

AGENDA

TUSAYAN PLANNING AND ZONING COMMISSION

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, July 23, 2013 @ 6:00pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Planning and Zoning Commission and to the general public that the commission will hold a meeting open to the public on Tuesday, July 23, 2013 at the Tusayan Town Hall Building. The commission may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting Town Manager (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

NOTICE OF POSSIBLE QUORUM

PURSUANT TO A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN TO THE GENERAL PUBLIC THAT MEMBERS OF THE TUSAYAN TOWN COUNCIL WILL BE ATTENDING AN EVENT IN TUSAYAN

A QUORUM OF THE TUSAYAN TOWN COUNCIL

MAY BE IN ATTENDANCE AT THIS

PLANNING AND ZONING COMMISSION MEETING

NO TOWN COUNCIL DECISIONS WILL BE MADE AND NO COUNCIL BUSINESS OUTSIDE OF THIS AGENDA WILL BE DISCUSSED

PLANNING AND ZONING COMMISSION AGENDA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. ROLL CALL

CHAIR ROBERT GOSSARD
VICE CHAIR BETH HEARNE
COMMISSIONER SANDRA ANGAT
COMMISSIONER CLAYANN COOK
COMMISSIONER JANET ROSENER

TOWN COUNCIL LIAISON: COUNCILMEMBER CRAIG SANDERSON

3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Members of the public may address the Commission on items not on the printed agenda. The Commission may not discuss, consider or act upon any matter raised during public comment. Comments will be limited to three minutes per person.

4. CONSENT AGENDA

Approval of the Minutes of the Regular Meeting held on 4/23/13

5. OPEN PUBLIC HEARING

- A. Public Hearing on Case No. Z2013-01, a request for a change of zoning from MHP (Manufactured Home Park) and G (General) to RM-10/A (Multiple Family Residential) Zoning District
- B. Public Hearing on Case No. CUP 2013-03, a request for a Conditional Use Permit for a dormitory in the proposed RM-10/A Zoning District

6. ACTION ITEMS

- A. Consideration and possible approval of Case No. Z2013-01, a request for a change of zoning from MHP (Manufactured Home Park) and G (General) to RM-10/A (Multiple Family Residential) Zoning District
- B. Consideration and possible approval of Case No. CUP 2013-03, a request for a Conditional Use Permit for a dormitory in the proposed RM-10/A Zoning District; Resolution 2013-07

7. MOTION TO ADJOURN

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this _____ day of July, 2013 at _____ pm in accordance with the statement filed by the Tusayan Town Council.

DATED this _____ day of July, 2013

Signature of person posting the agenda

ITEM NO. 4

TUSAYAN PLANNING AND ZONING COMMISSION

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, April 23, 2013 @ 6:00 P.M.

TUSAYAN TOWN HALL

845 Mustang Drive, Tusayan, Arizona

PLANNING AND ZONING COMMISSION MEETING SUMMARIZED MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Gossard called the meeting to order at 6:02 pm and the Pledge of Allegiance was recited.

2. ROLL CALL

Upon roll call, the following were present:

**CHAIR ROBERT GOSSARD
VICE CHAIR BETH HEARNE
COMMISSIONER SANDI ANGAT
COMMISSIONER CLAYANN COOK - excused
COUNCILMEMBER CRAIG SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager
Melissa Malone, Town Clerk

3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Romy Murphy, General Manager of Pink Jeep Tours (Grand Canyon), invited the Commission to take a tour with Pink Jeep Tours.

4. CONSENT AGENDA

Approval of the Minutes of the Regular Meeting held on 3/26/13

Commissioner Hearne made a motion to approve the Consent Agenda. Commissioner Angat seconded the motion and it passed on unanimous vote.

5. SWEARING-IN OF NEW COMMISSIONER JANET ROSENER

Town Clerk Melissa Malone swore-in Janet Rosener. She signed her Oath of Office and took her place with the Commission. Councilmember Craig Sanderson relinquished his temporary position on the Commission but will remain as the Council Liaison to the Planning and Zoning Commission.

6. DISCUSSION ITEMS

A. Results of the General Plan Town Hall Workshop held on 3/25/13

Manager Ryall presented an overview of the results of the General Plan Town Hall which was held on March 25, 2013. She covered the following:

- Best descriptive words provided by the residents
- Desire by the residents to preserve the small town feel
- Desire to maintain the Tusayan identity while honoring the importance of the Grand Canyon
- How to Focus on Residents
- Desirable Features of a Trail System

Commissioner Angat requested additional training and information on the website listing the Commission Membership and an e-mail address to contact them.

7. MANAGER'S REPORT

Manager Tami Ryall stated that the first draft of the Zoning Code is under review by the Town Planner and herself.

8. MOTION TO ADJOURN

Commissioner Hearne made a motion to adjourn the meeting at 6:33pm. Commissioner Angat seconded the motion and it passed on unanimous vote.

CHAIR ROBERT GOSSARD **Date**

ATTEST:

TOWN CLERK

CERTIFICATION

State of Arizona)
) ss.
 Coconino County)

I, Melissa Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Planning and Zoning Commission of the Town of Tusayan held on March 26, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 18th day of April, 2013

TOWN CLERK

ITEM NO. 5A & 6A

TOWN OF TUSAYAN STAFF REPORT

Date: July 23, 2013

To: Tusayan Planning and Zoning Commission

From: Richard Turner, AICP, Town Planner

Subject: Public Hearing and Consideration of Z2013-01, Request for a Change of Zoning from MHP (Manufactured Home Park) and G (General) to RM-10/A (Multiple Family Residential)

ISSUE: Should the Planning and Zoning Commission recommend approval of a change of zoning from MHP and G to RM-10/A on subject property.

REQUEST: This is an application for a change of zoning from MHP (Manufactured Home Park) and G (General) to RM-10/A (Multiple Family Residential) on a 1.5 acre irregularly shaped parcel located on the east side of Long Jim Loop, approximately 400 feet south of RP Drive. The applicant, Rose Law Group, proposes development of the site with a 21-unit dormitory and 8 townhomes (2 – 4 unit buildings). In support of the request for the dormitory, the applicant has filed CUP20103-03, a request for a conditional use permit on this property. That application is also on tonight's agenda.

Among the allowed uses in the requested RM-10/A Zoning District are the following: two family dwellings, apartments, condominiums, townhouses, other types of group dwellings and various public and semi-public uses. The maximum allowed density is 10 residential units per acre.

BACKGROUND: The property in question was at one time the site of a tavern/bar that was destroyed by fire a few years after it was built, many decades ago. All that remains of the bar is its chimney that is to be incorporated into the proposed development. Most of the property is zoned MHP (Manufactured Home Park) and has been developed as part of the Canyon Pines Mobile Home Park. Four of the 6 mobile/manufactured home spaces on the property are currently occupied by manufactured homes.

The eastern and northeastern edges of the property are zoned G (General). This area has recently been added to the property as the result of a lot line adjustment, LLM2013-01, that was completed and recorded earlier this year.

