

## ATTENTION

### **IN-PERSON AUDIENCES AT PLANNING & ZONING COMMISSION MEETINGS HAVE BEEN SUSPENDED UNTIL FURTHER NOTICE**

The meetings will continue to be live streamed on the city's website  
(<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

To participate in the meeting click the following link:

[Join Microsoft Teams Meeting](#)

The public can submit comments that will be read at the dais by a staff member

to [CDPandZCommission@flagstaffaz.gov](mailto:CDPandZCommission@flagstaffaz.gov)

### NOTICE AND AGENDA

**PLANNING & ZONING COMMISSION  
WEDNESDAY  
MAY 26, 2021**

**COUNCIL CHAMBERS  
211 WEST ASPEN AVENUE  
4:00 P.M.**

**1. Call to Order**

**2. Roll Call**

*NOTE: One or more Commission Members may be in attendance telephonically or by other technological means.*

DAVID ZIMMERMAN, CHAIR  
MARIE JONES, VICE CHAIR  
CAROLE MANDINO  
DR. ALEX MARTINEZ

DR. ERIC NOLAN  
LLOYD PAUL  
RICARDO GUTHRIE

**3. Public Comment**

*At this time, any member of the public may address the Commission on any subject within their jurisdiction that is not scheduled before the Commission on that day. Due to Open Meeting Laws, the Commission cannot discuss or act on items presented during this portion of the agenda. To address the Commission on an item that is on the agenda, please wait for the Chair to call for Public Comment at the time the item is heard.*

**4. APPROVAL OF MINUTES**

Approval of the minutes from the regular meeting on Wednesday, May 12, 2021.

**5. PUBLIC HEARING**

- A. 1600 Butler Redevelopment PZ-20-000071-05: A Conditional Use Permit request from Reich Brothers, LLC, to construct approximately 77,000 square feet of general retail, restaurant, and general services in the Light Industrial (LI) Zone, located at 1600 E. Butler Avenue.**

**STAFF RECOMMENDED ACTION:**

In accordance with the findings presented in this report, staff recommends approval of PZ-20-00071-05 with conditions.

- B. PZ-19-00123 Updates to Zoning Code 2019 – Neighborhood Community Commercial (NCC)**  
A request by the City to amend the Zoning Code to incorporate a new zone called Neighborhood Community Commercial (NCC)

**STAFF RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, find that the required findings of the Zoning Code have been met, and make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

- C. PZ-21-00066 Updates to Zoning Code 2021 – Accessory Dwelling Unit and Accessory Structure Encroachments Requirements**  
A request by the City to amend the Zoning Code to modify the existing Accessory Dwelling Unit and Accessory Structure Encroachment Requirements

**STAFF RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, find that the required findings of the Zoning Code have been met, and make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

**6. MISCELLANEOUS ITEMS TO/FROM COMMISSION MEMBERS**

**7. ADJOURNMENT**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on 5/21/21, at 2:00 p.m. This notice has been posted on the City's website and can be downloaded at [www.flagstaff.az.gov](http://www.flagstaff.az.gov).

Dated this 21 day of May, 2021.

\_\_\_\_\_  
Tammy Bishop, Administrative Specialist



**Planning & Zoning Commission**

**5. A.**

**Meeting Date:** 05/26/2021

**From:** Tiffany Antol, Planning Development Manager

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**Information**

**TITLE:**

**1600 Butler Redevelopment PZ-20-000071-05:** A Conditional Use Permit request from Reich Brothers, LLC, to construct approximately 77,000 square feet of general retail, restaurant, and general services in the Light Industrial (LI) Zone, located at 1600 E. Butler Avenue.

**STAFF RECOMMENDED ACTION:**

In accordance with the findings presented in this report, staff recommends approval of PZ-20-00071-05 with conditions.

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**Attachments**

Staff Report  
Draft Conditional Use Permit  
Draft Notice of Decision  
Prop 207 Waiver  
Site Plan Approval Letter  
Site Plan Conditions of Approval  
Conditional Use Permit Application  
Citizen Participation Report  
CUP Application Narrative  
Site Plan  
Outdoor Lighting Plan

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**PLANNING AND DEVELOPMENT SERVICES REPORT**  
**CONDITIONAL USE PERMIT**

**PUBLIC HEARING**  
**PZ-20-00071-05**

**DATE:** **May 5, 2021**  
**MEETING DATE:** **May 26, 2021**  
**REPORT BY:** **Tiffany Antol, AICP**

**REQUEST:**

A Conditional Use Permit request from Reich Brothers, LLC, to construct approximately 77,000 square feet of general retail, restaurant, and general services in the Light Industrial (LI) Zone, located at 1600 E. Butler Avenue.

**STAFF RECOMMENDATION:**

In accordance with the findings presented in this report, staff recommends approval of PZ-20-00071-05 with conditions.

**PRESENT LAND USE:**

This location is the former site of SCA Tissue which closed in 2017. The existing buildings on site have been vacant since SCA Tissue disbanded their operation.

**PROPOSED LAND USE:**

The applicant proposes to construct approximately 77,000 square feet of building, which can accommodate a variety of general commercial/retail, restaurant, and/or general service uses on 7.71 acres of a 12.70-acre development site. The site plan for this application shows a 58,100 square-foot anchor building planned at the southeast corner and another 18,240 square-foot multi-tenant building at the southwest corner.

**NEIGHBORHOOD DEVELOPMENT:**

North: BNSF Railway; Route 66  
East: City of Flagstaff Municipal Recycling Facility, Light Industrial (LI) Zone  
South: Developed parcels, Light Industrial (LI) and Light Industrial Open (LIO) Zone  
West: Warehouse, Light Industrial (LI) Zone

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**I. Project Introduction**

**A. Background/Introduction**

Section 10-40.30.050.B of the Flagstaff Zoning Code (Page 40.30-21), *Allowed Uses*, identifies “General Retail Business, Restaurant or Café, and General Services” as allowed land uses in the Light Industrial (LI) Zone subject to the approval of a Conditional Use Permit (CUP) by the Planning Commission. On November 16, 2020, the Inter-Division Staff (IDS) approved a Development Master Plan which was presented to the Planning & Zoning Commission on December 9, 2020. IDS approved a site plan application for the proposed building on this site on May 3, 2021. A copy of the Site Plan Approval Letter and Conditions of Approval are attached to this report.

The applicant proposes to redevelop the site as two development units in three phases. The applicant proposes a master-planned commercial shopping center on the south approximate 7.71 acres adjacent to Butler Avenue, and an industrial/business park on the north 4.99 acres adjacent to the existing BNSF rail line and spur.

The applicant is proposing the south approximate 7.71 acres to accommodate a variety of commercial/retail, employment, restaurant, and/or services uses. Specifically, an approximately 58,100 square-foot anchor building is planned at the southeast corner of the site. This building is intended to accommodate Kohl's, which intends on relocating from its current location at 500 W. Forest Meadows Street. A freestanding approximately 18,240 square-foot multi-tenant building is planned at the southwest corner of the site capable of supporting commercial/retail, restaurant, and/or service uses. Both the anchor and multi-tenant buildings are positioned along the Butler Avenue frontage. The southernmost suite within the multi-tenant building can accommodate a restaurant or coffee shop with outdoor dining. Associated site improvements, such as landscaping, parking, lighting, and infrastructure will also be provided. Additionally, redevelopment of the south 7.71 acres will include the removal of the BNSF rail spur near the southeast corner of the site.

The applicant is proposing to maintain the north approximate 4.99 acres for a variety of light industrial and/or business park uses, which can have access to the BNSF rail line and spur along the north property line. A backwards "L" shaped approximately 19,200 square-foot building is planned at the northwest corner of the Property. An "L" shaped approximately 30,000 square-foot building is planned at the northeast corner of the Property. Both buildings are oriented around a motor court to screen truck maneuvering, loading doors, and/or bays, etc., from the planned commercial/retail, employment, restaurant, and/or service uses to the south. Building entrances are oriented toward a centrally located surface parking lot between the two buildings, which will include landscaping and lighting. Associated site improvements, such as landscaping, parking, lighting, and infrastructure, will also be provided. The site plan also includes an east-west pedestrian-oriented public civic space and landscape buffer between the two development units to serve as a land use transition between the development units.

**II. Required Findings**

The Planning Commission may approve the Conditional Use Permit only after making a finding that:

**A. Finding #1:**

The conditional use is consistent with the objectives of the Zoning Code and the purpose of the Zone in which the site is located.

"The Light Industrial (LI) zone applies to areas of the City appropriate for clean and quiet industries in proximity to commercial development, including manufacturing, warehousing, and related uses with limited and screened exterior storage. The LI zone establishes a transitional area between commercial and heavy industrial areas; while at the same time it is applied to areas of the City as a freestanding industrial zone."

The Light Industrial (LI) Zone allows general retail, restaurant or café, and general service uses with the granting of a Conditional Use Permit. The primary reasons for the Conditional Use Permit are to protect the uses that are allowed by right in the Light Industrial Zone which may be incompatible with general office uses, and industrially used buildings are not required to incorporate architectural design standards as would be required for retail and general service buildings.

**B. Finding #2**

That granting the conditional use will not be detrimental to the public health, safety, or welfare.

If the proposed project is developed in accordance with City codes, standards, and requirements, the project should not be detrimental to the public health, safety, or welfare.

**C. Finding #3**

The characteristics of the conditional use as proposed, and as it may be conditioned, are reasonably compatible with the types of uses permitted in the surrounding area. The Conditional Use Permit shall be issued only when the Planning Commission finds that the Applicant has considered and adequately addressed the following to ensure that the proposed use will be compatible with the surrounding area (Flagstaff Zoning Code Section 10-20.40.050.E.3):

- Access, traffic, and pedestrian, bicycle, and vehicular circulation;
- Adequacy of site and open space provisions, including 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, including additional landscaping in excess of otherwise applicable minimum requirements;
- Impact on public utilities;
- Signage and outdoor lighting;
- Dedication and development of streets adjoining the property; and
- Impacts on historical, prehistoric, or natural resources.

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

Primary access to the Commercial Development Unit is planned via a new driveway located at the approximate mid-point along Butler Avenue. A westbound (right turn) deceleration lane is planned at this driveway to further improve safety and turning efficiencies along Butler Avenue. Secondary access to the Commercial Development is planned at Babbitt Drive. It is anticipated that this new point of access will be improved from one northbound thru lane, one southbound left turn lane, and one southbound thru lane. The dual southbound left turn lanes are anticipated to provide 100 feet of queueing each. An easement will be required from the City of Flagstaff for this access. A third point of access off Butler Avenue is provided via an existing driveway at the southwest corner of the property.

Project development includes a new sidewalk along Butler Avenue with parkway. Additionally, a meandering pedestrian pathway is provided through the civic space area at the front of the property. The on-site pedestrian/bicycle network is further improved with pathways that extend between the two buildings.

Parking is provided for the project using the shopping center parking requirements (shared parking with restaurant) which requires 1 parking space per 250 square feet of building. A Total of 305 spaces are required for the proposed development. The development can exceed the required parking by 5% which allows for a total of 320 parking spaces on site. A total of sixteen bicycle parking spaces are required and provided on site.

**2. Adequacy of Site/Open Space/Resource Provisions**

The Applicant is proposing to construct approximately 77,000 square feet of new retail/restaurant/general services building on 7.71 acres of a 12.70-acre site. For developments with over 20,000 square feet, civic space is required to be provided at a rate of 5% of the gross development site. A total of 27,668.77 square feet are provided as civic space along the Butler Avenue frontage. This space includes pedestrian pathways and seating areas. Both buildings are oriented to direct pedestrian and bicycle movement from Butler to the businesses on site through this civic space area. The site plan shows the proposed building complying with all the required development standards of the Light Industrial (LI) Zone including setbacks,

building height, and Floor Area Ratio (FAR). The site provides the required number of parking spaces for the proposed uses on site. Dedicated open space is not required in commercial and industrial developments and is instead accomplished through compliance with landscaping standards. The subject property is not located in the Resource Protection Overlay.

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

It is not anticipated that the proposed off use will create any noise, visual, or other pollutants into the area. All exterior lighting will be required to comply with the City of Flagstaff's strict outdoor lighting requirements which supports and maintains our designation as an International Dark Sky City. The proposed uses are less intensive than the former industrial use on this site.

**4. Style and Siting of Structure(s) and Relationship to Surrounding Neighborhood**

The proposed buildings have been designed in accordance with the Site Planning Design Standards as identified in the Zoning Code. This includes a building forward design with parking areas located to the side and rear of the building. There is a large civic space area provided along the Butler frontage that will include a pedestrian pathway along with landscaping and benches. Pathways are provided that extend through this civic space from the Butler Avenue sidewalk to the entrances of the anchor and multi-tenant.

There is a large parking field in between the two commercial buildings proposed. This parking area is screened from Butler with the use of a low wall. The parking field is divided into components each less than one acre in size to comply with standards found in the Zoning Code. The areas are divided with the use of sidewalks and landscaping to make the parking field more pedestrian/bicycle friendly. Alternative pavement materials are used to differentiate the space for vehicles and pedestrians/bicyclists on site. The large anchor building is proposed to be constructed of pre-cast concrete panels. Both buildings are designed to meet the Architectural Design Standards within the Zoning Code which dictate primary and secondary materials, colors, building massing, and scale.

The current Butler Avenue streetscape is a mixture of pre-engineered structures, such as Ken's Auto Repair and Emergency Veterinary Clinic, and retail buildings, such as Taco Bell and Sonic to the south along Butler Avenue. The planned multi-tenant building relates to the size of these structures in both height and proportion. The Butler Avenue streetscape also includes larger retail or industrial type structures, such as HomCo Lumber & Hardware, Sam's Club, Northland Motor Sports Facility, and the City recycling facility.

**5. Landscaping and Screening**

The site is proposed to be landscaped in accordance with the requirements of the Zoning Code; see the attached landscaping plan. A screen wall is located along the back of the civic space/landscape area at the front of the parking to screen the parking areas that would be visible from the adjacent right-of-way.

**6. Impact on Public Utilities**

Only new service lines are required to serve the proposed development with water and sewer. Water Services did identify concerns with an existing water transmission main with the location of the new driveway. The applicant will need to make special provisions to deal with this transmission main during construction. This particular issue will be dealt with during civil plan review for the project.

**7. Signage and Outdoor Lighting**

The attached elevations show proposed building mounted signage for the anchor building. No signage is shown for the multi-tenant building; neither is freestanding signage identified for the site. Because there are multiple uses planned for the site, staff will require a comprehensive sign plan for the property. This sign plan

will be approved through the required sign permit. Preliminary outdoor lighting information has been provided as part of this application. Neither signage nor outdoor lighting are reviewed in conjunction with the site plan. The details for both are reviewed and approved in conjunction with the required building permit application, each requiring its own application (Sign Permit, Outdoor Lighting Permit). Any new signage or lighting will have to comply with the relevant Zoning Code requirements.

**8. Dedication and Development of Streets**

It is anticipated that additional right-of-way and/or other dedications will be made along the Butler Avenue frontage to accommodate the westbound (right turn) deceleration lane, as well as a future Mountain Line bus stop. The applicant is proposing to improve Babbitt Drive to a signalized one northbound thru lane, two southbound left turn lanes, and one southbound thru lane. The applicants will need an access easement from the City of Flagstaff to ensure appropriate access to the development site from this intersection. The Traffic Impact Analysis is not yet finalized but it is anticipated that no mitigation will be required other than the improvement identified herein.

**9. Impacts on Resources**

This subject property is not located within the Resource Protection Overlay. A natural resource protection plan was not required or reviewed in conjunction with the site plan for this development. The buildings on site are over 50 years in age and were assessed for their historic value through a Cultural Resource Study reviewed and approved by the Heritage Preservation Office and the Heritage Preservation Commission. The buildings were found to have historic significance and mitigation was required for demolition to be approved.

Conditions of approval will only be imposed if they are necessary to ensure the intent and purpose of the Zoning Code are met; to ensure compatible and complementary development of the property; and to ensure the provision of appropriate off-site improvements will be fulfilled.

**III. Citizen Participation**

The applicant held the required neighborhood meeting to discuss the proposed Conditional Use Permit application on April 12, 2021, using the Zoom platform. The applicant posted a sign on the property regarding the meeting and sent letters to 17 neighboring property owners and one Homeowners Association in addition to the City Registry of Interested Persons. Five members of the public attended the meeting. A summary of the meeting is attached to this report. The applicant requested to have the second meeting waived, which was approved by the Planning Director. Since that meeting the applicant has not had contact from property owners in the area requesting information or voicing a concern.

**IV. Recommendation:**

The Inter-Division Staff (IDS) team approved the site plan for this project on May 3, 2021 (conditions attached). Staff recommends that the request for the CUP be granted by the Planning Commission with the requirements included in Conditional Use Permit No. PZ-20-00071-05 and as follows:

1. The development of the site shall substantially conform to the plans as presented with the Conditional Use Permit application and with the Site Plan as approved by the Inter-Division Staff on May 3, 2021. Modifications to the approved site plan shall require additional review by the IDS team.
2. Development of the site shall be in compliance with the approved Traffic Impact Analysis.

**V. Attachments:**

The draft documents have been prepared in accordance with the staff recommendation and do not indicate the Commission's final decision. These documents will be updated after the public hearing on this case to reflect the Commission's decision.

- Draft Conditional Use Permit No. PZ-20-00071-05
- Draft Notice of Decision
- Proposition 207 waiver
- Site Plan Conditions of Approval
- Conditional Use Permit Application
  - Narrative
  - Public Participation Plan
  - Site Plan
    - Elevations and Signage
    - Landscaping Plan
    - Floor Plan
  - Lighting Plan

**COCONINO COUNTY, ARIZONA RECORDER  
CONDITIONAL USE PERMIT  
FROM GRANTOR: CITY OF FLAGSTAFF  
COCONINO COUNTY, ARIZONA  
OFFICE OF PLANNING AND ZONING  
TO GRANTEE: REICH BROTHERS, LLC**

Permit No. PZ-20-00071-05  
June 5, 2021

Permission is hereby granted to Reich Brothers, LLC, to allow the establishment of approximately 77,000 square feet of general retail, restaurant, and general services and associated site work, pursuant to Section 10-40.30.050.B. of the *Flagstaff Zoning Code* at a site located at 1600 E. Butler Avenue in the Light Industrial (LI) Zone, and legally described as Coconino County Assessor parcel numbers 104-07-001C and 104-07-005M in the city of Flagstaff, Arizona.

After a public hearing held on May 26, 2021, the Planning and Zoning Commission voted to grant this Conditional Use Permit subject to the following conditions.

1. The development of the site shall substantially conform to the plans as presented with the Conditional Use Permit application and with the Site Plan as approved by the Inter-Division Staff on May 3, 2021. Modifications to the approved site plan shall require additional review by the IDS team.
  
2. Development of the site shall be in compliance with the approved Traffic Impact Analysis.

Furthermore, this permit is issued on the express condition that the use permitted herein shall conform in all relevant respects to the ordinances of the City of Flagstaff and the laws of the State of Arizona.

Any and all conditions endorsed on this permit are subject to periodic review by the City of Flagstaff's Planning Director. Following review, the Planning and Zoning Commission shall be notified when the conditions of operation imposed in the approval and issuance of this permit have not been or are not being complied with.

The Planning and Zoning Commission shall consider the matter of revocation and set the permit for public hearing. If the Planning and Zoning Commission finds, following the public hearing, that the conditions imposed in the issuance of this permit are not being complied with, this



Permit No. PZ-20-00071-05

May 26, 2021

Page 3 of 3

By: \_\_\_\_\_  
Property Owner

STATE OF ARIZONA                    )  
  ) ss  
County of \_\_\_\_\_                )

Before me, the undersigned Notary Public, personally appeared \_\_\_\_\_ who  
executed the foregoing document for the purposes contained therein.

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_



# City of Flagstaff

May 27, 2021

Reich Brothers, LLC  
172 South Broadway  
White Plains, NY 10506

RE: **NOTICE OF DECISION** – Conditional Use Permit No. PZ-20-00071-05

To Whom It May Concern:

The Planning Commission, in accordance with Section 10-20.40.050 of the Flagstaff Zoning Code, has considered the request of the Reich Brothers, LLC, for a Conditional Use Permit on the property at 1600 E Butler Avenue (APNs 104-07-001C and 104-07-005M) in the LI, Light Industrial Zoning District, for approximately 77,000 square feet of general retail, restaurant, and general services as provided in Section 10-40.30.050.B of the City of Flagstaff Zoning Code.

The Planning Commission held a public hearing on May 26, 2021, regarding this Conditional Use Permit. The Commission found and determined that, based on the information provided in the staff report dated May 5, 2021, and at the public hearing, the facts exist as required by Section 10-20.40.050.F of the Zoning Code to justify granting the Conditional Use Permit.

Based upon the aforementioned findings, the Commission approved a Conditional Use Permit by a vote of ( ) for the use and location described above subject to the following conditions:

1. The development of the site shall substantially conform to the plans as presented with the Conditional Use Permit application and with the Site Plan as approved by the Inter-Division Staff on May 3, 2021. Modifications to the approved site plan shall require additional review by the IDS team.
2. Development of the site shall be in compliance with the approved Traffic Impact Analysis.

The above conditions are deemed by the Commission to be required to assure that the requested use will be compatible with neighboring uses and the growth and development of the area.

This action becomes final and effective ten (10) calendar days after the posting of this Notice of Decision on June 5, 2021, unless during these ten (10) days a written appeal to the City Clerk is filed or the City Council elects to review the application. Either appeal or City Council review shall stay the Conditional Use Permit until the City Council holds the required public hearing to consider the request.

Should you have any questions, comments, or concerns, please do not hesitate to contact me.

Sincerely,

Tiffany Antol, Planning Director  
Planning & Development Services  
P. 928-213-2605  
tantol@flagstaffaz.gov

cc: Current Planning Manager, City Clerk, City Council, Reich Brothers, LLC

When recorded, mail to:  
City Clerk  
City of Flagstaff  
211 W. Aspen Avenue  
Flagstaff, Arizona 86001

**CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE**

The undersigned is the owner of certain real property legally described as Coconino County Assessor parcel number 104-07-001C and 104-07-005M in the city of Flagstaff, Arizona, that is the subject of Conditional Use Permit Application No. PZ-20-00071-05. By signing this document, the undersigned agrees and consents to all of the conditions imposed by the City of Flagstaff in conjunction with the approval of Conditional Use Permit No. PZ-20-00071-05 and waives and fully releases any and all claims and causes of action that the owner may have, now or in the future, for any "diminution in value" and for any "just compensation" under the Private Property Rights Protection Act, Arizona Revised Statutes § 12-1131, et seq., that may now or in the future exist as a result of the approval of Conditional Use Permit No. PZ-20-00071-05. Within ten (10) days after the execution of this Consent to Conditions/Waiver for Diminution of Value by the undersigned, the City Clerk shall cause this document to be recorded in the official records of Coconino County, Arizona.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021

PROPERTY OWNER:

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

State of Arizona                    )  
  ) ss  
County of \_\_\_\_\_)

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by:

\_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



# City of Flagstaff

May 3, 2021

Reich Brothers LLC  
172 South Broadway  
White Plains, NY 10506

RE: Site Plan Approval PZ-20-00071-04

To Whom It May Concern:

As of the date of this correspondence, the City of Flagstaff Development Review Staff has approved, subject to the attached Conditions of Approval, Project No. PZ-20-00071-04 for the proposed retail development located at 1600 E Butler Avenue. The Coconino County Assessor Parcel Number for the subject property is 104-07-001C and 104-07-005M.

Unless modified to comply with the Conditions of Approval, development of the project shall substantially conform to the approved plans as follows:

- Site Plan and Landscape Plan dated April 2021, Floor Plan and Exterior Elevations dated March 2021 prepared by JWA Architects.
- Utility Plan and Grading and Drainage Plans dated April 2021 prepared by SWI, Inc.

This approval shall be valid for a period of one year following the above date, May 3, 2021. If, at the expiration of this period, the property has not been improved for the approved development; or a certificate of occupancy has not been issued; or the site has not been occupied per Zoning Code section 10-20.40.140, the site plan shall expire.

After obtaining a Conditional Use Permit, the next step in the development process is Civil Improvement Plan ("Civil") review. Prior to Civil submittal, please contact the Development Engineering Project Manager assigned to the project, James Boyer, to schedule a meeting to discuss application submittal requirements, the review process, and timing of reviews. James can be reached at (928) 213-2705 or via e-mail at [jboyer@flagstaffaz.gov](mailto:jboyer@flagstaffaz.gov).

For your information, alterations to your property may affect how your property taxes are calculated. To find out how your project may affect your property valuation for tax purposes, contact the Coconino County Assessor's Office at (928) 679-7962 or in person at 110 E Cherry Ave, Flagstaff.

We look forward to working with you and your development team through Civil Improvement Plan review, Building Permit review, construction, and completion of the approved project. Should you have any questions, comments, or concerns, please do not hesitate to contact me.

Sincerely,

Tiffany Antol, Planning Director

P. 928-213-2605

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



City of Flagstaff  
Community Development  
Site Plan Review Comments

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**Project Name:** 1600 E Butler Phase 1 and 2 **Date:** May 3, 2021  
**Project No.:** PZ-20-00071-04  
**Project Address:** 1600 E Butler  
  
**Application Type:** Site Plan  
**Review Type:** Conditions of Approval  
  
**Project Manager:** Tiffany Antol  
**E-mail:** tantol@flagstaffaz.gov  
**Phone:** 928-213-2605  
  
**Status of Review:** **Approved with Conditions**

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**CONDITIONS/COMMENTS:**

**Fire Prevention:** Christopher Jack  
Approved 02/08/2021  
No Comments

**Public Works:** Scott Overton  
Approved 02/02/2021  
No Comments

**Stormwater:** Douglas Slover  
Approved with Conditions 02/09/2021

Conditions of Site Plan Approval

1. Sheet C1 identifies the floodplain. FEMA note identifies that a portion of the property a zone AE. Show the limits of the zone AE in relation to the adjacent Zone AH.
2. Sheet C1 shows an existing detention facility. Provide the water surface elevation for the 100-year event or overflow spillway elevation.

General Comments

1. Function of the detention outlets will need to consider the adjacent regional detention facility backwater condition during flow routing.

Future Submittal Requirements

1. Provide drainage report with Civil Submittal.
2. Provide ECP with Civil Submittal.
3. Provide O&M manual with Civil Submittal.



City of Flagstaff  
Community Development  
Site Plan Review Comments

**Housing:** Jennifer Mikelson

Approved 01/26/2021

No Comments

**Heritage Preservation:** Mark Reavis

Approved with Conditions 02/08/2021

1. Cultural Resource Study (Phase 1) revised and reviewed and accepted by HPC - HPO awaiting required mitigation product to be in an acceptable form as reviewed by HPO.

**Building & Safety:** Victoria St. Clair

Approved with Conditions 02/08/2021

Conditions of Site Plan Approval

1. A commercial building permit is required for each structure of this project. The services of an Arizona Registered Design Professional is required. Standard building permit submittal requirements can be obtained from the Community Development front counter at Flagstaff City Hall or on the City of Flagstaff website.

<https://www.flagstaff.az.gov/494/Building-Safety>

General Comments

1. The Building Safety Program reserves the right to make additional comments during actual plan submittal and review of building permit applications.

**Parks:** Amy Hagin

Approved 02/09/2021

No Comments

**Current Planning:** Tiffany Antol

Approved with Conditions 03/18/2021

Conditions of Site Plan Approval

1. Any expansion or alteration of the approved site plan or exterior elevations, unless necessary to comply with these conditions of approval, may require site plan review and approval prior to building permit submittal.
2. Bicycle parking racks shall be provided per the City of Flagstaff standards. Detailed bicycle rack information shall be provided in conjunction with the building permit application.
3. An Outdoor Lighting Permit with light fixture cut sheets and lumen calculation table shall be submitted in conjunction with the building permit application.
4. Signage is not included within this approval. A separate sign permit will be required for all signage at the time of building permit submittal.
5. Any mechanical equipment or utility cabinets not shown on the approved site plan necessary to complete the project will be required to be screened from the public right-of-way. This includes any roof mounted equipment or cabinets located along the property frontage including the right-of-way.
6. A Conditional Use Permit is required prior to the submittal of civil plans or a building permit.



City of Flagstaff  
Community Development  
Site Plan Review Comments

**Development Engineering:** James Boyer

Approved with Conditions 03/09/2021

1. A Cross Access Easement Agreement with the MRF must be provided at Civil Plan submission.

**Water Services:** Jim Davis

Approved with Conditions 03/08/2021

Approved with Conditions:

1. The City has concerns on the grading required for the new driveway. Please provide a grading detail on how our concerns will be addressed. Per the City of Flagstaff Engineering Standards, the developer must maintain minimum 3 ft. of subgrade cover over the existing 27 inch water transmission main within the new driveway and the area of the driveway in the light industrial area, on the east side of the parcel. These concerns must be addressed at the Civil Plan submittal. The transmission main pipe is 27 inch, Ameron Prestressed Concrete Cylinder Pipe, it is extremely expensive to relocate and is very difficult to work with, in fact there are only a handful of contractors who we will allow to make any and all repairs and vertical realignments of this transmission main. The new pipe that will be used must be 30-inch Class 250 DIP and fully joint restrained. The transmission main should be potholed early on the design process.
2. The new public sewer main must connect to the existing City of Flagstaff Manhole 8-058, all of the existing 8 inch sewer service and manhole must be removed, and manhole 8-058, replaced with a new manhole. Show the manhole replacement on the Civil Plan submittal.

**Traffic:** Reid Miller

Approved with Conditions 05/03/2021

1. The western most driveway shall be designed to not allow left turns out, per the TIA. This shall be addressed on the construction plans.
2. Provide an easement for a bus shelter behind the sidewalk of the right turn lane at the main driveway.
3. The north leg of the Babbitt Dr. intersection needs to be reconstructed to align with the south leg of the intersection.
4. The Traffic Impact Analysis is still in review. Further comments on the site plan may apply after the TIA is approved.

**Multimodal:** Martin Ince

Approved with Conditions 04/22/2021

1. The corner radii at the middle and western driveways must be reduced to meet City standards.
2. Align sidewalk curb ramps to be in the same direction as crossings.
3. Provide dimensions for width of the right turn lane and bike lane. It is recommended that the bike lane include enough width to allow a buffer between the bike lane and the adjoining through lane.
4. Address previous comments regarding bike racks with building permit submittal.



# City of Flagstaff

# Community Development Division

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

P: (928) 213-2618

Date Received		Application for Conditional Use		File Number
Property Owner(s) 1600 E Butler Ave LLC			Phone	
Mailing Address 15 Reservoir Road		City, State, Zip White Plains, NY 10603	Email	
Applicant(s) Reich Brothers LLC			Phone	
Mailing Address 172 South Broadway		City, State, Zip White Plains, NY 10506	Email	
Project Representative Lindsay C. Schube / Gammage & Burnham PLC			Phone (602) 256-4471	
Mailing Address 40 North Central Avenue, 20th Floor		City, State, Zip Phoenix, AZ 85004	Email lschube@gbllaw.com	

Project Name 1600 E. Butler Avenue Redevelopment				
Site Address 1600 E. Butler Avenue		Parcel Number(s) 104-07-001C	Subdivision, Tract & Lot Number N/A	
Zoning District Light Industrial (LI)		Regional Plan Land Use Category Existing Employment, Regional Scale Pedestrian Shed	Flood Zone X, AE, AH	
Property Information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Located in an existing City of Flagstaff Historic District? (Name: _____) <input checked="" type="checkbox"/> Yes <input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No Subject property is undeveloped land?			
Surrounding Uses (Res, Com, Ind)	North Industrial	South Industrial	East Industrial	West Industrial
<b>Note:</b> Conditional Use Permits are reviewed by City's Planning and Zoning Commission (P&Z), which meets <b>the second and fourth Wednesday of every month</b> . Applications are due by the close of business no fewer than 30 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 attached checklist. <b>Incomplete submittals will not be scheduled.</b>				
Property Owner Signature See attached letter of authorization.		Date	Applicant Signature <i>LCSchube</i>	Date March 4, 2021

For City Use					
Date Filed		File Number:			
Hearing Date		Pub. / Posting Date(s):		Prop. Owner Notif. Date:	
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/Water	Stormwater

**REICH BROS.**

**Conditional Use Permit (PZ-20-00071-05)**

**Citizen Participation Report**

1600 EAST BUTLER AVENUE

*Submitted: April 23, 2021*

*Project Overview.* 1600 E Butler Ave, LLC d/b/a Reich Bros. owns the approximate 12.70 gross/net acres of property located at 1600 East Butler Avenue, also known as Coconino County Assessor Parcel Numbers 104-07-001C and -005M (“Overall Property”). Reich Bros. is proposing a Conditional Use Permit application (“CUP”) to redevelop the south approximately 7.71 acres of the Overall Property for “General Retail” and “Restaurant or Cafe” uses. See [Aerial Map](#) below. The Overall Property is zoned Light Industrial (LI) and is not subject to any zoning overlays. Existing improvements on the Overall Property include the former SCA tissue manufacturing facility, which closed in June 2017. The Property has remained vacant since.

This Citizen Participation Report is being submitted to the City of Flagstaff in accordance with Section 10-20.30.060.F to document recent outreach efforts informing nearby property owners and interested citizens of the proposed CUP.



Aerial Map

**REICH BROS.**

**Conditional Use Permit (PZ-20-00071-05)**

**Citizen Participation Report**

1600 EAST BUTLER AVENUE

*Submitted: April 23, 2021*

---

**April 12, 2021 Virtual Neighborhood Meeting**

In accordance with Section 10-20.30.060.A of the Zoning Code, Reich Bros. and its consultants held a Neighborhood Meeting on April 12, 2021 at 6:00 p.m. The Neighborhood Meeting was held via the Zoom virtual meeting platform. Details of the noticing, posting, and meeting summary are as follows:

*Mailing Notification.* In accordance with Section 10-20.30.060.D.3-.5 of the Zoning Code, a Notice of Neighborhood Meeting letter was mailed via first class mail more than fifteen (15) calendar days prior to the Neighborhood Meeting to each real property owner within 300 feet as shown on the last assessment of the property; the owner of the Overall Property; and property owners' associations and homeowner's associations within a 1,000-foot radius; and individuals, groups, etc. on the City's "Registry of Persons and Groups" as provided by the City (collectively, "Affected Parties"). The notification letter set forth the purpose and substance of the proposed application, the time, date, and virtual meeting access instructions for the Neighborhood Meeting, and contact information for Ms. Tiffany Antol, City Planner assigned to the Application, and Gammage & Burnham, PLC, the Applicant's Representative.

See Tab A—Notification Letter, Tab B—Affected Parties Mailing List, and Tab C—Affidavit of Neighborhood Meeting Notification.

*Site Posting Notification.* In accordance with Section 10-20.30.060.D.6 of the Zoning Code, Reich Bros. installed a sign along the Butler Avenue frontage setting forth the purpose, time, date, and virtual meeting access instructions for the Neighborhood Meeting. The sign was posted on the Property on March 26, 2021, ten (10) business days prior to the Neighborhood Meeting. See Tab D – Affidavit and Photo of Sign Posting.

*Meeting Summary.* The Neighborhood Meeting was held on April 12, 2021 at 6:00 p.m. The meeting was held via the Zoom virtual meeting platform, and consisted of a formal presentation followed by a question/answer and comment session. Five (5) members of the public registered for and attended the meeting. The attendee registration list is attached at Tab E.

**REICH BROS.**

**Conditional Use Permit (PZ-20-00071-05)**

**Citizen Participation Report**

1600 EAST BUTLER AVENUE

*Submitted: April 23, 2021*

---

Lindsay Schube of Gammage & Burnham, PLC, the Applicant's Representative, provided a formal presentation, which included presentation of the site plan and renderings, as well as discussion of the overall phasing and development plan.

Ms. Schube and other members of the development team responded to questions and comments from Tyler Denham, an interested citizen who lives near the site, regarding the plausibility of residential development at this site, Arizona Trail (FUTS) connectivity, parking, and civic space landscaping.

Ms. Schube responded that the CUP application is tied to a City approved Concept Plan and pending Site Plan application for the current development proposal. She further explained that the proposed parking has been reviewed and approved by the City and complies with the City's parking requirements. Ms. Antol addressed the trail connectivity, explaining that the connection point closest to the site is on the south side of Butler Avenue, and that this development proposal does not interrupt the trail system. In response to questions about civic space, Ms. Schube explained that the landscaping along Butler Avenue is planned to include a seating area, pathways, and landscaping, intended to activate the streetscape.

Diane Jacks, a meeting attendee, asked about the project timeline. Ms. Schube indicated that the Applicant intends to begin construction as soon as it obtains all necessary approvals from the City. Ms. Jacks also asked about the existing structures on the site. Ms. Schube responded that the existing structures would be demolished out of safety concerns. Finally, Ms. Jacks also asked about the nature of the industrial activity on the north portion of the Property, to which Ms. Schube answered that an end user has not yet been identified.

The meeting concluded at approximately 6:45 p.m.

\*\*\*\*

In accordance with Section 10-20.30.060.G of the Zoning Code, the City has waived the requirement for a second neighborhood meeting.

# **TAB A**

## **Notification Letter**

GAMMAGE & BURNHAM, PLC  
ATTORNEYS AT LAW  
40 NORTH CENTRAL AVENUE  
20TH FLOOR  
PHOENIX, ARIZONA 85004

March 26, 2021

Lindsay C. Schube  
lschube@gblaw.com

(602) 256-4471

Dear Property Owner, Neighborhood Association, or Interested Citizen,

1600 E Butler Ave LLC d/b/a Reich Brothers LLC (“Reich Bros.”) is proposing to redevelop the south +/- 7.71 acres of an overall 12 acre property located at 1600 East Butler Avenue (“Property”). The Property is the former SCA tissue manufacturing facility, which closed in 2017. As a development company with extensive experience redeveloping underutilized and vacant properties, Reich Bros. is proposing a new commercial and retail development on the south portion of the Property along the Butler Avenue frontage.

