ATTENTION

IN-PERSON AUDIENCES AT PLANNING & ZONING COMMISSION MEETINGS HAVE BEEN SUSPENDED UNTIL FURTHER NOTICE

The meetings will continue to be live streamed on the city's website (https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings)

To participate in the meeting click the following link:

Join Microsoft Teams Meeting

The public can submit comments that will be read at the dais by a staff member to CDPandZCommission@flagstaffaz.gov

NOTICE AND AGENDA

PLANNING & ZONING COMMISSION
WEDNESDAY
***FEBRUARY 24, 2021**

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M.

1. Call to Order

2. Roll Call

NOTE: One or more Commission Members may be in attendance telephonically or by other technological means.

MARIE JONES, VICE CHAIR
DAVID ZIMMERMAN, CHAIR
GAYLENE SOPER
CAROLE MANDINO
LLOYD PAUL
DR. ALEX MARTINEZ
ERIC NOLAN

3. Public Comment

At this time, any member of the public may address the Commission on any subject within their jurisdiction that is not scheduled before the Commission on that day. Due to Open Meeting Laws, the Commission cannot discuss or act on items presented during this portion of the agenda. To address the Commission on an item that is on the agenda, please wait for the Chair to call for Public Comment at the time the item is heard.

4. APPROVAL OF MINUTES

Approval of Minutes from the regular meeting on Wednesday, February 10, 2021.

5. PUBLIC HEARING

A. PZ-20-000141-02 Whispering Winds Sign Landmark Overlay

STAFF RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in the attached report and attachments, forward the Direct to Ordinance Zoning Map Amendment request to the City Council with a recommendation for approval.

6. GENERAL BUSINESS

A. **Appointments:** Incentive Policy for Affordable Housing and related Zoning Code Update Workgroup

STAFF RECOMMENDED ACTION:

Staff is requesting that the Planning and Zoning Commission appoint two Commission members to a workgroup that will be utilized to provide recommendations to the Housing and Planning and Zoning Commissions on updates to the Incentive Policy for Affordable Housing (IPAH) and related modifications to the Zoning Code.

7. MISCELLANEOUS ITEMS TO/FROM COMMISSION MEMBERS

8. ADJOURNMENT

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at 2:00 p.m. This notice has been posted on the City's website and can be downloaded at www.flagstaff.az.gov.

Dated this 18 day of FEB, 2021

_____
Tammy Bishop, Administrative Specialist

Planning & Zoning Commission **5. A.**

Meeting Date: 02/24/2021

From: Mark Reavis, Heritage Preservation Officer and Neighborhood Planner

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Information

TITLE:

PZ-20-000141-02 Whispering Winds Sign Landmark Overlay

STAFF RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in the attached report and attachments, forward the Direct to Ordinance Zoning Map Amendment request to the City Council with a recommendation for approval.

Attachments

WW PZ Staff Report
Zoning Map Application
WW Sign Permit Number 1
Newspaper Notice
Banner Public Hearing PZ Notice
HPC Neighborhood Hearing
2nd Meeting Waiver
Property Maps and Description
Notification Letter to adjacents
HPC Historic Facade and Signs Grant Application
Landmark Overlay Ap
HPC staff report
WW HPO Staff amend
HPO signature permision
WW posting condition
February 3, 2021 HPC minutes

PLANNING AND DEVELOPMENT SERVICES REPORT
DIRECT TO ORDINANCE ZONING MAP AMENDMENT

PUBLIC HEARING
PZ-20-00141-02

DATE: **February 5, 2021**
MEETING DATE: **February 24,2021**
REPORT BY: **Mark Reavis, HPO**

REQUEST:
Direct to Ordinance Zoning Map Amendment of 922 E Route 66, presented by the city's Heritage Preservation Program on behalf of the property owner, for the restoration of a historic sign. The request is to zone the property into the Landmark Overlay (LO) in addition to the existing zoning of Highway Commercial (HC) with the condition that that landmark review only apply to the historic sign.

STAFF RECOMMENDATION:
Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, forward the Direct to Ordinance Zoning Map Amendment request to the City Council with a recommendation for approval.

PRESENT LAND USE:
The subject property is approximately **0.82** acres that fronts Route 66. The parcel is owned by WW.66 LLC, 6164 E. Abineau Canyon Dr. Flagstaff AZ. The property is used for commercial activities as a Motel. The motel has been closed for room interior renovations and some exterior repairs in compliance with preservation standards. The property is consistent in use with other motels and commercial enterprises along Route 66. The Whispering Winds Motel is an exceptional example of mid-century modern architectural design that has retained its form and architectural features.

The sign though has suffered from weather exposure, some modifications, and the loss of the upper portion of the sign, a semi-oval form which once featured the motel's name and the upper portion of the sign's spire.

PROPOSED LAND USE:
The applicant proposes to rehabilitate the existing remains of the historic motel sign and to restore the missing upper sign component as will be allowed per provisions of the Heritage Preservation 10-30.30. The land use will remain the same and is to include a historic overlay. Per 10-50.100.020 A. Applicability, 4. Heritage signs in landmark zones are governed by the ordinance designating the landmark overlay and its related guidelines (Refer to Division 10-30.30, Heritage Preservation.) of the zoning code that allows historic signs to be restored to original condition even if the sign areas exceed the allowable sign area, height and other conditions when the sign is brought into the landmark overlay.

NEIGHBORHOOD DEVELOPMENT:
See the attached area context map.

North: Single-Family Residential (R1) zone on vacant hillside up to Cherry Hill neighborhood (R1) zone
East: Motel, Aspen Inn Highway Commercial (HC) zone
South: Route 66 and Railway (BNSF) Light Industrial (LI) zone
West: Norvel Owens Mortuary Highway Commercial (HC) zone

I. Project Introduction

A. Background

The site to be rezoned for mapping purposes is approximately .82 acres comprised of property located adjacent to Route 66 with an existing historic Route 66 Motel, the Whispering Winds. The rezoning for a Landmark Overlay is applicable to the historic sign only. The property can further be described by: Assessor's Parcel Number 104-05-005, situated at Sixteenth: NW Quarter: NE Section:22 Township:21 Range: 07E PT of NE4 Comm ATN4, located at 922 E Route 66, City of Flagstaff, Coconino County, Arizona.

This project has been submitted as PZ-20-00141-02 for review of an application to the Heritage Preservation Commission (HPC) for a Historic Façades and Signs Grant Program. The grant application was reviewed and approved and again verified by the Heritage Preservation Commission at a meeting held on 02/03/2021 confirming grant compliance of the design graphics presented, a written narrative and a sign permit application submitted for confirmation of the design to be reviewed for implementation pending Council approval of the rezoning.

A recording of the grant application Commission meeting may be reviewed on the City's website: https://flagstaffaz.new.swagit.com/videos/55447

B. Proposed Rezoning

The Heritage Preservation Program is requesting rezoning of the property with a Landmark Overlay (LO) designation to allow for the full historic restoration of the motel's sign. Approval of a sign permit application to enable restoration of the historic sign in accordance with HPC grant conditions is currently pending. Grant execution and sign restoration will move forward should City Council approve the rezoning request.

II. Staff Review

The Heritage Preservation Officer reviewed the Historic Facades and Signs Grant application in August 2020 and forwarded it to the Heritage Preservation Commission for approval on August 19, 2020. Approval of the grant application requires a review of the proposal and a finding of significance integrity and compliance with the Secretary of interior's Guidelines for Restoration. The HPO determined that the sign met the requirements of historical significance and, in awarding the grant, HPC reached the same conclusion evaluated under 10-30.30.040.E Individual Signs of Historic or Cultural Significance. The proposed sign restoration is subject to successfully obtaining a Direct to Ordinance Zoning Map Amendment (rezoning).

The criteria of Flagstaff City Code 10.30.30.040.C.3 designation of Landmarks Properties or Historic Overlay Zones were met on October 21,2020. On November 19th, 2020 the rezoning request was submitted for review with the Inter-Department Staff (IDS). The application was approved December 31, 2020. A copy of the Zoning Code Map Amendment application and the Heritage Preservation Commission grant application is attached to this report.

A sign permit application, conditioned on the successful rezoning of the property, is currently pending. Should the rezoning be denied, the Historic Façades and Signs Grant as submitted will no longer be approved and the sign permit application will be withdrawn.

A. Zoning – City of Flagstaff Zoning Code

If this Direct to Ordinance Zoning Map Amendment request is approved, approximately 0.82 acres will be rezoned into the LO zone with only the footprint of the sign receiving HPC's landmark review. As set forth below, staff recommends conditioning the zoning map amendment approval on the restoration of the sign complying with the approved sign permit and meeting the approved design for the Historic Facades and Signs Grant Application.

i. Site Planning Standards

A substantial portion of the original historic Route 66 motel sign remains standing at approximately 22 feet in height. This historic location and its significance will be retained at its current location. Missing from the top of the remaining sign is a semi oval cabinet component (4'-11" x 12'-6") which once called out Whispering Winds Motel. Above the oval sign cabinet, also be restored, is the continuing form of the sign's unique shaped sign pole wrap. The sign is to be restored to its original height of 28'-8". Non-historic additions to the sign will be removed and repair and restoration of surfaces will be conducted that includes substantiated historic paint colors related to the motel. The historic look of the sign was substantiated by a photo postcard. The submitted sign application, narrative and graphics depict the historic form of the sign.

ii. Outdoor Lighting

Lighting standards for signs are found in Flagstaff City Code 10-50.100 in a section from which Individual Signs of Historic or Cultural Significance are exempted.

iii. Historic/Cultural Resources

The principle reason for the Landmark Overlay zoning map amendment was to provide for the historic preservation and restoration of the Route 66 sign itself and to enhance efforts in the preservation of the subject property.

There is no impact to Parking, Landscaping, Compatibility and Architectural Design Standards, Pedestrian and Bicycle Circulation System, Open Space and Civic Space or Resource Protection as a result of this project.

III. Direct to Ordinance Zoning Map Amendment

An application for a Direct to Ordinance Zoning Map Amendment shall be submitted to the Planning Director and shall be reviewed and a recommendation prepared. The Planning Director's recommendation shall be transmitted to the Planning and Zoning Commission in the form of a staff report prior to a scheduled public hearing. The recommendation shall include: an evaluation of the consistency and conformance of the proposed amendment with the goals and policies of the General Plan and any applicable specific plans; the grounds for the recommendation based on the standards and purposes of the zones set forth in Section 10-40.20 (Establishment of Zones) of the Zoning Code; and, whether the amendment should be granted, granted with conditions to mitigate anticipated impacts caused by the proposed development, or denied.

Direct to Ordinance Zoning Map Amendments shall be evaluated based on the following findings:

A. Finding #1:

The proposed amendment must be found to be consistent with and in conformance with the goals and policies of the General Plan and any applicable specific plans. If the application is not consistent with the General Plan, and any other applicable specific plan, the applicable plan must be amended in compliance with the procedures established in Chapter 11-10 of the City Code (Title 11: General Plans and Subdivisions) prior to considering the proposed amendment.

i. General Plan/Flagstaff Regional Plan (FRP 2030) Process and Analysis Summary

When staff performs a Regional Plan (the "Plan") analysis, staff reviews all maps, text, and goals and policies to determine which are the most relevant in relation to the proposed application.

Staff has identified the following Goals and Policies as most relevant to the current application proposal. This portion of the analysis is subjective in nature because some policies are given a higher weight in the analysis than others.

ii. Applicable General Plan Goals and Policies

As part of its review, staff identified relevant Regional Plan Goals and Policies that could be applied to support the proposed Zoning Map Amendment. Aspects of the project are further discussed in the narrative. The following is a discussion of how the project meets goals and policies.

Community Character (Scenic Resources and Natural Setting, Heritage Preservation, Community Design, and Arts, Sciences and Education)

Goal CC.3 aims to preserve, restore, enhance, and reflect the design traditions of Flagstaff. Specifically, policies CC.3.1 and CC.3.2 discuss the desired design of buildings and their relationship to their context. The project design was developed to be site specific and complement traditional design characteristics associated with Flagstaff and directly related to documented evidence of the sign's original design with photo documentation for the sign restoration. The design is appropriate for the region and climate, and consistent with surrounding development of Route 66.

Policy CC.4.1 states streetscapes are to be context sensitive and transportation systems are to reflect the desired land use while balancing the needs of all modes for traffic safety and construction and maintenance costs. The sign will not adversely impact traffic safety with the restoration component being placed high up on the existing historic sign pole.

Growth Areas & Land Use (Reinvestment, Greenfield, Urban Area, Suburban Area, Rural Area, Employment Area, Special Planning Area, and Activity Centers)
The proposed historic sign restoration is on a developed parcel and its preservation and restoration promotes reinvestment in the historic property overall.

B. <u>Finding #2</u>

To meet the finding, the proposed amendment must be determined not to be detrimental to the public interest, health, safety, convenience, or welfare of the City of Flagstaff (the "City"); and will add to the public good as described in the General Plan. Staff does not believe that the proposed project will be detrimental to the public interest, health, safety, convenience, or welfare. Staff also believes that the proposed amendment will add to the public good.

The staff has identified the following Community Benefits and Public Good:

i. Preservation of a sign identifying a significant historic motel along Route 66 (a roadway of State and National significance) is a priority of the city's Heritage Preservation Program. The retention of the sign keeps essential features of Nationally Significant Scenic byway and All-American Road.[1]

Staff believes that the proposed application meets this finding. The Inter-Division Staff reviewed the application and concluded that the site was suitable for the proposed sign restoration. The IDS team based its conclusion on the review of Flagstaff Zoning Code 10-30.30.040.E Individual Signs of Historic or Cultural Significance as presented by the Flagstaff Heritage Preservation Officer and reviewed within the permit for compliance with Section 10-50.100.050(D), Structure and Installation.

C. Additional Findings for Individual Signs of Historic or Cultural Significance

Flagstaff City Code 10-30.30.040.E states:

1. Signs which may be unusual, significant, or meaningful to the City streetscape and the City's history may be worthy of special recognition and may be designated as a landmark property in accordance with the provisions of this division if they meet the following criteria:

    a. The sign has been in continuous existence at its present location for not less than 50 years;

    b. The sign is of exemplary technology, craftsmanship or design for the period in which it was constructed; uses historic sign materials or means of illumination; and/or is unique in that it demonstrates extraordinary aesthetic quality, creativity, or innovation;

    c. The sign is structurally safe or is capable of being made so without substantially altering its historical character or significance;

    d. If the sign has been altered, it must be restorable to its historic function and appearance; and

    e. The sign complies with Section 10-50.100.050(D), Structure and Installation.

[1] The National Scenic Byways Program is a voluntary, community-based program administered through the Federal Highway Administration (FHWA) to recognize, protect, and promote America's most outstanding roads. All-American Roads are the highest designation recognized for outstanding scenery, history and cultural landmarks and landscapes.

In the case of the Whispering Winds sign restoration:

i. The sign has been in continuous existence for more than 50 years
ii. The sign is exemplary craftsmanship tied to the midcentury modern style of the Route 66 era.
iii. The sign is structural safe and the proposal will not alter but restore its character.
iv. The sign is restorable per the illustrations submitted and evaluation by the Heritage Preservation Officer and set forth in the sign permit application.
v. The sign installation will comply with Section 10-50.100.050D of the Zoning Code because there will be no external bracing, electrical service will be underground and concealed, and sign is being constructed of durable materials.

Effect of Designation. When a sign is found to be significant, designated as a landmark property (Section 10-30.30.040(C)), and restored to its historic function and appearance, the sign shall not be subject to the provisions of Division 10-50.100, Sign Standards.

The Heritage Preservation Commission considered these findings at the February 3, 2021 Special Meeting and affirmed that the findings of these sections are met by the proposed zoning map amendment and associated sign application (See attached minutes)

IV. DEVELOPMENT AGREEMENT

A draft development agreement was not requested, the project is subject to terms and conditions of the rezoning ordinance, the sign permit, and the grant reviewed by the HPO & HPC as the regulatory mechanism for review of changes within landmark overlays.

V. CITIZEN PARTICIPATION

Public hearings before the Planning and Zoning Commission and City Council are conducted in conjunction with requests for Direct to Ordinance Zoning Map Amendments. In accordance with State Statute, notice of the public hearing was provided by placing an ad in the Daily Sun, posting notices on the property, and mailing a notice to all property owners within 300 feet of the site excluding rights-of-way.

The Heritage Preservation Program has held one neighborhood meeting in regard to this case on August 19, 2020. The meeting was held virtually during the Heritage Preservation Commission. As stated in the HPC meeting minutes, no member of the public commented upon the project. The public meeting minutes are attached. The meeting included a presentation from the Heritage Preservation Officer representing the owner/applicant and a question and answer session where questions could be typed into the chat. Comments on the project were not made by the HPC members with the HPO staff report being sufficient. No emails from the public were received.

The requirement for a second public meeting was waived by the Planning Director.

RECOMMENDATION:

Staff recommends the Planning & Zoning Commission forward the request to the City Council with a recommendation approving PZ-20-00141-02, subject to the following conditions which will be included into the zoning map amendment ordinance:

1. The subject sign must be developed in accordance with an approved sign permit, which incorporates the design set forth in the Heritage Preservation Application grant application dated August 19,2020 and verified in a special Heritage Preservation Commission meeting on February 3, 2021.
2. Minor alterations to the design are permitted only if approved by the Heritage Preservation Officer, who may refer reviews to the Heritage Preservation Commission.

Attachments:

- Application
- Newspaper Notice
- Banner Public Hearing PZ Notice
- Review Comments
- 2nd meeting Waiver
- Narrative
- HPC Neighborhood hearing
- Property maps
- Notification letter
- Historic Facades and Sign Grant application – August 2020
- Sign Permit application - January 2020

City of Flagstaff — Community Development Division

211 W. Aspen Ave
Flagstaff, AZ 86001
www.flagstaff.az.gov
P: (928) 213-2618
F: (928) 213-2609

Date Received	Application for ~~Direct to Ordinance~~ Zoning Map Amendment	File Number PZ-20-00141-02

Project Name Whispering Winds – Historic Route 66 Sign Restoration			
Site Address 922 E Route 66	Parcel Number(s) 104-05-005	Subdivision & Lot Number Sixteenth NW Quarter NE Section 22 Township 21	Site Acreage .82
Existing Zoning District HC	Proposed Zoning District Landmark Overlay	Existing Regional Plan Area and Place Type Suburban	
Existing Use Motel/Motel Sign		Proposed Use Motel/Motel Sign	

Property Information:
- ☐ Yes x No Located in an existing Local/National Historic District? (Name:_____)
- x Yes ☐ No Existing structures are over 50 years old at the time of application?
- ☐ Yes x No Subject property is undeveloped land?

Type of Zoning Map Amendment (Small, Medium, Large or Multi-Phase)-
Small—

Property Owner(s) WW.66 LLC		Phone
Mailing Address 6164 E Abineau Canyon Dr.	City, State, Zip Flagstaff AZ 86001	E-mail
Applicant(s) -WW.66 LLC/Jose R Alvarado		Phone (928) 779-6944
Mailing Address WW.66 LLC, 6164 E Abineau Canyon Dr.	City, State, Zip Flagstaff AZ 86001	E-mail Jose@ACM-JVT.com
Project Representative(s) Mark Reavis, Heritage Preservation Officer		Phone (928) 213-2633
Mailing Address 211 W Aspen Ave	City, State, Zip Flagstaff AZ 86001	E-mail Mark.Reavis@flagstaffaz.gov

Property Owner Signature (required) *(print & sign)*	Date	Applicant Signature *(print & sign)*	Date
	12/22/2020		12/22/2020

Date Filed:	File Number(s):	
P & Z Hearing Date:	Publication and Posting Date:	
Council Hearing Date:	Publication and Posting Date:	
Fee Receipt Number:	Amount:	Date:

Action by Planning and Zoning Commission:	Action by City Council:
☐ Approved	☐ Approved
☐ Denied	☐ Denied
☐ Continued	☐ Continued

Staff	Planning	Engineering	Fire	PW/Water Services	Stormwater

Assignments					

Application for Direct to Ordinance~~Concept~~ Zoning Map Amendment

The information included below is intended to help an applicant complete the necessary forms and provide the required information in support of an application for a Direct to Ordinance Zoning Map Amendment (i.e., rezoning) as established in Zoning Code Division 10-20.50 (Amendments to the Zoning Code Text and the Zoning Map).

Direct to Ordinance with a Site Plan

The **Direct to Ordinance with a Site Plan** process provides an applicant with a shorter approval process with fewer steps. This process enables an applicant to submit fully developed site plans with all the supporting information required for Site Plan Review and approval concurrently with the Zoning Map Amendment application. Once the Zoning Map Amendment is approved by Council, then the applicant may proceed directly to construction plan and building permit review.

In addition to a complete Site Plan Application, the following items are to be included in the ZMA Application.

General Processing Information for all Applications

1. Application(s) shall be made on the forms provided by the City which shall bear the signature of the owner of the property affected. If the applicant is other than the owner, the applicant shall also sign the application. The application shall include all information and materials specified in the checklist along with the required fee.
2. All applications shall be reviewed by staff to determine the completeness of the application prior to it being scheduled for a public hearing before the Planning and Zoning Commission or City Council. Prior to the first hearing with the Planning and Zoning Commission, the Planning Development Manager will notify the applicant of the required number of copies of the completed application to submit for the public hearing review.
3. The Planning Director may request any additional information that is relevant to assist in the review of the rezoning request (Zoning Code Section 10-20.50.040.C.3). The Planning Director may also waive the requirements for any of the information required in Zoning Code Section 10-20.50.040.C if it is determined that such information is not necessary in order to complete a review of the requested Zoning Map Amendment.
4. The applicant shall schedule and conduct neighborhood meetings in compliance with Zoning Code Section 10.20.30.060.
5. Each request for rezoning shall be advertised in a local newspaper, have notices sent to surrounding property owners, and have the notice posted on the property at least 15 calendar days prior to the first public hearing.
6. A minimum of 30 calendar days is required to process an application for a Planning and Zoning Commission public hearing. The Planning and Zoning Commission meets on the second and fourth Wednesday of each month.
7. The requested rezoning will be scheduled for a public hearing by the City Council a minimum of 21 calendar days or more after action by the Commission.

Findings for Granting a Zoning Map Amendment

An amendment to the Zoning Map may be approved only if all the following findings are made, as applicable to the type of amendment proposed:

1) The proposed amendment is consistent with and conforms to the goals of the General Plan and any applicable specific plans;
2) The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, and will add to the public good as described in the General Plan; and
3) The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal) 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.

The submittals required for applications for Zoning Map Amendments vary based on the size of the development and whether an amendment to the General Plan is required, as set forth below:

1. **Small-Scale Zoning Map Amendments.** These are applications for Zoning Map Amendments for which no infrastructure analyses are required by the *City of Flagstaff Engineering Standards* and are determined by the Planning Director to be consistent with the General Plan and to be compatible with surrounding development. These applications typically include developments on small lots or parcels (a duplex, for example).

2. **Medium-Scale Zoning Map Amendments.** These are applications for Zoning Map Amendments for developments that fall below the thresholds for large-scale Zoning Map Amendments and that meet the following thresholds:
   a. Require a minor amendment to the General Plan; and/or
   b. Require infrastructure analyses in accordance with the *City of Flagstaff Engineering Standards* as part of the concurrent Site Plan Application.

   Applications may include a draft development agreement that defines applicant/City obligations, if needed.

3. **Large-Scale Zoning Map Amendments.** These are applications for Zoning Map Amendments that meet the following thresholds:
   a. Residential developments over 100 units; all commercial developments over 50,000 square feet or 15 acres; all industrial and research and development uses over 150,000 square feet or 20 acres; or
   b. Require a major amendment to the General Plan, and/or
   c. Require infrastructure analyses in accordance with the *City of Flagstaff Engineering Standards* as part of the concurrent Site Plan Application.

   Applications usually include a draft development agreement that defines applicant/City obligations, and there may be additional requirements for citizen outreach depending on the size of the proposed development.

4. **Multi-Phase Scale Zoning Map Amendments.** These are applications for Zoning Map amendments for very large projects that meet the following thresholds:
   a. Are complex in terms of their associated development issues; involve the future subdivision of land and the potential for multiple land developers; include multiple land use types; include multiple zone designations; involve complex utility infrastructure issues; and will require the design and layout of an internal street network to connect to existing streets; or
   b. Require a major amendment to the General Plan, and/or
   c. Require infrastructure analyses in accordance with the *City of Flagstaff Engineering Standards* as part of the concurrent Site Plan Application.

   Applications usually include a draft development agreement that defines applicant/City obligations, and there may be additional requirements for citizen outreach depending on the size of the proposed development. The concurrent Site Plan Application shall include a phasing map indicating the sequence of zoning, development, and public utility and infrastructure improvements

Public Record

All information submitted in conjunction with this application will become part of the public record and may be provided to members of the public. You must notify the City prior to submitting this application if you believe the information you are submitting may be proprietary or confidential.

CITY OF FLAGSTAFF	**Direct to Ordinance Zoning Map Amendment** Application Checklist

PART I – GENERAL REQUIREMENTS

Staff Use Only		
Req	Sub	**Description of Documents Required for Complete Application.** No application shall be accepted without all items marked below.
☒	☐	**I.1 Zoning Map Amendment Development Checklist** (this list) completed and signed by a Planning Development Manager.
☒	☐	**I.2 Application Fee** x Small Scale ☐ Medium Scale ☐ Large Scale ☐ Multi-Phase scale ☐ Low Density Residential Base fee $_____ + (Per acre fee $_____ x Number of acres _____) = ***TOTAL:** **$__0_____Flagstaff Heritage Preservation as applicant** ***Please note, this fee calculation is good for six months from the date listed on Page 8 of this application. If submittal is to occur after expiration of this calculation, please contact the Planning Development Manager listed on Page 8 of this checklist for an updated fee.**
☒	☐	**I.3 Completed Application for Direct to Ordinance Zoning Map Amendment Review** – 1 copy The application must be signed by the applicant and the current property owner of record. If the property owner is unavailable to sign the application, a Letter of Authorization must be submitted.
☒	☐	**I.4 – Electronic Submittal** An electronic copy of all submitted information (.pdf or .tif format) with individual files labeled by checklist heading type (i.e., II.1 Cover Sheet; II.2 Vicinity Map).
☒	☐	**I.5 Legal Description** –1 copy A correct and approved legal description (metes and bounds) and map of the subject property is required. Please note that legal descriptions must have been approved by the City before the requested amendment and ordinance will be considered by the City Council. The legal description must be: • Submitted on acid free paper. • Submitted in an electronic (.pdf) format.
☒	☐	**I.6 Title Report – No older than 30 days from the submittal date** – 1 copy Include complete Schedule A and Schedule B.
☒	☐	**I.7 Site Plan Review Application** – Coordinate with Planner for timing and number of paper copies needed Site Plan application may be submitted prior to or concurrent with this application. The applicant may choose to delay the following Site Plan items: Landscaping Plan (although a Concept Level plan is required); Outdoor Lighting Plan; and Preliminary Signage Plan. If these items are delayed, the applicant will need to come back and update the Site Plan after approval of the rezoning.
☒	☐	**I.8 Location/Vicinity Map** – 1 copy The location/vicinity map shows adjacent streets and properties, as well as the land uses and zoning for those properties. Any contiguous property owned by the property owner or applicant must also be shown. The location/vicinity map must be drawn to scale and include dimensions.
☒	☐	**I.9 Neighborhood Meeting(s) Plan**– 1 copy A plan for how the applicant intends to conduct the neighborhood meeting(s) in compliance with Zoning Code Sections 10-20.30.060 and 10-20.30.070. This plan shall include the following information: • Property owners, citizens, jurisdictions, and public agencies within 300 feet of the development site or that may be affected by the application, Homeowners Associations and Neighborhood Associations within 1,000 feet of the subject property, and the Registry of Interested persons or groups. The Planning Director may expand the required notification area based on the location and context of the subject property. • Proposed notification methods (e.g., mail, e-mail, newspaper, or posting of the subject property with a 4 foot by 4 foot sign 10 days prior to the meeting) for persons and organizations identified above. • Form, structure, and agenda of the meeting (e.g., town meeting, workshop, charrette, or other appropriate public outreach technique). • Opportunities for those particularly affected parties to discuss and provide input on the applicant's proposal. • Location, date, and time of the neighborhood meeting. Two neighborhood meetings are required for a rezoning. • Methods to keep the Planning Director informed of the status and results of the neighborhood meeting.