Another recent update has removed all of the property from the designated floodplain. Approximately 2/3 of the site had been shown to be in the floodplain. On April 4, 2013, the Federal Emergency Management Agency issued a "Letter of Map Amendment" that effectively takes all of the subject property out of the floodplain. A copy of this letter is attached to this report.

Property north and east of the site is zoned G (General) and is vacant. This area is shown to be within the floodplain. Land to the south is zoned OS (Open Space and Conservation) and is vacant. Property west of the site is zoned MHP (Manufactured Home Park) and has been developed as the Canyon Pines Mobile Home Park.

On May 31, 2013 this application was transmitted for review and comment to the following organizations: Kaibab National Forest, South Grand Canyon Sanitary District, Tusayan Fire Department, Arizona Public Service, Chief Building Official (Willdan), Grand Canyon School District, Coconino County Sheriff's Office, Coconino County Community Development and Floodplain Administrator and the Hydro-Resources Water Company. The County Flood plain Administrator advised that the property was in the floodplain and a Letter of Map Amendment would be required. The Letter of Map Amendment was obtained and a copy transmitted to the County. We have received no other written comments or objections to this application from any of the other reviewing agencies.

The applicant is aware that a signed Proposition 207 Waiver is required before action is taken on this request. The applicant is in agreement with this requirement and, as of the writing of this report, is in the process of obtaining the required signatures.

DISCUSSION AND ANALYSIS:

In accordance with the Zoning Ordinance, a decision of the Commission regarding a rezoning application shall be based on the following findings:

1. That the change is consistent with the goals, objectives and policies of the Tusayan Area Plan and this Ordinance.

The Tusayan Area Plan currently serves as the Town's land use guidance document. The applicant has done an extensive analysis of this rezoning as it relates to many of the goals and policies in the Plan. This analysis is part of the application which is attached to this staff report. Staff concurs with the applicant's analysis. This request is in conformance with the Tusayan Area Plan.

2. That the change is in the interest of or will further the public health, safety, comfort, convenience and welfare.

By providing additional zoning that will accommodate a variety of housing types, within a reasonable distance of the commercial area and with paved access, this application supports this finding.

3. That the change will not adversely affect the established character of the surrounding neighborhood nor be detrimental to adjacent properties.

Most of the property adjacent to the subject property is undeveloped. Development of the site with uses permitted by the requested RM-10/a zoning would appear to be compatible with the existing mobile home park to the west. There are other multiple family developments northeast and east of the site across the wash. The view of future development of this property will be softened by the existing mature trees that exist along the edge of the wash. This application is consistent with the finding.

FISCAL IMPACT: There is no fiscal impact to the Town with regard to this application.

RECOMMENDATION:

In accordance with the analysis provided in this report, it is recommended that the Planning and Zoning Commission make the following findings and recommend approval of this application, Z2013-01, a request for a change of zoning from MHP (Manufactured Home Park) and G (General) to RM-10/A.

1. That the change is consistent with the goals, objectives and policies of the Tusayan Area Plan and this Ordinance.
2. That the change is in the interest of or will further the public health, safety, comfort, convenience and welfare.
3. That the change will not adversely affect the established character of the surrounding neighborhood nor be detrimental to adjacent properties.

Attachments:

Application with Narrative Report, Aerial Photographs, Zoning Map and Site Plan

Letter of Map Amendment

Town of Tusayan

845 Mustang Drive, Tusayan, AZ ,86023
Planning Office: Willdan Engineering, 1440 E. Missouri Ave., Phoenix, AZ, 85014

928.638.9909
602.870.7600

ZONE CHANGE APPLICATION

APPLICANT

Name Rose Law Group
Address 6613 N. Scottsdale Rd, #200
Scottsdale, AZ 85250
Contact Person Carolyn Oberholtzer
Phone 480-505-3934 Fax 480-505-3925
Email carolyno@roselawgroup.com

PROPERTY INFORMATION

Assessor's Parcel # 502-17-020M
Location: Long Jim Loop & RP Drive,
west of Hwy 64
Existing Zoning MHP/6
Existing Land Use mobile home park
Parcel Size 1.5 ac

ZONE CHANGE REQUEST

Proposed Zoning RM-10/A
Please provide a brief description of the request.
See attached project narrative

OWNER INFORMATION

Name: Thurston Family Trust
Address: PO Box 3025 Tusayan
Grand Canyon, AZ 86023
E-mail: _____

SUBMITTAL CHECKLIST

- Pre-application meeting with a staff planner of the Community Development Department.
Date met with staff for pre-application _____
- A citizen participation plan. (See reverse)
- A non-refundable filing fee. (See reverse)
- A *typewritten* narrative describing the request and conformance to the findings for a zone change. (See reverse)
- A *typewritten* list of names and addresses of all property owners within 300 feet of subject property.
- ~~Thirty~~ ⁵ copies of the proposed site plan—*scaled and dimensioned*—detailing property boundaries; existing improvements and uses; and proposed improvements and uses.
All materials must be folded to fit in a legal-size file (8"x14) and labeled so that the applicant's name and project location are visible.

CERTIFICATION & SIGNATURE

Submittal of this application constitutes consent of the applicant in granting the Department of Community Development access to the subject property during the course of project review. No further consent or notice shall be required.

I hereby certify that the information in this application is correct and agree to abide by the regulations of this jurisdiction.

Signature of Applicant

[Signature] Date 5-10-13

Signature of Property Owner (if not the applicant)

[Signature] Date 5-16-13

OFFICE USE ONLY
Received By _____ Date 5/24/13
Receipt # _____ Fee \$830.00
Case # Z 2013-01
Related Cases CUP 2013-0203^K

COMMISSION ACTION
 Approved with Conditions (see attachments) Denied
Resolution # _____ Date _____
BOARD ACTION
 Approved with Conditions (see attachments) Denied
Ordinance # _____ Date _____



Federal Emergency Management Agency

Washington, D.C. 20472

April 04, 2013

MS. MARILYN J. WEISSMAN
FOUR WINDS LAND SURVEYS
1055 E. APPLE WAY
FLAGSTAFF, AZ 86001

CASE NO.: 13-09-1334A
COMMUNITY: COCONINO COUNTY, ARIZONA
(UNINCORPORATED AREAS)
COMMUNITY NO.: 040019

DEAR MS. WEISSMAN:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Sincerely,

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

COMMENCING for reference at H.E.S. Corner No. 9, a U.S. Forest Service aluminum cap stamped LS 4476 1965 being a point on the Southwesterly line of R1 from which H.E.S. Corner No. 10, a BLM Brass Cap stamped 2001/2005 bears N47°21'10"W (Basis of Bearing R1 & R2), 1199.87 feet; thence N47°21'10"W, 223.17 feet to the POINT OF BEGINNING; thence N47°21'10"W, 238.95 feet; thence N01°26'18"W, 340.08 feet; thence S65°32'54"E, 149.81 feet; thence S28°06'32"E, 95.42 feet; thence S00°28'38"E, 355.69 feet to the POINT OF BEGINNING.

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

ZONE A (This Additional Consideration applies to the preceding 1 Property.)

