

**APPLICATION FOR SERIAL NUMBER
Initiative or Referendum Petition
A.R.S. § 19-111**



<p>The undersigned intends to circulate and file an initiative or a referendum petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Attached hereto is the full text, in no less than eight-point type, of the measure intended to be initiated or referred at the next general election.</p>	Initiative	<u>Referendum</u>
	Date of Application	<u>6/7/23</u>
	Signatures Required	<u>2,607</u>
	Deadline for Filing	<u>7/6/23</u>
	Serial Number Issued	<u>REF 01-2023</u>

Ordinance No. 2023-11 amends the Flagstaff Zoning Map to rezone approximately 98.39 acres of real property from rural residential and estate residential to highway commercial (63.18 acres)—permitting, for example, retail trade businesses or establishments engaged primarily in selling or offering for sale personal property to the public--and public facilities (35.21 acres) and adds the resource protection overlay to areas generally located at 1120 W Purple Sage Trail, providing for severability, authority for clerical corrections, and establishing an effective date. Northern Arizona Healthcare Corporation ("Corporation") applied for the amendment. The Flagstaff City Council approved this amendment. The amendment is conditioned upon the Corporation satisfying several conditions including: constructing all intersections as "protected intersections," providing a 60-foot front landscape buffer from Beulah Boulevard and that requirements of the Zoning Code and other City codes, ordinances, and regulations will be met by the proposed development as amended within the NAH Health Village Phase 1 Specific Plan.

Erica Mapel, Treasurer

Name of Applicant (if organization, include title of officer)
2181 W Constitutional Blvd.

Address
Flagstaff Arizona 86005

City State Zip

928-380-1928

Telephone Number
girlric@hotmail.com

E-Mail Address

Flagstaff Community First

Committee Name*
PC2023-01

Committee ID No.
Doug Mapel

Chairperson
Erica Mapel

Treasurer
2181 W. Constitutional Blvd.

Committee Address
Flagstaff Arizona 86005

City State Zip

928-380-1928

Committee Telephone Number
girlric@hotmail.com

Committee E-mail Address

*Pursuant to A.R.S. § 19-111(A), the clerk cannot accept an application without an accompanying Statement of Organization.

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 98.39 ACRES OF REAL PROPERTY FROM RURAL RESIDENTIAL (40.47 ACRES) AND ESTATE RESIDENTIAL (57.92 ACRES) TO HIGHWAY COMMERCIAL (63.18 ACRES) AND PUBLIC FACILITIES (35.21 ACRES) AND ADDING THE RESOURCE PROTECTION OVERLAY TO APN 112-10-036, 112-10-037, AND 112-05-125 GENERALLY LOCATED AT 1120 W PURPLE SAGE TRAIL PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, Northern Arizona Healthcare Corporation, ("NAH"), has applied for a Concept Zoning Map Amendment to rezone approximately 98.39 acres of real property located within the City of Flagstaff, a legal description of which is provided in "Exhibit A" attached hereto and incorporated by this reference ("the Property"), from Rural Residential (RR) and Estate Residential (ER) zones to the Highway Commercial (HC) and Public Facilities (PF) zones and adding the Resource Protection Overlay (RPO) zone to APNs 112-10-036, 112-10-037, and 112-05-125 for the purpose of being developed with a regional hospital, ambulatory care center, and associated open space and civic space; and

WHEREAS, NAH conducted neighborhood meetings on January 6, 2022, January 18, 2022, and October 10, 2022 to discuss the proposed Concept Zoning Map Amendment with the surrounding community, as required by Section 10-20.50.40 of the Flagstaff Zoning Code; and

WHEREAS, the Planning and Zoning Commission has formally considered the proposed Concept Zoning Map Amendment application, following proper notice and a hearing on March 22, 2023, and April 12, 2023, and has recommended denial of the requested Zoning Map Amendment application; and

WHEREAS, the Council finds that NAH has complied with all application requirements set forth in Chapter 10-20 of the Flagstaff Zoning Code; and

WHEREAS, the Council has considered the recommendations of the Planning and Zoning Commission; and

WHEREAS, the Council has read and considered the staff reports prepared by the Planning & Development Services staff and all attachments to those reports, NAH's application, the narrative provided by NAH, and all statements made by NAH and its representatives or agents during the presentation to Council, and the Council finds that the proposed Concept Zoning Map Amendment, subject to the conditions set forth below, meets the findings required by Section 10-20.50.040(F)(1)(a) of the Flagstaff Zoning Code.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS

FOLLOWS:

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. The amendment requested in the application is consistent with and conforms to the goals of the General Plan.

SECTION 3. The amendment requested in the application will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, and will add to the public good as described in the General Plan.