		I.10 Notice of Public Hearings– 1 copy (Public Hearing notice format is attached to this application) Neighborhood notifications must conform to all requirements of Zoning Code Section 10-20.30.080 and include: • A list of all property owners and addresses (the Planning Director may expand this notification area) of the subject property, as well as potentially affected citizens identified in the Citizen Participation Plan. • Affidavits of notice mailing and sign posting (see attached).
☒	☐	**I.11 Neighborhood Meeting Record of Proceedings** – 1 copy The applicant shall create a written summary of the meetings which shall be submitted prior to the application being deemed complete and include: • Certification that the meeting was noticed and conducted in compliance with Zoning Code Section 10-20.30.060. • Details of techniques used to involve the public, including: ○ Dates and locations of neighborhood meetings; ○ Copies of letters, notices, newsletters, and other correspondence, including dates and numbers of mailings or deliveries; ○ A copy of the mailing list and a summary of where residents, property owners, and potentially affected citizens receiving notices, newsletters, or other written materials were located; ○ The number and names of people that participated in the process based on the sign-in sheet for the meeting; and ○ A dated photograph of the sign installed in compliance with Zoning Code Section 10-20.30.060.D.6. • A summary of concerns, issues, and problems expressed during the neighborhood meeting, including: ○ The substance of the concerns, issues, and problems; and ○ The applicant's response to the comments received at the public meeting. • The applicant shall also send a copy of the written summary to all the people who recorded their names on the sign-in sheet for the meeting within two weeks of the meeting.
☐	☐	**I.12 Development Agreement Application and Fee** Submit a draft Development Agreement to include any deal points being sought by the applicant, including any conditions, requirements, and/or stipulations.
☒	☐	**I.13 Owner Certification Acknowledging Receipt of Notice of Right to Appeal Exactions and Dedications**
☒	☐	**I.14 Project Narrative** – 1 copy The narrative should include the following: • Project title and date. • The reason for the request. • An analysis of how the proposed amendment is consistent with and conforms to the goals of the General Plan and any applicable specific plan(s). This analysis shall include any relevant goals and policies that DO NOT support the application. • A summary of how the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare, and will add to the public good. • A description of how the subject property 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 (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, stormwater drainage, and wastewater collection, treatment, and disposal) to ensure that the requested amendment and the proposed uses will not endanger, jeopardize, or otherwise constitute a hazard to the subject property or improvements within the vicinity of the subject property. • A description of how essential public services (i.e., water, wastewater, stormwater, solid waste) will be provided. • An analysis of how the proposed amendment will benefit the community. • Any additional information the applicant would like to submit in support of the requested amendment.
☐	☐	**I.15 Other Requirements** Please provide the following: _____ _____ _____ _____ _____ _____

PART II – PLANNING DEVELOPMENT MANAGER

No application shall be accepted without a Planning Development Manager signature below.

II.1 Planning Development Manager Contact Information

If you have any questions regarding this application checklist, please contact your Planning Development Manager (PDM). If you did not receive a completed copy of this checklist as part of your Concept Plan review, please contact the PDM assigned to your Concept Plan application.

PDM Name (print): _____ **Phone:** _____

PDM E-mail: _____ **Date:** _____

PDM Signature: _____

Neighborhood Meeting Requirements

Neighborhood meetings in accordance with Section 10-20.30.060 of the Zoning Code shall be required for all Direct to Ordinance Zoning Map Amendment applications. The applicant's neighborhood meetings shall be scheduled only after the Planning Development Manager has reviewed and accepted the required Neighborhood Meeting Plan submitted in conjunction with the Zoning Map Amendment application and prior to Planning and Zoning Commission consideration.

The **Neighborhood Meeting Plan** shall include the following information:

- Property owners, citizens, jurisdictions, and public agencies within 300 feet of the development or that may be affected by the application. The Planning Director may expand the required notification area;
- Proposed notification methods (e.g., mail, e-mail, newspaper, posting of the subject property) for persons and organizations identified above;
- Form, structure, and agenda of the meeting (e.g., town meeting, workshop, charrette, or other appropriate public outreach technique);
- Opportunities for those potentially affected parties to discuss and provide input on the applicant's proposal;
- Location, date, and time of the neighborhood meetings; and
- Methods to keep the Planning Director informed of the status and results of the neighborhood meeting.

Neighborhood Meeting Notification

The applicant shall comply with the following requirements:

- Create a notice that sets forth the purpose and substance of the proposed application and the time, date, and place of the neighborhood meetings;
- Submit a copy of the notice to the Planning Director;
- Notify by first class mail all property owners of record within 300 feet of the subject property. The Planning Director may expand the notification area based on the location and context of the subject property if it is determined that the potential impact of the development extends beyond the required notification boundary;
- Notify by first class mail to the situs or actual address of all tenants and residents living on the subject property;
- Notify by first class mail all homeowners associations and neighborhood associations that govern land within 1,000 feet of the subject property as well as all persons or groups whose names are on the registry of persons and groups who are interested in receiving such notice. If it is determined that the potential impact of the development extends beyond the required notification boundary, the Planning Director may expand the notification area; and
- Install a minimum of one sign that is at least four feet by four feet in an area on the property in a location or locations clearly visible from a public right-of-way to adjacent residents setting forth the purpose, time, date, and place of the neighborhood meeting, with an attached information tube containing copies of the meeting notice. This sign shall be installed a minimum of 10 days prior to the neighborhood meeting.

Neighborhood Meeting Record of Proceedings

The applicant shall create a written summary of the meetings, which shall be submitted prior to the scheduling of a public hearing on the application. At a minimum, the report shall include the following information:

- Certification, on a form established by the Planning Director, that the meeting was noticed and conducted in compliance with the requirements of this section.
- Details of techniques the applicant used to involve the public, including:
  - Dates and location(s) of neighborhood meetings;
  - Copies of letters, notices, newsletters, and other correspondence, including dates and number of mailings or deliveries;

- A copy of the mailing list and a summary of where residents, property owners, and potentially affected citizens receiving notices, newsletters, or other written materials were located;
- The number and names of people that participated in the process based on the sign-in sheet for the meeting; and
- A dated photograph of the sign installed.

- A summary of concerns, issues, and problems expressed during the neighborhood meeting, including:
  - The substance of the concerns, issues, and problems; and
  - The applicant's response to the comments received at the public meeting. The applicant's responses shall be included on the site plan, illustrative plan, other planning documents(s), and/or in an associated report. If public comments are not included in any of these documents, an explanation of why they were not included must be provided.
- The applicant shall also send a copy of the written summary to all the people who recorded their names on the sign-in sheet for the meeting.

Neighborhood Meeting Certification

I, Mark Reavis____, the authorized representative of WW. 66 LLC____, do hereby attest that the neighborhood meeting for Project No. PZ- 20_-00141-02_ was noticed and conducted in compliance with Section 10-20.30.060 of the City of Flagstaff Zoning Code and included the following:

A Citizen Participation Plan, prepared in accordance with Section 10-20.30.030.C of the City of Flagstaff Zoning Code, was submitted to the City of Flagstaff on __9_/__22_/__2020____ and accepted by the City of Flagstaff on __9_/__22_/__2020____.

A list of property owners within ___300_____ feet of the subject property boundaries was prepared and submitted to the City of Flagstaff as part of the Citizen Participation Plan.

Notices of the neighborhood meeting were sent via first class mail on __9_/__29_/_2020_____ to all property owners within ___300_____ feet of the subject property boundaries, to all tenants residing on the subject property, to all Homeowners Associations (HOAs) within 1,000 feet of the subject property, and all persons or groups whose names are listed on the Registry of Persons and Groups.

A total of _1__ neighborhood meeting notification sign(s) were installed on __9_/_29__/__2020____ at the following location(s):

- Placed and anchored to the motel sign to be restored @ 922 E Route 66
- _____
- _____

A written summary of the meetings, known as a Citizen Participation Report, was submitted to the City of Flagstaff on __10_/_21__/__2020____.

Copies of the Citizen Participation Report were sent via first class mail on __10_/_28__/__2020____ to all persons who recorded their names on the neighborhood meeting sign-in sheet. **Participation was with the Heritage Preservation Commission Meeting, No Public Comment was received, minutes included.**

Authorized Representative of the Applicant:

Mark Reavis, Heritage Preservation Officer

Signature:

12/22/2020

Notice of Public Hearing Requirements

Process to Schedule and Notify Affected Property Owners of a Public Hearing before the Planning and Zoning Commission and City Council:

Step 1: Schedule Planning and Zoning Commission and City Council Hearings

Work with the Planning Development Manager handling the Zoning Map Amendment case to schedule a hearing before the Planning and Zoning Commission and before the City Council.

Step 2: Notification to Affected Property Owners

The applicant for a Direct to Ordinance Zoning Map Amendment in the City of Flagstaff shall post signs and notify affected property owners by mail as prescribed by Section 10-20.30.080 of the City of Flagstaff Zoning Code to assist in providing adequate notice to interested parties and to meet Arizona State Statute requirements. The applicant is also responsible for establishing a list of the names and addresses of persons who require notification of a public hearing as established in Sections 10-20.30.060.A, 10-20.30.060.B, and 10-20.30.060.C of the Zoning Code. The applicant is required to mail a notice of required public hearing via first class mail to each of the persons on the list referenced above no later than 15 days prior to the public hearing date. Every mailed notice of a public hearing shall include:

- The date, time, location, and purpose of the hearing;
- The name of the body conducting the hearing, and a telephone number for the applicant to receive additional information;
- The location and times at which the complete application and development file may be viewed by the public;
- The address or location of the subject property;
- A general description of the proposed development or action and the property included in the application;
- A statement that any interested person or authorized agent may appear and be heard;
- A statement describing how and when to submit written comments;
- The existing zone classification; and
- The words "Zoning Map Amendment," as applicable.

The applicant must also erect and maintain a sign on the subject property no later than 15 days prior to the public hearing, and to update the hearing information on the sign until final disposition of the case. It shall also be the responsibility of the applicant to remove the sign within seven (7) days after the final disposition of the case.

Step 3: Documentation of Notification to Affected Parties

The applicant must submit a notarized copy of the mailing list, *Affidavit of Notifications to Affected Property Owners,* and *Affidavit of Sign Posting* to the Planning Director prior to the fifteenth day before the public hearing date.

The *Public Hearing Notice Sign Specification* on the subsequent pages of this application provide detailed instructions on posting and notification requirements.

Affidavit of Notifications to Affected Property Owners

Case Number: 20-00141-02

Project Name: Whispering Winds – Historic Sign Restoration

Applicant Name: WW.66 LLC / Jose R Alvarado, Director of Sales, Ascend Capital Management

Representative: Mark Reavis, Heritage Preservation Officer

Location: 922 E. Route 66, Flagstaff

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statute requirements, the applicant for public hearings in the City of Flagstaff shall notify affected property owners as prescribed by Section 10-20.30.080 of the City of Flagstaff Zoning Code. **It shall be the responsibility of the applicant to establish a list of the names and addresses of persons who require notification of a public hearing as established in Sections 10-20.30.060.A, 10-20.30.060.B, and 10-20.30.060.C of the Zoning Code, and mail a notice of required public hearing via first class mail to each of the persons on the list referenced above no later than 15 days prior to the public hearing date. It shall also be the responsibility of the applicant to submit a notarized copy of the mailing list to the Planning Director prior to the fifteenth day before the public hearing date.**

I confirm that the public hearing notifications were mailed as detailed in Section 10-20.30.080 of the City of Flagstaff Zoning Code at least fifteen (15) days prior to the public hearing.

Applicant's/Representative's Signature: Mark Reavis, HPO — 12/22/2020

Public Hearing Notice Sign Specification

- The sign shall be a minimum of four (4) feet by four (4) feet in size.
- The sign shall be constructed of laminated coroplast, laminated plywood, or other suitable construction material.
- The sign shall have a white background with black lettering. The least expensive process is laminated direct printing.
- The minimum lettering size shall be one (1) inch.
- The words "Public Hearing" shall be a minimum of two (2) inches in height. Sign lettering should be formatted to match the example below.
- The content of the sign shall match the example below and include specific case details.
- The sign shall be securely fastened to wooden or metal stakes.
- The applicant is responsible for maintaining the integrity and accuracy of the sign.
- The height of the sign shall be at least four (4) feet from finished grade to top of sign and shall not be obstructed from view.

City of Flagstaff

PUBLIC HEARING
Planning and Zoning Commission: (Date and Time)

LOCATION OF HEARING(S):
REQUEST:
PROPOSAL:
GENERAL LOCATION:
SIZE OF SITE:
CASE #
APPLICANT/CONTACT:
PHONE #:
Planning & Development Services Division: 928-213-2600
Posting Date:

Affidavit of Sign Posting

Case Number: 20-00141-02

Project Name: Whispering Winds – Historic Sign Restoration

Applicant Name: WW.66 LLC / Jose R Alvarado

Representative: Mark Reavis, Heritage Preservation Officer

Location: _922 E Route 66 Flagstaff AZ

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statute requirements, the applicant for public hearings in the City of Flagstaff shall post signs as prescribed by Section 10-20.30.080 of the City of Flagstaff Zoning Code. **It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property 15 days prior to the hearing and to update the hearing information on the sign until final disposition of the case. It shall also be the responsibility of the applicant to remove the sign within seven (7) days after the final disposition of the case.**

I confirm that the site has been posted as detailed in Section 10-20.30.080 of the Zoning Code as well as the Public Hearing Notice Sign Specifications included in this application for the case above, and that the site was posted at least fifteen (15) days prior to the public hearing.

See attached date stamped photo exhibit of posted signs.

Applicant's/Representative's Signature: _Mark Reavis, HPO 12/22/2020

Appeals of Dedication, Exactions, or Zoning Regulations

Right to Appeal

An applicant may appeal the following actions to an administrative hearing officer:

1. A dedication or exaction required as a discretionary administrative, but not legislative, condition of granting approval for the use, improvement, or development of real property.
2. The adoption of amendment of a zoning regulation that creates a taking of property in violation of A.R.S § 9-500.13.

Appeal Procedures

An applicant who intends to exercise the right to contest the requirement of a dedication or exaction shall file a written request for appeal to the Planning Director, who will transmit the request for appeal to the designated hearing officer.

- The appeal shall be filed within 30 days after notice is given of the final determination of the development or exaction requirement.
- The request for appeal may be in the form of a letter or other written communication but shall give reasonable notice that the applicant requests an appeal of a dedication or exaction requirement and of the particular dedication or exaction being appealed.
- After receipt of an appeal, the hearing officer shall schedule a time for the appeal to be heard not later than 30 days after receipt, unless the applicant consents to an extension of time. The applicant shall be given at least 10 days' notice of the time when the appeal will be heard unless the applicant agrees to a shorter time period.
- In all proceedings, the City has the burden of establishing an essential nexus between the dedication or exaction and a legitimate government interest, and that the proposed dedication or exaction is roughly proportional to the impact of the proposed use, improvement, or development. If more than a single parcel is involved, this requirement applies to the entire property.
- The hearing officer shall hear such testimony and consider such evidence as is relevant to the determination of such issues. The hearing officer shall not be bound by technical rules of evidence or procedures in conducting the hearing.
- The hearing officer shall decide the appeal within five (5) working days after the appeal is heard. If the City does not meet its burden, the hearing officer shall either:
    - Modify or delete the requirement of the dedication or exaction appealed; or
    - In the case of a zoning regulation appealed, the hearing officer shall transmit a recommendation to the Council. The Council may accept, modify, or deny the recommendation of the hearing officer.
- If the hearing officer modifies or affirms the requirement of the dedication or exaction, an applicant aggrieved by the decision of the hearing officer may appeal the decision to the Superior Court at any time within 30 days after the hearing officer has rendered a decision by following the procedures set forth in the Arizona Revised Statutes.

Please be aware that City Staff cannot give applicants legal advice. Applicants may wish, but are not required, to hire an attorney to represent them in an appeal.

Owner Certification Acknowledging Receipt

of Notice of Right to Appeal Exactions and Dedications

I hereby certify that I am the owner of property located at:

922 E Route 66, Flagstaff AZ 86001

_____

(address of development approval or City required improvements and dedications)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Flagstaff as part of my property development on the parcel listed in the above address.

12/21/2020

Signature of Property Owner *(print & sign)*

Date

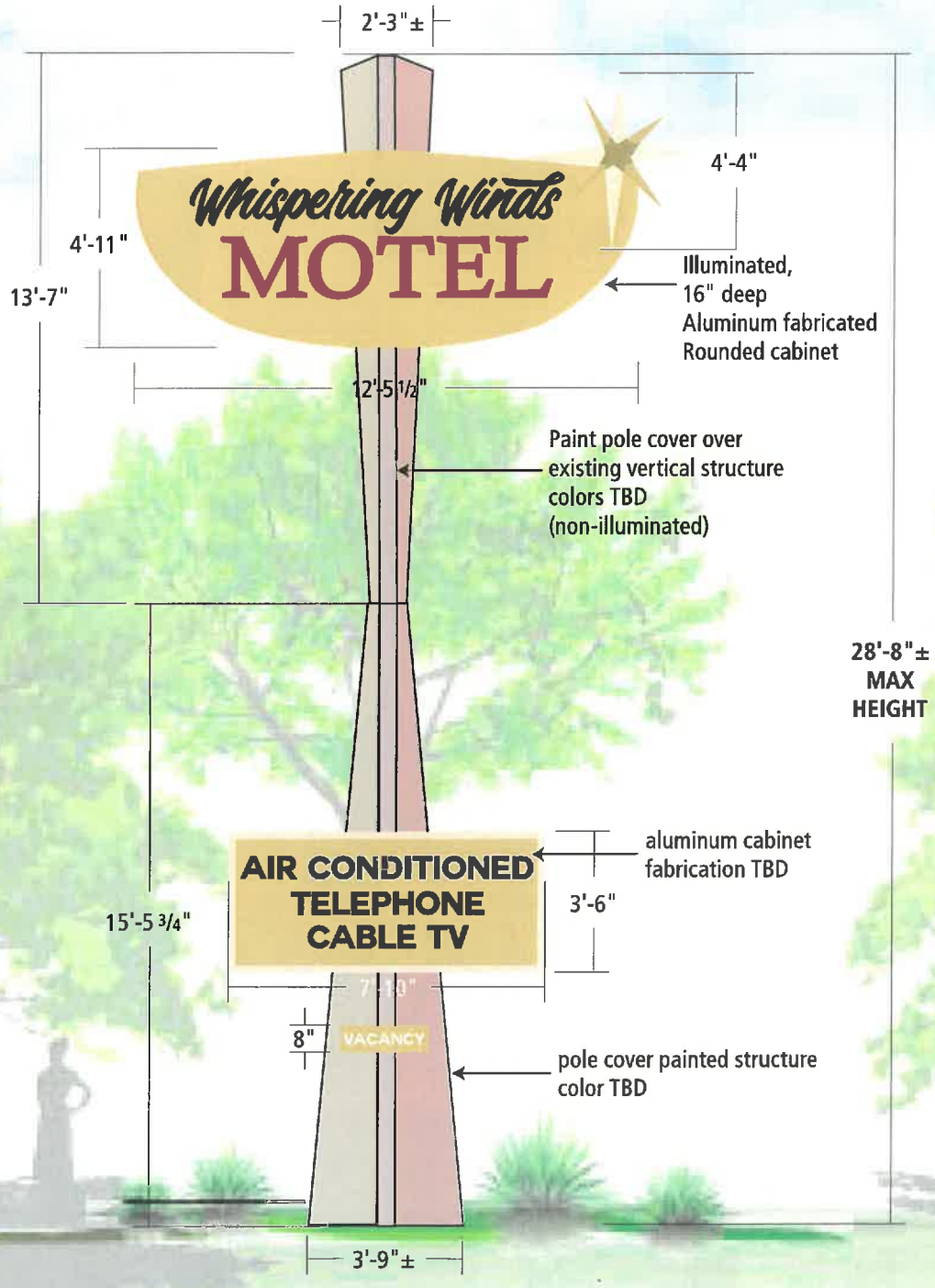
Client: WHISPERING WINDS
Contact:
Address: 922 E. ROUTE 66
Flagstaff, AZ 86001
Phone:
Email:

#1 SIGNS
1842 E. 3rd St. - Suite 104 - Tempe, AZ 85281
480-970-8060 fax 480-970-6646
number1signs.net

Office: 480.970.8060
Fax: 480.970.6646
Email: jr@number1signs.net
ROC # 257610 Date:09/30/20
AE: JR deLuna: 602-359-9494

OPTION 2

Monument Refurb.
Rendering | Scale: NTS

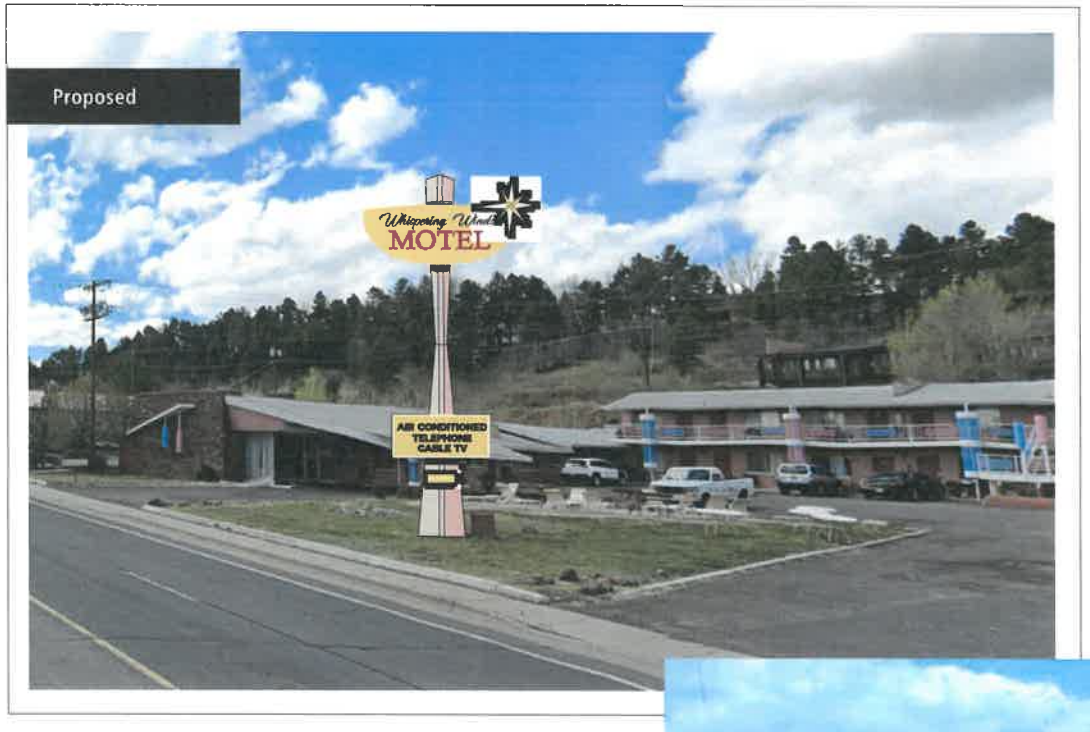


Monument Refurb.
Elevation | Scale: 3/16"=1'-0"

Client: WHISPERING WINDS
Contact:
Address: 922 E. ROUTE 66
Flagstaff, AZ 86001
Phone:
Email:

#1 SIGNS
1842 E. 3rd St. ~ Suite 104 ~ Tempe, AZ 85281
480-970-8060 fax 480-970-6646
number1signs.net

Office: 480.970.8060
Fax: 480.970.6646
Email: jr@number1signs.net
ROC # 257610 Date:09/30/20
AE: JR deLuna: 602-359-9494



Reference Photo Only | Scale: NTS

City of Flagstaff — Community Development Division

211 W. Aspen Ave P: (928) 213-2601
Flagstaff, AZ 86001 F: (928) 213-2609
www.flagstaffaz.gov

PSIGN

Date Received	Application for Permanent Sign Permit	Permit Number

Site Address (including suite #) 922 E Route 66	**City, State, Zip** Flagstaff, AZ 86001	**Parcel #** 104-05-005
Business Name Whispering Winds Motel	**Business Owner Name** WW66 LLC	**City License #** Pending (application submitted)
Local Contact or Manager Name Karan Patel	**Phone** 928-600-5774	**Shopping Center/Building Name** n/a
Business Mailing Address 2200 E Butler Ave,	**City, State, Zip** Flagstaff, AZ 86004	**E-mail** karan@acm-ivt.com
Total Value of Sign(s)$ 32,430	**Zoning District** HC	**Multi-Tenant (3 or more) Development or Shopping Center** ☐Yes ☑No

Contact the local Registrar of Contractors Office (928) 526-2325 regarding licensed contractor requirements. If you are using a licensed General Contractor and/or subcontractors, you must provide that information prior to the permit being issued.

Sign Contractor/Vendor Name Number One Signs Corp	**Address** 1842 E. 3rd St #104	**City, State, Zip** Tempe, AZ 85281
Contact Name JR deLuna	**Phone** 480-970-8060	**Email** jr@number1signs.net
Contractor's License # 257610	**City of Flagstaff Business License #** 80332901	

Description of Proposed Work:
Pylon Sign Restoration and Rehabilitation to original design evidenced by post card.

Special Districts:

☐ Yes ☑ No This property is in a local or national Historic District. If yes, specify: _____
☐ Yes ☑ No This property is in the ___ Central Sign District ___ Downtown Historic District ___ Flagstaff Auto Park District
☐ Yes ☑ No This property has a Comprehensive Sign Plan. If yes, specify: _____

Important Information about this Application:

1. See the Planning Map on the **City of Flagstaff Public Mapping Portal** for information on **Zoning, Lighting Zones, and Historic Districts:** https://gis.flagstaffaz.gov/portal/apps/sites/#/opendata/app/e875b6af210e466095227070ee2ccc94.
2. See **page 3 of this application for a complete list of submittal requirements.** See **page 4 of this application** and **Section 10-50.100 Sign Standards of the Zoning Code** for City of Flagstaff Sign Standards.
3. Contact the **Planner of the Day** (https://www.flagstaff.az.gov/150/Current-Planning) with questions. A Permanent Sign Permit applicant may receive clarification from the City Zoning Code Manager on how the City is interpreting this Section.
4. **A Permanent Sign Permit is required for sign face changes for existing internally illuminated signs.** A Permanent Sign Permit is not required for sign face changes within the existing frame for non-illuminated and externally-illuminated signs.
5. An **Outdoor Lighting Permit** is required for changes to the lighting of externally-illuminated signs.
6. **An Over-The-Counter Electrical Permit is required for signs that include electrical work** as part of installation.
7. **A separate Building Permit is required for freestanding signs that meet at least one the following**: 1) The sign is more than 6 ft. tall from grade to the top of the sign, 2) The aggregate area of all signs on the structure is more than 35 square feet, and/ or 3) There is electrical work associated with the sign. An Over-The-Counter permit is not required for these signs.
8. Signs in a **Historic District or in the Central Sign District also require a Heritage Preservation Commission (HPC) application.** (https://www.flagstaff.az.gov/901/Heritage-Preservation). Complete and submit page 1 with the application fee.
9. An **application shall be considered withdrawn for failure to respond within 30 days** to corrections provided by the City.