The National Flood Insurance Program map affecting this property depicts a Special Flood Hazard Area that was determined using the best flood hazard data available to FEMA, but without performing a detailed engineering analysis. The flood elevation used to make this determination is based on approximate methods and has not been formalized through the standard process for establishing base flood elevations published in the Flood Insurance Study. This flood elevation is subject to change.

STUDY UNDERWAY (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

This determination is based on the flood data presently available. However, the Federal Emergency Management Agency is currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. When the new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.


Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision, that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

If a lender releases a property owner from the flood insurance requirement, and the property owner decides to cancel the policy and seek a refund, the NFIP will refund the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy during the current policy year. The property owner must provide a written waiver of the insurance requirement from the lender to the property insurance agent or company servicing his or her policy. The agent or company will then process the refund request.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

LOMAENC-1

Fireside Ridge



ROSE | LAW GROUP
PC

Rezoning Application
Town of Tusayan
2nd Submittal – June 26, 2013

Project Development Team

Rose Law Group pc [Applicant]

Carolyn K. Oberholtzer, Attorney
Jennifer Hall, Project Manager
6613 North Scottsdale Road, Suite 200
Scottsdale, Arizona 85250
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jhall@roselawgroup.com

Michael Taylor Architects, Inc. [Architect]

Michael Taylor, AIA
118 South Pleasant Street
Prescott, Arizona 86303
Micahel@mtai.net

Kelley-Wise Engineers [Civil Engineer]

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Introduction

Project Overview

Fireside Ridge (formerly known as Canyon Pines II) is located along Long Jim Loop in the Town of Tusayan Arizona (the "Town"), adjacent to the Canyon Pines Mobile Home Park. This mobile home park community had been leased for 30 years to local employers for employee housing and was originally established between the years of 1984 and 1986. Following the expiration of the most recent lease in the summer of 2012, the owner began to look at redeveloping the property to bring new housing options to the Town of Tusayan. Exhibit A – Vicinity Map

The Fireside Ridge Property is owned by Thurston Trust (the "Applicant") and consists of approximately 1.18 acres of land designated as Mobile Home Park (MHP) zoning and 0.33 acres of land zoned General (G) (the "Property"). Today, the Property contains six mobile home spaces, four of which are occupied by mobile homes and the other two mobile homes have been demolished and removed. The Applicant's vision for the redevelopment of the Property is to create safe, affordable, and attractive housing options for the residents of Tusayan while preserving a historic Tusayan landmark, the Old Tusayan Bar fireplace, which is the project's centerpiece. This rezoning application is the first step in the redevelopment and optimal utilization of the Property for such housing.

Site Characteristics

The Property is currently developed as a six-space mobile home park under the Town's MHP Zoning District. It is bordered on the east and north by General (G) zoning, to the south by Open Space and Conservation (OS) zoning, and to the west by Mobile Home Park (MHP) zoning. Exhibit B – Tusayan Zoning Map. An existing, 23 unit mobile home park (known as Canyon Pines) is across the street to the west and another multifamily development exists less than 300 feet to the northeast known as Quality Inn Housing. Water and sewer utility services for the neighborhood are provided by Hydro Resources (water) and the South Grand Canyon Sanitary District (sewer). The existing facilities are adequately sized to accommodate the additional capacity demand created by this proposal so no additional infrastructure development will be required. (Appendix A - will serve letter from South Grand Canyon Sanitary District.) The Property is accessed via the fully paved roadways of RP Drive and Long Jim Loop, both of which connect to SR64. Exhibit C – Property Map

The close proximity of this site to the wastewater treatment plant will allow the Applicant to install a reclaimed water line to provide non-potable service to the new development. Potential uses include irrigation for the open space as well as non-potable uses in the residential units.

Request

This rezoning application seeks to amend the zoning of the property from MHP and G to RM-10A for the planning and development of two, four-plex townhomes and a dormitory building consisting of 21 rooms. In conformance with the Town of Tusayan Zoning Ordinance, RM-10A permits single family dwellings, two-family dwellings, and multifamily dwellings up to four units as well as dormitories with a Conditional Use Permit. The Applicant has submitted a Conditional Use Permit application concurrent with this rezoning request to describe the dormitory aspect of this project and establish development standards for this proposed use. Exhibit D – Conceptual Site Plan A1.1 dated 6/26/2013.

Conformance with Tusayan Area Plan

The Town's General Plan is the Tusayan Area Plan. This document guides the development of the Town in a manner that protects the unique character and beauty of the area. As stated in the Area Plan, Tusayan is the Gateway to a National Treasure, the Grand Canyon. The following analysis establishes that the rezoning and CUP requests for Fireside Ridge are consistent with the goals, objectives and policies of the Tusayan Area Plan.

Infrastructure

Water Policy 1 *Adequacy of water supply shall be considered in the review of developments requiring Commission or Board (Council) approval.*

The Applicant met with John Rueter with Hydro Resources on April 22, 2013 to discuss the details of the Fireside Ridge project. The current water lines and well can supply the water demand created by the proposed development plan.

Water Policy 2 *Water conservation measures shall be included in all major development proposals requiring Commission or Board (Council) approval.*

The proposed dwelling units will be constructed with low-flow fixtures, all landscape plantings will be selected from a drought-tolerant plant palette, and reclaimed water lines will be constructed to the property to provide irrigation using non-potable water.

Wastewater Policy 1 *Approval of new developments shall be contingent on access to adequate community wastewater treatment facilities.*

As indicated in the attached will serve letter from the South Grand Canyon Sanitary District (SGCSD), the proposed redevelopment does not represent a "significant development" and the existing sewer

facilities have the capacity to accommodate the increased wastewater demand associated with this project.

Wastewater Policy 3 *Major new developments shall be required to construct their fair share of facilities for reclaimed water storage and distribution.*

According to the will serve letter provided by SGCSO, Fireside Ridge will not be required to install additional reclaimed wastewater storage on site. However, the buildings will be required to be double-plumbed and connected to the existing reclaimed water system.

Utility Policy 2 *Major new developments shall be encouraged to incorporate energy conservation measures through the use of passive solar design, appropriate site planning, landscaping, and building materials.*

The new site built dwelling units will be constructed with the latest insulation and window construction to increase the energy efficiency of the homes and reduce energy demand. Efficient appliances such as water heaters and dishwashers will be installed to further reduce the energy demand of each unit.

Solid Waste Policy 1 *Recycling shall be encouraged in order to reduce the solid waste flow into regional landfills.*

Each residential unit will include dual solid waste containers, one for solid waste and one for recyclable materials. As shown on the Conceptual Site Plan, dual dumpsters will be positioned at the north end of the site and it is anticipated that these community receptacles will service all units, townhomes and dormitory.

