

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

Permit No. PZ-20-00100-03
December 19, 2021

Permission is hereby granted to Miramonte Acquisitions, LLC to establish a Planned Residential Development (PRD) use pursuant to Section 10-40.30.040.B of the *Flagstaff Zoning Code*. The PRD consists of 40 multi-family residential units on approximately 1.71 acres located at 1580 S Plaza Way in the Highway Commercial Zone, and legally described as Coconino County Assessor parcel number 112-24-010B in the city of Flagstaff, Arizona.

After a public hearing held on December 8, 2021, the Planning & 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 10, 2021. Modifications to the approved site plan shall require additional review by the IDS team.
2. A fence be provided along the western property line that avoids required tree resources and slope areas. A detailed plan for this fence shall be provided in conjunction with civil plans for the project.
3. The applicant shall participate in the bulk pass program with Mountain Line to provide bus passes to residents of the project for a term of five years following the certificate of occupancy of the project.

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 may be revoked and further operation of the use for which this permit was approved shall constitute a violation of the Zoning Code.

This Conditional Use Permit shall become null and void one (1) year from the effective date of December 19, 2021, unless the following shall have occurred:

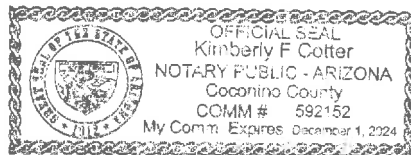
1. A building permit has been issued and construction begun and diligently pursued; or
2. The approved use has been established; or
3. An extension has been granted by the Planning and Zoning Commission. Such extension shall be for a maximum of one hundred eighty (180) days and no extension may be granted which would extend the validity of the permit more than eighteen (18) months beyond the date of approval of the permit.
4. Property Owner shall sign Consent to Conditions/Waiver for Diminution of Value form as a condition of issuance of the Conditional Use Permit by the City.
5. Development of the use shall not be carried out until the applicant has secured all other permits and approvals required by the Zoning Code, the City, or applicable regional, State, and federal agencies.

This document ___ does modify, or X does not modify the provisions of a previous Conditional Use Permit recorded in docket _____, Office of the Coconino County, Arizona, Recorder.

Michelle M. Smith
 Planning Director, City of Flagstaff

By: [Signature]
 Applicant (if other than the property owner)

STATE OF ARIZONA)
) ss
 County of Coconino)



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

SUBSCRIBED AND SWORN to before me this 17th day of January, 2021-~~22~~

Kimberly F. Cotter
 Notary Public

My Commission expires: 12/1/24

Exhibit A-Legal Description

112-24-010B

COM FOR REF SW COR LOT 10; TH N 87-29-22 E 246.95 TO TPOB; TH N 25-06-43 W 329.06';

TH N 87-26-55 E 120.60' TO TANGENT CURVE TO LT; TH NELY ALONG SAID CURVE 192.06';

TH S 01-27-55 E 67.13'; TH S 01-33-52 E 291.56'; TH S 87-29-22 W 169.35' TO TPOB. Sixteenth: NW
Quarter: SW Section: 21 Township: 21N Range: 07E