_____ **(Initials)** I hereby certify that the information set forth on this form is complete and accurate and do hereby agree to comply with all applicable codes of the City of Flagstaff and the State of Arizona and with any conditions attached hereto, and request that all pertinent City personnel access my property at any time deemed necessary to inspect work being done relating to this permit.

Applicant Signature: ☑ **Contractor** ☐ **Agent** **Date:** 1-29-21

For City Use

Received By:	**Fee Receipt #:**	
Approval: ☐ Yes ☐ No	**Staff Initial:**	**Date Approved:**

Required Information for Each New Sign or Sign Face Change

Please fill out the table with the required information for each sign (**provide all dimensions in feet; e.g 5.5 feet**). If there are more than three signs proposed, copy this page and fill out the table for each additional sign (label the additional signs Sign 4, Sign 5, Sign 6, etc.).

Sign 1

☐ Sign Face Change Only ☐ Building Mounted ☐ Driveway ☐ Landscape Wall ☐ Service Island
☐ Comprehensive Sign Plan ☐ Changeable Copy ☑ Freestanding ☐ Projecting ☐ Suspended
☐ Awning/Canopy ☐ Directory ☐ Interpretive ☐ Roof Mounted ☐ Window

Sign Face Dimensions: Height 48" **Width** 146" **Depth** 21" **Sign Material(s):** Metal Rehabilitated Cabinet
Height from grade to top of sign: 173" **Height from grade to bottom of sign:** 125"
Type of Illumination: ☐None ☑LED ☐Incandescent ☐Florescent ☐Neon ☐Other (specify)_____
Lighting Zone and Time Limitation: ☐ Zone 1 (9:00 PM) ☐ Zone 2 (11: 00 PM) ☑ Zone 3 (11:00 PM)

Building Mounted Signs Only:
Wall length of business on primary building frontage_____ Wall length of business on secondary frontage (if applicable): _____

Freestanding Signs Only:
Total length of primary street frontage_____ Total length of secondary street frontage (if applicable) _____
Total landscaping required (sq. ft.) _____ Total landscaping provided (sq. ft.) _____

Sign 2

☐ Sign Face Change Only ☐ Building Mounted ☐ Driveway ☐ Landscape Wall ☐ Service Island
☐ Comprehensive Sign Plan ☐ Changeable Copy ☑ Freestanding ☐ Projecting ☐ Suspended
☐ Awning/Canopy ☐ Directory ☐ Interpretive ☐ Roof Mounted ☐ Window

Sign Face Dimensions: Height 59" **Width** 149.5" **Depth** 16" **Sign Material(s):** New Aluminum Cabinet Restoration
Height from grade to top of sign: 344" **Height from grade to bottom of sign:** 285"
Type of Illumination: ☐None ☑LED ☐Incandescent ☐Florescent ☐Neon ☐Other (specify)_____
Lighting Zone and Time Limitation: ☐ Zone 1 (9:00 PM) ☐ Zone 2 (11: 00 PM) ☑ Zone 3 (11:00 PM)

Building Mounted Signs Only:
Wall length of business on primary building frontage_____ Wall length of business on secondary frontage (if applicable): _____

Freestanding Signs Only:
Total length of primary street frontage_____ Total length of secondary street frontage (if applicable) _____
Total landscaping required (sq. ft.) _____ Total landscaping provided (sq. ft.) _____

Sign 3

☐ Sign Face Change Only ☐ Building Mounted ☐ Driveway ☐ Landscape Wall ☐ Service Island
☐ Comprehensive Sign Plan ☐ Changeable Copy ☐ Freestanding ☐ Projecting ☐ Suspended
☐ Awning/Canopy ☐ Directory ☐ Interpretive ☐ Roof Mounted ☐ Window

Sign Face Dimensions: Height_____ **Width**_____ **Depth**_____ **Sign Material(s):** _____
Height from grade to top of sign: _____ **Height from grade to bottom of sign:** _____
Type of Illumination: ☐None ☐LED ☐Incandescent ☐Florescent ☐Neon ☐Other (specify)_____
Lighting Zone and Time Limitation: ☐ Zone 1 (9:00 PM) ☐ Zone 2 (11: 00 PM) ☐ Zone 3 (11:00 PM)

Building Mounted Signs Only:
Wall length of business on primary building frontage_____ Wall length of business on secondary frontage (if applicable): _____

Freestanding Signs Only:
Total length of primary street frontage_____ Total length of secondary street frontage (if applicable) _____
Total landscaping required (sq. ft.) _____ Total landscaping provided (sq. ft.) _____

Whispering Winds Sign Permit Narrative

Full Historic Restoration of Historic Route 66 Sign.

By Mark Reavis, Heritage Preservation Officer on behalf of the property owner.

A substantial portion of the historic sign remains consisting of the detailed sign shaft at a height of approx. 22 feet. A lower cabinet historic sign is remaining and to be rehabilitated. Above this remaining rectangular cabinet sign to be restored is an added sign (motel name) to be removed. The portion of the sign at the top of the detailed sign shaft is the major sign restoration component, restoration per the US Secretary of the Interior Standards for Restoration as used by Flagstaff Heritage Preservation Program. This upper restoration is a semi-oval sign with text "Whispering Winds" and "MOTEL". The historic restoration includes a star feature as well as the completion of the shaft portion that is missing above the restored sign. The historic restoration is based upon photo documentation.

Please not that the graphic representation of the sign in one of the pictures has the decorative star not on the Street side, this was just an oversight on how the drawings were produced and placed into the photos. <u>The sign and star location is correct when traveling east bound.</u>

Narrative for:
Whispering Winds Historic Route 66 Sign Restoration

Project Representative: Mark Reavis, Flagstaff Heritage Preservation Officer 10/28/2020

As an aspect of Flagstaff's Heritage Preservation Program, the Heritage Preservation Officer is representing the applicant and owner in the landmark designation and full restoration of the historic route 66 Whispering Winds sign. The reason for the designation and the restoration of the missing components of the sign is that the restoration would not be in compliance with current Flagstaff sign code requirements for new or modifications to existing signs. Per Heritage Preservation allowances within the code the local landmark designation allows for this exception.

The historic roadside motel is undergoing interior room rehabilitation and the restoration of the exterior structure and the site. The historic sign is missing approximately the top third of its once original appearance. From photo documentation the plan is to accurately reproduce the missing component and rehabilitate the remaining portion of the sign. Preservation of Heritage Resources has been determined to be a community priority and a benefit to visitation and economic development. With the designation the Heritage Preservation Commission will release approved Flagstaff Arts & Science funding for the sign.

Planning and Zoning is to consider a proposed amendment to the official City of Flagstaff zoning map to designate a historic Route 66 sign as a local landmark with its full restoration. The site currently consists of land owned by WW.66 LLC, 6164 E. Abineau Canyon Dr. Flagstaff AZ.

General Description of the Affected Area: The point location of the sign is located in approximately .82 acres, Coconino County Assessor's Parcel Number 104-05-005, situated at Sixteenth: NW Quarter: NE Section: 22 Township: 21 Range: 07E PT of NE4 Comm ATN4, located at 922 E Route 66, City of Flagstaff, Coconino County, Arizona.

Notice for the public meeting was given per heritage preservation allowances in the Municipal Code – for the Flagstaff Heritage Preservation Commission that held a Public Hearing on Wednesday, October 21, 2020, at 5:00 p.m. in consideration of and to collect public comment.

The entire property is described for mapping purposes, but it is the sign only which is being called out as the historic landmark. ADDRESS: 922 E. Route 66, APN: 104-05-005 ACRES: Approximately .82 Acres w/point location of sign

Applicant & Owner's Representative: Jose R. Alvarado Director of Sales | Ascend Capital Management Phone: (928) 779-6944 Fax: (928) 774-3990 Email: Jose@ACM-JVT.com

Compliance with Regional Plan Policy

The restoration of the missing components the Whispering Winds sign conforms to the Regional Plan policies in several ways:

Policy CC.2.2. Formally recognize heritage resources through designation as local landmarks and historic districts. The designation as a local landmark was necessary to allow for the use of Flagstaff Grant funds. The formal designation officially recognizes the significance historically of this unique roadside Route 66 Motel.

Policy CC.2.4. Support restoration and rehabilitation of historic housing, buildings, structures, and neighborhoods. This designation supported the full historic restoration of the Sign to its original configuration and allowed the sign to vary from the Flagstaff sign code. This designation was for a unique structure which is just as important to Flagstaff heritage as designations for housing, buildings and neighborhoods.

Policy CC.2.5. Provide incentives for heritage and cultural preservation. The sign designation allowed for the use of an available grant program with the Arts & Science Historic Sign & Façade program.

Policy CC.3.3. Emulate the most celebrated design traditions of Flagstaff, particularly the pre-Route 66 and early Route 66 eras. This was a significant opportunity of have a significant impact on restoring a unique aspect of a Route 66 Motel. Signage along Route 66 was flamboyant and was very much a part of the travel history of the mid-century design linking signage and the theme of the building itself.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Flagstaff Planning and Zoning Commission will hold a Public Hearing on Wednesday, January 27, 2021, at 4:00 p.m. and the Flagstaff City Council will hold a Public Hearing on Wednesday, February 16, 2021, at 3:00 p.m.to consider the following:

A. Explanation of Matters to be considered:

1. A proposed amendment to the official City of Flagstaff zoning map to designate a historic Route 66 sign as a local landmark with its full restoration.

The site currently consists of land owned by WW.66 LLC, 6164 E. Abineau Canyon Dr. Flagstaff AZ.

B. General Description of the Affected Area:
The point location of the sign is located in approximately .82 acres, Coconino County Assessor's Parcel Number 104-05-005, situated at Sixteenth: NW Quarter: NE Section:22 Township:21 Range: 07E PT of NE4 Comm ATN4, located at 922 E Route 66, City of Flagstaff, Coconino County, Arizona.

Interested parties may file comments in writing regarding the proposed amendment by emailing Mark Reavis at mark.reavis@flagstaffaz.gov. Maps and information regarding the proposed amendment are available at the City of Flagstaff, Planning and Development Services Section, 211 West Aspen Avenue.

Planning and Zoning Commission meetings are held virtually in the Council Chambers of City Hall, 211 West Aspen Avenue, Flagstaff, Arizona. To comment at the hearing, email Mark Reavis for an invitation to the Teams meeting, or you can watch online at http://www.flagstaff.az.gov/streaming

City Council are also held virtually at the same location. To make comments at the City Council Hearing, please review and follow the Public Comment Protocols at http://www.flagstaff.az.gov/streaming

PROPOSED ZONING MAP AMENDMENT
For designation of a historic Route 66 sign as a local landmark

ADDRESS: 922 E. Route 66,
APN: 104-05-005
ACRES: Approximately .82 Acres w/point location of sign

FOR FURTHER INFORMATION CONTACT
Mark Reavis
Heritage Preservation Officer
Planning & Development Services
211 West Aspen Avenue
Flagstaff, Arizona 86001
(928) 213-2633
Mark.Reavis@flagstaffaz.gov

Owner Representative: Jose R. Alvarado | Director of Sales | Ascend Capital Management Phone: (928) 779-6944 | Fax: (928) 774-3990 | Email: Jose@ACM-JVT.com

Publish:

Zoning Code Map Amendment

Whispering Winds Historic Sign

Landmark Overlay

<u>Planning and Zoning Commission Hearing</u>
Wednesday, January 27, 2021 4pm

<u>City Council Hearing</u>
Tuesday, February 16, 2021 3pm

All Hearings will be held virtually on the City streaming platform
https: www.flagstaff.az.gov/streaming on the Live Conference tab
Contact Mark Reavis, Heritage Preservation Officer for a meeting
link or if you would like to comment at
mark.reavis@flagstaffaz.gov or call at 928-213-2633

Request: The Whispering Winds Historic Route 66 sign is proposed for restoration. In order to fully restore the sign under the Flagstaff Zoning Code, a Landmark Overlay is required to protect the historic resource.

Proposal: A small scale zoning map amendment is proposed to designate the landmark overlay on portion of parcel APN 104-05-005 at the address 992 E. Route 66.

For more information about this proposal, contact Jose Alvarado, at jose@acm-jvt.com or 928-779-6944.

To submit a written comment to the City regarding this case, please contact: Mark Reavis Heritage Preservation Officer, at mark.reavis@flagstaffaz.gov or (928) 213-2633

Posting Date: January 12, 2021

City of Flagstaff

Dear Property Owner;

RE: NOTICE OF NEIGHBORHOOD MEETING for DESIGNATION OF LOCAL LANDMARK HISTORIC SIGN

The purpose of this letter is to notify adjacent property owners that the Flagstaff Heritage Preservation Commission will hold a Public Hearing on Wednesday, October 21, 2020, at 5:00 p.m. to consider the proposed amendment to the official City of Flagstaff zoning map to designate a historic Route 66 sign as a local landmark with the signs full historic restoration.

The sign is located at the Whispering Winds Motel on historic Route 66 and is considered a critical component of the Route 66 corridor. A significant portion of the sign remains at its original location. The upper portion of the sign is missing and is to be reestablished as a component of a full restoration. The requirements of the Flagstaff Historic Façade and Sign Grant Program and determinations by the Heritage Preservation Commission mandate that the sign is restored to its original condition and that the restoration is protected by a Landmark designation. Restoration of the sign requires divergence from the sign code as allowed per Heritage Preservation provisions in the Municipal Code.

The location and mapping of the Landmark Overlay is being described by the legal description of the land but the Landmark designation is only applicable to the sign itself. The site currently consists of land owned by WW.66 LLC, 6164 E. Abineau Canyon Dr. Flagstaff AZ. The point location of the sign is located in approximately .82 acres, Coconino County Assessor's Parcel Number 104-05-005, situated at Sixteenth: NW Quarter: NE Section:22 Township:21 Range: 07E PT of NE4 Comm ATN4, located at 922 E Route 66, City of Flagstaff, Coconino County, Arizona.

Interested parties may file comments in writing regarding the proposed amendment by emailing Mark Reavis. In addition to written comments you may join the meeting remotely and speak for up to 3 minutes by getting the link from Mark Reavis, additional contact information below. Maps and information regarding the proposed amendment are available at the City of Flagstaff, Planning and Development Services Section, 211 West Aspen Avenue.

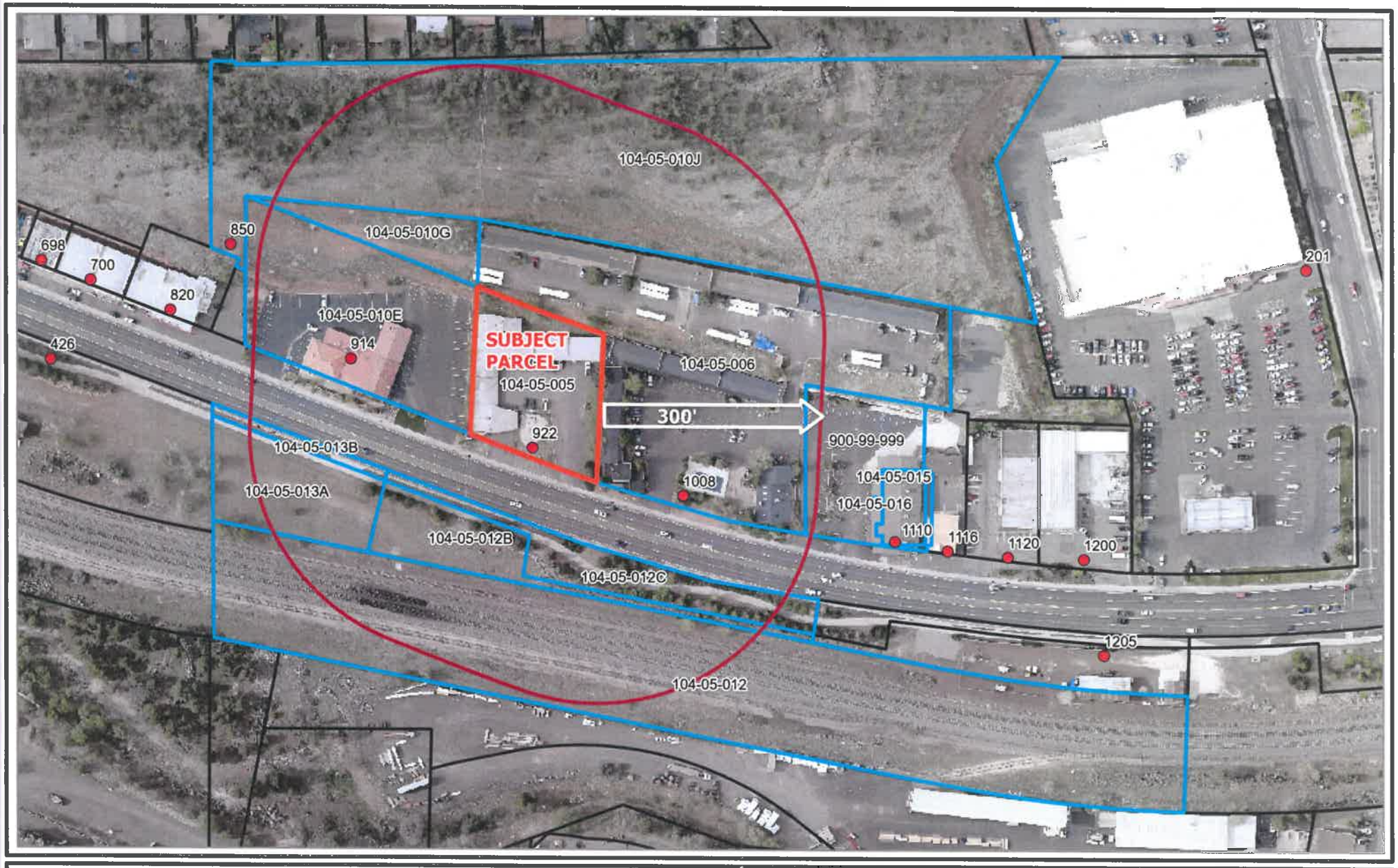
Heritage Preservation Commission meetings are held virtually in the Council Chambers of City Hall, 211 West Aspen Avenue, Flagstaff, Arizona. For an invitation to join the meeting email Mark Reavis or you can watch online at http://www.flagstaff.az.gov/streaming

Sincerely,

Mark Reavis, AICP, NCARB
Heritage Preservation Office/Neighborhood Planner
City of Flagstaff, AZ

FOR FURTHER INFORMATION CONTACT
Mark Reavis, Heritage Preservation Officer, Planning & Development Services, 211 West Aspen Avenue, Flagstaff, Arizona 86001 (928) 213-2633 or email Mark.Reavis@flagstaffaz.gov or

Owner Representative: Jose R. Alvarado | Director of Sales | Ascend Capital Management Phone: (928) 779-6944 | Fax: (928) 774-3990 | Email: Jose@ACM-JVT.com



Properties Within 300' of Whispering Winds Motel

0 75 150 300 450 600

Feet

City of Flagstaff maps and data are updated on a regular basis from data obtained from various sources. The City of Flagstaff endeavors to provide accurate information, but accuracy is not guaranteed. You are strongly encouraged to obtain any information you need for a business or legal transaction from a surveyor, engineer, title company, or other licensed professional as appropriate. Information is provided subject to the express condition that you knowingly waive any and all claims for damages against the City of Flagstaff relating to use of this information.

9/28/2020 3:34 PM

APN	OWNERNAME	OWNERADDRESS
104-05-010E	DREAM FORTY LLC	914 E ROUTE 66 FLAGSTAFF, AZ 86001
104-05-013B	FLAGSTAFF CITY OF	211 W ASPEN AVE FLAGSTAFF, AZ 86001
104-05-013A	BNSF RAILWAY COMPANY	PO BOX 961089 FORT WORTH, TX 76161-0089
104-05-005	WW 66 LLC	6164 E ABINEAU CANYON DR FLAGSTAFF, AZ 86004
104-05-012C	FLAGSTAFF CITY OF	211 W ASPEN AVE FLAGSTAFF, AZ 86001
104-05-010G	DREAM FORTY LLC	914 E ROUTE 66 FLAGSTAFF, AZ 86001
104-05-006	DBADGUY LLC	PO BOX 1961 FLAGSTAFF, AZ 86002
104-05-010J	FLAGSTAFF CITY OF	211 W ASPEN AVE FLAGSTAFF, AZ 86001
104-05-012B	BNSF RAILWAY COMPANY	PO BOX 961089 FORT WORTH, TX 76161-0089
104-05-012	BNSF RAILWAY COMPANY	PO BOX 961089 FORT WORTH, TX 76161-0089
104-05-015	JC VETERINARY SERVICES PLLC	1110 E ROUTE 66 NO B FLAGSTAFF, AZ 86001
104-05-016	JC VETERINARY SERVICES PLLC	1110 E ROUTE 66 NO B FLAGSTAFF, AZ 86001
900-99-999		

OWNERADDRESS_ADDRESS1	OWNERADDRESS_ADDRESS2	OWNERADDRESS_CITY
914 E ROUTE 66		FLAGSTAFF
211 W ASPEN AVE		FLAGSTAFF
PO BOX 961089		FORT WORTH
6164 E ABINEAU CANYON DR		FLAGSTAFF
211 W ASPEN AVE		FLAGSTAFF
914 E ROUTE 66		FLAGSTAFF
PO BOX 1961		FLAGSTAFF
211 W ASPEN AVE		FLAGSTAFF
PO BOX 961089		FORT WORTH
PO BOX 961089		FORT WORTH
1110 E ROUTE 66 NO B		FLAGSTAFF
1110 E ROUTE 66 NO B		FLAGSTAFF

OWNERADDRESS_STATE	OWNERADDRESS_ZIP	SITUS	SITUS_CITY	SITUS_ZIP
AZ	86001	914 E ROUTE 66	FLAGSTAFF	86001
AZ	86001		FLAGSTAFF	86001
TX	761610089		FLAGSTAFF	86001
AZ	86004	922 E ROUTE 66	FLAGSTAFF	86001
AZ	86001		FLAGSTAFF	86001
AZ	86001		FLAGSTAFF	86001
AZ	86002	1008 E ROUTE 66	FLAGSTAFF	86001
AZ	86001	850 E ROUTE 66	FLAGSTAFF	86001
TX	761610089		FLAGSTAFF	86001
TX	761610089		FLAGSTAFF	86001
AZ	86001	1110 E ROUTE 66	FLAGSTAFF	86001
AZ	86001	1111	FLAGSTAFF	86001

PROPERTYUSE
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VACANT INDUSTRIAL URBAN NONSUBDIVIDED
MOTEL DEFAULT CODE
MUNICIPAL VACANT LAND
VACANT RESIDENTIAL URBAN NONSUBDIVIDED
MOTEL DEFAULT CODE
MUNICIPAL VACANT LAND
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RAILROAD OPERATING PROPERTY
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NOTICE OF NEIGHBORHOOD MEETING

NOTICE IS HEREBY GIVEN that the Flagstaff Heritage Preservation Commission will hold a Public Hearing on Wednesday, October 21, 2020, at 5:00 p.m. to consider the following:

A. Explanation of Matters to be considered:

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PROPOSED ZONING MAP AMENDMENT
For designation of a historic Route 66 sign as a local landmark

ADDRESS: 922 E. Route 66,
APN: 104-05-005
ACRES: Approximately .82 Acres w/point location of sign

FOR FURTHER INFORMATION CONTACT
Mark Reavis
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Planning & Development Services
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Owner Representative: Jose R. Alvarado
Director of Sales | Ascend Capital Management Phone: (928) 779-6944
Fax: (928) 774-3990
Email: Jose@ACM-JVT.com

Publish: 9/29, 2020

Whispering Winds
MOTEL
CLEAN ROOMS
DAIL WEEKL RATES
TV & PHONE MICRO R
WEEKLY
RATES
VACANCY
Zoning Code Map Amendment
Whispering Winds Historic Sign
Landmark Overlay
Charlie
egaard
of FLAGSTAFF
e4Flagstaff.com

VACANCY
Zoning Code Map Amendment
Whispering Winds Historic Sign
Landmark Overlay

At this time, any member of the public may address the Commission on any subject within their jurisdiction that is not scheduled before the Commission on that day. Due to Open Meeting Laws, the Commission cannot discuss or act on items presented during this portion of the agenda. To address the Commission on an item that is on the agenda, please wait for the Chair to call for Public Comment at the time the item is heard.
No public comments

4. APPROVAL OF MINUTES

Approve the Minutes of the Heritage Preservation Commission meeting of September 17, 2020

Moved by Harris Abernathy, **seconded by** Jill Hough

Vote: 6 - 0

5. PUBLIC HEARING

A. Whispering Winds/ Route 66 - Land Mark Overlay Zoning Map Amendment

Address: 922 E. Route 66
Assessor's Parcel Number: 104-05-005
Property Owner: WW66. LLC,6164, Abineau Canyon Dr,Flagstaff AZ
Applicant: Jose R. Alvarado, Director of Sales, Ascend Capital Management
City Staff: Mark Reavis, HPO

Conduct Public Hearing to meet the Neighborhood Meeting requirement for a Landmark Overlay Zoning Map Amendment for the purpose of restoring the historic Route 66 sign at 922 E Route 66 (Whispering Winds Motel).
Receive public comment and review the updated sign application.
None recommended
The HPC has reviewed and approved the application for a historic sign & facade grant as a $10,000 matching grant for the full restoration of the Whispering Winds Motel Sign. The HPO has reviewed a submission by a sign company that accurately reestablishes the missing upper components of the historic sign that remains. The applicant will confirm that the project will comply with that HPO review with the sign contractor that is selected.

Public Hearing was paused between 5:08pm and 5:34pm because audio was not streaming. Meeting continued with detailed minutes at 5:34pm.
No public comment on this item.

Mark Reavis, HPO, provided a summary that this Landmark Overlay proposal is for the historic sign only. The Zoning Code requires that restoration of a historic sign that is larger than what would currently be permitted be done under a Landmark Overlay.

David Hayward expressed that it is good to see more historic hotels restored instead of torn down.

6. GENERAL BUSINESS

A. Southside Historic Context Document - Consultant Report Review & Discussion.
Heritage Preservation Commission (HPC) is to listen to the Consultant Presentation (Lynn Neil) and ask initial questions regarding the document. At this time the HPC is not asked to accept the document, but to become familiar with the Context Document. Please provide any relevant input and questions you may have and forward those to the Heritage Preservation Officer. The HPC will be asked to accept the document at the next regularly scheduled meeting after the Commission has a change to review the submitted document. Any corrections or additions will be included in a Staff Report at the next HPC meeting.
Lynn Neal presents findings of draft report.