Housing

Being surrounded by National Forest and containing very few parcels of privately held land, Tusayan has limited opportunities for new housing construction and providing for new housing is a stand-out goal in the Tusayan Area Plan. The rezoning and CUP applications seek to further the Town's efforts to remedy this housing deficit by increasing the available housing on the Property from the six existing mobile home spaces, to two, four-plex new construction units and 21 dormitory units. In the opening paragraphs of the Area Plan, the section entitled "Tusayan as a Community" states that "existing housing shall be continuously upgraded to improve the overall sense of community." The rezoning application in combination with the CUP seek to implement this directive – the proposal will create new, diverse, and affordable housing through redevelopment of an underutilized property containing outdated housing that is no longer allowed under the Tusayan Zoning Ordinance - all centered around a community amenity, the old Tusayan Bar fireplace. The new, site built dwelling units will provide housing for approximately 46 individuals in 29 dwelling units (21 are dorm units and according to the Tusayan Zoning Ordinance are calculated at a density of 1 dwelling unit per 3 dorm units). This increase in housing is supported by the Area Plan as demonstrated by the following:

Housing Goal 1 *Provide adequate and affordable housing for employees, existing and future, shall be a priority of the community.*

Fireside Ridge will pave the way for the elimination of mobile home units no longer permitted by the Tusayan Zoning Ordinance, which only provided housing for six (6) households and will create new, site built townhouses and a dormitory unit that accommodates a total of 29 dwelling units.

Housing Policy 1 *All new developments shall be encouraged to provide employee housing as close as feasible to employment centers.*

Fireside Ridge is located only $\frac{1}{4}$ of a mile from the center of Tusayan and is connected via two paved roads accessing State Route 64. Therefore, this project is within walking and/or biking distance from Tusayan employment opportunities.

Housing Policy 5 *High Density residential uses shall be discouraged in remote areas and in areas where U.S. Forest Service roads provide the only access.*

The Property is not remote and is located along the main Long Jim Loop Road that connects the northern and southern parts of Town. Along this road lies the new Town park. Across the street is the original Canyon Pines Mobile Home Park, which contains 23 units. And with the major employers in Town being within $\frac{1}{4}$ of a mile, this Property is ideally suited for high density residential development. Fireside Ridge is located near the center of Tusayan – not a remote area. Both roads accessing Fireside Ridge, Long Jim Loop and RP Drive, are fully paved to a profile adequate to accommodate current and future vehicular traffic.

Housing Policy 6 *All residential developments shall be designed to be compatible with the character of the area and in consideration of their location in proximity to the Grand Canyon National Park.*

The Tusayan Zoning Ordinance contains design standards that will be incorporated in the redevelopment of the Property. The Property, as originally constructed, did not contain any design elements and so developing under the new Town Ordinance will ensure that the design is compatible with Grand Canyon National Park. At building permit application, this project will be subject to Design Review consistent with the provisions of the Tusayan Zoning Ordinance.

Housing Policy 8 *A mix of housing types including dormitories, apartments, townhomes, and single family dwellings shall be provided to meet the employee housing needs.*

This redevelopment proposal will provide for the development of a mixture of housing types including both townhomes and dormitories - as specifically called out in this policy. Additionally, as mobile home units are not identified in this policy (and no longer permitted under the Tusayan Zoning Ordinance), six mobile unit spaces will be removed from the housing mix in place of permanent, site built structures.

Housing Policy 10 *New housing developments and new subdivisions for employees and residents shall be favored over housing for second homes or recreations use.*

The site ownership will be maintained by a common owner with all units available on a for-rent basis to the local workforce population. In the future, the site may be restructured for individual ownership, but that is not contemplated or permitted in this application. Consequently, this policy statement is completely consistent with the application. It is the goal and desire of the Applicant that these new dwelling units provide safe and comfortable housing for employees working in the Town.

Public Safety

Public Safety Policy 5 *Adequate space shall be required between structures to inhibit the spread of fires.*

As indicated on the Conceptual Site Plan, the spacing of the units reduces the risk of fires spreading between structures. Furthermore, non-flammable building materials will be used in the design and construction of the homes, preventing the start and spread of fires. All housing units including the dormitory will be constructed with sprinkler systems as required by the applicable fire codes.

Transportation

Transportation Policy 8 *Adequate off-street parking shall be required for all new developments.*

The Conceptual Site Plan is designed to accommodate off-street parking spaces sufficient to support the proposed building types and conforms to the parking requirements and guidelines of the Town of Tusayan Zoning Ordinance. Technical elements of the parking and access design will be established during the site plan design and review process.

Natural Resources and Environmental Quality

Environmental Quality Policy 1 *Major development projects that would impact drainage on adjacent properties shall include a drainage report as part of the application submittal which shall discuss how surface runoff will be accommodated and the impact of such on adjacent properties.*

Fireside Ridge will have no drainage impact on adjacent properties. The Applicant will submit a drainage report with other technical drawings and documents as part of the building permit package that will confirm this.

Natural Resources Policy 2 *Developers shall be encouraged to conserve and re-use drainage or runoff water.*

The project will be designed with rainwater collection and storage facilities that will be connected to the non-potable water supply infrastructure, such as landscape irrigation and toilet water supply. This, in

addition to low-flow plumbing fixtures and the extension of reclaimed water lines to the property, will greatly reduce the need for potable water to service the proposed development.

Environmental Quality Policy 3 *Protection of existing quality of ground and surface water resources shall be a priority factor in the approval of residential developments in Tusayan. Applicants shall be required to show the impact of the proposed development on quality and quantity of surface and groundwater resources.*

As previously stated, the Applicant will submit a detailed drainage report to outline how the development of the property will control and utilize surface water. Also, the design of the project will include best practices regarding first-flush protection of stormwater runoff so as to not contaminate surface or below-ground water beyond the property limits. With regard to water resources, the Property is currently served by Hydro Resources via an existing well. Therefore, no new wells would be required to serve this project.

Environmental Quality Policy 5 *Protection of existing air quality shall be a major consideration in the review of plans for new residential projects. Applicants shall show the impact of the proposed activity on air quality within the area.*

The proposed development is only ¼-mile from the center of Tusayan. This project will allow residents to live in closer proximity to work, thereby reducing commuter trips and providing the opportunity for alternative modes of transportation such as biking and walking. The reduced trip distance vs. other potential projects at the outskirts of town and the potential for multi-modal transportation actually minimize any affect this project could have on air quality.

Natural Resources Policy 7 *Landscaping standards emphasizing preservation of native vegetation and materials and the use of indigenous and low water consuming plans shall be applied to all new developments. Tree preservation shall be a major factor in the approval of new major developments.*

The natural beauty of the Tusayan area is the key factor in maintaining the high quality of life for the residents and tourists. To maintain the visual appeal of the area, this project will only utilize vegetation selected from the natural plant palette and appropriate species found within a drought-tolerant plant palette. The Applicant, being long-time residents and landowners within Tusayan, uniquely understands the necessity of maintaining and preserving the Town's natural vegetation.

Natural Resources Policy 8 *All new developments shall include adequate open space, for properties of one to three acres a ratio of 85/15 shall be maintained.*

As indicated on the Conceptual Site Plan the proposed development includes 49% open space. Included in this open space is the preservation of a historic Tusayan land mark, the fireplace remains of the oldest tavern and structure in Tusayan. The Applicant, because of their love and deep roots in the community, has chosen to preserve this monument and include it in the open space concept. This conscious design will not only meet the desires of the Town to preserve open space but it also takes a step in preserving the history of the area.

