



# City of Flagstaff

# Community Development Division

211 W. Aspen Ave  
 Flagstaff, AZ 86001  
 www.flagstaff.az.gov

P: (928) 213-2618  
 F: (928) 779-7684

**CUP**

Date Received	Application for Conditional Use		File Number
Property Owner(s) <i>Miramonte Presidio LLC</i>		Phone <i>520-268-9120</i>	
Mailing Address <i>2502 E. River Road</i>	City, State, Zip <i>Tucson, az. 85718</i>	Email <i>chris@kemmerly.com</i>	
Applicant(s) <i>Chris Kemmerly</i>		Phone <i>520-268-9120</i>	
Mailing Address <i>Same as above</i>	City, State, Zip	Email <i>Same as above</i>	
Project Representative <i>Charity Lee - Miramonte Homes</i>		Phone <i>928-600-3594</i>	
Mailing Address <i>102 S. Mikes Pike</i>	City, State, Zip <i>Flagstaff, az 86001</i>	Email <i>c.lee@miramontehomes.com</i>	

Site Address <i>2940 S. Woody Mtn Rd.</i>	Parcel Number(s) <i>112-62-483</i>	Subdivision, Tract & Lot Number <i>Presidio in the Pines Tract M</i>		
Zoning District <i>Hc</i>	Regional Plan Land Use Category <i>Suburban</i>	Flood Zone <i>Zone x</i>		
Property Information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Located in an existing City of Flagstaff Historic District? (Name: _____) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Existing structures are over 50 years old at the time of application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Existing structures are pre-World War II housing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject property is undeveloped land?			
Surrounding Uses (Res, Com, Ind)	North <i>Res</i>	South <i>I-40</i>	East <i>Res</i>	West <i>Res</i>

**Note:**  
 Conditional Use Permits are reviewed by City's Planning and Zoning Commission (P&Z), which meets **the second and fourth Wednesday of every month**. Applications are due by the close of business no fewer than 25 days prior to the meeting. You must provide a complete application form, along with the required number of plans and information as indicated in the checklist on the reverse side of this application. **Incomplete submittals will not be scheduled.**

Property Owner Signature <i>[Signature]</i>	Date <i>4/15/21</i>	Applicant Signature <i>[Signature]</i>	Date <i>4/15/21</i>
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For City Use					
Date Filed		File Number and Approval Date:			
Hearing Date		Publication and Posting Date(s):			
Fee Receipt Number	Amount	Date			
Action by Planning and Zoning Commission:					
Hearing Date:			Type of Request:		
<input type="checkbox"/> Approved			<input type="checkbox"/> CUP		
<input type="checkbox"/> Denied			<input type="checkbox"/> Extension		
<input type="checkbox"/> Continued					
Staff Assignments	Planning	Engineering	Fire	Public Works/Utilities	Stormwater

## Conditional Use Permits (CUP)

Conditional uses are those uses which are presumed to be compatible with other authorized or permitted land uses in a zoning district, but require additional discretionary review, and possibly the imposition of conditions, to ensure that their location, design, and character are appropriate at a particular location.

Only those uses which are authorized as conditional uses in Chapters 10-40 (Specific to Zones), may be approved as conditional uses.

Further information regarding conditional uses and the CUP process can be found in Section 10-20.40.050 (Conditional Uses) of the Zoning Code

## Review

Requests for CUP are reviewed by the City's Planning and Zoning Commission (P&Z), an advisory commission appointed by the City Council.

A public hearing is held in conjunction with the request in conformance with Section 10-20.30.080 of the Zoning Code. Just before the public hearing is opened, Development Services staff presents its report to the P&Z, and the applicant is given an opportunity to make a presentation regarding the request. During the public hearing, any person may give testimony or submit written materials regarding the proposal.

At the conclusion of the public hearing, the P&Z may approve the application as presented, approve the application with conditions, or deny the application. The P&Z may also continue the public hearing to a future meeting if additional information is needed before action can be taken.

P&Z meetings are open to the public in compliance with the State's Open Meeting Law, and agendas are posted at City Hall no less than 24 hours prior to the meeting. Minutes are kept of all P&Z meetings.

## Schedule

The Planning and Zoning Commission meets on the second and fourth Wednesday of every month at 4:00 p.m. in the afternoon. An application for a CUP must be made by the close of business at least 30 calendar days prior to a regularly scheduled P&Z meeting.

Please be aware that a project must receive formal Site Plan Review approval from the Planning Director before a CUP application can be submitted.

