

PLANNING AND DEVELOPMENT SERVICES REPORT
DIRECT TO ORDINANCE ZONING MAP AMENDMENT

PUBLIC HEARING
PZ-17-00227-03

DATE: August 02, 2019
MEETING DATE: August 14, 2019
REPORT BY: Alexandra Pucciarelli

REQUEST:

Direct to Ordinance Zoning Map Amendment, by Miramonte Arizona, LLC, of approximately 11.97 acres located at 1650 East Ponderosa Parkway from the Rural Residential (RR) zone to the High Density Residential (HR) zone. The development site is located within the Resource Protection Overlay (RPO).

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 11.97 acres of undeveloped land. The parcel is currently owned by Ponderosa Parkway, LLC.

PROPOSED LAND USE:

The developer proposes the construction of 169 multi-family residential condominium units built in 13 three-story buildings consisting of 13 units each. The development will include 10% "attainable" for-sale units. The site contains the required civic space, common open space, protected tree and slope resources, and on-site surface parking.

NEIGHBORHOOD DEVELOPMENT:

See the attached area context map.

North: San Francisco de Asis Church zoned Rural Residential (RR) and Medium Density Residential (MR)
East: Village Shopping Center zoned Highway Commercial (HC)
South: Commercial uses (including Starbucks, Culvers, and Clean Freak Car Wash) zoned Highway Commercial (HC)
West: City of Flagstaff Fire Station zoned Rural Residential (RR)

I. Project Introduction

A. Background

The applicant is proposing to amend the City of Flagstaff's Rural Residential (RR) zone for an 11.97-acre parcel to High Density Residential (HR) zone. The parcel is located on East Ponderosa Parkway, just north of Route 66, behind the existing commercial development. The proposed development will consist of 169 multi-family residential for-sale units, constructed as 13 three-story buildings. Each building will consist of 13 units ranging from 500 to 1,300 square feet in size. The remainder of the parcel will be common area regulated by the homeowners' association and the property manager. These areas include tree and steep slope resources, common open space amenities, private access easements, drainage, stormwater detention facilities, and civic space.

B. Proposed Rezoning and Development Plan

The applicant, Miramonte Arizona, LLC, is requesting rezoning approval to permit the development of for-sale condominiums consisting of 169 units. The 13 three-story buildings contain 13 units each, ranging from one to three-bedroom units. The unit mix includes the following:

<u>UNIT DESCRIPTION</u>	<u>NO. OF UNITS PER BLDG.</u>	<u>NO. OF UNITS TOTAL</u>
Studio	1	13
1 Bed/1 Bath	4	52

2 Bed/2 Bath	6	78
3 Bed/2 Bath	2	26
	13	169

The minimum density requirement in the HR zone is 10 units per acre and the maximum density allowed is 22 units per acre (within the RPO). However, the site is located within a Suburban Activity Center which supports a maximum density of 13 units per acre. Based on the entire project area (11.97 acres) the Regional Plan supports a total 156 units. The applicant has committed to meeting the City’s Residential Sustainable Building Standards. In return for 100% of the units meeting HERS 50 Standard, the applicant may have up to a 25% bonus. This bonus results in an additional 39 units allowed for a total of 195 units, although the proposal is for only 169 units.

The HR zone permits a maximum building height of 60 feet, or 65 feet for buildings with roofs with a pitch greater than 6:12. However the Regional Plan limits building height in a suburban area to three-stories. The highest roofline of the proposed three-story buildings will be just under 48 feet from finished grade.

II. Staff Site Plan Review

On May 28, 2019, the Inter-Department Staff (IDS) approved an application for Site Plan Review of the proposed development subject to successfully obtaining a Direct to Ordinance Zoning Map Amendment (rezoning). A copy of the application is attached to this report.

