

# DRAFT

## NOTICE AND AGENDA

To participate in the meeting virtually click the following link:

[Click here to join the meeting](#)

Planning & Zoning Commission meetings will be live streamed on the city's website (<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

The public can submit comments that will be read at the dais by a staff member to [CDPandZCommission@flagstaffaz.gov](mailto:CDPandZCommission@flagstaffaz.gov).

**PLANNING & ZONING COMMISSION  
WEDNESDAY  
June 10, 2023**

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

**1. Call to Order**

**NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION**

*Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Commission and to the general public that, at this regular meeting, the 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).*

**2. Roll Call**

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

MARIE JONES, CHAIR  
CAROLE MANDINO, VICE CHAIR  
DR. RICARDO GUTHRIE  
BOB HARRIS, III

MARY NORTON  
MARCHELL CAMP  
IAN SHARP

**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 the minutes from the regular meeting on Wednesday, April 26, 2023.

**5. GENERAL BUSINESS**

- A.** Recommendation for abandonment of a right-of-way located on property at 1400 W. Route 66.

**STAFF RECOMMENDED ACTION:**

City Staff recommends that the commission, in accordance with the findings, forward the request to abandon approximately 5,140 square feet of ROW between county assessor parcel numbers 112-04-009E and 112-04-002P, while reserving a public utility easement for existing and future utilities to the City Council with a recommendation of approval with the following condition:

1. A PUE should be recorded concurrently with abandonment of the ROW.

**6. OTHER BUSINESS**

- A. Select a Commission member to serve on the Board of Adjustments.

**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 5/8/20, at 2:00 \_\_\_\_p.m. This notice has been posted on the City's website and can be downloaded at [www.flagstaff.az.gov](http://www.flagstaff.az.gov).

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Tammy Bishop, Administrative Specialist



## **Planning & Zoning Commission**

**5. A.**

**Meeting Date:** 05/10/2023

**Co-Submitter:** Bryce Doty, Real Estate Manager

**From:** Dan Folke, Community Development Director

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### **Information**

#### **TITLE:**

Recommendation for abandonment of a right-of-way located on property at 1400 W. Route 66.

#### **STAFF RECOMMENDED ACTION:**

City Staff recommends that the commission, in accordance with the findings, forward the request to abandon approximately 5,140 square feet of ROW between county assessor parcel numbers 112-04-009E and 112-04-002P, while reserving a public utility easement for existing and future utilities to the City Council with a recommendation of approval with the following condition:

1. A PUE should be recorded concurrently with abandonment of the ROW.

#### **Executive Summary:**

City staff is seeking a recommendation from the Planning & Zoning Commission for abandonment of approximately 5,140 square feet of public right of way generally located at 1400 W. Route 66, while reserving a public utility easement covering approximately the same area.

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### **Attachments**

Staff Report

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**CITY ENGINEER AND REAL ESTATE REPORT**  
**RIGHT-OF-WAY ABANDONMENT**

**DATE:** May 4, 2023  
**MEETING DATE:** May 10, 2023  
**REPORT BY:** Bryce Doty

**REQUEST:**

Flagstaff Hotels, LLC owns three parcels, two of which (county assessor parcel numbers: 112-04-009E and 112-04-002P) are bisected by a 20-foot Right-of-Way (ROW) dedicated to the public in the Amended Plat of Coconino West as recorded at case 2 map 68 of Coconino County Records, generally located at 1400 W. Route 66. The ROW is unimproved except for the placement of public utilities within the corridor. The property owner has submitted a Site Plan application to develop a hotel utilizing the parcels. As a condition of approval, the property owner is requesting the City of Flagstaff abandon the unimproved ROW insofar as it bisects the two parcels, approximately 5,140 square feet. If abandoned, per statutory procedures for abandonment, the City may convey the abandoned ROW to Flagstaff Hotels, LLC while reserving a 26-foot wide public utility easement (PUE) for existing utility infrastructure and proposed water infrastructure required for the development. **Prior to taking any abandonment requests to City Council, the Planning Commission must make a recommendation pursuant to City Code Title 11-20.160.020.D.**

**STAFF RECOMMENDATION:**

City Staff recommends that the commission, in accordance with the findings, forward the request to abandon approximately 5,140 square feet of ROW between county assessor parcel numbers 112-04-009E and 112-04-002P, while reserving a public utility easement for existing and future utilities, to the City Council with a recommendation of approval with the following condition:

1. The PUE should be recorded concurrently with the abandonment of the ROW.

**PRESENT LAND USE:**

Existing sewer, electric, and natural gas utilities

**PROPOSED LAND USE:**

If the public right of way is abandoned, and the adjacent property owner acquires it, then the abandoned public right of way will be incorporated in the hotel development. the development.

**NEIGHBORHOOD DEVELOPMENT:**

North: Existing Place of Worship, Highway Commercial (HC) zone; Vacant parcel, HC zone  
East: Existing Off-street Parking Lot, HC zone  
South: W Route 66  
West: Vacant parcel, HC zone

**FINDINGS**

Evaluation Criteria	Response	Impact if ROW is abandoned
Existing Public Use	Existing sewer infrastructure; it does not provide access to any parcels.	Condition of abandonment and Site Plan will require property owner to provide easements for existing uses.
Future Public Use	No plans identified to utilize as ROW. The future development will utilize the area for new water infrastructure.	Condition of abandonment and Site Plan will require property owner to provide easements for existing uses.

**Abandonment Request**

Utility Impacts	Existing Unisource and APS infrastructure.	Condition of abandonment and Site Plan will require property owner to provide easements for existing uses.
Restrictions on Abandonment	None identified	None

**PROJECT INTRODUCTION/BACKGROUND:**

An ALTA title survey indicates that in 1965 the Amended Plat of Coconino West Subdivision dedicated an approximately 20-foot ROW within Tract "A". Tract "A" was subsequently divided into several other parcels. Flagstaff Hotels, LLC approached the City to develop the parcels bisected by the ROW. The approved concept plan utilizes the ROW for private purposes to provide a drive lane and parking for the hotel development.

City Code states: 13-09-001-0008 G. *Public utility easements shall be free of all obstructions and shall at all times be accessible to City service vehicles and equipment. No buildings, sport courts, fences, shade structures, or permanent structures of any kind shall be constructed upon, over, or under a water, sewer, or drainage easement. No landscaping shall be placed within an easement which would render the easement inaccessible by equipment. The City of Flagstaff Utilities Division has the right to cause any obstruction to be removed without notice to the property owner and all related costs shall be the property owner's responsibility.*

**UTILITY CLEARANCES**

APS has existing overhead line infrastructure on the parcel. On October 11, 2022, APS responded with existing utility infrastructure adjacent or within the ROW. Easement needs will be provided to APS by the property owner following abandonment.

On November 2, 2022, Unisource consented to the abandonment provided that the property owner grant an easement following abandonment.

The proposed public utility easement as identified on the site plan will provide the easement needs for the existing and future infrastructure.

**FLAGSTAFF REGIONAL PLAN**

Regional plan does not identify any surface needs for the ROW.

**RECOMMENDATION**

City Staff recommends abandoning approximately 5,140 square feet of public ROW while reserving a PUE.