In order to facilitate the redevelopment of the Property, we filed Conditional Use Permit application no. PZ-20-00071-05 (“CUP”) with the City of Flagstaff to allow for “General Retail” and “Restaurant/Cafe” uses on Property. The development is planned to include a retail anchor building and a multi-tenant building capable of supporting a variety of commercial/retail, restaurant, and/or service uses. See enclosed Site Plan and Building Elevations.

We have scheduled a virtual neighborhood meeting to discuss the proposed CUP. The meeting details are as follows:

<b>Meeting:</b>	1600 East Butler Avenue Virtual Neighborhood Meeting
<b>Location:</b>	Meeting to be held <u>virtually in Zoom</u> .
<b>Registration Link:</b>	<a href="http://www.gblaw.com/1600eastbutler">www.gblaw.com/1600eastbutler</a>
<b>Date and Time:</b>	Monday, April 12, 2021 at 6:00 PM

**Instructions for Access to Virtual Neighborhood Meeting.** The neighborhood meeting will be held on the Zoom video conferencing platform, which can be accessed through your internet browser or through the Zoom app on your mobile device via the above link. For registration assistance, please contact **Ellie Brundige, Land Use Planner** at (602) 256-4409 or [ebrundige@gblaw.com](mailto:ebrundige@gblaw.com).

Please note, to participate in the meeting, you will be required to first access the above **Registration Link**. The meeting registration information will be part of the public record and shared with the City. We will also use this information to keep you informed of future meetings and hearings via email, as well as traditional mail. At the beginning of the neighborhood meeting, we will provide a brief overview of the meeting procedures and instructions for asking questions once the formal presentation has concluded.

1600 East Butler Avenue  
Neighborhood Meeting Notice  
March 26, 2021  
Page 2

Please be advised that a future hearing before the Planning & Zoning Commission will be scheduled to review this case. A specific hearing date has not yet been set. An additional notification letter will be provided identifying the date, time, and location of this hearing.

The City Planner assigned to this case is Tiffany Antol. Ms. Antol can be reached at (928) 213-2605 or [TAntol@flagstaffaz.gov](mailto:TAntol@flagstaffaz.gov). She can answer your questions regarding the City's review and hearing process.

Should you have any questions, please do not hesitate to contact me at (602) 256-4471 or [lschube@gblaw.com](mailto:lschube@gblaw.com). Thank you.

Sincerely,

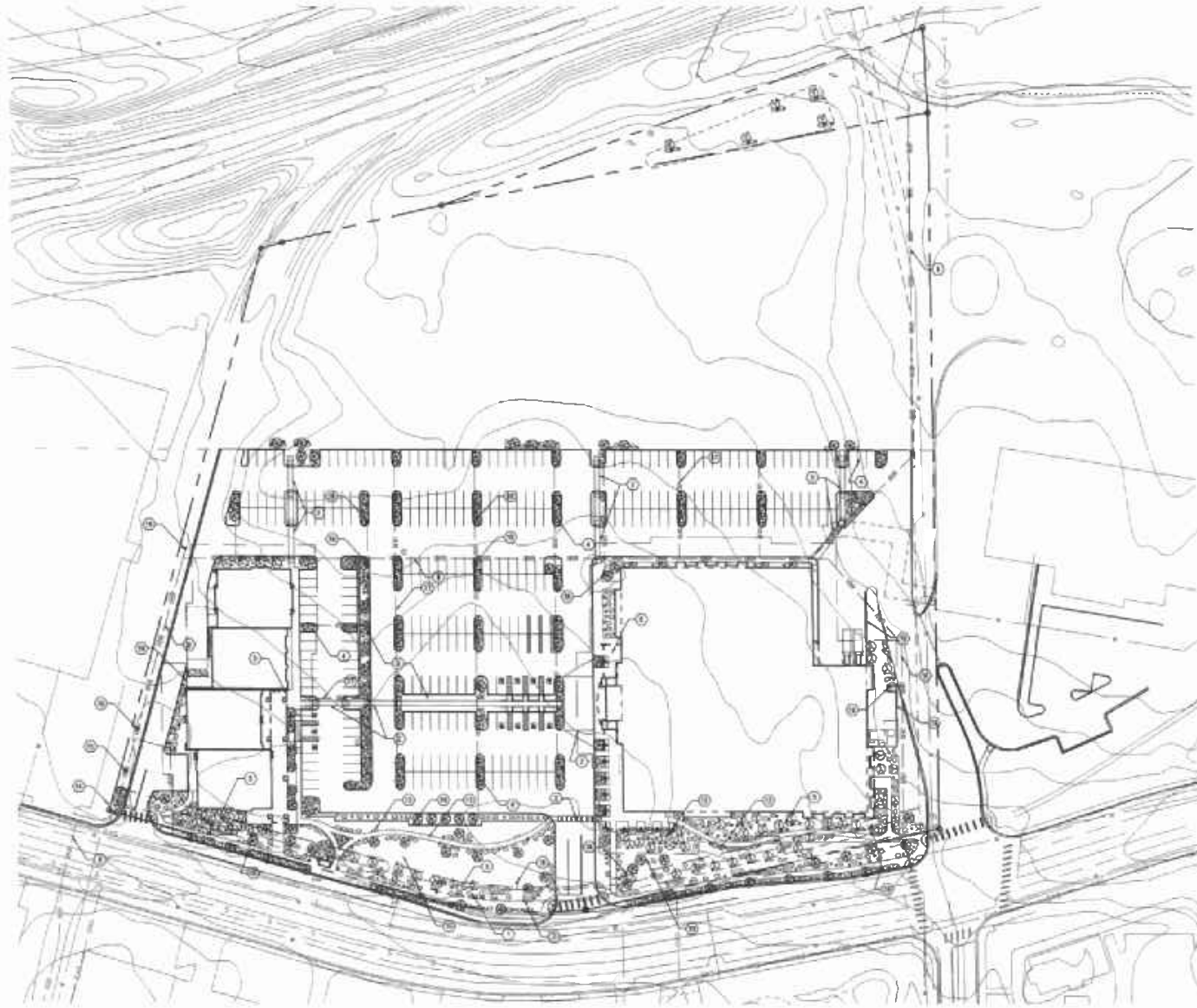
GAMMAGE & BURNHAM, P.L.C.



By

Lindsay C. Schube

LCS/sr  
Enclosure



**GENERAL NOTES**

- 1. The site is a 10-acre parcel with a 10-foot wide easement. All trees and shrubs to be removed shall be removed within 30 days of the start of construction. All trees to be removed shall be removed within 30 days of the start of construction. All trees to be removed shall be removed within 30 days of the start of construction.
- 2. City requirements: All trees to be removed shall be removed within 30 days of the start of construction. All trees to be removed shall be removed within 30 days of the start of construction.
- 3. City requirements: All trees to be removed shall be removed within 30 days of the start of construction. All trees to be removed shall be removed within 30 days of the start of construction.
- 4. City requirements: All trees to be removed shall be removed within 30 days of the start of construction. All trees to be removed shall be removed within 30 days of the start of construction.

**KEYNOTES**

- 1. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 2. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 3. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 4. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 5. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 6. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 7. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 8. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 9. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 10. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 11. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
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- 14. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 15. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 16. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 17. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 18. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 19. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)
- 20. STREET LIGHTS - 10' MAX. (SEE LAYOUT AND ELECTRICAL FOR DETAILS)

**LEGEND - LANDSCAPE**

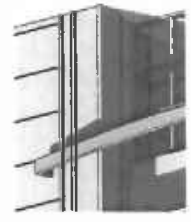
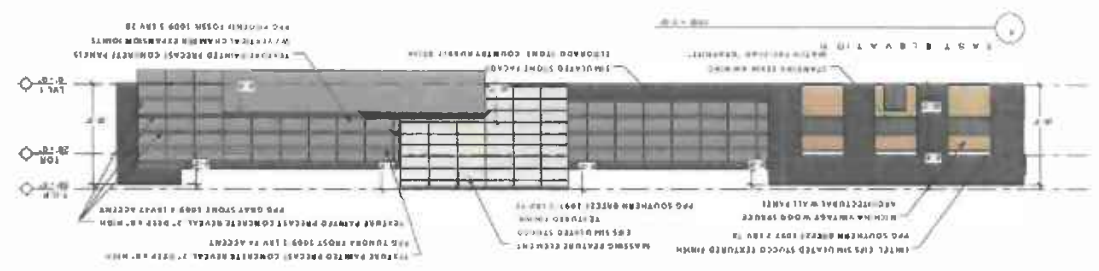
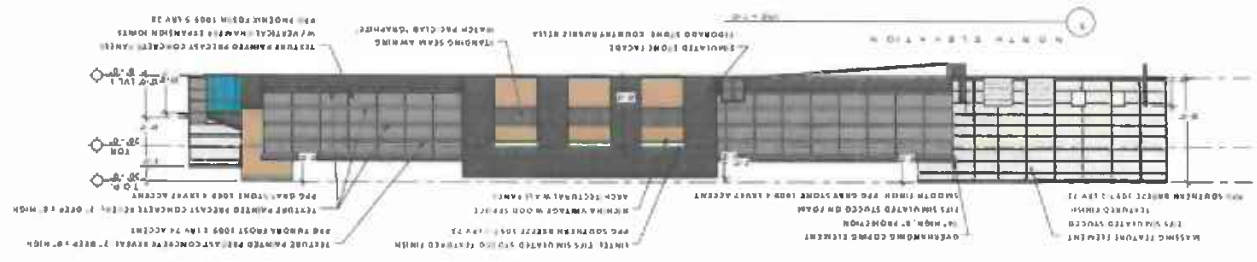
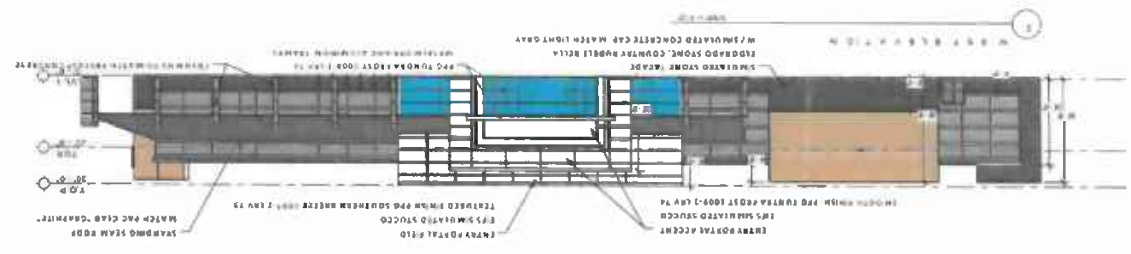
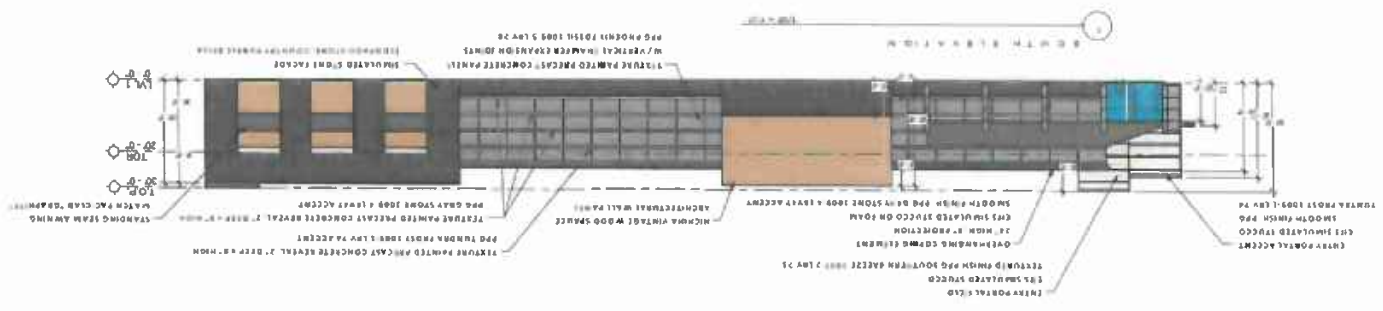
- 1. TREE (10' HGT)
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- 19. TREE (10' HGT)
- 20. TREE (10' HGT)

1 LANDSCAPE PLAN  
1" = 30'



JOHNSON WALZER ASSOCIATES LLC, 17 NORTH SAN FRANCISCO STREET, SUITE 3A, FLAGSTAFF, ARIZONA 86001 (928) 779-0470  
 REICH BROTHERS  
 PHASE ONE RETAIL DEVELOPMENT  
 1600 EAST BUTLER AVENUE FLAGSTAFF, ARIZONA  
 TITLE LANDSCAPE PLAN  
 PROJECT 20095  
 SCALE 1" = 30'  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 DATE: MAR-2011  
 AS1.3





GENERAL NOTES

- A EAST ELEVATION
- B WEST ELEVATION
- C NORTH ELEVATION
- D SOUTH ELEVATION
- E FINISH AREA
- F FINISH AREA
- G FINISH AREA
- H FINISH AREA
- I FINISH AREA
- J FINISH AREA
- K FINISH AREA
- L FINISH AREA
- M FINISH AREA
- N FINISH AREA
- O FINISH AREA
- P FINISH AREA
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- S FINISH AREA
- T FINISH AREA
- U FINISH AREA
- V FINISH AREA
- W FINISH AREA
- X FINISH AREA
- Y FINISH AREA
- Z FINISH AREA



PROJECT: 20088  
 SHEET: ARCH-17A  
 DRAWING: AP  
 CHECKED BY: JWA  
 DATE: 11/11/15

# **TAB B**

## **Affected Parties Mailing List**

1600 East Butler Avenue  
 Conditional Use Permit (PZ-20-00071-05)  
 March 26, 2021 Notification of Neighborhood Meeting Mailing List

<b>PROPERTY OWNERS WITHIN 300 FEET</b>					
<b>PROPERTY OWNER</b>	<b>COCONINO COUNTY APN</b>	<b>MAILING ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
1850 EAST BUTLER LLC	10601012B	1524 W WILLIAMS DR NO 115	PHOENIX	AZ	85027
ASPEN LLC	10413012	PO BOX 789	FLAGSTAFF	AZ	86002
BNSF RAILWAY COMPANY	10406009D, 10406009B, 10601009B	PROPERTY TAX DEPARTMENT PO BOX 961089	FORT WORTH	TX	76161-0089
BUS STATION LLC	10413013A	PO BOX 789	FLAGSTAFF	AZ	86002
D & E BRACKIN LP	10413005N	7705 E DOUBLETREE RANCH RD NO 39	SCOTTSDALE	AZ	85258
DON DAN & DAVE SMITH LLC	10407002B	208 S COUNTRY CLUB DR	MESA	AZ	85210
FLAGSTAFF CITY OF	10601011N, 10406009E, 10406009C, 10601011J, 10601009C	211 W ASPEN AVE	FLAGSTAFF	AZ	86001
FLORES DAVID EDWARD	10413014	PO BOX 2817	FLAGSTAFF	AZ	86003
HYKSTRA LLC	10407002C	PO BOX 818	FLAGSTAFF	AZ	86002
KRAISORN INVESTMENT LLC	10413010	4140 E WOODBRIDGE LN	FLAGSTAFF	AZ	86004
MOFFATT INDUSTRIES LLC	10413011	5715 N CAMELDALE WAY	PARADISE VALLEY	AZ	85353
PEWITT DONALD E FAMILY TRUST DTD 07-18-85	10602003	14426 N 15TH ST	PHOENIX	AZ	85022
SCFLAGSTAFF LLC	10602002B	PO BOX 8050 MS 0555	BENTONVILLE	AR	72716
UNISOURCE ENERGY CORPORATION	10413004A	PO BOX 711 MAIL STOP HQW802	TUCSON	AZ	85702-0711
VERIZON WIRELESS	10413005J	PO BOX 635	BASKING RIDGE	NJ	7920
WALLACE WAYNE EDWARD & ROBERTA SHARBER	10413009C	420 W ROOSEVELT ST	PHOENIX	AZ	85003
1600 E BUTLER AVE LLC	10407001C and 10407005M	15 RESERVOIR RD	WHITE PLAINS	NY	10603
<b>HOMEOWNERS' ASSOCIATIONS WITHIN 1,000 FT</b>					
		<b>MAILING ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
SWITZER MESA SUBDIVISION HOMEOWNER ASSOC	10142070	323 S RIVER RUN RD STE 1	FLAGSTAFF	AZ	86001
<b>CITY REGISTRY OF INTERESTED PERSONS</b>					
		<b>MAILING ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
FRIENDS OF FLAGSTAFF'S FUTURE		P.O. BOX 23462	FLAGSTAFF	AZ	86002
MICHELE A. JAMES, EXECUTIVE DIRECTOR FRIENDS OF FLAGSTAFF'S FUTURE		P.O. BOX 23462	FLAGSTAFF	AZ	86002
NORTHERN ARIZONA BUILDING ASSOCIATION		1500 EAST CEDAR AVENUE, SUITE 86	FLAGSTAFF	AZ	86004
NORTHERN ARIZONA ASSOCIATION OF REALTORS, JEFFREY HERD		1515 EAST CEDAR AVENUE, SUITE C-4	FLAGSTAFF	AZ	86004
TISH BOGAN-OZMUN		5271 MT. PLEASANT DRIVE	FLAGSTAFF	AZ	86004
MARILYN WEISSMAN		1055 EAST APPLE WAY	FLAGSTAFF	AZ	86001
MAURY HERMAN COAST AND MOUNTAIN PROPERTIES		3 NORTH LEROUX STREET	FLAGSTAFF	AZ	86001
NAT WHITE		1120 NORTH ROCKRIDGE ROAD	FLAGSTAFF	AZ	86001
CHARLIE SILVER		720 WEST ASPEN AVENUE	FLAGSTAFF	AZ	86001
BETSY MCKELLAR		330 S ASH LANE	FLAGSTAFF	AZ	86004
DAVID CARPENTER		495 S RIVER RUN SUITE 100	FLAGSTAFF	AZ	86001
DORENDA COLEMAN ARIZONA ARMY NATIONAL GUARD, AZAA-FMO		5636 E MCDOWELL RD, M5330	PHOENIX	AZ	85008
MARY BETH DREUSIKE US NAVY, INTERGOVERNMENTAL BRANCH		850 PACIFIC HIGHWAY BUILDING 1 - 5TH FLOOR, SUITE 513	SAN DIEGO	CA	92132

1600 East Butler Avenue  
 Conditional Use Permit (PZ-20-00071-05)  
 March 26, 2021 Notification of Neighborhood Meeting Mailing List

CELIA BAROTZ		3354 N CREST STREET	FLAGSTAFF	AZ	86001
NORM WALLEN		3716 N GRANDVIEW	FLAGSTAFF	AZ	86004
JAY CHRISTELMAN COCONINO COUNTY COMMUNITY DEVELOPMENT		2500 N FORT VALLEY RD BLDG 1	FLAGSTAFF	AZ	86001-1287
TYLER DENHAM		800 W FOREST MEADOWS ST, APT 119	FLAGSTAFF	AZ	86001
JESS MCNEELY COCONINO COUNTY COMMUNITY DEVELOPMENT		2500 N FORT VALLEY RD BLDG 1	FLAGSTAFF	AZ	86001-1287
STEVE FINCH FLAGSTAFF LODGING, RESTAURANT & TOURISM ASSOC		PO BOX 30622	FLAGSTAFF	AZ	86003
ADRIAN SKABELUND		819 WEST GRAND CANYON AVE	FLAGSTAFF	AZ	86001
RACHEL BASS		3083 W. EASTERDAY LANE	FLAGSTAFF	AZ	86001
<b>OTHER INTERESTED PARTIES</b>					
		<b>MAILING ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
TIFFANY ANTOL CITY OF FLAGSTAFF		211 W. ASPEN AVE.	FLAGSTAFF	AZ	86001
COCONINO COUNTY		2500 N. FORT VALLEY ROAD	FLAGSTAFF	AZ	86001
GAMMAGE & BURNHAM, PLC ATTN: NICHOLAS SOBRASKE		40 NORTH CENTRAL AVE, 20TH FLOOR	PHOENIX	AZ	85004

# **TAB C**

## **Affidavit of Neighborhood Meeting Notification**

**Affidavit of Neighborhood Meeting Notification**

Case Number: PZ-20-00071-05

Project Name: 1600 E. Butler Avenue Redevelopment

Applicant Name: Reich Brothers LLC

Location: 1600 East Butler Avenue

On behalf of the applicant, I hereby confirm that the neighborhood meeting notification was completed as detailed in Section 10-20.30.060 of the City of Flagstaff Zoning Code.

Applicant's/Representative's Signature: 

SUBSCRIBED AND SWORN before me this 22<sup>nd</sup> day of April, 2021 by: Nicholas Sobraske

  
Notary Public



**SHERIDAN ROMINE**  
Notary Public - Arizona  
Maricopa Co. / #566111  
Expires 06/31/2023

My Commission Expires:  
5/31/2023

# **TAB D**

**Affidavit and Photo of Sign Posting**

**Affidavit of Neighborhood Meeting Sign Posting**

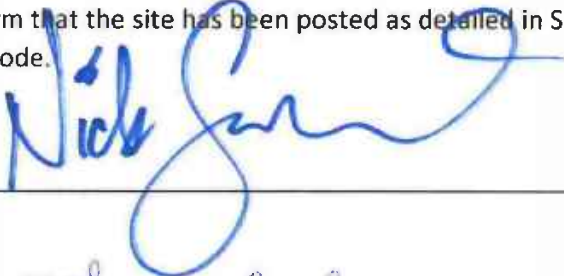
**Case Number:** PZ-20-00071-05

**Project Name:** 1600 E. Butler Avenue Redevelopment

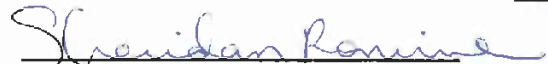
**Applicant Name:** Reich Brothers LLC

**Location:** 1600 East Butler Avenue

On behalf of the applicant, I hereby confirm that the site has been posted as detailed in Section 10-20.30.060 of the City of Flagstaff Zoning Code.

Applicant's/Representative's Signature: 

SUBSCRIBED AND SWORN before me this 22<sup>nd</sup> day of April, 2021 by: Nicholas Sobraske

  
Notary Public



**SHERIDAN ROMINE**  
Notary Public - Arizona  
Maricopa Co. / #566111  
Expires 05/31/2023

My Commission Expires:  
5/31/2023

**CITY OF FLAGSTAFF**  
NOTICE OF NEIGHBORHOOD MEETING FOR A  
CONDITIONAL USE PERMIT (PZ-20-00071-05)

1600 E Butler Ave, LLC is requesting a Conditional Use Permit for +/- 7.71 acres located at 1600 East Butler Avenue to allow for "General Retail" and "Restaurant/Cafe" uses within the Light Industrial—LI zoning district.

When:	April 12, 2021 at 6:00 PM
Where:	<b>Meeting to be held virtually</b> Join Zoom Meeting: <a href="http://www.gbaw.com/1600eastbutler">www.gbaw.com/1600eastbutler</a>
Representative Contact:	Lindsay C. Schube, Gammage & Burnham PLC (602) 256-4471
City Contact:	Tiffany Antol, Community Development Director (928) 213-2605

Mar 26, 2021 1:53:36 PM  
1609 East Butler Avenue  
Flagstaff  
Coconino County  
Arizona

# **TAB E**

## **Neighborhood Meeting Attendee Registration Sheet**

**April 12, 2021 Neighborhood Meeting Attendees  
1600 East Butler Avenue Redevelopment (PZ-20-00071-05)**

<b>Attendee Name</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>ZIP</b>
Tyler Denham	800 W. Forest Meadows St	Flagstaff	AZ	86001
Ed Flores	1509 E Butler Ave	Flagstaff	AZ	86001
Diane Jacks	6510 Carols Pl	Flagstaff	AZ	86004
Brandon Smith	208 S. Country Club Dr	Mesa	AZ	85210
Donald Smith	208 S Country Club	Mesa	AZ	85210

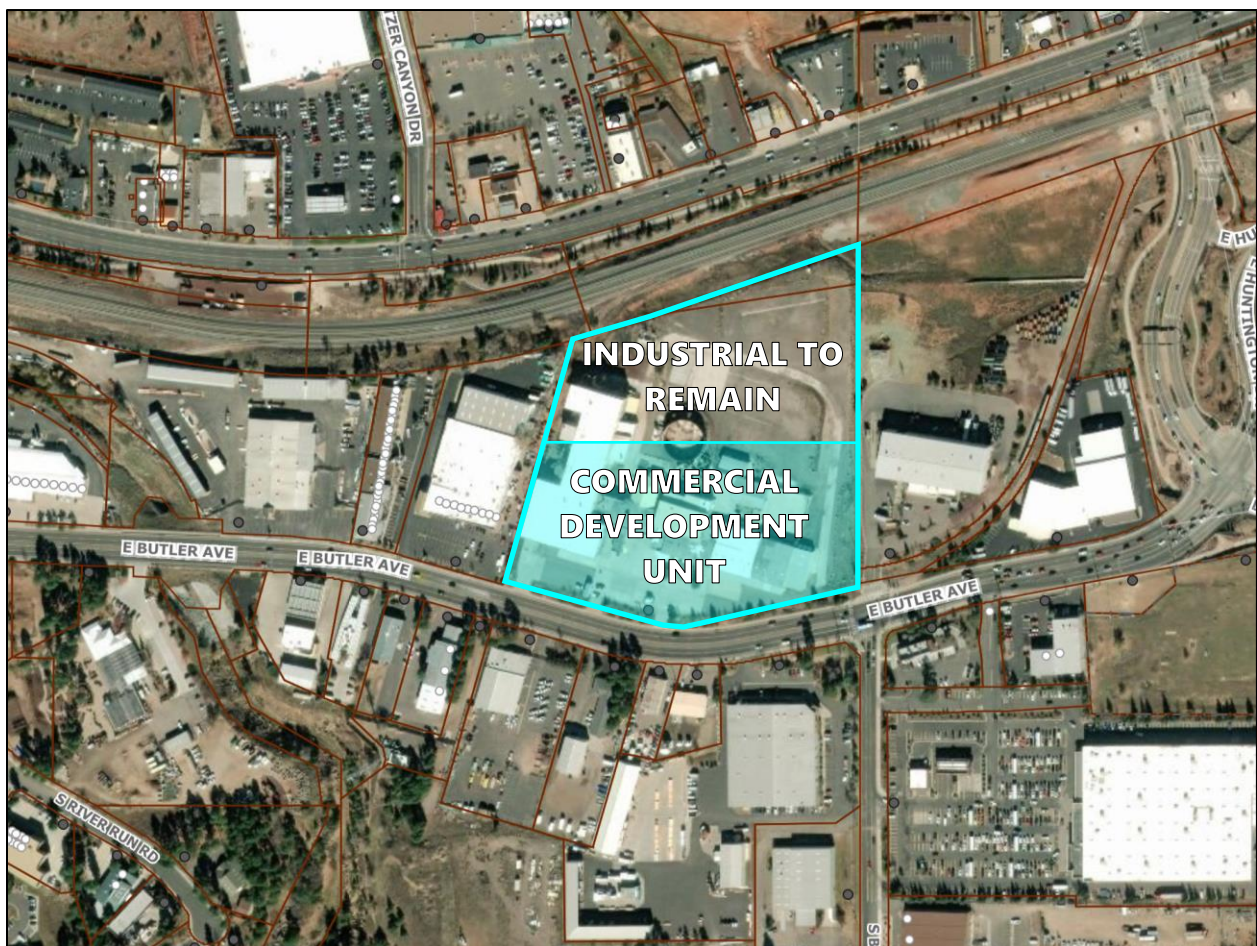
## REICH BROS.

### Conditional Use Permit—Project Narrative

1600 EAST BUTLER AVENUE

Revised: April 9, 2021

*Introduction.* Reich Brothers, LLC (“Reich Bros.”) owns the approximate 12.70 gross/net acres of property located at 1600 East Butler Avenue, also known as Coconino County Assessor Parcel Numbers 104-07-001C and -005M (“Overall Property”). This Conditional Use Permit application (“CUP” or “Application”) proposes to redevelop the south approximately 7.71 acres (“Commercial Development Unit”) of the Overall Property for “General Retail” and “Restaurant or Cafe” uses. See [Aerial Map](#). The Overall Property is zoned Light Industrial (LI) and is not subject to any zoning overlays. Existing improvements on the Overall Property include the former SCA tissue manufacturing facility, which closed in June 2017. The Property has remained vacant since.



Aerial Map

On November 16, 2020, City Staff issued IDS approval for Development Master Plan PZ-20-00071-02 for the Overall Property. The Development Master Plan represents the first level of preliminary master site planning for the redevelopment, as well as establishes the overall

## **REICH BROS.**

### **Conditional Use Permit—Project Narrative**

1600 EAST BUTLER AVENUE

*Revised: April 8, 2021*

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project vision. On December 9, 2020, an informational presentation on the Development Master Plan was made to the Planning & Zoning Commission.

On November 16, 2020, City Staff issued IDS approval for Concept Plan Review PZ-20-00071-01 for the Commercial Development Unit. The Concept Plan Review application represents the second level of site planning for the Commercial Development Unit.

Site Plan Review PZ-20-00071-04 for the Overall Property has been resubmitted concurrently with this CUP.

**Context.** The Overall Property is an infill parcel surrounded by existing development on all sides. To the north is the BNSF rail line; to the east is City-owned and operated Material Recycling Facility zoned LI; to the south across Butler Avenue is a hardware store zoned LI-Open, and automotive repair shops, offices, and veterinary clinic, all zoned LI; to the west is GO AZ Motorcycles dealership zoned LI. Additionally, two BNSF rail spurs terminate on the Overall Property—one near the northwest corner; the other near the southeast corner on the Commercial Development Unit. (On December 1, 2020, Reich Bros. terminated the rail contract for the rail spur at the southeast corner.) Moving further outward, notable uses include Hensley Beverage Company to the east, Sam's Club to the southeast, and Central Arizona Supply, a plumbing showroom and warehouse, to the west.

**Site Plan.** The Site Plan has been designed such that it creates a unique sense of place and identity, and provides opportunities for pedestrian activity and social interaction, all within an integrated development plan. See [Site Plan](#).

The Commercial Development Unit is planned to include approximately 77,000 square-feet of building, which can accommodate a variety of general commercial/retail, restaurant, and/or service uses (+/- 22.8% lot coverage and 0.227 FAR, where 0.25 FAR is maximum—calculated based on 7.71 ac.). Specifically, an approximately 58,100 square-foot anchor building is planned at the southeast corner. This building will accommodate Kohl's, which will be relocating from its current location at 500 Forest Meadows. A freestanding, approximately 18,240 square-foot multi-tenant building capable of supporting a wide variety of uses is planned at the southwest corner. Importantly, both the anchor and multi-tenant buildings are purposely pushed up against the Butler Avenue frontage to activate the streetscape and provide for strong pedestrian and visual connections between the buildings, surrounding street frontage, and public civic and pedestrian-oriented spaces on the site. Additionally, the southernmost suite within the multi-tenant building provides an opportunity for a restaurant or coffee shop, with the potential for outdoor dining or similar opportunity, further activating the Butler Avenue

streetscape. Associated site improvements, such as hardscape, landscaping, parking, lighting, and infrastructure, will also be provided.

The Site Plan includes two landscaped pathways that extend from the Butler Avenue sidewalk to the entrances of the anchor and multi-tenant buildings, which are strategically oriented towards each other to create a visual and physical connection between the anchor building and the multi-tenant building. The pathways encourage and facilitate pedestrian and other alternative modes of transportation to the site. The on-site pedestrian network is further improved with pathways that extend from the anchor and multi-tenant buildings north to the future industrial/business park uses. The Commercial Development Unit is planned to include an expansive civic space spanning nearly the entire Butler Avenue frontage. This civic space will include a pedestrian pathway pulled back from the Butler Avenue frontage, along with landscaping and benches, all of which create an inviting experience for the public, pedestrians, and patrons.

The surface parking lot is intentionally set back from Butler Avenue behind the front façade of the buildings and will include decorative screen walls along the Butler Avenue frontage. The public civic space and landscape buffer along Butler Avenue will further ensure that the surface parking does not dominate the Butler Avenue streetscape. An enhanced, east-west pedestrian pathway extending through the central parking field, which physically and visually connects the anchor and multi-tenant buildings. This pathway will be raised (except at drive aisles) to create a safe crossing and include evenly spaced landscape islands to create a comfortable, shaded environment for pedestrians. In addition to providing on-site pedestrian connectivity between the anchor and multi-tenant buildings, the pathway, along with the parking lot landscape islands and end-caps, break-up the central parking field into smaller “sub” parking lots to avoid the appearance of a “sea” of surface parking.

Redevelopment will include the removal of the BNSF rail spur near the southeast corner of the Property, as it is located where the anchor tenant building is planned.

***Architecture.*** The redevelopment of the Commercial Development Unit includes two buildings—the Kohl’s building and the multi-tenant building. The Kohl’s building features highly articulated pre-cast concrete panels. These will be plant-manufactured units, ensuring a high degree of quality and precision, including a visually pleasing pattern of articulation joints. Tops of the panels will be adorned with large overhanging coping elements to provide visual relief with shadowing at the wall tops. Two feature elements are included, one a building mass with high-quality architectural Nichiha panels with simulated wood finish; the second building mass-feature includes deeply recessed façade elements to provide smaller human scaled areas

## **REICH BROS.**

### **Conditional Use Permit—Project Narrative**

1600 EAST BUTLER AVENUE

*Revised: April 8, 2021*

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of interest and shadowed areas to further break-up the facades. The large entry portal feature will draw focus on the front doors, which include doors oriented to the east/west pedestrian spine and to the south, clearly visible to pedestrians on Butler Avenue. A wainscot and feature walls are clad in simulated rubble stone to further enrich the exterior and provide the sense of a mass base. Exterior walls are broken into large massing elements, jogging both horizontally and vertically. Two types of parapet treatments are also planned, providing additional visual interest at the top of the building.

The multi-tenant building uses a similar color at the main field masonry walls to relate to the larger major retail building. It features a low curving roof that is freestanding in places and engaged with the building in others, providing significant interest and human scale for shoppers at the entry to the shops. The base for this element will be simulated dark rubble stone, similar to native Malpai. The curving form is a subtle reference and homage to the bow trusses used in the original manufacturing building at this site. The curving form is repeated at other feature windows, which are deeply recessed around the building. Each tenant space has a unique shape and mass visible at the front and echoed at the west façade, which is partially visible along Butler Avenue. The general color scheme will be warm dark gray with earth tones as accents that will relate well to the accent stone used throughout. The covered entrance element extends beyond the south building façade, creating a warm and welcoming sense for shoppers approaching from the Butler Avenue sidewalk or the civic space.

**Access.** Primary access to the Commercial Development Unit is planned via a new driveway located at the approximate mid-point of the Butler Avenue frontage. This driveway will include distinctive landscaping elements to clearly define it as a gateway into the center. The orientation of the buildings, enhanced landscaping, and project and/or wayfinding signage will help direct motorists. A new, second point of access is planned at Babbitt Drive, which is currently used by the City recycling facility to the east. It is planned that this new point of access will be improved from one northbound thru lane, one southbound left turn lane, and one southbound thru lane to a signalized one northbound thru lane, two southbound left turn lanes, and one southbound thru lane. The dual southbound left turn lanes are anticipated to provide 100 FT of queueing each. Most vehicles accessing the commercial buildings will likely use one of these two driveways on Butler Avenue. A third point of access off of Butler Avenue is provided via an existing driveway at the southwest corner of the Property. This point of access is intended for access to the future industrial/business park uses. Reich Bros. has and will continue to work with City Staff to coordinate shared access with the City recycling facility, including to obtain any necessary easement(s) and/or permit(s).

*Phasing.* The Commercial Development Unit may be constructed in one or more phases. It is anticipated that Phase I of the development will include the anchor building together with the necessary on- and off-site work (landscaping, parking, infrastructure, civic space, etc.). Phase I may also include the multi-tenant building together with the necessary site work. Alternatively, the multi-tenant building may be constructed as Phase II or as market conditions warrant. Improvements to the Commercial Development Unit will include extending two water stubs, a sewer stub, and a gas stub to the future industrial/business park area. (The north 4.99 acres being maintained for future industrial/business park uses are intended to be developed in a future phase(s). Specific plans and construction documents for each phase will be processed for review and approval by the City to ensure proper and orderly development.

\* \* \*

*Compatibility.* The Zoning Code promotes development that reinforces the character of the neighborhoods, districts, and corridors of the City. Compatibility is important to ensure that the characteristics of different uses, activities, and designs allow them to be located near or adjacent to each other in a harmonious manner—this development proposal recognizes this and has been designed to take into account several factors that are unique to the Overall Property and surrounding area. Pursuant to Section 10-30.60.050, the following basic design elements should be considered when accessing compatibility of a new development, which is subject to approval of a conditional use permit:

*Patterns of Development.* *Patterns of development include characteristics such as streetscape, site relationships, signage, and landscape features.*

Properties along this segment of Butler Avenue have been developed and redeveloped over the years under different Zoning Codes and requirements, which has resulted in the Butler Avenue streetscape lacking a consistent development pattern and streetscape character. The buildings are largely comprised of pre-engineered metal structures (many of which do not comply with the current Site Planning Design Standards), with some block buildings; a disparity of site relationships, including setbacks and parking; a variety of landscape, plantings, and setbacks; various forms and styles of building and ground mounted signage; and no street furnishings. Specific to the Overall Property, there are 10 different buildings, which were constructed over the course of nearly 50 years, all with different architectural styles, building forms, materials, colors, etc. There is no consistent or established pattern of development, character, or design continuity on the Overall Property or within the surrounding area. Approval of this CUP will replace the existing mismatch of structures on the Overall Property with

two new commercial buildings that will include uniform architectural details, colors, and materials, establishing a new standard for development along this segment of Butler Avenue.

