

**ORDINANCE NO. 2019-07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF,  
AMENDING THE MCMILLAN MESA VILLAGE SPECIFIC PLAN TO MODIFY  
DEVELOPMENT OPTIONS FOR DEVELOPMENT AREA E, PROVIDING FOR  
SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.**

**RECITALS:**

WHEREAS, Buron Inc. (the "Applicant"), applied for a McMillan Mesa Village Specific Plan Amendment to modify development options for Development Area E by splitting Development Area E into Development Areas E1, a legal description of which is provided in Exhibit "A" attached hereto ("the Property"), and E2, increasing the Maximum Gross Floor Area Ratio for all other uses in Development Area E1 from .30 to .61, and allowing for the development of a congregate care facility in Development Area E1; and

WHEREAS, the Applicant conducted a neighborhood meeting on November 14, 2018, to discuss the proposed McMillan Mesa Specific Plan Amendment with the surrounding community, as required by Section 10-20.30.060 of the Flagstaff Zoning Code. The second neighborhood meeting was waived by the Planning Director as low community turn-out and no opposition to the proposed development was or has been voiced by the public; and

WHEREAS, the Planning and Zoning Commission has formally considered the present McMillan Mesa Village Specific Plan Amendment following proper notice and two (2) public hearings, in accordance with the City of Flagstaff Zoning Code section 11-10.20.020.B.4, on March 13, 2019 and again on March 27, 2019, and has recommended approval of the requested McMillan Mesa Village Specific Plan Amendment, subject to the Applicant's compliance with certain conditions set forth below; and

WHEREAS, the staff has recommended approval of the McMillan Mesa Village Specific Plan Amendment, subject to the conditions proposed by staff, as set forth below, and the Council has considered the conditions and has found them to be appropriate; and

WHEREAS, the Council has read and considered the staff reports prepared by the Planning Division and all attachments to those reports, the Applicant's application, the narrative provided by the Applicant, and all statements made by the Applicant during the presentation to Council, and the Council finds that the proposed McMillan Mesa Village Specific Plan Amendment, subject to the condition set forth below, conforms to the General Plan.

**ENACTMENTS**

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

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. The McMillan Mesa Village Specific Plan Amendment requested in the application is consistent with and conforms to the goals of the General Plan.

SECTION 3. The McMillan Mesa Village Specific Plan is hereby amended by replacing page 47, with pages 47-1 and 47-2 set forth in Exhibit B, attached hereto and incorporated by reference.

SECTION 4. The approval of the Amendment to the McMillan Mesa Village Specific Plan is subject to the following conditions:

1. The McMillan Mesa Village Specific Plan Development District E1 (the Property) will be amended to allow the Community Commercial zone specifically for congregate care and will revise the development standards for Floor Area Ratio from .30 to .61 for development other than Business Park for the Property, Development Area E1, as described in the applicant's narrative.
2. All other requirements of the Zoning Code and other City codes, ordinances and regulations, shall be met by the proposed development.

SECTION 5. City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions and intents of this Ordinance.

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 7. This ordinance 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 7th day of May, 2019.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

Exhibit "A"

Legal Description of Property