

**PLANNING AND DEVELOPMENT SERVICES REPORT**  
**DIRECT TO ORDINANCE ZONING MAP AMENDMENT**

**PUBLIC HEARING**  
**PZ-22-00109-04**

**DATE:** July 3, 2025  
**MEETING DATE:** July 23, 2025  
**REPORT BY:** Ben Mejia

**REQUEST:**

Direct to Ordinance Zoning Map Amendment requested by ViewPoint Engineering on behalf of Red Oak Development Group to rezone approximately 13.82 acres located at 2951 S Masonic Lane from the Rural Residential (RR) zone within the Resource Protection Overlay Zone (RPO) and Suburban Commercial (SC) zone within the RPO to the Medium Density Residential (MR) zone within the RPO.

**STAFF RECOMMENDATION:**

Staff believes that the proposed Zoning Map amendment is in substantial conformance with the required findings and recommends the Planning & Zoning Commission forward the request to the City Council with a recommendation for approval, subject to the following conditions:

1. The subject property must be developed in accordance with the approved site plan and the conditions of approval dated May 9, 2024. Modifications (other than minor modifications) to the approved site plan will require an amendment to this Direct to Ordinance Zoning Map Amendment request.
2. All other requirements of the Zoning Code and other City codes, ordinances, and regulations, shall be met by the proposed development.
3. All terms, conditions, and restrictions detailed within the "Pinehaven Development Agreement" must be fully satisfied.
4. In the event the property is rezoned and the Developer fails to obtain final Civil Plan approval within two (2) years of the effective date of the rezoning ordinance, then the City may schedule a public hearing before the City Council for the purpose of causing the zoning on the Property to revert to the former classification of Rural Residential (RR) and Suburban Commercial (SC) in accordance with A.R.S. § 9-462.01.

**PRESENT LAND USE:**

The subject property ("Property") is approximately a 13.82-acre vacant parcel. S Masonic Lane bisects the site in the form of an access easement providing connection from the Pinnacle Pines subdivision to E Zuni Drive.

**PROPOSED LAND USE:**

The applicant proposes to develop the site with an 83-unit multiple-family development with associated parking, landscaping, and amenities.

**NEIGHBORHOOD DEVELOPMENT:**

See the attached area context map.

North: Vacant parcel, zoned Public Facility (PF) and Suburban Commercial (SC)  
East: College/University, zoned PF  
South: Single-family home subdivision, zoned MR; Vacant parcel, zoned High-Density Residential (HR)  
West: Vacant parcel, zoned PF

---

**I. Project Introduction**

**A. Background/Introduction**

The request was filed by ViewPoint Engineering on behalf of Red Oak Development Group for a Direct to Ordinance Zoning Map Amendment. The proposal would rezone approximately 13.82 acres located at 2951 S Masonic Lane from the RR zone within the RPO and SC zone within the RPO to the MR zone within the RPO.

The subject property is vacant land located along E Zuni Drive and S Lone Tree Road and is bisected by S Masonic Lane, which serves as access to the Pinnacle Pines subdivisions. The applicant proposes an 83 unit multiple-family development consisting of townhome-style buildings which cluster units in 20 groups of 4 and 5. The development proposes a financial contribution to the City’s Affordable Housing Fund totaling \$1,802,413.83. This contribution is in lieu of constructing 10 Category 1 affordable units at 12% of the total unit count in order to utilize the affordable housing incentives for a reduction to resource protection. The project plans to be developed in two construction phases; Phase 1 consists of all development to the west of S Masonic Lane and Phase 2 consists of all development east of Masonic Lane. Phase 1 will construct 40 units and public improvements along E Zuni Drive. The entirety of the trail proposed for civic space will be constructed at part of Phase 1. Phase 2 will construct the remaining 43 units to the east of Masonic Lane and public improvements along S Lone Tree Road.

An applicant requesting an amendment to the Zoning map may elect to pursue either a “Direct to Ordinance with a Site Plan” or “Authorization to Rezone with a Concept Zoning Plan” per Section 10-20.50.040.D of the Zoning Code. The Direct to Ordinance with a Site Plan process requires the applicant to submit fully developed site plans with all supporting information required for site plan review concurrently with the Zoning Map amendment application. Once the Zoning Map amendment is approved by the Council, the applicant can proceed directly to construction plans and building permit review.