The Site Plan also includes a number of strategic design features and elements to ensure compatibility with the north 4.99 acres of the Overall Property not subject to this CUP. First, a wide, east-west landscape buffer spans the north side of the Commercial Development Unit (where it meets the remaining 5 industrial acres), which will include trees, shrubs, and groundcover. Second, the buildings have been purposely “sited” closest to Butler Avenue and oriented towards one another to physically and visually separate the future industrial use and recycling facility from patrons of the Commercial Development Unit. Third, the new driveway along Butler Avenue provides patrons of the Commercial Development Unit convenient and efficient access to the site while separating commercial traffic from industrial traffic, which will utilize driveways at the southeast and southwest corners of the site.

The thoughtful design of the site plan and the cohesive, unified development theme, which includes common architectural details, colors, and materials; landscaping intended to compliment the variety of plantings in the surrounding area; an expansive public open space with pedestrian amenities and enhanced landscaping; and signage, which will take its design queues from the planned buildings, ensure compatibility between the Commercial Development Unit and other uses and activities along Butler Avenue.

*Scale. Scale refers to similar or harmonious proportions, especially overall height and width, but also includes the visual intensity of the development, building massing, and the shapes and sizes of the various design elements, such as windows and doors.*

The current Butler Avenue streetscape is a mixture of commercial and retail, industrial, service, and restaurant uses, with a variety of heights, proportions, and mass. The proposed anchor and multi-tenant buildings have been sensitively designed and “sited” to respect the scale, height, proportions, and mass of these other uses.

This Application recognizes that the overall existing height of a resource is critical to prevent new work from dominating existing work. Accordingly, both the anchor and multi-tenant buildings are planned to be 30-feet, which is consistent with, if not less than, the building height on adjoining properties, and significantly less than the 60-feet permitted by-right in the ‘underlying’ LI zoning district. Additionally, the anchor and

multi-tenant buildings are planned to include architectural elements like vertical and horizontal articulation to further visually reduce the perceived height and scale of the buildings.

Traditional structures commonly have established proportions for various parts of the structure and for the arrangement of the parts; however, the majority of the structures, including those existing on the Overall Property, along this segment of Butler Avenue lack proportion, as they are pre-engineered “boxes” or square block buildings. This Application introduces two new buildings that incorporate a higher level of architecture, design, and quality of materials. The buildings integrate into the existing context of the surrounding area through the use of textures, materials, details, colors, and other architectural elements. Special attention has been given to the Butler Avenue facades, which include overhanging coping elements to provide visual relief with shadowing at the wall tops, a visually pleasing pattern of articulation joints, high-quality architectural Nichiha panels with simulated wood finish, deeply recessed façade elements to provide smaller human scaled areas of interest and shadowed areas, a large portal entry feature that draws focus to the front doors, wainscot, and feature walls clad in simulated rubble stone to further enrich the exterior and provide the sense of a mass base.

Additionally, this Application effectively breaks up the massing of the building, which, importantly, establishes a human scale along Butler Avenue, as well as on-site. The aforementioned architectural elements, along with the “jog” of the horizontal building plane, break up the massing of the planned anchor building into smaller sub-volumes, to ensure it is compatible with the scale, proportion, and mass of surrounding buildings.

*Continuity.* Continuity encompasses patterns of development and scale, but also characteristics such as site development, building forms, textures, materials, details, and colors.

Existing development along Butler Avenue, including that currently on the Overall Property, includes a wide range of older developments, few of which comply with the current Site Plan Design Standards in the Zoning Code. Due to the age and non-conformance of these structures, there is no continuity or design theme along this segment of Butler Avenue. Approval of this CUP will replace the existing mismatch of structures, building forms, and architectural styles on the site with two new commercial buildings that will include uniform architectural details, colors, materials, and textures, and similar building forms.

In addition to the two buildings, site development of the Commercial Development Unit will include paving and parking, convenient and safe pedestrian access on-site and to/from the Butler Avenue street frontage, public civic space with pedestrian pathways, peripheral and buffer landscaping, hardscape, screen walls, lighting, and signage. Improvements also include installing a new detached sidewalk, with a landscaped parkway, to promote pedestrian connectivity and improve comfort. These site development improvements are compatible with and an improvement of that currently on the Overall Property and properties in the surrounding area.

Building forms, including roof forms, commonly have some variation; however, the majority of structures along this segment of Butler Avenue are pre-engineered “boxes” or square block buildings. The proposed buildings have been designed to include building forms that comply with the Site Planning Design Standards and Architectural Design Standards, including the use of building materials (primary and secondary), placement of building materials, building mass and scale, textures, horizontal and vertical shadow lines, and architectural elements. Additionally, the Site Plan includes building forward design with parking areas located to the side and rear of the buildings, streetscape, public civic space, signage, and landscaping. The redevelopment of the Property will be a significant improvement to the Property.

\* \* \*

*Findings for a Conditional Use Permit.* Pursuant to Section 10-20.40.050.E of the Zoning Code, a Conditional Use Permit may be approved upon making the following findings:

*Finding No. 1:* This CUP is consistent with the goals and objectives of the Zoning Code and the purpose of the LI zoning district.

The Zoning Code states, “The Light Industrial (LI) zone applies to areas of the City appropriate for clean and quiet industries **in proximity to commercial development**, including manufacturing, warehousing, and related uses . . . The LI zone establishes a transitional area between commercial and heavy industrial areas; while at the same time it is applied to areas of the City as a freestanding industrial zone.” [Emphasis added.]

The LI zone allows for commercial, retail, and service uses with approval of a Conditional Use Permit. The primary reasons for the Conditional Use Permit is to protect the uses that are allowed by-right in the LI zone, which may be incompatible with the general commercial, retail, and services uses. Existing surrounding uses include other commercial, general retail, office,

restaurant, and service uses, which are consistent in intensity and nature with this CUP. Approval of this CUP will not be detrimental to or incompatible with the uses that are allowed by-right in the LI zone.

Additionally, the site plan includes a number of strategic design features and elements to provide proper transition away from the north 4.99 acres of the Overall Property not subject to this CUP. First, a wide, east-west landscape buffer spans the north side of the Commercial Development Unit (where it meets the remaining 5 industrial acres), which will include trees, shrubs, and groundcover. Second, the buildings have been purposely “sited” closest to Butler Avenue and oriented towards one another to physically and visually separate the future industrial use and recycling facility from patrons of the Commercial Development Unit. Third, the new driveway along Butler Avenue provides patrons of the Commercial Development Unit convenient and efficient access to the site, while separating commercial traffic from industrial traffic, which will utilize driveways at the southeast and southwest corners of the site.

*Finding No. 2:* This CUP will not be detrimental to the public health, safety, or welfare.

The development will be permitted and constructed in accordance with all applicable City Code and Ordinances. The existing surrounding commercial, general retail, office, restaurant, and service uses have proven not to be detrimental to the public health, safety, or welfare. **The addition of “General Retail” and “Restaurant or Café” uses within the Commercial Development Unit are consistent in intensity and nature with these other surrounding uses. Accordingly, the proposed CUP will also not be detrimental to the public health, safety, or welfare.**

*Finding No. 3:* This CUP and the proposed uses are compatible with the types of uses permitted in the surrounding area. Additionally, this CUP satisfies Section 10-20.40.050.E.3 of the Zoning Code.

Access and Traffic; Pedestrian, Bicycle, and Vehicular Circulation. Reich Bros. prepared a Traffic Impact Analysis which determined that the proposed development will have not change the levels of service on the surrounding intersections and road networks. Butler Avenue, a major east-west thoroughfare in the City, has sufficient capacity to support the proposed uses.

Primary access to the Commercial Development Unit is planned via a new driveway at located at the approximate mid-point along Butler Avenue. A westbound (right turn) deceleration lane is planned at this driveway to further improve safety and turning efficiencies along Butler Avenue.

Secondary access to the Commercial Development Unit is planned at Babbitt Drive. It is anticipated that this new point of access will be improved from one northbound thru lane, one southbound left turn lane, and one southbound thru lane to a signalized one northbound thru lane, two southbound left turn lanes, and one southbound thru lane. The dual southbound left turn lanes are anticipated to provide 100 FT of queueing each. Reich Bros. has and will continue to work with City Staff to coordinate this access point, including to obtain any necessary easement(s) and/or permit(s).

A third point of access off of Butler Avenue is provided via an existing driveway at the southwest corner of the Overall Property. This point of access is intended for use by industrial traffic to separate it from commercial traffic, so as to avoid any conflicts.

On-site parking has been designed to comply with all applicable City Codes and Ordinances.

The existing pedestrian/bicycle network along the Butler Avenue frontage is limited to a narrow, attached sidewalk. **This development proposal includes a significant improvement to the pedestrian/bicycle network.** Reich Bros. is proposing a new, detached sidewalk, with ample landscaping on both sides to create a comfortable pedestrian experience. Reich Bros. will be the first to feature a detached sidewalk with landscaping in this area. Additionally, a meandering pedestrian pathway, along with landscaping, is planned within the public civic space along the Butler Avenue frontage, providing patrons direct and convenient access to and from the commercial uses. The on-site pedestrian/bicycle network is further improved with pathways that extend between the two buildings. Collectively, these improvements encourage and facilitate pedestrian and other alternative modes of transportation to the site.

- a. Adequacy of Site/Open Space/Resource Protections. **This development proposal provides more than 8% public civic space conveniently located along the Butler Avenue frontage.** This expansive civic space spans nearly the entire Butler Avenue frontage, with a maximum depth of approximately 90-feet. This civic space will include a pedestrian pathway pulled back from the Butler Avenue frontage, along with landscaping (trees, shrubs, grass), and benches, all of which create an inviting

experience for the public, pedestrians, and patrons. The proposed site plan complies with all other applicable LI development standards, including open space/common area, building and landscape setbacks, building height, floor area ratio, and parking requirements.

The Property is not located within the Resource Protection Overlay.

- b. Noise, Light, and Other Pollutants. The Property was historically used as an industrial paper manufacturing along a rail line. **The proposed “General Retail” and “Restaurant or Cafe” uses are less intense than the former industrial paper manufacturing facility, and will not cause an increase noise, light, or other pollutants into the area or that beyond ambient conditions.** The proposed uses are consistent with other uses in the surrounding area.
- c. Style and Siting of Structures and Relationship to Surrounding Neighborhood. **The proposed buildings have been designed in accordance with the Site Planning Design Standards in the Zoning Code.**

Existing development along Butler Avenue, including that currently on the overall Property, includes a wide range of older developments, few of which comply with the current Site Plan Design Standards in the Zoning Code. Due to the age and non-conformance of these structures, there is no continuity or design theme along this segment of Butler Avenue. Approval of this CUP will replace the existing mismatch of structures on the site with two new commercial buildings that will include uniform architectural details, colors, and materials, establishing a new standard for development along this segment of Butler Avenue. This development proposal complies with all current Zoning Code requirements, including building forward design with parking areas located to the side and rear of the buildings, streetscape, public civic space, signage, and landscaping.

The proposed “General Retail” and “Restaurant or Café” uses and associated buildings are compatible both with the mixture of commercial, general retail, office, restaurant, service, and light industrial uses in the surrounding area. The current Butler Avenue streetscape is a mixture of pre-engineered structures, such as Ken’s Auto Repair and Emergency Veterinary Clinic, and retail buildings, such as Taco Bell and Sonic to the south along Butler Avenue. The planned multi-tenant building relates to the size of these structures in both height and proportion. The Butler Avenue streetscape also includes larger retail or industrial type structures, such as HomCo Lumber & Hardware, Sam’s Club, Northland Motor Sports Facility, and the city recycling facility. The planned

anchor building is consistent in scale, height, proportions, and massing. The planned building façade includes numerous architectural details, such as offsets; multiple, high-quality materials and colors; and pedestrian-oriented glass and awnings along the streetscape. **The style and siting of the structures are a significant improvement to the streetscape and are compatible with the pattern of development along this segment of Butler Avenue.**

- d. Landscaping and Screening. The Commercial Development Unit is planned to be landscaped and screened in accordance with all applicable City Codes and Ordinances. The site plan provides for an expansive landscaped public civic space along the Butler Avenue frontage, landscaping throughout the parking area, as well as other peripheral and buffer landscaping, further ensuring a proper land use transition between the commercial and industrial uses on-site, as well as with adjoining properties. Decorative screen walls, designed to match the building materials of the proposed structures, are provided along the Butler Avenue frontage, so that parking is screened from public view.
- e. Impact on Public Utilities. This CUP has no impact on utilities.
- f. Outdoor Lighting and Signage. The site plan and building elevations provide for parking lot and building mounted signage. **All lighting will be designed to comply with all applicable City Codes and Ordinances to prevent light “spill” onto adjoining properties and the surrounding area.**

Signage will be processed under separate permit and be designed to comply with all applicable City Codes and Ordinances.

- g. Dedication and Development of Streets. It is anticipated that a right-of-way and/or other dedication may be made along Butler Avenue to accommodate the westbound (right turn) deceleration lane, as well as a future Mountain Line bus stop. Additionally, Reich Bros. is proposing to improve Babbitt Drive to a signalized one northbound thru lane, two southbound left turn lanes, and one southbound thru lane, further improving the surrounding road network.

No other dedications or improvements are planned.

- h. Impacts on Historical, Prehistoric, or Natural Resources. This CUP has no impacts on historical, prehistoric, or natural resources.

**REICH BROS.**

**Conditional Use Permit—Project Narrative**

1600 EAST BUTLER AVENUE

*Revised: April 8, 2021*

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On November 18, 2020, the Heritage Preservation Commission accepted a Phase I—Cultural Resource Study for the Overall Property in application no. PZ-20-00071-03. Additionally, Reich Bros. has agreed to publish a version of the study for the public.

A State registered Structural Engineer was retained to review the existing buildings for structural integrity, usability and reusability, and overall state of their integrity and longevity. During the investigation period, numerous areas of significant structural concerns were identified and documented, including: (1) floor, wall, and ceiling concrete delamination (the separation of concrete layers, resulting in an unbonded concrete layer); (2) failing exterior walls; (3) floor and roof fissures; (4) and overall failures of the existing concrete structures. Much of these structural failures and concerns are attributed to the nature of the paper milling operation—the use of chemicals, high-levels of humidity—to the extent that the existing buildings are worn to the point of *significant* concern, such that safety is concerning. Inasmuch, during salvage operations, the rollers for the paper process were removed, sections of the floor structure around caved in, leaving entire holes in the floor systems below a 12-foot fall to the basement below. In the basement, as well as elsewhere in the buildings, concrete beams with exposed, rotting rebar that have failed over time have been identified. The buildings are not usable.

The Property is not located within the Resource Protection Overlay.

# REICH BROTHERS

## PHASE ONE RETAIL DEVELOPMENT

### 1600 EAST BUTLER AVENUE, FLAGSTAFF, AZ

20005

MARCH 2021



# CoF SITE RESUBMITTAL

Abbreviations	
@	ANCHOR BOLT
AB	ABOVE FINISH FLOOR
ALUM	ALUMINUM
BLK(G)	BLOCK(ING)
BOT	BOTTOM
CABT	CABINET
CJ	CONTROL JOINT
CL	CENTER LINE
CLG	CEILING
CMU	CONCRETE MASONRY UNIT
CO	CLEAN OUT
CONC	CONCRETE
CONT	CONTINUOUS OR CONTINUE
CW	COLD WATER
DBL	DOUBLE
DIA	DIAMETER
DIM	DIMENSION
DTL	DETAIL
EA	EACH
ELEC	ELECTRIC(AL)
ELEV	ELEVATION
ENGR	ENGINEER
EP	EPOXY PAINT
EQ	EQUAL
EQUIP	EQUIPMENT
EST	ESTIMATE
EW	EACH WAY
EXIST	EXISTING
EXP	EXPANSION
EXP JT	EXPANSION JOINT
EXT	EXTERIOR
FEC	FIRE EXTINGUISHER CABINET
FF	FINISH FLOOR
FIN	FINISH(ED)
FLUOR	FLUORESCENT
FTG	FOOTING
FURR	FURRED(ING)
GA	GAGE, GAUGE
GALV	GALVANIZED
GWB	GYPSUM WALL BOARD
GYP	GYPSUM
HB	HOSE BIBB
HM	HOLLOW METAL
HORIZ	HORIZONTAL
HT	HEIGHT
HW	HOT WATER
INSUL	INSULATION
INT	INTERIOR
JT	JOINT
LAM	LAMINATE
LH	LEFT HAND
MAS	MASONRY
MAX	MAXIMUM
MB	MACHINE BOLT
MECH	MECHANICAL
MFR	MANUFACTURER
MIN	MINIMUM
MO	MASONRY OPENING
NTS	NOT-TO-SCALE
OC	ON CENTER(S)
OFCI	OWNER FURNISHED, CONTRACTOR INSTALLED
OSB	ORIENTED STRAND BOARD
P	PAINT
PERF	PERFORATE(D)
PLAM	PLASTIC LAMINATE
PTD	PAPER TOWEL DISPENSER
PTRT	PAPER TOWEL RECEPTOR
PWD	PLYWOOD
RA	RETURN AIR
REF	REFERENCE
REINF	REINFORCING
REQ'D	REQUIRED
RH	RIGHT HAND
RM	ROOM
RO	ROUGH OPENING
SC	SOLID CORE
SIM	SIMILAR
SUSP	SUSPENDED
SV	SHEET VINYL
T&G	TONGUE & GROOVE
TEL	TELEPHONE
TOM	TOP OF MASONRY
TOP	TOP OF PLATE
TYP	TYPICAL
VERT	VERTICAL
VCT	VINYL TILE
W/	WITH
WC	WATER CLOSET
WD	WOOD
W/O	WITHOUT
WWF	WELDED WIRE FABRIC

Symbols	
	BUILDING SECTION REFERENCE
	WALL SECTION REFERENCE
	DETAIL SECTION OR ENLARGEMENT DRAWN AS DETAIL 1 ON SHEET A6.1
	DETAIL SECTION OR ENLARGEMENT DRAWN AS DETAIL 2 ON SHEET A6.1
	WALL OR PARTITION TYPE REFERENCE
	EQUIPMENT NUMBER-SEE SCHEDULE
	WINDOW TYPE REFERENCE
	ELEVATION INDICATOR
	NEW COLUMN LINE DESIGNATION
	EXISTING COLUMN LINE DESIGNATION
	KEYNOTE REFERENCE
	MATCH LINE REFERENCE
	WALL ELEVATION DRAWN AS DETAIL NO. CM SHEET AS NOTED
	ROOM NAME & NUMBER
	DOOR NUMBER

SEE MECHANICAL AND ELECTRICAL DRAWINGS FOR SYMBOLS AND SCHEDULES

Materials	
	EARTH
	POROUS FILL, STONE, GRAVEL,
	CONCRETE
	CONCRETE MASONRY UNIT
	METAL (LARGE SCALE)
	METAL (SMALL SCALE)
	PLYWOOD
	ROUGH WOOD CONTINUOUS
	ROUGH WOOD NON-CONTINUOUS
	INSULATION-BLANKET BATTS
	INSULATION-RIGID
	GLASS (LARGE SCALE)
	ACOUSTICAL TILE
	GYPSUM WALL BOARD
	PLASTER, SAND, CEMENT, & GROUT
	RESILIENT FLOORING
	BRICK

**Project Team**

**ARCHITECTURE:**  
JOHNSON WALZER ASSOCIATES LLC  
17 N. SAN FRANCISCO ST.  
FLAGSTAFF, AZ 86001  
PHONE (928) 779-0470  
FAX (928) 779-5479

**CIVIL ENGINEERING:**  
SHEPHARD-WESNITZER, INC  
110 W DALE AVE  
FLAGSTAFF, AZ 86001  
PHONE: (928) 773-0354  
FAX: (928) 774-8934

Project Index	
A0.0	COVER SHEET
SVY	ALTA SURVEY
C.01	CIVIL GRADING AND DRAINAGE
C.02	CIVIL UTILITIES PLAN
AS1.1	DEMO AND SITE ANALYSIS
AS1.2	SITE PLAN
AS1.3	LANDSCAPE PLAN
A1.1	FLOOR PLAN - MAJOR RETAIL
A1.2	FLOOR PLAN - MULTITENANT
A4.1	BUILDING ELEVATIONS - MAJOR RETAIL
A4.2	BUILDING ELEVATIONS - MULTITENANT

**CLIENT:**  
1600 E. BUTLER AVE LLC  
15 RESERVOIR RD  
WHITE PLAINS, NY 10603  
MICHAEL REICH  
PHONE: (914) 614-1800 x 647  
MREICH@REICHBROTHERS.COM

**PROJECT ADDRESS:**  
1600 E. BUTLER AVE  
FLAGSTAFF, AZ 86001

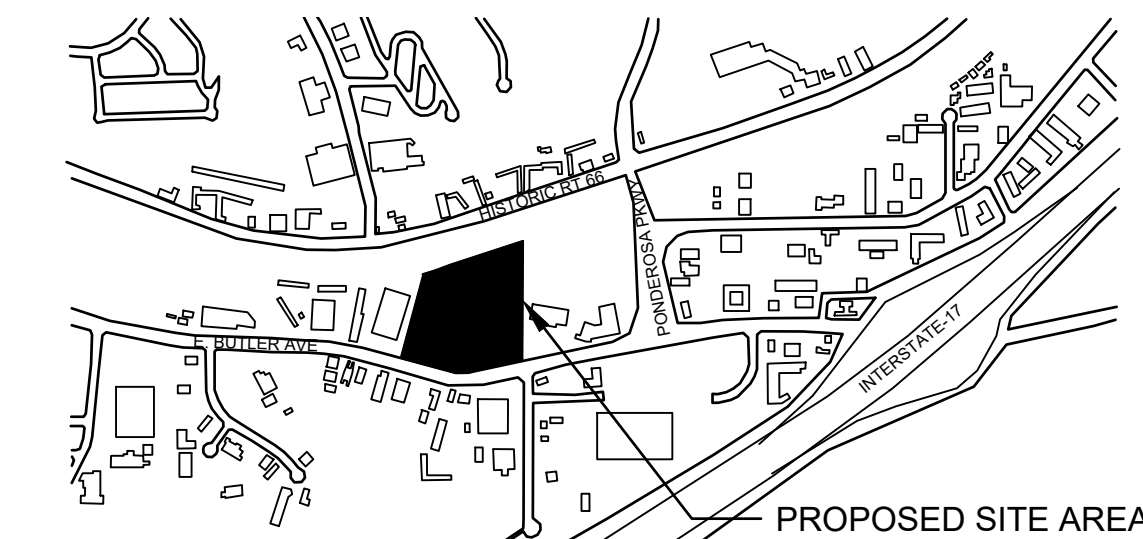
**PROJECT DATA**

APN	10407001C
	10407005M
PARCEL SIZE	12.70 ACRES (553,375.40 SF)
TOTAL SITE	7.71 ACRES (335,838 SF) THIS PHASE

**PROJECT DESCRIPTION**

PHASE ONE RETAIL DEVELOPMENT INCLUDED IN THIS PACKAGE IS CONSTRUCTION OF A MAJOR RETAIL BUILDING AT THE EAST, CONSTRUCTION OF A MULTITENANT RETAIL BUILDING AT THE WEST AND ALL RELATED HARDSCAPE AND UTILITY IMPROVEMENTS IN THE SOUTHERLY PORTION OF THE SITE. THE LIGHT INDUSTRIAL PORTION AT THE NORTH WILL BE A FUTURE PHASE. STORM WATER IMPROVEMENTS AT THE NORTHEAST ARE INCLUDED IN THIS PHASE.

THIS PHASE ONE RETAIL DEVELOPMENT REQUIRES A CONDITIONAL USE PERMIT



VICINITY MAP - NTS

0.0



**TITLE COMMITMENT INFORMATION**

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PERTINENT PROPERTY AS DESCRIBED IN COMMONWEALTH LAND TITLE INSURANCE COMPANY, COMMITMENT FILE NO. 18001591-040-DO, WITH AN EFFECTIVE DATE OF AUGUST 17, 2018.

**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FLAGSTAFF, IN THE COUNTY OF COCONINO, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

**PARCEL 1:**  
A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 00°46'00" WEST (BASIS OF BEARING; BOOK 6, MAP 5 (R11)), ALONG THE EAST SECTION LINE OF SAID SECTION 22, FOR 1096.90 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING A FOUND 1/2" INCH REBAR WITH CAP 14671; THENCE NORTH 00°45'11" WEST FOR 723.54 FEET (RECORD: NORTH 00°46'00" WEST FOR 723.50 FEET (R11)) TO A FOUND 1/2" INCH REBAR WITH CAP 14671; THENCE SOUTH 78°33'48" WEST FOR 503.87 FEET (RECORD: SOUTH 78°34'11" WEST FOR 503.87 FEET (R1)) TO A SET 1/2" INCH REBAR WITH CAP 14671; THENCE SOUTH 76°26'48" WEST, 165.77 FEET (RECORD: SOUTH 76°27'11" WEST FOR 165.77 FEET (R1)) TO A FOUND 1/2" INCH REBAR WITH CAP 14671, SAID POINT BEING A NONTANGENT POINT; THENCE NORTH 76°14'58" EAST FOR 369.82 FEET (RECORD: SOUTH 76°14'58" WEST FOR 369.82 FEET (R1)) TO A FOUND 1/2" INCH REBAR WITH CAP 14671; THENCE SOUTH 74°45'02" EAST FOR 357.41 FEET (RECORD: SOUTH 74°45'02" EAST (R1)) TO A SET 1/2" INCH REBAR WITH CAP 14671, SAID POINT BEING A NONTANGENT POINT OF CURVATURE; THENCE SOUTHEASTERLY, ALONG A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 130°02'22" AND A RADIUS OF 602.15 FEET, FOR A DISTANCE OF 136.69 FEET (RECORD: ANGLE = 12°59'04", LENGTH = 136.46 FEET (DOCKET 1388, PAGE 814 (R2))), THE CHORD OF SAID CURVE BEARS SOUTH 88°34'05" EAST FOR 136.39 FEET, TO A SET 1/2" INCH REBAR WITH CAP 14671, SAID POINT BEING A NONTANGENT POINT; THENCE NORTH 76°14'58" EAST FOR 369.82 FEET (RECORD: NORTH 76°14'58" EAST (R1 & R2)) TO THE TRUE POINT OF BEGINNING.

**PARCEL 2:**  
A PORTION OF A PARCEL OF LAND DESCRIBED IN BOOK 65 OF DEEDS, PAGE 225 AND SHOWN ON "RESULTS OF SURVEY" MAP RECORDED IN BOOK 7 OF SURVEYS, PAGE 41 OF THE RECORDS OF COCONINO COUNTY, ARIZONA, SITUATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, SAID PORTION BEING THAT PARCEL OF LAND SOUTHERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SANTA FE RAILROAD AND NORTHERLY OF A PARCEL OF LAND DESCRIBED IN DOCKET 1772, PAGE 256 (R3) AND WEST OF THE NORTH-SOUTH CENTERLINE OF SAID SECTION 22, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 00°46'00" WEST (BASIS OF BEARING; BOOK 7, MAP 41 (R1)), ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 22, FOR A DISTANCE OF 1820.40 FEET (RECORD: 1820.40 FEET RECORD: 1820.40 (R1) AND BOOK 6, PAGE 5 (R2)) TO THE NORTHEAST CORNER OF SAID PARCEL (R3) AND SHOWN ON (R2), SAID POINT BEING A FOUND 1/2" INCH REBAR WITH CAP 14671 AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°54'32" WEST, ALONG SAID NORTH-SOUTH CENTERLINE, FOR A DISTANCE OF 87.17 FEET (M AND (R1)) TO A FOUND CAP 13010, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ATCHISON, TOPEKA AND SANTA FE RAILROAD; THENCE SOUTH 70°50'55" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 516.36 FEET (M AND (R1)) TO A FOUND 1/2" INCH REBAR WITH CAP 14671, SAID POINT BEING THE INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE AND THE NORTH PARCEL LINE OF SAID PARCEL (R3); THENCE NORTH 80°27'21" EAST, ALONG THE NORTH PARCEL LINE OF SAID PARCEL (R3), FOR A DISTANCE OF 496.03 FEET (RECORD: NORTH 78°34'11" EAST FOR 503.87 FEET (R3)) TO THE TRUE POINT OF BEGINNING.

APN: 104-07-005M

**NOTES CORRESPONDING TO SCHEDULE B**

- 5. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: ELECTRIC LINES AND POLES  
RECORDING NO: BOOK 26 OF OFFICIAL RECORDS, PAGE 293  
(AFFECTS, CONTAINS NO PLOTTABLE ITEMS)
- 6. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: SEWER LINES  
RECORDING NO: BOOK 34 OF OFFICIAL RECORDS, PAGE 319  
(DOES NOT AFFECT)
- 7. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: ELECTRIC LINES AND POLES  
RECORDING NO: BOOK 53 OF OFFICIAL RECORDS, PAGE 497  
(UNABLE TO PLOT, SURVEY STATIONS REFERENCED IN DOCUMENT NOT PROVIDED)
- 8. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: ELECTRIC LINES AND POLES  
RECORDING NO: BOOK 53 OF OFFICIAL RECORDS, PAGE 499  
(UNABLE TO PLOT, SURVEY STATIONS REFERENCED IN DOCUMENT NOT PROVIDED)
- 9. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: SEWER LINES  
RECORDING NO: BOOK 79 OF OFFICIAL RECORDS, PAGE 134  
(AFFECTS, BLANKET IN NATURE)
- 10. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: ELECTRIC LINES AND POLES  
RECORDING NO: DOCKET 101, PAGE 233  
(UNABLE TO PLOT, SURVEY STATIONS REFERENCED IN DOCUMENT NOT PROVIDED)
- 11. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: SEWER LINES  
RECORDING NO: DOCKET 112, PAGE 135  
(DOES NOT AFFECT)
- 12. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: SEWER LINES  
RECORDING NO: DOCKET 114, PAGE 419  
(UNABLE TO PLOT, INSUFFICIENT LEGAL DESCRIPTION)
- 13. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: SEWER LINES  
RECORDING NO: DOCKET 145, PAGE 531  
(UNABLE TO PLOT, THE INTERSECTION OF REFERENCED ROAD DOESN'T EXIST ANYMORE)
- 14. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: ROADWAY, DRAINAGE AND TEMPORARY CONSTRUCTION  
RECORDING NO: DOCKET 219, PAGE 549  
(UNABLE TO PLOT, INSUFFICIENT LEGAL DESCRIPTION)
- 15. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: ELECTRIC LINES AND POLES  
RECORDING NO: DOCKET 224, PAGE 161  
(AFFECTS, BLANKET IN NATURE)

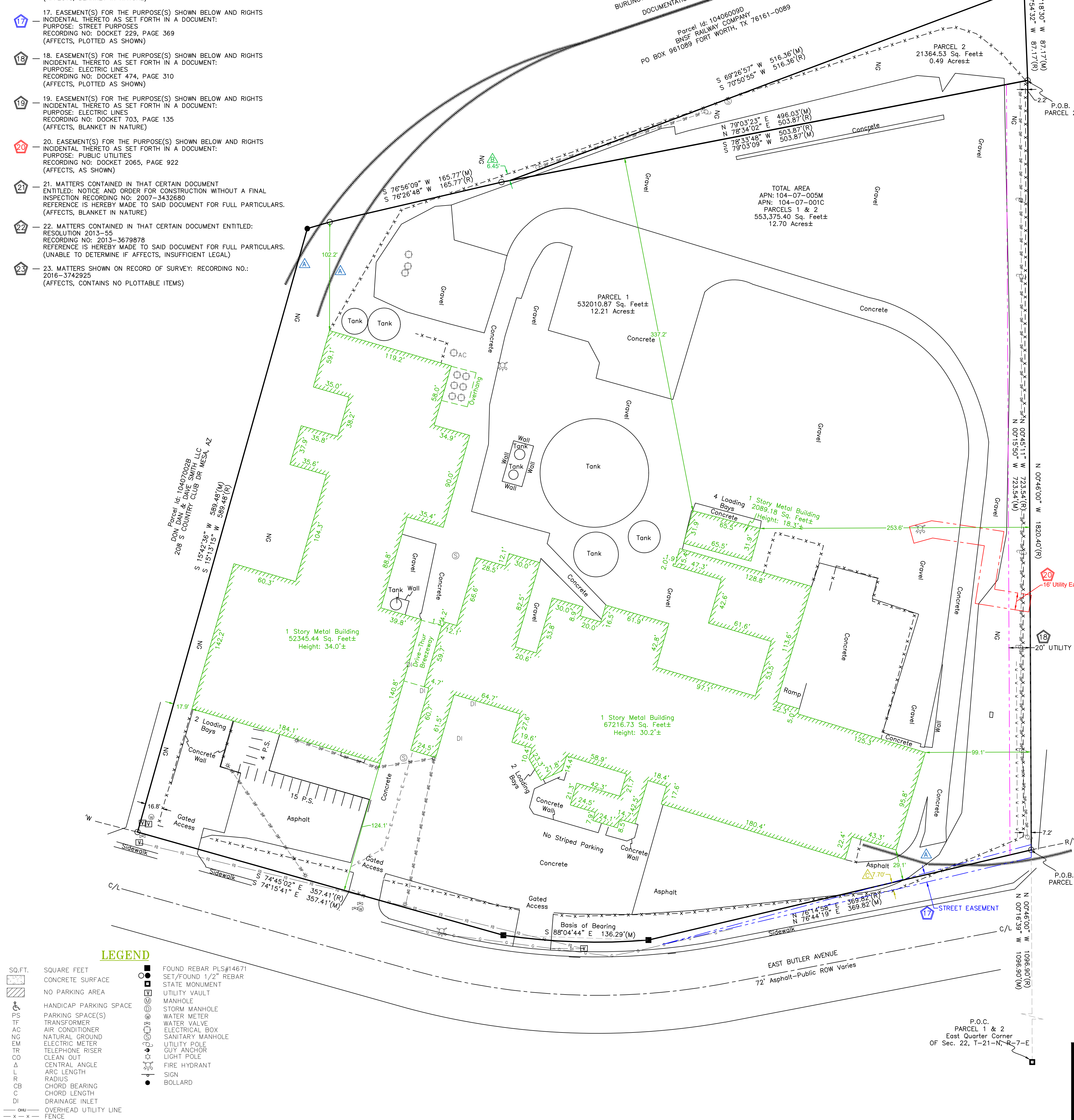
**STATEMENT OF ENCROACHMENTS**

- IT APPEARS THAT RAILROAD TRACTS ENTER THE SUBJECT PROPERTY WITHOUT THE BENEFIT OF A KNOWN EASEMENT.
- IT APPEARS THAT FENCING ON THE NORTHERN PART OF THE SUBJECT PROPERTY POTENTIALLY ENCROACHES BY AS MUCH AS 6.45'.
- IT APPEARS THAT FENCING ON THE SOUTHERN PART OF THE SUBJECT PROPERTY POTENTIALLY ENCROACHES BY AS MUCH AS 7.70'.

**NOTES CORRESPONDING TO SCHEDULE B**

- 16. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: STREET PURPOSES  
RECORDING NO: DOCKET 229, PAGE 369  
(AFFECTS, PLOTTED AS SHOWN)
- 17. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: STREET PURPOSES  
RECORDING NO: DOCKET 229, PAGE 369  
(AFFECTS, PLOTTED AS SHOWN)
- 18. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: ELECTRIC LINES  
RECORDING NO: DOCKET 474, PAGE 310  
(AFFECTS, PLOTTED AS SHOWN)
- 19. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: ELECTRIC LINES  
RECORDING NO: DOCKET 703, PAGE 135  
(AFFECTS, BLANKET IN NATURE)
- 20. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:  
PURPOSE: PUBLIC UTILITIES  
RECORDING NO: DOCKET 2065, PAGE 922  
(AFFECTS, AS SHOWN)
- 21. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED: NOTICE AND ORDER FOR CONSTRUCTION WITHOUT A FINAL INSPECTION RECORDING NO: 2007-3432680  
REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.  
(AFFECTS, BLANKET IN NATURE)
- 22. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED: RESOLUTION 2013-55  
RECORDING NO: 2013-3679878  
REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.  
(UNABLE TO DETERMINE IF AFFECTS, INSUFFICIENT LEGAL)
- 23. MATTERS SHOWN ON RECORD OF SURVEY: RECORDING NO: 2016-3742925  
(AFFECTS, CONTAINS NO PLOTTABLE ITEMS)

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	22.06'(M)	2065.40'(M)	0°36'43"	S 73°37'02" W	22.06'(M)
C2	136.68'(M)	602.15'(M)	13°00'20"	S 88°04'44" E	136.39'(M)
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	22.06'(R)	2065.40'(R)	0°36'43"	S 73°07'41" W	22.06'(R)
C2	136.68'(R)	602.15'(R)	13°00'20"	S 88°34'05" E	136.39'(R)



**LEGEND**

SQ.FT.	SQUARE FEET	FOUND REBAR PLS#14671
CONCRETE SURFACE	CONCRETE SURFACE	SET/FOUND 1/2" REBAR
NO PARKING AREA	NO PARKING AREA	STATE MONUMENT
HANDICAP PARKING SPACE	HANDICAP PARKING SPACE	UTILITY VAULT
PARKING SPACE(S)	PARKING SPACE(S)	MANHOLE
TRANSFORMER	TRANSFORMER	WATER METER
AIR CONDITIONER	AIR CONDITIONER	WATER VALVE
NATURAL GROUND	NATURAL GROUND	ELECTRICAL BOX
ELECTRIC METER	ELECTRIC METER	SANITARY MANHOLE
TELEPHONE RISER	TELEPHONE RISER	UTILITY POLE
CLEAN OUT	CLEAN OUT	GUY AND/OR LIGHT POLE
CENTRAL ANGLE	CENTRAL ANGLE	FIRE HYDRANT
ARC LENGTH	ARC LENGTH	SIGN
RADIUS	RADIUS	BOLLARD
CHORD BEARING	CHORD BEARING	
CHORD LENGTH	CHORD LENGTH	
DRAINAGE INLET	DRAINAGE INLET	
OVERHEAD UTILITY LINE	OVERHEAD UTILITY LINE	
FENCE	FENCE	

**VICINITY MAP**  
NOT TO SCALE

**SHEET 1 OF 1**

**LAND AREA**  
553,375.40± SQUARE FEET  
12.70± ACRES

**PARKING**  
REGULAR= 19  
HANDICAP= 0  
TOTAL= 19

**FLOOD INFORMATION**

FLOOD NOTE: BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AVAILABLE ONLINE AT WWW.FEMA.GOV, AND BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED ENTIRELY IN ZONE "X" FLOOD INSURANCE RATE MAP NUMBER 04005C6809G, WHICH BEARS AN EFFECTIVE DATE OF 09/03/2010 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. BY REVIEWING FLOOD MAPS PROVIDED BY THE NATIONAL FLOOD INSURANCE PROGRAM WE HAVE LEARNED THIS COMMUNITY DOES PARTICIPATE IN THE PROGRAM.

