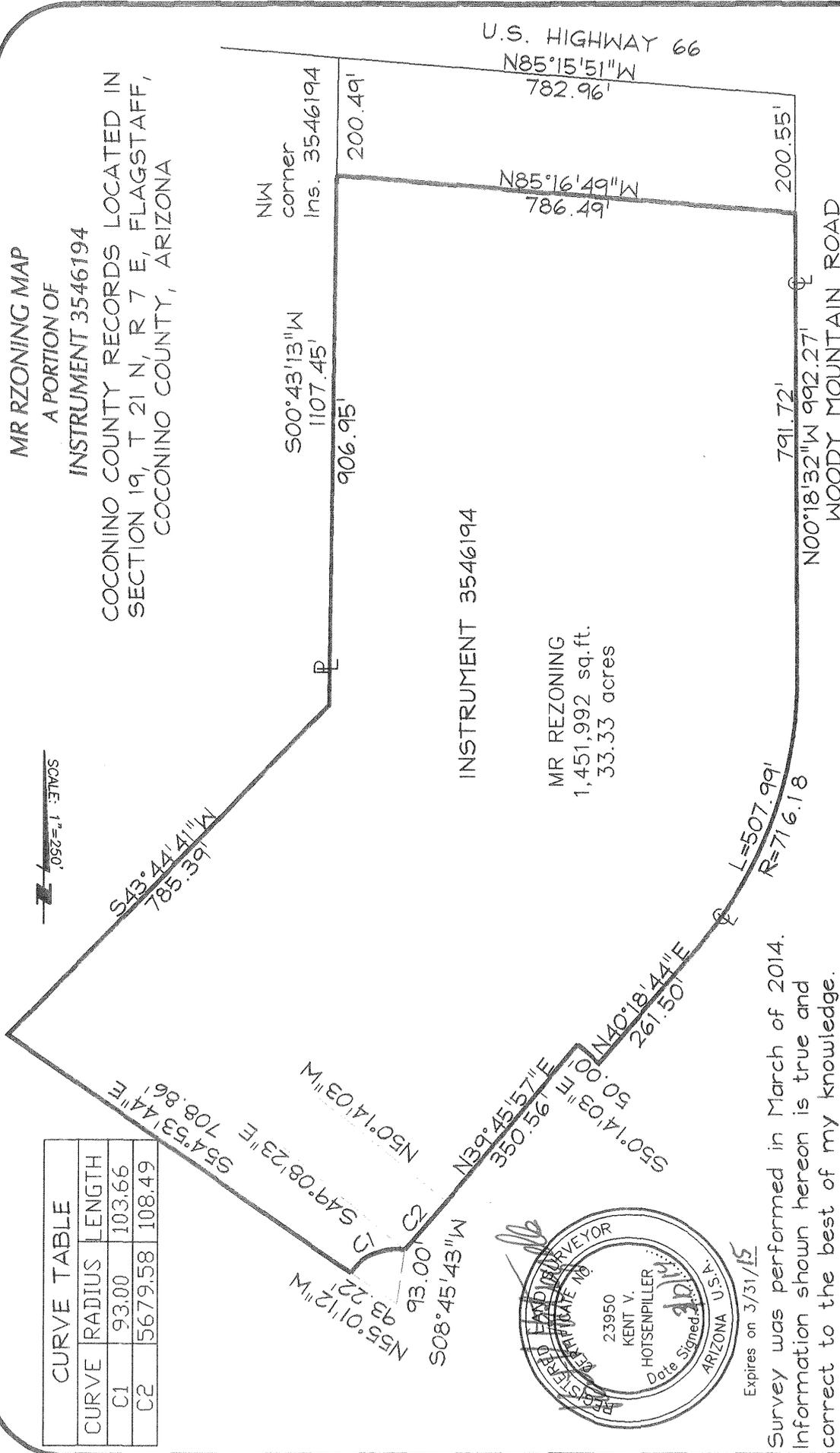
A PORTION OF

INSTRUMENT 3546194

COCONINO COUNTY RECORDS LOCATED IN
SECTION 19, T 21 N, R 7 E, FLAGSTAFF,
COCONINO COUNTY, ARIZONA

SCALE: 1"=250'

CURVE TABLE	
CURVE	LENGTH
C1	103.66
C2	108.49



Expires on 3/31/15
Survey was performed in March of 2014.
Information shown hereon is true and
correct to the best of my knowledge.

HORIZONTAL SCALE: 1"=250'
VERTICAL SCALE:
DESIGNED/DRAWN BY: kvh
PROJECT NO. 12992
DATE: 3/10/14

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EXHIBIT B
MR RZONING
MAP