**B. Proposed Rezoning and Development Plan**

The applicant requests rezoning approval to permit the construction of a multiple-family development consisting of 83 units. Upon rezoning approval, the applicant intends to subdivide the units as condominiums. The site layout includes 20 townhome-style structures in clusters of 4 and 5 units and a resident clubhouse. The following unit composition is proposed:

<b>Unit Type</b>	<b>Unit Count</b>	<b>Composition</b>
Two Bedroom	9	11%
Three Bedroom	72	87%
Four Bedroom	2	2%

The MR Zone allows a density range of 6-9 units/acre in the RPO outside of an activity center. The Regional Plan has designated the site as Suburban Neighborhood area type, which has an allowable density range of 2-13 units/acre. The gross density of this project is 6 units/acre and is within the allowable density for the MR Zone and the Suburban Neighborhood area type.

**II. Staff Site Plan Review**

On May 9, 2024, Inter-Division Staff (IDS) approved an application for Site Plan Review of the proposed development subject to a successful Direct to Ordinance Zoning Map Amendment request. A copy of the application is attached to this report. Should the rezoning be denied, the Site Plan, as submitted, will no longer be approved.

**A. Zoning – City of Flagstaff Zoning Code**

If this Direct to Ordinance Zoning Map Amendment request is approved, approximately 13.82 acres will be rezoned to the MR zone within the RPO. Development of the site will be conditioned to the approved site plan, the final development agreement, and the additional conditions stated above. Any substantial change to the approved site plan would require a new rezoning request and further review and approvals by the Planning and Zoning Commission and City Council. The Site Plan provided includes the overall site layout, common space and civic space areas, resource protection plan, preliminary landscaping, building floor plans, and building elevations.

**i. Site Planning Standards**

In accordance with Section 10-30.60.030 of the Zoning Code a site analysis was completed in conjunction with the concept plan for this project that examines the topography of the site, solar orientation, existing/native vegetation types, view corridors, climate, subsurface conditions, drainage swales and stream corridor, and the built environment and land use context. The proposal includes townhome-style units in groups of Four and five side-by-side units located along a central drive aisle running east-west through the site. The proposal utilizes a common space amenity area surrounding the site which serves as a buffer to E Zuni Drive, S Lone Tree Road, and the neighboring subdivision to the south. The common area includes a walking trail for public use, which meets the civic space requirement at the time of site plan review.

**ii. Resource Protection**

The subject site is within the RPO. The Zoning Code requires 50% of the tree resources to be saved. This project utilizes an Affordable Housing incentive for resource protection which allows a 35% reduction to the required forest resource preservation for projects with 12% Category 1 affordable housing units. Use of this incentive reduces the required forest resource protection rate to 32.5%, the developer proposes to save 33.6% of the existing forest resources. The majority of the preserved forest resources are located along the northern and southern property lines within the common space area. This proposal meets all slope preservation requirements. This site is not within a protected floodplain.

**iii. Common Space & Civic Space**

The MR zone requires 15% of the gross lot area to be Common Space (Table 10-40-30.030.G). A minimum of 87,802 square feet of common space is required for the proposed residential project. The approved site plan identifies 87,981 square feet of common space. Common space is proposed to serve as a buffer around the site. Access to common space is provided by the trail network with trailheads distributed throughout the site.

At the time of review for the site plan, Section 10-30.60.090.B.1 of the Zoning Code required developments with 50 or more dwelling units to provide a minimum of 5% of the site as Civic Space. A total of 29,268 square feet of civic space is required. The site plan identifies a total of 39,450 square feet, or 6.7% of the site, toward civic space within the residential development. The civic space is proposed as a walking trail that runs through the forested common space area encompassing the development. A pinecone-inspired amenity structure provides a seating and viewing area along the trail.

**iv. Pedestrian and Bicycle Circulation Systems**

The approved site plan includes 5-foot-wide sidewalks along the central drive aisle. Sidewalks internal to the site are provided to the north of Drive "B" and connect to off-site sidewalks along all driveway access points from E Zuni Dr, S Masonic Ln, and S Lone Tree Road. Residents to the south of Drive B and along Drive B2 will rely on the internal drives to provide pedestrian connection to the nearest sidewalk.