SECTION 4. The affected site is physically suitable in terms of location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities to ensure that the amendment requested in the application will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Zoning Map designation for the Property is hereby amended from the Rural Residential (RR) and Estate Residential (ER) zones to the Highway Commercial (HC) and Public Facilities (PF) zones as set forth in Exhibit A attached hereto and incorporated by reference, and APNs 112-10-036, 112-10-037, and 112-05-125 are added to the Resource Protection Overlay (RPO).

SECTION 6. That the Zoning Map Amendment be further conditioned upon NAH's satisfaction of the following conditions:

CONDITIONS:

1. The subject property shall be developed in substantial conformance with the approved Specific Plan and concept zoning plan (included in the Specific Plan) and combined project narrative including but not limited to the density and intensity and general layout except as modified herein.
2. All intersections shall be designed and constructed as "protected intersections" for enhanced bicycle and pedestrian safety as feasible subject to the City Engineer's approval.
3. Foundation landscaping may be located further than 25 feet from the building to comply with Firewise landscaping requirements as recommended by the Wildfire Mitigation Analysis.
4. To mitigate the proposed building placement, a 60-foot front landscape buffer from Beulah Boulevard shall be provided with the intent of preserving as many mature Ponderosa Pine trees as possible.
5. All other requirements of the Zoning Code and other City codes, ordinances, and regulations shall be met by the proposed development as amended within the NAH Health Village Phase 1 Specific Plan.
6. All terms, conditions, and restrictions detailed within the "NAH Health Village Development Agreement" must be fully satisfied.
7. If the property is rezoned, and the applicant 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 Estate Residential (ER) in accordance with A.R.S. § 9-462.01.

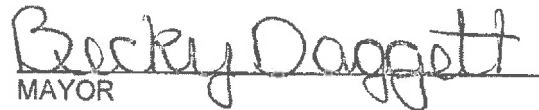
SECTION 7. That City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions, and intents of this Ordinance.

SECTION 8. If any section, subsection, sentence, clause, phrase, or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 9. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.


PASSED AND ADOPTED by the City Council of the City of Flagstaff this 6th day of June, 2023.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Exhibits:
Legal Description

**LEGAL DESCRIPTION
'HC' ZONING
EXHIBIT 'A'**

A parcel of land located in the southeast quarter of Section 31, and the southwest quarter of Section 32, Township 21 North, Range 7 East, and the northwest quarter of Section 5, Township 20 North, Range 7 East, of the Gila and Salt River Meridian, Coconino County, Arizona described as follows:

Commencing at a 3-inch U.S. GLO brass cap at the southwest corner of said Section 32, from which a City of Flagstaff aluminum cap at the north quarter corner of said Section 5 bears North $89^{\circ}42'46''$ East, 1858.35 feet (Basis of Bearing);

Thence along the north line of said Section 5, North $89^{\circ}42'46''$ East, 519.32 feet to a point on the westerly Right-of-Way line of U.S. Highway 89A;

Thence leaving said north line, and along said Right-of-Way line, North $17^{\circ}17'51''$ East, 158.28 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing along said Right-of-Way line, North $17^{\circ}17'51''$ East, 1441.89 feet;

Thence leaving said Right-of-Way line, North $72^{\circ}42'14''$ West, 136.50 feet to the beginning of a tangent curve concave to the north having a radius of 1200.00 feet and a central angle of $12^{\circ}10'26''$;

Thence northwesterly along said curve, 254.97 feet;

Thence North $60^{\circ}31'48''$ West, 582.43 feet to the beginning of a tangent curve concave to the northeast having a radius of 667.00 feet and a central angle of $8^{\circ}42'56''$;

Thence northwesterly along said curve, 101.46 feet;

Thence South $58^{\circ}54'14''$ West, 1027.19 feet to the beginning of a non-tangent curve concave to the east having a radius of 140.00 feet and a central angle of $73^{\circ}27'17''$ and being subtended by a chord which bears North $05^{\circ}34'32''$ East 167.44 feet;

Thence northerly along said curve, 179.48 feet;

Thence North $31^{\circ}05'26''$ West, 89.42 feet;

Thence South $26^{\circ}50'59''$ West, 78.60 feet to the beginning of a tangent curve concave to the northwest having a radius of 1000.00 feet and a central angle of $05^{\circ}20'19''$;

Thence southwesterly along said curve, 93.18 feet;

Thence South $32^{\circ}11'18''$ West, 104.33 feet;

Thence South $57^{\circ}48'42''$ East, 361.31 feet to the beginning of a tangent curve concave to the west having a radius of 50.00 feet and a central angle of $84^{\circ}04'31''$;