Environmental Quality Policy 13 *Every effort shall be made to protect the night sky from unnecessary lighting and glare.*

To preserve the beauty of the night sky only low wattage fixtures shall be utilized for exterior lighting. Because safety remains a top priority in any community, some exterior site lighting and building access lighting will be necessary. These exterior lighting elements will, whenever possible, be bollard-type lights that light walkways but limit glare. Likewise, lighting that must be located at higher elevations shall be shielded to reduce any fugitive glare to neighboring properties. Low voltage lighting will be used to illuminate landscaping and monument lighting as well as walkways between buildings and parking lots.

Land Use

The Town's Area Plan accurately outlines the current housing situation as it pertains to land use. The existing commercial uses surround the housing units, making the typical commercial nuisances of light, noise, and pollution unavoidable. With this proposed redevelopment the Applicant seeks to locate housing away from commercial and into a setting containing assets supportive of residential uses – open space, limited lighting, separation from the State Highway, and a reasonable level of privacy.

The Area Plan also correctly states that multifamily housing requires a significant level of infrastructure, including water, wastewater, utilities, and paved parking and access roads. Fireside Ridge already has the necessary infrastructure in place making it an ideal location for the proposed housing units.

Land Use Goal 3 *Provide a range of residential land uses which offer diverse housing opportunities.*

The Fireside Ridge development seeks to provide two new types of housing to the area – town homes and dormitory living. The current development allows for only mobile home units, the predominant housing option in the Town. Not only will the proposed development provide diversity in the type of housing available in the Town, it also provides housing in a residential setting away from commercial activities.

Land Use Goal 4 *Create a true residential community.*

The Fireside Ridge concept plan includes different types of safe and comfortable residential housing, open space, and adequate utilities located in an open and private setting, away from high volume traffic and commercial nuisances.

Land Use Goal 6 *Improve the overall appearance of the community.*

Currently, Fireside Ridge consists of four, very old, mobile home units. While the site is developed for 6 units, 2 of the mobile unit pads remain vacant. To benefit the overall appearance of the community, the Property is proposed for redevelopment under the Town's Ordinance, which has strict design requirements that will yield an improved visual appearance.

Land use Policy 9 *New multiple family residential developments are encouraged. Projects shall be located in areas compatible with surrounding land uses. Adequate open space and landscaping shall be utilized to insure an attractive residential appearance.*

This project will provide for the development of multifamily residential units and provide much needed housing for the Town. The Property is currently utilized for residential housing and is adjacent to a similar residential property. The redevelopment request is consistent with the surrounding land uses. Accompanying the actual residential units, the property will be landscaped with native and drought-tolerant plant species to blend with the natural surroundings.

Conclusion

Fireside Ridge is currently an underutilized property that does not further the goals of the Tusayan Area Plan. This rezoning application is the first step in redeveloping the property to create new, safe, site built housing for the employees and permanent residents of Tusayan. The location and development plan conforms to numerous goals and policies of the Area Plan: It is located near town, it is close to like zoning, it adds to the Town's housing supply, and it has adequate infrastructure to service the residents. This project is a perfect fit for Tusayan and will stand as a model example for future redevelopment.



