

**ORDINANCE NO. 2014-04**

**AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL AMENDING THE FLAGSTAFF ZONING MAP DESIGNATION OF APPROXIMATELY 0.26 ACRES OF LAND LOCATED AT 19 WEST PHOENIX AVENUE BY ADDING A LANDMARKS OVERLAY DISTRICT DESIGNATION (“LO”) TO THE EXISTING COMMUNITY COMMERCIAL (“CC”) AND T5 MAIN STREET TRANSECT ZONE (“T5”) ZONING CLASSIFICATIONS**

**RECITALS:**

WHEREAS, Hillside Enterprises, LLC (“Owner”) is the owner of approximately 0.26 acres of land in the City of Flagstaff, Coconino County, Arizona, currently zoned CC and T5, located at 19 West Phoenix Avenue, generally known as the DuBeau Route 66 International Hostel, and specifically described and depicted in attached Exhibit “A,” incorporated herein by this reference (“Property”); and

WHEREAS, pursuant to Flagstaff Zoning Code Division 10-30.30, et seq., an application (“Application”) has been submitted by the Heritage Preservation Commission (“Applicant”), acting on behalf of the Owner, to amend the Zoning Map designation of the Property by adding an LO designation to the existing CC and T5 classifications; and

WHEREAS, the use of the Property as a motel affiliated with Route 66, beginning in 1929, was a significant moment in Flagstaff history. The Property is associated with significant figures in Flagstaff history, including members of the Dubeau family. In addition, the Federal Government has acknowledged the historic significance of this building by including it on the National Register of Historic Places; and

WHEREAS, pursuant to Flagstaff Zoning Code Section 10-30.30.050.B, the Property meets the established criteria for amending the Zoning Map classification of a property to the LO designation; and

WHEREAS, on November 20, 2013, the Historic Preservation Commission, having considered the Application, the recommendation of the City’s Historic Preservation Officer, and the testimony of the public, unanimously passed a motion recommending that the City Council add the LO designation to the Property; and

WHEREAS, on January 8, 2014, the Planning and Zoning Commission, having considered the recommendation of the Historic Preservation Commission and the testimony of the public, passed a motion recommending that the City Council amend the Zoning Map classification of the Property by adding an LO designation to the existing CC and T5 zoning classifications; and

WHEREAS, the City Council has considered the recommendation of the Historic Preservation Commission and the Planning and Zoning Commission, and the public testimony presented to those bodies; and

WHEREAS, the City Council has considered the Application and the staff summary prepared by the Community Development Division, and finds that the proposed amendment will not be detrimental to the uses of adjoining parcels or to other uses within the vicinity of the Property; and

WHEREAS, the City Council finds that, in accordance with A.R.S. Section 9-462.01(F), the proposed amendment is consistent with and conforms to the Flagstaff Area Regional Land Use and Transportation Plan.

**ENACTMENTS:**

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

SECTION 1. That the Flagstaff Zoning Map designation of approximately 0.26 acres of real property located at 19 West Phoenix Avenue, and specifically described and depicted in Exhibit "A," be amended by adding an LO designation to the existing CC and T5 classifications.

SECTION 2. Pursuant to Flagstaff Zoning Code Section 10-30.30.040.B, it is ordered that the Property be shown on the Official City of Flagstaff Zoning Map with the zoning designation of Landmarks Overlay (LO).

SECTION 3. That, prior to the City Council's final adoption of this Ordinance, the Owner shall execute an Agreement for the Waiver of Claims for Diminution of Value of Property with the City of Flagstaff, as authorized by Arizona Revised Statutes Section 12-1134(I).

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