What started out as an Update of an outdated historic context morphed into a full-blown

Print Minutes **Return**

NOTICE AND AGENDA

HERITAGE PRESERVATION COMMISSION
WEDNESDAY
DATE

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact Tammy Bishop 928-213-2611 (or 774-5281 TDD).
Notification at least 48 hours in advance will enable the City to make reasonable arrangements.

PUBLIC COMMENT PROTOCOL

To attend and speak on a public hearing item, email sdechter@flagstaffaz.gov and request the link to join the Microsoft Teams Meeting.The public can submit comments that may be read at the dais by a staff member to the Commission liaison, sdechter@flagstaffaz.gov.

The meetings will continue to be live streamed on the city's website (https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings)

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 Heritage Preservation Commission and to the general public that, at this regular meeting, the Heritage Preservation Commission 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).*

Call to order at 5:01pm

2. Roll Call

NOTE: One or more Commission Members may be in attendance telephonically or by other technological means.

DAVID HAYWARD, Chairperson
JERRY MCLAUGHLIN, Vice-Chairperson
HARRIS ABERNATHY
EMILY DALE
JILL HOUGH
CAITLIN KELLY
CHARLES WEBBER

CITY STAFF PRESENT:
Sara Dechter, Comprehensive and Neighborhood Planning Manager
Mark Reavis, Heritage Preservation Office/Neighborhood Planne

3. Public Comment

update of the Southside properties inventory, including scrutinizing all the "back of lot" buildings on the parcels. These property types originated as rental houses, garages, sheds, etc., and most often function today as rental properties.
Lynn is still triple checking the numbers of the variously categorized properties, but as of today, here are the figures.

Total Properties Inventoried = ~358 (This is compared to 200 properties included in the 2010 Registration Form. About 300 Southside properties were evaluated during the 1992/1993 study, and several of these properties excluded from what was identified as the Southside Historic District in 2010 have been re-evaluated and included in the current Registration Form.)

Total Contributing = ~315, Total Non-contributing = 17 (1 outside the District on NAU property), Previously Listed to the NRHP elsewhere = 9, Demolished = 17

The added 158 properties is a 44% increase over those included in the 2010 Registration Form. Eighty-eight percent (n = ~315) of the total properties are Contributing, 2.5% are Previously Listed, leaving only 9.5% as Non-contributing and Demolished. This means that an estimates 88 % of the evaluated properties are likely contributing.

The increase in properties was achieved through an expansion of the District boundaries (largely to the SSE, E, and a bit to the NW), a re-evaluation of properties originally evaluated in 1992 and/or in 2009/2010, and including new properties not previously evaluated. The expansion of the period of significance date range end date from 1947 to 1968 brought in more 1950s-60s housing, commercial properties, churches, and the Murdoch Center.

Proposed boundaries are expanded to the south and take into account the area east of the Souths Beaver School and some expansion to the east as well. Properties that were evaluated previously are being re-evaluated because the context is recommending expansion of the period of significance to 1968 to include the Civil Rights era. Now all the churches in the Southside and the Murdoch Center can now be included.

Questions & Comments:

Emily Dale—She has data on 518 S Agassiz that she will provide to Lynn Neal

Sara Dechter—indicated that the City has a grant from SHPO to research the additional properties. Mark will take the new Registration Form, create the individual Building Inventory Forms for submittal to SHPO to get the Registration Form reviewed and approved.

Jill Hough—The only thing she found to be missing was the properties Map. (Lynn responded that it is forthcoming, along with a further updated Registration Form with the completed properties listing.)

David Hayward—will provide his comments via email.

Jill Hough and Emily Dale will both volunteer time to work on the evaluation and offer assistance.

Sara Dechter—indicated that the Southside Context will be re-agendized with maps and updates next month so that comments can be reviewed and discussed.

B. **Discussion: Downtown, Southside, Route 66 & Neon**
No HPC action at this time. Discussion only.
Mark Reavis is requesting this discussion to get feedback on the use of neon on businesses South of the current Route 66.

David Hayward noted that he believes we end up with attractive signs whether neon or not in the central sign district

Jill Hough suggested we should look for historic photographs to see if there was neon south of route 66 historically

Sara Dechter adds that the area discussed is in the Flagstaff Central Sign District but not in the Downtown Overlay. The Overlay is the source of the language related to neon and Route 66.

Sara Dechter points out that neon is allowed but it is not something that was seen historically on South San Francisco based on photographs she has seen. they may have been introduced in the late 1950s south of Route 66.

Mark Reavis would like to continue direction of bringing all neon in the Downtown Overlay to the Commission and bring all neon in the Central Sign District to the Commission.

C. Heritage Preservation Commission Education and Work Session Needs

The purpose of this discussion is for the Heritage Preservation Commission to outline specific educational opportunities to be presented by the Heritage Preservation Officer or the City Clerk at future meetings. Please provide at least educational subject for the HPO to prepare.

Mark Reavis suggested documenting the historic use of neon in the community, the next month could be Secretary of the Interior Guidelines as examples of educational topics.

David Hayward – it would be much appreciated because much of the commission is self taught. He would like a presentation on each of the historic districts and their requirements. TO, DO, Central Sign Districts

Jill Hough – they would all like to the be able to understand what you can and cannot do in different sones and what a property might find helpful.

Charlie Webber – would like more in depth discussions on how the Zoning Code and the HP guidelines work together and how we can use them together. Include Dan Symer in that presentation to offer context It's been difficulty

Jill – Charlie Weber and Emily Dale and Jill Hough are all versed in historic preservation and can also have presentations from commissions.

Mark could use more understanding of archeology. He has joined the AZSITE Committee for the State.

Charlie Weber could provide a presentation on archeology – David Hayward would like to understand more about what the Commission should know when we are reviewing a case for development what we need to know about archeological resources. Give the Commission a better idea of how resources are identified and what are the methods used so the Commission can evaluate if a CRS is adequate.

Sara Dechter asked if there are any items that the Commission would like the clerk's office to present. David would like a clarifying memo from the clerk with guidance about what should a commissioner do if they are contacted by someone about a project that is under HPC review.

7. REPORTS

A. Pre-Application Meetings (PAMs)

Permit Number(s): PZ-20-00169
Address: 306 E. Franklin Ave,
Type of Approval: PAM - Inquiry about appropriate addition to 1952 structure from single-family to duplex.

Permit Number(s): PZ-20-000172
Address: 302 W Oak,
Type of Approval: PAM- :Inquiry about demolition of historic 71 year old mortuary (retains significance) for construction of a condo project. At minimum CR letter report.

Permit Number(s): PZ-20-000171
Address: 4619 S Lake Mary Rd
Type of Approval: PAM- :Lake Mary RV Park inquiry would combine several parcels to provide a commercial campground with RV's and Park models to rent. Requested a Cultural Resource study by an archeologist be submitted with Concept Plan submittal.

Starting to work into more Pre-application meetings to get HPC mentioned more often.

David Hayward – from his experience pre-apps are pre-contract in a development project and being able to give people a heads up as early as possible is helpful. It can make a big difference to people at that point.

Jill Hough – 306 E Franklin Belonged to John J Johnson – 1st pastor of Springhill Baptist church – significance is high. Jill may have more information on the property. The date on the structure may actually be 1950 or even before.

B. Building Permit Review: returned for correction.

Permit Number(s): BP-20-01831-01
Address: 537 S O'Leary St
STAFF RECOMMENDED ACTION:- (gas explosion window damage) - Return for Corrections/HPC application required.

Permit Number(s): BP-20-01922
Address: 918 W Summit Ave
STAFF RECOMMENDED ACTION:- Lumpkin Basement ADU (new from roof truss replacement review) - 1915 home with historic integrity - Return for Corrections/HPC application required.

Permit Number(s): BP-20-01945
Address: 314 N Beaver St.
STAFF RECOMMENDED ACTION:-, Demo of non-historic Unit # 4 ADU and rebuild - Approved with Conditions of documentation of previous determination of non-contributing with documentation submitted.

Permit Number(s): BP-20-01859
Address: 303 N Verde St
STAFF RECOMMENDED ACTION:- , 1918 historic residence proposed deck expansion, submission incomplete - HPC application required.

C. Building Permits - Not requiring HPO review approval for Post WWII production housing.

Permit Number(s) & Address: Fierros BP-20-01877 3350 N Pine Dr. (1 door replaced); Marshal Windows BP-20-01898 3350 N Pine Dr. (9 windows replaced).

Approval Date: 9/11/2020

D. ADOT & Fresquez property demolitions

Permit Number(s): BP-20-02048
Address: 1801 S Milton and adjacent
Type of Approval: Demolition

Approval Date: 09/29/2020
ADOT demolition – there are some historians who are working on their own research into the property before it is demolished

E. Inter-Divison Staff (IDS) - with Heritage Review Requirements.

Review Dates of IDS - New Conceptual/Updates and Revisions/Admin Completeness/Substantive Review: 9/10/2020 - 1/24/2020

Project:SCA Paper Plant
Permit Number(s): PZ-20-00071-01 & 02
Address: 1600 Butler Ave
Type of Review(s): Concept Plan - HPO site visit & consult with HR consultant mandated a Phase 1 Cultural Resource report to be submitted with Site Plan (first review w/concept plan) former SEA Paper - CR reporting undertaken by Cornerstone Consulting.

Project: Toaster Owl Shade Structure
Permit Number(s): PZ-20-00160
Address: 12 S Mike's Pike, - Southside NR District
Type of Review(s): Toasted Owl Sun Shade Structure PZ-20-00160 12 S Mike's Pike (In Southside District, (adjacent to 56 year old structure on site) HPO determination of no adverse effect, complete process with Building Permit review.

Project: Lofts on the Mesa
Permit Number(s): PZ-20-00168
Address:1571 N Pine Cliff,
Type of Review(s)- Cultural Resource (archeological concerns) applicant notified of requireme

Project: Sky Cottages
Permit Number(s): PZ-20-00153
Address: 2701 S Woody Mountain Rd,
Type of Review(s) Cultural Resources likely associated with McAllister Ranch and potential archeological concerns - requires site survey and Cultural Resource Report - completion of repc within project reviews.

Project: Ellery Duplex
Permit Number(s): PZ-19-00263-01
Address: 214 E Ellery
Type of Review(s) A proposed duplex is being added to a site with an existing historic duplex ir Southside National Register District, proposed new duplex does not meet Flagstaff design requirements as well as historic compatibility (requires District compatible primary elevation submission).

8. MISCELLANEOUS ITEMS TO/FROM COMMISSION MEMBERS
Re-application of returning and recruitment of new Commissioners
Brief discussion of terms and recruitment for the Commission

The Downtown Vision should have a first draft out soon and staff will circulate it to the commission members when it is available.

9. ADJOURNMENT
Adjourn at 6:22pm

CERTIFICATE 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. This notice has been posted on the City's website and can be downloaded at www.flagstaff.az.gov.

Dated this _____ day of _____, 2020.

_____
Sara Dechter, Comprehensive Planning Manager

GO TO PREVIOUS PAGE | GO TO THE TOP OF THE PAGE

W3C WAI-AA WCAG 2.0

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HERITAGE PRESERVATION

MEMORANDUM

Date: 12/22/2020

To: Tiffany Antol, Planning Director and Alaxandra Pucciarelli, Planning Manager, Community Development

From: Mark A. Reavis, Heritage Preservation Officer, AICP, NCARB

Subject: Waive 2nd Public Neighborhood Meeting for Whispering Winds Motel Sign Restoration, Landmark Overlay Map Amendment.

Please Waive the 2nd public Neighborhood Meeting requirement of the Whispering Winds Motel Sign Restoration for the Landmark Overlay Map Amendment. The first meeting was advertised in the paper, the sign posted, and adjoining neighbors notified. The Heritage Preservation Commission conducted the formal public hearing on Wednesday October 21st, 2020 and no public comment was received.

I feel that a 2nd meeting would not yield any additional comment since the Historic Landmark Overlay is so specific and narrow focused and isolated to the sign only. I believe that the intent of the Neighborhood meeting has been met.

The historic overlay allows for the historic restoration of a unique Route 66 feature by reestablishing the upper portion of the sign that would otherwise not be allowed by our sign code. The sign restoration is an important aspect of the historic motel's rehabilitation underway and its promotion.

Mark Reavis_____ **date: 12/22/2020**

12/23/2020

Approval

X Tiffany Antol

Tiffany Antol
Planning Director
Signed by: Tiffany Antol

Account: R0015775

Location

Situs Address 922 E ROUTE 66

City FLAGSTAFF

Tax Area 0150 - SD#1 CITY OF FLAGSTAFF

Parcel Number 104-05-005

Legal Summary Sixteenth: NW Quarter: NE Section: 22 Township: 21N Range: 07E PT OF NE4 COMM ATN4 COR ASSUMING A BEARING OF N 89D EG 10MIN E FOR N LINE OF NE4 TH S 53DEG 7MIN 26SEC E 546.40' TO POB TH S 2DEG 20MIN 30SEC W DIST OF 200' TO PT ON N R/W LINE OF HWY66 TH NW ALNG SD R/W LINE WH IS SPIRAL CURVE A CURVED DIST OF 79.06' TH N 2DEG 20MIN 30SEC E DIST OF 200' TH S69DEG 12M IN 24SEC E DIST OF 79.06' TO TRUE POB .363AC; PT OF NE4 SEC 22 2 1N 7E BEGAT N4 COR SEC 22 ASSUMING ABEARING OF N 89DEG 10MIN E FO RN LINE OF NE4 TH S 53DEG 7MIN 26SEC E 546.4' TO POB TH S 70DEG51 MIN16SEC E 149.79' TH S 2DEG20MIN30SEC W 200' TO PT ON N R/W LIN E OF HWY 66 SD PT BEING ON CURVE THE CTRL PT OF WH BEARS N 17DEG 24MIN10SEC E 2465.6' THERE FROM THNWLY ALNG ARC OF SD CURVE 150' TH N 2DEG20MIN 30SEC E 200' TO POB EXC ELY 43.35'

Neighborhood 01.62 - FLAGSTAFF COMMERCIAL GEO 3

Owner Information

Owner Name WW 66 LLC

Owner Address 6164 E ABINEAU CANYON DR
FLAGSTAFF, AZ 86004

Assessment History

Full Cash Value (FCV)	$1,205,811
Limited Property Value (LPV)	$804,057
Primary Assessed	$144,730
Secondary Assessed	$217,046

Tax Area: 0150 **Primary Rate:** 5.9530
Secondary Rate: 2.8701

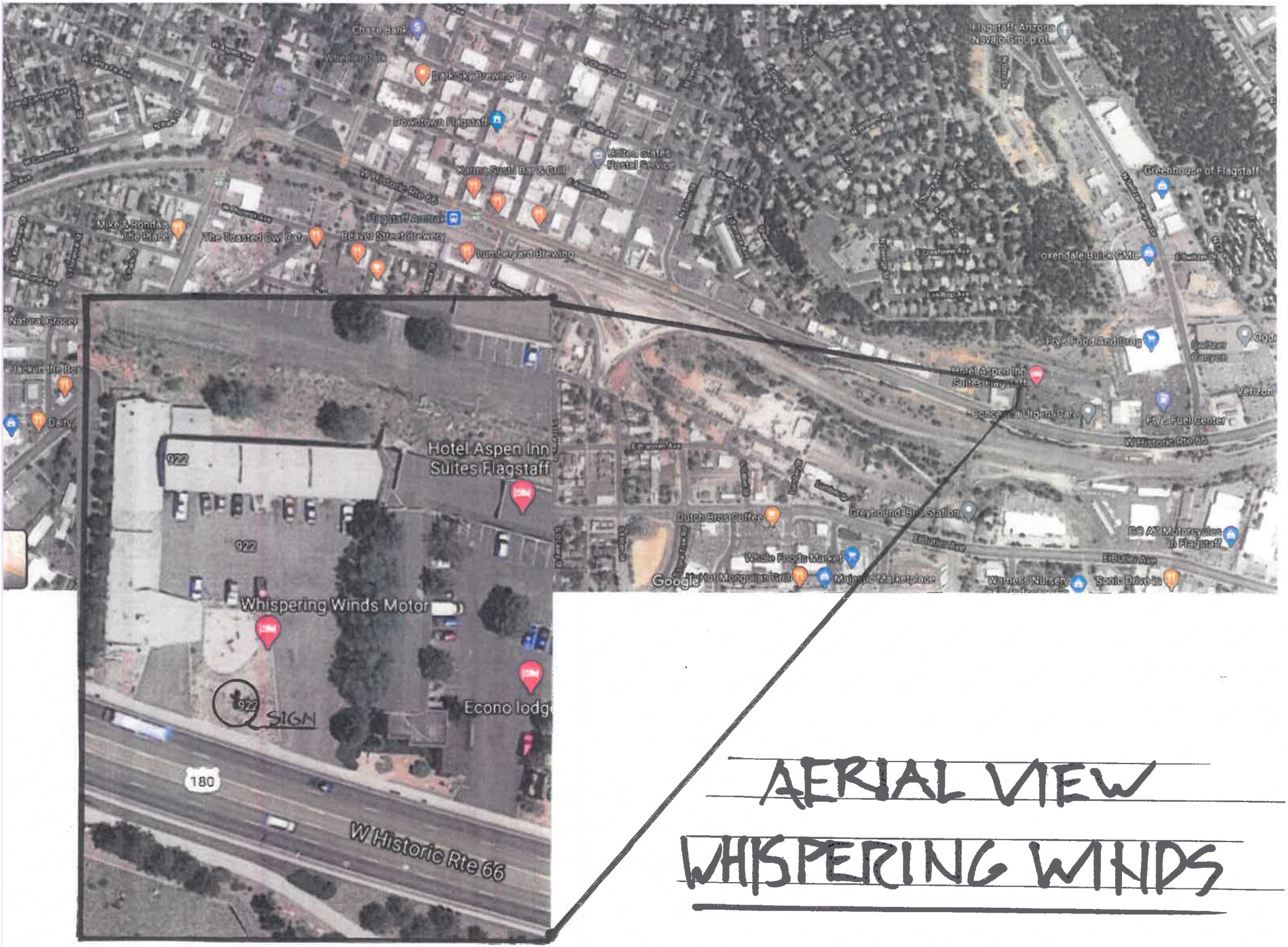
Legal Class	FCV	LPV	Primary Assessed	Secondary Assessed
01.12	$1,205,811	$804,057	$144,730	$217,046

Sale Date	Sale Price	Doc Description
	$0	DEED
	$0	MISCELLANEOUS
	$0	DEED
	$0	DEED
06/01/2020	$999,000	Special Warranty Deed F

Images

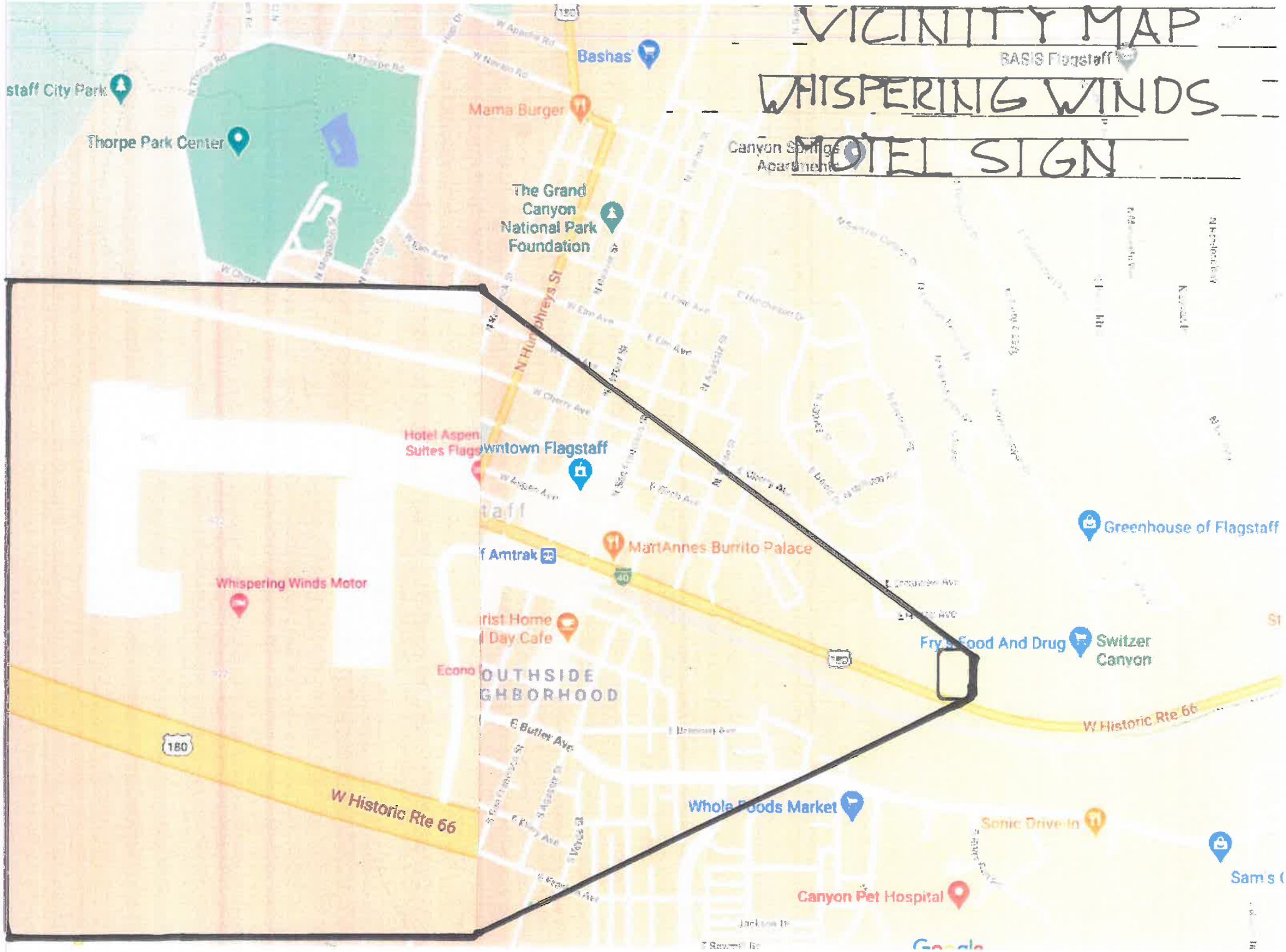
- GIS

922
66



AERIAL VIEW
WHISPERING WINDS

VICINITY MAP
WHISPERING WINDS MOTEL SIGN

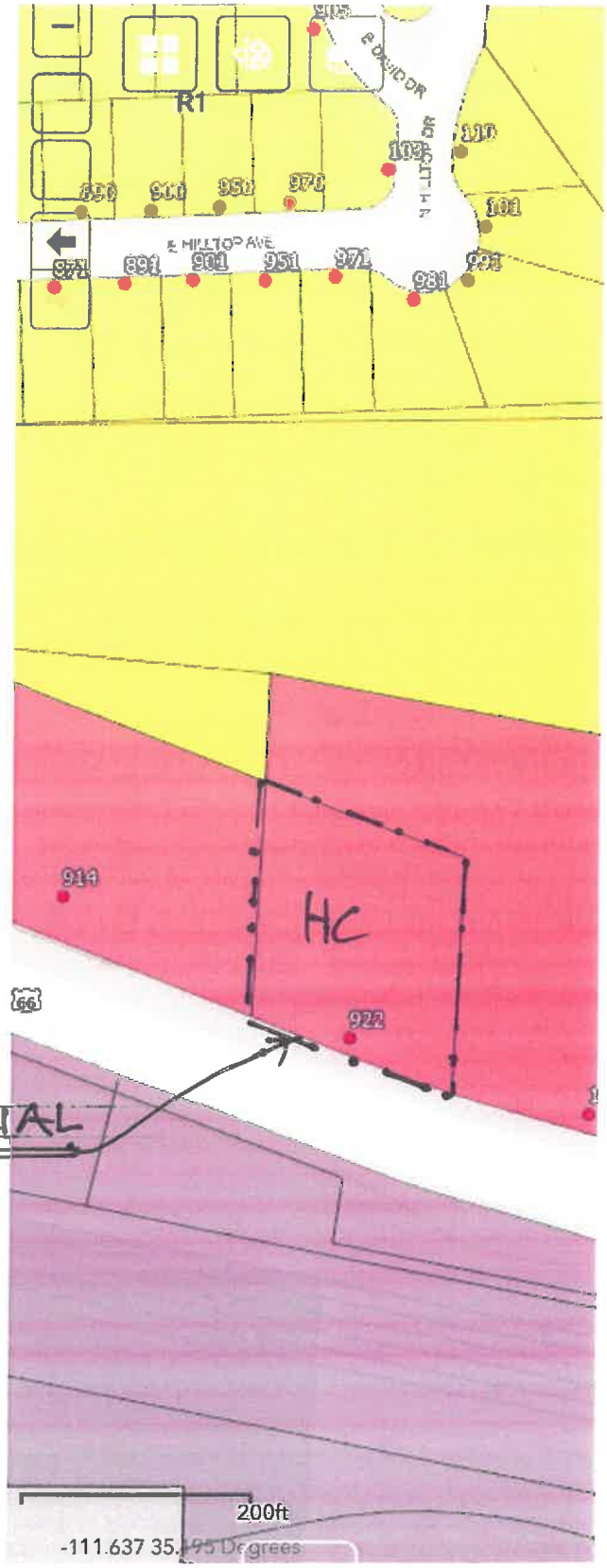


WHISPERING WINDS

HISTORIC SIGN

922 E. ROUTE 66

ZONING: HIGHWAY COMMERCIAL



City of Flagstaff

Dear Property Owner;

RE: NOTICE OF A PUBLIC HEARINGS for DESIGNATION OF LOCAL LANDMARK OVERLAY for a HISTORIC SIGN

The purpose of this letter is to notify adjacent property owners that the Flagstaff Planning and Zoning Commission will hold a Public Hearing on Wednesday, January 27, 2021 at 4:00 p.m. to consider the proposed amendment to the official City of Flagstaff zoning map to designate a historic Route 66 sign as a local landmark with the signs full historic restoration. This to be followed with a City Council meeting for a public hearing on the same matter for Tuesday, February 16, 2021 at 3:00 PM.

The sign is located at the Whispering Winds Motel (922 E Route 66) and is considered a critical component of the historic Route 66 corridor. A significant portion of the sign remains at its original location. The upper portion of the sign is missing and is to be reestablished as a component of a full restoration. The requirements of the Flagstaff Historic Façade and Sign Grant Program and determinations by the Heritage Preservation Commission mandate that the sign is restored to its original condition and that the restoration is protected by a Landmark designation. Restoration of the sign requires divergence from the sign code as allowed per Heritage Preservation provisions in the Municipal Code **10-50.100.020 Applicability,** A. **Applicability,** 4. Heritage signs in landmark zones are governed by the ordinance designating the landmark overlay and its related guidelines. (Refer to Division 10-30.30, Heritage Preservation.)

The location and mapping of the Landmark Overlay is being described by the legal description of the land; however, the conditions recommended are only applicable to the sign itself. The site currently consists of land owned by WW.66 LLC, 6164 E. Abineau Canyon Dr. Flagstaff AZ. The point location of the sign is located in approximately .82 acres, Coconino County Assessor's Parcel Number 104-05-005, situated at Sixteenth: NW Quarter: NE Section:22 Township:21 Range: 07E PT of NE4 Comm ATN4, located at 922 E Route 66, City of Flagstaff, Coconino County, Arizona.