**BEARING BASIS**

BEARINGS SHOWN HEREON ARE BASED ON THE SUBJECT PROPERTY'S SOUTH LINE WHICH CHORD BEARS S 88°04'44" E PER FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD-83.

**GENERAL NOTES**

- NO UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY, ONLY ABOVE GROUND VISIBLE EVIDENCE OF UTILITIES ARE SHOWN.
- ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
- THIS SURVEY MEETS OR EXCEEDS THE SURVEY STANDARDS/STANDARDS OF CARE AS SET FORTH IN SECTION 3 OF THE 2016 ALTA/NSPS SURVEY REQUIREMENTS.
- THE SUBJECT PROPERTY HAS DIRECT PHYSICAL ACCESS TO E. BUTLER AVE., A DEDICATED PUBLIC STREET OR HIGHWAY.
- THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY.
- THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- THE PARCELS CONTAINED IN THE LEGAL DESCRIPTION ARE CONTIGUOUS WITHOUT ANY GAPS, GORES OR OVERLAPS.
- BUILDING AREAS SHOWN HEREON ARE FOR THE FOOTPRINT OF THE BUILDING ONLY.
- NO APPARENT CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED AND AVAILABLE FROM THE CONTROLLING JURISDICTION, NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL LICENSED SURVEYOR AND MAPPER, ADDITIONS AND DELETIONS TO SURVEY MAPS, SKETCHES, OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- NO ATTEMPT WAS MADE TO DETERMINE WETLANDS OR OTHER ENVIRONMENTAL ISSUES, UNLESS OTHERWISE NOTED.
- THE NEAREST INTERSECTING STREET IS THE INTERSECTION OF S. BABBITT DR. AND E. BUTLER AVE., WHICH IS APPROXIMATELY 85' FROM THE SE CORNER OF THE SUBJECT PROPERTY.

**ALTA/NSPS LAND TITLE SURVEY**  
AEI JOB #394265

1600 EASE BUTLER AVENUE  
FLAGSTAFF, COCONINO COUNTY AZ



**COORDINATED BY:**

**AEI Consultants**  
AEI CONSULTANTS  
2500 CAMINO DIABLO  
WALNUT CREEK, CA 94597  
TELEPHONE: 925.746.6000  
EMAIL: SURVEYS@AEICONSULTANTS.COM

**SURVEYOR'S CERTIFICATE**

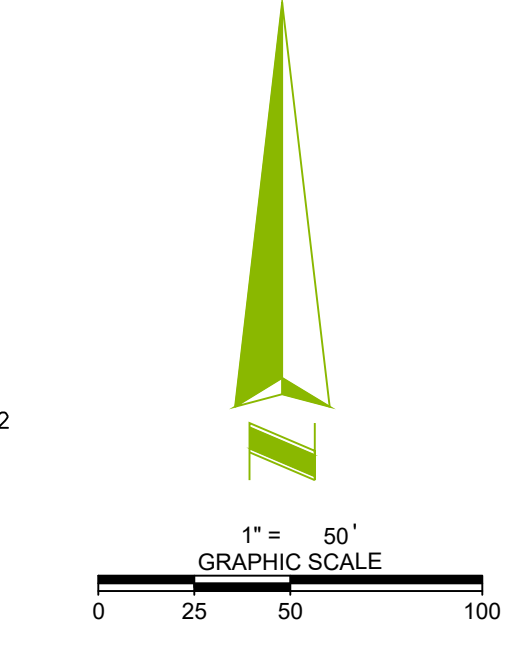
TO: COMMONWEALTH LAND TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(c), 7(b)(1), 7(c), 8, 9, 13, 14, 16, AND 17 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 9/22/2018. DATE OF PLAT OR MAP: 9/24/2018.

REGISTERED SURVEYOR: Buckley D. Blaw  
PROFESSIONAL LAND SURVEYOR NO.: 55942  
STATE OF ARIZONA

DATED \_\_\_\_\_

DATE	REVISION HISTORY	BY	SURVEYOR JOB NUMBER
			18-3274
			SCALE: 1" = 50'
			DRAWN BY: JCH
			APPROVED BY: T.K.S.



Parcel Id: 1060101N  
211 W ASPEN AVE FLAGSTAFF, AZ

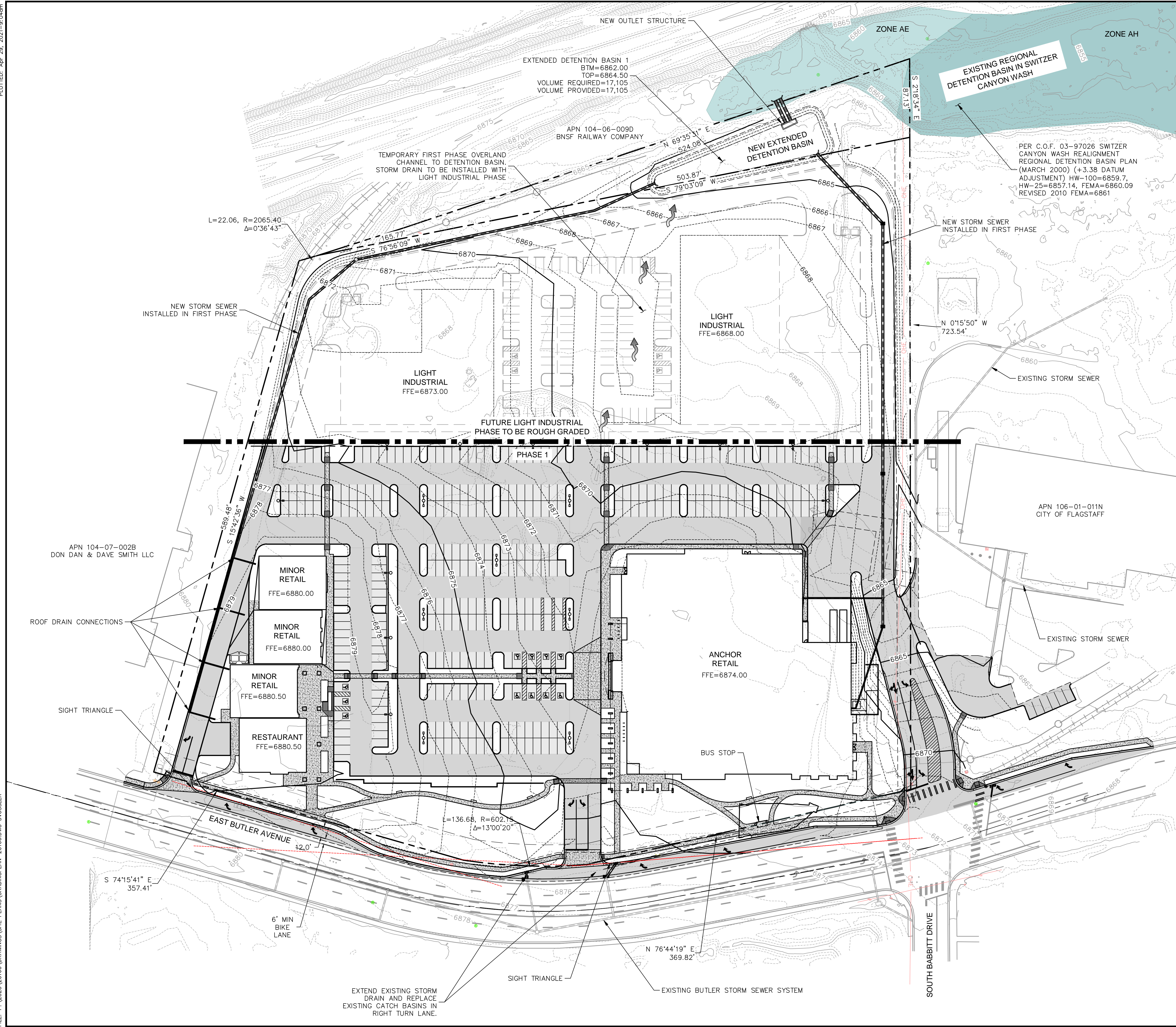
P.O.C.  
PARCEL 1 & 2  
East Quarter Corner  
Of Sec. 22, T-21-N, R-7-E

SURVEYED BY:  
BLEW & ASSOCIATES, P.A.  
3825 N SHILOH DRIVE  
FAYETTEVILLE, AR 72703.  
SURVEY@BLEWINC.COM

**PRELIMINARY**

PLOTTED: Apr 29, 2021 - 9:04am

FILE: P:\2020\20166 DRAWINGS\166 SITE PLANS\GRADING\166-20166.DWG SWOSSLER



**IMPERVIOUS AREA SUMMARY**

LID AND DETENTION ARE REQUIRED AND WILL BE PROVIDED IN NEW EXTENDED DETENTION BASIN.

PRE-DEVELOPMENT IMPERVIOUS AREA (ANALYSIS LIMITS PER PRELIMINARY DRAINAGE REPORT)= 293,083 SF

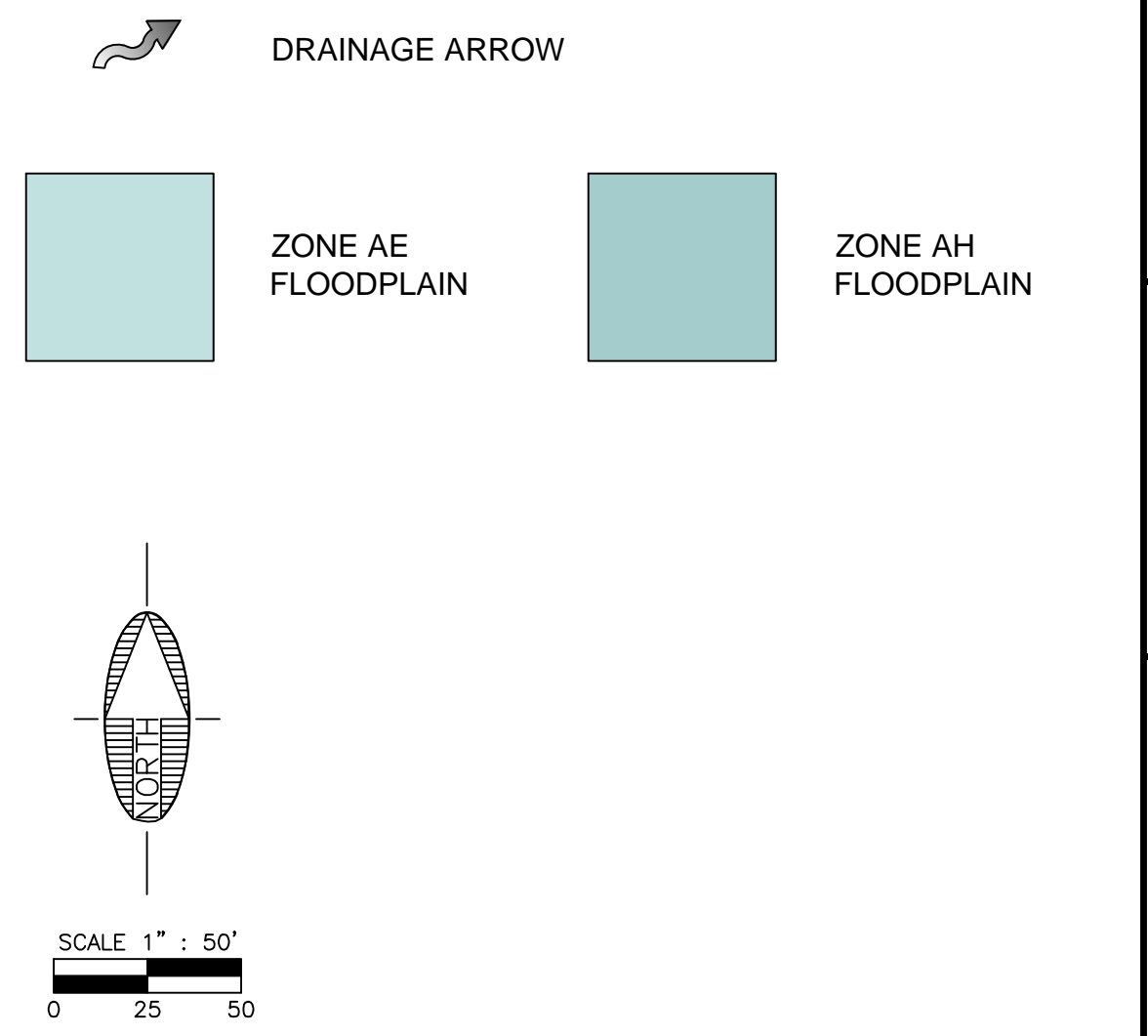
POST-DEVELOPMENT IMPERVIOUS AREA (ANALYSIS LIMITS PER PRELIMINARY DRAINAGE REPORT)= 425,352 SF

NEW IMPERVIOUS AREA = 132,264 SF  
1" LID VOLUME = 11,022 CF

APPROXIMATELY 13,000 SF OF ADDITIONAL IMPERVIOUS AREA WILL BE ADDED FOR RIGHT TURN LANES ON BUTLER AVENUE. 1" OF LID VOLUME (1,083 CF) WILL BE OVER RETAINED IN PROPOSED EXTENDED DETENTION BASIN IN ADDITION TO THE 11,022 CF.

**FEMA DESIGNATION:**

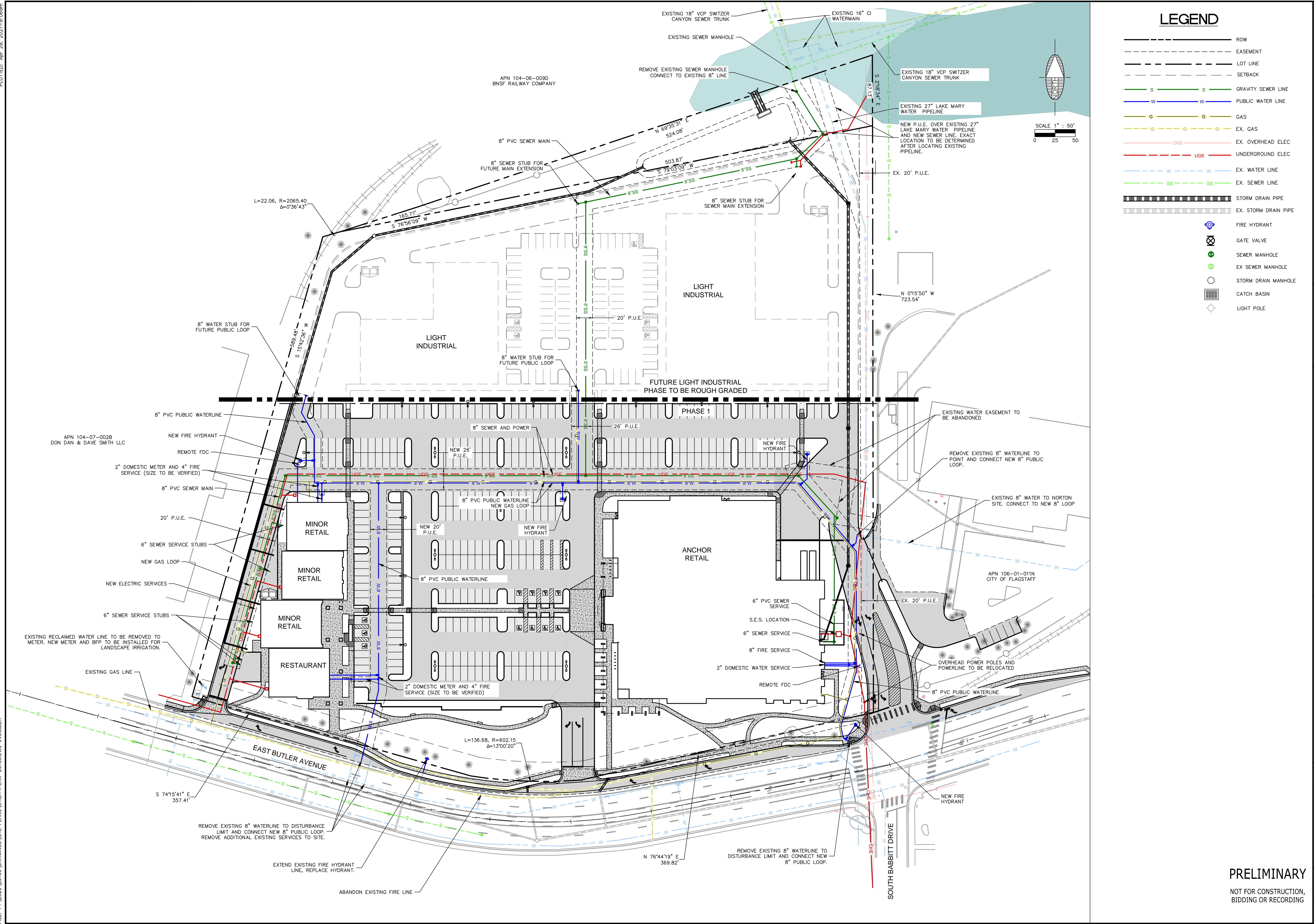
THIS PROJECT IS LOCATED PRIMARILY WITHIN ZONE X OF FEMA FIRM MAP #04005C6809G, EFFECTIVE SEPTEMBER 3, 2010. ZONE X IS DESCRIBED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. A SMALL PORTION IS LOCATED IN ZONE AE THAT WILL BE UNDISTURBED BY THIS PROJECT.



FLAGSTAFF ARIZONA		THE SHOPS	
JOB NO:	20166	DATE:	APR 21
SCALE:	AS SHOWN	DRAWN:	SLV
DESIGN:	SLV	CHECKED:	SLV
75 Killion Place Suite 200, Flagstaff, AZ 86001 928.282.2058 fax www.swi.az.com			
 <b>Shephard Wesnitzer, Inc.</b>		REVISIONS NO. DESCRIPTION DATE BY	
PRELIMINARY NOT FOR CONSTRUCTION, BIDDING OR RECORDING		DRAWING NO. <b>C01</b> OF 2	

PLOTTED: Apr 29, 2021 - 9:06am

FILE: P:\2020\20166 DRAWINGS\SITE PLANS\UTILITY PLAN-20166.DWG SVOSSLER



### LEGEND

- ROW
- - - EASEMENT
- - - LOT LINE
- - - SETBACK
- S --- S GRAVITY SEWER LINE
- W --- W PUBLIC WATER LINE
- G --- G GAS
- E --- E EX. GAS
- OHE --- OHE EX. OVERHEAD ELEC
- UGE --- UGE UNDERGROUND ELEC
- W --- W EX. WATER LINE
- SS --- SS EX. SEWER LINE
- SD --- SD STORM DRAIN PIPE
- EX. SD --- EX. SD EX. STORM DRAIN PIPE
- FIRE HYDRANT
- ⊗ GATE VALVE
- SEWER MANHOLE
- EX. SEWER MANHOLE
- STORM DRAIN MANHOLE
- CATCH BASIN
- LIGHT POLE

**SITE PLAN  
PRELIMINARY UTILITY PLAN**

FLAGSTAFF  
ARIZONA

THE SHOPS

JOB NO.:	20166
DATE:	APR 21
SCALE:	AS SHOWN
DRAWN:	SLV
DESIGN:	SLV
CHECKED:	SCI

1225 E. Main Street, Suite 100  
Flagstaff, AZ 86001  
Phone: 928.223.6399  
Fax: 928.223.6399  
www.swi.com

**SWI**  
Shephard Westnizer, Inc.

NO.	DESCRIPTION	DATE	BY

REVISIONS

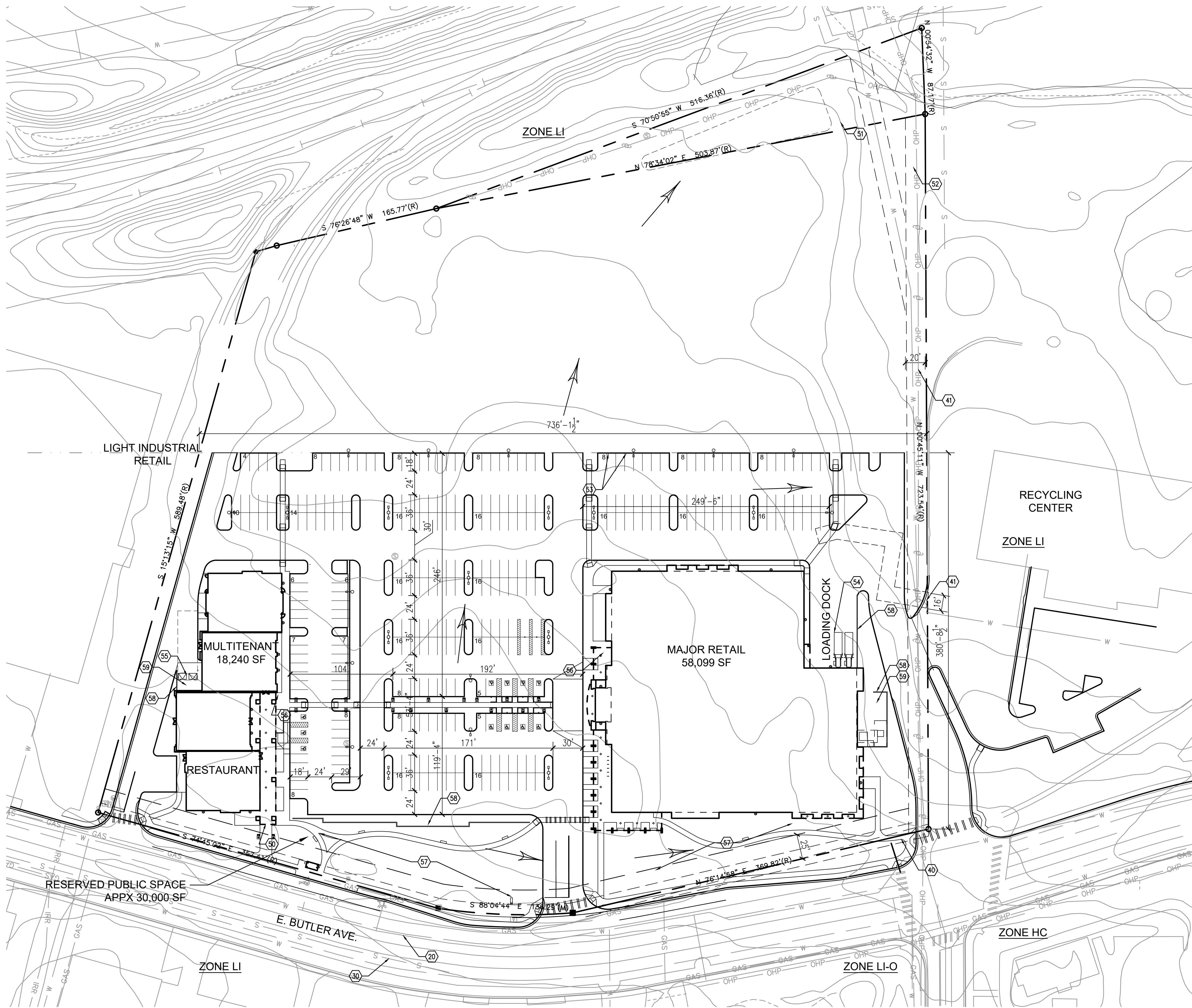
PRELIMINARY  
NOT FOR CONSTRUCTION,  
BIDDING OR RECORDING

DRAWING NO. **C02**

SHT NO. 2 OF 2

Contact Arizona 811 at least two full working days before you begin excavation. Call 811 or click: [Arizona811.com](http://Arizona811.com)





1 SITE PLAN  
1" = 50'

2 CONTOURS

GENERAL NOTES

DEVELOPMENT AREA  
 COMMERCIAL USE: 7.71 ACRES (335,838 SF) THIS PHASE  
 INDUSTRIAL USE: 4.99 ACRES (217,537.4 SF) FUTURE PHASE

PROPOSED BUILDING TYPES: TYPE IIB, SPRINKLERED (MAJOR)  
 TYPE VB, SPRINKLERED (MULTITENANT)

PROPOSED OCCUPANCY: M MERCANTILE  
 A2 RESTAURANTS

BUILDING AREAS:  
 COMMERCIAL 58,099 SF MAJOR RETAIL  
 18,240 SF MULTITENANT W/ RESTAURANT  
 TOTAL 76,339 SF

BUILDING HEIGHT 60' ALLOWED  
 30' MAXIMUM PROPOSED

FLOOR AREA RATIO (SINGLE STORY STRUCTURES)  
 COMMERCIAL 76,339/335,838 = 0.227  
 0.25 FAR MAX ALLOWED

BUILDING SETBACKS (LI ZONE) FRONT: 25' - 0"  
 SIDES AND REAR: 0' - 0"

IMPERVIOUS CALCULATIONS  
 EXISTING IMPERVIOUS 290,336.40 SF  
 PROPOSED IMPERVIOUS 408,980.40 SF  
 NET INCREASE 118,594.00 SF  
 REQUIRED ADDITIONAL 1" LID VOLUME, SURFACE AREA: 9882.83 CF  
 (FOR ENTIRE SITE, TO BE BUILT IN THIS PHASE)

PARKING CALCULATIONS  
 RETAIL: SHOPPING CENTER (SHARED PARKING WITH RESTAURANT)  
 1 PER 250 SF  
 58,099 + 18,240 = 76,339 SF RETAIL  
 76,339 / 250 = 305 SPACES MIN + 5% = 320 SPACES MAX  
 ADA ACCESSIBLE PARKING: 9 SPACES REQUIRED  
 320 SHOWN (11 ADA)  
 16 BICYCLE SPACES PROPOSED (5% OF 320 = 16) REQ'D  
 3 RESERVED SPACES FOR FUTURE EV CHARGING REQ'D  
 4 SPACES PROVIDED (2 DOUBLE LOADED STUBS)  
 PROPOSED BIKE RACKS: DERO HOOP RACKS  
 1 HOOP = 2 BIKES

PUBLIC SPACE CALCULATION  
 DEVELOPMENT AREA 12.70 ACRES (553,375.40 SF) x 5%  
 27668.77 SF REQUIRED AND PROVIDED  
 (FOR ENTIRE SITE, INCLUDED IN THIS PHASE)

KEYNOTES

- EXISTING STREET EASEMENT
- EXISTING UTILITIES EASEMENT
- 25' FRONT BUILDING SETBACK
- PROPOSED 10' PUBLIC SIDEWALK EASEMENT
- ARCHITECTURAL ROOF ELEMENT
- EXISTING STORMWATER BASIN
- PROPOSED BASIN ENLARGEMENT
- STUBS FOR ELECTRIC CHARGING STATIONS, 2 DOUBLE LOADED
- TRASH COMPACTORS (WASTE AND RECYCLE)
- DUMPSTER LOCATION PER CITY STANDARD
- BICYCLE PARKING, HOOP STYLE RACKS
- CIVIC SPACE
- MASONRY SCREEN WALL, SEE AS1.3 FOR HEIGHT AND MATERIAL
- UTILITY YARD

LIGHTING NOTES

Lighting. Retail site area is 7.71 acres. Lighting zone 2, which is the applicable lighting zone per the code, would allow 50,000 lumens per acre. This produces 385,500 lumens allowed. Pedway lighting will be integrated with pedway landscape trees wherever possible, utilizing NSALED technology light bollards. NSALED wall mounted lights, and under soffit down lights are planned. A separate lighting permit application will be provided with the final site construction documents.

LEGEND - LIGHTING

- NSALED PARKING LIGHT, ONE OR TWO HEAD
- NSALED WALL LIGHT
- NSALED SOFFIT LIGHT
- NSALED PEDESTRIAN LIGHT BOLLARD

LEGEND

- PRIMARY PROPERTY LINE
- USE SEPARATION LINE
- SETBACK LINE
- EASEMENT LINE
- GAS LINE
- SEWER LINE
- WATER LINE
- UNDERGROUND ELECTRIC LINE
- OVERHEAD ELECTRIC LINE
- CABLE LINE
- TELEPHONE LINE
- IRRIGATION LINE / RECLAIMED WATER
- FIRE WATER LINE
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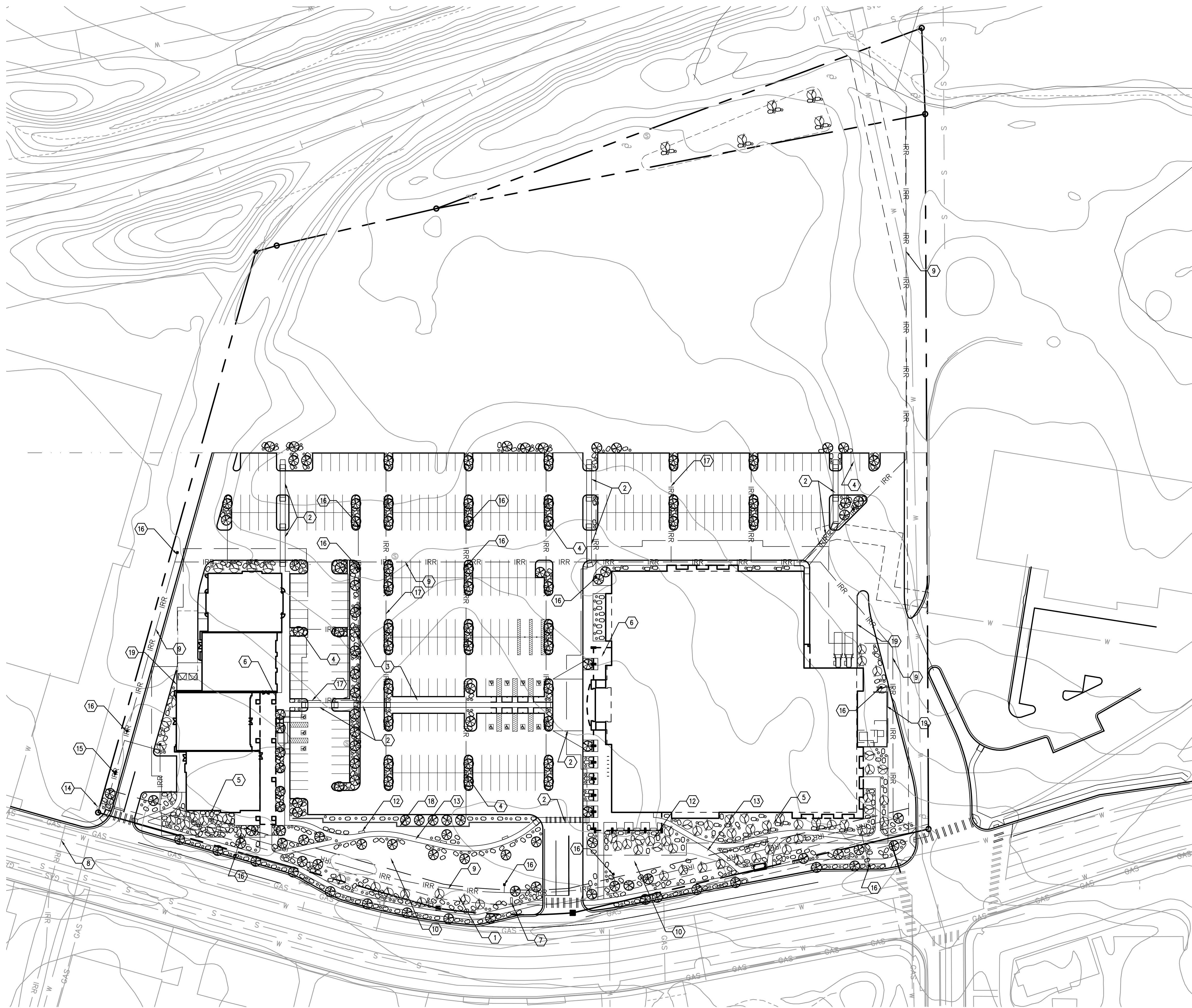
REICH BROTHERS  
 PHASE ONE RETAIL DEVELOPMENT  
 1600 EAST BUTLER AVENUE, FLAGSTAFF, ARIZONA

JOHNSON WALZER ASSOCIATES LLC, 17 NORTH SAN FRANCISCO STREET, SUITE 3A, FLAGSTAFF, ARIZONA 86001 (928) 779-0470

PROJECT: 20005  
 SCALE: 1" = 50'  
 DRAWN BY: ALP  
 CHECKED BY: TW  
 DATE: MARCH 2021

TITLE: SITE PLAN

AS1.2



**GENERAL NOTES**

Landscaping. The project site is fully developed. Minimal landscaping exists, mostly along the frontage, with some medium sized trees that can be saved. The general neighborhood setting is urban/industrial. All landscaped areas are to be served by a drip type automatic piped irrigation system, to include rainwater sensor. Planting areas are to receive mulch or decomposed granite.

A. City requirements, buffer yards. Street buffer yards are to be 10' deep minimum. Peripheral buffer yards in light industrial zone are not required, where abutting adjacent industrial uses. One 15 gallon tree, three 5 gallon shrubs and two 1 gallon groundcovers are required for each 15' of public street frontage.  
Calculation: 864 LF/15 = 58 trees, 174 shrubs and 116 shrubs for this phase

B. City requirements, parking areas. 30 SF per parking space. Two 15 gallon trees and four 5 gallon shrubs and four 1 gallon groundcovers required per every 8 parking spaces.  
Calculation commercial: At commercial, 320 parking spaces are provided. At I/8, this produces 40 units of two trees, four shrubs and four groundcovers. This totals 80 trees, 160 shrubs and 160 groundcovers, to be located at the parking areas. 9,600 SF of parking lot landscaping area is required and provided.

C. City requirements, parking screening. Masonry screen wall, 4' high, match Multitenant.

D. City requirements, building perimeter. No existing trees are available for perimeter credit. One 15 gallon tree, two 5 gallon shrubs and two 1 gallon groundcovers are required for each 25' of building perimeter.  
Calculation: Multi-tenant building - 716 LF/25 = 29 trees, 58 shrubs and 58 groundcovers; Major Retail - 1,046/25 = 42 trees, 84 bushes and 84 shrubs.

E. City requirements, unused areas. Disturbed area, unused areas and drainage basins are to be hydroseeded per city requirements, with a mix of native grasses and wildflowers.

**KEYNOTES**

1. STREET BUFFER, 10' MIN, EXISTING LANDSCAPING AND GROUND COVER TO BE RETAINED WHEREVER POSSIBLE
2. PEDESTRIAN CROSSING, INTEGRAL COLOR CONCRETE
3. --
4. PARKING LANDSCAPING, DECOMPOSED GRANITE, BARK COLOR
5. BUILDING FOUNDATION LANDSCAPING, DECOMPOSED GRANITE, BARK COLOR, 25' MAX
6. BICYCLE PARKING
7. PYLON SIGN
8. EXISTING RECLAIMED WATER
9. RECLAIMED WATER EXTENSION
10. CIVIC SPACE, HYDROSEED NATIVE GRASS/WILDFLOWER MIX
11. --
12. BENCH, FURNITURE LEISURE INC, MODEL 88WBROLLSM
13. 5' WIDE PUBLIC WALKING/EXERCISE PATH, INTEGRAL COLORED CONCRETE
14. EXISTING RECLAIMED WATER METER
15. IRRIGATION BACKFLOW PREVENTER IN HOT BOX
16. IRRIGATION ZONE VALVE BOX
17. SLEEVE FOR IRRIGATION AT DRIVES
18. STAGGERED SCREEN WALL, 4' HIGH, SPLIT FACE CMU BOTH SIDES, STAIN PPG PHOENIX FOSSIL TO MATCH MAJOR RETAIL
19. SCREEN WALL, 6' HIGH, SPLIT FACE CMU BOTH SIDES, STAIN PPG PHOENIX FOSSIL TO MATCH MAJOR RETAIL

**LEGEND - LANDSCAPE**

- TREE, EXISTING
- PROPOSED 15 GALLON TREE. QUAKING ASPEN (POPULUS TREMULOIDES) 2" DIA MULTITRUNK, HONEY LOCUST (GLEDTISIA TRIACANTHUS INTERMIS) 2" DIA, FREEMAN MAPLE (ACER X FREEMANALI) 2" DIA  
137 PROPOSED
- PROPOSED 15 GALLON PINE TREE. AUSTRIAN PINE (PINUS NIGRA) 6' MIN. HEIGHT  
76 PROPOSED
- PROPOSED SHRUB, 5 GALLON. APACHE PLUME (FALLUGIA PARADOX), JUNIPER (JUNIPERUS), OREGON GRAPE HOLLY (MAHONIA AQUIFOLIUM), AND CLIFFROSE (COWANIA MEXICANA)  
483 PROPOSED
- PROPOSED GROUND COVER, 1 GALLON. WOOLY YARROW (ACHILLEA TOMENTOSA), BLUE RUG JUNIPER (JUNIPERUS HORIZONTALIS), HONEY SUCKLE (LONICERA), CREEPING MAHONIA (MAHONIA REPENS), SPRING CINQUE FOIL (POTENTILLA TABERNAEMONTANI)  
426 PROPOSED

**1 LANDSCAPE PLAN**  
1" = 50'

2 CONTOURS



REICH BROTHERS  
 PHASE ONE RETAIL DEVELOPMENT  
 1600 EAST BUTLER AVENUE, FLAGSTAFF, ARIZONA

PROJECT: **20005**  
 SCALE: 1" = 50'  
 DRAWN BY: ALP  
 CHECKED BY: TW  
 DATE: APRIL 2021

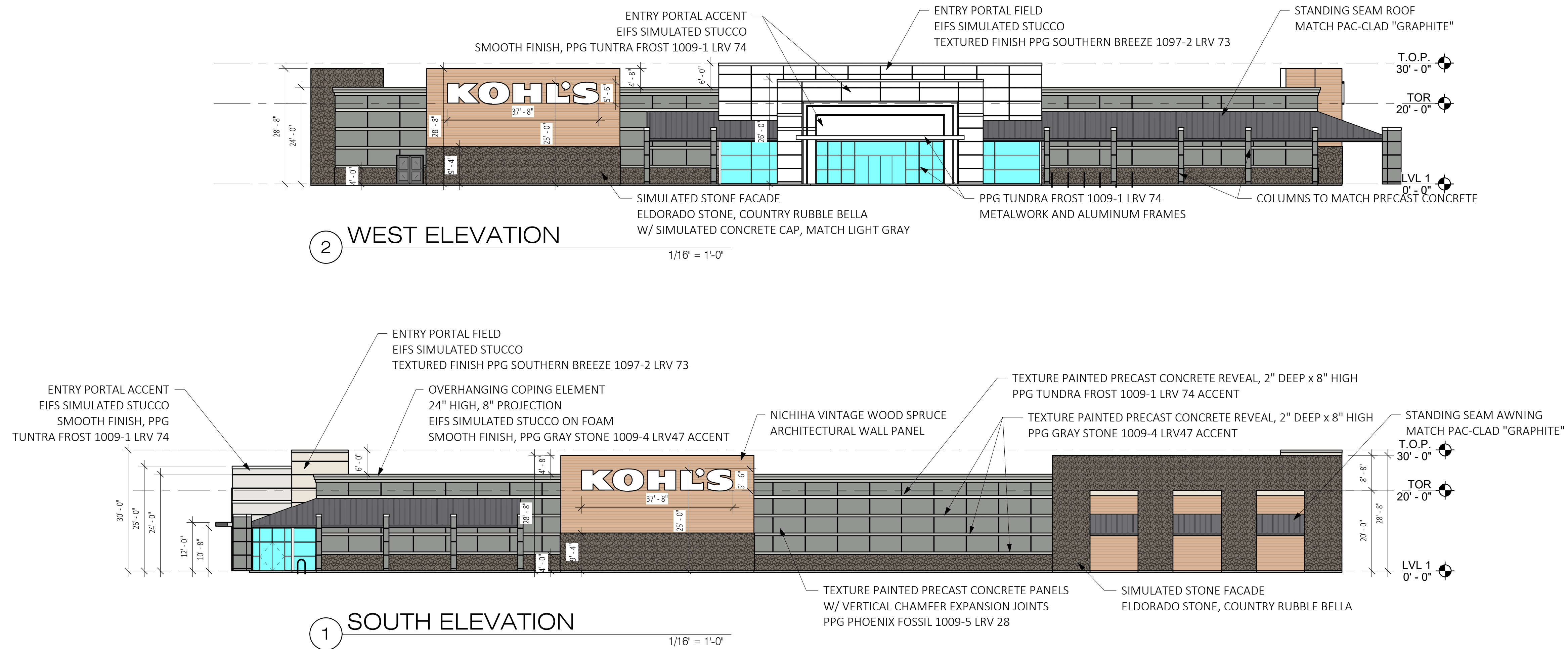
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**AS1.3**

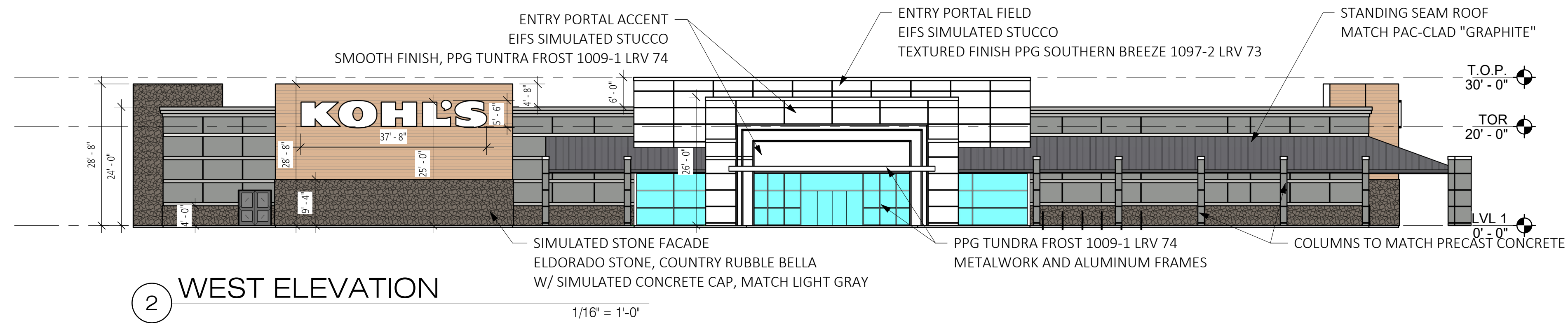
JOHNSON WALZER ASSOCIATES LLC, 17 NORTH SAN FRANCISCO STREET, SUITE 3A, FLAGSTAFF, ARIZONA 86001 (928) 779-0470



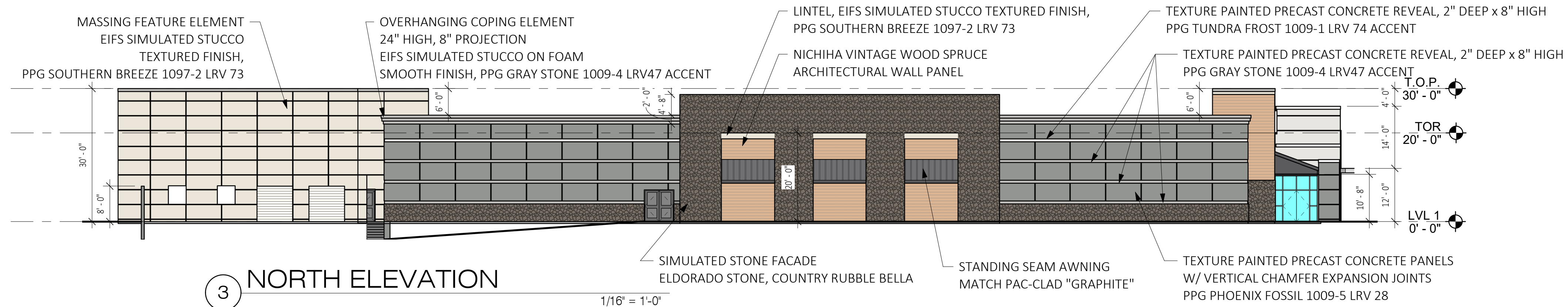




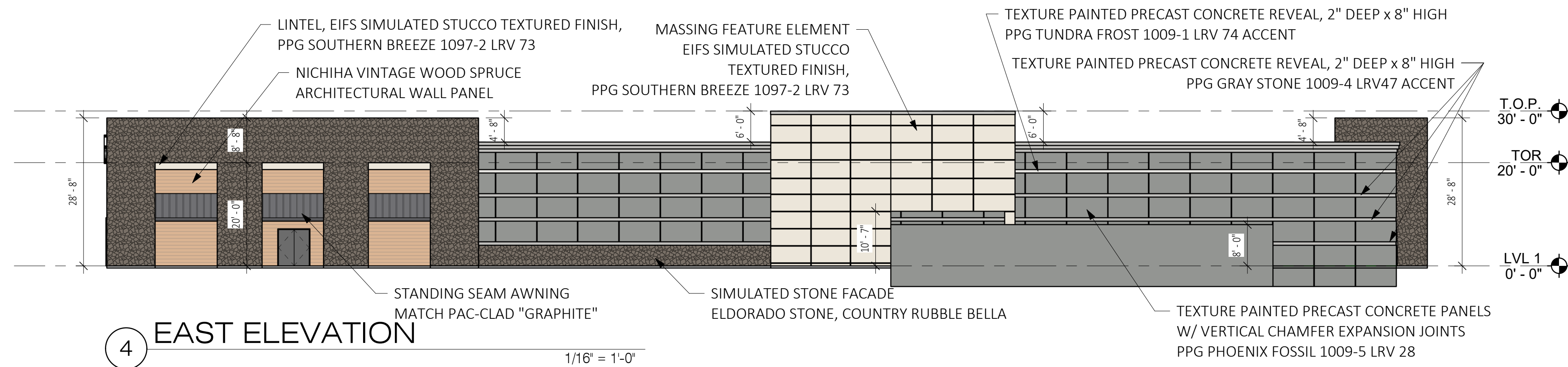
1 SOUTH ELEVATION  
1/16" = 1'-0"



2 WEST ELEVATION  
1/16" = 1'-0"



3 NORTH ELEVATION  
1/16" = 1'-0"



4 EAST ELEVATION  
1/16" = 1'-0"



GENERAL NOTES

A.	EAST ELEVATION:		
a.	TOTAL ELEVATION AREA	6848 SF	
b.	EIFS AREA	1187 SF	
c.	PERCENT	17%	
B.	NORTH ELEVATION (NOT VISABLE FROM PUBLIC WAY):		
a.	TOTAL ELEVATION AREA (MINUS GLASS)	7381 SF	
b.	EIFS AREA	2142 SF	
c.	PERCENT	29%	
C.	WEST ELEVATION:		
a.	TOTAL ELEVATION AREA (MINUS GLASS)	6467 SF	
b.	EIFS AREA	1604 SF	
c.	PERCENT	24.8%	
D.	SOUTH ELEVATION:		
a.	TOTAL ELEVATION AREA (MINUS GLASS)	7130 SF	
b.	EIFS AREA	446 SF	
c.	PERCENT	6%	

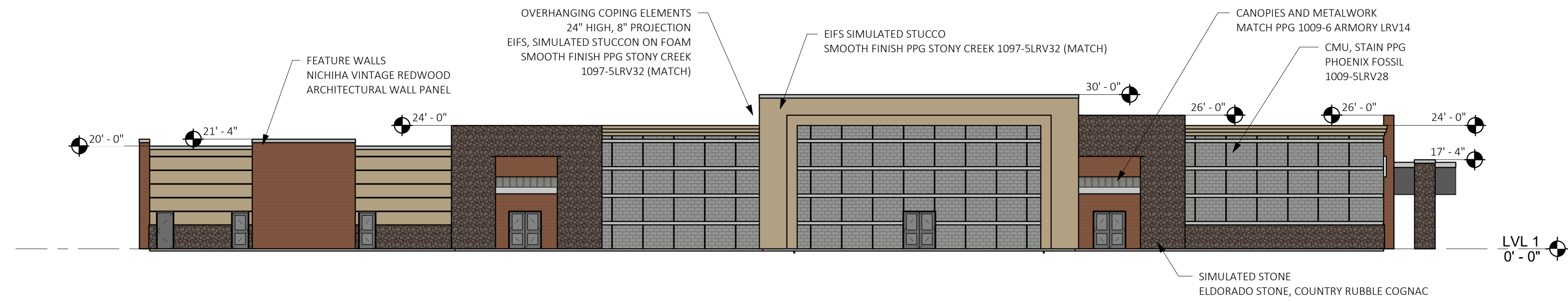
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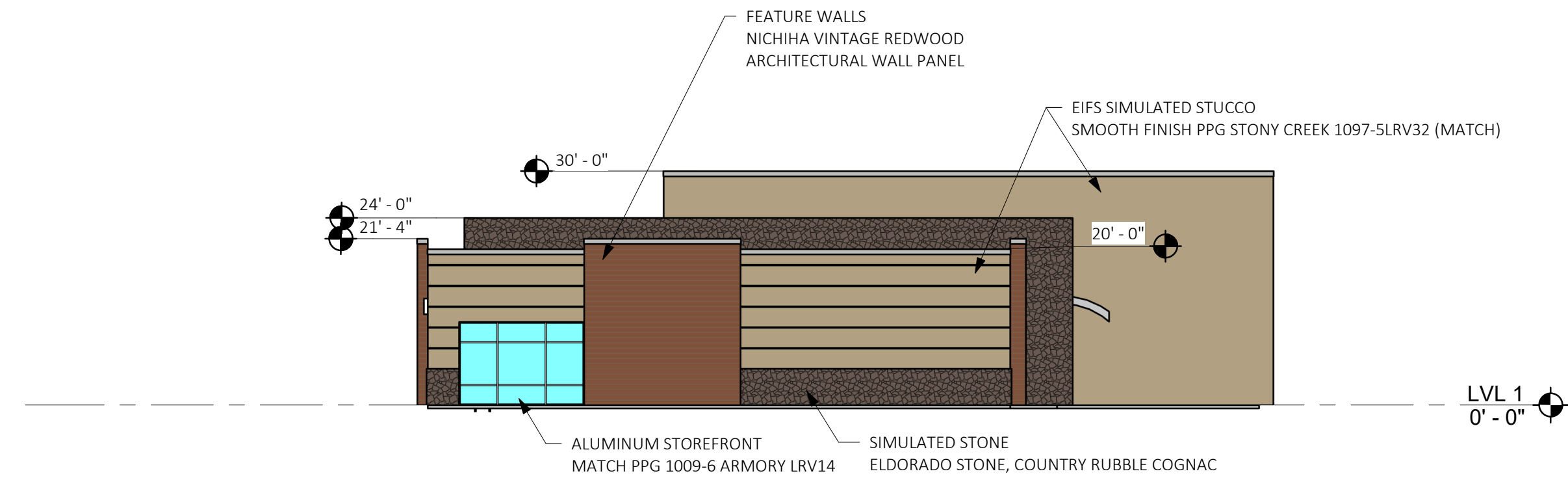
REICHH BROTHERS  
PHASE ONE RETAIL DEVELOPMENT  
1600 EAST BUTLER AVENUE, FLAGSTAFF, ARIZONA

PROJECT: 20005  
SCALE: 1/16" = 1'-0"  
DRAWN BY: ALP  
CHECKED BY: TW  
DATE: JANUARY 2021

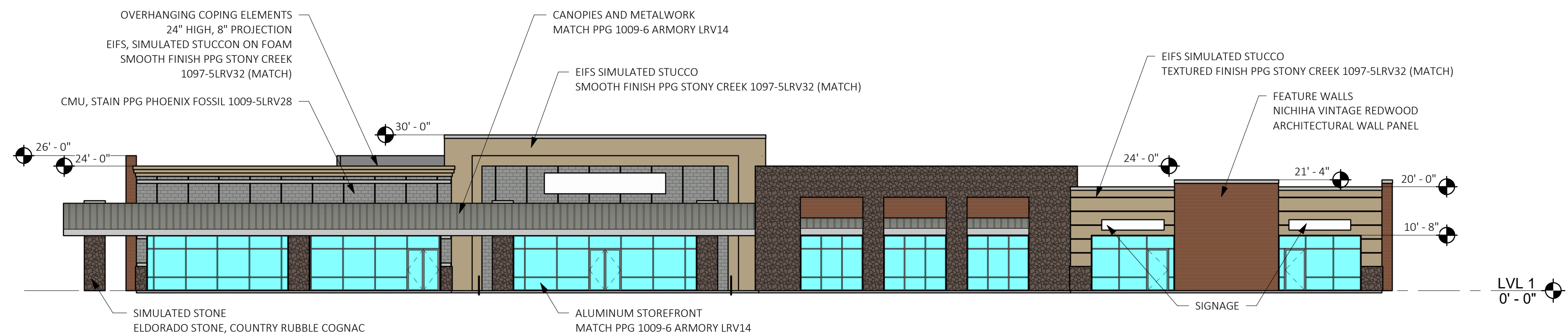
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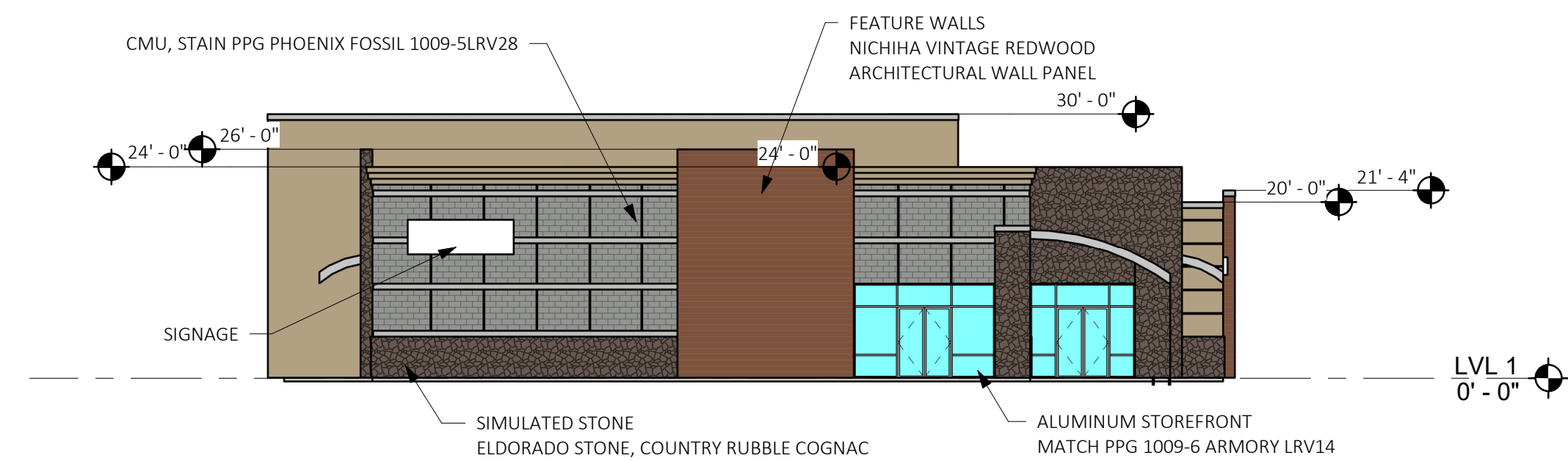
4 WEST ELEVATION  
1/16" = 1'-0"



3 NORTH ELEVATION  
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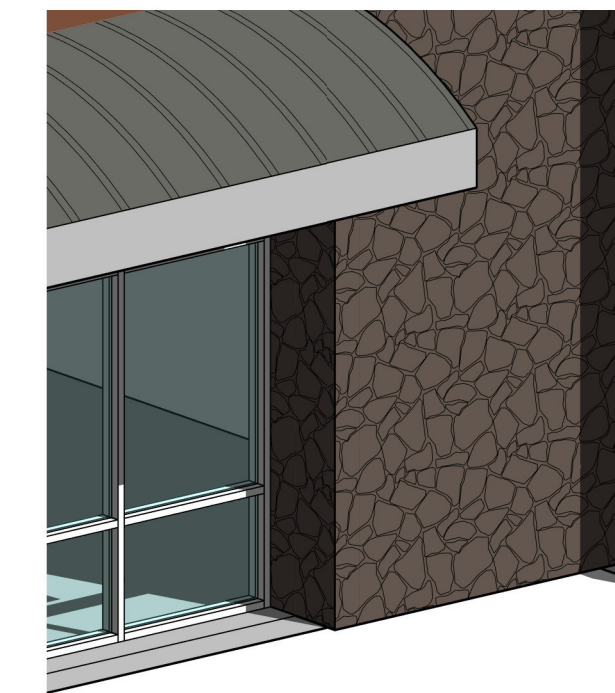
2 EAST ELEVATION  
1/16" = 1'-0"



1 SOUTH ELEVATION  
1/16" = 1'-0"

GENERAL NOTES

A.	WEST ELEVATION:	
a.	TOTAL ELEVATION AREA	6179 SF
b.	EIFS AREA	1290 SF
c.	PERCENT	21%
B.	NORTH ELEVATION (NOT VISABLE FROM PUBLIC WAY)	
a.	TOTAL ELEVATION AREA (MINUS GLASS)	2913 SF
b.	EIFS AREA	1832 SF
c.	PERCENT	62%
C.	EAST ELEVATION	
a.	TOTAL ELEVATION AREA (MINUS GLASS)	4473 SF
b.	EIFS AREA	1065 SF
c.	PERCENT	23%
D.	SOUTH ELEVATION	
a.	TOTAL ELEVATION AREA (MINUS GLASS)	2785 SF
b.	EIFS AREA	679 SF
c.	PERCENT	24%



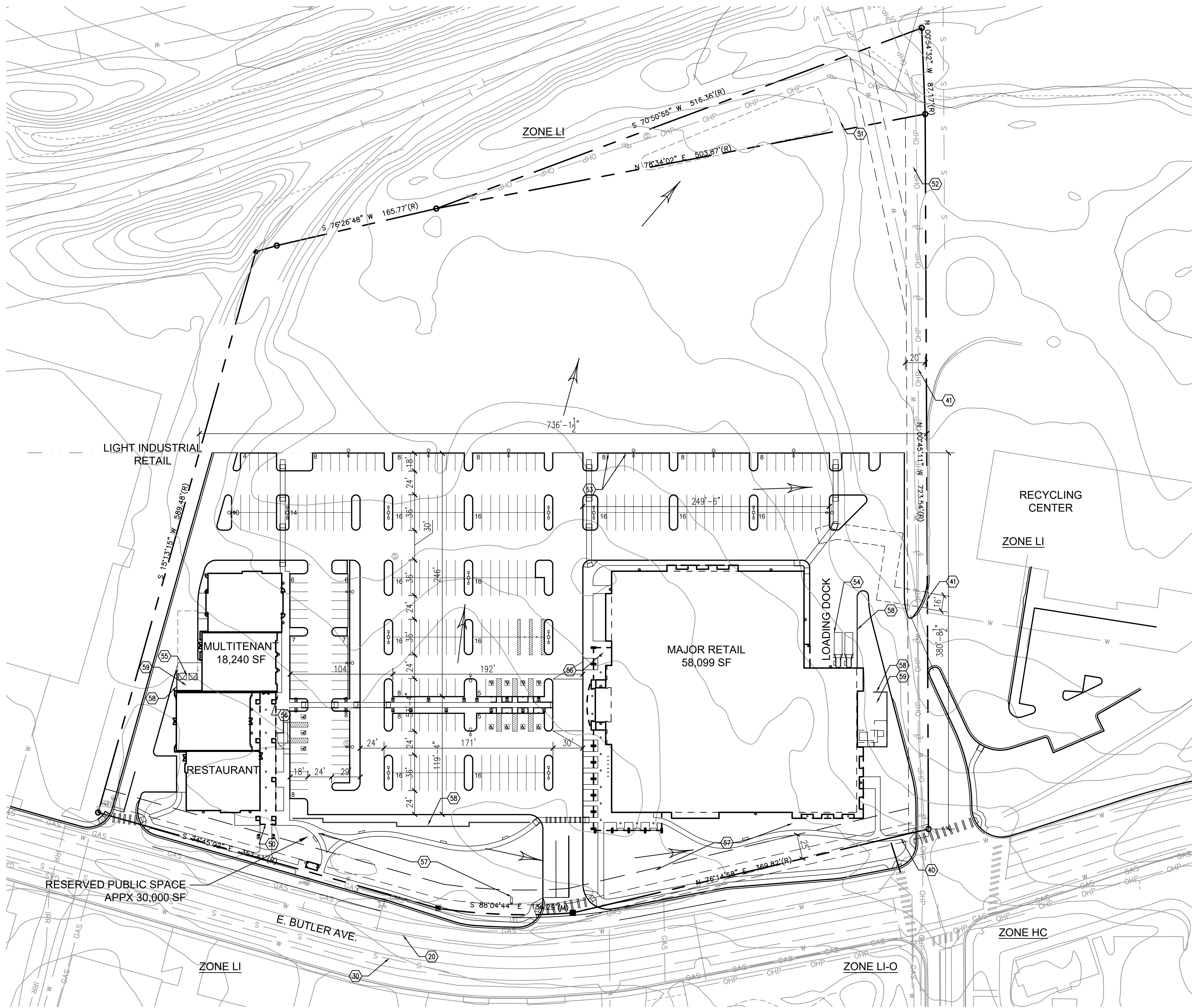
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REICH BROTHERS  
PHASE ONE RETAIL DEVELOPMENT  
1600 EAST BUTLER AVENUE, FLAGSTAFF, ARIZONA

PROJECT: 20005  
SCALE: 1/16" = 1'-0"  
DRAWN BY: ALP  
CHECKED BY: TW  
DATE: JANUARY 2021

TITLE: BUILDING ELEVATIONS - MULTITENANT



1 SITE PLAN  
1" = 50'

2 CONTOURS

GENERAL NOTES

DEVELOPMENT AREA  
 COMMERCIAL USE: 7.71 ACRES (335,838 SF) THIS PHASE  
 INDUSTRIAL USE: 4.99 ACRES (217,537.4 SF) FUTURE PHASE

PROPOSED BUILDING TYPES: TYPE IIB, SPRINKLERED (MAJOR)  
 TYPE VB, SPRINKLERED (MULTITENANT)

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KEYNOTES

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- EXISTING UTILITIES EASEMENT
- 25' FRONT BUILDING SETBACK
- PROPOSED 10' PUBLIC SIDEWALK EASEMENT
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- UTILITY YARD

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LEGEND - LIGHTING

- NSALEd PARKING LIGHT, ONE OR TWO HEAD
- NSALEd WALL LIGHT
- NSALEd SOFFIT LIGHT
- NSALEd PEDESTRIAN LIGHT BOLLARD

LEGEND

- PRIMARY PROPERTY LINE
- USE SEPARATION LINE
- SETBACK LINE
- EASEMENT LINE
- GAS LINE
- SEWER LINE
- WATER LINE
- UNDERGROUND ELECTRIC LINE
- OVERHEAD ELECTRIC LINE
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- FIRE WATER LINE
- DRAINAGE ARROW

JOHNSON WALZER ASSOCIATES LLC, 17 NORTH SAN FRANCISCO STREET, SUITE 3A, FLAGSTAFF, ARIZONA 86001 (928) 779-0470

REICH BROTHERS  
 PHASE ONE RETAIL DEVELOPMENT  
 1600 EAST BUTLER AVENUE, FLAGSTAFF, ARIZONA

JWA ARCHITECTS  
 PRELIMINARY  
 REGISTERED ARCHITECT  
 184  
 TIME  
 INSIDE  
 ARCHITECTS  
 U.S.A.  
 EXPIRES 12/31/2024

PROJECT: 20005  
 SCALE: 1" = 50'  
 DRAWN BY: ALP  
 CHECKED BY: TW  
 DATE: MARCH 2021

TITLE: SITE PLAN

AS1.2



**Planning & Zoning Commission**

**5. B.**

**Meeting Date:** 05/26/2021

**From:** Dan Symer, Zoning Code Manager

---

**Information**

**TITLE:**

**PZ-19-00123 Updates to Zoning Code 2019 – Neighborhood Community Commercial (NCC)**  
A request by the City to amend the Zoning Code to incorporate a new zone called Neighborhood Community Commercial (NCC)

**STAFF RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, find that the required findings of the Zoning Code have been met, and make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

**Policy Impact:**

---

**Attachments**

Staff Report

1. Application Narrative and Regional Plan Analysis

Draft of Case No. PZ-19-00123 Updates to Zoning Code 2019 – Neighborhood Community Commercial (NCC)

Summary of Public Comments

---

**PLANNING AND DEVELOPMENT SERVICES REPORT**

**Zoning Code Text Amendment**

**PUBLIC HEARING**

**PZ-19-00123**

**DATE:**

**May 4, 2021**

**MEETING DATE:**

**May 26, 2021**

**REPORT BY:**

**Dan Symer, AICP**

**REQUEST:**

Case No. PZ-19-00123: A request by the City to amend the Zoning Code to incorporate a new zone called Neighborhood Community Commercial (NCC).

**STAFF RECOMMENDATION:**

Staff recommends the Planning and Zoning Commission, in accordance with this report, find that the required findings of the Zoning Code have been met, and that the Planning and Zoning Commission make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

---

**I. Proposed Amendment:**

The proposed amendment (Attachment 2) incorporates a new zone called Neighborhood Community Commercial (NCC). The Neighborhood Community Commercial (NCC) zone is identical to the Community Commercial (CC), except that the allowed building height is 45 feet.

The primary purpose of the Neighborhood Community Commercial (NCC) zone is to provide the City Council and property owners a zone to implement the High Occupancy Housing Specific Plan's implementation strategy (Strategies to be implemented by 2019, bullet 5, page 102) and the Southside Community Plan's policy (Policies SMS 1.2. and SLW 1.2.) to lower the building height in the Community Commercial (CC) zone in the North End and Sunnyside Neighborhoods, and the Southside Main Streets and Live/Work Neighborhood areas from 60 feet to 45 feet. Since the Neighborhood Community Commercial (NCC) zone would be a new zone, it will allow the City Council the flexibility to determine which areas of Flagstaff with the Community Commercial (CC) zone should maintain the currently allowed maximum building height of 60 feet, such as certain properties adjacent to commercial corridor streets, and which areas should have a maximum building height of 45 feet.

It should be noted that no property will be rezoned to the Neighborhood Community Commercial (NCC) with this application.

**II. Zoning Code Text Amendment**

The Planning Director shall provide a recommendation to the Planning and Zoning Commission for its review. The 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 the following: 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 a recommendation on whether the amendment should be granted or denied.

A Zoning Code Text Amendment shall be evaluated based on the following findings:

**A. Finding #1:**

**The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**

The amendment's primary purpose is to implement the High Occupancy Housing Specific Plan and the Southside Community Plan to limit the allowed building height to 45 feet on properties currently zoned Community Commercial (CC) and in the Southside Main Streets and Live/Work Neighborhood areas of the Southside in accordance with the strategy and policies referenced in Section I of this report. Furthermore, the adoption of the amendment would address multiple goals and policies of the Regional Plan and related specific plans. Staff's narrative and comprehensive Regional Plan and Specific Plan conformance analysis is included as Attachment #1. A summary of the goals and policies that the proposed Zoning Code Text Amendment is consistent and conforms with include:

- Providing a building height of 45 feet that is compatible with the older and historic neighborhoods and building forms, consistent with traditional development patterns of the "Historic" activity centers, assists in mitigating new development impacts on heritage resources, promotes compact development appropriate to the neighborhood framework and scale, and preserves viewsheds (Goals CC.3., LU.3., NH.6., S 2., and S 4. and Policies CC.2.3., CC.2.7., CC.2.8, CC.3.1., CC.3.2., LU.2.2., LU3.1, LU5.3, LU 10.3, LU18.9, LU19.2., N.H.1.2., NH.1.8., NH.6.1., HOH.1.2., HOH.2.1., S 2.4., SMS 1.2., and SLW 1.2.); and
- Providing a mix of residential and non-residential land uses that are compatible, mutually supportive, and assist in promoting a walkable environment that is derived from traditional and historic land use patterns that contribute to the overall community character (Goal LU.3., NH.6., and S 4. and Policies LU.2.2. LU.10.3., LU.10.5., and LU.18.2).

**B. Finding #2**

**The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City;**

The provisions of the amendment are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the city. With the exception of the allowed building height, the proposed Neighborhood Community Commercial (NCC) zone is identical to the existing Community Commercial (CC) zone. The allowed building height in the proposed zone is 45 feet. The purpose of the 45-foot building height of the proposed Neighborhood Community Commercial (NCC) zone is to implement the public's interest identified in the High Occupancy Housing Specific Plan and the Southside Community Plan's goals, policies, and strategies.

**C. Finding #3**

**The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**

The amendment is internally consistent, utilizes the existing format, and does not conflict with other Zoning Code provisions. It maintains the Zoning Code's purpose as a comprehensive contemporary set of land uses and requirements that are straightforward, usable, and easily understood.

**III. CITIZEN PARTICIPATION**

Public outreach was conducted in August 2019 as it pertains to modifying the Community Commercial (CC) zone building height from 60 feet to 45 feet, and additional public outreach was conducted in July 2020 pertaining to the proposed Neighborhood Community Commercial (NCC) zone. Over 210 people, including emails, letters, meetings, and visits to the Flagstaff Community Forum topic web page, have participated. The public comments on the Community Forum web page were split up by general public comments and property owner comments. In summary, approximately 83% of the general public that responded to the Community Forum topic supported the 45-foot building height. If the proposed Neighborhood Community Commercial (NCC) zone is adopted, it will allow the City Council and property owners to rezone areas of the North End, Southside, and Sunnyside neighborhoods to the proposed zone. A detailed summary of the public outreach and a separate email message received is included in Attachment 3.

**IV. PLANNING AND ZONING COMMISSION WORK SESSION**

On August 12, 2020, the Planning and Zoning Commission reviewed the proposed Neighborhood Community Commercial (NCC) zone and supported its creation. At the time, the Commission had general questions and comments regarding the locations where the proposed zone could be implemented.

**V. CITY COUNCIL WORK SESSION**

At the City Council Work Session of August 25, 2020, the City Council reviewed the proposed Neighborhood Community Commercial (NCC) zone and requested staff conduct additional public outreach as it pertains to the locations that the zone would be applied. On April 27, 2021, the City Council reviewed and supported creating the Neighborhood Community Commercial (NCC) zone and the methodology to conduct a neighborhood-by-neighborhood public outreach strategy after the zone's adoption to determine the locations and support to rezone areas of the North End, Southside, and Sunnyside neighborhoods to the proposed zone.

**Attachments:**

1. Application Narrative and Regional Plan Analysis
2. Draft of Case No. PZ-19-00123 Updates to Zoning Code 2019 – Neighborhood Community Commercial (NCC)
3. Summary of the Public Comments

**Case No. PZ-19-00123 Updates to Zoning Code 2019 – Neighborhood Community Commercial (NCC)  
Narrative and Regional Plan and Specific Plan Conformance Analysis**

**Narrative**

The proposed amendment is to create a new zone called the Neighborhood Community Commercial (NCC) zone. This new zone will be identical to the existing Community Commercial (CC) zone as it pertains to the allowed land uses and property development standards (setbacks, Floor Area Ratio, lot sizes, etc.), except that the allowed maximum building height would be limited to 45 feet.

In February 2018, the City Council adopted the citywide High Occupancy Housing Specific Plan. The High Occupancy Housing Specific Plan was developed in response to the community’s dialogue about the previously proposed high-intensity mid-rise developments near historic neighborhoods that primarily catered to college students. The High Occupancy Housing Specific Plan is intended to provide direction in the form of goals, policies, and strategies to accommodate various housing options in areas of the city that can support infill, redevelopment, and mixed-use activities. The Plan's goals, policies, and implementation strategies address a broad spectrum of topics (see Chapters 4 and 5 of the HOH Plan). Specific to this application, the Plan’s implementation strategies include lowering the building height in the Community Commercial (CC) zone from 60-feet tall to 45-feet tall (Strategies to be implemented by 2019, bullet 5, page 102).

The concept to have a separate zone to address the HOH Plan implementation strategy to change the building height of the Community Commercial (CC) zone from 60 feet to 45 feet is a result of the comments received at the public open house meetings, the Planning and Zoning Commission’s Work Session that occurred in August 2019, and the City Council’s Work Session that occurred in October 2019. In summary, instead of limiting the Community Commercial (CC) zone to a maximum building height of 45 feet, the comments received suggested restricting the locations where the 45-foot maximum building height would be applied. As a result of these comments, it became apparent that a separate zone would be an appropriate mechanism to implement the above-mentioned HOH Plan implementation strategy. A different zone would allow the option to rezone specific areas of the city to the Neighborhood Community Commercial (NCC) zone and maintain the existing Community Commercial (CC) zone in other areas. This approach would allow the City Council to determine which areas of the city with the Community Commercial (CC) zone should have a maximum building height of 45 feet and which areas should maintain the currently allowed maximum building height of 60 feet.

**Regional Plan Conformance**

**Chapter VIII - Community Character**

- Policy CC.2.3. Mitigate development impacts on heritage resources.
- Policy CC.2.7. Protect existing historic districts from encroachment by land uses that compromise the historic characteristics of the district.
- Policy CC.2.8. In “Historic” activity centers (Downtown and Five Points), prioritize Community Character (CC) and Downtown (LU.11 and LU.12) goals and policies over the Activity Center goals and policies found in LU.18, when considering cases for rezoning.
- Goal CC.3. Preserve, restore, enhance, and reflect the design traditions of Flagstaff in all public and private development efforts.

- Policy CC.3.1. Encourage neighborhood design to be respectful of traditional development patterns and enhance the overall community image.
- Policy CC.3.2. Maintain and enhance existing buildings and blend well-designed new buildings into existing neighborhoods.

The proposed Neighborhood Community Commercial (NCC) zone is intended to be used to replace the existing Community Commercial (CC) zoning on the properties in Flagstaff that are primarily located in older and historic neighborhoods (Southside, North End, and Sunnyside). These neighborhoods typically consist of a variety of residential and non-residential uses that primarily exist in lower-scale one-, two-, and three-story buildings. To assist in maintaining the mix of land uses in these areas, the Neighborhood Community Commercial (NCC) zone's allowed uses are identical to the Community Commercial (CC) zone. In addition, the Neighborhood Community Commercial (NCC) zone's property development standards are identical to the Community Commercial (CC) zone, except that the allowed building height is limited to 45 feet instead of 60 feet that is allowed in the Community Commercial (CC) zone. The lower building height in the Neighborhood Community Commercial (NCC) zone is intended to assist in mitigating the heights between new and older developments. Also, the lower building height encourages designs that are contextually compatible and blend into the neighborhoods.

#### **Chapter IX - Growth Areas & Land Use**

- Policy LU.2.2. Design new development to coordinate with existing and future development, in an effort to preserve viewsheds, strengthen connectivity, and establish compatible and mutually supportive land uses.
- Goal LU.3. Continue to enhance the region's unique sense of place within the urban, suburban, and rural context.
- Policy LU.3.1. Within the urban, suburban, and rural context, use neighborhoods, activity centers, corridors, public spaces, and connectivity as the structural framework for development.
- Policy LU.5.3. Promote compact development appropriate to and within the context of each area type: urban, suburban, and rural.
- Policy LU.10.3. Value the traditional neighborhoods established around downtown by maintaining and improving their highly walkable character, transit accessibility, diverse mix of land uses, and historic building form.
- Policy LU.10.5. Consider vacant and underutilized parcels within the City's existing urban neighborhoods as excellent locations for contextual redevelopment that adds housing, shopping, employment, entertainment, and recreational options for nearby residents and transit patrons.
- Policy LU.18.2. Strive for activity centers and corridors that are characterized by contextual and distinctive identities, derived from history, environmental features, a mix of uses, well-designed public spaces, parks, plazas, and high-quality design.
- Policy LU.18.9. Plan activity centers and corridors appropriate to their respective regional or neighborhood scale.

- Policy LU.19.2. Establish the context and regional or neighborhood scale of each corridor prior to design with special consideration for those intended to remain residential or natural in character.

The proposed Neighborhood Community Commercial (NCC) zone is intended to be used in the Southside, North End, and Sunnyside neighborhoods. However, the zone could be used in areas of Flagstaff that are desired to have a lower building height. The Neighborhood Community Commercial (NCC) zone consists of a mix of land uses, residential and non-residential, that match the existing Community Commercial (CC) zone. These land uses will assist in contributing to a traditional neighborhood environment consisting of a diverse mix of uses that are mutually supportive and establish a unique sense of place within the urban environment.

In addition to the land uses, the Neighborhood Community Commercial (NCC) zone's property development standards are identical to the Community Commercial (CC) zone, except that the allowed building height is limited to 45 feet instead of 60 feet. The lower building height in the Neighborhood Community Commercial (NCC) zone is intended to maintain the contextual and distinctive identities of the North End, Southside, and Sunnyside neighborhoods by promoting smaller, more compact development that is appropriate for the existing neighborhood scale. In addition, the lower building height is more appropriate for the smaller lot sizes that exist in these neighborhoods, which will assist in providing and maintaining a height and lot size structural framework that contributes to the mitigation of scale between new and older developments and encourages designs that are contextually compatible. Furthermore, the lower building height may contribute to assisting in maintaining the existing smaller lots that make up these neighborhoods since lot consolidation to achieve the taller building heights and associated development standards may not be necessary. It should be noted that the lower building height within the neighborhoods and adjacent to corridor streets will assist in preserving viewsheds.

### **Chapter XIII - Neighborhoods, Housing, & Urban Conservation**

- Policy NH.1.2. Respect traditions, identifiable styles, proportions, streetscapes, relationships between buildings, yards, and roadways; and use historically appropriate and compatible building and structural materials when making changes to existing neighborhoods, especially in historic neighborhoods.
- Policy NH.1.8. Prioritize the stabilization of a neighborhood's identity and maintain cultural diversity as new development occurs.
- Goal NH.6. Neighborhood conservation efforts of revitalization, redevelopment, and infill are compatible with and enhance our overall community character.
- Policy NH.6.1. Promote quality redevelopment and infill projects that are contextual with surrounding neighborhoods. When planning for redevelopment, the needs of existing residents should be addressed as early as possible in the development process.

The primary purpose of the proposed Neighborhood Community Commercial (NCC) zone is to maintain similar building heights within existing older and historic neighborhoods. Limited to 45 feet instead of 60 feet that is allowed in the Community Commercial (CC) zone, the proposed building height of the Neighborhood Community Commercial (NCC) zone will assist in preserving the existing proportions and scales of these areas. In addition, the lower building height may contribute to assisting in maintaining smaller lots since lot consolidation will not be needed to achieve greater heights and comply with the related property development standards. In combination with maintaining the existing lot sizes, the

lower building height will assist in contributing to new development that is compatible with the existing context, which will also assist in maintaining the neighborhood's identity and overall community character.

### **High Occupancy Housing Specific Plan**

- HOH.1.2. Remove policy barriers to new development replicating the patterns of compatible historic districts and historic neighborhoods in order to promote historic context, parking, street patterns, and pedestrian connectivity, through small- and medium-scale buildings.
- HOH.2.1. Ensure that the proportions and design of HOH projects in terms of architecture, connectivity, and public spaces are tied to the activity centers type (urban, suburban), scale (regional, neighborhood, historic), and proximity of historic districts and neighborhoods.
  - Small-scale HOH is preferred in historic activity centers. Medium-scale HOH may be appropriate in the commercial core of Downtown when designed with consideration to the historic context.

#### *Strategy*

- Commercial (CC) zone to 45 feet (see Map 18).

The primary purpose of the proposed Neighborhood Community Commercial (NCC) zone is to implement the above-referenced strategy of the High Occupancy Housing Specific Plan. The concept of having a new zone to address the High Occupancy Housing Specific Plan implementation strategy to change the building height of the Community Commercial (CC) zone from 60 feet to 45 feet is a result of the comments received at the public open house meetings, the Planning and Zoning Commission's Work Session that occurred in August 2019, and the City Council's Work Session that occurred in October 2019. The primary purpose of this strategy is to allow the City Council to determine the appropriate locations to implement the 45-foot maximum building height and enable property owners to rezone into the Neighborhood Community Commercial (NCC) zone.

The lower building height in the Neighborhood Community Commercial (NCC) zone is intended to maintain the contextual and distinctive identities of older and historic neighborhoods by promoting smaller, more compact development that is appropriate for the existing neighborhood scale. In addition, the lower building height (45 feet) of the Neighborhood Community Commercial (NCC) zone will assist in preserving the existing small- and medium-scale building patterns, proportions, and scale of these neighborhoods where most of the Community Commercial (CC) zone is located.

### **Southside Community Plan**

- Goal S 2. Protect the landmarks and historic character that make Southside a unique community in Flagstaff.
- Policy S 2.4. Replicate patterns, materials, and architectural features of historic building in new construction.
- GOAL S 4. Support a diversity of buildings and mix of uses that are compatible with the scale and architecture of historic landmarks and area character.

- Policy SMS 1.2. New buildings in the Southside Main Streets are designed to increase gradually in scale and intensity in the context of the historic urban fabric. Building heights should not exceed 45 feet.
- Policy SLW 1.2. Design new buildings in the Live/Work Neighborhood that include hidden density to the existing urban form, while preserving the patterns and shapes of the residential streets. Building heights should not exceed 45 feet.

The proposed Neighborhood Community Commercial (NCC) zone with the maximum building height of 45 feet will assist in implementing the above referenced Southside Community Plan Goal and Policies. The zone will assist in maintaining building heights that contribute to a pattern of development that is compatible with the historic character and scale that is compact and appropriate for the Southside and the neighborhood's historic buildings. Also, the proposed allowed land uses of the Neighborhood Community Commercial (NCC) zone are identical to the Community Commercial (CC) zone. These land uses will assist in contributing to a traditional neighborhood environment consisting of a diverse mix of uses that are mutually supportive and establish a unique sense of place.

#### **Conflicting Regional Plan Goals and Policies**

- Policy ED.4.2. Promote variety and flexibility in land use and development options within the urban growth boundary.
- Policy LU.1.6. Establish greater flexibility in development standards and processes to assist developers in overcoming challenges posed by redevelopment and infill sites.

The proposed Neighborhood Community Commercial (NCC) zone is intended to implement the High Occupancy Housing Specific Plan and Southside Community Plan goals and policies. The zone itself does not provide additional variety or flexibility to the existing development standards and processes allowed in the Zoning Code. Also, the proposed zone does not provide assistance for developers in overcoming challenges posed by redevelopment and infill sites. It should be noted that the proposed Neighborhood Community Commercial (NCC) zone is intended to be used to replace the existing Community Commercial (CC) zone that is located in older and historic neighborhoods. The proposed building height of the proposed zone (45 feet) will limit development flexibility and preclude taller building heights that may be needed to overcome challenges posed by redevelopment and infill sites.

**Case No. PZ-19-00123 Updates to Zoning Code 2019 – Neighborhood Community Commercial (NCC)  
Amendment for Adoption in Flagstaff Zoning Code**

**HOW TO READ THIS DOCUMENT**

Unless otherwise stated, provisions that are being deleted are shown in bold red strikethrough text, like this: ~~Provisions that are being deleted are shown with a bold red strikethrough text.~~

Provisions that are being added are shown in bold blue text, like this: **Provisions that are being added are shown in bold blue text.**

Section 1. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.20: Establishment and Designation of Zones, Section 10-40.20.020 Zones, Table 10-40.20.020.A: Zones, to add Neighborhood Community Commercial (NCC), as follows – including the format of the table:

<b>Table 10-40.20.020.A: Zones</b>	
<b>Zone Symbol</b>	<b>Name of Zone</b>
<b>Non-Transect Zones</b>	
Residential Zones	
RR	Rural Residential
ER	Estate Residential
R1	Single-Family Residential
R1N	Single-Family Residential Neighborhood
MR	Medium Density Residential
HR	High Density Residential
MH	Manufactured Housing
Commercial Zones	
SC	Suburban Commercial
CC	Community Commercial
<b>NCC</b>	<b>Neighborhood Community Commercial</b>
HC	Highway Commercial
CS	Community Service
CB	Central Business
Industrial Zones	
RD	Research and Development

**Table 10-40.20.020.A: Zones**

<b>Zone Symbol</b>	<b>Name of Zone</b>
LI	Light Industrial
LI-O	Light Industrial Open
HI	Heavy Industrial
HI-O	Heavy Industrial Open
<b>Resource and Open Space Zones</b>	
PF	Public Facility
PLF	Public Lands Forest
POS	Public Open Space
<b>Transect Zones</b>	
T1	T1 Natural
T2	T2 Rural
T3N.1	T3 Neighborhood 1
T3N.2	T3 Neighborhood 2
T4N.1	T4 Neighborhood 1
T4N.2	T4 Neighborhood 2
T5	T5 Main Street
T6	T6 Downtown
TND	Traditional Neighborhood District
<b>Overlay Zones</b>	
AO	Airport Overlay
DO	Downtown Overlay
LO	Landmark Overlay
TO	Townsite Overlay
RPO	Resource Protection Overlay

Section 2. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30: Non-Transect Zones, Section 10-40.30.040 Commercial Zones, to add Neighborhood Community Commercial (NCC) zone, and format table Table 10-40.30.040.B., as follows:

### **10-40.30.040 Commercial Zones**

#### **A. Intent.**

1. **SC.** The Suburban Commercial (SC) zone applies in areas with suburban character that are appropriate for neighborhood commercial uses. This zone allows retail and service establishments that supply commodities or perform services meeting the needs of adjacent residential neighborhoods. The SC zone encourages the orderly development of dispersed commercial areas and diverse housing choices. The standards of this zone ensure that such commercial zones will be compatible with adjacent, noncommercial development and will minimize the undesirable effects of heavy traffic, type of activity, and site development requirements.
2. **CC.** The Community Commercial (CC) zone applies to areas of the City appropriate for dispersed commercial areas designed to serve communitywide needs. Such areas provide a wide variety of goods and services in predominately established, built up areas and must be consistent with the overall development of the City and its environs. The development of residential uses in addition to commercial uses is also encouraged in this zone to provide diversity in housing choices. The provisions of this zone are intended to ensure that such commerce will be compatible with adjacent, noncommercial development and to minimize the undesirable effects of heavy traffic, commercial activity, and site requirements.
3. **NCC.** The Neighborhood Community Commercial (NCC) zone applies to pre-World War II urban areas, intense suburban areas, and new neighborhood-scale activity centers and urban neighborhoods of the City, which are appropriate for a mixed composition of live/work opportunities in a walkable neighborhood environment. The property development standards of this zone provide for a variety of densities and intensities in varying scales, while maintaining a building height that is compatible to older and historic structures within the City. The uses of this zone provide for a diversity of housing options and commercial opportunities that serve the neighborhood and the larger community. The specific provisions of the zone are intended to achieve a neighborhood of moderate sized compatible uses, while minimizing the undesirable effects of more intense commercial activities, large-scale high occupancy housing, and heavy traffic.
- ~~3.~~ 4. **HC.** The Highway Commercial (HC) zone applies to areas of the City appropriate for a full range of automobile-oriented services. The development of commercial uses in addition to residential uses is encouraged in the HC zone to provide diversity in housing choices; provided, that residential uses are located above or behind commercial buildings so that they are buffered from adjoining highway corridors. The provisions of this zone are also intended to provide for convenient, controlled access and parking, without increasing traffic burdens upon the adjacent streets and highways. This zone is designated primarily at the commercial corridors of the City, with the intention of making the City more attractive as a tourist destination while providing needed commercial activity.

- 4. 5. CS.** The Commercial Service (CS) zone applies to areas of the City appropriate for those service industries and support activities necessary to maintain viable commercial retail trade centers. The development of residential uses in addition to commercial uses is encouraged in this zone; provided, that residential uses are located above or behind the primary commercial service use.
- 5. 6. CB.** The Central Business (CB) zone applies to the central core area which is appropriate for accommodating retail commercial, personal services, and governmental, business, financial, professional, and general offices. The uses in this area require a central location accessible to all routes entering the City and grouped so that the shopper or user can park once and visit a number of stores and offices on foot. The development of residential uses in addition to commercial uses is encouraged in this zone; provided, that residential uses are located on the second story or above or behind on the first floor.

**B. Commercial Zones – Allowed Uses.** The allowed land uses of each of the Commercial zones are shown in Table 10-40.30.040.B., as follows – including the format of the table:

<b>Table 10-40.30.040.B. Commercial Zones – Allowed Uses</b>							
<b>Primary Land Use<sup>1</sup></b>	<b>Specific Use Regulations</b>	<b>Commercial Zones</b>					
		<b>SC</b>	<b>CC</b>	<b>NCC</b>	<b>HC</b>	<b>CS</b>	<b>CB</b>
<b>Industrial, Manufacturing, Processing and Wholesaling</b>							
Carpenter or Cabinet Shops		--	--	--	--	P	-
Flammable Liquid, Gas, and Bulk Fuel – Storage and Sale		--	--	--	UP	--	
Machine or Metal Working Shops		--	--	--	--	P	--
Manufacturing and Processing – Incidental		--	P	P	P	P	P
Micro-brewery or Micro-distillery	10-40.60.240	--	P	P	P	P	P
Mini-storage Warehousing	10-40.60.250	--	--	--	UP <sup>2</sup>	P	--
Research and Development Uses	10-40.60.300	--	--	--	UP	--	--
Transportation or Trucking Yards		--	--	--	--	P	--
Vehicle Towing/Impound Yard		--	--	--	p <sup>4</sup>	--	--
Warehousing		--	p <sup>3</sup>	p <sup>3</sup>	p <sup>3</sup>	--	p <sup>3</sup>
Wholesaling and Distribution		--	--	--	--	P	p <sup>3</sup>

**Table 10-40.30.040.B.  
Commercial Zones – Allowed Uses**

Primary Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones					
		SC	CC	NCC	HC	CS	CB
<b>Recreation, Education and Assembly</b>							
Automobile, Go-kart, Miniature Automobile Racing	10-40.60.080	--	UP	UP	UP	--	--
Commercial Campgrounds	10-40.60.130	--	--	--	P	--	--
Commercial Recreation Facilities, Indoor		P	P	P	P	--	P
Commercial Recreation Facilities, Outdoor	10-40.60.270	--	UP	UP	UP	--	--
Libraries, Museums		P	P	P	P	P	P
Meeting Facilities, Public or Private	10-40.60.230						
Regional		--	P/UP <sup>5</sup>	P/UP <sup>5</sup>	P/UP <sup>5</sup>	P/UP <sup>5</sup>	P/UP <sup>5</sup>
Neighborhood		P <sup>5</sup>	P/UP <sup>5</sup>	P/UP <sup>5</sup>	--	--	--
Outdoor Public Uses, General		P	P	P	P	--	--
Places of Worship		P/UP <sup>10</sup>	P/UP <sup>10</sup>	P/UP <sup>10</sup>	P/UP <sup>10</sup>	P/UP <sup>10</sup>	P/UP <sup>10</sup>
Schools – Public and Charter		P	P	P	P	P	P
Schools – Private		P	P	P	P	P	P
Theaters		P	P	P	P	--	P
Trade Schools		--	UP	UP	UP	UP	UP
<b>Residential<sup>7</sup></b>							
Co-housing	10-40.60.120	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
Congregate Care Facilities		UP	P	P	P	P	UP
Day Care, Centers	10-40.60.150.B	P	P	P	P	UP	UP
Day Care, Home	10-40.60.150.A	P	P	P	P	P	P
Development, Duplex		p <sup>6</sup>	p <sup>6,9</sup>	p <sup>6,9</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
Development, Multiple-Family		p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
Development, Single-Family		--	p <sup>9</sup>	p <sup>9</sup>	--	--	--

**Table 10-40.30.040.B.  
Commercial Zones – Allowed Uses**

Primary Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones					
		SC	CC	NCC	HC	CS	CB
Dormitories		UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>
Fraternities and Sororities		UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>
Group Homes		p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
High Occupancy Housing Development, Single-Family	10-40.60.175	--	UP	UP	--	--	--
High Occupancy Housing Development, Two-units	10-40.60.175	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>
High Occupancy Housing Development, Three-units	10-40.60.175	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>
High Occupancy Housing Development, Four-units and Greater	10-40.60.175	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>
Home Occupation	10-40.60.180	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
Institutional Residential							
Custodial Care Facilities		p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>
Homeless Shelters	<del>10-40.60.190</del>						
Emergency Shelters	10-40.60.190	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>
Short Term Housing		p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>
Transitional Housing		P	P	P	P	P	P
Sheltered Care Homes		P	P	P	P	P	P
Nursing Homes		UP	UP	UP	UP	UP	UP
Live/Work	10-40.60.200	P	P	P	P	P	P
Planned Residential Development	10-40.60.280	P/UP	P/UP <sup>9</sup>	P/UP <sup>9</sup>	UP	UP	UP
Residence for Owner, Caretaker or Manager		p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
Single Room Occupancy		UP	--	--	P	--	P

**Table 10-40.30.040.B.  
Commercial Zones – Allowed Uses**

Primary Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones					
		SC	CC	NCC	HC	CS	CB
<b>Retail Trade</b>							
Bars/Taverns		P	P	P	P	P	P
Crematorium		P	P	P	P	P	--
Drive-through Retail	10-40.60.160	P	P	P	P	--	--
Drive-through Service		P	P	P	P	--	--
Farmers Markets and Flea Markets		--	P	P	P	P	P
General Retail Business		P	P	P	P	P	P
Mixed Use	10-40.60.260	P	P	P	P	P	P
Mixed-Use High Occupancy Housing Development	10-40.60.175 and 10-40.60.260	UP	UP	UP	UP	UP	UP
Restaurant or Cafe		P	P	P	P	P	P
<b>Services</b>							
Bed and Breakfast Establishments	10-40.60.110	P	P	P	P	P	P
Cemeteries		UP	UP	UP	UP	UP	--
Dry-cleaning, Processing		P	P	P	P	--	--
Equipment Rental Yard		--	UP	UP	P	P	--
Funeral Homes, Chapels and Mortuaries		--	P	P	P	--	UP
General Services		P	P	P	P	P	P
Hospital		UP	UP	UP	UP	UP	UP
Kennel, Animal Boarding	10-40.60.195	--	--	--	UP <sup>11</sup>	--	--
Medical Marijuana Dispensary	10-40.60.220	--	--	--	P	--	--
Office		P	P	P	P	P	P
<b>Public Services</b>							
Public Services Major		--	--	--	--	--	--
Public Services Minor		P	P	P	P	P	P
Emergency Services		UP	UP	UP	UP	UP	UP

**Table 10-40.30.040.B.  
Commercial Zones – Allowed Uses**

Primary Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones					
		SC	CC	NCC	HC	CS	CB
Travel Accommodations		UP	--	--	P	--	P
Veterinary Clinics		P	P	P	P	P	--
Veterinary Hospitals		--	--	--	UP	UP	--
<b>Telecommunication Facilities</b>							
AM Broadcasting Facilities	10-40.60.310	UP	UP	UP	UP	UP	UP
Antenna-Supporting Structure	10-40.60.310	UP	UP	UP	UP	UP	UP
Attached Telecommunication Facilities	10-40.60.310	P	P	P	P	P	P
Collocation Facility	10-40.60.310	P	P	P	P	P	P
FM/DTV/Low Wattage AM Broadcasting Facilities	10-40.60.310	P	P	P	P	P	P
Stealth Telecommunication Facilities	10-40.60.310	P	P	P	P	P	P
<b>Transportation and Infrastructure</b>							
Accessory Wind Energy Systems	10-40.60.040	P	P	P	P	P	P
Garages, Off-Street		P	P	P	P	P	P
Parking Lots, Off-Street	10-50.80	P	P	P	P	P	P
Passenger Transportation Facilities		--	--	--	UP	UP	UP
<b>Urban Agriculture</b>							
Community Gardens	10-40.60.140	P	P	P	P	P	P
Food Production		--	--	--	UP <sup>2</sup>	UP <sup>2</sup>	--
<b>Vehicle Sales and Services</b>							
Automobile Service Station and Convenience Store	10-40.60.090	P	P	P	P	P	--
Automobile and Trailer Rental		--	--	--	P	P	--

**Table 10-40.30.040.B.  
Commercial Zones – Allowed Uses**

Primary Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones					
		SC	CC	NCC	HC	CS	CB
Automobile/Vehicle Sales and Service, New and Used		--	UP	UP	P	P	UP
Automobile/Vehicle Repair Garages – Major	10-40.60.100	--	--	--	P	P	--
Automobile/Vehicle Repair Garages – Minor	10-40.60.100	--	UP	UP	P	P	--
Car Washes		P	P	P	P	--	--
Mobile Homes and Recreational Vehicles, Sales, and Service		--	--	--	P	--	--
<b>End Notes</b>							
1. A definition of each listed use type is in Chapter 10-80, Definitions.							
2. Only allowed on lots that do not have highway frontage or behind existing/new commercial uses.							
3. Only permitted when incidental to permitted use.							
4. This use shall be screened. See Division 10-50.50, Fences and Screening, for fencing and screening requirements.							
5. A conditional use permit is required if liquor is sold or if facilities exceed 250 seats.							
6. Residential uses with more than two units are allowed as part of a mixed-use development located above or behind the commercial uses, or as a planned residential development.							
7. Residential uses in the CC, HC, CS and CB zones, and residential uses and properties listed on the National Historic Registry or within the Landmarks overlay zone existing prior to the effective date of this Zoning Code are considered legal, nonconforming uses. Residential uses in the CC, HC, CS and CB zones shall be subject to the development standards established in the HR zone.							
8. Conditional use permit is required if proximity between shelter facilities is less than one-quarter mile.							
9. Single-family and duplex land uses are permitted by right on lots ≤9,000 sf and existing prior to November 1, 2011, subject to the building placement and building form requirements of the MR zone.							
10. A conditional use permit is required if the facility exceeds 250 seats and/or if the facility is located adjacent to a toxic use.							
11. Outdoor kenneling of animals is prohibited.							
<b>Key</b>							
P = Permitted Use							
UP = Conditional Use Permit Required							

Table 10-40.30.040.B. Commercial Zones – Allowed Uses							
Primary Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones					
		SC	CC	NCC	HC	CS	CB
-- = Use Not Allowed							

C. **Commercial Zones – Building Form and Property Development Standards.** The building form and property development standards shown in Table 10-40.30.040.C. shall apply to all property with the corresponding commercial zones.

Table 10-40.30.040.C. Commercial Zones – Building Form and Property Development Standards							
		Commercial Zones					
		SC	CC	NCC	HC	CS	CB
<b>Building Placement Requirements</b>							
Setback from property line							
Front (Also see Section 10-50.60.040.B)	15' <sup>1</sup>	0'	0'	0' <sup>2</sup>	0'	0'	
Side							
Adjacent to Residential Use		----- 15' min. <sup>6</sup> -----					
Street Side (min.)	10' <sup>3</sup>	10' <sup>3</sup>	10' <sup>3</sup>	10' <sup>3</sup>	10' <sup>3</sup>	10' <sup>3</sup>	0'
All Other Sides		----- 0'-----					
Rear							
Adjacent to Residential		----- 15' min.-----					
All Other Rears		----- 0'-----					
<b>Building Form Requirements</b>							
Building Height (max.) <sup>8, 9, 10</sup>	35'	60' <sup>4, 7</sup>	60' <sup>4, 7</sup>	60' <sup>4</sup>	60' <sup>4</sup>	60' <sup>4</sup>	60' <sup>4</sup>
Gross FAR (max.)	0.8	2.5	2.5	3.0	2.0	2.0	No max.
<b>Density Requirements</b>							
Gross Density (units/acre)							
Maximum without the Resource Protection Overlay (RPO)	13 <sup>11</sup>	----- 29 <sup>11</sup> -----					
Maximum with the RPO, inside of a pedestrian	13 <sup>11</sup>	----- 29 <sup>11</sup> -----					

**Table 10-40.30.040.C.  
Commercial Zones – Building Form and Property Development Standards**

		Commercial Zones					
		SC	CC	NCC	HC	CS	CB
shed of an activity center <sup>13</sup>							
Maximum with the RPO, outside of a pedestrian shed of an activity center <sup>13</sup>	13 <sup>11</sup>	----- 22 <sup>11</sup> -----					
<b>Maximum Bedroom Requirements</b>							
Bedrooms per Acre on a Development Site with Four Dwelling Units or More							
Maximum without the RPO for a development	35 <sup>12</sup>	----- 72.5 <sup>12</sup> -----					
Maximum with the RPO inside of a pedestrian shed of an activity center <sup>13</sup>	35 <sup>12</sup>	----- 72.5 <sup>12</sup> -----					
Maximum with the RPO outside of a pedestrian shed of an activity center <sup>13</sup>	35 <sup>12</sup>	----- 55 <sup>12</sup> -----					
<b>Lot Requirements</b>							
Area (Gross sf) (min.) <sup>5</sup>	6,000	9,000	9,000	9,000	9,000	9,000	7,000
Width (min.) <sup>5</sup>	50'	60'	60'	60'	60'	60'	50'
Depth (min.) <sup>5</sup>	100'	100'	100'	100'	100'	100'	--
<b>Open Space</b>							
Developments with Two or More Dwelling Units	----- 15 percent of the net lot area -----						
<b>Other Requirements</b>							
Fences and Screening	See Division 10-50.50						
Landscaping	See Division 10-50.60						
Outdoor Lighting	See Division 10-50.70						
Parking	See Division 10-50.80						
Signs	See Division 10-50.100						
<b>End Notes</b>							
1. Front setbacks shall be equal to 15' or match adjacent residential development, whichever is less.							

Table 10-40.30.040.C. Commercial Zones – Building Form and Property Development Standards						
	Commercial Zones					
	SC	CC	NCC	HC	CS	CB
2.	No front setback required, except when required by the adoption of building setback lines along specified streets.					
3.	Setback may be reduced to 5' min., if the landscape street buffer is reduced in accordance with Section 10-50.60.040(B), Nonresidential Zone Buffers.					
4.	Conditional use permit required for structures over 60' in height.					
5.	Within a planned residential development, the minimum area, width, and depth of a lot may vary based on the minimum lot standards applicable to the building types selected for application within a planned residential development (see Section 10-40.60.280, Planned Residential Development).					
6.	Except that the setback from a proposed residential use in a commercial zone to other residential uses shall be 5' min.					
7.	Single-family dwellings and duplexes in the CC and NCC <del>zone zones</del> shall be limited to a maximum height of 35 feet consistent with the height standard for the MR zone.					
8.	Primary structures, excluding accessory structures, with a roof pitch greater than, or equal to, 6:12 shall be allowed an additional five feet above the maximum building height.					
9.	The elevator and stairwell bulkheads shall be architecturally integrated with the building. Elevator and stairwells bulkheads are allowed an additional 15 feet above the maximum building height. The Director may approve a height greater than 15 feet when the additional height is necessary to accommodate an elevator or stairwell bulkhead, related equipment, or the requirements of the Building or Fire Code.					
10.	Steeple, solar collectors, towers and other unoccupied architectural features are allowed an additional height above the maximum building height equal to 20 percent multiplied by the maximum building height allowed for property's zone. The total area of the referenced allowances above the building height shall not exceed 20 percent of the total roof area.					
11.	Additional density may be approved with an HOHD or MHOHD Conditional Use Permit.					
12.	Additional bedrooms per acre may be approved with an HOHD or MHOHD Conditional Use Permit.					
13.	Activity centers are delineated on the General Plan or applicable Specific Plan.					

**D. Miscellaneous Requirements – All Commercial Zones.**

- In accordance with Chapter 11-20, Subdivision and Land Split Regulations, and Title 13, Engineering Design Standards and Specifications for New Infrastructure, of the City Code, all land subdivided into lots or parcels shall abut a public right-of-way or private street tract, and have water and sewer infrastructure service.
- All products incidental to a permitted use which are manufactured or processed on the premises shall be sold on the premises and at retail only, and shall be further limited as follows:

- a. In the CC and CB zones, such activity shall be restricted to not over 25 percent of ground floor area of the building or buildings.
  - b. In the CS zone, such activity shall be restricted to not over 50 percent of ground floor area of the building or buildings.
  - c. In the CC and CB zones, not more than five employees shall be engaged in such activity.
  - d. In the CS zone, not more than 10 employees shall be engaged in such activity.
3. Every development in the commercial zones shall have a refuse storage area constructed and provided in accordance with City standards.
  4. Temporary uses shall be permitted in compliance with Section 10-20.40.150, Temporary Use Permits.
  5. **Accessory Uses.**
    - a. An Accessory Dwelling Unit (ADU) use is allowed in commercial zones on a lot containing a single-family dwelling unit as the primary use.
    - b. All other accessory uses are allowed in accordance with Section 10-40.60.025.
  6. **Accessory Structures.**
    - a. An Accessory Dwelling Unit (ADU) structure that complies with Section 10-40.60.030 is allowed in Community Commercial (CC) and **Neighborhood Community Commercial (NCC) zone zones** on a lot containing a detached single-family dwelling.
    - b. All other accessory structures are allowed in accordance with Section 10-40.60.020.

***Summary of Comments and Questions Specific to Neighborhood Community Commercial (NCC) Amendments from the July 15, 2020, Virtual Open House Meeting***

1. I am opposed to down-zoning property that is applied as a broad stroke. Although, I am refreshed to see that you're open to the idea of making the process a mapping exercise, such as the example that was shown for Sunnyside with the 4<sup>th</sup> Street corridor maintaining the existing Community Commercial (CC) zone. It is recommended to allow properties adjacent to the street corridors the option to redevelop to their maximum potential. There are some corridors on the Southside that could use the same considerations as 4<sup>th</sup> Street. Most progressive communities around the country right now are up-zoning and raising their building heights so that they can solve issues with affordable housing, including minimizing the impacts on the infrastructure, transportation, and all things that lead to global warming. It's a little odd for our community to be considering to down-zone property. I'm sensitive to the idea that there are people wrapped up in the same community commercial (CC) zone that are in historic districts; and, for several years they have requested the City find a way to protect their neighborhood. I think you could find more broad support for a Zoning Map Amendment that is based on a mapping exercise rather than a blanket rezoning specific to certain areas.
2. It seems that the reduction in building height will reduce my property value by 25 percent. The reduction in building height could affect certain properties' developability, although 60 feet may be impractical on small properties.
3. The reduction in building height will make developing affordable housing on some sites a little more challenging.
4. A more appropriate approach to changing the zoning on properties would be based on an area-by-area and corridor-by-corridor analysis. Otherwise, a series of Prop 207 claims may result in a patchwork of 45-foot tall and 60-foot tall building allowances.
5. How does the existing traffic capacity of the streets, such as Humphreys and San Francisco, assist in addressing the Zoning Map's modification?

*Staff response: A street's existing traffic capacity may be considered as part of a Zoning Map Amendment. At this time, the street network capacity is not being utilized as a determining factor.*

6. Will the Neighborhood Community Commercial (NCC) zone be an opt-in zone?

*Staff Response: The zone is being proposed to be added to the Zoning Code. Where the zone will be located, and its application, opt-in or not, will be based on the City Council's direction.*

7. If a property is rezoned to the Neighborhood Community Commercial (NCC) zone, will they still have the ability to opt-in to their floating transect zone?

*Staff response: Yes, a property owner will still have the option of opting into the floating transect zone.*

**From:** Eve Ross <[everossaz@gmail.com](mailto:everossaz@gmail.com)>  
**Sent:** Thursday, July 2, 2020 3:34 PM  
**To:** CD Front Counter <[CDFrontCounter@flagstaffaz.gov](mailto:CDFrontCounter@flagstaffaz.gov)>  
**Subject:** Proposed Text Amendment to Zoning Code CC

I write to ask that my comments be read from the dais at the P& Z meeting considering amending the City of Flagstaff Zoning Code Community Commercial to Neighborhood Community Commercial by changing the maximum building height from 60 feet to 45 feet.

My comments are as follows:

We purchased our property many years ago in reliance on the zoning of CC and the 60ft height restriction. The property is commercial property and its assessed value has been based in part on the ability, under the zoning code, to increase the intensity of use by expanding the building footprint to 60 ft of height. This zoning code text change adversely impacts our ability to use the property as allowed under the current zoning code, which diminishes property value; we would regard such a change as a taking of partial value of the property.

This is not a situation where a zoning change that adversely impacts the neighborhood is being sought. Instead, every property owner is or could have been aware of the 60 ft height limitation via due diligence before purchasing.

When I served on the Regional Planning effort some years ago, the value of downtown density (infill) was repeatedly stressed because it was economical and sustainable. Downtown infrastructure is in place, downtown density reduces the need for sprawl and infrastructure extensions. New roadways, infrastructure, traffic and pollution are avoided by using downtown spaces to their utmost.

We are opposed to the proposed change to the text of the CC Zoning Code Text.  
Please do not hesitate to contact me if you have any questions.

Eve Ross  
[everossAz@gmail.com](mailto:everossAz@gmail.com)  
928.607.1778

**Cedar West Capital, LLC  
10 E. Dale Ave  
Flagstaff, AZ 86001**

July 21, 2020

Dan Symer  
Zoning Code Manager  
City of Flagstaff  
211 W. Aspen  
Flagstaff, AZ 86001

**RE: CC Zoning, Proposed Amendment**

I am the authorized member/spokesperson for Cedar West Capital, LLC.

Cedar West Capital owns two contiguous parcels of CC zoned property in east Flagstaff. (109-05-081-A; 109-05-001-G). This property is 6.6 acres and is currently developed as a shopping center. It is northeast of the intersection of Cedar Avenue and West Street.

This shopping center has worked well for 40 years. However, no one knows what the best use of the property will be in the future. There is a significant possibility that some day this property may be a high-rise office, housing, retail or even a campus like a hospital, medical facility.

This property is one of a handful of CC zoned properties located north of Forest/Cedar/Lockett. It is, by far, the largest.

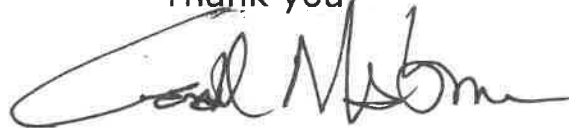
With this in mind, Cedar West objects to the proposed reduction in allowed height which would result from a change from CC to NCC zoning.

This property is large enough to handle a 60 foot high building quite easily. In that regard, it is one of the few properties in the area that could accommodate such a building. Therefore, the current 60 foot height allowance is a valuable entitlement of this property.

There are certainly CC parcels throughout the city that should be restricted to 45 feet. This property is not one of them.

If this property is re-zoned against our will we will seek a waiver of the height restriction or compensation for the loss in value.

Thank you

A handwritten signature in black ink, appearing to read "Gerald Nabours". The signature is fluid and cursive, with a large initial "G" and "N".

Gerald W. Nabours  
(928) 525-6128  
gnabours@gmail.com



July 9, 2020

*Via Regular Mail*

Dan Symer, AICP, Zoning Code Manager  
Planning and Developmental Services  
211 West Aspen Avenue  
Flagstaff, AZ 86001

RE: Zoning Code Amendment

I am the manager for D&L Property, LLC which owns property at 6 E. Dale Avenue, Flagstaff. I received a letter from the City indicating a zoning code text amendment (PZ 19-00123) and Map amendment (PZ 20-00211) for the property at the address.

First, I would like to request a copy of both of the proposed amendments.

Second, I absolutely oppose any amendment which would reduce or further restrict the development rights related to the property. This includes the proposed height restriction from 60 to 45 feet. Should any amendment pass restricting my vested development rights, I would either opt out (to the extent allowed, as the City usually allows) or bring an appropriate claim against the City for a regulatory taking by abrogating my vested development rights without compensation (i.e. prop 207 claim).

Sincerely,

A handwritten signature in blue ink, appearing to read "Tevis Reich".

Tevis Reich

**From:** David Carpenter <[dc@hopeaz.com](mailto:dc@hopeaz.com)>  
**Sent:** Tuesday, August 11, 2020 10:13 AM  
**To:** Daniel Symer <[Daniel.Symer@flagstaffaz.gov](mailto:Daniel.Symer@flagstaffaz.gov)>; Sara Dechter <[SDechter@flagstaffaz.gov](mailto:SDechter@flagstaffaz.gov)>  
**Cc:** Daniel Folke <[DFolke@flagstaffaz.gov](mailto:DFolke@flagstaffaz.gov)>; Tiffany Antol <[TAntol@flagstaffaz.gov](mailto:TAntol@flagstaffaz.gov)>; Alaxandra Pucciarelli <[APucciarelli@flagstaffaz.gov](mailto:APucciarelli@flagstaffaz.gov)>  
**Subject:** Regional Plan Amendment Required for NCC Downzoning

Dan/Sara-

I think the council should have to do a major regional plan amendment to down zone 1000 +/- CC properties in the central core of the city. The net affect could be the reduction of hundreds of housing units in the Flagstaff core. This not only flies in the face of several goals and policies of the plan but the entire guiding principal of the plan itself. The citizens overwhelmingly choose infill urban form vs. sprawl, suburbs, and exurbs.

If the council wants to reduce housing options in the center of the city, and go back on our commitment to slowing climate change under the vail of historic preservation, they should need to overtly chose that in a public forum. The process should not be as easy as one or two meetings cloaked as historic preservation. This is a wholesale reversal of the public will. I realize that historic preservation and environmental responsibility are competing progressive goals, but unfortunately they can't have it both ways.

How can we demand as the public that this happens?

Thank You,

*David Carpenter*



Hope Construction  
495 S River Run Rd.  
Suite 100  
Flagstaff, AZ 86001

P 928-527-3159  
F 928-527-0357  
C 928-380-5808

**From:** Sara Dechter <SDechter@flagstaffaz.gov>  
**Sent:** Tuesday, August 11, 2020 10:34 AM  
**To:** David Carpenter <dc@hopeaz.com>; Daniel Symer <Daniel.Symer@flagstaffaz.gov>  
**Cc:** Daniel Folke <DFolke@flagstaffaz.gov>; Tiffany Antol <TAntol@flagstaffaz.gov>;  
Alaxandra Pucciarelli <APucciarelli@flagstaffaz.gov>  
**Subject:** RE: Regional Plan Amendment Required for NCC Downzoning

Hi David,

If you will remember, when the City adopted the High Occupancy Housing Specific Plan, we also amended the Regional Plan concurrently to change the activity centers in the downtown area from Regional to Historic and explicitly called out the strategy of the NCC zoning as an implementation of that policy change. So the City Council has already amended the Regional Plan to allow for the Zoning Code amendments that Dan is working on now. I am uncertain what we would be amending after that or why it would be a major amendment.

As you know from other rezoning cases, having a conflicting policy is not necessarily a reason to require a plan amendment. However, the policy you are pointing to is certainly something we will disclose to Council when we present the Regional Plan conformance analysis for these rezoning updates. I agree it is a conflicting policy.

If there is more detail about this that I am missing, please let me know.

All the best,  
Sara Dechter

Sara Dechter, AICP, CP3  
Comprehensive Planning Manager  
City of Flagstaff, AZ  
928-213-2631

[www.flagstaffaz.gov/comprehensiveplanning](http://www.flagstaffaz.gov/comprehensiveplanning)  
Learn about the 2020 Census at: [iCount2020.info](http://iCount2020.info)



**From:** David Carpenter <dc@hopeaz.com>  
**Sent:** Thursday, August 13, 2020 2:46 PM  
**To:** Sara Dechter <SDechter@flagstaffaz.gov>; Daniel Symer <Daniel.Symer@flagstaffaz.gov>  
**Cc:** Daniel Folke <DFolke@flagstaffaz.gov>; Tiffany Antol <TAntol@flagstaffaz.gov>; Alaxandra Pucciarelli <APucciarelli@flagstaffaz.gov>  
**Subject:** RE: Regional Plan Amendment Required for NCC Downzoning

Sara-

Im not sure that the HOH specific plan even conforms with the regional plan. Myself an others will be doing all that we can in the future to stop the implementation of those code amendments when they come. However, since NCC and building height are the first takings on the docket it is where our energy is currently focused.

Unlike a specific case where competing goals and polices can be mitigated on a case by case basis for their impacts on adjacent parcels, you are proposing a truly massive taking on over 1,000 parcels simultaneously. This is unprecedented in scale and represents a fundamental direction change from what the citizens of Flagstaff voted for with their current regional plan.

I think the main detail that is missing is that you (the government) are proposing to take away development rights, property value, and the future of our city to be able to grow inward and adapt to climate change with a few quick Zoom meetings. This is way too big for that and the process needs to happen in public. This should require a plan amendment so that the citizens can chime back in on whether they want to reverse course on the voted and implemented plan to build our city inward and upward. It took 5 years and hundreds of meetings, and then a vote of over 5,000 people to decide for urban infill vs. sprawl. This is not a conflicting goal or policy. The entire regional plan is based on the infill development pattern. We had a choice when we wrote the plan for Urban v. Exurb v. Suburb and the citizens choose Urban. That is why a plan amendment is required. It's a complete reversal of course from the current progressive policy of building our city. This is so big it might even need to wait until the next rewrite in 2030!

I think you have all done a great job adapting to our current situation. I give accolades for switching to online and working from home to keep the city running. Thanks! But this is different than processing a development case or a permit, and 5 people in a Zoom meeting does not represent the will of the people. The city should table this until we are out of this current emergency and people can focus on this issue with a clear lens. This is too massive to do on Zoom.

I hope you give this the consideration it deserves, and when COVID ends draft a regional plan amendment that honors the magnitude of this direction change, that is honest about what it means to the redevelopment of the entire core of the city for the next 20-50 years, and debate it in person in City Hall when we are out of the current crisis!

Thank You,

*David Carpenter*

# HOPE

## CONSTRUCTION

GENERAL CONTRACTING & CONSTRUCTION MANAGEMENT

Hope Construction  
495 S River Run Rd.  
Suite 100  
Flagstaff, AZ 86001

P 928-527-3159  
F 928-527-0357  
C 928-380-5808

**From:** Daniel Folke <DFolke@flagstaffaz.gov>

**Sent:** Friday, August 14, 2020 10:04 AM

**To:** David Carpenter <dc@hopeaz.com>; Sara Dechter <SDechter@flagstaffaz.gov>; Daniel Symer <Daniel.Symer@flagstaffaz.gov>

**Cc:** Tiffany Antol <TAntol@flagstaffaz.gov>; Alexandra Pucciarelli <APucciarelli@flagstaffaz.gov>

**Subject:** RE: Regional Plan Amendment Required for NCC Downzoning

Good morning David,

I appreciate your comments and questions. Internally we have also discussed the proposed zoning code amendments that are coming out of the HOH plan and the most recent Council action declaring a Climate Emergency. This will certainly be part of the discussion as these amendments proceed.

In regards to the benefit of in person hearings vs. virtual participation. I believe we would all prefer to be in the chambers holding a traditional public meeting. What has been interesting is that we have seen better participation for some meetings held virtually compared to what we have traditionally seen for in person. Some topics will fill city hall, others it seems may draw better virtually. It seems to depend on the issue.

City Council has emphasized the importance of the HOH amendments and ask about them with regularity. Because we don't know how long City Hall will be closed, it is difficult for staff to put these important matters on hold. In either case, we will certainly include your comments as part of the record on this amendment and Council can consider your request.

Hope you are well.

Dan Folke

Community Development Director

City of Flagstaff



## City Wide Public Survey

# 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

July 22, 2020, 7:11 PM

### Contents

i.	Summary of registered responses	2
ii.	Survey questions	4
iii.	Individual registered responses	5

### 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

## Summary Of Registered Responses

<b>As of July 22, 2020, 7:11 PM, this forum had:</b>	<b>Topic Start</b>
Attendees: 144	June 23, 2020, 8:27 PM
Registered Responses: 60	
Hours of Public Comment: 4.2	


### QUESTION 1

**Do you support changing the zoning designation of properties with the Community Commercial (CC) that allows a maximum building height of sixty (60) feet to the new Neighborhood Community Commercial (NCC) zone with a maximum building height of forty-five (45) feet?**

		%	Count
Yes		81.7%	49
No		16.7%	10
Neutral		1.7%	1

### QUESTION 2

**What neighborhoods properties with the existing Community Commercial (CC) zone should be limited to forty-five (45) feet?**

		%	Count
Northend, Southside, and Sunnyside properties		81.7%	49
Sunnyside properties only		1.7%	1
No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.		16.7%	10

### 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

#### QUESTION 3

**Do you support keeping certain properties that abut and/or are adjacent to commercial corridor streets, e.g. N Fourth St, E Cedar Ave etc, zoned Community Commercial (CC) with a maximum building height of sixty (60) feet?**

**(Please note that specific streets and properties have not been determined.)**

		<b>%</b>	<b>Count</b>
Yes		23.3%	14
No		68.3%	41
Neutral		8.3%	5

#### QUESTION 4

**Do you have any additional comments that you would like to share with the City Staff, Planning and Zoning Commission and City Council?**

Answered	43
Skipped	17

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

## Survey Questions

### QUESTION 1

**Do you support changing the zoning designation of properties with the Community Commercial (CC) that allows a maximum building height of sixty (60) feet to the new Neighborhood Community Commercial (NCC) zone with a maximum building height of forty-five (45) feet?**

- Yes
- No
- Neutral

### QUESTION 2

**What neighborhoods properties with the existing Community Commercial (CC) zone should be limited to forty-five (45) feet?**

- Northend, Southside, and Sunnyside properties
- Northend and Southside properties only
- Northend and Sunnyside properties only
- Southside and Sunnyside properties only
- Northend properties only
- Southside properties only
- Sunnyside properties only
- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

### QUESTION 3

**Do you support keeping certain properties that abut and/or are adjacent to commercial corridor streets, e.g. N Fourth St, E Cedar Ave etc, zoned Community Commercial (CC) with a maximum building height of sixty (60) feet?**

**(Please note that specific streets and properties have not been determined.)**

- Yes
- No
- Neutral

### QUESTION 4

**Do you have any additional comments that you would like to share with the City Staff, Planning and Zoning Commission and City Council?**

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

## Individual Registered Responses

### Alan Perersen

inside City Limits

July 1, 2020, 5:06 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

Yes - large student housing projects such as the the Hub, and the Standard (I know some of the names have changed) are a visual blight in our community and should NEVER have been built as large as they are. They are a disgrace as was the process and zoning that allowed them.

### Name not shown

inside City Limits

July 1, 2020, 5:10 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

We are not Phoniex and do not need high rise properties. We have mountains and other beautiful views which have been destroyed by past codes. Let's get this right for we the people now.

### Name not available

inside City Limits

July 1, 2020, 6:01 AM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

- Neutral

#### Question 4

We need to support infill as a community and by reducing the size of the building will drastically reduce occupancy. 45 feet is only enough for 4 stories in areas where infill should be happening to help with the cost of housing. The community needs to understand that there are trade offs and if we are serious about affordable housing then we need. To let infill happen where it needs to.

### Name not shown

inside City Limits

July 1, 2020, 6:04 AM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

- Yes

#### Question 4

Question 2 doesn't allow a more nuanced answer. I don't want to see

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

existing housing be demolished for large projects however in each of the areas there a great properties to allow 60 foot structures. For example, I support tall and dense redevelopment along 4th Street, the Bashas shopping center and sling the tracks East of San Fran to name a few. Density is the only way we will develop truely walkable neighborhoods, lack of housing and climate action.

---

### Melissa Felder

inside City Limits

July 1, 2020, 6:17 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

I think Flagstaff needs to decrease and limit all growth. There should not be high density housing at all.

If there does need to be some high density housing, it should be for low income and not to serve NAU.

What a shame to watch our sweet town grow at such a horrendous rate!

---

### Name not available

inside City Limits

July 1, 2020, 6:37 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- Yes

#### Question 4

No response

---

### Name not shown

inside City Limits

July 1, 2020, 6:47 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

No response

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### Name not shown

inside City Limits

July 1, 2020, 6:49 AM

#### Question 1

- Neutral

#### Question 2

- Sunnyside properties only

#### Question 3

- Yes

#### Question 4

No response

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### Name not shown

inside City Limits

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

July 1, 2020, 6:56 AM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

The livability of our city is being diminished by the scale of buildings, lack of set backs from the sidewalk and inadequate parking requirements. Also, views of the Peaks and natural beauty are being eliminated. The development of our City should preserve beauty, not eliminate it.

## Name not shown

inside City Limits

July 1, 2020, 7:29 AM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

All this overdevelopment is stealing our views of where we live. Despicable.

There are shadows from these monster buildings that create the formation of ice nearly year-long, causing significant dangers to all travelers, all of us.

I truly hope that all, yes all, of these out of town, out of state developers go bankrupt and the units are seized and turned into low income housing.

It's way past time to stop giving developers exemptions from full taxes,

modification to parking and occupancy rules. It's time for all new projects to demonstrate that they have independent water sources, and solid plans for reducing congestion. Any one of these errors should and shall cancel all permits to build anything. Stop coddling developers. There should be an end to corporate welfare; require developers to pay the full cost of their intrusion and to act to reduce (not add to) congestion, traffic, water and sewage issues, and cancer cell ideology growth.

## Name not shown

inside City Limits

July 1, 2020, 7:57 AM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- Neutral

### Question 4

The reason I support changing the maximum building height to 45 feet is that:

1) The San Francisco Peaks, it's beautiful and it's the view that all Flagstaff residents love to see. Lowering the maximum building heights will allow us and future generations to see more mountain views instead of building views. We have something special here worth protecting. Once it's gone, it's gone.

2) Taller buildings mean higher density; more parking will be needed, more water will be needed, and there will be more traffic in these three already congested areas.

## Name not available

inside City Limits

July 1, 2020, 8:00 AM

### Question 1

- Yes

### Question 2

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

- Northend, Southside, and Sunnyside properties

### Question 3

- Yes

### Question 4

We all love the views our city has of the peaks and Elden but we need to be able to house the members of our community affordably and safely. Allowing the 60ft limit to remain will jeopardize some views but the benefit of true high density housing outweighs some views being obscured. Planning for these high buildings should be strategic to minimize the visual impact caused by their construction, but it's the right thing to do to allow for more vertical infill within our city.

---

### Wade Thorson

inside City Limits

July 1, 2020, 8:06 AM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

No neighborhood should have to endure an oversized out of character building next door. It harbors resentment and ire toward developers and city planning entities. Citizens in large part should not be at the odds of the entities that serve them.

---

### Name not shown

inside City Limits

July 1, 2020, 8:20 AM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- Neutral

### Question 4

No response

---

### Jackie Thomas

inside City Limits

July 1, 2020, 8:39 AM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

AS a cyclist, the taller the buildings next to thoroughfare roads, the greater the chance of ice on the roads all winter due to the shadowing. I noticed on immediate change after the Radisson hotel went up downtown. I suspect the new Courthouse will do the same to Beaver. In addition, the viewsheds are being dramatically impacted by the 3+story building going in on Butler now. And the Hub also impacted what we can see. Those skylines views are a very important part of the beauty of Flagstaff but also provide the distant view that is important for sanity. I also noticed how the Barnes and Nobel store changed what we can see.

---

### Name not available

inside City Limits

July 1, 2020, 8:44 AM

### Question 1

- Yes

### 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

let's keep this city in harmony with its beautiful natural setting and not make a metropolis out of it. High-rises belong in large cities, not in bucolic Flagstaff.

#### L. Reuter

inside City Limits

July 1, 2020, 8:47 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

Please reduce height and density of development and keep FILG from becoming PHX. Too many huge developments. Soon to be known as NauTown

#### Name not shown

inside City Limits

July 1, 2020, 8:48 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- Yes

#### Question 4

No response

#### Name not shown

inside City Limits

July 1, 2020, 8:52 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

The quality of this mountain town needs to be preserved by allowing the view of the natural surroundings as much as possible. 45 feet height is a good balance between needing to allow growth and keeping the small town feel of Flagstaff. Folks don't choose to live here or visit here - to feel like they never left Urban environments.

#### Name not shown

inside City Limits

July 1, 2020, 9:35 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

### Question 4

No response

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### Matt Mitchell

inside City Limits

July 1, 2020, 9:47 AM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

- Yes

#### Question 4

I do not understand the conflict with building height to match our existing Native Ponderosa Pine tree heights. We are surrounded by public lands. One must walk less than a mile in any direction to gain a vast view of the horizon. We are limited geographically to grow our town, plus any fans of cheaply developed urban sprawl need not travel more than 100 miles south to experience the beauty of that disaster. I like the phrase "Flagstaff its time to grow up; we don't have the option to grow out". I watched a movie on Architecture years ago when I was a student in college, which pointed out how the most important things to a community could be seen from their skyline and tallest building. Long ago it was a church steeple, then shifted to Court Houses being the tallest, and sometime during the 80 & 90s it was Banks and corporate building. Currently in Flagstaff our tallest building is the BANK south of the county court house. I would like to envision in the future Flagstaffs tallest building be an affordable house type structure that would send the message to outside visitors that people are the focus of are community, not self centered private home owners that care more about their bathroom window view, then the homeless living in their back alley. I feel building height is a waste of our planning and zoning commission and Councils time and energy. We have far more important issues to discuss. I don't see this as something that is broken.

---

### Name not shown

inside City Limits

July 1, 2020, 10:30 AM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

They should all be reduced to 45 feet.

---

### Mike Purcell

inside City Limits

July 1, 2020, 10:44 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

This should have been done years ago !!!

---

### Name not shown

inside City Limits

July 1, 2020, 10:46 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

### 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

#### Question 3

- No

#### Question 4

Anything that can be done to reduce the height / size of the buildings in Flagstaff would have my support. The scale of recent buildings in the city is frankly disgusting.

#### Ed Dunn

inside City Limits

July 1, 2020, 10:50 AM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

- Yes

#### Question 4

It would go against the recently passed climate change resolution to decrease density. Higher density is environmentally sound way to decrease carbon footprint because mass transit and walkability work better. Social justice and citizen involvement work better when folks are able to interact more in densely populated neighborhoods. I'm not talking about NYC style but a plan with a lot of green space for people and less cars. Beauty should be the guiding principle in design, not ugliness like the Hub. If the city or a citizen group could acquire land and hold competitions for development that meet our climate goals, places of people and beautification we would see a very positive change. As for peak views, a 45' building does not do a better job than a 60' building. I can't see the peaks from any point on my property and I live in a neighborhood of single story homes.

#### Name not shown

inside City Limits

July 1, 2020, 11:05 AM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

- Neutral

#### Question 4

No response

#### Name not available

inside City Limits

July 1, 2020, 11:16 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

Flagstaff isn't a metropolis & we don't need to turn our neighborhoods into one. Although these areas are Zoned Community Commercial they are still primarily Neighborhoods where people live, 1st and commercial 2nd. Allowing 60 foot/6 story buildings to infiltrate these areas, in my opinion, will diminish the quality of life for the residents of these neighborhoods rather than improve it. Yes, Flagstaff needs affordable housing, but #1. is that what developers would Really build with the freedom of 60'? Or would the door be swung wide open for more over-priced NAU student housing projects to infect the rest of the Southside & spread to the Northend? #2. Do we need to eliminate one of the primary reasons people choose to live in Flagstaff...the views of the mountains?

#### Name not available

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

outside City Limits  
July 1, 2020, 11:42 AM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

Taller building ruin Flagstaff.

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## KEN PHILLIPS

inside City Limits  
July 1, 2020, 11:44 AM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- Yes

### Question 4

The proliferation of high occupancy "podium construction" multi-story buildings is now a blight on the Flagstaff community. The ground floor retail spaces go unoccupied. These have been built to support off-campus housing for NAU students, along high traffic corridors creating additional congestion. Stop this repeated mistake. Make NAU build on-campus housing and/or limit their enrollment. This is a vicious circle of development that only supports the University.

---

**Uncle Don Fanning**  
inside City Limits

July 1, 2020, 12:28 PM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- Neutral

### Question 4

The only reason I marked the last question as "neutral" is that I do not understand its wording and intention. The footprints of these three districts are still \*WAY\* too large as is even the amended 45 foot building height limitation. Just because I did not tag some questions as neutral does not mean that I support either the 45 or 60 foot height limit or the zoning footprints which put districts within the CC zone. A more community scale height limit is 35 feet and no more than three stories in height. Existing residential and small business/small profile character styled blocks must be removed from CC zoning entirely so that the character of the community does not continue to be altered in a negative fashion. My support for elected and appointed officials continues to degrade when equally untenable alternatives such as the above are repeatedly presented in a T.I.N.A. ("There is no alternative.") way.

---

## Sherman Stephens

inside City Limits  
July 1, 2020, 12:57 PM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- Yes

### Question 4

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

The more residential an area is, the more important it is to preserve a low density residential. It is important to not revert to previous height guidelines to allow an already taller building, or commercial development to encroach on the surrounding neighborhood.

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### Name not shown

inside City Limits

July 1, 2020, 12:57 PM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

- Yes

#### Question 4

This looks like a solution in search of a problem. Everything about it strikes me as arbitrary. Why change the height limit for buildings in this area? If we reduce the height limit, why change it to 45 feet instead of 50 feet or 55 feet? The impact of any such change will likely be to increase the cost of housing per dwelling unit, or the cost per square foot for commercial space. Does Flagstaff really need more expensive property? The purpose of these changes can't be to preserve views, because there are no meaningful views remaining in these developed areas. If there are existing viewsheds to be preserved, why not define them and focus an ordinance on them. At least that would have a meaningful effect, although it would also result in more expensive property. Instead, I would like to see the Staff and Council really buckle down to the task of proposing an ordinance that would permit development of more affordable owner-occupied housing in Flagstaff. The proposed zoning amendment will have the opposite effect,

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### Name not available

inside City Limits

July 1, 2020, 1:44 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

Stop building for NAU and not considering the impact on the lifelong resident population

---

### Name not shown

inside City Limits

July 1, 2020, 2:07 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

No response

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### Name not shown

inside City Limits

July 1, 2020, 2:18 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

- No

### Question 4

No response

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### Name not available

inside City Limits

July 1, 2020, 4:02 PM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

No response

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### Name not shown

inside City Limits

July 1, 2020, 7:53 PM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

No response

### Jose Dominguez

inside City Limits

July 1, 2020, 7:59 PM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

I would like to see all areas of Flagstaff that currently allow the 60' to be changed to the 45' max

---

### Name not shown

inside City Limits

July 1, 2020, 10:46 PM

### Question 1

- Yes

### Question 2

- Northend, Southside, and Sunnyside properties

### Question 3

- No

### Question 4

Stop allowing buildings higher than 45 feet or three stories. It's absolutely disgusting that you've allowed so many tall, worthless buildings to be built. It's even worse that the reason they are built is to support the University which is not supporting Flagstaff. If we wanted to live in a big urban town we would. The only reason people want this town to grow so much is because they're greedy. We're not under some sort of moral obligation to build a bunch of crappy buildings so more people can move here.

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

### Name not available

inside City Limits

July 2, 2020, 1:45 PM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

- No

#### Question 4

Flagstaff has become a true city with its population. The city has run out of land to support the population so the only possible with to expand is to allow skyscrapers to be built. I would say that 60 feet will work for now but Flagstaff may need to change the limits to more than 100 feet.

### Brittain Davis

inside City Limits

July 2, 2020, 2:25 PM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

- Yes

#### Question 4

I would rather see infill with taller multifamily and commercial developments than look to expanding development outward.

### Name not available

inside City Limits

July 2, 2020, 5:21 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

No response

### Name not shown

inside City Limits

July 3, 2020, 8:24 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- Yes

#### Question 4

60' height for N Fourth Street, because it's already all commercial. 45' height for all of the other areas currently zoned CC.

### Name not available

inside City Limits

July 3, 2020, 11:30 AM

#### Question 1

### 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

No response

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**Name not shown**  
inside City Limits  
July 4, 2020, 3:55 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

No response

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**Name not available**  
inside City Limits  
July 5, 2020, 5:12 PM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

- Yes

#### Question 4

The community made a decision during the regional planning process to grow up not out. All the affordable housing talk while bagging density/tall buildings is double talk and childish. Its time for a staff and council that can make the hard trade off decisions this commitment entails. Every action currently contemplated by council increases the cost of housing in FLG. Go learn from Bend, OR where they are increasing density. Who can see the peaks with a 45' neighbor but not a 60' neighbor? You don't get views and affordable housing. You have to choose, rather the owner of the property owner chooses. This is the USA, we have private ownership not central planners. Municipal governments are the great equalizers and they are not HOA's. When they act as such, we get sued and it's then the citizens paying the settlements, not the officials who have long since moved on to other goals.

---

**Name not shown**  
inside City Limits  
July 8, 2020, 7:17 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

Other than Milton Ave and portion W. Rt 66 corridor, keep citywide building heights at 45'. I support the reduction to 45' in DT, but why would City think it appropriate to pose 45' limits in DT and then allow for 60' in eastside corridor area (Cedar/N 4th) that abuts established neighborhoods that actually have semi-affordable single family homes and schools. Seems like this proposed zoning policy favors protecting wealthy DT neighborhood property owners from congested high density development but encourages this type of development to take place adjacent to lower socio-economic area of town. What the heck will be use of a strip of 60' buildings? Commercial? Residential? Fewer people in future will be working in an office and most people that grow roots here

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

would prefer to raise a family in a home not a crammed apartment.

---

### Name not shown

inside City Limits

July 8, 2020, 7:38 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

The value of Flagstaff is the nature and wild lands. The taller structures obstruct views from everyone.

---

### Name not shown

inside City Limits

July 9, 2020, 9:36 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

Clearly there is a balance sought between limiting sprawl and Flagstaff's image of a town nestled in the forests and mountains that residents and visitors appreciate and treasure. Views are part of that image and everyday experience if even subliminal. This code change will help a little in years to come.

### Marc Murison

inside City Limits

July 9, 2020, 10:57 AM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

60-foot building heights are destroying the fundamental character of Flagstaff. If we want Flagstaff to be the charming, beautiful, welcoming city that we love, building heights \*must\* be reduced. Five storeys is utterly absurd and cannot be made to look anything but horrible; it is a destructive blight on our city. Four storeys, if well done, can work more or less harmoniously \*in certain places\*. Three storeys is much, much more generally acceptable and consistent with longstanding Flagstaff identity and character.

---

### Name not shown

inside City Limits

July 9, 2020, 12:58 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

The north Bashes area should be kept at 60 ft.

### 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

**Name not available**  
outside City Limits  
July 9, 2020, 3:03 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

No response

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**Name not available**  
inside City Limits  
July 11, 2020, 3:08 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

First, at this time 60' buildings in Flagstaff would not be medium height. They are tall so your language is possibly leaning toward where the City wants the community character to GO, not where we are (though the buildings are quickly getting tall, which no one is happy to see rather than the Peaks). The survey questions seem to imply that there will be blanket determinations, which is not a proper approach as areas differ. The character of existing residential areas need to be taken into consideration. People live in these residential areas and residents' quality of life needs to be respected. I doubt people want their neighborhood urbanized with buildings built to the sidewalk, taller than the

neighborhood character, less green space, etc. Your area designations include parts of the area called "Townsite" as "Northend," which is not accurate and so can be misleading. There is also no mention of the Townsite Historic Overlay which limits height in the included "commercial" areas, so that is inaccurate--unless the City is changing the Overlay without property owner knowledge and permission.

---

**Charlie Silver**  
inside City Limits  
July 11, 2020, 3:11 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

This proposed reduction in building height is long overdue. Thank you for listening and figuring out a way to act. I am in full support.

---

**Name not shown**  
inside City Limits  
July 12, 2020, 1:22 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

No response

## 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

### marcus ford

inside City Limits

July 15, 2020, 5:42 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

No response

### April Smith

inside City Limits

July 15, 2020, 6:55 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

The 60' height limit should be changed to 45' where ever that limit was established by code. Lower building heights are in keeping with Flagstaff architectural standards. If I had my way no buildings over 2 stories would be permitted in perpetuity throughout the entire town of Flagstaff. Failing the control to enact my wishes NO BUILDINGS OVER 45' PERMITTED IN PERPETUITY THROUGHOUT OUR TOWN. This should be written so that no "Executive Order" emanating from ANY city government entity could override this limit. This should be written so NO entity from AZ state government could override this limit. You know the state will try to control local autonomy on this issue-their need to control dissenting

governing voices from local town governments is to be recognized and responded to on a "pre-need" basis. Remember the plastic bag ban and Phx dictates on that issue? Take heed.

### Name not shown

inside City Limits

July 20, 2020, 2:53 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

I agree with the statement above that there should be "NO BUILDINGS OVER 45' PERMITTED IN PERPETUITY THROUGHOUT OUR TOWN." We are quickly losing Flagstaff's character. We should be thinking about beauty and how buildings fit into their surroundings when we think about developments. It's unforgivable to plunk something like the Hub into a neighborhood of small, family homes. Not only is it WAY out of scale, but introducing all those students into a neighborhood is just wrong. No more catering to NAU by rezoning properties for student housing.

### Name not shown

inside City Limits

July 21, 2020, 5:04 PM

#### Question 1

- No

#### Question 2

- No property should be limited to forty-five (45) feet. Keep the existing allowed sixty (60) feet.

#### Question 3

### 45-foot Building Height Maximum in the Northend, Southside, Sunnyside

The Community Commercial (CC) zone allows for a maximum building height of sixty (60) feet. Do you support changing the allowed height to forty-five (45) foot maximum building height in the Northend, Southside and/or Sunnyside neighborhoods?

- Yes

5 or T-6, could simply choose transect zoning and still build to 60 feet. I think that the city should include the possibility of limiting T-5 and T-6 heights if any properties zoned that way are in potential Neighborhood Community Commercial area. More information is needed to truly understand the impacts of a new zone and lower height limit.

#### Question 4

It seems that the main arguments in support of such a change largely come down to wanting to maintain privileges for some (views, subjective notions of urban beauty) at the expense of basic affordable accommodations for our poorest residents, along with animosity toward the understandably callous NAU growth. Given current developments, the latter issue is unlikely to persist (enrollment is dropping and for the short-term, more students will be attending remotely), so this really will only perpetuate the social injustices that are the true blight to our town.

---

#### Rick Moore

inside City Limits

July 22, 2020, 12:42 PM

#### Question 1

- Yes

#### Question 2

- Northend, Southside, and Sunnyside properties

#### Question 3

- No

#### Question 4

I strongly support creating a Neighborhood Community Commercial zone with a 45' height limit. Much of the Community Commercial Zone was created when older homes were not nearly as highly valued as they are today and it makes sense to develop a new zone that helps protect their value as residences that are not surrounded by towering multi-family buildings.

I agree that infill is important from a walkability and climate change perspective. However, there are certain areas of our community with historic/traditional neighborhood character that need to be preserved and the Neighborhood Community Commercial zone would help do that.

I'd also like to suggest that the city planning staff develop maps that show how ALL zoning applies to the Community Commercial and the potential Neighborhood Commercial Community zones. For instance, some of the Community Commercial zone is also subject to Transect Zoning, including T-5 and T-6 zones, which allow building to 60 feet. A developer with a property in a Community Commercial zone that is also zoned as T-



# North End Property Owner Survey

## 45-foot Building Height Maximum on Your Property in North End

July 22, 2020, 7:29 PM

### Contents

i.	Summary of responses	2
ii.	Survey questions	4
iii.	Individual responses	5

Topic Registration Type: No registration

## 45-foot Building Height Maximum on Your Property in North End

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the North End neighborhood?

## Summary Of Responses

Topic Registration Type: No registration

<b>As of July 22, 2020, 7:29 PM, this forum had:</b>		<b>Topic Start</b>
Attendees:	15	June 25, 2020, 9:41 PM
Responses:	3	
Minutes of Public Comment:	9	

### QUESTION 1

**Do you support the proposed Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

		<b>%</b>	<b>Count</b>
No		100.0%	3

### QUESTION 2

**Do you support changing the zoning designation of your property from Community Commercial (CC) with a maximum building height of sixty (60) feet to the new Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

		<b>%</b>	<b>Count</b>
No		100.0%	3

### QUESTION 3

**What is the current use of your property?**

		<b>%</b>	<b>Count</b>
Commercial		100.0%	3

**45-foot Building Height Maximum on Your Property in North End**

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the North End neighborhood?

QUESTION 4

**Do you have any additional comments that you would like to share with the City Staff, Planning and Zoning Commission and City Council?**

Answered	2
Skipped	1

## 45-foot Building Height Maximum on Your Property in North End

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the North End neighborhood?

## Survey Questions

### QUESTION 1

**Do you support the proposed Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

- Yes
- No
- Neutral

### QUESTION 2

**Do you support changing the zoning designation of your property from Community Commercial (CC) with a maximum building height of sixty (60) feet to the new Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

- Yes
- No
- Neutral

### QUESTION 3

**What is the current use of your property?**

- Residential
- Commercial
- Mixed-use (Commercial and Residential)
- Vacant Lot (Undeveloped)
- Other

### QUESTION 4

**Do you have any additional comments that you would like to share with the City Staff, Planning and Zoning Commission and City Council?**

## 45-foot Building Height Maximum on Your Property in North End

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the North End neighborhood?

## Individual Responses

Topic Registration Type: No registration

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### Name not available

July 1, 2020, 12:51 PM

#### Question 1

- No

#### Question 2

- No

#### Question 3

- Commercial

#### Question 4

The proposed zoning change limits what we can do with the property thus reducing its value.

---

### Name not available

July 2, 2020, 3:11 PM

#### Question 1

- No

#### Question 2

- No

#### Question 3

- Commercial

#### Question 4

I oppose this change. When I served on the REgional Planning effort a number of years ago, the value of "infill" was repeatedly stressed - to make maximum use of existing infrastructure, and to prevent sprawl and attendant costs of roads, infrastructure extensions, and wider roadways. Limiting building height reduces the density of urban property use and is inappropriate for the reasons stated above. All properties in this area were purchased with knowledge of the 60 ft height and therefore it would

be a taking to reduce the height, as well as counter to the principle of denser downtown development, to make this change. The city does not need to court expensive litigation on this matter. I oppose this change.

---

### Name not available

July 4, 2020, 10:42 AM

#### Question 1

- No

#### Question 2

- No

#### Question 3

- Commercial

#### Question 4

No response



# Sunnyside Property Owner Survey

## 45-foot Building Height Maximum on Your Property in Sunnyside

July 22, 2020, 7:36 PM

### Contents

i.	Summary of responses	2
ii.	Survey questions	4
iii.	Individual responses	5

Topic Registration Type: No registration

## 45-foot Building Height Maximum on Your Property in Sunnyside

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the Sunnyside neighborhood?

## Summary Of Responses

Topic Registration Type: No registration

<b>As of July 22, 2020, 7:36 PM, this forum had:</b>	<b>Topic Start</b>
Attendees: 18	June 25, 2020, 9:43 PM
Responses: 6	
Minutes of Public Comment: 18	

### QUESTION 1

**Do you support the proposed Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

		%	Count
Yes		83.3%	5
No		16.7%	1

### QUESTION 2

**Do you support changing the zoning designation of your property from Community Commercial (CC) with a maximum building height of sixty (60) feet to the new Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

		%	Count
Yes		83.3%	5
No		16.7%	1

### QUESTION 3

**What is the current use of your property?**

### 45-foot Building Height Maximum on Your Property in Sunnyside

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the Sunnyside neighborhood?



#### QUESTION 4

**Do you have any additional comments that you would like to share with the City Staff, Planning and Zoning Commission and City Council?**

Answered	2
Skipped	4

## 45-foot Building Height Maximum on Your Property in Sunnyside

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the Sunnyside neighborhood?

## Survey Questions

### QUESTION 1

**Do you support the proposed Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

- Yes
- No
- Neutral

### QUESTION 2

**Do you support changing the zoning designation of your property from Community Commercial (CC) with a maximum building height of sixty (60) feet to the new Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

- Yes
- No
- Neutral

### QUESTION 3

**What is the current use of your property?**

- Residential
- Commercial
- Mixed-use (Commercial and Residential)
- Vacant Lot (Undeveloped)
- Other

### QUESTION 4

**Do you have any additional comments that you would like to share with the City Staff, Planning and Zoning Commission and City Council?**

## 45-foot Building Height Maximum on Your Property in Sunnyside

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the Sunnyside neighborhood?

## Individual Responses

Topic Registration Type: No registration

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### Name not available

June 30, 2020, 2:55 PM

#### Question 1

- Yes

#### Question 2

- Yes

#### Question 3

- Residential

#### Question 4

No response

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### Name not available

July 2, 2020, 5:14 PM

#### Question 1

- No

#### Question 2

- No

#### Question 3

- Commercial

#### Question 4

No response

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### Name not available

July 2, 2020, 7:00 PM

#### Question 1

- Yes

#### Question 2

- Yes

#### Question 3

- Residential

#### Question 4

Is building height the only change?

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### Name not available

July 3, 2020, 8:38 AM

#### Question 1

- Yes

#### Question 2

- Yes

#### Question 3

- Residential

#### Question 4

No response

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### Name not available

July 3, 2020, 10:01 AM

#### Question 1

- Yes

#### Question 2

- Yes

### 45-foot Building Height Maximum on Your Property in Sunnyside

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the Sunnyside neighborhood?

#### Question 3

- Mixed-use (Commercial and Residential)

#### Question 4

60' always seemed pretty tall for this area. I think that there should be an exemption for current owners who would want to exercise the right to build that high, but it should not be transferred to future owners. For the record, my property is built, and well under 45', so this doesn't affect me personally. After seeing some of the buildings that have gone up on the West side of town, it doesn't seem like structures of that size are a good fit for the Sunnyside area.

---

#### Name not available

July 19, 2020, 8:55 AM

#### Question 1

- Yes

#### Question 2

- Yes

#### Question 3

- Residential

#### Question 4

No response



# Southside Property Owner Survey

## 45-foot Building Height Maximum on Your Property in Southside

July 22, 2020, 7:41 PM

### Contents

i.	Summary of responses	2
ii.	Survey questions	3
iii.	Individual responses	4

Topic Registration Type: No registration

## 45-foot Building Height Maximum on Your Property in Southside

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the Southside neighborhood?

## Summary Of Responses

Topic Registration Type: No registration

As of July 22, 2020, 7:41 PM, this forum had:		Topic Start
Attendees:	12	June 25, 2020, 9:45 PM
Responses:	0	
Minutes of Public Comment:	0	

### QUESTION 1

**Do you support the proposed Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet in the Southside neighborhood?**

No response

### QUESTION 2

**Do you support changing the zoning designation of your property from Community Commercial (CC) with a maximum building height of sixty (60) feet to the new Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

No response

### QUESTION 3

**What is the current use of your property?**

No response

### QUESTION 4

**Do you have any additional comments that you would like to share with the City Staff, Planning and Zoning Commission and City Council?**

No response

## 45-foot Building Height Maximum on Your Property in Southside

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the Southside neighborhood?

## Survey Questions

### QUESTION 1

**Do you support the proposed Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet in the Southside neighborhood?**

- Yes
- No
- Neutral

### QUESTION 2

**Do you support changing the zoning designation of your property from Community Commercial (CC) with a maximum building height of sixty (60) feet to the new Community Commercial Neighborhood (CCN) zone with a maximum building height of forty-five (45) feet?**

- Yes
- No
- Neutral

### QUESTION 3

**What is the current use of your property?**

- Residential
- Commercial
- Mixed-use (Residential and Commercial)
- Vacant lot (undeveloped)
- Other

### QUESTION 4

**Do you have any additional comments that you would like to share with the City Staff, Planning and Zoning Commission and City Council?**

### **45-foot Building Height Maximum on Your Property in Southside**

Your property is zoned Community Commercial (CC), which allows for a maximum building height of sixty (60) feet. Do you support a forty-five (45) foot maximum building height on your property in the Southside neighborhood?

## **Individual Responses**

Topic Registration Type: No registration

## Daniel Symer

---

**From:** Shane Dille  
**Sent:** Wednesday, April 28, 2021 8:10 AM  
**To:** Daniel Folke; Daniel Symer; Tiffany Antol  
**Subject:** FW: Height Restrictions Zone Amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI

---

**From:** Joe Galli <jgalli@flagstaffchamber.com>  
**Sent:** Tuesday, April 27, 2021 6:04 PM  
**To:** Mayor and Council <council@flagstaffaz.gov>  
**Cc:** Greg Clifton <Greg.Clifton@flagstaffaz.gov>  
**Subject:** Height Restrictions Zone Amendment

Dear Mayor and Council,

I will not be available to speak in person this evening to your agenda item on height restrictions in certain community neighborhoods as a zoning code amendment.

Therefore, just a quick note to let you know the Chamber has had prior presentations on the item from City Zoning Code Admin, Dan Symer. We have consistently opposed this idea for several reasons, not the least of which is the result will be less density in the urban core which goes against making housing more affordable in Flagstaff, and goes against sustainability goals of creating higher density with less car trips, more walkable neighborhoods, and more biking.

The Chamber also opposes this zoning change because it likely violates state law known as Prop 207, and would be considered a downzone or taking of private property rights, and then subject city taxpayers to potential financial settlements with aggrieved property owners.

We appreciate your consideration of opposition to this item.

Sincerely,

Joe G.

--

Joe Galli  
Senior Advisor, Public Policy  
Greater Flagstaff Chamber of Commerce  
(928) 774-4505

## Daniel Symer

---

**From:** David Carpenter <dc@hopeaz.com>  
**Sent:** Monday, May 10, 2021 4:50 PM  
**To:** Mayor and Council  
**Cc:** Daniel Folke; Daniel Symer; Tiffany Antol; Alexandra Pucciarelli; Leah Bloom; Sara Dechter; Sarah Darr; Nicole Antonopoulos  
**Subject:** NCC Down Zoning Discussion

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mayor and Council-

I wanted to send you a note on the newly proposed Neighborhood Commercial Zone (NCC) that is being proposed for the purpose of downzoning large areas of the city and reducing building height. Most of you know me but for the new Mayor and Council members I am a local infill developer, green builder, and environmentalist. This is a bad idea for a number of reasons. The community overwhelmingly voted in 2011 for a new zoning code that promoted a denser, walkable, urban core in lieu of exurbs and suburbs. This was a conscious choice made by over 6,000 voters after 5 years of input to try and embrace the ideas promoted by new urbanism. I was the chairman of the planning and zoning commission at the time and I remember dozens and dozens of meetings, design charrettes, community open halls, and thousands of comments and input that spanned years during the rewrite of the code. It has only been more recently that a very few vocal opponents of that vision were able to lobby the previous mayor and council to start dismantling that vision. It is not necessarily incumbent upon you to just arbitrarily continue along that trajectory.

We are in the midst of a housing crisis and a global warming crisis we can no longer afford to kowtow to the NIMBY's of the world. I realize this is hard as they are literally everywhere. However, they do represent the masses. I'll point out that this problem is not unique to our community. NIMBYism and overreaching zoning regulations are cited in every real estate and building publication that I read as the number one hurdles to providing more housing across the entire country. It is only in the really progressive cities where they are starting to get it and starting to increase density. Places like Seattle, Portland, Austin and Minneapolis. Click here for a thoughtful article about Minneapolis, who recently up zoned their entire city: <https://archive.curbed.com/2018/11/27/18113208/minneapolis-real-estate-rent-development-2040-zoning> Even Sedona recently up zoned by reducing the required parking for small units and incentivizing the specific types of housing that they desperately need.

The community needs the flexibility to continue to add density in the Southside and Sunnyside as solutions to our housing crisis. These areas contain a lot of housing stock that is beyond their useful lives and should be where density and urban renewal take place. Land owners on the Southside have literally been waiting 100 years to get their flood problem solved and unlock their lands full potential. Redevelopment there just seems obvious to most and we hope you give this some serious thought before you knock the wind out of their sails.

I am currently sitting on three brain trust commissions in the city with all the smartest people we have in the room. Dozens of city staffers, affordable housing experts, business owners, engineers, and builders. Zoning and overregulation continues to top the list as the things that need to move in the other direction if we want to get serious about our housing problems. Not only are these commissions calling for an end to the continued backwards trajectory of our land use laws, but you will see at the end of these processes a request to undo the past zoning regulations that limit density. And we will be forced to ask ourselves serious questions in the future about opportunities for up zonings not down zonings as we run out of land.

Please take a moment to take in the totality of this decision as it relates to the communities desire to build more walkable urban place types, climate adaptation goals, and affordable housing goals. There is more at stake here than at first glance.

Thank You,

*David Carpenter*

# HOPE

## CONSTRUCTION

GENERAL CONTRACTING & CONSTRUCTION MANAGEMENT

Hope Construction  
495 S River Run Rd.  
Suite 100  
Flagstaff, AZ 86001

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C 928-380-5808



**Planning & Zoning Commission**

**5. C.**

**Meeting Date:** 05/26/2021

**From:** Dan Symer, Zoning Code Manager

---

**Information**

**TITLE:**

**PZ-21-00066 Updates to Zoning Code 2021 – Accessory Dwelling Unit and Accessory Structure Encroachments Requirements**

A request by the City to amend the Zoning Code to modify the existing Accessory Dwelling Unit and Accessory Structure Encroachment Requirements

**STAFF RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, find that the required findings of the Zoning Code have been met, and make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

---

**Attachments**

Staff Report

1. Application Narrative and Regional Plan Analysis
2. Draft of Case No. PZ-21-00066 Updates to Zoning Code 2021 – Accessory Dwelling Unit and Accessory Structure Encroachments Requirements

Public Comment(s)

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**PLANNING AND DEVELOPMENT SERVICES REPORT**

**Zoning Code Text Amendment**

**PUBLIC HEARING**

**PZ-21-00066**

**DATE: May 12, 2021**

**MEETING DATE: May 26, 2021**

**REPORT BY: Dan Symer, AICP**

**REQUEST:**

City's request for a Zoning Code Text Amendment to modify the the existing Accessory Dwelling Unit (ADU) and accessory structure requirements.

**STAFF RECOMMENDATION:**

Staff recommends the Planning and Zoning Commission, in accordance with this report, find that the required findings of the Zoning Code have been met, and that the Planning and Zoning Commission make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

---

**I. Proposed Amendment:**

The proposed amendment (Attachment 2) includes multiple changes to the Zoning Code. The objective of the proposed amendment is to add additional flexibility to the existing Accessory Dwelling Units (ADU) requirements to encourage the development of ADUs. To allow for the additional flexibility, new provisions are being added, and several existing regulations are being modified. The most significant of the modifications include:

- Allowing Detached Accessory Dwelling Units to be located in the required setbacks of a property zone;
- Allowing detached garages constructed prior to February 16, 2016, that are within the required Detached Accessory Dwelling Unit setbacks to be converted to an Accessory Dwelling Unit;
- Establishing a maximum building height (16 feet) of a Detached Accessory Dwelling Unit that encroaches into the required setbacks of a property's zone;
- Modifying the allowed building height of an Attached and Interior Accessory Dwelling Unit to be the same as the maximum building height permitted by the property's zone; and
- Allowing the Single-family Dwelling Unit and the Accessory Dwelling Unit to both be rented or leased if the property owner enters into a restrictive covenant affirming that the property owner will not rent or lease either of the dwelling units for a period of less than 30 days.

*Summary of the Staff Revisions to the Zoning Code:*

The proposed amendment includes:

**1. Accessory Structures (Section 10-40.60.020):**

- Table 10-40.60.020.B.7.d.: Allowed Accessory Structure Encroachments into Setbacks has been deleted, and the related provisions have been incorporated into Table 10-50.40.020.A.: Allowed Encroachments into Setbacks and Heights.
- The reference to Table 10-40.60.020.B.7.d. for encroachments into the required setbacks has been modified to refer to Table 10-50.40.020.A.

**2. Accessory Dwelling Units (ADUs) (Section 10-40.60.030):**

- Table 10-40.60.030.C.: Accessory Dwelling Unit Design, Development and Exceptions Standards has been modified as follows:
  - Minimum setbacks have been established that would allow a Detached Accessory Dwelling Unit to encroach into the required setbacks of a property's zone;
  - The required setbacks of a property's zone have been maintained and clarified for Attached and Interior Accessory Dwelling Units;
  - The allowed building height (currently 24 feet) of an Attached and Interior Accessory Dwelling Unit has been modified to be the same as the maximum building height permitted by the property's zone;
  - Encroachments (awnings, bay windows, canopies, fireplaces and chimneys, open eaves, window sills, etc.) allowed in combination with Attached, Detached, and Interior Accessory Dwelling Units have been modified; and
  - The existing provisions pertaining to a detached garage constructed prior to February 16, 2016, have been modified to allow the garage to be converted to a Detached Accessory Dwelling Unit.
- Subsection E. of Section 10-40.60.030. Restrictive Covenant has been modified to allow the property owner to participate in the Rental Dwelling Unit Incentive of subsection G which would allow both the Single-family Dwelling Unit and the Accessory Dwelling Unit to be rented or leased.
- Subsection G. of Section 10-40.60.030. Rental Dwelling Unit Incentive has been added. This subsection has been added to incentivize and allow both the Single-family Dwelling Unit and the Accessory Dwelling Unit to be rented or leased if the property owner enters into a restrictive covenant affirming that the property owner will not rent or lease either of the dwelling units for a period of less than 30 days.

### 3. **Encroachments into Minimum Required Setbacks (Section 10-50.40.020):**

- Table 10-50.40.020.A.: Allowed Encroachments into Setbacks and Heights has been modified to incorporate the provisions of Table 10-40.60.020.B.7.d. for accessory structures. In addition, a cross-reference to the walls and fence encroachments has been included in Table 10-50.40.020.A.

## II. **Zoning Code Text Amendment**

The Planning Director shall provide a recommendation to the Planning and Zoning Commission for its review. The 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 the following: 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 a recommendation on whether the amendment should be granted or denied.

A Zoning Code Text Amendment shall be evaluated based on the following findings:

### A. **Finding #1:**

**The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**

The proposed amendment (Attachment 2) includes multiple changes to the Zoning Code. The objective of the proposed amendment is to add additional flexibility to the existing Accessory Dwelling Units (ADU) requirements to encourage the development of ADUs. The proposed provisions address multiple goals and policies of the Regional Plan. These include:

- Providing additional flexibility in the Zoning Code to allow property owners to construct Accessory Dwelling Units (Regional Plan Goal LU.1.6.);
- Allowing Detached Accessory Dwelling Units to be constructed in the rear and interior side yard at the same height

and location that is currently allowed for other accessory structures (e.g., garages, sheds, etc.) will assist in maintaining the traditional and compact patterns of development that are prevalent in existing neighborhoods while contributing to Flagstaff's unique sense of place. Also, allowing Interior and Attached Accessory Dwelling Units to be the same height as the primary Single-family Dwelling Unit contribute to the traditional patterns of development that are prevalent in existing neighborhoods and Flagstaff's unique sense of place. (Regional Plan Goal LU.3., and Policies CC.3.1., CC.3.2., and LU.5.3 and Southside Community Plan S.2.4.; La Plaza Vieja Neighborhood Specific Plan Goal #6N); and,

- Encouraging the development of Accessory Dwelling Units on detached single-family lots by providing additional flexibility in the locations and heights of the structures, and also allowing property owners to rent both the Single-family Dwelling Unit and the Accessory Dwelling Units (Regional Plan Goal LU.13. NH.3.2., Policies NH3.1, NH3.5. and Southside Community Plan Policies S.2.4., SLW 1.1. and SNC 1.1.; La Plaza Vieja Neighborhood Specific Plan Goal #6N).

**B. Finding #2**

**The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City;**

The provisions of the amendment are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the city. The proposed modifications are intended to allow Detached Accessory Dwelling Units in the rear and side yards which is consistent with other accessory structures (e.g., a garage, storage shed, etc.). In addition, the proposed maximum allowed height (16 feet) of a Detached Accessory Dwelling Unit is the same height as other accessory structures that are allowed in setbacks of a property's zone. Also, the Attached and Interior Detached Accessory Dwelling Unit connected to a primary Single-family Dwelling Unit are proposed to have a building height that is equal to the height allowed by the property's zone. Typically, the modification to a Single-family Dwelling Unit to incorporate an Attached and Interior Detached Accessory Dwelling Unit are indistinguishable from modifications to enlarge a Single-family Dwelling Unit without the accessory dwelling units.

**C. Finding #3**

**The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**

The amendment is internally consistent, utilizes the existing format, and does not conflict with other Zoning Code provisions. It maintains the Zoning Code's purpose as a comprehensive contemporary set of land uses and requirements that are straightforward, usable, and easily understood.

**III. CITIZEN PARTICIPATION**

Persons of interest on file with the Planning and Development Services section of the Community Development Division were notified of the Planning and Zoning Commission and City Council work sessions and public hearing via first-class mail. Moreover, notification of the work sessions and public hearings were published on the City's Facebook and Flagstaff Community Forum web pages and in the Arizona Daily Sun. Staff has received one public comments on the proposed Zoning Code Text Amendment, which is included as Attachment 3.

**IV. PLANNING AND ZONING COMMISSION WORK SESSION**

At the Planning and Zoning Commission Work Session of May 12, 2021, staff reviewed the proposed Zoning Code Text Amendment with the Commission. The Commission had a general question regard the amendment to clarify their understanding of the proposed regulations.

**V. CITY COUNCIL WORK SESSION**

At the City Council Work Session of May 11, 2021, staff reviewed the proposed Zoning Code Text Amendment with the City Council. Members of the City Council had a general question regarding the amendment to clarify their understanding of the proposed regulations. In addition, the City Council provided direction to allow property owners the ability to rent both the Single-family Dwelling Unit and the Accessory Dwelling Units provided that the owner enters into a restrictive

covenant affirming that the property owner will not rent or lease either of the dwelling units for a period of less than 30 days.

**Attachments:**

1. Application Narrative and Regional Plan Analysis
2. Draft of Case No. PZ-21-00066 Updates to Zoning Code 2021 – Accessory Dwelling Unit and Accessory Structure Encroachments Requirements
3. Public Comment(s)

**Case No. PZ-21-00066 Updates to Zoning Code 2021 – Accessory Dwelling Unit and Accessory Structure Encroachments Requirements**

**Narrative and Regional Plan and Specific Plan Conformance Analysis**

**Narrative**

To encourage the development of Accessory Dwelling Units on detached single-family lots, the objective of the proposed amendment is to add additional flexibility and remove barriers that are contained within the existing Accessory Dwelling Unit provisions. To achieve this objective, new provisions are proposed to be added and existing provisions are proposed to be modified to allow additional flexibility. The proposed modifications include allowing Detached Accessory Dwelling Units to be located in the required rear and interior setbacks, provided that the building height of the structure does not exceed a maximum building height of 16 feet. In addition, the maximum building height of the Attached and Interior Accessory Dwelling Units are proposed to be increased from 24 feet to the maximum height allowed by a property's zone. Also, the proposed modifications include allowing detached garages that were constructed prior to February 16, 2016, and are within the required setbacks to be converted to an Accessory Dwelling Unit. Furthermore, the proposed modifications include provisions to allow both the Accessory Dwelling Unit and the Single-family Dwelling Unit to be rented separately, as long as the property owner records a restrictive covenant that prohibits renting any unit as a short-term/vacation rental (i.e., less than 30 days).

In addition to the above modifications, the proposed Zoning Code Text Amendment includes consolidating the accessory structure encroachment allowances of Table 10-40.60.020.B.7.d. into Table 10-50.40.020.A.: Allowed Encroachments into Setbacks.

**Regional Plan Conformance**

**Chapter VIII - Community Character**

- Policy CC.3.1. Encourage neighborhood design to be respectful of traditional development patterns and enhance the overall community image.
- Policy CC.3.2. Maintain and enhance existing buildings and blend well-designed new buildings into existing neighborhoods.

The proposed modifications of the Accessory Dwelling Unit requirements are intended to maintain building heights and setbacks that match the provisions for other accessory structures (e.g., garage, sheds, etc.) and the allowed height of a property's zone. The proposed revisions are intended to maintain a consistent development pattern that blends newly constructed Accessory Dwelling Units in a manner that is compatible with the existing traditional neighborhood environment.

**Chapter IX - Growth Areas & Land Use**

- Policy LU.1.6. Establish greater flexibility in development standards and processes to assist developers in overcoming challenges posed by redevelopment and infill sites.
- Goal LU.3. Continue to enhance the region's unique sense of place within the urban, suburban, and rural context.

- Policy LU.5.3. Promote compact development appropriate to and within the context of each area type: urban, suburban, and rural.
- Goal LU.13. Increase the variety of housing options and expand opportunities for employment and neighborhood shopping within all suburban neighborhoods.
- Policy LU.13.4. Plan suburban development to include a variety of housing options.

The proposed modifications of the Accessory Dwelling Unit provisions will assist in maintaining Flagstaff's unique sense of place that is consistent with the older and historic neighborhoods throughout the city. The revised standards are intended to provide property owners additional flexibility to develop Accessory Dwelling Units on single-family lots to promote compact and intensified development that is compatible within new and existing neighborhoods. Furthermore, the modified standards are intended to allow for an increase in housing options within new and existing neighborhoods in a manner that is consistent with the older and historic neighborhoods.

### **Chapter XIII - Neighborhoods, Housing, & Urban Conservation**

- Goal NH.3. Make available a variety of housing types at different price points, to provide housing opportunity for all economic sectors.
- Policy NH.3.1. Provide a variety of housing types throughout the City and region, including purchase and rental options, to expand the choices available to meet the financial and lifestyle needs of our diverse population.
- Policy NH.3.2. Promote accessory dwelling units, where appropriate.
- Policy NH.3.5. Encourage and incentivize affordable housing.

One of the primary purposes of the proposed modifications to the Zoning Code is to remove barriers to developing Accessory Dwelling Units and to increase the variety of housing options available to a diversity of income ranges. In addition, the proposed modifications are intended to incentivize Accessory Dwelling Units by providing additional flexibility in the locations that Detached Accessory Dwelling Units are allowed. Also, the revised provisions increase the allowed height of an Attached and Interior Accessory Dwelling Unit to match a property's zone. Furthermore, the modifications include provisions that would allow both the Accessory Dwelling Unit and the Single-family Dwelling Unit to be rented to separate households. To rent both the Accessory Dwelling Unit and the Single-family Dwelling Unit to separate households, the property owner would need to agree to record a restrictive covenant prohibiting the units from being rented as short term/vacation rentals (i.e., less than 30 days).

### **Specific Plans**

#### *Southside Community Plan*

- Policy S 4.1. Encourage housing types and prices for people with a variety of income levels and housing needs.
- Policy SLW 1.1. The appropriate mix of uses in the Live/Work Neighborhood are:
  - Single family homes and duplexes with accessory dwelling units,
  - Multiunit clusters, often including a cottage in front with medium to high density on site and one to two story buildings,
  - Clusters of apartment buildings on lots less than one-half block in size,

- Live/work units, and
- Small studios and shops that support self-employment and neighborhood services.
- Policy S 2.4. Replicate patterns, materials, and architectural features of historic building in new construction.
- Policy SNC 1.1. The appropriate mix of uses in the Southside Neighborhood Core are:
  - Single family homes and duplexes with or without accessory dwelling units,
  - Small shops with housing in the rear or above,
  - Home occupation, and
  - Neighborhood uses compatible with a residential setting.

*La Plaza Vieja Neighborhood Specific Plan*

- Goal #6N: Preserve the neighborhood core as a predominantly single-family neighborhood. Single-family residential cottages with yards are the primary building type in the Neighborhood Core with compatibly-designed accessory dwelling units and duplexes that do not dominate the block or street as an element of the urban neighborhood.

To encourage the development of Accessory Dwelling Units on detached single-family lots, the objective of the proposed amendment is to add additional flexibility and remove barriers that are contained within the existing Accessory Dwelling Unit provisions. In addition, the proposed modification to the Accessory Dwelling Units provisions are intended to assist in providing a diversity of housing options that are available to a variety of income ranges.

**Case No. PZ-21-00066 Updates to Zoning Code 2021 – Accessory Dwelling Unit and Accessory Structure Encroachments Requirements**

Amendment for Adoption into the Flagstaff Zoning Code

**HOW TO READ THIS DOCUMENT**

Unless otherwise stated, provisions that are being deleted are shown in bold red strikethrough text, like this: ~~Provisions that are being deleted are shown with a bold red strikethroughs text.~~

Provisions that are being added are shown in bold blue text, like this: **Provisions that are being added are shown in bold blue text.**

Section 1. Amend Title 10 Flagstaff Zoning Code, Division 10-40.60 Specific to Uses:, 10-40.60.020 Accessory Structures, Subsection B. Approvals and Standards., paragraph 7, list d., as follows:

**10-40.60.020 Accessory Structures**

**B. Approvals and Standards.**

7. All other accessory structures shall comply with the property development standards of the property’s zone, except as specified below:

- d. ~~Allowed~~ Encroachments into the required setbacks ~~in addition to Section 10-50.40.020.A nonhabitable structure (e.g., garage, workshop, carport, shed, greenhouse, etc.) may encroach into the property’s required zone setbacks in accordance with Table 10-40.60.020.B.7.d.~~ **are allowed in accordance with Table 10-50.40.020.A.**

Section 2. Amend Title 10 Flagstaff Zoning Code, Division 10-40.60 Specific to Uses:, Section 10-40.60.020 Accessory Structures, Table 10-40.60.020.B.7.d., to delete the table, as follows:

<del>Table 10-40.60.020.B.7.d.</del>	
<del>Allowed Accessory Structure Encroachments into Setbacks</del>	
<del>Yard of Encroachment</del>	<del>Minimum Setback</del>
<del>Rear yard abutting a public alley right of way or private alley tract:</del>	<del>0 feet.</del>
<del>Rear yard abutting another lot or parcel:</del>	<del>5 feet.</del>
<del>Interior side yard:</del>	<del>5 feet.</del>
<del>Street side yard:</del>	<del>No encroachment allowed.</del>

<del>Table 10-40.60.020.B.7.d.</del>	
<del>Allowed Accessory Structure Encroachments into Setbacks</del>	
<del>Yard of Encroachment</del>	<del>Minimum Setback</del>
<del>Front yard:</del>	<del>No encroachment allowed.</del>
<b>Notes</b>	
<del>1. Refer to Section 10-50.50.030, Siting and Building Standards, regarding the locations and heights of walls and fences.</del>	

Section 3. Amend Title 10 Flagstaff Zoning Code, Division 10-40.60 Specific to Uses:, Section 10-40.60.030 Accessory Dwelling Units (ADUs), Table 10-40.60.030.C., rows (5), as follows:

<b>Table 10-40.60.030.C.</b>	
<b>Accessory Dwelling Unit Design, Development and Exceptions Standards</b>	
(5) Building Form and Property Development Standards	<p>(a) <del>Setbacks. An ADU shall comply with the setback requirements of the property's zone and as allowed in (d) and 14 of this table.</del>  <b>Setbacks.</b>            (i) A Detached ADU structure may be located in the rear and interior side setbacks, provided that the following are maintained:            (i.1) Minimum rear setback abutting a public alley right-of-way or private alley tract: 0 feet.            (i.2) Minimum rear setback abutting another lot or parcel: 5 feet.            (i.3) Minimum interior side setback: 5 feet.            (ii) An Attached or Interior ADU shall comply with the required setbacks of a lot's or parcel's zone.            (iii) Alternative setbacks and placements are allowed in accordance with Section 10-40.60.030.D.</p> <p>(b) (i) Detached ADU Encroachments. Only the encroachments in subsection (7) of Table 10-50.40.020.A. are allowed in the setbacks of subsection (5)(a)(i) of this Table. The other encroachments of Table 10-50.40.020.A. are not allowed as part of a Detached ADU.            (ii) Attached and Interior Encroachments. The encroachment of Table 10-50.40.020.A. are allowed.            (iii) A detached garage constructed prior to February 16, 2016 that is in the minimum setback(s) of subsection (5)(a)(i) of this Table or in the street side setback may be converted to an ADU or have an ADU above the garage as a second floor, provided that no exterior additions or an increase in building height is developed to accommodate the ADU.</p> <p><del>(b) (c) Building Height. The maximum height of an Attached and Detached ADU, measured in accordance with Section 10-50.30.030: 24 feet</del>            (i) Attached and Interior ADU: Maximum height allowed by the lot's or parcel's zone.            (ii) Detached ADU within the required setbacks of a lot's or parcel's zone: 24 feet.</p>

<b>Table 10-40.60.030.C. Accessory Dwelling Unit Design, Development and Exceptions Standards</b>	
	<p><b>(iii) Any portion of a Detached ADU that encroaches into the required setbacks of the property's zone: 16 feet.</b></p> <p><del>(e)</del> <b>(d)</b> Lot Coverage. The lot coverage requirements of a property's zone shall:</p> <ul style="list-style-type: none"> <li>(i) Not apply to Attached and Detached ADU; and</li> <li>(ii) Apply to a dwelling unit containing an interior ADU.</li> </ul> <p><del>(d)</del> <b>Encroachment into setbacks.</b></p> <ul style="list-style-type: none"> <li><del>(i)</del> <b>The encroachments specified in Section 10-50-40.020 are allowed.</b></li> <li><del>(ii)</del> <b>The development of a Detached ADU on the second floor of a garage that was developed prior to February 16, 2016, and is in the required setback(s), shall be allowed, provided that no exterior additions or an increase in building height was developed to accommodate the ADU.</b></li> </ul>

Section 4. Amend Title 10 Flagstaff Zoning Code, Division 10-40.60 Specific to Uses:, Section 10-40.60.030 Accessory Dwelling Units (ADUs), Table 10-40.60.030.C., row (12), as follows:

<b>Table 10-40.60.030.C. Accessory Dwelling Unit Design, Development and Exceptions Standards</b>	
(12) Required Occupancy	<p>(a) The property owner, which includes title holders and contract purchasers, shall occupy either the primary <del>residence</del> <b>dwelling unit</b> or the ADU as their principal <del>residence.</del> <b>residence, unless the primary dwelling unit and ADU are allowed to be separately leased or rented in accordance with subsection G of this Section. The residence or ADU that is not occupied by the property owner that is rented or leased shall be for a period of no less than 30 days.</b></p> <p>(b) <b>The primary dwelling unit or the ADU that is not occupied by the property owner that is rented or leased shall be for a period of no less than 30 days.</b></p>

Section 5. Amend Title 10 Flagstaff Zoning Code, Division 10-40.60 Specific to Uses:, Section 10-40.60.030 Accessory Dwelling Units (ADUs), Table 10-40.60.030.C., row (17), as follows:

(17) Utility Service	<p>(a) An ADU <del>shall</del> <b>shall</b> be connected to <del>the utilities</del> <b>utilities</b> (except internet, telephone and television), <del>(except internet, telephone and television)</del> <b>either through</b> <del>main of</del> the</p>
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	primary dwelling unit, or <del>and may not have</del> separate utility services.
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Section 6. Amend Title 10 Flagstaff Zoning Code, Division 10-40.60 Specific to Uses:, Section 10-40.60.030 Accessory Dwelling Units (ADUs), to amend subsection E. Restrictive Covenant., as follows:

**Section 10-40.60.030 Accessory Dwelling Units (ADUs)**

**E. Restrictive Covenant.**

**1. The following shall be required, unless the property owner participates in the Rental Dwelling Unit Incentive of subsection G of this section:**

~~1~~ **a.** The property owner shall sign before a notary public a restrictive covenant that runs with the land on a form prepared by the City **Attorney or designee** affirming that the property owner shall:

~~a~~ **i.** Occupy either the primary residence or the ADU; or

~~b~~ **ii.** If the property owner rents or leases a property with both a primary residence and an ADU to a third party, then neither the primary residence nor the ADU shall be sub-leased.

~~2~~ **b.** The restrictive covenant shall be submitted to the City prior to the issuance of a building permit for the ADU. The City shall record the restrictive covenant after the building permit has been issued.

Section 7. Amend Title 10 Flagstaff Zoning Code, Division 10-40.60 Specific to Uses:, Section 10-40.60.030 Accessory Dwelling Units (ADUs), to add subsection G in alphabetical order, as follows:

**Section 10-40.60.030 Accessory Dwelling Units (ADUs)**

**G. Rental Dwelling Unit Incentive.**

**1. As an incentive to property owners to construct ADUs and to increasing the number of long-term rental dwelling units that are available in the Flagstaff area, the primary residential dwelling unit and the ADU a may be rented or leased separately if the property owner agrees to and signs before a notary public a restrictive covenant on a form prepared by the City Attorney or designee affirming that the property owner will not rent or lease either of the dwelling units for a period of less than 30 days. The restrictive covenant shall be submitted to the City prior to the issuance of a building permit for the ADU, or before the property owner rents or leases the primary residential dwelling unit and the ADU, whichever is earlier. The restrictive covenant shall run with the land.**

Section 8. Amend Title 10 Flagstaff Zoning Code, Division 10-50.40: Encroachments, Section 10-50.40.020 Encroachments into Minimum Required Setbacks, Table 10-50.40.020.A., as follows – including table format and shading:

<b>Table 10-50.40.020.A.: Allowed Encroachments into Setbacks <del>and</del> Heights</b>	
<b>(1) Arbors, Awnings, Canopies, Court Yards, Decks, Patios, Pergolas, Porches, Stoops, Trellis, Hooded Entries, Carports and <del>Balconies</del><sup>1,2,3</sup> Balconies</b>	
<b>Standard</b>	<b>Maximum Encroachment in Setback</b>
Front, Rear, Street Side Setback <del>(max.)</del>	<b>5 feet<sup>1,2,3</sup> <del>5 feet</del></b>
Interior Side Setback <del>(max.)</del>	<b>3 feet<sup>1,2,3</sup> <del>3 feet</del></b>
<b>(2) Accessory Dwelling Units <del>(ADUs)</del><sup>±</sup> (ADUs)</b>	
See Section 10-40.60.030	
<b><del>Accessory Buildings and Structures</del><sup>1</sup></b>	
<b>(3) Accessory Buildings and Structures, Excluding Walls and Fences</b>	
<b><del>See Section 10-40.60.020</del></b>	
<b>Standard</b>	<b>Minimum Setback from Property Line</b>
Rear setback abutting a public alley right-of-way or private alley tract	<b>0 feet</b>
Rear setback abutting another lot or parcel	<b>5 feet<sup>2,3</sup></b>
Interior side setback	<b>5 feet<sup>2,3</sup></b>
Street side setback	<b>No encroachment allowed</b>
Front setback	<b>No encroachment allowed</b>
<b>(4) Walls and Fences</b>	
Refer to Section 10-50.50.030, Siting and Building Standards, regarding the allowed locations of walls and fences.	
<b>(5) Ground Mounted Solar Panels</b>	
<b>Standard</b>	<b>Maximum Encroachment in Setback</b>
Front, Rear, Street Side Setback <del>(max.)</del>	<b>5 feet</b>
Interior Side Setback <del>(max.)</del>	<b>3 feet</b>
<b>(6) Open Stairways</b>	
<b>Standard</b>	<b>Maximum Encroachment in Setback</b>
Rear and Exterior Side Setback	<b>5 feet<sup>2,3</sup></b>
Interior Side Setback	<b>3 feet<sup>2,3</sup></b>
<b>(7) Bay Windows, Open Eaves, Cornices, Fireplaces and Chimneys, and Window Sills</b>	
<b>Standard</b>	<b>Maximum Encroachment in Setback</b>

**Table 10-50.40.020.A.: Allowed Encroachments into Setbacks ~~and~~ Heights**

All Setbacks <del>(max.)</del>	2 feet
<b>End Notes:</b>	
1. In no case shall the permitted encroachment exceed 50 percent of the required setback.	
2. Refer to applicable Building Code sections for permitted projections into setback areas and ensure that a 3' space is maintained between an open stairway and the property line.	
3. Refer to applicable Building Code sections for construction less than 5' from a property line.	

## Daniel Symer

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**From:** Charlie Silver <cws720@gmail.com>  
**Sent:** Tuesday, May 11, 2021 10:37 AM  
**To:** Mayor and Council  
**Cc:** Daniel Symer  
**Subject:** Fwd: Case No. PZ-21-00066

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,  
I also thought it prudent to send this directly to you as well. Sorry if it's duplicative.  
Thank you.

----- Forwarded message -----

**From:** Charlie Silver <[cws720@gmail.com](mailto:cws720@gmail.com)>  
**Date:** Tue, May 11, 2021 at 12:25 AM  
**Subject:** Case No. PZ-21-00066  
**To:** <[publiccomment@flagstaffaz.gov](mailto:publiccomment@flagstaffaz.gov)>

RE: Proposed amendment to the Zoning Code to modify the existing Accessory Dwelling Unit (ADU) and accessory structure requirements (Case No. PZ-21-00066)

I oppose the request by the City to amend the Zoning Code to incorporate provisions to allow a Detached Accessory Dwelling Unit to encroach into a property's required interior and rear setback, even attempting to ensure that the maximum height of the structure does not exceed 16 feet. First, regarding code enforcement I often hear that the system is complaint driven. In other words the burden is placed on neighbors/individuals to monitor, interpret, and report (complain) to the City that something "appears" to be a code violation. This is not right - it pits neighbor against neighbor. And, if someone were to go above 16 feet, I have very little faith that the City would enforce the height limit, i.e., make someone tear down something that was in the process of being built or was already built. Secondly, encroaching into setbacks reduces light for growing food (sustainability issue); it is also depressing and intrusive to neighbors. And fundamentally setbacks should not be diluted/eliminated by encroachments - then why have them at all? Because people need some elbow room. Especially, most likely, in the areas that would experience an ADU rush, i.e., those with small lots already. I seriously doubt there will be an ADU rush in areas that have large lots with an abundance of elbow room.

Also, I oppose the request by the City to remove barriers to homeowners building Accessory Dwelling Units on their property - particularly to the removal of requirements related to the property owner occupying either the single-family dwelling unit or the Accessory Dwelling Unit as their principal residence.

I understand the purpose of eliminating this requirement is to allow a property owner to construct an Accessory Dwelling Unit on the same lot as a single-family dwelling unit and rent both units. Without the property owner on site, by virtue of them occupying one of the units as their principal residence, is a recipe for unacceptable change to neighborhoods by potentially increasing the proportion of short-term rentals. Neighborhoods and neighborhood character throughout the entire City is very important. Short-term rentals eat away at neighborhoods through increased light and noise pollution because of a party mentality by a lot of these

renters. Yes, there is a party ordinance; but once again, the burden is placed on neighbors to lodge a complaint. I do believe there should be rules in place regarding short-term rentals. Additionally, I do not think it's right to turn neighborhoods into commercial districts exacerbated by short-term rental monetary motivation.

Thank you,  
Charlie Silver  
Flagstaff