Five-foot wide sidewalks and a bicycle lane will be constructed along the project's entire E Zuni frontage as part of this development's improvements to E Zuni Dr.

**v. Compatibility and Architectural Design Standards**

Compatibility does not mean "the same as" but rather it refers to how well a new development is sensitive to the character of existing development. The Zoning Code breaks down compatibility into three categories: Patterns of Development, Scale, and Continuity.

Patterns of Development include streetscapes, site relationships, signage, and landscape features. This project prioritizes resource protection along the rights-of-way and provides a buffer between the site and the adjacent neighborhood to the south. This resource protection buffer around the site maintains visual continuity of the forested areas surrounding the site and serves as an extension of the common space areas in Pinnacle Pines.

Scale refers to similar or harmonious proportions, overall height and width, the visual intensity of the development, and the building massing. The surrounding existing developments are primarily townhomes and a manufactured home park. The townhome-style structures are grouped in clusters of 4 and 5 units, breaking up the massing so that facades are generally 75 feet or less. The maximum height of 35 feet is comparable to the maximum height permissible in surrounding zones. The density of approximately 6 units/acre and the townhome-style buildings are compatible with the town-home development to the south of the site in Pinnacle Pines.

Continuity encompasses patterns of development and scale, but also site development, building forms, texture, materials, details, and colors. The proposal is consistent with Architectural Design Standards requirements for exterior materials and light reflectance values by using stone veneer and batten board siding with darker, low reflectance paint.

**vi. Landscaping**

A preliminary landscaping plan, showing all landscape areas, plant locations, plant species, and sizing was reviewed and approved with the approved site plan application. The preliminary landscaping plan meets the requirements of parking lot, street buffer, building foundation, and peripheral buffer landscaping found within Section 10-50.60 of the Zoning Code. A final landscape plan will be reviewed at the time of civil plan submittal.

**vii. Outdoor Lighting**

The subject property is located within Lighting Zone II and is allowed a total of 30,000 lumens per acre. Outdoor lighting plans are not required in conjunction with a Direct to Ordinance Zoning Map Amendment and will be reviewed for compliance at the time of building permit submittal.

**viii. Parking**

Based on the requirements for market rate units and guest parking, 188 spaces are required. This project provides 189 parking spaces including three ADA accessible parking spaces throughout the site. Two ADA parking spaces are provided in the driveway for both accessible units. Parking spaces for each unit are provided within one-car garages and driveways. Garages are not included for the accessible units; two driveway parking spaces are provided for the accessible units. There are 25 surface parking spaces dispersed throughout the site for guest use. While the project is eligible for parking reductions for proximity to proposed bus stops and affordable housing, this project meets the base parking requirements without any reductions.

**ix. Historic/Cultural Resources**

The Historic Preservation Officer reviewed this project and made no comments or conditions.

**B. Public Systems Impact Analysis**

**i. Traffic/Right-of-Way Impact**

The specific objectives of the Traffic Impact Analysis are:

- To determine whether the planned street system in the vicinity of the site is adequate to accommodate the increased traffic that results from the proposed development;
- To recommend additional street improvements or traffic control devices, where necessary, to mitigate the additional site-generated traffic; and,
- To evaluate the internal site circulation and provide recommendations if necessary.

The scope of a Traffic Impact Analysis is generally determined by the estimated peak hour trips generated by a development, per the Engineering Standards. The study of this site was based on the original proposal of 87 residential units and estimated peak hour trips of 48 vehicles/hour in the a.m. and 56 vehicles/hour in the p.m. According to the Standards, a Traffic Impact Statement (TIS) was sufficient. ViewPoint Engineering, the engineering consultant for the developer, completed the TIS in December of 2022.