A. Zoning – City of Flagstaff Zoning Code

If this Direct to Ordinance Zoning Map Amendment request is approved, approximately 11.97 acres will be rezoned to the High Density Residential (HR) zone. Development of the site will be conditioned to the approved site plan and a final development agreement. Any substantial change to the approved site plan would require a new rezoning request and further review and approvals by the Planning and Zoning Commission and City Council. The Site Plan provided includes a preliminary grading plan, preliminary utility plan, resource protection plan, building floor plans and elevations, exterior lighting plan, and preliminary landscaping plan.

i. Site Planning Standards

In accordance with Section 10-30.60.030 of the Zoning Code a site analysis was completed in conjunction with the concept plan for this project that examines the topography of the site, solar orientation, existing/native vegetation types, view corridors, climate, subsurface conditions, drainage swales and stream corridor, and the built environment and land use context.

ii. Resource Protection

There is a Resource Protection Overlay zone on the subject site. The Zoning Code requires 50% of the tree resources to be saved. The developer proposes to save 52.4% of the existing tree resources. In addition to saving trees throughout the site, the site plan shows clusters of trees to be saved at the southern end of the site and along the natural drainage channel. At the northern portion of the site, there is steep slopes that must be protected. The Zoning Code requires 70% of the slope area to be protected. The proposed development protects 70.8% of the slope resources.

iii. Open Space & Civic Space

The HR zone requires 15% of the gross lot area to be Common Open Space (Table 10-40-30.030.A). A minimum of 78,176 square feet of open space is required for the proposed residential project. The applicant is proposing 287,130 square feet of common open space, which is 55% of the site area. Most of the open space is positioned at the northern portion of the site, where the protected steep slope is located.

Section 10-30.60.060.B.1.b of the Zoning Code requires developments with 50 or more dwelling units to provide a minimum of 5% of the site as Civic Space. This space must be accessible to the general public. A

total of 26,059 square feet of civic space is required for this project. The site plan identifies a total of 27,990 square feet of civic space within the residential development, which is 5.4% of the site area. The civic space is divided into three locations on the site. All three include a picnic table and BBQ. The largest area is located at the south corner of the parcel, where the existing ponderosa pines trees will be preserved. This space also serves to buffer the commercial uses from the proposed residential use.

iv. Pedestrian and Bicycle Circulation Systems

The applicant will be installing a 5-foot-wide parkway and 5-foot wide sidewalk along the east side of Ponderosa Parkway. On site, the applicant has proposed sidewalks connecting the buildings, parking areas, the public sidewalks, and the recreational areas. Each building provides bike racks, and the existing FUTS on the west side of Ponderosa Parkway continues into an extensive trail system on McMillian Mesa and ties into Buffalo Park.

v. Compatibility and Architectural Design Standards

Compatibility does not mean “the same as” but rather it refers to how well a new development is sensitive to the character of existing development. The Zoning Code breaks down compatibility into three categories: Patterns of Development, Scale, and Continuity.

Patterns of Development include streetscapes, site relationships, signage, and landscape features. The buildings located along the street frontage have direct pedestrian ties into the public sidewalk. As the development continues up the hillside, the buildings step with the existing topography.

Scale refers to similar or harmonious proportions, overall height and width, the visual intensity of the development, and the building massing. The development breaks up its mass into separate structures that step up the hillside.

Continuity encompasses patterns of development and scale, but also site development, building forms, texture, materials, details, and colors. As further discussed in the Community Character review under the Regional Plan, the building exteriors are in a style compatible with the Flagstaff area. The exterior colors will complement the natural surroundings including utilizing native materials such as malpais stone veneer. The preservation of native pines in and around the buildings adds to the quintessential natural Flagstaff look.

vi. Landscaping

Landscaping plans are not required in conjunction with a Direct to Ordinance Zoning Map Amendment. The applicant provided a conceptual landscaping plan, showing all landscape areas and tree locations. The conceptual plan generally meets the requirements of parking lot landscaping, street buffer landscaping, building foundation, and peripheral buffer landscaping found within Section 10-50.60 of the Zoning Code.

vii. Outdoor Lighting

The subject property is located within Lighting Zone II and is allowed a total of 50,000 lumens per acre. Outdoor lighting plans are not required in conjunction with a Direct to Ordinance Zoning Map Amendment. The developer provided a conceptual outdoor lighting plan. A final lighting plan will be reviewed for compliance at the time of building permit submittal.

viii. Parking

Based on the requirements for market rate units, 302 spaces are required. Guest parking requires an additional 26 parking spaces. This results in 328 total required parking spaces. Since the development is located within a quarter mile of a bus stop, the applicant has taken a 10% reduction in the number of required spaces. By both providing bike racks and protecting resource trees in the parking area there is an additional reduction of 10% allowed. These reductions result in the requirement for 262 parking spaces. The proposed development includes

273 surface parking spaces, including 8 ADA accessible parking stalls. There are also 7 motorcycle parking spaces.

ix. Historic/Cultural Resources

A Cultural Resource Letter Report was completed for the subject property on February 12, 2019. The report states that no archaeological or historic resources of any kind were observed on the property.