Interested parties may file comments in writing regarding the proposed amendment by emailing CDFrontCounter@flagstaffaz.gov for the Planning and Zoning Commission and PublicComments@flagstaffaz.gov for City Council. In addition to written comments you may join the meeting remotely and speak for up to 3 minutes by getting the link from Mark Reavis, additional contact information below. Maps and information regarding the

proposed amendment are available at the City of Flagstaff, Planning and Development Services Section, 211 West Aspen Avenue.

Planning and Zoning Commission and City Council meetings are held virtually in the Conference Room of City Hall, 211 West Aspen Avenue, Flagstaff, Arizona. For an invitation to join the meeting, email Mark Reavis or follow the instructions posted at http://www.flagstaff.az.gov/streaming

Sincerely,

Mark Reavis

Mark Reavis, AICP, NCARB
Heritage Preservation Office/Neighborhood Planner
City of Flagstaff, AZ

FOR FURTHER INFORMATION CONTACT
Mark Reavis, Heritage Preservation Officer, Planning & Development Services, 211 West Aspen Avenue, Flagstaff, Arizona 86001 (928) 213-2633 or email Mark.Reavis@flagstaffaz.gov or

Owner Representative: Jose R. Alvarado | Director of Sales | Ascend Capital Management Phone: (928) 779-6944 | Fax: (928) 774-3990 | Email: Jose@ACM-JVT.com

City of Flagstaff — Community Development Division

211 W. Aspen Ave
Flagstaff, AZ 86001
www.flagstaff.az.gov
P: (928) 213-2969
F: (928) 779-7684

HPC

Date Received	Application to Heritage Preservation Commission	File Number

Property Owner(s)	Title	Phone	Email
Karan C. Patel	Owner	(928) 600-5774	Karan C. Patel

Mailing Address	City, State, Zip
2200 East Butler Avenue Flagstaff, Arizona 86004	

Applicant	Title	Phone	Email
Jose Alvarado	Sales	(928) 310-9487	Jose@ACM-JVT.com

Mailing Address	City, State, Zip
5000 North Mall Way Apt. 340 Flagstaff, Arizona 86004	

Property Interest of Applicant(s) (Owner, contractual interest, or agent)

Site Address	City, State, Zip
922 East Route 66 Flagstaff, Arizona 86001	

Project Name
Whispering Winds

Parcel Number(s)	Zoning District(s), including Overlays

Type of HPC Application Requested:

- ☐ Historic Overlay District Designation (If new, Name:_____)
- ☐ Landmark Overlay District Designation
- ☐ Certificate of Appropriateness
- ☐ Certificate of No Effect
- ☐ Certificate of Economic Hardship
- ☐ Cultural Resource Study Review - Please check all that apply: ☐ Letter Report ☐ Phase I ☐ Phase II
- ☑ Historic Facades and Signs Grant

Property Information:

- ☐ Yes ☐ No Listed on the National Register of Historic Places? (Name:_____)
- ☐ Yes ☐ No Listed on the Arizona Register of Historic Places? (Name:_____)
- ☑ Yes ☐ No Located in an existing City of Flagstaff Historic District? (Name:_____)
- ☐ Yes ☐ No Has the structure every been inventoried or evaluated for the National Register?
- ☑ Yes ☐ No Is the structure over 50 years old at the time of application?
- ☐ Yes ☐ No Was all or a portion of the structure built before World War II as housing?

Is the subject property: ☐ Developed ☐ Vacant Land?

Note: Applications which are incomplete or not accompanied by the required information will not be accepted.

Property Owner Signature:	Date:	Applicant Signature:	Date:
	8/4/20		8/4/2020

For City Use

Date Filed: _____ **HPC Hearing Date:** _____

Fee Receipt #: _____ **Amount:** _____ **Date:** _____

Action by HPC:

- ☐ Consent Approval by HPO
- ☐ Approved
- ☐ Approved with Conditions
- ☐ Denied
- ☐ Continued

Staff Intial: _____ **Date:** _____

Project Description (Insert additional pages if necessary)

Submittal Requirements

An application to the Heritage Preservation Commission and Historic Preservation Officer shall contain at least the following information:

1. Completed Application including all signatures and payment of fees.
2. Eight copies of drawings as needed to describe the proposal, which may include a Site Plan, Floor Plans, Exterior Elevations, Building Sections, Exterior Details, Lighting Plan, and a Landscape Plan. All drawings shall be drawn to scale and dimensioned, and shall clearly and accurately represent the natural and built conditions of the context area and the project, including both existing conditions and proposed work.
3. Photographs of the context, including the property, surrounding properties, and the neighborhood.
4. A Color Board depicting all exterior materials and finishes associated with the work.
5. Proof of ownership, or letter of authorization from the current property owner, if the applicant and owner are not the same.
6. Statement of approval from a subdivision or property owners association, if applicable.
7. Filing fee.
8. Any other information which the applicant feels would be helpful and/or pertinent to the request.
9. Any other information as may be required by the Historic Preservation Officer or Heritage Preservation Commission to assist in the review of the requested application.

Summary Statement of Significance:

National Register of Historic Places documentation or a Cultural Resource Study can be submitted in lieu of completing this page to demonstrate significance (Attach additional pages as necessary).

The significance of a resource is generally based on its potential to contribute to our understanding of the past. An object, structure, site, place, or area is significant if:

a. It is associated with events or persons in the architectural, engineering, archeological, scientific, technological, economic, agricultural, educational, social, political, military, or cultural annals of the City of Flagstaff, the State of Arizona, or the United States of America.

b. It embodies distinctive characteristics of type, period, region, artistic values, or methods of construction, including being the oldest of its type or the best example of its type, or, if it represents the work of, or for, an important individual.

c. A resource is generally not significant if it is less than fifty (50) years old, or, if the features, materials, patterns, and relationships that establish its significance are no longer present or no longer have integrity. The integrity of a resource is judged by how evident the general character of the significant period is, the degree to which the characteristics that define its significance are present, and the degree to which incompatible elements are reversible.

Original Construction Date:

_____

Describe Major Alterations (Include dates and changes of use):

_____

_____

_____

Describe the Significance of the Resource (In terms of a. or b., and c., above):

_____

_____

_____

_____

_____

_____

_____

_____

_____

Source(s) of Information Used:

_____

_____

Describe the Level of Integrity of the Resource (Existing and proposed):

_____

_____

Preservation Budget Summary:

Complete this section only for consideration of Historic Facades and Sign Grants (Attach additional pages as necessary).

Construction Budget: _____

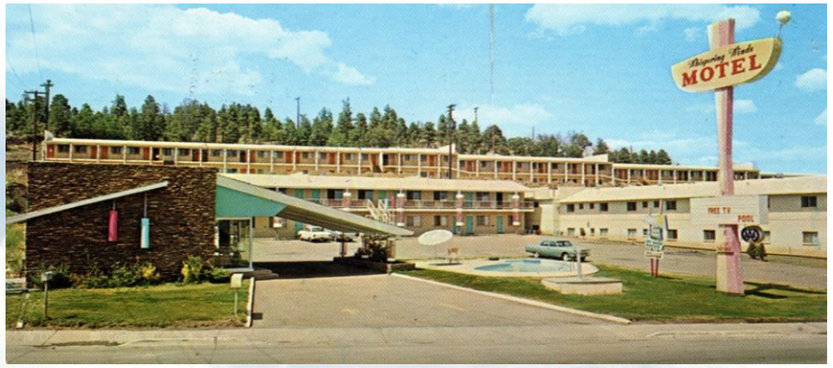
Preservation Work Budget Detail:

Item of Preservation Work:	Total Cost:	Grant Request:	Matching Funds:
Totals:			

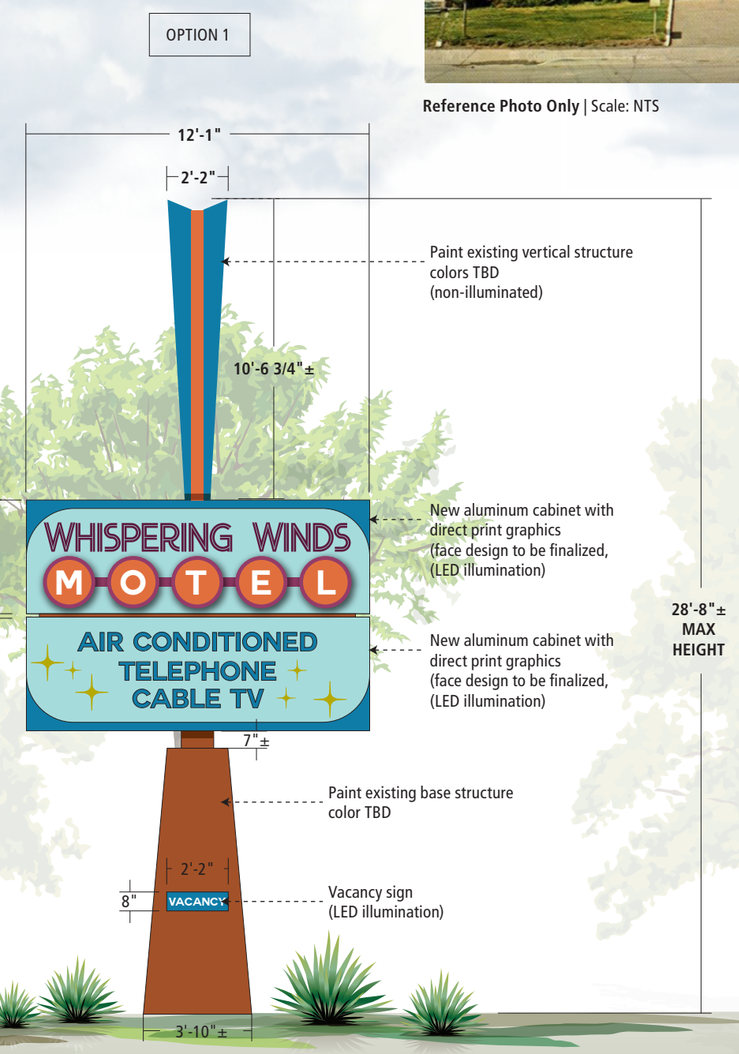
Notes:

1. Grant request cannot exceed 50% of Project Costs.
2. Grant request cannot exceed $10,000.
3. Grant recipient or property owner labor cannot be used as matching funds.

Monument Refurb.
Rendering | Scale: NTS



Reference Photo Only | Scale: NTS



Monument Refurb.
Elevation | Scale: 3/16"=1'-0"

Refurb One (1) D/F Existing, Illuminated Monument Sign

New aluminum cabinets with printed graphics.
Painted base and top structure.
Materials, colors and graphics to be finalized.

page: 1 / 3

job: NZ13784
date: 8/3/2020
rev.: 00/00/00
rev.:
drawn by: KA

WHISPERING WINDS MOTEL SIGN REFURB.

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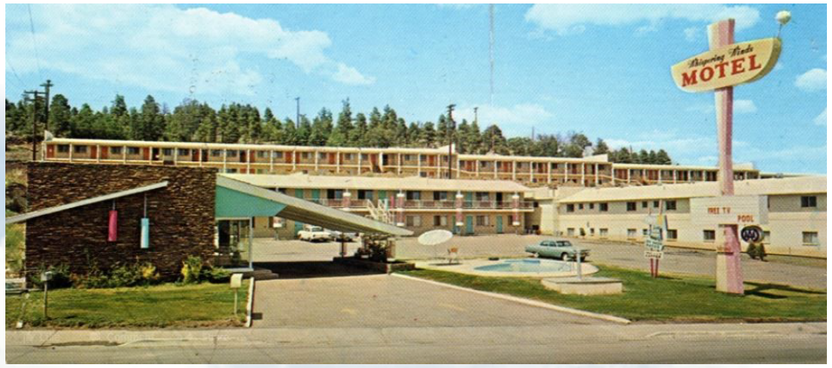
NOAZ
NORTHERN ARIZONA SIGNS
1214 W. Kaibab, Flagstaff, Arizona 86004
(928) 779-2008 / Fax...779-2038 / email@noaz.com

Monument Refurb.
Rendering | Scale: NTS



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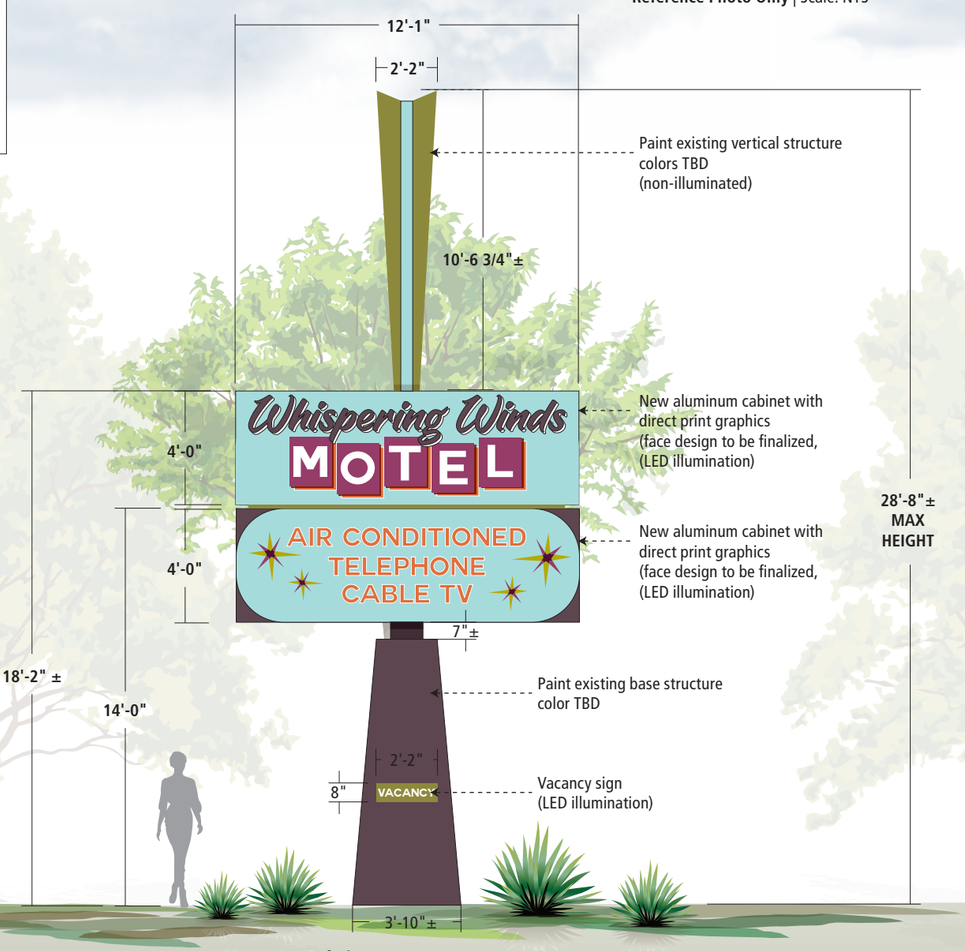
OPTION 2



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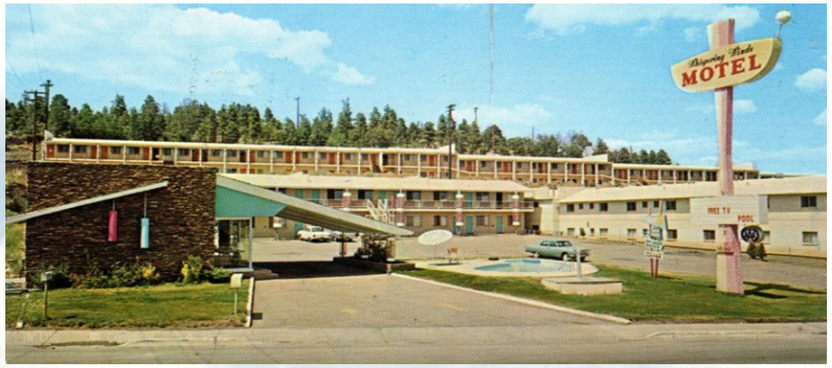
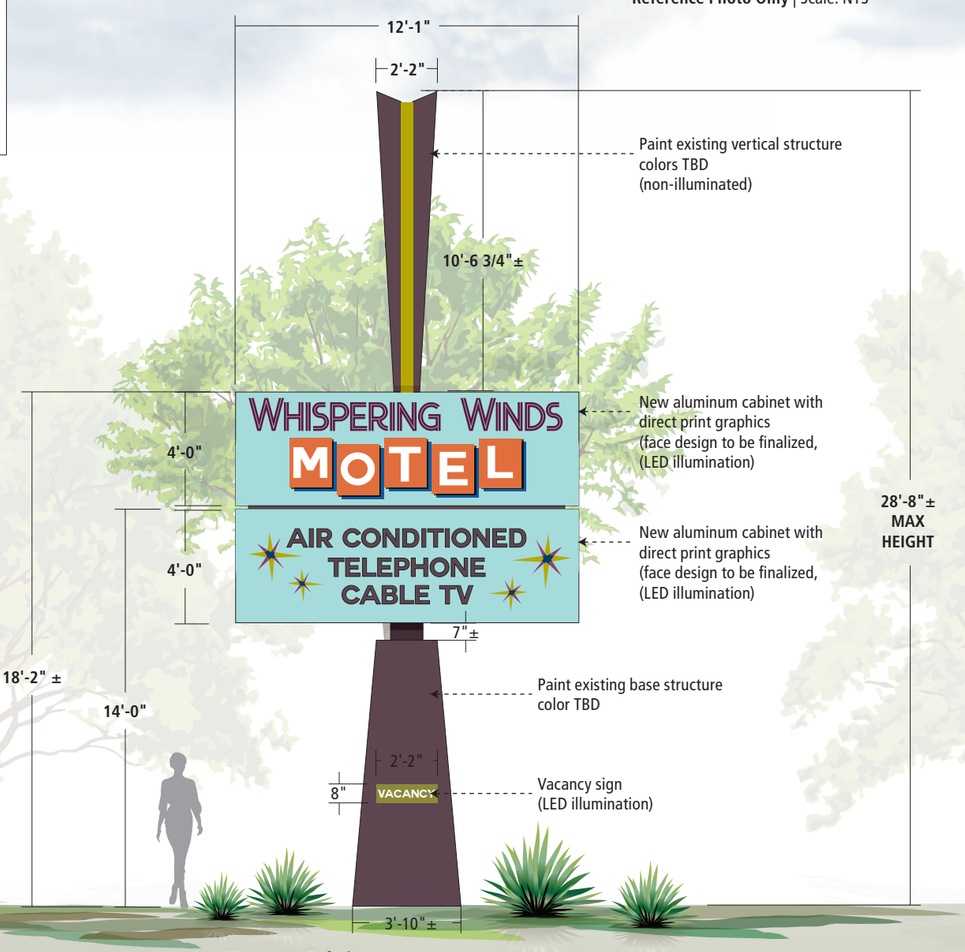


Reference Photo Only | Scale: NTS

OPTION 3



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NOAZ
NORTHERN ARIZONA SIGNS
1214 W. Kaibab, Flagstaff, Arizona 86004
(928) 779-2008 / Fax...779-2038 / email@noaz.com

Client: WHISPERING WINDS
Contact:
Address: 922 E. ROUTE 66
Flagstaff, AZ 86001
Phone:
Email:

#1 SIGNS
1842 E. 3rd St. ~ Suite 104 ~ Tempe, AZ 85281
480-970-8060 fax 480-970-6646
number1signs.net

Office: 480.970.8060
Fax: 480.970.6646
Email: jr@number1signs.net
ROC # 257610 Date:08/04/20
AE: JR deLuna: 602-359-9494

MOTEL

City of Flagstaff — Community Development Division

211 W. Aspen Ave
Flagstaff, AZ 86001
www.flagstaff.az.gov
P: (928) 213-2618
F: (928) 213-2609

Date Received	Application for ~~Direct to Ordinance~~ Zoning Map Amendment	File Number PZ-20-00141-02

Project Name Whispering Winds – Historic Route 66 Sign Restoration			
Site Address 922 E Route 66	Parcel Number(s) 104-05-005	Subdivision & Lot Number Sixteenth NW Quarter NE Section 22 Township 21	Site Acreage .82
Existing Zoning District HC	Proposed Zoning District Landmark Overlay	Existing Regional Plan Area and Place Type Suburban	
Existing Use Motel/Motel Sign		Proposed Use Motel/Motel Sign	

Property Information:
- ☐ Yes x No Located in an existing Local/National Historic District? (Name:_____)
- x Yes ☐ No Existing structures are over 50 years old at the time of application?
- ☐ Yes x No Subject property is undeveloped land?

Type of Zoning Map Amendment (Small, Medium, Large or Multi-Phase)-
Small—

Property Owner(s) WW.66 LLC		Phone
Mailing Address 6164 E Abineau Canyon Dr.	City, State, Zip Flagstaff AZ 86001	E-mail
Applicant(s) -WW.66 LLC/Jose R Alvarado		Phone (928) 779-6944
Mailing Address WW.66 LLC, 6164 E Abineau Canyon Dr.	City, State, Zip Flagstaff AZ 86001	E-mail Jose@ACM-JVT.com
Project Representative(s) Mark Reavis, Heritage Preservation Officer		Phone (928) 213-2633
Mailing Address 211 W Aspen Ave	City, State, Zip Flagstaff AZ 86001	E-mail Mark.Reavis@flagstaffaz.gov

Property Owner Signature (required) *(print & sign)*	Date	Applicant Signature *(print & sign)*	Date
	12/22/2020		12/22/2020

Date Filed:	File Number(s):	
P & Z Hearing Date:	Publication and Posting Date:	
Council Hearing Date:	Publication and Posting Date:	
Fee Receipt Number:	Amount:	Date:

Action by Planning and Zoning Commission:	Action by City Council:
☐ Approved	☐ Approved
☐ Denied	☐ Denied
☐ Continued	☐ Continued

Staff	Planning	Engineering	Fire	PW/Water Services	Stormwater

Assignments					

Application for Direct to Ordinance~~Concept~~ Zoning Map Amendment

The information included below is intended to help an applicant complete the necessary forms and provide the required information in support of an application for a Direct to Ordinance Zoning Map Amendment (i.e., rezoning) as established in Zoning Code Division 10-20.50 (Amendments to the Zoning Code Text and the Zoning Map).

Direct to Ordinance with a Site Plan

The **Direct to Ordinance with a Site Plan** process provides an applicant with a shorter approval process with fewer steps. This process enables an applicant to submit fully developed site plans with all the supporting information required for Site Plan Review and approval concurrently with the Zoning Map Amendment application. Once the Zoning Map Amendment is approved by Council, then the applicant may proceed directly to construction plan and building permit review.

In addition to a complete Site Plan Application, the following items are to be included in the ZMA Application.

General Processing Information for all Applications

1. Application(s) shall be made on the forms provided by the City which shall bear the signature of the owner of the property affected. If the applicant is other than the owner, the applicant shall also sign the application. The application shall include all information and materials specified in the checklist along with the required fee.
2. All applications shall be reviewed by staff to determine the completeness of the application prior to it being scheduled for a public hearing before the Planning and Zoning Commission or City Council. Prior to the first hearing with the Planning and Zoning Commission, the Planning Development Manager will notify the applicant of the required number of copies of the completed application to submit for the public hearing review.
3. The Planning Director may request any additional information that is relevant to assist in the review of the rezoning request (Zoning Code Section 10-20.50.040.C.3). The Planning Director may also waive the requirements for any of the information required in Zoning Code Section 10-20.50.040.C if it is determined that such information is not necessary in order to complete a review of the requested Zoning Map Amendment.
4. The applicant shall schedule and conduct neighborhood meetings in compliance with Zoning Code Section 10.20.30.060.
5. Each request for rezoning shall be advertised in a local newspaper, have notices sent to surrounding property owners, and have the notice posted on the property at least 15 calendar days prior to the first public hearing.
6. A minimum of 30 calendar days is required to process an application for a Planning and Zoning Commission public hearing. The Planning and Zoning Commission meets on the second and fourth Wednesday of each month.
7. The requested rezoning will be scheduled for a public hearing by the City Council a minimum of 21 calendar days or more after action by the Commission.

Findings for Granting a Zoning Map Amendment

An amendment to the Zoning Map may be approved only if all the following findings are made, as applicable to the type of amendment proposed:

1) The proposed amendment is consistent with and conforms to the goals of the General Plan and any applicable specific plans;
2) The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, and will add to the public good as described in the General Plan; and
3) The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal) 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.

The submittals required for applications for Zoning Map Amendments vary based on the size of the development and whether an amendment to the General Plan is required, as set forth below:

1. **Small-Scale Zoning Map Amendments.** These are applications for Zoning Map Amendments for which no infrastructure analyses are required by the *City of Flagstaff Engineering Standards* and are determined by the Planning Director to be consistent with the General Plan and to be compatible with surrounding development. These applications typically include developments on small lots or parcels (a duplex, for example).

2. **Medium-Scale Zoning Map Amendments.** These are applications for Zoning Map Amendments for developments that fall below the thresholds for large-scale Zoning Map Amendments and that meet the following thresholds:
   a. Require a minor amendment to the General Plan; and/or
   b. Require infrastructure analyses in accordance with the *City of Flagstaff Engineering Standards* as part of the concurrent Site Plan Application.

   Applications may include a draft development agreement that defines applicant/City obligations, if needed.

3. **Large-Scale Zoning Map Amendments.** These are applications for Zoning Map Amendments that meet the following thresholds:
   a. Residential developments over 100 units; all commercial developments over 50,000 square feet or 15 acres; all industrial and research and development uses over 150,000 square feet or 20 acres; or
   b. Require a major amendment to the General Plan, and/or
   c. Require infrastructure analyses in accordance with the *City of Flagstaff Engineering Standards* as part of the concurrent Site Plan Application.

   Applications usually include a draft development agreement that defines applicant/City obligations, and there may be additional requirements for citizen outreach depending on the size of the proposed development.

4. **Multi-Phase Scale Zoning Map Amendments.** These are applications for Zoning Map amendments for very large projects that meet the following thresholds:
   a. Are complex in terms of their associated development issues; involve the future subdivision of land and the potential for multiple land developers; include multiple land use types; include multiple zone designations; involve complex utility infrastructure issues; and will require the design and layout of an internal street network to connect to existing streets; or
   b. Require a major amendment to the General Plan, and/or
   c. Require infrastructure analyses in accordance with the *City of Flagstaff Engineering Standards* as part of the concurrent Site Plan Application.

   Applications usually include a draft development agreement that defines applicant/City obligations, and there may be additional requirements for citizen outreach depending on the size of the proposed development. The concurrent Site Plan Application shall include a phasing map indicating the sequence of zoning, development, and public utility and infrastructure improvements

Public Record

All information submitted in conjunction with this application will become part of the public record and may be provided to members of the public. You must notify the City prior to submitting this application if you believe the information you are submitting may be proprietary or confidential.

