

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

Permit No. CUP 08-011  
September 23, 2008  
CUP Fee Paid \$500

Permission is hereby granted to NAIPTA to allow public transit administrative offices and vehicle maintenance in an existing building and two new bus storage buildings pursuant to Section 10-02-005-0024.B.5 of the *Land Development Code* (LDC) at a site located at 3773 North Kaspar Drive in the C-3-E Zoning District, and legally described as Coconino County Assessor parcel number 113-20-001M in the City of Flagstaff, Arizona.

After a public hearing held on September 23, 2008 the Planning and Zoning Commission voted to grant this Conditional Use Permit subject to the following conditions.

1. With submittal of civil plans, a five foot wide parkway along Kaspar Drive is required. The civil plans shall include street trees at thirty-five (35) feet spacing on Phase 1.
2. The landscape plan shall include a five-foot minimum width west bufferyard to be consistent with the applicant's landscape calculations and LDC requirements. The plan shall include a ten-foot minimum width south/southwest bufferyard to be consistent with the applicant's landscape calculations and LDC requirements. Or, if less than ten feet width, a six-foot height solid fence is required along the south/southwest property lines.
3. Prior to submittal of building plans, provide a profile drawing of the metal trellis and EIFS pop out feature at main building entrance which will give the building entry a human scale.
4. Complete the required five-foot wide sidewalk across the frontage of Phase 1.
5. Complete the required street striping across Phase 1 frontage to delineate travel and center left-turn lanes and provide acceptable transitions to the roadway section northeast of the site.

6. The developer shall complete the remainder of street improvements across Phases 1 and 2 when Phase 2 is constructed.
7. The developer agrees to pay for all remaining street improvements, as outlined in Ordinance 1925, in the event that the City completes these road improvements prior to the developer completing Phase 2. The contribution shall be based on what is needed to widen the road to provide one bike lane, two travel lanes, a center turn lane, edge improvements (curb, gutter and sidewalk) across the frontage on one side, striping and lighting.

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

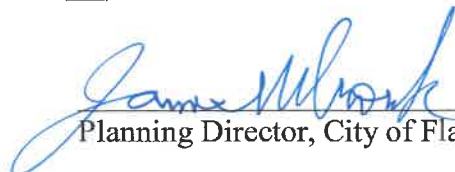
Any and all conditions endorsed on this permit are subject to periodic review by the City of Flagstaff's Development Services Director. Following review, the Planning and Zoning Commission shall be notified when the conditions of operation imposed in the approval and issuance of this permit have not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

This Conditional Use Permit shall become null and void one (1) year from the effective date of September 23, 2008 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 a Consent to Conditions/Waiver for Diminution of Value form as a condition of issuance of the Conditional Use Permit by the City.

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.

  
\_\_\_\_\_  
Planning Director, City of Flagstaff

By: \_\_\_\_\_  
Applicant (if other than the property owner)

STATE OF ARIZONA        )  
  ) ss  
County of Coconino        )

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 \_\_\_\_\_, 2008

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

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

By: Heather Dalmolin  
Property Owner

STATE OF ARIZONA        )  
  ) ss  
County of Coconino        )



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

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of December, 2008

Sheri Jones  
Notary Public

My Commission expires: July 18, 2011

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 113-20-001M in the City of Flagstaff, Arizona that is the subject of Conditional Use Permit Application No. 08-011. 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. 08-011 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. 08-011. 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 12 day of December, 2008.

PROPERTY OWNER:

Heather Dalmolin, Int. Svc Mgr  
Print Name

Heather Dalmolin  
Sign Name

State of Arizona )  
County of Coconino ) ss



SUBSCRIBED AND SWORN to before me this 12 day of Dec., 2008, by

Heather Dalmolin

My commission expires:

July 18, 2011

Sheri Torres  
Notary Public