**Attendance by the applicant or a project representative at the Planning and Zoning Commission hearing is mandatory.**

## Submission Requirements

All applications for CUP must be accompanied by the following information:

- 10 copies of proposed development plans
- Location/vicinity map
- Written response to the 9 standards for granting a CUP
- List of property owners and parcel numbers, assessor's maps, and pre-addressed, stamped envelopes for properties within 300 feet
- CUP application fee (see Fee Schedule)

## Proposed Development Plans

Proposed development plans that must be submitted in conjunction with a CUP application are the same as those required for formal Site Plan Review (see list below). Refer to the Site Plan Review Application for a complete description of these plans and the information that must be depicted on them.

- Site plan
- Building elevations (one copy in color)
- Building floor plans
- Landscape plan
- Resource survey and protection plan (when applicable)
- Exterior lighting plan
- Preliminary signage plan
- Site capacity calculations (when applicable)

All plans submitted with the application must be folded to approximately 8.5 x 11 inches in size.

## Location/Vicinity Map

The location/vicinity map shows adjacent streets and properties, as well as the land uses and zoning for those properties. Any contiguous property owned by the property owner or applicant must also be shown. The location/vicinity map must be drawn to scale and include dimensions. The location/vicinity map can be made a part of the site plan where space permits.

## 9 Standards for Granting a CUP

The CUP may be issued only when the P&Z finds that the applicant has considered and adequately addressed all of the following issues to ensure that the proposed use will be compatible with the surrounding area. Therefore, the CUP application must include a written response indicating how each of the issues is addressed in the CUP proposal. Attach substantiating documentation when necessary.

- Access and traffic; pedestrian, bicycle and vehicular circulation
- Adequacy of site and open space provisions, including site capacity and resource protection standards where applicable
- Noise, light, visual, and other pollutants
- Proposed style and siting of structure(s), and relationship to the surrounding neighborhood
- Landscaping and screening provisions
- Impact on public utilities
- Signage and outdoor lighting
- Dedication and development of streets adjoining the property
- Impacts on historical, prehistoric, or natural resources

## Property Owners Within 300 Feet

In order to meet the notice requirements for a public hearing, the applicant is required to provide a list of the names, addresses, and parcel numbers, as well as pre-addressed stamped envelopes, for all properties within 300 feet of the subject property, exclusive of rights-of-way. The Coconino County Assessor's Office is the most up-to-date source of information for property ownership. The City uses this information to notify surrounding property owners of the request for CUP.

"Exclusive of rights-of-way" means that where the subject parcel has frontage along a street, measurement of the 300-foot boundary begins on the opposite side of the right-of-way. It is always better to include more properties than required rather than fewer.

The following information regarding surrounding property owners must be submitted with the application for a CUP:

- A list of the names and addresses of property owners and parcel numbers for properties within 300 feet, exclusive of right-of-way
- Coconino County Assessor's maps showing all of the properties within 300 feet and indicating book, map, and parcel numbers
- Pre-addressed, stamped envelopes to all property owners within 300 feet (leave return address blank)

Public notice of the request for CUP is also given by posting a notice on the property and placing a display ad in the newspaper at least 15 days prior to the hearing. Once an application has been made, the City of Flagstaff is responsible for meeting notice requirements.

## Application Fee

An application fee payable to the "City of Flagstaff", must be paid at the time an application for a CUP is submitted. The fee helps cover the cost of meeting noticing and advertising requirements.

## Signatures

All applications must be signed and dated by both the applicant and the owner of the property.

**Applications will not be accepted or scheduled until all of the submission requirements have been met. Once an application has been submitted, neither the application nor accompanying development plans can be amended or modified.**

## Expiration

A CUP expires one year from the date of P&Z approval unless a grading or building permit is obtained or the use is established. The P&Z may grant a one-time extension of 180 days following a formal request for such an extension by the applicant. The extension must be approved before the expiration date of the CUP.

## Appeals

Any person aggrieved by a decision of the P&Z to approve or deny a CUP (including the applicant) may file an appeal with the City Council. An appeal must be submitted in writing to the Planning Director or Community Development Director within 10 days of the P&Z's decision. The City Council will conduct a public hearing and at the conclusion of the hearing shall affirm, reverse, or modify the decision.

## For Further Information

For further information regarding the application and submission requirements for a CUP, please contact:

Planning and Development Services Section  
City of Flagstaff  
211 W Aspen Avenue  
Flagstaff AZ 86001

928-213-2618  
928-779-7684 Fax

[cdfcounter@flagstaffaz.gov](mailto:cdfcounter@flagstaffaz.gov)



Miramonte Homes  
Chris Kemmerly  
2502 E. River Road  
Tucson, AZ 85718

April 15, 2021

City of Flagstaff  
Planning and Zoning Commission  
211 W. Aspen Avenue  
Flagstaff, AZ. 86001

**Project Name: Presidio in the Pines-Tract M**  
**Project Number: MES #15159**

Dear Commissioners,

Please consider our application for a Conditional Use Permit for the construction of a 39-unit multifamily residential project in Presidio in the Pines, a Planned Community Development-Tract M.