**Transportation Improvements**

The project includes improvements to E Zuni Drive to meet City standards, the street section along the project frontage. Improvements along E Zuni Drive will include the following:

- A bicycle lane along the full frontage of E Zuni;
- Construction of curb and gutter along the full frontage of E Zuni;
- Construction of parkway along the full frontage of E Zuni, with the exception of approximately 150-ft to the east of Driveway A and between S Masonic Lane and S Lone Tree Road to protect existing slope resources;
- Construction of a five (5) foot wide concrete sidewalk along the full frontage of E Zuni;

Improvements along S Lone Tree Road will include the following:

- A right-turn lane into the project site;
- Construction of a five (5) foot wide parkway;
- Construction of a six (6) foot wide concrete sidewalk;

The project site is serviced by transit and proposes two bus stops along E Zuni Drive. The exact location of the bus stops will be coordinated with Mountain Line and finalized as part of the civil plans. Pedestrian access to the subject property is served by existing and proposed sidewalk along both rights-of-way.

**ii. Water and Wastewater Impact**

A Water and Sewer Impact Analysis (WSIA) was completed by the City on March 10, 2023 based on the original proposed count of 87 units. The proposed development is located within the City of Flagstaff urban growth boundary and is served by City water and sewer utilities. All public utilities are proposed within a 26-foot Public Utility Easement in the driveway on both sides of Masonic Lane.

**Water**

Currently, public water infrastructure exists across the property and in the adjacent roadways. There is a 12" water main in S Lone Tree Road, a 12" PVC water main in Zuni Drive and an 8" PVC water main in Masonic Lane. This main falls within the City of Flagstaff Pressure Zone 'B' and meets the minimum pressure requirements stated in the City of Flagstaff Engineering Standards.

New 8" water mains will be extended and looped on both sides of Masonic Lane in the PUE to provide water service to each unit. The water mains will have two fire hydrants and individual meters for each of the units.

**Wastewater**

The site is bordered by two existing sewer lines and a sewer line crossing the site in Masonic Lane. To the north of the project in Zuni Drive is a 21" VC sewer interceptor. An 8" sewer in Masonic Dr and a 10" PVC sewer in Lone Tree flow to this main. New 8" sewer mains will extend on both sides of Masonic Lane inside the PUE to provide sewer collection to each unit.

**iii. Stormwater Analysis**

The on-site stormwater system consists of a detention basin located central to the site along E Zuni Drive. As part of the rezoning request, a Drainage Impact Analysis was performed. The impact analysis studied the existing and proposed conditions. Results of the impact analysis show the proposed stormwater system has the capacity to mitigate and improve upon pre-development conditions based on analysis of 2-year, 10-year, and 100-year storm events.

**III. Zoning Map Amendment Findings**

An application for a Direct to Ordinance Zoning Map Amendment shall be submitted to the Planning Director and shall be reviewed and a recommendation prepared. The Planning 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: 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 whether the amendment should be granted, granted with conditions to mitigate anticipated impacts caused by the proposed development, or denied.

Zoning Map Amendments shall be evaluated based on the following findings:

**A. Finding #1:**

The proposed amendment must be found to be consistent with and in conformance with the goals and policies of the General Plan and any applicable specific plans. If the application is not consistent with the General Plan, and any other applicable specific plan, the applicable plan must be amended in compliance with the procedures established in Chapter 11-10 of the City Code (Title 11: General Plans and Subdivisions) prior to considering the proposed amendment.

**i. General Plan/Flagstaff Regional Plan (FRP 2030) Process and Analysis Summary**

When staff performs a Regional Plan (the "Plan") analysis, staff reviews all maps, text, and goals and policies to determine which are the most relevant in relation to the proposed application. The Plan's Future Growth Illustration on Maps 21 and 22 (same map; one is regional scale, and one is city scale) and the text of the Plan provide supplemental information for the interpretation of goals and policies. In the case of any conflict between the Future Growth Illustration and the Plan's goals and policies, the goals and policies will prevail. The Future Growth Illustration has two types of land use designations: "Area Types" describe the place-making context of Urban, Suburban, Rural, or Employment, and "Place Types" such as activity centers, corridors, and neighborhoods provide the framework for the density, intensities, and mix of uses within the area types.

The subject property is designated as Existing Suburban Neighborhood area-type. Suburban Neighborhood Characteristics include a density of 2-13 units per acre, low-rise apartments (generally accepted as three-story maximum), and open spaces used for passive recreation. The proposed development is consistent with density range supported by the Regional Plan area/place type and uses 3-story structures with typical heights of approximately 35 feet to achieve a low-rise development style.