B. Public Systems Impact Analysis

i. Traffic/Right-of-Way Impact

The size of this proposed development does not trigger a full Traffic Impact Analysis. In this case, an analysis was required to determine if the access driveways met warrants for a right turn deceleration lane. The analysis showed that the middle driveway, which serves the greatest number of units, required a right turn lane, as shown on the site plan.

ii. Water and Wastewater Impact

A Water and Sewer Impact Analysis (WSIA) was completed by the City on November 30, 2018. The proposed development is located within the City of Flagstaff urban growth boundary and can be served by City water and sewer utilities. Currently there is no infrastructure in the ground on-site to support this development, so all on-site sewer and water systems will have to be designed and built. No off-site water or sewer improvements will be required. It is the developer's responsibility to design and construct all on-site and connecting water infrastructure per the City of Flagstaff Engineering Standards.

Water

The existing 12" water main stops just north of the project's first driveway. The applicant plans to extend the 12" water main across the entire frontage. Extending the waterline in the right-of-way shall be done according to City of Flagstaff Standards.

Wastewater

There is an existing 12" sewer line running within a public utility easement along the southern boundary that will serve this project. The developer also plans to extend the existing 12" sewer line along the Ponderosa Parkway frontage. Tapping the sewer line in the easement and constructing the sewer in the right-of-way shall be done according to City of Flagstaff Standards.

iii. Stormwater Analysis

The project's overarching drainage concept is to provide peak flow stormwater discharge mitigation (detention), partial stormwater runoff volume mitigation (LID ROCV) and improvement to the water quality of site discharges (LID) and onsite stormwater conveyance improvements. Development of the site will meet the peak flow mitigation, total volume mitigation and water quality requirements through the use of surface water storage systems classified as extended detention basins (EDB), which consist of a detention and a retention storage capacity as well as filtration components. As part of the rezoning request a Drainage Impact Analysis (DIA) is required. The intent is to determine any potential adverse downstream drainage impacts and to identify mitigation options. The project is providing on-site volume mitigation required by the DIA to remove any volumetric increases in stormwater runoff from the site. The total volume of stormwater runoff discharged from the site will be mitigated by the retention volume provided within aforementioned EDB's. Water quality improvements consisting of sediment capture components will be incorporated with the use of Low Impact Development (LID) Integrated Management Practices (IMPs) including sediment traps at inlets to any surface storage systems, and filtration system located within the EBDs. The project will provide the attenuation required to reduce the post development peak runoff to the pre-development rates for the 10-year and 100-year storms.

Per these requirements the developer will mitigate the potential for downstream impacts. Based on the proposed site mitigation measures, the project will not have any additional impacts to the downstream drainage conditions.

C. Residential Sustainable Building Standards

To obtain up to a possible 25% density bonus, this project is meeting the standards listed in Section 10-30.70.040. There are four sections which must be met: 1) Water Resource Protection, 2) Transportation/Air Quality, 3) Waste Reduction During Construction, and 4) Energy Efficiency.

To meet the Water Resource Protection requirement, the landscape design for the development shall not include an oasis zone (hydrozone 1) as otherwise permitted in Section 10-50.60.050(C), Oasis Allowance, and Section 10-50.60.060, Hydrozones. The Transportation/Air Quality requirements are achieved because the development site is located within at least one-quarter mile of a bus stop. In addition, the development is located within at least one-quarter mile of a FUTS trail. The applicant is also considering providing for electric vehicle charging. To achieve the Waste Reduction During Construction requirements, the new development shall have a written solid waste program that includes a plan for the recycling or reuse of all paper, cardboard, plastics, and metals; a plan for the recycling or reuse of all lumber scraps so that they are diverted from the landfill; and a plan for the diversion of all masonry and cementitious materials so that they are diverted from the landfill. The Energy Efficiency component is achieved by applying the HERS rating system. The applicant shall obtain independent third-party verification that the minimum HERS rating has been achieved.

