

RESOLUTION NO. 2019-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN FLAG HOLDINGS, LLC AND THE CITY OF FLAGSTAFF RELATED TO THE DEVELOPMENT OF APPROXIMATELY 2.92 ACRES OF VACANT LAND LOCATED ALONG THE WEST SIDE OF FOURTH STREET, SOUTH OF I-40 AND NORTH OF SPARROW AVENUE; AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, Flag Holdings, LLC (“Owner”) owns approximately 2.92 acres of vacant land located along the west side of Fourth Street, south of I-40 and north of Sparrow Avenue (“Owner’s Property”);

WHEREAS, the City will be widening the road and constructing public improvements known as the “Fourth Street Corridor Complete Street Project” adjacent to Owner’s Property;

WHEREAS, the City and Owner desire to enter into a development agreement related to the development of Owner’s Property, in order to minimize traffic congestion and inconvenience to the traveling public;

WHEREAS, Arizona Revised Statutes (“A.R.S.”) § 9-500.05 authorizes the City to enter into development agreements in order to facilitate the orderly and effective development of properties.

ENACTMENTS:

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

SECTION 1. In General.

The Development Agreement provides a benefit to the City of Flagstaff;

The Development Agreement is consistent with the purpose, intent, goals, policies, programs and land use designations of the General Plan, any applicable specific plans, and the Zoning Code;

The Development Agreement complies with the requirements of A.R.S. § 9-500.05.

SECTION 2. Authority and Recording.

The Mayor of City of Flagstaff is hereby authorized on behalf of the City to execute the Development Agreement in the form attached to the staff summary submitted in support of this Resolution;

The City Manager or her delegee is authorized to take all steps necessary to carry out the purpose and intent of this Resolution;

The City Clerk is hereby directed to record a copy of the Development Agreement with the Coconino County Recorder no later than ten (10) days after the Development Agreement is executed.

SECTION 3. Effective Date.

This Resolution shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 19th day of February, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY