

PLANNING AND DEVELOPMENT SERVICES REPORT
CONDITIONAL USE PERMIT

PUBLIC HEARING
PZ-21-00094-02

<u>DATE:</u>	November 17, 2021
<u>MEETING DATE:</u>	December 8, 2021
<u>REPORT BY:</u>	Tiffany Antol,

AICP

REQUEST:

A Conditional Use Permit request from Mountain Line to allow for the use of City-owned property as a Passenger Transportation Facility which includes a multi-phase development plan including the construction of a new 18,983 square foot structure, bus plaza, open space, and parking in the Commercial Service (CS) Zone, located at 216 W Phoenix Avenue.

STAFF RECOMMENDATION:

In accordance with the findings presented in this report, staff recommends approval of PZ-21-00094-02 with conditions.

PRESENT LAND USE:

This location is developed with an existing structure used for storage as well as parking and the existing Mountain Line Downtown Connection Center.

PROPOSED LAND USE:

The applicant proposes to develop the property in three phases including a new 18,983 square foot, two-story building, civic space, parking, and enlarged bus plaza.

NEIGHBORHOOD DEVELOPMENT:

North: Burlington & Santa Fe Railroad and Right-of-Way
East: Beaver Street Right-of Way, Commercial Development, Community Services (CS) Zone
South: Mixed Use Development, Restaurant, and Retail uses, utilizing a mix of Transect and Conventional Zones
West: Milton Road Right of-Way, Residential, Single-Family Residential Neighborhood (R1N) Zone

I. Project Introduction

A. Background/Introduction

Section 10-40.30.040.B of the Flagstaff Zoning Code (Page 40.30-15), *Allowed Uses*, identifies "Passenger Transportation Facilities" as an allowed land use in the Commercial Service (CS) Zone subject to the approval of a Conditional Use Permit (CUP) by the Planning Commission. A Passenger Transportation Facility is defined as "facilities for public and commuter transportation including railroad or bus terminals, and service facilities for commercial motor vehicles used for commercial passenger transportation but excluding travel agencies or taxicabs."

The applicant, Mountain Line, has been using the existing site as a Passenger Transportation Facility since approximately 2008. At the time the use was established, a Conditional Use Permit was not required under the Land Development Code. In 2011, the City replaced the Land Development Code with the Flagstaff Zoning Code, which now requires a Conditional Use Permit for Passenger Transportation Facilities.

The applicant is proposing to demolish an existing storage building, which includes the existing Mountain Line Comfort Station, and construct a new two-story 18,983 square foot structure intended to house Mountain Line staff, bus operator facilities, and patron amenities, as well as develop community civic space, and expand the existing bus plaza as part of a multi-phased development. The City has preserved areas for future parking and the potential for a future parking garage as the site develops over time.

The applicant is proposing to redevelop the site in several phases. Phase 1 includes the new structure located at the intersection of Milton Road and Phoenix Avenue, associated site improvements, and public civic spaces adjacent to the building. During Phase I the existing parking and transit operation remain as they are currently. A temporary pedestrian way will be developed to connect the two areas as part of Phase 1. Phase 2, which is dependent on the completion of the Rio de Flag project work on this site, includes the expansion of the bus plaza and extension of the FUTS trail through this site. It is anticipated that the Rio de Flag work on-site will remove the existing pedestrian bridge that connects the site to Beaver Street. At the time Phase 2 is constructed, pedestrian access will have to be relocated if this bridge is removed. Phase 2 may likely occur within two separate steps by two different entities (Mountain Line and the City of Flagstaff). As the bus plaza area expands, a large portion of the existing parking area is removed. The City intends to replace the lost parking through one of two options, which includes interim surface parking or the construction of a parking garage. Phase 2 also includes a larger expanded civic space that is intended to serve the larger neighborhood/community. Phase 3 is the construction of a parking garage by the City of Flagstaff on the subject site. It is likely that the FUTS will have to be relocated on-site to accommodate a garage.

Mountain Line is also working with ADOT to improve the intersection of Phoenix Avenue and Milton Road to increase the efficiency and effectiveness of transit service. A traffic impact analysis is currently in review.

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 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.”

A Passenger Transportation Facility as a service is listed as being appropriate as a supporting activity in the Commercial Service (CS) zone.

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. The site is currently used as a Passenger Transportation Facility. The conditional use permit specifically approves the expansion, redesign, and construction of new facilities related to the existing use on-site.

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 existing and proposed Downtown Connection Center is provided from Phoenix Avenue. Phase 1 development will not alter the current configuration of driveways, access points, or vehicular parking areas within the bus plaza area, however, existing parking is removed and is replaced with a new building. In Phase 2, two access points on Phoenix Avenue will be solely for the use of buses accessing the site. All other vehicle access to parking areas will be accommodated through driveways on both Phoenix Avenue and Beaver Street.

Project development includes a new sidewalk and parkway improvements along both Phoenix Avenue and Milton Road. These improvements will also be phased throughout the development of the site. A FUTS trail will also be accommodated through the site within Phase 2 of the development.

This Passenger Transportation Facility, also referred to as the Downtown Connection Center (DCC), is a unique use which is not adequately covered by the parking standards found within the Zoning Code. In these situations, applicants can submit a parking demand study to show why their use requires a specific amount of parking. Large portions of the proposed building are used by patrons and drivers of the Mountain Line buses. They are not in need of parking spaces to access all the resources of the DCC. The portion of the facility designed for these uses is eliminated from the parking requirements for the site. The parking demand study focuses on the portion of the building occupied by employees that need to travel to and from the site daily. The study removes all unoccupied areas of the building from the parking calculations including storage areas, hallways, and corridors. The study also applies travel demand management options provided to the employees who will occupy the building to use alternative modes of transportation. Utilizing these techniques reduces the total amount of parking required for the building to 15 spaces. The concept plan shows five new parking spaces proposed within the existing right-of-way for Phoenix Avenue extending onto the subject property. These five spaces are still preliminary as they may need to be replaced with a future turn lane to accommodate improvements as proposed to the Milton Road/Phoenix Avenue intersection. If that is the case, then all 15 required parking spaces will need to be provided within the existing parking areas located on-site and currently managed by Park Flag. A separate agreement between Mountain Line and the City of Flagstaff will need to be completed in order to allow

the use of these spaces for the DCC.

2. Adequacy of Site/Open Space/Resource Provisions

The Applicant is proposing to construct an approximately 18,983 square foot building on the western portion of the property at the intersection of Milton Road and Phoenix Avenue. For developments with over 20,0000 square feet, civic space is required to be provided at a rate of 5% of the gross development site. The building does not meet this threshold to require civic space be provided but abundant civic space has been added to the site based on the nature of the use as well as suggestions within the Southside Community Plan. The concept plan shows the proposed building complying with all the required development standards of the Commercial Services (CS) Zone including setbacks, building height, and Floor Area Ratio (FAR). 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 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.

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

The proposed building elevations have been designed in accordance with the Site Planning Design and Architectural Design Standards as identified in the Zoning Code. The architecture could be called "modern mountain" using rusticated and natural materials with a modern building form. This includes a building forward design with prominent pedestrian access points and ample civic space. Public civic spaces are provided in conjunction with the construction of the DCC building in Phase 1 as well as with the development of the bus plaza area as part of Phase 2. The proposed building is similar in profile and shape to many of the buildings within the surrounding neighborhood and meets the compatibility elements as addressed in the Zoning Code.

5. Landscaping and Screening

The site is proposed to be landscaped in accordance with the requirements of the Zoning Code. A concept landscape plan is provided for Phase 1 of the development of the site. Phase 2 landscape plans will be prepared in conjunction with the development plans affiliated with that phase.

6. Impact on Public Utilities

Only new service lines are required to serve the proposed structure with water and sewer. A water/sewer impact analysis was not required for this project and no off-site improvements are required.

7. Signage and Outdoor Lighting

The application does not include any proposed signage or lighting as the plans are currently still preliminary. Any new signage or lighting will have to comply with the relevant Zoning Code requirements.

8. Dedication and Development of Streets

No new right-of-way dedication is required for this project at this time.

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 not over 50 years of age.

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 has gone above and beyond the minimum requirements for public involvement on the case. The attached public involvement plan details the meetings that have been held over time to discuss this project. The applicant held three virtual neighborhood meetings on September 15, 2021, and September 30, 2021, to fulfill the requirements for this CUP. A total of 27 community members participated in the virtual public meetings. In total, Mountain Line received 35 comments from the public. The comments are detailed in the applicant's report as either complimentary, neutral, or critical, and each with responses on how the comments were addressed. To date, staff has received one comment from the public about this application which is also attached.

IV. Recommendation:

The Inter-Division Staff (IDS) team approved the concept plan for this project on October 26, 2021. Staff recommends that the request for the CUP be granted by the Planning Commission with the requirements included in Conditional Use Permit No. PZ-21-00094-02 and as follows:

1. The development of the site shall substantially conform to the plans as presented with the Conditional Use Permit application and the concept plan as approved by the Inter-Division Staff on October 26, 2021.
2. Development of the site shall not occur until an Intergovernmental Agreement (IGA) has been executed by both the City of Flagstaff and Mountain Line that details the terms for the use of the property owned by the City of Flagstaff. Any modifications to the development plan because of the executed IGA shall be reviewed by the Inter-Division Staff for compliance with all codes and requirements.
3. The City Council shall approve the associated Parking Demand Study prior to the submission of building permits. The City Council shall agree to provide the required parking spaces for the new DCC building within the existing and future parking areas on-site.

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
- Conditional Use Permit Application
 - Narrative
 - Public Involvement Plan
 - Public Feedback Summary
 - Parking Demand Study
 - Concept Plan Plan
 - Phasing Plan
 - Phase 1 Landscape Plan
 - Building Elevations