

PLANNING AND DEVELOPMENT SERVICES DIVISION
ANNEXATION REPORT

PUBLIC HEARING
PANX 15-0001

DATE: February 25, 2015
MEETING DATE: March 11, 2015
REPORT BY: Tiffany Antol

REQUEST:

An annexation request of approximately 135.91 acres located at 4100 & 4250 W. Kiltie Lane by W.L. Gore. The property is identified as Coconino County Assessor's Parcel Numbers 116-04-008E, 116-04-003Y and 116-04-007F. The annexation also includes the adjacent rights-of-ways for Flagstaff Ranch Road and W. Kiltie Lane.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission forward the annexation request to the City Council with a recommendation for approval.

PRESENT LAND USE:

The subject site consists of partially developed land with a research and development facility in the Industrial Park (MP-20,000) Zone and undeveloped land in the Industrial Park (MP-20,000), Heavy Commercial (CH-10,000) and Open Space and Conservation (OS) Zones under Coconino County jurisdiction. The existing development was reviewed and approved jointly by the City and County per a 2005 pre-annexation agreement.

PROPOSED LAND USE:

A concept plan has been prepared and is attached to this report. The proposed development is similar in nature to the adjacent Gore campuses to the east of the proposed annexation. Specific uses have not been determined for the commercially zoned portion of the subject property.

NEIGHBORHOOD DEVELOPMENT:

- North: I-40/Flagstaff Ranch Road Interchange; vacant land in the General (G) Zone and in the Heavy Commercial (CH-10,000) Zones under Coconino County jurisdiction.
- East: Echo Ridge and Woody Springs research and development facilities operated by Gore in the RD (Research and Development) Zone
- South: Flagstaff Ranch Golf Club Subdivision in the Planned Residential Development (PRD) Zone and the sales office located in the Commercial Neighborhood (CN-2A) Zone under Coconino County jurisdiction;
- West: Westwood Estates Subdivision in the Planned Residential Development (PRD) Zone under Coconino County jurisdiction.

REQUIRED FINDINGS:

The Commission shall find that the requested annexation complies with Section 9-471 of the Arizona Revised Statutes; the applicable goals and policies set forth in the City's General Plan, "Flagstaff Area Regional Land Use and Transportation Plan" per the annexation agreement as well as the "Flagstaff Regional Plan 2030"; and Division 10-20.90 of the *Flagstaff Zoning Code*.

STAFF REVIEW:

INTRODUCTION/BACKGROUND:

A request by W.L. Gore to annex 135.91 acres located at the intersection of Flagstaff Ranch Road and W. Kiltie Lane. The area subject to this annexation consists of three Assessor's Parcels including 116-04-008E a 71.82 acre parcel, 116-04-003Y a 42.56 acre parcel (both located west of Flagstaff Ranch Road) and 116-04-007F a 21.54 acre parcel (located east of Flagstaff Ranch Road). The two parcels located west of Flagstaff Ranch Road are currently vacant and the parcel located to the east of Flagstaff Ranch Road is partially developed with a research and development facility operated by W.L. Gore. All parcels to be annexed are located within the Urban Growth Boundary.

Two pre-annexation agreements have been approved for the subject properties. The first agreement was completed in 2005 for the construction of the facility on parcel 116-04-007F which allowed for the extension of the existing water and sewer lines from the other W.L. Gore facilities located within the city limits along W. Kiltie Lane. This pre-annexation agreement had a term of five years. In January 2014 a second pre-annexation agreement was completed that included all three parcels subject to this request. This agreement allowed for the extension and development of a new water line along W. Route 66 from Woody Mountain Road to Flagstaff Ranch Road and then along Flagstaff Ranch Road to W. Kiltie Lane creating a looped water system.

The most recent pre-annexation agreement was completed prior to the adoption and ratification of the *Flagstaff Regional Plan 2030 (FRP 2030)* and was approved based on compliance with the *Flagstaff Area Regional Land Use and Transportation Plan (RLUTP)*. For comparison purposes, policies from both plans are identified and discussed in this report. The *RLUTP* designates the subject parcels as Office/Business – Park/Light Industrial and the *FRP 2030* designates the subject parcels as Suburban/Future Employment. The Office/Business – Park/Light Industrial land use category is intended to encourage the development of offices and planned business parks; to promote excellence in the design and planning of buildings, outdoor spaces, and transportation facilities; and to continue the vitality and quality of life in adjacent residential neighborhoods. The Future Employment land use category includes Office – Research and Development – Business Park – Light Industrial, Light-Medium Industrial and Heavy Industrial. The Suburban land use category includes single-family residential and multi-family residential development, as well as commercial development such as strip centers and big box stores with large parking lots to a mixture of retail establishments, office buildings, automobile dealerships, gas stations, and motels.