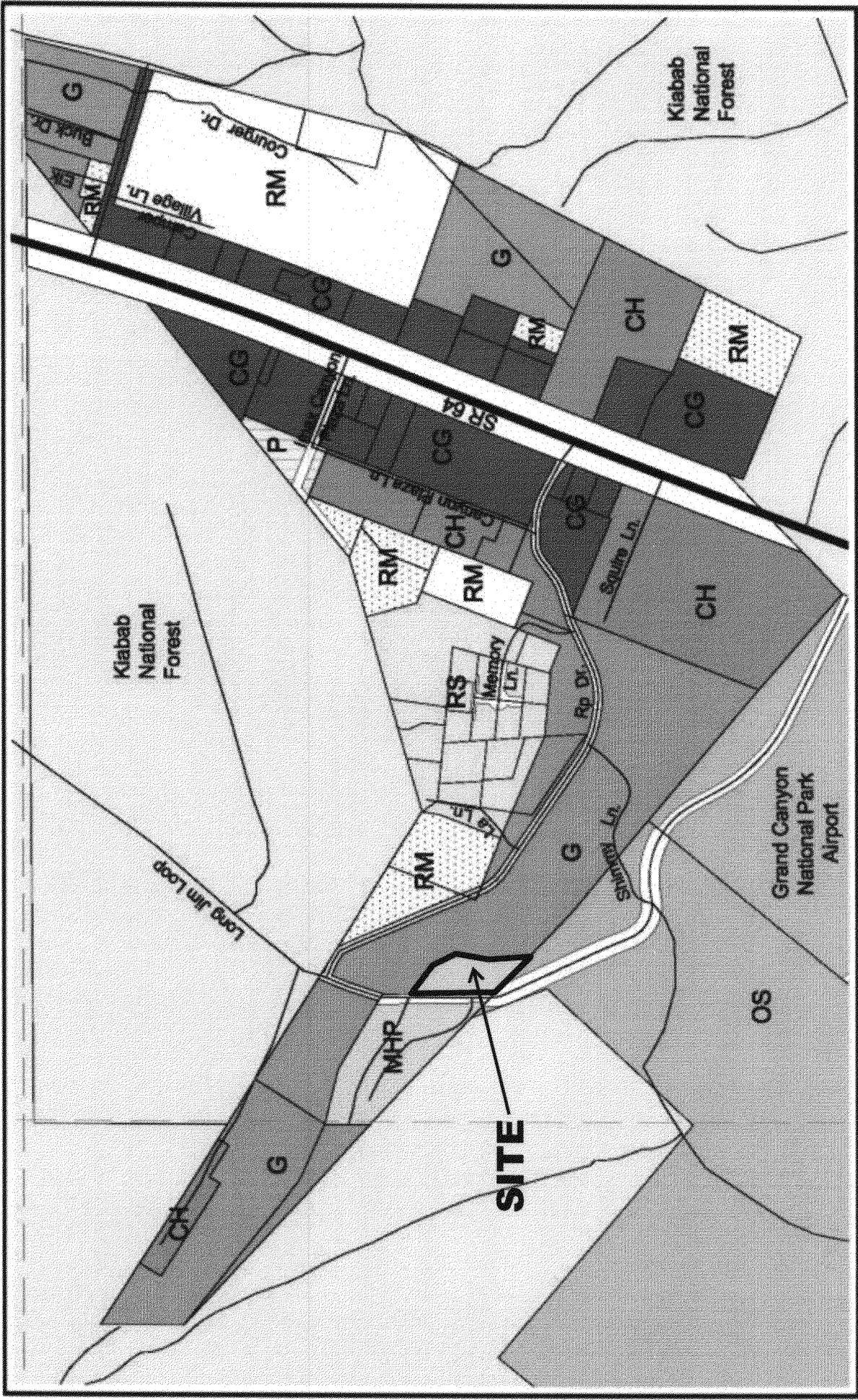
Fireside Ridge

Fireside Ridge Exhibit A – Vicinity Map



May 2013

ROSE LAW GROUP
PC



Fireside Ridge
 Exhibit B – Tusayan Zoning Map

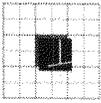




Fireside Ridge
Exhibit C – Property Map



May 2013
ROSE LAW GROUP
PC



PREPARED FOR: ROSE LAW GROUP
 CONTRACT NO. 17-020M

DATE: 6/26/2013
 PROJECT: FIRESIDE RIDGE

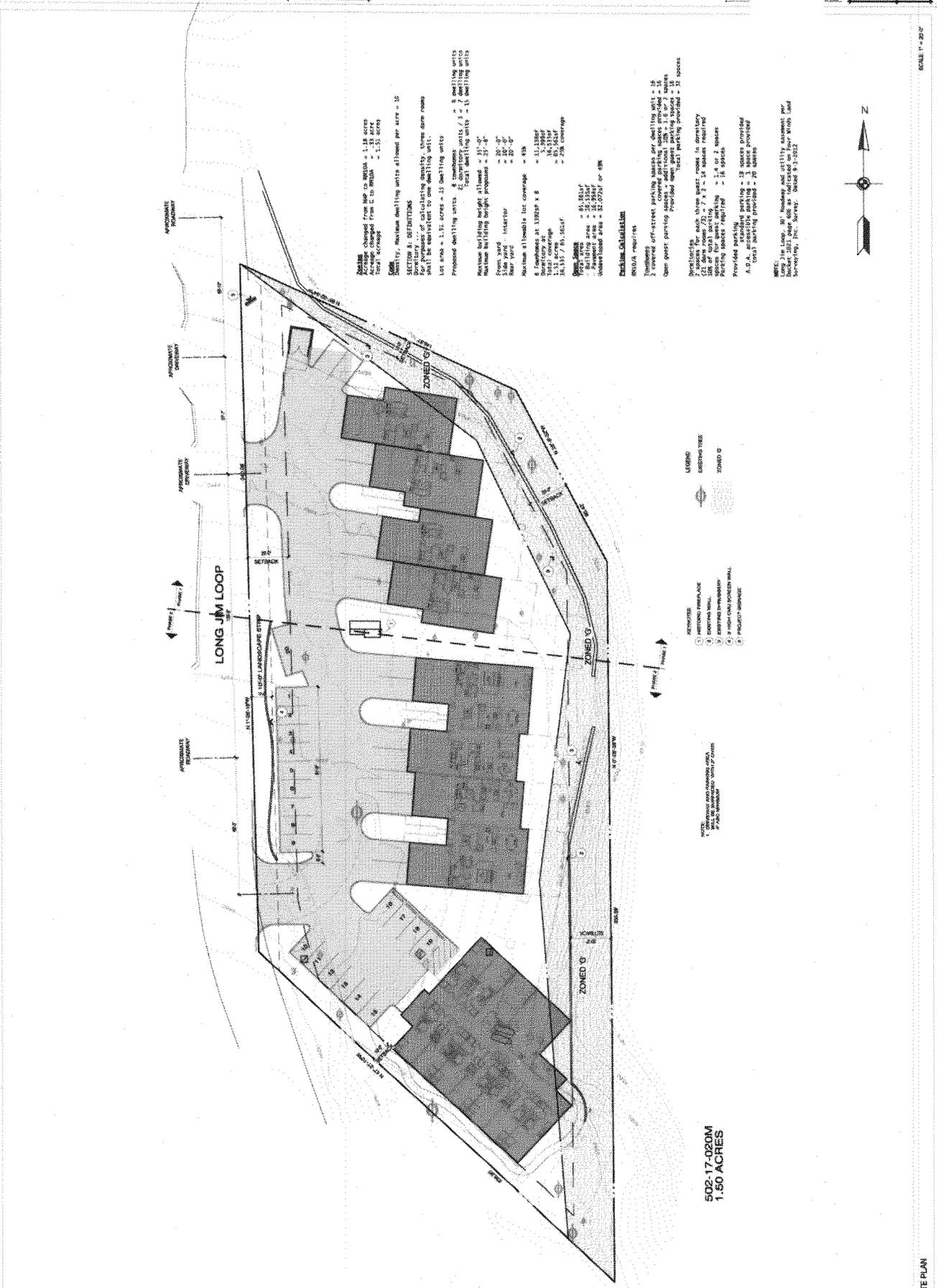
SITE PLAN
 A1.1

June 2013

ROSE LAW GROUP
 INC.



Exhibit D – Conceptual Site Plan subject to Conditional Use Permit



Notes:
 1. Density changed from 16 to 20 units per acre = 1.18 acres
 2. Density changed from 20 to 25 units per acre = 1.13 acres
 3. Total acreage = 2.31 acres

Scale:
 Density, maximum dwelling units allowed per acre = 10

SECTION 8: DEFINITIONS
 For purposes of calculating density, square foot area shall be subject to one dwelling unit.

Proposed dwelling units:
 1. 100 units
 2. 100 units
 3. 100 units
 4. 100 units
 5. 100 units
 6. 100 units
 7. 100 units
 8. 100 units
 9. 100 units
 10. 100 units
 11. 100 units
 12. 100 units
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 99. 100 units
 100. 100 units

502-17-020M
 1.50 ACRES

1 SITE PLAN

SCALE: 1" = 20'



ITEM NO. 5B & 6B

TOWN OF TUSAYAN STAFF REPORT

Date: July 23, 2013

To: Tusayan Planning and Zoning Commission

From: Richard Turner, AICP, Town Planner

Subject: Public Hearing and Consideration of CUP2013-03, Request for a Conditional Use Permit for a Dormitory in the Proposed RM-10/A Zoning District; Resolution No. 2013-07

ISSUE: Should the Planning and Zoning Commission approve a conditional use permit for a 21-unit dormitory in the proposed RM-10/A Zoning District.

REQUEST: This is a request for a conditional use permit for a 21-unit dormitory in proposed RM-10/A zoning on a 1.5 acre irregularly shaped parcel located on the east side of Long Jim Loop, approximately 400 feet south of RP Drive. The applicant, Rose Law Group, proposes development of a two story dormitory building that would house full and part time employee residents. Also proposed for the site are 2-4 plex townhomes. Also on tonight's agenda is Z2013-01, the requested rezoning of this property from MHP (Manufactured Home Park) and G (General) to RM-10/A.

In conjunction with the conditional use permit request, the applicant is requesting two waivers. The first is a waiver of the prohibition of parking in the required front setback. The applicant proposes parking in the back 10 feet of the required 20 foot front setback. The second waiver is to the requirement for a six foot high wall or fence adjacent to General Zoning.