CITY OF FLAGSTAFF	**Direct to Ordinance Zoning Map Amendment** Application Checklist

PART I – GENERAL REQUIREMENTS

Staff Use Only		
Req	Sub	**Description of Documents Required for Complete Application.** No application shall be accepted without all items marked below.
☒	☐	**I.1 Zoning Map Amendment Development Checklist** (this list) completed and signed by a Planning Development Manager.
☒	☐	**I.2 Application Fee** x Small Scale ☐ Medium Scale ☐ Large Scale ☐ Multi-Phase scale ☐ Low Density Residential Base fee $_____ + (Per acre fee $_____ x Number of acres _____) = ***TOTAL:** **$__0_____Flagstaff Heritage Preservation as applicant** ***Please note, this fee calculation is good for six months from the date listed on Page 8 of this application. If submittal is to occur after expiration of this calculation, please contact the Planning Development Manager listed on Page 8 of this checklist for an updated fee.**
☒	☐	**I.3 Completed Application for Direct to Ordinance Zoning Map Amendment Review** – 1 copy The application must be signed by the applicant and the current property owner of record. If the property owner is unavailable to sign the application, a Letter of Authorization must be submitted.
☒	☐	**I.4 – Electronic Submittal** An electronic copy of all submitted information (.pdf or .tif format) with individual files labeled by checklist heading type (i.e., II.1 Cover Sheet; II.2 Vicinity Map).
☒	☐	**I.5 Legal Description** –1 copy A correct and approved legal description (metes and bounds) and map of the subject property is required. Please note that legal descriptions must have been approved by the City before the requested amendment and ordinance will be considered by the City Council. The legal description must be: • Submitted on acid free paper. • Submitted in an electronic (.pdf) format.
☒	☐	**I.6 Title Report – No older than 30 days from the submittal date** – 1 copy Include complete Schedule A and Schedule B.
☒	☐	**I.7 Site Plan Review Application** – Coordinate with Planner for timing and number of paper copies needed Site Plan application may be submitted prior to or concurrent with this application. The applicant may choose to delay the following Site Plan items: Landscaping Plan (although a Concept Level plan is required); Outdoor Lighting Plan; and Preliminary Signage Plan. If these items are delayed, the applicant will need to come back and update the Site Plan after approval of the rezoning.
☒	☐	**I.8 Location/Vicinity Map** – 1 copy The location/vicinity map shows adjacent streets and properties, as well as the land uses and zoning for those properties. Any contiguous property owned by the property owner or applicant must also be shown. The location/vicinity map must be drawn to scale and include dimensions.
☒	☐	**I.9 Neighborhood Meeting(s) Plan**– 1 copy A plan for how the applicant intends to conduct the neighborhood meeting(s) in compliance with Zoning Code Sections 10-20.30.060 and 10-20.30.070. This plan shall include the following information: • Property owners, citizens, jurisdictions, and public agencies within 300 feet of the development site or that may be affected by the application, Homeowners Associations and Neighborhood Associations within 1,000 feet of the subject property, and the Registry of Interested persons or groups. The Planning Director may expand the required notification area based on the location and context of the subject property. • Proposed notification methods (e.g., mail, e-mail, newspaper, or posting of the subject property with a 4 foot by 4 foot sign 10 days prior to the meeting) for persons and organizations identified above. • Form, structure, and agenda of the meeting (e.g., town meeting, workshop, charrette, or other appropriate public outreach technique). • Opportunities for those particularly affected parties to discuss and provide input on the applicant's proposal. • Location, date, and time of the neighborhood meeting. Two neighborhood meetings are required for a rezoning. • Methods to keep the Planning Director informed of the status and results of the neighborhood meeting.

		I.10 Notice of Public Hearings– 1 copy (Public Hearing notice format is attached to this application) Neighborhood notifications must conform to all requirements of Zoning Code Section 10-20.30.080 and include: • A list of all property owners and addresses (the Planning Director may expand this notification area) of the subject property, as well as potentially affected citizens identified in the Citizen Participation Plan. • Affidavits of notice mailing and sign posting (see attached).
☒	☐	**I.11 Neighborhood Meeting Record of Proceedings** – 1 copy The applicant shall create a written summary of the meetings which shall be submitted prior to the application being deemed complete and include: • Certification that the meeting was noticed and conducted in compliance with Zoning Code Section 10-20.30.060. • Details of techniques used to involve the public, including: ○ Dates and locations of neighborhood meetings; ○ Copies of letters, notices, newsletters, and other correspondence, including dates and numbers of mailings or deliveries; ○ A copy of the mailing list and a summary of where residents, property owners, and potentially affected citizens receiving notices, newsletters, or other written materials were located; ○ The number and names of people that participated in the process based on the sign-in sheet for the meeting; and ○ A dated photograph of the sign installed in compliance with Zoning Code Section 10-20.30.060.D.6. • A summary of concerns, issues, and problems expressed during the neighborhood meeting, including: ○ The substance of the concerns, issues, and problems; and ○ The applicant's response to the comments received at the public meeting. • The applicant shall also send a copy of the written summary to all the people who recorded their names on the sign-in sheet for the meeting within two weeks of the meeting.
☐	☐	**I.12 Development Agreement Application and Fee** Submit a draft Development Agreement to include any deal points being sought by the applicant, including any conditions, requirements, and/or stipulations.
☒	☐	**I.13 Owner Certification Acknowledging Receipt of Notice of Right to Appeal Exactions and Dedications**
☒	☐	**I.14 Project Narrative** – 1 copy The narrative should include the following: • Project title and date. • The reason for the request. • An analysis of how the proposed amendment is consistent with and conforms to the goals of the General Plan and any applicable specific plan(s). This analysis shall include any relevant goals and policies that DO NOT support the application. • A summary of how the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare, and will add to the public good. • A description of how the subject property 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 (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, stormwater drainage, and wastewater collection, treatment, and disposal) to ensure that the requested amendment and the proposed uses will not endanger, jeopardize, or otherwise constitute a hazard to the subject property or improvements within the vicinity of the subject property. • A description of how essential public services (i.e., water, wastewater, stormwater, solid waste) will be provided. • An analysis of how the proposed amendment will benefit the community. • Any additional information the applicant would like to submit in support of the requested amendment.
☐	☐	**I.15 Other Requirements** Please provide the following: _____ _____ _____ _____ _____ _____

PART II – PLANNING DEVELOPMENT MANAGER

No application shall be accepted without a Planning Development Manager signature below.

II.1 Planning Development Manager Contact Information

If you have any questions regarding this application checklist, please contact your Planning Development Manager (PDM). If you did not receive a completed copy of this checklist as part of your Concept Plan review, please contact the PDM assigned to your Concept Plan application.

PDM Name (print): _____ **Phone:** _____

PDM E-mail: _____ **Date:** _____

PDM Signature: _____

Neighborhood Meeting Requirements

Neighborhood meetings in accordance with Section 10-20.30.060 of the Zoning Code shall be required for all Direct to Ordinance Zoning Map Amendment applications. The applicant's neighborhood meetings shall be scheduled only after the Planning Development Manager has reviewed and accepted the required Neighborhood Meeting Plan submitted in conjunction with the Zoning Map Amendment application and prior to Planning and Zoning Commission consideration.

The **Neighborhood Meeting Plan** shall include the following information:

- Property owners, citizens, jurisdictions, and public agencies within 300 feet of the development or that may be affected by the application. The Planning Director may expand the required notification area;
- Proposed notification methods (e.g., mail, e-mail, newspaper, posting of the subject property) for persons and organizations identified above;
- Form, structure, and agenda of the meeting (e.g., town meeting, workshop, charrette, or other appropriate public outreach technique);
- Opportunities for those potentially affected parties to discuss and provide input on the applicant's proposal;
- Location, date, and time of the neighborhood meetings; and
- Methods to keep the Planning Director informed of the status and results of the neighborhood meeting.

Neighborhood Meeting Notification

The applicant shall comply with the following requirements:

- Create a notice that sets forth the purpose and substance of the proposed application and the time, date, and place of the neighborhood meetings;
- Submit a copy of the notice to the Planning Director;
- Notify by first class mail all property owners of record within 300 feet of the subject property. The Planning Director may expand the notification area based on the location and context of the subject property if it is determined that the potential impact of the development extends beyond the required notification boundary;
- Notify by first class mail to the situs or actual address of all tenants and residents living on the subject property;
- Notify by first class mail all homeowners associations and neighborhood associations that govern land within 1,000 feet of the subject property as well as all persons or groups whose names are on the registry of persons and groups who are interested in receiving such notice. If it is determined that the potential impact of the development extends beyond the required notification boundary, the Planning Director may expand the notification area; and
- Install a minimum of one sign that is at least four feet by four feet in an area on the property in a location or locations clearly visible from a public right-of-way to adjacent residents setting forth the purpose, time, date, and place of the neighborhood meeting, with an attached information tube containing copies of the meeting notice. This sign shall be installed a minimum of 10 days prior to the neighborhood meeting.

Neighborhood Meeting Record of Proceedings

The applicant shall create a written summary of the meetings, which shall be submitted prior to the scheduling of a public hearing on the application. At a minimum, the report shall include the following information:

- Certification, on a form established by the Planning Director, that the meeting was noticed and conducted in compliance with the requirements of this section.
- Details of techniques the applicant used to involve the public, including:
  - Dates and location(s) of neighborhood meetings;
  - Copies of letters, notices, newsletters, and other correspondence, including dates and number of mailings or deliveries;

- A copy of the mailing list and a summary of where residents, property owners, and potentially affected citizens receiving notices, newsletters, or other written materials were located;
- The number and names of people that participated in the process based on the sign-in sheet for the meeting; and
- A dated photograph of the sign installed.

- A summary of concerns, issues, and problems expressed during the neighborhood meeting, including:
  - The substance of the concerns, issues, and problems; and
  - The applicant's response to the comments received at the public meeting. The applicant's responses shall be included on the site plan, illustrative plan, other planning documents(s), and/or in an associated report. If public comments are not included in any of these documents, an explanation of why they were not included must be provided.
- The applicant shall also send a copy of the written summary to all the people who recorded their names on the sign-in sheet for the meeting.

Neighborhood Meeting Certification

I, Mark Reavis____, the authorized representative of WW. 66 LLC____, do hereby attest that the neighborhood meeting for Project No. PZ- 20_-00141-02_ was noticed and conducted in compliance with Section 10-20.30.060 of the City of Flagstaff Zoning Code and included the following:

A Citizen Participation Plan, prepared in accordance with Section 10-20.30.030.C of the City of Flagstaff Zoning Code, was submitted to the City of Flagstaff on __9_/__22_/__2020____ and accepted by the City of Flagstaff on __9_/__22_/__2020____.

A list of property owners within ___300_____ feet of the subject property boundaries was prepared and submitted to the City of Flagstaff as part of the Citizen Participation Plan.

Notices of the neighborhood meeting were sent via first class mail on __9_/__29_/_2020_____ to all property owners within ___300_____ feet of the subject property boundaries, to all tenants residing on the subject property, to all Homeowners Associations (HOAs) within 1,000 feet of the subject property, and all persons or groups whose names are listed on the Registry of Persons and Groups.

A total of _1__ neighborhood meeting notification sign(s) were installed on __9_/_29__/__2020____ at the following location(s):

- Placed and anchored to the motel sign to be restored @ 922 E Route 66
- _____
- _____

A written summary of the meetings, known as a Citizen Participation Report, was submitted to the City of Flagstaff on __10_/_21__/__2020____.

Copies of the Citizen Participation Report were sent via first class mail on __10_/_28__/__2020____ to all persons who recorded their names on the neighborhood meeting sign-in sheet. **Participation was with the Heritage Preservation Commission Meeting, No Public Comment was received, minutes included.**

Authorized Representative of the Applicant:

Mark Reavis, Heritage Preservation Officer

Signature:

12/22/2020

Notice of Public Hearing Requirements

Process to Schedule and Notify Affected Property Owners of a Public Hearing before the Planning and Zoning Commission and City Council:

Step 1: Schedule Planning and Zoning Commission and City Council Hearings

Work with the Planning Development Manager handling the Zoning Map Amendment case to schedule a hearing before the Planning and Zoning Commission and before the City Council.

Step 2: Notification to Affected Property Owners

The applicant for a Direct to Ordinance Zoning Map Amendment in the City of Flagstaff shall post signs and notify affected property owners by mail as prescribed by Section 10-20.30.080 of the City of Flagstaff Zoning Code to assist in providing adequate notice to interested parties and to meet Arizona State Statute requirements. The applicant is also responsible for establishing a list of the names and addresses of persons who require notification of a public hearing as established in Sections 10-20.30.060.A, 10-20.30.060.B, and 10-20.30.060.C of the Zoning Code. The applicant is required to mail a notice of required public hearing via first class mail to each of the persons on the list referenced above no later than 15 days prior to the public hearing date. Every mailed notice of a public hearing shall include:

- The date, time, location, and purpose of the hearing;
- The name of the body conducting the hearing, and a telephone number for the applicant to receive additional information;
- The location and times at which the complete application and development file may be viewed by the public;
- The address or location of the subject property;
- A general description of the proposed development or action and the property included in the application;
- A statement that any interested person or authorized agent may appear and be heard;
- A statement describing how and when to submit written comments;
- The existing zone classification; and
- The words "Zoning Map Amendment," as applicable.

The applicant must also erect and maintain a sign on the subject property no later than 15 days prior to the public hearing, and to update the hearing information on the sign until final disposition of the case. It shall also be the responsibility of the applicant to remove the sign within seven (7) days after the final disposition of the case.

Step 3: Documentation of Notification to Affected Parties

The applicant must submit a notarized copy of the mailing list, *Affidavit of Notifications to Affected Property Owners,* and *Affidavit of Sign Posting* to the Planning Director prior to the fifteenth day before the public hearing date.

The *Public Hearing Notice Sign Specification* on the subsequent pages of this application provide detailed instructions on posting and notification requirements.

Affidavit of Notifications to Affected Property Owners

Case Number: 20-00141-02

Project Name: Whispering Winds – Historic Sign Restoration

Applicant Name: WW.66 LLC / Jose R Alvarado, Director of Sales, Ascend Capital Management

Representative: Mark Reavis, Heritage Preservation Officer

Location: 922 E. Route 66, Flagstaff

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statute requirements, the applicant for public hearings in the City of Flagstaff shall notify affected property owners as prescribed by Section 10-20.30.080 of the City of Flagstaff Zoning Code. **It shall be the responsibility of the applicant to establish a list of the names and addresses of persons who require notification of a public hearing as established in Sections 10-20.30.060.A, 10-20.30.060.B, and 10-20.30.060.C of the Zoning Code, and mail a notice of required public hearing via first class mail to each of the persons on the list referenced above no later than 15 days prior to the public hearing date. It shall also be the responsibility of the applicant to submit a notarized copy of the mailing list to the Planning Director prior to the fifteenth day before the public hearing date.**

I confirm that the public hearing notifications were mailed as detailed in Section 10-20.30.080 of the City of Flagstaff Zoning Code at least fifteen (15) days prior to the public hearing.

Applicant's/Representative's Signature: Mark Reavis, HPO — 12/22/2020

Public Hearing Notice Sign Specification

- The sign shall be a minimum of four (4) feet by four (4) feet in size.
- The sign shall be constructed of laminated coroplast, laminated plywood, or other suitable construction material.
- The sign shall have a white background with black lettering. The least expensive process is laminated direct printing.
- The minimum lettering size shall be one (1) inch.
- The words "Public Hearing" shall be a minimum of two (2) inches in height. Sign lettering should be formatted to match the example below.
- The content of the sign shall match the example below and include specific case details.
- The sign shall be securely fastened to wooden or metal stakes.
- The applicant is responsible for maintaining the integrity and accuracy of the sign.
- The height of the sign shall be at least four (4) feet from finished grade to top of sign and shall not be obstructed from view.

City of Flagstaff

PUBLIC HEARING
Planning and Zoning Commission: (Date and Time)

LOCATION OF HEARING(S):
REQUEST:
PROPOSAL:
GENERAL LOCATION:
SIZE OF SITE:
CASE #
APPLICANT/CONTACT:
PHONE #:
Planning & Development Services Division: 928-213-2600
Posting Date:

Affidavit of Sign Posting

Case Number: 20-00141-02

Project Name: Whispering Winds – Historic Sign Restoration

Applicant Name: WW.66 LLC / Jose R Alvarado

Representative: Mark Reavis, Heritage Preservation Officer

Location: _922 E Route 66 Flagstaff AZ

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statute requirements, the applicant for public hearings in the City of Flagstaff shall post signs as prescribed by Section 10-20.30.080 of the City of Flagstaff Zoning Code. **It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property 15 days prior to the hearing and to update the hearing information on the sign until final disposition of the case. It shall also be the responsibility of the applicant to remove the sign within seven (7) days after the final disposition of the case.**

I confirm that the site has been posted as detailed in Section 10-20.30.080 of the Zoning Code as well as the Public Hearing Notice Sign Specifications included in this application for the case above, and that the site was posted at least fifteen (15) days prior to the public hearing.

See attached date stamped photo exhibit of posted signs.

Applicant's/Representative's Signature: _Mark Reavis, HPO 12/22/2020

Appeals of Dedication, Exactions, or Zoning Regulations

Right to Appeal

An applicant may appeal the following actions to an administrative hearing officer:

1. A dedication or exaction required as a discretionary administrative, but not legislative, condition of granting approval for the use, improvement, or development of real property.
2. The adoption of amendment of a zoning regulation that creates a taking of property in violation of A.R.S § 9-500.13.

Appeal Procedures

An applicant who intends to exercise the right to contest the requirement of a dedication or exaction shall file a written request for appeal to the Planning Director, who will transmit the request for appeal to the designated hearing officer.

- The appeal shall be filed within 30 days after notice is given of the final determination of the development or exaction requirement.
- The request for appeal may be in the form of a letter or other written communication but shall give reasonable notice that the applicant requests an appeal of a dedication or exaction requirement and of the particular dedication or exaction being appealed.
- After receipt of an appeal, the hearing officer shall schedule a time for the appeal to be heard not later than 30 days after receipt, unless the applicant consents to an extension of time. The applicant shall be given at least 10 days' notice of the time when the appeal will be heard unless the applicant agrees to a shorter time period.
- In all proceedings, the City has the burden of establishing an essential nexus between the dedication or exaction and a legitimate government interest, and that the proposed dedication or exaction is roughly proportional to the impact of the proposed use, improvement, or development. If more than a single parcel is involved, this requirement applies to the entire property.
- The hearing officer shall hear such testimony and consider such evidence as is relevant to the determination of such issues. The hearing officer shall not be bound by technical rules of evidence or procedures in conducting the hearing.
- The hearing officer shall decide the appeal within five (5) working days after the appeal is heard. If the City does not meet its burden, the hearing officer shall either:
    - Modify or delete the requirement of the dedication or exaction appealed; or
    - In the case of a zoning regulation appealed, the hearing officer shall transmit a recommendation to the Council. The Council may accept, modify, or deny the recommendation of the hearing officer.
- If the hearing officer modifies or affirms the requirement of the dedication or exaction, an applicant aggrieved by the decision of the hearing officer may appeal the decision to the Superior Court at any time within 30 days after the hearing officer has rendered a decision by following the procedures set forth in the Arizona Revised Statutes.

Please be aware that City Staff cannot give applicants legal advice. Applicants may wish, but are not required, to hire an attorney to represent them in an appeal.

Owner Certification Acknowledging Receipt

of Notice of Right to Appeal Exactions and Dedications

I hereby certify that I am the owner of property located at:

922 E Route 66, Flagstaff AZ 86001

_____

(address of development approval or City required improvements and dedications)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Flagstaff as part of my property development on the parcel listed in the above address.

12/21/2020

Signature of Property Owner *(print & sign)*

Date

CITY OF FLAGSTAFF HERITAGE PRESERVATION COMMISSION
STAFF REPORT

Public Hearing/Neighborhood Meeting

DATE: 10/8/2020
MEETING DATE: October 21 ,2020
REPORT BY: Mark Reavis, AICP, NCARB

Whispering Winds/ Route 66 - Landmark Overlay Zoning Map Amendment

PROPERTY INFORMATION:
Address: 922 E. Route 66
Assessor's Parcel Number: 104-05-005
Property Owner: WW66. LLC,6164, Abineau Canyon Dr, Flagstaff AZ
Applicant: Jose R. Alvarado, Director of Sales, Ascend Capital Management
City Staff: Mark Reavis, HPO

BACKGROUND
The HPC has reviewed and approved the application for a historic sign & facade grant as a $10,000 matching grant for the full restoration of the Whispering Winds Motel Sign. The HPO has reviewed a submission by a sign company that accurately reestablishes the missing upper components of the historic sign that remains. The applicant will confirm that the project will comply with that HPO review with the sign contractor that is selected.

PREVIOUS HPC DECISIONS
HPC has reviewed and approved the grant with HPO follow up on compliance.

REQUEST
Conduct Public Hearing to meet the Neighborhood Meeting requirement for a Landmark Overlay Zoning Map Amendment for the purpose of restoring the historic Route 66 sign at 922 E Route 66 (Whispering Winds Motel).

STAFF RECOMMENDATION
Conduct Public Hearing that serves as Neighborhood meeting requirement. Receive public comment, close hearing.

DISCUSSION
Questions?

BASIS OF REPORT
Requirements for Grant compliance and public notification.

INFORMATION
Advertisement was published and property owners within 300 foot were notified by letter.

I. Landmark Overlay Zoning Map Amendment Findings

Landmark Overlay Zoning Map Amendments shall be evaluated based on the following findings:

A. Finding #1: Significance and Integrity of the Proposed Landmark

The eligibility of the Motel for the National Register of Historic Places and specifics of the signs note its significant status. Review of the integrity of the remains of the sign by HPO City staff show that the property meets the findings for the Landmark Overlay.

B. Finding #2: Conformance and Consistency with the Regional Plan and applicable Specific Plans

The proposed amendment must be found to be consistent with and in conformance with the goals and policies of the General Plan and any applicable specific plans. If the application is not consistent with the General Plan, and any other applicable specific plan, the applicable plan must be amended in compliance with the procedures established in Chapter 11-10 of the City Code (Title 11: General Plans and Subdivisions) prior to considering the proposed amendment.

i. General Plan/Flagstaff Regional Plan (FRP 2030) Process and Analysis Summary

The adoption of a Landmark Overlay for the Whispering Winds Historic Route 66 Motel Sign. The Regional Plan's policies related to Historic Preservation supports the preservation and restoration of historic buildings and architectural elements such as signs and the formal recognition of landmarks. This proposed Zoning Map amendment supports the preservation of the Motel as the caretaker of an irreplaceable community asset associated with Route 66 with the acknowledgment of the restoration of it sign in both the preservation and restoration of the resource and adaptive reuse to support the continues utilization of the motel.

ii. Applicable General Plan Goals and Policies

As part of its review, staff identified relevant Regional Plan Goals and Policies that could be applied to support or not support the proposed Zoning Map Amendment. The following is a discussion of how the project generally meets or conflicts with goals and policies in each chapter.

a. Community Character (Scenic Resources and Natural Setting, Heritage Preservation, Community Design, and Arts, Sciences and Education)

Policy CC.2.2. Formally recognize heritage resources through designation as local landmarks and historic districts.

Policy CC.2.4. Support restoration and rehabilitation of historic housing, buildings, structures, and neighborhoods.

Policy CC.2.10. Educate the community and developers on the benefits of adaptive reuse and create policies to incentivize the reuse of historic buildings to maintain their integrity.

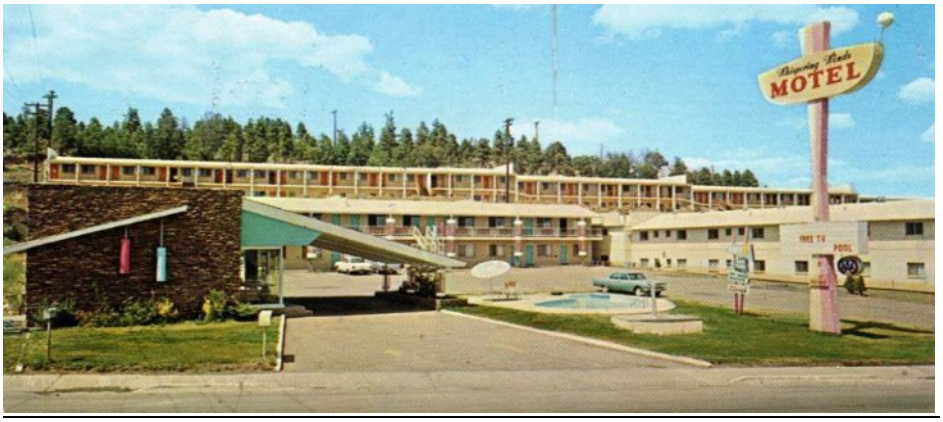
Policy CC.2.11. Assist businesses and residents who are caretakers of historic resources, maximize the economic value of their property without damaging the integrity of the historic resource.

b. Growth Areas & Land Use (Reinvestment, Greenfield, Urban Area, Suburban Area, Rural Area, Employment Area, Special Planning Area, and Activity Centers)

Policy LU.10.3. Value the Historic Neighborhoods established around downtown by maintaining and improving their highly walkable character, transit accessibility, diverse mix of land uses, and historic building form.
Policy LU.11.5. Encourage adaptive re-use of historic structures for a variety of commercial spaces and housing options.

Preservation of the historic Whispering Winds sign related to the Route 66 Motel itself supports the character of the community and the use and reuse of the historic structures on the property.

ATTACHMENT



Post card image

Existing Sign Condition

CITY OF FLAGSTAFF HERITAGE PRESERVATION COMMISSION
STAFF REPORT

Amendment to Previous Staff Report

DATE: 1/29/2021
MEETING DATE: February 3rd, 2021
REPORT BY: Mark Reavis, AICP, NCARB

PZ-20-00141-02
Whispering Winds/ Route 66 - Landmark Overlay Zoning Map Amendment

PROPERTY INFORMATION:
Address: 922 E. Route 66
Assessor's Parcel Number: 104-05-005
Property Owner: WW66. LLC,6164, Abineau Canyon Dr, Flagstaff AZ
Applicant: Jose R. Alvarado, Director of Sales, Ascend Capital Management
City Staff: Mark Reavis, HPO

BACKGROUND

The HPC has previously reviewed and approved the application for a historic sign & facade grant as a $10,000 matching grant for the full restoration of the Whispering Winds Motel Sign. The HPO is currently reviewing a sign permit application that conforms to the Historic Facades and Sign Grant and is seeking confirmation of conformance from the commission.

PREVIOUS HPC DECISIONS

HPC has reviewed and approved the grant with HPO follow up on compliance.

STAFF RECOMMENDATION

Verify that the design graphics, sign permit and narrative are in compliance with the Historic Facades and Signs Grant Guidelines. (See sign permit application)

Make a motion to recommend approval of the Landmark Overlay zoning application (PZ-20-00141-02) to the Planning and Zoning Commission based on the finding that:

- the criteria of Flagstaff City Code 10-30.30.040.C.3 were met on October 21, 2020, and
- that the application meets the findings of Flagstaff City Code 10-30.30.040.E Individual Signs of Historic or Cultural Significance

DISCUSSION

At the August 2020 commission meeting, the commission approved a grant for the sign conditioned on approval of a Landmark Overlay. Based on the direction provided at the review of the grant, the HPO has a sign permit application and wants to verify that it matches what was approved previously.

At the October 2020 public hearing that occurred in lieu of a neighborhood meeting, the heritage Preservation Commission did not make a motion on the Landmark Overlay application. Though the commission indicated that the previous unanimous approval of the grant application was to move

forward, a specific motion on the Landmark Overlay application is needed before the Planning and Zoning Commission can consider the application.

This special meeting is being conducted to give the opportunity for a correct motion to be made and a recommendation be provided to the Planning and Zoning Commission.

The Minutes and attachments from the October 2020 meeting can be reviewed at: http://cityweb.flagstaffaz.gov/agendaquick/agenda_publish.cfm?id=&mt=ALL&get_month=10&get_year=2020&dsp=min&seq=1111

Staff has also attached the most up to date rendering of the proposed sign to verify that the work done by the Heritage Preservation officer is carrying out previous Commission direction faithfully.