The land use category designations originate from two different studies that considered the impacts and needs if the West Side was annexed into the City of Flagstaff. The first was completed in 1989 around the same time W.L. Gore annexed 50 acres in the 4000 Block of South Woody Mountain Road. An update was prepared to this plan in 1999 (West Side Small Area Plan and Infrastructure Study) which was incorporated into the 2001 Regional Land Use and Transportation Study. The plan includes a review and update of background information for the planning area, a generalized concept land use plan, infrastructure system plans, and a revenue/cost analysis update.

ARIZONA STATE STATUTE COMPLIANCE:

State statutes only allow the City to adopt a zoning classification that permits densities and intensities no greater than those permitted by the County immediately before the annexation. If this annexation is approved, the zoning classification will be as follows:

- APN 116-04-007F, a 21.53-acre parcel is currently zoned Industrial Park (MP-20,000) in the County. This zone is intended for modern industrial and research developments and administrative facilities that can meet high performance and development standards. The most comparable zone in the City in terms of uses and densities allowed is the Research and Development (RD) Zone, which applies to areas of the City appropriate for the development of a mix of professional and administrative facilities, research and testing institutions, light industrial/manufacturing uses, green technology facilities, and offices.

- APN 116-04-003Y is a 42.56-acre parcel with 10 acres in the northeast corner currently zoned Heavy Commercial (CH-10,000), which is intended to provide appropriately located areas of establishments catering primarily to highway travelers, visitors to the County or such businesses or uses where direct access to major arterial highways is essential or desirable for their operation. The most comparable zone in the City in terms of uses and densities allowed is the Highway Commercial (HC) Zone, which applies to areas of the City appropriate for a full range of automobile-oriented services. The remainder of the parcel is currently in the Industrial Park (MP-20,000) Zone, and is comparable to the RD Zone in the City.
- APN 116-04-008E is a 71.81-acre parcel with 48 acres currently zoned Industrial Park (MP-20,000) and the remaining 23.81-acres is currently located in the Open Space and Conservation (OS) Zone in the County, which is intended to reserve areas where open spaces are necessary to safeguard the public health, safety and general welfare and to provide for the location and preservation of scenic and recreation areas. This zone is intended to be applied primarily to lands held under public ownership. The City has a similar zone, the Public Open Space (POS) Zone, which is also intended to be applied to lands under public ownership. In review of the County zoning case for this parcel the clear intention of the Open Space zone was to provide a buffer between the industrial park uses and the surrounding residential properties, as well as preserve the scenic resources of this site. Staff believes in this case that the most comparable zoning classification is the RD Zone in addition to the Resource Protection Overlay (RPO). In keeping with the zoning case a 300 foot building setback will be maintained along the western and southern property lines.

It is agreed that the RPO will be applied to all parcels to be annexed in order to achieve the goals and policies of both Regional Plans, but all RD areas will be evaluated together for RPO compliance regardless of ownership. Additionally, all of the subject properties are located in Lighting Zone 1 within the County and upon annexation the properties will also be located in Lighting Zone 1 within the City of Flagstaff. All of the above properties and the respective zoning classifications once the property is annexed complies with W.L. Gore's concept plan.

REGIONAL LAND USE AND TRANSPORTATION PLAN CONFORMANCE:

Policy/Analysis

All proposed annexations shall be evaluated as to whether the application is consistent with the policies of the General Plan. The proposed annexation will not be detrimental to the persons or property in the surrounding area or the community in general. The City's basic position regarding annexation is that the annexation must demonstrate a favorable benefit to the taxpayers of the City.

2001 RLUTP

The 2001 General Plan provides, "The Regional Plan establishes an Urban Growth Boundary that identifies lands that are currently most appropriate for compact, urban development. The 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." The following policies are considered by staff to be the most pertinent to the annexation:

LU1.6 - Require Urban Development to Locate within City Boundaries: In order to ensure that all urban development can be provided with adequate public facilities and services, all urban land uses shall be located within the Urban Growth boundary and within the City's corporate boundary limits. The Regional Plan encourages urban land uses to locate only within incorporated areas in order to obtain City services, utilities, and fire protection. The City shall consider the annexation of land into the city limits when the annexation of such property is consistent with the goals and policies of the Regional Land Use and Transportation Plan.