BACKGROUND: The property in question was at one time the site of a tavern/bar that was destroyed by fire a few years after it was built, many decades ago. All that remains of the bar is its chimney that is to be incorporated into the proposed development. Most of the property is currently zoned MHP (Manufactured Home Park) and has been developed as part of the Canyon Pines Mobile Home Park. Four of the 6 mobile/manufactured home spaces on the property are currently occupied by manufactured homes.

The eastern and northeastern edges of the property are zoned G (General). This area has recently been added to the property as the result of a lot line adjustment, LLM2013-01, that was completed and recorded earlier this year.

Another recent update has removed all of the property from the designated floodplain. Approximately 2/3 of the site had been shown to be in the floodplain. On April 4, 2013, the Federal Emergency Management Agency issued a "Letter of Map Amendment" that effectively takes all of the subject property out of the floodplain. A copy of this letter is attached to this report.

Property north and east of the site is zoned G (General) and is vacant. This area is shown to be within the floodplain. Land to the south is zoned OS (Open Space and Conservation) and is vacant. Property

west of the site is zoned MHP (Manufactured Home Park) and has been developed as the Canyon Pines Mobile Home Park.

On May 31, 2013 this application was transmitted for review and comment to the following organizations: Kaibab National Forest, South Grand Canyon Sanitary District, Tusayan Fire Department, Arizona Public Service, Chief Building Official (Willdan), Grand Canyon School District, Coconino County Sheriff's Office, Coconino County Community Development and Floodplain Administrator and the Hydro-Resources Water Company. The County Flood plain Administrator advised that the property was in the floodplain and a Letter of Map Amendment would be required. The Letter of Map Amendment was obtained and a copy transmitted to the County. We have received no other written comments or objections to this application from any of the other reviewing agencies.

The applicant is aware that a signed Proposition 207 Waiver is required before action is taken on this request. The applicant is in agreement with this requirement and, as of the writing of this report, is in the process of obtaining the required signatures.

DISCUSSION AND ANALYSIS:

The dormitory will be built on the southern portion of the site, which is lower than Long Jim Loop as one approaches the property from the south. All of the parking is arranged such that vehicles leaving the property must do so by forward motion, which is not true of the parking at the adjacent mobile home park. Long Jim Loop is a paved street and provides the site with access to the commercial areas of Town to the east.

In accordance with Zoning Ordinance requirements, the applicant has submitted conceptual building elevations for the dormitory. More detailed information regarding the appearance of the buildings in addition to an on-site drainage report will be submitted for review and approval at the time of design review.

Ordinarily, the proposed RM-10/A zoning would only allow 15 dwelling units to be built on this property. However, the Zoning Ordinance definition of a dormitory states that "for the purposes of calculating density, three dorm rooms shall be equivalent to one dwelling unit." Accordingly, the applicant is allowed the proposed 21-unit dormitory in addition to the 8 townhouse units.

The site plan shows that 52 parking spaces will be provided for the project, 32 of which will be for the townhouses. The balance, or 20 parking spaces, are for the use of the residents of the dormitory. The number of parking spaces for the dormitory is 6 more than is required by the Zoning Ordinance. Providing this additional parking is appropriate given the lack of reasonable options for additional parking in the immediate area.

Staff supports the requested parking waiver. The Zoning Ordinance does not allow parking in the required front setback which is 20 feet deep along Long Jim Loop. The applicant desires to park vehicles in the back 10 feet of the setback. The landscape plan shows that parking in this area will be well screened by a low wall as well as shrubs and trees. Also, across Long Jim Loop, parking spaces for some of the mobile homes are immediately adjacent to the street.

Staff supports the applicant's request for a waiver of the requirement to erect a six foot high wall or fence where the adjacent property is zoned General. Most of the property zoned General that is adjacent to the site is within the floodplain and will not likely be developed. The closest neighboring residential uses other than the adjacent mobile home park are across the wash to the northeast and east. The view of the site from existing development will be softened by existing and proposed landscaping. There is no need for a screening wall as required by the Zoning Ordinance.

In accordance with the Zoning Ordinance, the Planning and Zoning Commission shall make the following findings before granting a conditional use permit:

A. That the proposed location of the conditional use is in accord with the objectives of this Ordinance and the purpose of the zone in which the site is located.

The purposes of the residential zones are as follows:

(A). To reserve appropriately located areas for family living at a broad range of dwelling unit densities consistent with the Tusayan Area Plan and with sound standards of public health, safety and welfare.

Considering the availability of necessary infrastructure and the surround land use, this is an appropriate location for a dormitory such as the one proposed.

(B). To ensure adequate light, air, privacy, and open space for each dwelling.

Building coverage will be limited to only 25% of the site. All required building setbacks will be met. This purpose is satisfied by this application.

(C). To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive number in relation to the land area around them.

Long Jim Loop is a paved, low traffic volume street that should easily accommodate the increase in traffic generated by the proposed development. The total number of proposed buildings is three which is not excessive in this area.

(D). To protect residential properties from noise, direct illumination, unsightliness, odors, smoke and other objectionable influences.

The proposed development should not create any of these obnoxious impacts.

(E). To facilitate the provision of utility services and other public facilities commensurate with anticipated population, dwelling unit densities, and service requirements.

Public utilities and services are adequate to serve the proposed development.

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed conditional use is for additional housing that will accommodate resident employees within a reasonable distance of the commercial area and with paved access. The proposed development should not adversely impact the existing or future development of adjacent property. This application supports this finding.

C. That the proposed conditional use will comply with each of the applicable provisions of this Ordinance, except for approved variances.

With the exception of the two requested waivers, this application complies with all of the Zoning Ordinance requirements.

D. That the proposed conditional use is consistent with and conforms to the goals, objectives and policies of the Tusayan Area Plan.

The Tusayan Area Plan currently serves as the Town's land use guidance document. The applicant has done an extensive analysis of this conditional use permit as it relates to many of the goals and policies in the Plan. This analysis is part of the application which is attached to this staff report. Staff concurs with the applicant's analysis. This request is in conformance with the Tusayan Area Plan.

FISCAL IMPACT: There is no fiscal impact to the Town with regard to this application.

RECOMMENDATION:

It is recommended that the Planning and Zoning Commission approve Resolution No. 2013-07 which will approve this application, CUP2013-03, for a conditional use permit for a 21-unit dormitory in the proposed RM-10/A Zoning District.