Thence southerly along said curve, 73.37 feet;

Thence South 26°15'49" West, 434.69 feet;

Thence South 00°44'10" East, 852.74 feet;

Thence North 89°15'18" East, 66.63 feet to the northwest corner of said Section 5;

Thence along the north line of said Section 5, North 88°15'45" East, 504.66 feet to the beginning of a tangent curve concave to the south having a radius of 2000.01 feet and a central angle of 8°19'11";

Thence easterly along said curve, 290.41 feet;

Thence North 5°18'32" East, 256.10 feet;

Thence South 84°41'28" East, 413.51 feet;

Thence South 72°39'50" East, 140.41 feet to the **TRUE POINT OF BEGINNING**.

Containing 63.18 Acres, more or less.

See Exhibit 'B' attached hereto and made a part hereof.

This legal description was prepared by Aaron D. Borling, RLS 48756, on behalf of and at the request of Shephard-Wesnitzer, Inc., Flagstaff, Az.

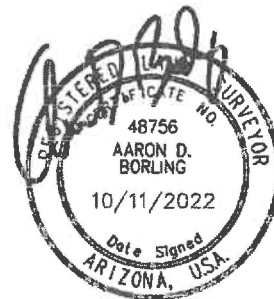
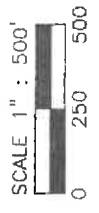
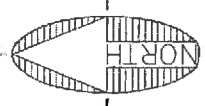
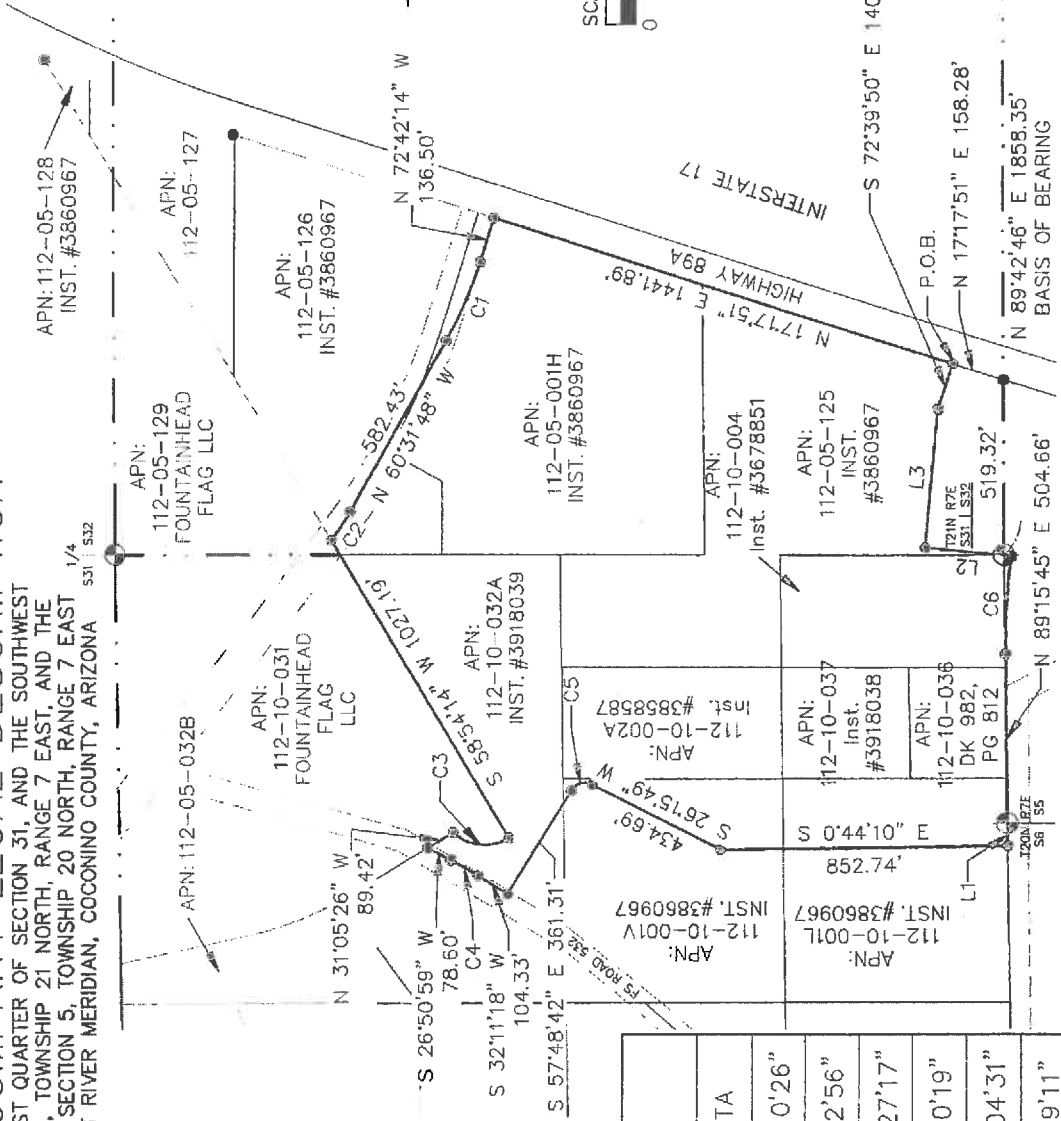