FRP 2030

Goal LU.2. Develop Flagstaff's Greenfields in accordance with the Regional Plan and within the growth boundary.

- The subject properties included within this annexation are within the Urban Growth Boundary as depicted on the Future Growth Illustration. The existing County zoning categories applied to these properties are also compatible with the Land Use Plan from the RLUTP and the Future Growth Illustration from the FRP 2030.

Goal LU.4. Balance housing and employment land uses with the preservation and protection of our unique natural and cultural setting.

Policy LU.4.1. Develop neighborhood plans, specific plans, area plans, and master plans for all neighborhoods, activity centers, corridors, and gateways as necessary.

- There have been two studies developed for the "West Side" that have influenced the land use information contained with 2001 and 2014 Regional Plans. These plans analyzed infrastructure systems and performed a revenue/cost analysis. These documents further support the annexation of these properties as well as the completed and planned infrastructure improvements for water and sewer in this area.

Policy LU.4.2. Utilize the following as guidance in the development process: natural Environment maps, Environmental Planning and Conservation policies, considerations for Development, Cultural Sensitivity, and Historical preservation maps and Community Character policies, while respecting private property rights.

- The properties subject to this annexation are to be included within the City of Flagstaff Resource Protection Overlay and Lighting Zone 1 to ensure compliance with the Regional Plan goals and policies while maintaining development rights attributed to the subject properties.

Goal E&C.5. Preserve dark skies as an unspoiled natural resource, basis for an important economic sector, and core element of community character.

Policy E&C.5.4. Encourage uses within Lighting Zone 1 of the lighting codes of the City and County that do not require outdoor lighting, and discourage those which require all-night lighting.

- The subject properties will remain in Lighting Zone 1 as they were under the County jurisdiction. There are small differences between both the City and County lighting codes but for the most part they are the same. W.L. Gore does operate on a 24 hour basis which does not comply with the above policy because they require all-night lighting. Lighting Zone 1 does require that all outdoor Class 1 and Class 3 lighting, and outdoor Class 2 lighting located more than 50 feet from any building, be turned off no later than 9:00 pm. The property is maintaining existing entitlement and has been anticipated for this level of development since the adoption of the RLUTP in 2001.

Goal LU.7. Provide for public services and infrastructure.

Policy LU.7.2. Required unincorporated properties to be annexed prior to the provision of City services, or that a pre-annexation agreement is executed when deemed appropriate.

- A pre-annexation agreement for these properties was approved by the City Council in January 2014. In order to complete the final components of the new water system infrastructure, the City has requested that W.L. Gore complete the annexation process.

Goal LU.8. Balance future growth with available water resources.

- Water resources were evaluated for this annexation as part of the water system improvements constructed by W.L. Gore.

Goal ED.3. Regional economic development partners support the start-up, retention, and expansion of existing business enterprises.

Policy ED.3.8. Protect existing business and industrial land uses from encroachment and allow for their expansion.

- This annexation allows for the expansion of Flagstaff's largest commercial employer.

Goal E&C.6. Protect, restore and improve ecosystem health and maintain native plant and animal community diversity across all land ownerships in the Flagstaff region.

Policy E&C.6.2. Encourage all landowners and land management agencies to emphasize forest ecosystem restoration and catastrophic fire risk reduction for the lands under their respective jurisdictions.

- The properties subject to this annexation have been thinned and piles are ready to burn at a future opportunity. Annexation will bring the development of these parcels under the City's Wildland Urban Interface Code.

Summary of Regional Plan & Annexation Compliance

This parcel is located within the Urban Growth Boundary. The proposed annexation is consistent with the goals and policies of the Regional Land Use and Transportation Plan and the Flagstaff Regional Plan 2030. Furthermore the application complies with all the requirements set forth in the Arizona Revised Statutes related to annexations.