## ii. **Applicable General Plan Goals and Policies**

As part of its review, staff identified relevant Regional Plan Goals and Policies that could be applied to support or not support the proposed Zoning Map Amendment. The relevant goals and policies can be found below and within the developer's comprehensive plan analysis. The following is a discussion of how the project generally meets or conflicts with goals and policies in each relevant chapter.

### a. **Environmental Planning & Conservation (Air Quality, Climate Change and Adaptation, Dark Skies, Ecosystem Health, Environmentally Sensitive Lands, Natural Quiet, Soils, and Wildlife)**

The Regional Plan encourages development to work with the existing landforms. Developments should step down sloped sites and preserve as much natural topography as possible. Policy E&C.9.2 states that construction projects employ strategies to minimize disturbed areas, soil compaction, soil erosion and destruction of vegetation. Policy CC.1.1 identifies the goal of preserving the natural character of the region through planning and design to maintain views of significant landmarks, sloping landforms, rock outcroppings, water courses, floodplains, and meadows, and conserve stands of ponderosa pine.

The site has considerable forest and slope resources which makes adherence to the resource protection standards challenging. This project utilizes an affordable housing incentive for a 35% reduction in the preservation rate of forest resources, bringing the required forest preservation from 50% to 32.5%. This development meets the reduced preservation requirement at a preservation rate of 33.6%. By focusing development along a central east-west axis through the site, the project minimizes disturbance to slope resources and concentrates forest resource protection along the periphery of the site to provide continuity to surrounding forest areas.

By incorporating walking trails through its forest preservation areas, this project meets Policy E&C.10.5. "Support the development of watchable wildlife recreation opportunities." This trail network will be available for public use for the enjoyment of the natural environment and resident wildlife.

### b. **Open Space**

The project uses resource protection areas along the borders of the property to serve as buffer areas to neighboring uses, maintain continuity of the forest, and provide publicly available civic space to enjoy the natural environment. The design of this common space supports the following policies: Policy OS.1.3. "Use open spaces as natural environment buffer zones to protect scenic views and cultural resources, separate disparate uses, and separate private development from public lands, scenic byways, and wildlife habitats." Policy OS.1.4. "Use open space as opportunities for non-motorized connectivity, to interact with nature, and to enjoy the views and quiet."

### c. **Water Resources (Water Sources, Water Demand, Stormwater and Watershed Management, and Water Quality)**

As shown on Map 21 and referenced in Policy WR.4.3. "Development requiring public utility services will be located within the Urban Growth Boundary," the Property is located within the Urban Growth Boundary and served by existing infrastructure.

The Drainage Impact Analysis studied the pre- and post-development conditions of stormwater flows and proposes an improvement to the impacts downstream of this site, meeting Policy WR.5.3. "Identify downstream impacts as the result of development and provide for mitigation measures to address impacts. When possible, mitigations should be non-structural in nature." The proposed development complies with the findings of the Drainage Impact Analysis discussed in the Public Systems Impact Analysis section of this report.

**d. Efficient Use of Energy Goals and Policies**

This project is fully electric and therefore meets Regional Plan Policy E.2.1. “Promote renewable energy sources that reduce demand upon fossil fuels and other forms of generation that produce waste.”

Additionally, this project provides electric hookup locations in garages for each unit and two public-access charging stations on-site to promote the use of electric vehicles per Policy E.1.13. “Promote and encourage the use of fuel-efficient vehicles that use renewable fuels.”

The Regional Plan Policy E.1.5 promotes the expansion of energy-efficient modes of transportation. The improvements to E Zuni Drive as part of this project include the construction of a new sidewalk and a bike lane along the project frontage where there currently is none. This will encourage the use of non-motorized transportation along E Zuni Drive creating safe separation between these modes of transportation and vehicles on the road.

The project includes a bike share program for residents to rent bicycles at no cost. The number of bikes and whether they will be e-bikes or not will be determined by the applicant and coordinated with the City’s Sustainability office for compliance.

The project includes two new bus stops which provide new opportunities for the use of public transportation. The developer encourages the use of public transportation by offering bus pass reimbursement for homeowners to purchase two adult bus passes for the first year of ownership and promoting Mountain Line’s EcoPass for Educators program.