BASIS OF REPORT

Flagstaff City Code 10-30.30.040.C.3

> *The Historic Preservation Officer's recommendation shall be transmitted to the Heritage Preservation Commission in the form of a staff report prior to a scheduled public meeting. The staff report shall include the following:*
>
> *a. An evaluation of the consistency and conformance of the proposed amendment with the goals of the General Plan and any applicable specific plans; and*
>
> *b. A recommendation on whether the proposed landmark property designation should be granted, granted with conditions to mitigate any anticipated impacts, or denied.*

10-30.30.040.E Individual Signs of Historic or Cultural Significance

> *1. Signs which may be unusual, significant, or meaningful to the City streetscape and the City's history may be worthy of special recognition and may be designated as a landmark property in accordance with the provisions of this division if they meet the following criteria:*
>
> *a. The sign has been in continuous existence at its present location for not less than 50 years;*
>
> *b. The sign is of exemplary technology, craftsmanship or design for the period in which it was constructed; uses historic sign materials or means of illumination; and/or is unique in that it demonstrates extraordinary aesthetic quality, creativity, or innovation;*
>
> *c. The sign is structurally safe or is capable of being made so without substantially altering its historical character or significance;*
>
> *d. If the sign has been altered, it must be restorable to its historic function and appearance; and*
>
> *e. The sign complies with movement, bracing, and illumination requirements contained in Section 10-50.100.050(D), Structure and Installation.*

Sara Dechter

From: Mark Reavis
Sent: Saturday, January 30, 2021 9:43 AM
To: Sara Dechter
Subject: FW: Whispering Winds Sign Permit

Email from Jose to have HPO represent client and sign.

Mark A. Reavis, AICP, NCARB
Heritage Preservation Officer/Neighborhood Planner
Planning & Development Services, 211 W. Aspen Av.
Community Development, Flagstaff AZ 86001
Phone/message: (928) 213-2633
Mark.Reavis@flagstaffaz.gov ww.flagstaff.az.gov

From: Jose Alvarado <jose@acm-jvt.com>
Sent: Friday, January 22, 2021 11:42 AM
To: Mark Reavis <mark.reavis@flagstaffaz.gov>
Subject: Re: Whispering Winds Sign Permit

Good Afternoon,

I authorize Mark Reavis to sign a sign permit on behalf of the Whispering Winds for the Whispering Winds Historic Sign Restoration at 922 W Route 66 Flagstaff, Arizona.

Thank you,

Jose R. Alvarado | Director of Sales | Ascend Capital Management | Days Hotel Flagstaff | Travelodge Route 66 | Econolodge University | The Northern Pines Restaurant | Mobile: (928) 310-9487 | Phone: (928) 779-6944 | Fax: (928) 774-3990 | Email: Jose@ACM-JVT.com

On Fri, Jan 22, 2021 at 11:21 AM Mark Reavis <mark.reavis@flagstaffaz.gov> wrote:

> Can you mention the motel Whispering Winds Historic Sign Restoration 922 W Route 66
>
>
> **Mark A. Reavis, AICP, NCARB**
>
> Heritage Preservation Officer/Neighborhood Planner
>
> Planning & Development Services, 211 W. Aspen Av.
>
> Community Development, Flagstaff AZ 86001
>

Phone/message: (928) 213-2633

Mark.Reavis@flagstaffaz.gov ww.flagstaff.az.gov

From: jose@acm-jvt.com <jose@acm-jvt.com>
Sent: Friday, January 22, 2021 11:19 AM
To: Mark Reavis <mark.reavis@flagstaffaz.gov>
Cc: Sara Dechter <SDechter@flagstaffaz.gov>
Subject: RE: Whispering Winds Sign Permit

Good Afternoon Mark,

Do you need an email stating that you are authorized to sign a sign permit? I authorize Mark Reavis to sign a permit on behalf of our company.

Thank you,

Jose R. Alvarado | Director of Sales & Marketing | Ascend Capital Management | Days Hotel Flagstaff | Econolodge Flagstaff Route 66 | Whispering Winds Historic Route 66 Motel | Comfort Inn Near Grand Canyon | The Northern Pines Restaurant | Dirty Birdies Sports Bar & Grill | Ski Haus Flagstaff | LinkedIn Profile | Mobile: (928) 310-9487 | Phone: (928) 779-6944 | Fax: (928) 774-3990 | Email: Jose@ACM-JVT.com

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From: Mark Reavis <mark.reavis@flagstaffaz.gov>
Sent: Friday, January 22, 2021 10:59 AM
To: Jose Alvarado <jose@acm-jvt.com>
Cc: Sara Dechter <SDechter@flagstaffaz.gov>
Subject: Whispering Winds Sign Permit

Jose; can you send me a quick email that gives me authorization to sign a sign permit…. ASAP

Mark A. Reavis, AICP, NCARB

Heritage Preservation Officer/Neighborhood Planner

Planning & Development Services, 211 W. Aspen Av.

Community Development, Flagstaff AZ 86001

Phone/message: (928) 213-2633

Mark.Reavis@flagstaffaz.gov ww.flagstaff.az.gov

Whispering Winds
MOTEL
CLEAN ROOMS
DAIL WEEKL RATES
TV & PHONE MICRO R
WEEKLY
RATES
VACANCY
Zoning Code Map Amendment
Whispering Winds Historic Sign
Landmark Overlay
NEIGHBORHOOD MEETING
Charlie
egaard
R of FLAGSTAFF
rlie4Flagstaff.com

DRAFT MINUTES

HERITAGE PRESERVATION COMMISSION **COUNCIL CHAMBERS**
WEDNESDAY **211 WEST ASPEN AVENUE**
FEBRUARY 3, 2021 **11:30 A.M.**

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact Tammy Bishop 928-213-2611 (or 774-5281 TDD).
Notification at least 48 hours in advance will enable the City to make reasonable arrangements.

The video will be available on the City's website
(https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings)

1. **Call to Order** 11:31am

2. **Roll Call**
NOTE: One or more Commission Members may be in attendance telephonically or by other technological means.

DAVID HAYWARD,Chair
JERRY MCLAUGHLIN, Vice Chair
EMILY DALE
JILL HOUGH
CAITLIN KELLY
CHARLES WEBBER

3. **Public Comment**

At this time, any member of the public may address the Commission on any subject within their jurisdiction that is not scheduled before the Commission on that day. Due to Open Meeting Laws, the Commission cannot discuss or act on items presented during this portion of the agenda. To address the Commission on an item that is on the agenda, please wait for the Chair to call for Public Comment at the time the item is heard.

4.
PUBLIC HEARING

A. Whispering Winds Sign Design Review Clarification & updated Staff Report Amendment

Address: 922 E Route 66
Assessor's Parcel Number: 104-05-005
Property Owner: WW66 LLC
Applicant: HPO on behalf of owner and Jose R Alvarado, Director of Sales, Ascend Capital Management
City Staff: Mark Reavis

Review amended staff report and revised information with updated narrative and design submission

- Verify that the design graphics, sign permit and narrative are in compliance with the Historic Facades and Signs Grant Guidelines
- Recommend approval of the Landmark Overlay zoning application (PZ-20-00141-02) to the Planning and Zoning Commission based on the finding that:
  - the criteria of Flagstaff City Code 10-30.30.040.C.3 were met on October 21, 2020, and
  - that the application meets the findings of 10-30.30.040.E Individual Signs of Historic or Cultural Significance

Ask that staff request a continuation to a date certain of the Planning and Zoning Commission public hearing currently scheduled for February 24, 2021 and review an amended application at the regular February 17, 2021 Heritage Preservation Commission Meeting.

This project was previously approved in August for a Historic Facade and Sign Grant. A public hearing was conducted by the HPC in October for a required public meeting component for a Zoning Map Amendment application.

Confusion on which sign submission was approved for the grant. McLaughlin, Hayward, verify that Option 2 from #1 sign company is the correct sign for the grant. Asked if any disagreeed, none spoke.

Moved by David Hayward, **seconded by** Jerry McLaughlin Make a motion to recommend approval of the Landmark Overlay zoning application (PZ-20-00141-02) to the Planning and Zoning Commission based on the finding that:

- the criteria of Flagstaff City Code 10-30.30.040.C.3 were met on October 21, 2020, and
- that the application meets the findings of Flagstaff City Code 10-30.30.040.E Individual Signs of Historic or Cultural Significance

Vote: 6 - 0 - Unanimously

Moved by David Hayward, **seconded by** Jerry McLaughlin Amend the motion to approve that to include the finding that the design graphics, sign permit and narrative presented at this meeting are in compliance with the Historic Facades and Signs Grant Guidelines

Vote: 6 - 0 - Unanimously

5. MISCELLANEOUS ITEMS TO/FROM COMMISSION MEMBERS

6. ADJOURNMENT

Adjourn at 11:44am

CERTIFICATE 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. This notice has been posted on the City's website and can be downloaded at www.flagstaff.az.gov.

Dated this _____ day of _____, 2020.

_____
Sara Dechter, Comprehensive Planning Manager

Planning & Zoning Commission **6. A.**

Meeting Date: 02/24/2021

From: Dan Symer, Zoning Code Manager

Information

TITLE

Appointments: Incentive Policy for Affordable Housing and related Zoning Code Update Workgroup

STAFF RECOMMENDED ACTION:

Staff is requesting that the Planning and Zoning Commission appoint two Commission members to a workgroup that will be utilized to provide recommendations to the Housing and Planning and Zoning Commissions on updates to the Incentive Policy for Affordable Housing (IPAH) and related modifications to the Zoning Code.

Attachments

Staff Memo

Attachment 1

Attachment 2

Attachment 3

Community Development Department
Planning and Development Services

Date: February 9, 2021
To: Planning and Zoning Commission
From: Dan Symer, AICP, Zoning Code Manager
Jennifer Mikelson, Housing Analyst
Through: Alaxandra Pucciarelli, Current Planning Manager
RE: Planning and Zoning Commission Appointments

I. **Request:**

Staff is requesting that the Planning and Zoning Commission appoint two Commission members to a workgroup that will be utilized to provide recommendations to the Housing and Planning and Zoning Commissions on updates to the Incentive Policy for Affordable Housing (IPAH) and related modifications to the Zoning Code.

II. **Background:**

The purpose of the Flagstaff IPAH (Adopted in October 2009 (Attachment 1)) and the Zoning Code Affordable Housing Incentives (Adopted in November 2011 (Attachment 2)) is to foster the preservation and production of permanently affordable housing units within Flagstaff). To achieve this objective, the IPAH and the Zoning Code seeks to:

- Provide viable incentives to stimulate the development of permanently affordable housing.
- Provide viable incentives to stimulate the rehabilitation and redevelopment of permanently affordable housing.
- Provide viable incentives to stimulate the development of permanently affordable housing on vacant and redeveloped lots in new and existing neighborhoods.

The incentives available may be summarized in two primary categories. These categories are: 1) fee waivers/reimbursements and expedited review of development applications; and, 2) Zoning Code regulatory incentive (density bonuses, modified requirements and parking and resource protection reductions).

III. **Project Summary:**

Beginning in March 2021, the Housing and Planning and Development Services staff (Jennifer Mikelson, Housing Analyst, and Dan Symer, Zoning Code Manager) will begin updating the IPAH and the Zoning Code incentives for providing affordable housing. In summary, the purpose of the project is to modify the IPAH and the Zoning Code incentives to reflect the current economic, market, and development conditions, and the diversifying demographic needs for affordable housing. The process will be coordinated through a workgroup consisting of the Housing and Planning and Zoning Commission members. In addition to the workgroup meetings, housing developers and practitioners will be interviewed to obtain their input on the existing policy and code regulations and suggested

modifications. The workgroup meetings will be open to the public and staff. Based on the meeting topics, City staff most familiar with the regulations will be asked to attend the meetings. A summary of the Project Objectives, Problem Statements, and Scope of Work are included in Attachment 3.

IV. **Project Timeline:**

The timeline for the project is projected as follows:

- March 2021 through September 2021
  - Review the existing Incentive Policy for Affordable Housing and Zoning Code, suggested revisions, draft concept policies, implementation direction, and code amendments
  - Receive public comment on the existing Incentive Policy for Affordable Housing and Zoning Code Amendments and suggested revisions
  - Meetings and interviews with staff, housing developers, and industry practitioners pertaining to existing Incentive Policy for Affordable Housing and Zoning Code Amendments and suggested revisions
- September 2021 and November 2021
  - Public, Housing and Planning and Zoning Commissions, and City Council review of the draft Incentive Policy for Affordable Housing and Zoning Code Amendments
- December 2021 and February 2022
  - Final review and adoption of the updated Incentive Policy for Affordable Housing and Zoning Code Amendments

Attachments:

1. Incentive Policy for Affordable Housing
2. Zoning Code Affordable Housing Incentives
3. Project Objectives, Problem Statements, and Scope of Work

INCENTIVE POLICY FOR AFFORDABLE HOUSING

PREPARED BY:

CITY OF FLAGSTAFF'S HOUSING SECTION

COMMUNITY DEVELOPMENT DIVISION

OCTOBER 2009

211 West Aspen Ave. • telephone: 928.779.7650 ext.7231 • fax: 928.779.7684 • www.flagstaff.az.gov

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1. OVERVIEW

Decent, safe and affordable housing has been established by the City Council at one of its top priorities. The City Council has adopted policies that aim to further the goal of housing that is affordable within Flagstaff. The Incentive Policy for Affordable Housing (IPAH) incentivizes developments that commit to permanently affordable housing units. If a developer desires to take advantage of the incentives offered under the IPAH document, they would need to provide rental and/or ownership opportunities that have resale and rent restrictions placed on the units for the intended affordable housing population. This document provides a detailed description of the incentives offered to developers wishing to assist the community in addressing the need for affordable housing in Flagstaff.

In addition, the 2001 Regional Land Use and Transportation Plan established a series of goals and strategies to guide the development of decent and affordable housing. Further emphasizing the need for decent housing for the community, the 2005 Community Housing Policy Task Force, the 2006 Comprehensive Plan, and the 2008 Community Housing and Sustainability NEXUS Study (NEXUS Study) all put forth strategies to aid in the preservation and development of attainable housing. Specifically, it was recommended that the 2001 Affordable Housing Set-Aside Policy be updated to reflect the market changes and to further incentivize the development and preservation of housing that is attainable to citizens of Flagstaff.

The City of Flagstaff Incentive Policy for Affordable Housing (IPAH), formerly known as the Affordable Housing Set-Aside Policy is designed to foster the preservation and production of affordable housing units designed for those who live in Flagstaff. Encouraging the preservation and production of permanently affordable units and facilities intended for the Flagstaff community will assist in narrowing the deficit of all types of housing for households earning up to 150% of the Area Median Income (AMI). Affordable housing in Flagstaff must meet the needs and applicable regulations of the federal government, Arizona Revised Statues, the City of Flagstaff, and all other appropriate regulating entities.

The City of Flagstaff will continue to work with developers and builders of single-family, multi-family, and mixed-use developments that voluntarily choose to meet the IPAH criteria. As this is a defined need within the community, as delineated in the 2008 NEXUS Study, City staff encourages developers to review the incentives presented within this document, which support the creation of affordable housing within residential and mixed-use developments.

IPAH designates the Housing Section as the lead agency on housing policy issues and to foster partnerships with neighborhoods, non-profit housing providers, and the home-building industry to develop, finance, rehabilitate, relocate, and implement IPAH in the City of Flagstaff.

IPAH allows for incentives to be provided to the developer to create permanently affordable units within a development that meet the definition of Affordable Housing; thus requiring the Housing Section to catalogue additional incentives that may be advantageous to all parties identified during the review, construction, and

inspection of housing developments and it requires collaborations among City divisions in implementing these suggested improvements.

The City of Flagstaff's Incentive Policy for Affordable Housing seeks to:

- Provide viable incentives to stimulate the development of permanently affordable housing.
- Provide viable incentives to stimulate the rehabilitation and redevelopment of permanently affordable housing.
- Provide viable incentives to stimulate the development of permanently affordable housing on vacant and redeveloped lots in new and existing neighborhoods.

2. DEFINITIONS

Affordability Controls: Affordability controls are mechanisms used to ensure that the sale or rental prices of the set-aside units stay attainable to households making a certain percentage of Area Median Income (AMI). These controls remain in effect for a specified period of time.

Affordable Housing: Affordable Housing is defined as housing or shelter that is developed or re-developed for households earning no more than 150% of the AMI for ownership and no more than 100% AMI for rentals. In order to avoid being cost burdened, households should not spend more than 30% of their gross income on housing.

Affordable Residential Uses: "Affordable Residential Uses" in the City of Flagstaff's Zoning Code (LDC) should be replaced by the term Affordable Housing.

Area Median Income (AMI): Area Median Income is an income level determined by the United States Department of Housing and Urban Development based on a variety of factors and representing wages and earnings in the community. Area Median Income is relative to family size and community dynamics. The chart, as referenced in Exhibit A, will be updated by the Housing Section Staff on an annual basis, as published by HUD.

Covenant: A covenant is a type of contract in which the covenantor makes a promise to a covenantee to do or not do some action. In real property law, the term real covenant is used for conditions tied to the use of land. A "covenant running with the land" imposes duties or restrictions upon the use of that land regardless of the owner.

Deed: A deed is a legal document signed by the seller of the property that transfers the title of the property from the seller to the buyer.

Deed Restriction: A deed restriction is a restriction or requirement that must be met by both the buyer and the seller before the property can be transferred to the buyer. Affordability controls provide that the property can only be rented or sold to households that meet the income eligibility criteria identified. Many municipalities use deed restrictions to enforce affordability controls.

Density Bonus: A density bonus is a developer incentive. It is a percentage of units that the municipality permits the developer to construct above and beyond what the zoning designation for that piece of property would otherwise allow.

Developer Incentives: Developer incentives, such as density bonuses, expedited permit processes, fee waivers, and resource reductions are given to developers to either encourage them to build affordable units within a development, or to compensate them for selling/renting the units below market to designated income populations.

Development Fee: A Development Fee is broadly defined as any fee paid to the municipally associated with the development of a project within Flagstaff, including Impact Fees.

Expedited Permit Process: An expedited permit process allows a municipality to review and process a developer's application for building permits, zoning permits, and other permits, on a faster time schedule than usual. Expedited permit process is offered to a developer, if that developer includes affordable units within a development.

Fee Waiver: The City may waive certain municipal fees for developers, such as building permits, and entitlement fees, in exchange for the construction of a certain number of affordable units as part of the proposed development.

Housing Set-Aside: A housing set-aside in a development agreement provides for a developer to receive incentives for development in exchange for the "set aside" of a percentage of the total units to be affordable to designated income populations. For example, a 10% set-aside means a developer would provide one affordable unit for every ten market-rate units within a proposed development in exchange for density bonuses, expedited permitting, fee waivers or reimbursement, flexible design standards, or financial offsets. The affordable units shall be distributed proportionally throughout the development and phases (where applicable) and appropriately designed and integrated with market-rate units throughout the development. Thirty percent (30 %) of affordable units must be delivered in the first phase and the remainder of the units must be delivered proportionally based on years of build-out and phasing.

Income-Targeting: The income target is the household income level targeted to benefit from the pricing of the affordable units. Income level targeting is determined by looking at the needs and demands within the community. For example, a municipality may determine there is a need for housing for moderate-income level

households, such as public safety employees, and thus income targeting would produce affordable units to the designated income populations.

Income-Tiering: Income-tiering is when categories of income levels are produced for which affordable units must be appropriately priced. For example, a municipality may decide that the affordable units in a development must be attainable for households that earn between 50% and 80% of AMI.

In-lieu of Attainable Housing Contribution: The City may permit a developer to make a fee in-lieu or cash payment, instead of constructing affordable units within the proposed development. Usually these payments are deposited in a housing trust fund or a similar restricted fund for the construction of other affordable units elsewhere within the City.

Market Rate: The market rate is the price that a residential unit would sell or rent for on the open real estate market without any subsidies or price restrictions.

Period of Affordability: The period of affordability is the length of time a unit is required to be sold or rented at a price affordable to the income level determined by the municipality. Periods of affordability are usually outlined and enforced through affordability controls, such as deed restrictions or covenants.

Permanent Affordability: Permanent Affordability is divided into two categories: rental and ownership. If a development participates in the voluntary Incentive Policy for Affordable Housing (IPAH) options for rental units, the period of affordability requirement is enforced for no less than 30 years and is subject to renewal. If a development participates in IPAH options for ownership units, the permanent affordability requirement for ownership is enforced at 99-years and is renewable.

Price Point: The price point is the price, or range of prices, a developer determines a unit would sell or rent for on the open market, based on design, location and size.

Rental Unit: A rental unit is a unit owned by one party and then leased to another.

Resale Restriction: A resale restriction is a requirement on the title of the property that must be met before the property is sold to another owner. Resale restrictions are used as an affordability control tool; for example, the sale of a unit might be restricted unless the new owner meets certain requirements outlined in associated documents.

Right of First Refusal: The right of first refusal prevents the sale of a residential property until a designated party has been offered the opportunity to purchase the property first. For example, if a municipality has the right of first refusal, then an affordable unit cannot be sold unless the municipality has been offered the opportunity to purchase the property first.

Second Mortgage Lien: A second mortgage lien is a claim or charge on a property for payment on a debt that is second in priority to the first mortgage. Some municipalities use second mortgages to enforce affordability controls, so if the owner attempts to sell the affordable unit to ineligible households, the municipality can enforce the lien and recapture the property.

Workforce Housing: "Workforce Housing" in the City of Flagstaff's Zoning Code (LDC) should be replaced by the term Affordable Housing.

Workforce Housing Project: "Workforce Housing Project" in the City of Flagstaff's Zoning Code (LDC) should be replaced by the term Affordable Housing.

Zoning Code: The City of Flagstaff currently operates under a zoning ordinance known as the Land Development Code (LDC). References in this document are made to the Zoning Code, as the LDC is undergoing a substantial re-write and will most likely be renamed. A zoning code divides a municipality into districts and outlines a set of enforceable regulations regarding the structure, design, and use of buildings within each district.

3. IPAH STANDARDS

3.1 As part of Council's housing policy goals, the Housing Section will be provided the opportunity to propose development and/or redevelopment as Affordable Housing for City-owned surplus property, where Council deems appropriate, except for land with a current, adopted Master Plan.

3.2 Incentive Policy for Affordable Housing initiatives involves an application and certification process. IPAH is available for rental and owner-occupied new construction and rehabilitated housing or shelter that meets the IPAH standards.

3.3 The proposed development or redevelopment will comply with the City of Flagstaff Zoning Code, the Regional Transportation and Land Use Plan, adopted Building Codes for the City of Flagstaff, Engineering Standards, and all mandatory sustainability measures adopted by City Council.

3.4 Developers of residential or mixed use developments that voluntarily provide a minimum of ten percent (10%) affordable housing units seeking rezoning of any kind or other discretionary land use approval will be able to benefit from the incentives offered by IPAH. Additionally, if the developer provides affordable housing in a district that permits residential uses then all regulatory, procedural, and program incentives in this Policy are applicable, provided that the developer complies with all other regulations of the districts. This Policy also allows utilization of all applicable procedural and program measures for residential development and redevelopment that is within the Established districts, provided that ten percent (10%) or more of units are affordable. In any event, utilization of any of the incentives is optional.

3.5 A variety of housing types, mixed income and affordable housing developments are encouraged throughout the City and within each neighborhood. Mixed-income means that the development includes at least 10% affordable housing units that are preserved as permanently affordable. Affordable housing that must comply with other federal, state, or local preservation time periods shall also be considered to meet the permanent affordability standards.

3.6 The housing units created for sale under IPAH must be owner-occupied. The eligible household must occupy the housing unit until the time of re-sale. Housing units created for rent under IPAH must have households be income certified on an annual basis.

3.7 The City, or an agency designated by the City, will certify Eligible Buyers and Eligible Renters in accordance with the income qualification rules of the Federal HOME program or other reasonable standards, which take into account income, family size, assets and other economic circumstances. Certification of Eligible Households shall apply to all subsequent households for the permanent affordability period. Failure to meet this requirement will be considered a breach of contract. Contract terms are outlined within individual development agreements.

3.8 The affordable units shall be distributed proportionally throughout the development and phases (where applicable) and appropriately designed and integrated with market-rate units throughout the development. Thirty percent (30 %) of affordable units must be delivered in the first phase and the remainder of the units must be delivered proportionally based on years of build-out and phasing.

3.9 Grandfather Clause: Opportunities to utilize IPAH may be available for projects that have not received final platting or site plan approval and that offer a minimum of ten percent (10%) affordable housing. The owner/developer/applicant is responsible for all modifications to plans and initiating the benefits of the incentives.

3.10 If a developer is considering permanently preserving housing stock that had an expiring period of affordability, they may take advantage of any incentives that are applicable to their application. The developer must also meet all other applicable requirements in order to receive IPAH incentives.

3.11 The owner/developer/applicant or others acting on behalf of the development entity may be required to execute an agreement, restrictive covenants, or other binding restrictions that run with the land in order to insure Permanent Affordability, in accordance with IPAH standards.

3.12 Developments providing permanent affordable housing located within the City of Flagstaff Urban Growth Boundary 1 and 2 (as defined in the 2001 Land Use and Transportation Plan or its successor) will be eligible for IPAH, as long as the development contains one of the following:

> **3.12.1** Transit Access - The proposed project must have a bus route located within 1/2 mile of the development by the time of eighty percent (80%) of completion; OR

3.12.2 The development must secure acceptance from Staff for a strategy to provide access to alternative transit. This strategy could include vanpool, park-n-ride, FUTS trail access, or service plans for seniors and persons with disabilities. It could also include direct access to several land uses that service residential customers, such as food sales, banking, general retail and other key services (Activity Centers); OR

3.12.3 The development must present documentation from NAIPTA that future service plans will establish a bus route located within previously defined distances to the site and funding must be identified for this route.

3.13 Design Standards apply to multi-family and mixed-use developments. These standards may be found or referenced within the City of Flagstaff Zoning Code.

3.14 Because the number of fee waivers and reimbursement opportunities are limited on an annual basis, as are the resources for expedited review, there is a first-come, first-served policy. Once a project receives Development Review Board ("DRB") approval, resources may be set-aside for the applicable incentives at this time. If a project does not receive Final Plat or Site Plan approval within twelve (12) months of DRB approval, the funds will be allocated to the next available project.

3.15 Other Requirements:

3.15.1 Developers wishing to exercise the incentives within IPAH must have site control of the land/lots located within the city limits of Flagstaff. If the desired zoning is not in place, the applicant must also provide and meet all other applicable requirements in order to receive IPAH incentives.

3.15.2 Single-family units on infill lots receiving fee waivers must be completed, sold, and occupied within twenty-four (24) months of the execution of a contract, development agreement, or other binding restriction with the City or an approved third party. Multi-family, mixed-use and single-family units within a new subdivision's defined phase must be completed, sold, and/or occupied within thirty-six (36) months of the execution of a contract, development agreement, or other binding restriction with the City or an approved third party.

3.15.3 If a developer is planning to utilize a third party entity to provide permanent affordability within a given project, the developer and its representative must enter into a development agreement that clarifies the management, use, and oversight of the affordable components. This agreement is in addition to a deed restriction or affordability covenant to be recorded with the Final Plat or Site Plan.