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. The Plan's Future Growth Illustration on Maps 21 and 22 (same map; one is regional scale and one city scale) and the text of the Plan provide supplemental information for the interpretation of goals and policies. In the case of any conflict between the Future Growth Illustration and the Plan's goals and policies, the goals and policies will prevail. The Future Growth Illustration has two types of land use designations: "Area Types" describe the place-making context of Urban, Suburban, Rural, or Employment, and "Place Types" such as activity centers, corridors, and neighborhoods which provide the framework for the density, intensities, and mix of uses within the area types.

Staff has identified that the subject property is designated as Existing Suburban and is located within a Future Suburban Activity Center on the Plan's Future Growth Illustration. A Suburban Activity Center is an area typically located at the intersection of two collectors or neighborhood streets, with vertical or horizontal mixed use, serving the surrounding neighborhoods. The City's desired Suburban Activity Centers Characteristics include a density of 6-13 units per acre for residential only developments.

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. These goals and policies are located within the applicant's narrative. The following is a discussion of how the project generally meets or conflicts with goals and policies in each chapter.

a. **Environmental Planning & Conservation (Air Quality, Climate Change and Adaptation, Dark Skies, Ecosystem Health, Environmentally Sensitive Lands, Natural Quiet, Soils, and Wildlife)**

The parcel consists of native ponderosa pine trees, slope resources, and a waterway which will be preserved. A stand of ponderosa pine trees is located off Ponderosa Parkway near the retail businesses. This stand of trees will be preserved which serves to buffer the commercial uses from the residential, provide patrons of the commercial business with a visually appealing natural environment, and provide native habitat for wildlife. Policy OS.1.5 encourages the integration of open space qualities into the built environment. The project breaks up the mass of the development, steps the design to work with the topography, and protects trees throughout the site.

b. **Water Resources (Water Sources, Water Demand, Stormwater and Watershed Management, and Water Quality)**

As shown on Map 21, and referenced in Policy WR.4.3. "Development requiring public utility services will be located within the Urban Growth Boundary," the Property is located within the Urban Growth Boundary. There is existing water infrastructure in Ponderosa Parkway and existing sewer adjacent to the site that can support the proposed project. There are no off-site improvements required for sewer or water service. The proposed development complies with the findings of the Drainage Impact Analysis discussed in the Public Systems Impact Analysis section of this report.

In addition, the existing waterway across the southeastern portion of the property will be maintained, as well as the majority of existing trees growing along side it. Policy WR.5.1 encourages development to preserve and restore existing natural watercourse corridors.

c. **Efficient Use of Energy Goals and Policies**

The Regional Plan Policy E.1.4 promotes cost-effective, energy-efficient technologies and design in all new buildings for residential construction. The project proposes to include several design features that help increase energy efficiency as listed in the developer's narrative. In addition, the applicant has committed to meeting, and in some cases exceeding, the Residential Sustainable Building Standards required by the code to receive a density bonus.

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

Although the Project will be located on a hillside, it is set back behind a row of commercial uses. The buildings will be three-stories tall but will not be built on the top of the slope. This should keep the buildings from protruding above the top of hill and interfering with view corridors of surrounding residential properties as encouraged in Policy CC.1.1. The building exteriors are in a style compatible with the Flagstaff area. Exterior colors will complement the natural surroundings including utilizing native materials such as malpais stone

vener. The homeowners' association will be tasked with ensuring the Project remains well maintained and visually appealing. As discussed above, the preservation of native pines in and around the buildings adds to the quintessential natural Flagstaff look. Policy CC.1.2. states that development should continue to define and further develop the community character by incorporating the natural setting into the built environment at all design scales.

