

ORDINANCE NO. 2019-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 0.62 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 224 S KENDRICK STREET (PREVIOUSLY KNOWN AS NORMAL SCHOOL ADDITION BLOCK 119 TRACTS 1 THROUGH 8) BY ADDING A LANDMARKS OVERLAY DISTRICT DESIGNATION (“LO”) TO THE EXISTING HIGH DENSITY RESIDENTIAL NEIGHBORHOOD (“HR”) ZONING CLASSIFICATION; PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the San Francisco de Asis Catholic Parish and the Archdiocese of Phoenix (“Owner”) are the owners of approximately 0.62 acres of the land in the City of Flagstaff, Coconino County, Arizona, currently zoned HR, located at 224 South Kendrick Street (previously known as Normal School Addition Block 119 Tracts 1 through 8), and specifically described and depicted in attached Exhibit “A,” incorporated herein by this reference (“Property”); and

WHEREAS, pursuant to Flagstaff Zoning Code Division 10-30.30, et seq., an application (“Application”) has been submitted by the Heritage Preservation Commission (“Applicant”), acting on behalf of the Owner, to amend the Zoning Map classification of the Property by adding an LO designation to the existing HR classification; and

WHEREAS, the use of the Property as a church, beginning in 1926, was a significant moment in Flagstaff history, as it was the first Catholic Church for families of Mexican descent; and

WHEREAS, the Mexican-American community of Flagstaff sacrificed to pay for and participated in the construction of this place of worship to serve their families and future generations; and

WHEREAS, Our Lady of Guadalupe Catholic Church was declared a shrine of the Diocese of Phoenix in 1972; and

WHEREAS, Our Lady of Guadalupe Catholic Church is listed on the National Register of Historic Places; and

WHEREAS, Our Lady of Guadalupe Catholic Church continues to be central in the community’s rooted beliefs, customs, and practices; and

WHEREAS, pursuant to Flagstaff Zoning Code Section 10-30.30.050.B Determination of Significance of Cultural Resources, the Property meets the established criteria for amending the Zoning Map classification of a property to the LO designation; and

WHEREAS, on July 17, 2019, the Historic Preservation Commission, having considered the Application, the recommendation of the City’s Historic Preservation Officer, and the testimony of the public, unanimously passed a motion recommending that the City Council add the LO designation to the Property; and

WHEREAS, on August 28, 2019, the Planning and Zoning Commission, having considered the recommendation of the Historic Preservation Commission and the testimony of the public, passed a motion recommending that the City Council amend the Zoning Map classification of the Property by adding an LO designation to the existing HR zoning classification; and

WHEREAS, the City Council has considered the recommendation of the Historic Preservation Commission and the Planning and Zoning Commission, and the public testimony presented to those bodies; and

WHEREAS, the City Council has considered the Application and the staff summary prepared by the Community Development Division, and finds that the proposed amendment will not be detrimental to the uses of adjoining parcels or to other uses within the vicinity of the Property; and

WHEREAS, the City Council finds that, in accordance with A.R.S. Section 9-462.01(F), the proposed amendment is consistent with and conforms to the Flagstaff Regional Plan and implements a strategy from the La Plaza Vieja Neighborhood Specific Plan.

ENACTMENTS:

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

SECTION 1. That the Flagstaff Zoning Map designation of approximately 0.62 acres of the real property located at 224 South Kendrick Street, and specifically described and depicted in Exhibit "A," be amended by adding an LO designation to the existing HR classification.

SECTION 2. That, pursuant to Flagstaff Zoning Code Section 10-30.30.040 Designation of Landmark Properties or Historic Overlay Zones, the portion of the Property as described and depicted in Exhibit "A" be shown on the Official City of Flagstaff Zoning Map with the zoning designation of Landmarks Overlay (LO).

SECTION 3. That, prior to the City Council's final adoption of this Ordinance, the Owner shall execute an Agreement for the Waiver of Claims for Diminution of Value of Property with the City of Flagstaff, as authorized by Arizona Revised Statutes Section 12-1134(I).

SECTION 4. That, within 3 years of enactment of this ordinance, the Owner shall submit to the Heritage Preservation Commission and receive approval for a "restoration plan" to restore the historic integrity of the former convent on the Property and to provide for the life/safety of the public and the building's occupants. The submission must be reviewed by the State Historic Preservation Office prior to its preservation to the Commission. The Heritage Preservation Commission's decision will be the only approval required for the restoration plan and will be appealable to the Planning and Zoning Commission. In the event that the Owner fails to obtain an approved restoration plan with the 3-year time frame, the LO designation will remain on the property, but the owner will not receive any City permits for the property, unless for life/safety purposes, until the restoration plan is approved.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 1st day of October, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:

A - Area Context Map