**PROJECT OVERVIEW:**

Miramonte Presidio LLC (Miramonte) is the owner of approximately 2.77 acres located at 2940 S. Woody Mountain Road, Flagstaff, AZ. 86001, Assessor Parcel Number 112-62-483, otherwise known as Tract M (the Project), identified in the Final Plat of Presidio in the Pines a Planned Community Development, in Case 9 Map 72, and recorded in Document Number 3322439 with the Coconino County Recorder (the Final Plat).

Tract M is zoned Highway Commercial (HC) and was originally identified on the Final Plat as a future church site. Miramonte proposes to build a 39-unit multifamily residential project and use the Planned Residential Development (PRD) mechanism to develop three (3) story apartment buildings, some of which are split-level, using the following standards: T4.N2 Transect Zone, Apartment Building Type, and Forecourt Private Frontage Type. The buildings total 19,650 SF and residential units will range from 514-1,064 SF. The density per acre is 14.09 units and the lot coverage is 12.6%. The intent is to plat the condominium units.

As a condition of Site Plan approval, a Conditional Use Permit (CUP) is required for the PRD in the HC zone. Our application addresses the nine standards for granting a CUP below.

## **9 STANDARDS FOR GRANTING A CONDITIONAL USE PERMIT:**

### **1. Access and Traffic, Pedestrian, Bicycle and Vehicular Circulation**

Site access will be located off W. Presidio Drive. The Fire Department has reviewed and has approved of the on-site access.

The City of Flagstaff required a total of seventy-three (73) vehicle parking space. The Project will provide seventy-four (74) vehicle parking spaces which will include four (4) A.D.A compliant spaces and twelve (12) bicycle spaces.

A.D.A Pedestrian access is provided to each building and the public way.

Bike racks will be located at the entrance of each building.

### **2. Adequacy of Site and Open Space Provisions, Including Site Capacity and Resource Protection Standards Where Applicable**

The Project will include 14 units per acre with 49.7% of the site remaining as open space. The Project will protect 35.11 % tree resources of which, 30% is required in the HC zone.

### **3. Noise, Light, Visual, and Other Pollutants**

The Project is bordered by I-40 to the South, S. Woody Mountain Road to the West and W. Presidio Dr. to the North. There is an existing block/sound wall along Woody Mountain Road and I-40 which will provide a barrier between the Project and the roadways. This will help mitigate noise and aid in the visual aesthetics of the Project.

Building lighting will comply with the City of Flagstaff Outdoor Lighting Standards in Section 10-50-70 of the Zoning Code.

### **4. Proposed Style and Siting of Structures, and Relationship to the Surrounding Neighborhood**

The Project is in Presidio in the Pines, a Planned Community Development, a high-density residential neighborhood. The apartment style buildings will be wood and/or masonry construction with slab-on-grade floors. They will be constructed using similar construction materials as to complement the existing neighborhood. Building forward is utilized providing human scale and interest to adjacent surrounding development.

### **5. Landscaping and Screening Provisions**

Landscaping will comply with the requirements of the approved Site Plan and as noted on the Landscaping Plan.

Screening will be accomplished with screen/sound walls on existing boundaries and will comply with the requirements in Section 10-50-50 of the Zoning Code.

**6. Impact on Utilities**

Presidio is a 790 Lot “Planned Community Development”. Utility impacts were analyzed at the rezoning and public improvements were installed per WISA.

**7. Signage and Outdoor Lighting**

No additional signage is proposed for the Project. If additional signage is installed it will comply with the sign standards in Section 10-50-100 of the Zoning Code.

All exterior lighting will meet the requirements of the City of Flagstaff Outdoor Lighting Standards for shielding, lamp type and maximum lumen output as noted in the Outdoor Lighting Standards in Section 10-50-70 of the Zoning Code.

**8. Dedication and Development of Streets Adjoining the Property**

Adjoining streets are fully improved and dedicated to the public.

**9. Impacts on Historical, Prehistoric or Natural Resources**

A cultural resource survey was completed for the entire area inclusive of this Project area. Mark Reavis, Neighborhood Planner- Heritage Preservation Officer has reviewed the Project and has determined that no additional cultural resource surveys are required.

Thank you for considering our application for a Conditional Use Permit for Presidio in the Pines Tract M. Miramonte looks forward to starting construction on the Project this summer which will provide the much-needed additional housing options for the citizens of Flagstaff.

Sincerely,



Chris Kemmerly  
Owner/CEO