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

The Project is located within an area identified as an activity center which includes an older strip mall and four newer commercial properties along Route 66. An influx of residents to this area, in walking/biking/bus distance will continue to spur development of the current businesses and increase employment opportunities. Sidewalks, trails, bike paths, and permanent bus routes are already in place for connectivity from the Project to nearby retail and commercial businesses. The Project itself is designed to provide pedestrian flow and access to the adjacent commercial area. Because the Project meets many of the redevelopment goals, the FRP30 supports flexibility and a rezoning of the parcel to encourage a project with higher densities such as the one proposed. The rezoning would bring more residents into the area for the mutual benefit of the preexisting commercial activity. A more concentrated residential use in this area lessens the need for development towards the peripheral of the urban growth boundary. To the extent the development consists of new construction on a vacant lot, the project meets multiple FRP30 greenfield policies. The multi-family units range from studio to 3-bedroom. The applicant has committed to provide 16 "Attainable Housing Units." These units will be disbursed throughout the development to the greatest extent feasible (with no exterior difference between the attainable and market rate units). The units will be sold at or below 100% of of the Area Median Income ("AMI") affordability level.

The Ponderosa Parkway/ Route 66 area has been clearly designated as a future activity center. FRP30 and Flagstaff's High Occupancy Housing Specific Plan acknowledge that activity centers are the most appropriate locations for high density residential development. The visual appearance of the project was designed to be compatible with the natural setting and surrounding area. Given the hilly topography in the activity center, the location of the commercial development strung along the corridor, and real estate available for residential construction, a mixed-use project on this parcel would be geographically isolated. Instead of mixing uses on a single parcel, the project provides a residential component to compliment the more disbursed commercial and recreational uses nearby. The immediate connectivity to alternative transportation and major roadways, ties these uses together to create an activity center that blends the pre-existing with the new in a way that suites the location. In this location, this mix of uses across parcels is fitting. The increase in vehicular traffic resulting from an increased density to the project location will not infringe on nearby residential areas. The only vehicular access to the project is from Route 66 onto Ponderosa Parkway. Beyond that, Ponderosa Parkway terminates on private church property without a public outlet to the McMillan Mesa area. Both roadways and public portion of Ponderosa Parkway are built out to accommodate high volumes of traffic and the City fire station. In addition, the project will have three entrances off Ponderosa Parkway, the second entrance from Route 66 includes a right turn lane. The entrances provide good flow within the development and accommodates Ponderosa Parkway peak flow times.

This project can foster the planned growth in the activity center in a manner compatible with many goals and policies of the FRP30, including Goal LU.18. Develop well designed activity centers and corridors with a variety of employment, business, shopping, civic engagement, cultural opportunities, and residential choices and Policy LU.18.4. Encourage developers to provide activity centers and corridors with housing of various types and price points, especially attached and multifamily housing.

f. Transportation (Mobility and Access, Safe and Efficient Multimodal Transportation, Environmental

Considerations, Quality Design, Pedestrian Infrastructure, Bicycle Infrastructure, Transit, Automobile, Passenger Rail and Rail Freight, Air Travel, and Public Support for Transportation)

The location of project meets FRP30 goals by tying into current existing energy efficient alternative transportation systems, namely the Flagstaff Urban Trail System (FUTS), bus routes for NAIPTA (Northern Arizona Intergovernmental Public Transportation Authority), and roadways with bike lanes or shoulders within the pedestrian shed. One NAIPTA bus stop is located near the project while additional stops on two other bus routes are located within a reasonable walking distance giving bus riders access to multiple routes with minimal transfers. The developer and NAIPTA are exploring participation in NAIPTA's EcoPass program so the homeowners' association can provide bus passes to residents thereby encouraging bus ridership and supporting NAIPTA. The Ponderosa Parkway and Route 66 intersection has traffic lights and crosswalks for a safe pedestrian crossing. Residents can take advantage of these modes of transportation to access employment and recreation. The FUTS trail overlaps the Arizona Trail near the project which also leads to McMillian Mesa and the trail system at Buffalo Park. The Project proposes 5 bike racks for each building to accommodate over 60 bikes throughout the development. Because the Project is centrally located near a railroad crossing, residents will have easy access to other parts of town by way of the Butler Road corridor and I-40 in addition to Route 66.