**e. Community Character (Scenic Resources and Natural Setting, Heritage Preservation, Community Design, and Arts, Sciences and Education)**

This project proposes buildings designed at a scale comparable to the existing neighborhood of Pinnacle Pines to the south of the project site, with maximum heights of 35 feet and wall plane lengths generally not exceeding 75 feet. The project is designed to blend with the existing neighborhood in conformance with Policy CC.3.2. “Maintain and enhance existing buildings and blend well-designed new buildings into existing neighborhoods.”

The project incorporates an accessory structure with a sculptural design inspired by the shape of a pinecone to serve as a rest and amenity area along the publicly accessible walking trail. By blending a functional space with artistic design, the project promotes Policy CC.5.3. “Encourage the integration of art into public and private development projects.”

To the north of this site is a parcel of land owned by the Arizona Board of Regents which is currently under review for the Kinsey Elementary School relocation. To the east of this site is the Coconino Community College. This project proposes the development of new sidewalk along the full frontage of E Zuni Drive and improvements to the existing sidewalk along S Lone Tree Road. Policy CC.5.4. requires that “Complete sidewalks and Flagstaff Urban Trails System connections for all schools, community colleges, and university campuses.” The construction of these sidewalk improvements will provide safer pedestrian connections to the adjacent schools in general conformance with this policy.

**f. Growth Areas & Land Use (Reinvestment, Greenfield, Urban Area, Suburban Area, Rural Area, Employment Area, Special Planning Area, and Activity Centers)**

The proposed development is on a vacant parcel within the urban growth boundary and adjacent to existing neighborhoods. The development of the infill parcel includes the required civic space, common

space, and pedestrian amenities, including public improvement along the street frontage. The requested rezoning promotes a more seamless transition between surrounding development, in conformance with Policy LU.3.4 “Promote transitions between urban, suburban, and rural areas with an appropriate change in development intensity, connectivity, and open space.”

This request supports infill development within the urban growth boundary in support of Policy LU.5.1. “Encourage development patterns within the designated growth boundaries to sustain efficient infrastructure projects and maintenance.” The proposal also supports Policy LU.5.2. “Promote infill development over peripheral expansion to conserve environmental resources, spur economic investments, and reduce the cost of providing infrastructure and services”.

E Zuni Drive does not currently have sidewalks or a bike lane along its entire length. This project includes the development of a new sidewalk and bike lane along E Zuni Drive and improved sidewalk along S Lone Tree Road, in conformance with Policy LU.13.1. “Prioritize connectivity for walking, biking, and driving within and between surrounding neighborhoods.” The Bow and Arrow Trail runs along the northern edge of E Zuni Drive, providing some pedestrian connectivity in place of a sidewalk, however this trail is unpaved and cannot serve as an accessible substitute for sidewalk. The project’s public improvements will shorten the gap between the neighboring properties to the west and the closest pedestrian/bicycle infrastructure on S Lone Tree Road.

**g. Transportation (Mobility and Access, Safe and Efficient Multimodal Transportation, Environmental Considerations, Quality Design, Pedestrian Infrastructure, Bicycle Infrastructure, Transit, Automobile, Passenger Rail and Rail Freight, Air Travel, and Public Support for Transportation)**

Policy T.1.6. promotes strategies that support alternate modes of travel. Policy T.2.1. promotes the design of infrastructure to provide safe and efficient transportation for vehicles, bicycles, and pedestrians. The proposed improvements to E Zuni Drive provide separation between competing modes of transportation and increase safety and potential use.

**h. Neighborhoods, Housing, and Urban Conservation**

This project includes a \$1,802,413.83 contribution to the Affordable Housing Fund for the City to support affordable housing projects and incentives. This financial contribution provides the City with resources to give assistance throughout the City and supports the following policies:

Policy NH.3.5. “Encourage and incentivize affordable housing”

Policy NH.5.1. “Provide adequate resources for families with children experiencing homelessness”

Policy NH.5.2. “Provide adequate resources for individuals experiencing homelessness”

**B. Finding #2**

To meet the finding, the proposed amendment must be determined not to be detrimental to the public interest, health, safety, convenience, or welfare of the City of Flagstaff (the “City”); and will add to the public good as described in the General Plan. Staff does not believe that the proposed project will be detrimental to the public interest, health, safety, convenience, or welfare. Staff believes that the proposed amendment will add to the public good.