3.16 Covenants must be in place as a written agreement that is recorded with the deed of the property. Covenants will apply to all future owners of the property or for a specified time period. The affordability covenant allows the agency with oversight to enforce the affordability controls. The covenants require that a

property only be sold or rented to households that meet the income eligibility criteria. Covenants should run with the land, or bind each successive owner of the land.

3.17 In order to transfer the right of use to another qualified household, a deed restriction is put in place. These deed restrictions provide that the property can only be rented or sold to households that meet the income eligibility criteria identified. Deed restrictions such as these, with regard to affordability, are restrictions or requirements that must be met by both the buyer and the seller before the property can be transferred.

4. IPAH PROCESS

In order to begin the voluntary housing incentive process, an applicant should contact their staff representative to have a preliminary discussion about the project. A City representative will be the single point of contact and will be working in collaboration with a member of the Housing Section on the identified project. Staff will meet with the applicant to discuss potential incentives and benefits of IPAH Housing Incentives. Once there is interest in pursuing incentives, the "Affordable Housing Proposal" application should be returned to the staff representative. This application is available on-line at **www.flagstaff.az.gov/housing** or at the front counter of the Community Development Division.

For Multi-Family, Mixed-Use, site plans, and single-family subdivisions, staff and the applicant establish the IPAH review timeline as well as initial incentive opportunities for the project. The applicant has until Preliminary Plat approval to commit to IPAH incentives. There may be exceptions to this timeframe and both the Housing Manager and the Planning Director will evaluate them on a case-by-case basis.

At the time a unit is ready to receive a Certificate of Occupancy (C of O), the IPAH applicant must demonstrate compliance with the approved pricing structure and covenants. Compliance is established through a meeting with a member of the Housing Section who will review the necessary documents. In addition, the party selected to review income verification data throughout the affordability period, including initial occupancy, will be contacted by the Housing Section to determine initial compliance.

The Final Plat or Site Plan shall identify the affordable units/lots and shall contain a notice, approved by the City that the deed to the affordable units/lots is subject to the terms of the development agreement, affordability covenant, and deed restrictions. The development agreement and affordability covenant shall provide that if the developer is not in compliance with the terms and conditions of the development agreement and other application regulations, the City reserves the right to withhold building or occupancy permits until the developer is in full compliance with the terms and conditions of the development agreement and/or other applicable regulations.

5. IPAH INCENTIVES

5.1 Fee Waivers

The City of Flagstaff may waive certain Building Permit and Planning fees for developments that the Community Development Director certifies as an IPAH development. The City may also permit the reimbursement of fees tied to Development Fees (Impact Fees). Fee waivers and reimbursements are subject to a sliding scale based on the AMI served by the developer. The lower the AMI served, the greater the waiver and reimbursement percentages. All fees are subject to funding availability and funding may not be available when a project is approved.

The following pages provide the list of fees that may be waived or reimbursed for IPAH developments and the sliding scale of waivers and reimbursements based on the AMI served within the project.

Please note that fee waivers are *not* available for owners with outstanding Code violations, City tax or licensing violations, or violations on accessibility issues on units or projects with which the owning entity is affiliated. Fee waivers are also not available for owners with outstanding or overdue debts to the City.

5.2 Defer Development Fees (Impact Fees) for Market Rate Units

Development Fees, specific to Impact Fees, may be deferred until the unit is at certificate of occupancy stage. This option is available for all market-rate units that are constructed with twenty percent (20%) or more affordable housing units within the development.

5.3 IPAH Fees Eligibility List

City Department		Fee Type	Reimbursement or Waiver
Community Development			
	Zoning Fees	Rezoning Application Fees	25% Reimbursement
		General Plan Amendment	25% Reimbursement
	Subdivision Fees	Developer Master Plan	50% Reimbursement
		DRB Concept Plan Submittal	Reimbursed
		Preliminary Plat Submittal	Waiver/Reimbursed
		Final Plat Submittal	Waiver
	Site Plan Fees	DRB Site Plan (Formal) Submittal	Waiver
		Concept Plan	Reimburse
		P&Z Review/Approval	Waiver
	Building Plan Review, Permit, and Inspection Fees	Building Permit Deposit Fees	Excluded
		Building Permit Fees	Waiver
		Plan Check Fees	Waiver
		Public Improvement Permit Fees	Waiver
		Plan Review Engineering	Waiver
		Over-the-Counter Permit Fees (standalone)	Excluded
		Development Fee (Impact Fees)	Reimburse
Utilities Department		Development Fee (Impact Fees)	Reimburse

Waiver and Reimbursement Scale (based on AMI served) for project providing **up to 20%** Affordable Housing

AMI Served	Percentage Waived or Reimbursed
60% AMI or Below	100%
61 – 80% AMI	75%
81 – 125% AMI	25%

Waiver and Reimbursement Scale (based on AMI served) for project providing **greater than 20%** Affordable Housing

AMI Served	Percentage Waived or Reimbursed
Below 80% AMI	100%
80 - 125% AMI	75%
126 - 150% AMI	25%

If a developer designs and constructs units that meet all mandatory and voluntary energy code expectations within an IPAH development (minimum of 20% affordable units), the developer may receive a 100% waiver and/or reimbursement for all units.

5.4 Expedited Review

IPAH developments are eligible for expedited review throughout the post-entitlement planning process, which is typically faster than the review time for a conventional development project. City staff will work with applicants to usher projects through review and inspection as quickly and efficiently as possible, on a timeline to be negotiated in a development agreement.

For Multi-Family, Mixed-Use, site plans, and single-family subdivisions, the applicant and staff must establish an IPAH review timeline as well as initial incentive opportunities for the project. Review timelines may be reduced by fifty percent (50%) for the affordable housing units within the development. In order to process the expedited review timelines, the applicant must commit a minimum of ten percent (10%) affordable units. If the developer wishes to have market-rate units qualify for expedited review, the developer must provide greater than twenty percent (20%) affordable housing units and will then be encouraged to submit like units under a block submittal.

The applicant has until Preliminary Plat approval to commit to IPAH incentives. There may be exceptions to this timeframe and both the Housing Manager and the Planning Director will evaluate them on a case-by-case basis.

The speed of the review also depends to a significant degree on the quality of the applicant's submittals and performance. Providing corrections, responding to comments, and ultimately securing an approval in a timely manner is a shared responsibility of both staff and the applicant. Expedited review may be discontinued if the applicant's design team fails to respond to comments in a timely manner.

In order for an applicant to obtain an expedited review (barring statutory requirements) through the entitlement process, a copy of the Affordable Housing Proposal signed by the Housing Manager certifying the developer's commitment to affordable housing, must be attached to the submittal.

In order for an applicant to obtain an expedited Engineering and Development Services Review, the permit for each affordable unit must contain a copy of the IPAH Certification Letter from the Housing section that is provided at time of Final Plat or Site Plan approval. All new buildings must comply with all codes in effect on the day the building permit application was filed. Building permit applications and other information can be retrieved at the Community Development front counter or at http://flagstaff.az.gov/index.aspx?nid=494.

5.5 Regulatory Incentives – Planned Affordable Option

Regulatory incentives are located within the City of Flagstaff's Zoning Code under the "Planned Affordable Option" and provide a commitment to a minimum of ten percent (10%) affordable housing units.

5.5.1 Density Bonuses and Flexible Design Standards for selected zoning districts have been incorporated into the current Zoning Code, under the "Planned Affordable Option". (See Table 10-04-002-0003 in City of Flagstaff's Zoning Code).

5.5.1.1 If Density Bonuses are used, the applicant may be allowed up to 50% of the bonus density to be market rate and the other 50% to be affordable – making sure that no less than 10% of the overall project is dedicated to affordable housing.

5.5.1.2 Minimum Open Space Ratios (OSR) have been reduced for selected zoning districts in the "Planned Affordable Option" of the current Zoning Code.

5.5.1.3 Minimum site areas have been reduced for selected zoning districts, which are identified in the "Planned Affordable Option" in the current Zoning Code.

5.5.2 Ten to twenty percent (10 – 20%) reduction in slope and forest resources protection levels in the Zoning Code commensurate with the percentage of affordable housing units provided (e.g., 10% affordable = 10% resource reduction in slope and forest protection, 12% = 12%, etc.), to a maximum of

twenty percent (20%). A minimum of ten percent (10%) affordable housing units must be provided to be eligible.

5.5.3 In applicable districts, a project may receive a double counting of 50% of the resources that overlap (trees/slopes/floodplain), if the project provides up to 20% affordable housing. If the project provides greater than 20% affordable housing, then all resources that overlap may be double counted.

5.5.4 Parking Incentives:

5.5.4.1 Tandem Parking may be permitted as an incentive to satisfy two (2) parking spaces, so long as the parking does not extend into the Right-of-Way or defined set-backs.

5.5.4.2 Reduction of parking requirements - The incentive, as calculated in the Zoning Code, allows for a reduced count in necessary parking spaces based on the number of affordable housing units provided within a development**.**

5.5.4.3 Shared Parking - If a project includes affordable housing within mixed-use and infill developments, shared parking with non-competing uses is provided as an incentive (e.g. office space that operates during a typical work day hours and residential development). A Parking Demand Study may be needed to identify shared parking options.

5.6. Land Donation – Tax Deduction

Applicants may receive a tax deduction (IRS Publication 526) if land on which the units are built is dedicated to the City of Flagstaff. This allows long term administration of the permanent affordable units under the City of Flagstaff Community Land Trust Program. Any developer considering this option should consult with a tax professional to determine eligibility for a tax deduction.

If the developer chooses to work with a 3rd party on affordable housing efforts, they will need to review their process and procedures for land donations.

5.7. Public Improvement Districts

Public Improvement Districts are currently permissible in Arizona. Public infrastructure and related items may be available as an incentive to produce affordable housing in Flagstaff.

5.8. In-lieu of Affordable Housing Contribution

In specific circumstances, where the development is unable to provide lots that are financially feasible to construct affordable housing, the City may permit the developer to use incentives within IPAH and provide a comparable land or financial donation in order to provide affordable housing in other locations within Flagstaff. Opting to put forth a financial contribution must not be an incentive unto itself; it should accurately reflect the true cost of land for purchase and ultimate development for affordable housing.

APPENDIX A - Area Median Income for Flagstaff, AZ MSA

2014 HUD Area Median Income (AMI) Guidelines								
FAMILY SIZE								
%AMI	1	2	3	4	5	6	7	8
30%	$ 12,500	$ 14,300	$ 16,100	$ 17,850	$ 19,300	$ 20,750	$ 22,750	$ 23,600
50%	$ 20,850	$ 23,800	$ 26,800	$ 29,750	$ 32,150	$ 34,550	$ 36,900	$ 39,300
60%	$ 25,020	$ 28,560	$ 32,160	$ 35,700	$ 38,580	$ 41,460	$ 44,280	$ 47,160
80%	$ 33,350	$ 38,100	$ 42,850	$ 47,600	$ 51,450	$ 55,250	$ 59,250	$ 62,850
90%	$ 36,477	$ 41,688	$ 46,899	$ 52,110	$ 56,279	$ 60,448	$ 64,616	$ 68,785
100%	$ 40,530	$ 46,320	$ 52,110	$ 57,900	$ 62,532	$ 67,164	$ 71,796	$ 76,428
115%	$ 46,610	$ 53,268	$ 59,927	$ 66,585	$ 71,912	$ 77,239	$ 82,565	$ 87,892
125%	$ 50,663	$ 57,900	$ 65,138	$ 72,375	$ 78,165	$ 83,955	$ 89,745	$ 95,535
150%	60,795	$ 69,480	$ 78,165	$ 86,850	$ 93,798	$100,746	$ 107,694	$ 114,642

Division 10-30.20:

Affordable Housing Incentives

Sections:

10-30.20.010 Purpose
10-30.20.020 Applicability
10-30.20.030 Administration
10-30.20.040 Affordable Housing Incentives
10-30.20.050 Density Bonus
10-30.20.060 Appeals

10-30.20.010 Purpose

This division implements the City's Incentive Policy for Affordable Housing (IPAH), which is intended to foster the preservation and production of permanent affordable housing units. The division encourages the preservation and production of affordable units by providing increased residential densities and other developer incentives for developments that guarantee that at least a portion of the housing will be affordable. The intent is to narrow the housing deficit for households that cannot afford market-priced rental or for-sale housing. In conjunction with market dynamics, the Council shall set policies on the area median income the City will serve. This information will be updated in the IPAH document. Affordable housing must meet applicable regulations of the Federal government, Arizona Revised Statutes, and all other appropriate regulating entities.

10-30.20.020 Applicability

In order to be eligible for the incentives provided by this division, a proposed development shall voluntarily comply with the following requirements and satisfy all other provisions of this Zoning Code.

A. **Location.** Affordable housing shall be allowed where residential uses are allowed in the City.

B. **Housing Section Proposals.** The Housing Section will be provided the opportunity to propose development and/or redevelopment as affordable housing for City-owned surplus property, where the Council deems appropriate, except for land with a current and adopted master plan.

C. **Minimum Percentage.** A minimum of 10 percent of the total number of proposed units must be affordable housing, as defined in Section 10-30.20.050, Density Bonus.

D. **Housing Variety.** A variety of housing types, mixed income, and affordable housing developments are encouraged throughout the City and within each neighborhood. Mixed income means that the development includes at least 10 percent affordable housing units that are preserved as permanently affordable.

E. **Other Regulations.** Affordable housing that must comply with other Federal, State, or local preservation time periods and applicable regulations shall also be considered to meet the permanent affordability standards.

F. **Grandfather Clause.** Opportunities to utilize the IPAH may be available for developments that have not received final platting or site plan approval and that offer a minimum of 10 percent affordable housing. The owner, developer, or applicant, as applicable, is responsible for all modifications to plans and initiating the benefits of the incentives.

G. **Housing Preservation.** If an applicant is considering permanently preserving housing stock that had an expiring period of affordability, they may take advantage of any incentives that are applicable to their application. The applicant must also meet all other applicable requirements in order to receive IPAH incentives.

H. **Site Control.** Applicants wishing to exercise the incentives in this division must have site control of the land.

I. **Requirements in Urban Growth Boundaries.** Developments providing permanent affordable housing located within City Urban Growth Boundaries 1 and 2 (as defined in the General Plan) will be eligible for IPAH, as long as the development contains at least one of the following:

1. The proposed development must have a bus route located within one-half mile of the development by the time 80 percent of the development is completed;

2. The development must secure acceptance from the Director for a strategy to provide access to alternative transit. This strategy could include vanpool, park-n-ride, Flagstaff Urban Trails System (FUTS) trail access, or service plans for seniors and persons with disabilities. It could also include direct access to several land uses that service residential customers, such as food sales, banking, general retail and other key services; or

3. The development must present documentation from Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA) that future service plans will establish a bus route within previously defined distances to the site and funding has been identified for this route.

10-30.20.030 Administration

A. The City, or an agency designated by the City, shall monitor ongoing affordability of affordable housing units.

1. The applicant must demonstrate compliance with the approved pricing structure and shall be required to execute an agreement, restrictive covenants, or other binding affordability restrictions that run with the land. These affordability covenants or deed restrictions must be in place as a written agreement that is recorded with the deed of the property and limits transfer of the property to another qualified household. The covenants or deed restriction will apply permanently.

2. The applicant shall be required to provide tenant income qualification reports to the City for monitoring on an annual or biennial basis.

3. If an applicant is planning to utilize a third party entity to provide and manage the affordable units, the applicant and the third party must enter into an agreement that clarifies the management, use and oversight of the affordable components. This agreement is in addition to a deed restriction and/or affordability covenant discussed in subsection (A)(1) of this section.

4. Council will determine the income ranges associated with the four categories for housing affordability provided in Table 10-30.20.040.A and Table 10-30.20.040.B, and this income determination will be updated within the Incentive Policy for Affordable Housing (IPAH) document. Each of the four categories is described below. The specific income ranges associated with each category are provided in Appendix 7, Additional Information on Affordable Housing:

a. Category 1: This category provides permanent affordability through both rental and ownership opportunities.

b. Category 2: This category is reserved for ownership opportunities only.

c. Category 3: This category provides incentives for sustainability/green building provisions within the entire development.

d. Category 4: This category allows for short term affordability without any permanent affordable provision.

B. **Dispersal of Units and Construction Phasing.** The affordable units shall be distributed proportionally throughout the development, appropriately designed and integrated with the market-rate units, and, as feasible, contain the same number of bedrooms as the market-rate units. Thirty percent of affordable units must be delivered in the first phase (where applicable) and the remainder of the units must be delivered proportionally based on the development build-out and phasing.

C. **Design Review.** Architectural standards and design review apply to multifamily and mixed-use developments. These standards may be referenced in Division 10-50.20, Architectural Design Standards, and Appendix 1.1, Design Guidelines.

D. In limited circumstances, where the applicant is unable to construct affordable housing, the City may permit the applicant to use incentives and provide a comparable land or financial donation in order to provide affordable housing in other locations. Opting to put forth a financial contribution must not be an incentive unto itself; it should accurately reflect the cost of land and development for affordable housing.

10-30.20.040 Affordable Housing Incentives

An applicant that meets the terms of this division may be eligible for certain incentives. Incentives can include reductions in resources protections, density bonuses, reduced parking and other modified Zoning Code requirements, including, but not limited to, a reduction in setback, square footage or landscaping requirements that result in identifiable, financially sufficient and actual cost reductions. Specific incentives can be found in subsection (B) of this section. Additional incentives, such as fee reductions, fee waivers, and expedited processing can also be found in the IPAH.

A. **Number of Incentives.** Based on the percentage of affordable units and the level of affordability (e.g., category 1 to 4), the City may grant the applicant incentives listed in subsection (B) of this section. The number of incentives increases as the percentage of affordable units increases as outlined in Table 10-30.20.040.A, Number of Incentives.

Table 10-30.20.040.A: Number of Incentives

Number of Incentives	Category 1[1] Permanent Affordability (% of Affordable Units)	Category 2[1] Permanent Affordability (% of Affordable Units)	Category 3[1] Permanent Affordability and Sustainable Building – Division 10-30.70 (% of Affordable Units)	Category 4[1] One-time Affordability (% of Affordable Units)
1	10%	10%	10%	10%
2	11%	12%	12%	
3	12%	14%	14%	
4	13%	16%	16%	
5 or more	14% or more	20% or more	20% or more	

End Notes

[1]The income ranges associated with Categories 1 through 4 shall be determined by the Council in the most recently adopted IPAH document (see Appendix 6 (Additional Information on Affordable Housing)).

B. **Incentives Defined.** For the purposes of this division, developer incentives for affordable housing development are defined below.

1. **Resource Protection Standards.**

a. Where forest resources on a site overlap with steep slope resources, the forest resources in the steep slope area may be counted toward the required amount of forest resources for the whole site. (See Division 10-50.90, Resource Protection Standards.)

b. In addition, the forest resources that must be retained on-site in the Resource Protection Overlay (RPO) zone may be reduced for affordable housing developments based on the percentage of affordable units provided and the category of affordability. (Forest resource protection requirements are provided in Table 10-50.90.060.A, Forest Resource Protection Thresholds as a Percentage of Site Area, in Division 10-50.90, Resource Protection Standards.

(1) The potential forest resource reductions for affordable housing are shown in Table 10-30.20.030.B, Reduction in Forest Resource Protection Thresholds for Affordable Housing Developments.

(2) For example, an affordable housing development in category 2 that provides 10 percent of the units as affordable could reduce the forest resource protection by 20 percent, so that 40 percent of the forest must be retained instead of 50 percent (i.e., the 50 percent requirement for forest resource protection [Table 10-50.90.060.A, Forest Resource Protection Thresholds as a Percentage of Site Area] is reduced by 20 percent).

(3) For categories 1 and 2, the forest resource reduction could be additive for a development, if the percentage of affordable units is met. Category 3 stands alone and cannot be combined with forest resource reductions in other categories. However, the maximum amount that forest resources may be reduced for an affordable housing development is 50 percent.

Table 10-30.20.040.B: Reduction in Forest Resource Protection Thresholds for Affordable Housing Developments

Category 1[1] (Permanent Affordability)		Category 2[1] (Permanent Affordability)		Category 3[1] (Permanent Affordability and Sustainable Building – Division 10-30.70)	
Percentage of Affordable Units	**Resource Reductions**	**Percentage of Affordable Units**	**Resource Reductions**	**Percentage of Affordable Units**	**Resource Reductions**
10%	25%	10%	20%	10%	25%
11%	30%	12%	25%	12%	30%
12%	35%	14%	30%	14%	35%
13%	40%	16%	35%	16%	40%
14%	45%	18%	40%	18%	45%
15%	50%	20%	45%	20%	50%

End Notes

[1] The income ranges associated with Categories 1 through 3 shall be determined by the Council in the most recently adopted IPAH document (see Appendix 6 (Additional Information on Affordable Housing)).

2. **Density Bonus.** Affordable housing developments may be eligible for a density bonus if at least 10 percent of the proposed units are affordable in compliance with Section 10-30.20.050, Density Bonus.

3. **Parking Incentives.**

a. The number of required parking spaces for affordable housing is reduced as specified in Table 10-50.80.040.A, Number of Motor Vehicle Parking Spaces Required; and

b. Modifications to parking requirements for affordable housing developments within one-quarter mile of a transit stop may be reduced up to 15 percent.

4. **Adjustment of Building Form Standards.**

a. Affordable housing can utilize Planned Residential Development (Section 10-40.60.280) in any zone to provide flexibility in the application of building form requirements and to increase the potential building types.

b. Minor modifications to building form standards for affordable housing developments (e.g., setbacks, height, coverage, area, lot size, or other lot requirements) may be modified up to 15 percent.

5. **Landscaping Standards Reductions.** Minor modifications to landscaping standards for affordable housing developments may be reduced by no more than 10 percent.

(Ord. 2016-07, Amended, 2/16/2016 (Res. 2016-02))

10-30.20.050 Density Bonus

A. An applicant may be eligible for a density bonus if at least 10 percent of the proposed units are affordable. The density bonus is an increase in residential units over the maximum residential density listed in the building form standards (Chapter 10-40, Specific to Zones). The units gained from qualifying for a density bonus can be rented or sold at market rates without affordability covenants or deed restrictions, as long as the proposed percentage of affordable units is satisfied.

B. The density bonuses apply to non-transect and transect zones.

C. In determining the number of density bonus units to be granted pursuant to this section, before the density bonus is added the maximum residential density for the site shall be multiplied by the percentage of density bonus listed in Table 10-30.20.050.A, Percentage of Affordable Units and Corresponding Density Bonus, based on the percentage of affordable units provided for each category. All density calculations resulting in fractional units shall be rounded to the next whole number. For example:

For a site that has a maximum density of 100 units and provides 12 units (12 percent) affordable to Category 2 households, the density bonus would be 22 percent. The density bonus would be calculated as: 100 x 0.22 = 22 units. The total units constructed would be 122 units (100 units + 22 density bonus units).

D. For Categories 1 and 2, the density bonus could be additive for a development, if the percentage of affordable units is met. Categories 3 and 4 stand alone and cannot be combined with density bonuses in other categories.

Table 10-30.20.050.A: Percentage of Affordable Units and Corresponding Density Bonus[1]

Category 1[2] (Permanent Affordability)		Category 2[2] (Permanent Affordability)		Category 3[2] (Permanent Affordability and Sustainable Building – Division 10-30.70)		Category 4[2] (One Time Affordability)	
% of Affordable Units	% of Density Bonus	% of Affordable Units	% of Density Bonus	% of Affordable Units	% of Density Bonus	% of Affordable Units	% of Density Bonus
10%	20%	10%	15%	10%	25%	10% or more	5%
12%	23%	11%	18%	11%	28%		
14%	27%	12%	22%	12%	32%		
16%	32%	13%	27%	13%	37%		
18%	37%	15%	32%	14%	42%		
20% or more	45%	20% or more	40%	20% or more	50%		

End Notes

[1]The percentages provided in this table represent the City's expectation for affordable housing units and associated density bonuses. The density bonus percentages may be increased or decreased by as much as 3% by the Director; provided, that an applicant can justify in writing that a proposed development provides comprehensive overall community benefits beyond those provided by the additional provision of affordable housing units.

[2]The income ranges associated with Categories 1 through 4 shall be determined by the Council in the most recently adopted IPAH document (see Appendix 6 (Additional Information on Affordable Housing)).

(Ord. 2016-07, Amended, 2/16/2016 (Res. 2016-02))

10-30.20.060 Appeals

Any person, firm, or corporation aggrieved by a decision of the Director regarding a requested incentive may file an appeal as specified in Section 10-20.80.030, Appeals of Permits and Other Approvals.

Objectives

The objectives of the update to the Incentive Policy for Affordable Housing (IPAH) and the Zoning Code Affordable Housing Incentives are to:

- Revise the IPAH to better align with current city practices and policies, and community values.
- Simplify the Zoning Code's affordable housing incentives.
- Recalibrate the Zoning Code's affordable housing incentives to accurately align with the affordable housing unit contribution, policies, and community values and goals.
- Update the Zoning Code to implement the new IPAH policy.

Problem Statements

The problem statements with the update to the Incentive Policy for Affordable Housing (IPAH) and the Zoning Code Affordable Housing Incentives are:

- The IPAH and Zoning Code incentives need to be updated to reflect the current economic, market, and development conditions, and the diversifying demographic needs for affordable housing.
- The Arizona Revised Statutes prohibit counties and cities from requiring affordable housing and implementing rent controls on private developments.
- The zoning incentives for the Residential Sustainable Building Standards are easier to comply with and diminish the ability to implement the affordable housing incentives.
- The funds to provide fee waivers and reimbursements is not a recurring funding source, and the amount is inconsistent.
- The affordable housing incentive bonus provisions are considered too generous for the number of affordable housing units provided; i.e., is 10% the appropriate minimum percentage contribution, etc.?
- There are not separate affordable housing incentives for rental and ownership units.
- The IPAH and Zoning Code do not include a methodology to calculate an appropriate sales price for affordable ownership housing units; i.e., how should the cost differential between market-rate and affordable housing be calculated?
- The affordable housing incentives, associated definitions, and requirements of the Zoning Code are rigid and overly complicated.
- The Zoning Code's financial contribution/donation provision allowances have limited application, and do not allow in-lieu payments when units can be constructed on the property.
- The affordable housing incentives in the Zoning Code do not include equivalent calculations for in-lieu contributions.
- There are no provisions for developments that incorporate affordable housing units without utilizing the incentives.
- The Zoning Code allows for permanent and one-time affordable housing units; but, the IPAH only addresses housing units that are permanently affordable.

Scope of Work

A. The following is a summary of the work that will be completed:
    - A review and update of the IPAH, which may include the development of new or alternative incentive policies.
    - A review and update of Division 10-20.30 of the Zoning Code, which may include the development of new or alternative Zoning Code affordable housing incentives.
    - A review and update of the applicable Sections of Division 10-20.30 of the Zoning Code to simplify and modernize the provisions.

- A review and update of the application, staff review checklist, and process requirements for developments that utilize the affordable housing incentives.
- Recommend modifications to the Zoning Code to remove existing provisions that diminish the ability to implement the affordable housing incentives (e.g., Sustainable Building Standards).

B. The following is a summary of work that will not be included in this project:

- The identification of recurring funding source(s) to implement the IPAH and related Zoning Code incentives.
- The simultaneous update to other City Codes or policies that may limit a developer's ability to provide affordable housing units.
- The Residential Sustainable Building Standards will not be revised.
- Lobbying for modifications to state and federal regulation.