PUBLIC FACILITIES AND SERVICE IMPACT ANALYSIS:

Traffic/Access/Pedestrian/Bicycle Impact:

The properties included in this annexation are located north of Kiltie Lane, South of I-40 and on either side of Flagstaff Ranch Road. Kiltie Lane east of Flagstaff Ranch Road is owned in part by the City of Flagstaff and Coconino County. There has been an Intergovernmental Agreement in place between the City and County for the maintenance and snow removal on this roadway. The remaining portions of right-of-way for Kiltie Lane east of Flagstaff Ranch Road are proposed to be included within this annexation. The portion of Kiltie Lane west of Flagstaff Ranch Road is entirely within the County's jurisdiction and provides access to the Westwood Estates residential subdivision. This portion of Kiltie is not intended to be annexed into the City even though it bounds two of the parcels to be annexed. It is anticipated that all new access points to the subject parcels will be from Flagstaff Ranch Road which is also currently under the jurisdiction of Coconino County. The portion of Flagstaff Ranch Road between the parcels to be annexed south of I-40 is also intended to be annexed into the City. Annexing the primary access points to these sites will assist in future development review as only one entity, the City of Flagstaff, will review plans and issue approvals. If the rights-of-ways were left under County jurisdiction it would require joint reviews and approvals by both the City and County. Improvements within the right-of-way have not yet been determined and will be determined in conjunction with development plan review.

The properties to be annexed are not serviced by transit. Pedestrian and bicycle access to the subject property is limited but we know that some of the current employees do ride their bicycles to and from work. There is a FUTS trail segment along Kiltie Lane east of Flagstaff Ranch Road that connects with Woody Mountain Road. Future connections with this FUTS trail are anticipated as other properties in the area develop. There are currently no sidewalks along Flagstaff Ranch Road or Kiltie Lane in the vicinity of this project.

A traffic impact analysis has not yet been completed for the future proposed development, partially due to the fact that the adjacent impacted roadways are not under the jurisdiction of the City of Flagstaff. Traffic engineering staff has agreed to wait on any potential future analysis on specific development plans for the site.

Water System Analysis:

Analysis was done on the public water system serving the W. L. Gore facility and the findings of the analysis revealed that a 12” and an 18” looped water line was needed to meet fire flows and serve future demands. The newly constructed 18” diameter waterline along Route 66 and 12” diameter along Flagstaff Ranch Road completes the existing infrastructure. W.L. Gore has completed installation of this looped water line in September 2014. The City participated in the over sizing of this line from an 8” to an 18” to accommodate for future growth in the area. All water system public water improvements have been accepted into the municipal water supply system.

The City is in the process of converting W.L. Gore’s on-site private water line to a public waterline. After state ADEQ permitting requirements are met the City will assume ownership, operation and maintenance of the on-site waterline.

Sewer System Analysis:

W.L. Gore currently has a private lift station which lifts and delivers their sewer flows into the City’s public sewer system located at Woody Mountain Road and Kiltie Lane. They may continue to utilize this private lift station or they may install a new public gravity flow main. W.L. Gore has indicated that they intend to install a new gravity flow sewer line from their site to the 18” interceptor located in the Railroad Springs neighborhood. Their requirements are to install an 8” diameter line with the City participating in an oversize of this line to accommodate future growth. Construction of this line is pending easement/right-of-way acquisition for the installation of the sewer main. W.L. Gore may receive reimbursement from the City of Flagstaff once the sewer construction is complete and the reimbursement funding is budgeted and approved by Council. The City’s Core Services location will also require annexation and the extension of this sewer line from Railroad Springs to W. Route 66. W.L. Gore would then need to extend the line from Route 66 to their property.

The sizing of the sewer line will allow for all future development in the West Side basin including the proposed expansion of the W.L. Gore facility.

Stormwater:

A drainage impact analysis is not required for this request. A drainage plan will need to be submitted in conjunction with future development plans for the site. LID requirements will be met per City standards.

Fire Protection:

According to Fire Department staff, the site is within the desired four-minute response time from Fire Station No. 1, located at 1972 S. Thompson Drive.

RECOMMENDATION:

Staff recommends that the Commission forward the annexation request to the City Council with a recommendation of approval subject to the following conditions:

1. APN’s 116-04-007F and 116-04-008E shall be located within the RD (Research and Development) Zone in their entirety, 10 acres in the northeast corner of APN 116-04-003Y as described in Exhibits F and F-1 shall be located within the HC (Highway Commercial) Zone and the remaining 32.56 acres of APN 116-04-003Y as described in Exhibits F and F-1 shall be located within the RD (Research and Development) Zone.

2. All annexed parcels shall be placed within the Resource Preservation Overlay (RPO) Zone. All parcels located within the RD (Research and Development) Zone shall be considered together when applying the requirements of the RPO to the benefit of all Successor and Assigns.
3. All annexed parcels shall be placed in the City of Flagstaff Lighting Zone 1 and shall comply with City of Flagstaff Zoning Code Lighting Standards.

ATTACHMENTS:

- Application and narrative from applicant
- Annexation Legal Description and Map
- Public Hearing Legal Advertisements
- Conceptual Site Plan