EXHIBIT 'B' TO ACCOMPANY LEGAL DESCRIPTION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, AND THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 7 EAST, AND THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, COCONINO COUNTY, ARIZONA

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	66.63	N 89°15'18" E
L2	256.10	N 5°18'32" E
L3	413.51	S 84°41'28" E

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	254.97	1200.00	12°10'26"
C2	101.46	667.00	8°42'56"
C3	179.48	140.00	7°32'17"
C4	93.18	1000.00	5°20'19"
C5	73.37	50.00	84°04'31"
C6	290.41	2000.01	8°19'11"



SWI
Shephard Wesmitzer, Inc.

110 W. Dale Avenue
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.swi.biz.com

JOB NO.: 21045
DATE: OCT 22
SCALE: 1" = 500'
DRAWN: JEE
DESIGN:
CHECKED: ADB

NORTHERN ARIZONA HEALTHCARE

LEGAL EXHIBIT

FLAGSTAFF
ARIZONA

SHEET
3
OF 3

**LEGAL DESCRIPTION
'PF' ZONING
EXHIBIT 'A'**

A parcel of land located in the southeast quarter of Section 31, Township 21 North, Range 7 East, of the Gila and Salt River Meridian, Coconino County, Arizona described as follows:

Commencing at a 3-inch U.S. GLO brass cap northeast corner of Section 6, Township 20 North, Range 7 East, from which a 3-inch U.S. GLO brass cap at southeast corner of said Section 31 bears North $89^{\circ}15'24''$ East, 797.42 feet (Basis of Bearing);

Thence along the south line of said Section 31, South $89^{\circ}15'18''$ West, 66.63 feet to the **TRUE POINT OF BEGINNING**;

Thence North $00^{\circ}44'10''$ West, 852.74 feet;

Thence North $26^{\circ}15'49''$ East, 434.69 feet to the beginning of a tangent curve concave to the west having a radius of 50.00 feet;

Thence northerly along said curve, 73.37 feet through a central angle of $84^{\circ}04'31''$;

Thence North $57^{\circ}48'42''$ West, 361.31 feet;

Thence North $32^{\circ}11'18''$ East, 104.33 feet to the beginning of a tangent curve concave to the northwest having a radius of 1000.00 feet and a central angle of $5^{\circ}20'19''$;

Thence northerly along said curve, 93.18 feet;

Thence North $26^{\circ}50'59''$ East, 78.60 feet;

Thence North $31^{\circ}05'26''$ West, 256.72 feet to the beginning of a tangent curve concave to the northeast having a radius of 1040.00 feet and a central angle of $2^{\circ}23'34''$;

Thence northwesterly along said curve, 43.43 feet;

Thence South $52^{\circ}38'09''$ West, 381.14 feet;

Thence South $00^{\circ}01'29''$ East, 442.74 feet;

Thence South $89^{\circ}06'33''$ West, 54.80 feet;

Thence South $32^{\circ}38'31''$ West, 159.42 feet;

Thence South $58^{\circ}56'21''$ West, 579.03 feet;

Thence South $80^{\circ}22'47''$ East, 278.73 feet;

Thence South 32°38'31" West, 266.48 feet to the beginning of a tangent curve concave to the southeast having a radius of 980.37 feet and a central angle of 12°00'00";

Thence southwesterly along said curve, 205.33 feet;

Thence South 20°38'31" West, 178.64 feet;

Thence South 00°06'01" East, 281.31 feet to a point on the south line of said Section 31:

Thence along said south line, North 89°17'31" East, 661.82 feet;

Thence continuing along said south line, North 89°15'18" East, 460.96 feet to the **TRUE POINT OF BEGINNING.**

Containing 35.21 Acres, more or less.

See Exhibit 'B' attached hereto and made a part hereof.

This legal description was prepared by Aaron D. Borling, RLS 48756, on behalf of and at the request of Shephard-Wesnitzer, Inc., Flagstaff, Az.