g. Neighborhoods, Housing, and Urban Conservation

Rezoning to a higher density is appropriate given the zoning and uses surrounding the parcel. Approximately one-third of the parcel is framed by Highway Commercial (HC) zoning, primarily built out as retail with separate access points. The commercial and residential uses will not share a driveway. A higher density development would be mutually beneficial to these commercial neighbors. Another third of the parcel abuts Ponderosa Parkway. The land on the west side of Ponderosa Parkway is zoned Rural Residential (RR), but includes a City fire station. The remainder of the parcel is lined with RR zoning that is currently vacant. However, the natural features of the area limit feasible construction. The slope on a portion of the parcel serves as a buffer between the lower density property adjacent to parcel and the proposed higher density. Although later residential construction may fill in around the parcel, the proposed higher density is effectively insulated.

h. Economic Development

The Project's contribution to the Suburban Activity Center and redevelopment of a mixed-use neighborhood are discussed above. The project helps achieve Goal ED.8: to promote the continued physical and economic viability of the region's commercial districts by focusing investment on existing and new activity centers.

B. Finding #2

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.

The applicant identifies this project as a multi-family development which provides entry-level ownership opportunities and much needed "Attainable Housing" for moderate income residents. The project includes 16 for-sale housing units for up to 100% area median income (AMI). The proposed project facilitates efficient use of the current commercial and transportation corridors and contributes to the growth of a preexisting mixed-use neighborhood. The required civic space also provides an amenity to the community and protects a cluster of existing ponderosa pines adjacent to the existing commercial development to the south.

C. Finding #3

To meet the finding the affected site must be determined to be physically suitable in terms of design, location, shape, size, operating characteristics; and the provision of public and emergency vehicle access, public services, and utilities 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.

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 development. The IDS team based its conclusion on the review of all applicable codes and requirements as well as impact analysis for the site. Any potential impacts were mitigated by the applicant and no off-site improvements are required to serve this development.

IV. DEVELOPMENT AGREEMENT

A draft development agreement, attached to this report, has been prepared and continues to be negotiated throughout the review of this project. The primary purpose of this agreement is to set out roles and responsibilities in regard to the administration of the Attainable Housing units and the Residential Sustainable Building Standards.

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 1,000 feet (exceeding the minimum of 300 feet) of the site excluding rights-of-way.

The applicant held one neighborhood meeting regarding this case on May 1, 2019 at 5:30 pm. The meeting was held at the Flagstaff Aquaplex, located at 1702 North Fourth Street in Flagstaff. Per the sign-in sheets, ten (10) individuals attended the meeting. A Neighborhood Meeting Report, attached, was prepared in response to the questions, comments and concerns presented. The meeting began with an introduction of the proposed development by the Applicant, with an overview of the development's components and design. In a charrette-style interaction, the Applicant encouraged attendees' written contribution of any comments or concerns about the proposed development, which were then discussed with the group.

The applicant requested to waive the requirement for a second meeting. This request was approved by the Planning Director.

No letters or emails from the public has been received as of the writing of this report.

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 of case PZ-17-00227-03, subject to the following four conditions which will be included into the zoning map amendment ordinance:

1. The subject property must be developed in accordance with the approved site plan and the conditions of approval dated May 28, 2019. Modifications (other than minor modifications) to the approved site plan will require an amendment to this Direct to Ordinance Zoning Map Amendment request.
2. All other requirements of the Zoning Code and other City codes, ordinances and regulations, shall be met by the proposed development.
3. All terms, conditions, and restrictions detailed within the "Development Agreement Miramonte at Ponderosa Parkway Condominiums" must be fully satisfied.
4. In the event the property is rezoned and the Developer fails to obtain final Civil Plan approval within two (2) years of the effective date of the rezoning ordinance, then the City may schedule a public hearing before the City Council for the purpose of causing the zoning on the Property to revert to the former classifications of Rural Residential (RR) in accordance with A.R.S. § 9-462.01.

Attachments:

- Application
- Area Context Map
- Legal Notice
- Project Narrative
- Regional Plan 2030 Analysis
- Citizen Participation Plan and Meeting Report
- Draft Development Agreement
- NAIPTA correspondence and draft agreement
- Approved Site Plans