The developer has identified the following Community Benefits and Public Good:

- i. The developer will provide improvements along E Zuni Drive and S Lone Tree Road, including new or improved sidewalk, parkway, and a bike lane.
- ii. The developer will provide two bus stops serving both directions along E Zuni Drive.
- iii. The developer will contribute to the City of Flagstaff Affordable Housing fund commensurate with 10 Category 1 affordable units or 12% total number of units at a total contribution of \$1,802,413.83.

**C. Finding #3**

To meet the finding the affected site must be determined to be physically suitable in terms of design, location, shape, size, operating characteristics; and the provision of public and emergency vehicle access, public services, and utilities to ensure that the requested zone designation and the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

Staff believes that the proposed application meets this finding. The Inter-Division Staff reviewed the application and concluded that the site was suitable for the proposed development. The IDS team based its conclusion on the review of all applicable codes and requirements as well as impact analysis for the site. Any potential impacts were mitigated by the developer and off-site improvements will be required to serve this development.

**II. DEVELOPMENT AGREEMENT**

A draft development agreement has been prepared. The primary purpose of this agreement is to set out roles and responsibilities in regard to the following (not limited to):

- Developer obligations for public improvements to rights-of-way
- Development Phasing
- Commitments to sustainability initiatives
- Restrictions on short-term rentals, no leases under 30 days
- Administration of the Affordable Housing Fund contribution payments

**III. CITIZEN PARTICIPATION**

Public hearings before the Planning and Zoning Commission and City Council are conducted in conjunction with requests for Direct to Ordinance Zoning Map Amendments. In accordance with State Statute, notice of the public hearing was provided by placing an ad in the Daily Sun, posting notices on the property, and mailing a notice to all property owners within 300 feet of the site excluding rights-of-way.

The developer held two neighborhood meetings in regard to this case on October 17, 2024 and November 21, 2024. Both meetings were held with in-person and virtual options for attendance. Per the meeting sign-in, approximately 17 individuals attended the first meeting, and 10 individuals attended the second meeting. Citizen Participation summaries, attached, were prepared in response to the questions, comments and concerns presented. The meetings included a presentation from the developer and a question-and-answer session where questions could be asked or typed into the chat. Comments on the project included the following topics: increase in density of the area, impacts to traffic, impacts to dark skies and natural environment, increased noise, the project's proposal to use a fractional ownership model, and timing for the project.

Ten emails from the public have been received as of the writing of this report and have been included with this agenda item. All correspondence either voiced opposition or concerns with the project such as traffic, concerns about parking, impacts to the natural environment, and concerns about fractional ownership or short-term rentals.

In response to neighbor participation, the applicants removed fractional ownership from their proposal. The applicant has included in their development agreement a restriction that prohibits leases under 30 days. Nothing in the development agreement precludes fractional ownership in the future.

**RECOMMENDATION:**

Staff recommends the Planning & Zoning Commission forward the request to the City Council with a recommendation approving PZ-22-00109-04, subject to the following conditions which will be included into the zoning map amendment ordinance:

1. The subject property must be developed in accordance with the approved site plan and the conditions of approval dated May 9, 2024. Modifications (other than minor modifications) to the approved site plan will require an amendment to this Direct to Ordinance Zoning Map Amendment request.
2. All other requirements of the Zoning Code and other City codes, ordinances and regulations, shall be met by the proposed development.
3. All terms, conditions, and restrictions detailed within the "Pinehaven Development Agreement" must be fully satisfied.
4. In the event the property is rezoned and the Developer fails to obtain final Civil Plan approval within two (2) years of the effective date of the rezoning ordinance, then the City may schedule a public hearing before the City Council for the purpose of causing the zoning on the Property to revert to the former classification of Rural Residential (RR) and Suburban Commercial (SC) in accordance with A.R.S. § 9-462.01.

**Attachments:**

- Application
- Area Context Map
- Legal Notice
- Project Narrative and Regional Plan Analysis
- WSIA
- Drainage Impact Analysis
- Traffic Impact Statement
- Citizen Participation Plan, Record of Proceedings, Emails from the Public
- Approved Site Plan Drawings and Natural Resource Protection Plan
- Landscape Plan
- Building Floor Plans and Elevations