Attachments:

Resolution 2013-07

Application with Narrative Report, Site Plan, Landscape Plan and Building Elevations

Letter of Map Amendment

TOWN OF TUSAYAN

Contact information
Willdan Engineering

P (602) 395-7532
F (602) 870-7601

E (richard.turner@cox.net)
(ganderson@willdan.com)

CONDITIONAL USE PERMIT APPLICATION

PROPERTY OWNER

Name Thurston Family Trust
Mailing Address PO Box 3025
Grand Canyon, AZ 86023
Phone/Fax _____ / _____
E-Mail _____

APPLICANT (if not the property owner)

Name Rose Law Group
Mailing Address 6613 N. Scottsdale Rd, #200
Scottsdale, AZ 85250
Contact Person Carolyn Oberholtzer
Phone 480-505-3934 Fax 480-505-3925
Email carolyno@roselawgroup.com

PROPERTY INFORMATION

Legal Description (attach additional sheets if necessary) _____
see attached
Assessor's Parcel # 502-17-020M
Subdivision _____
Unit # _____ Lot # _____
Address/Location intersection of
Long Jim Loop & RP Drive,
west of Hwy 64
Existing Zoning MHP/A
Existing Land Use mobile home park
Lot Size 1.5 ac

CONDITIONAL USE PERMIT REQUEST

Please provide a brief description of the request.
See attached project narrative

SUBMITTAL CHECKLIST

- Pre-application meeting with a staff planner
Date met with staff for pre-application _____
 - A citizen participation plan. (See attached guidelines)
 - A non-refundable filing fee. (See attached guidelines)
 - A *typewritten* narrative describing the request and conformance to the findings for a conditional use permit. Include the requested time limit of the CUP and justification of any waivers requested from Zoning Ordinance (See attached guidelines)
 - A *typewritten* list of names and addresses of all property owners within 300 feet of subject property.
 - Fifteen copies of all plans and drawings as indicated by the staff planner at the pre-application meeting. (See attached guidelines)
- All materials must be folded to fit in a legal-size file (8"x14") and labeled so that the applicant's name and project location are visible.

CERTIFICATION & SIGNATURE

Submittal of this application constitutes consent of the applicant in granting the Department of Community Development access to the subject property during the course of project review. No further consent or notice shall be required.
I hereby certify that the information in this application is correct and agree to abide by the regulations of this jurisdiction.

Signature of Applicant

[Signature] Date 5-16-13

Signature of Property Owner (if not the applicant)

[Signature] Date 5-16-13

COMMISSION ACTION

Approved with Conditions (see attachments) Denied

Resolution # _____ Date _____

BOARD ACTION

Approved with Conditions (see attachments) Denied

Ordinance # _____ Date _____

OFFICE USE ONLY

Received By _____ Date 5/24/13

Receipt # _____ Fee \$600.00

Case # CUP2013-01 03

Related Cases Z2013-01

Appeal Filed By _____ Date _____

Receipt # _____ Fee _____



Federal Emergency Management Agency

Washington, D.C. 20472

April 04, 2013

MS. MARILYN J. WEISSMAN
FOUR WINDS LAND SURVEYS
1055 E. APPLE WAY
FLAGSTAFF, AZ 86001

CASE NO.: 13-09-1334A
COMMUNITY: COCONINO COUNTY, ARIZONA
(UNINCORPORATED AREAS)
COMMUNITY NO.: 040019

DEAR MS. WEISSMAN:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Sincerely,

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

COMMENCING for reference at H.E.S. Corner No. 9, a U.S. Forest Service aluminum cap stamped LS 4476 1965 being a point on the Southwesterly line of R1 from which H.E.S. Corner No. 10, a BLM Brass Cap stamped 2001/2005 bears N47°21'10"W (Basis of Bearing R1 & R2), 1199.87 feet; thence N47°21'10"W, 223.17 feet to the POINT OF BEGINNING; thence N47°21'10"W, 238.95 feet; thence N01°26'18"W, 340.08 feet; thence S65°32'54"E, 149.81 feet; thence S28°06'32"E, 95.42 feet; thence S00°28'38"E, 355.69 feet to the POINT OF BEGINNING.

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

ZONE A (This Additional Consideration applies to the preceding 1 Property.)

The National Flood Insurance Program map affecting this property depicts a Special Flood Hazard Area that was determined using the best flood hazard data available to FEMA, but without performing a detailed engineering analysis. The flood elevation used to make this determination is based on approximate methods and has not been formalized through the standard process for establishing base flood elevations published in the Flood Insurance Study. This flood elevation is subject to change.

STUDY UNDERWAY (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

This determination is based on the flood data presently available. However, the Federal Emergency Management Agency is currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. When the new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.


Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision, that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

If a lender releases a property owner from the flood insurance requirement, and the property owner decides to cancel the policy and seek a refund, the NFIP will refund the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy during the current policy year. The property owner must provide a written waiver of the insurance requirement from the lender to the property insurance agent or company servicing his or her policy. The agent or company will then process the refund request.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	COCONINO COUNTY, ARIZONA (Unincorporated Areas)	A portion of Section 24, Township 30 North, Range 2 East, Gila and Salt River Base and Meridian, as described in the Deed of Distribution recorded as Instrument No. 3315736, in the Office of the Recorder, Coconino County, Arizona. The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 040019	
AFFECTED MAP PANEL	NUMBER: 04005C3825G DATE: 9/3/2010	
FLOODING SOURCE: COCONINO WASH		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 35.972, -112.135 SOURCE OF LAT & LONG: GOOGLE EARTH PRO DATUM: NAD 83

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
--	--	--	South Long Jim Loop	Portion of Property	X (unshaded)	--	--	6577.3 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION
PORTIONS REMAIN IN THE SFHA
ZONE A

STUDY UNDERWAY

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMA Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

Fireside Ridge



ROSE | LAW GROUP
PC

Conditional Use Permit Application
Town of Tusayan
2nd Submittal - June 26, 2013

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Introduction

Project Overview

Fireside Ridge is a 1.5 acre parcel located at the intersection of Fire Service Road 2607 (also known as “Long Jim Loop”) and RP Drive, west of Highway 64 (the “Property”) (and formerly known as Canyon Pines II). See Exhibit A – Vicinity Map. The Property is currently developed as a six-unit mobile home community with four of the six spaces presently occupied by mobile home units. The mobile homes have become a nonconforming use under the Tusayan Zoning Ordinance, which, after recent amendments, now prohibits new Mobile Homes in all zoning categories. Rather than seeking to repair or replace the mobile home units, the Applicant desires to rezone and develop the Property for its highest and best use, which includes a site-built dormitory. The dormitory component of the zoning application requires a Conditional Use Permit. If approved, this Conditional Use Permit (“CUP”) will provide new housing for both seasonal and full time employee residents.

Rezoning

Submitted concurrently with this CUP request is a rezoning application to amend zoning on this Property from Mobile Home Park (MHP) and General (G) to Residential Multiple Family (RM-10A) for the development of townhomes and a dormitory facility. The townhome units are permitted by right in the Residential Multiple Family (RM-10A) zoning category, while the dormitory is permitted with the approval of this CUP application.

Request

The Applicant is requesting a CUP for the development of a 21-unit dormitory under zoning category RM-10A of the Tusayan Zoning Ordinance. See Exhibit B – Conceptual Site Plan A1.1 dated 6/26/2013. As outlined below, the Property will meet each of the required development standards for the RM-10A zoning category contained in Section 10.2.B.II, except for the requirement that no parking can occur within the front yard setback. Given the topography of the site and to ease the circulation within the parcel, we are requesting a deviation that will permit parking within 10 feet of the 20 foot setback.

The Applicant is also requesting a partial waiver from Section 10.3.F of the Performance Standards which requires a 6 foot wall to be established between Residential and General zoning districts. There is an existing retaining wall along the east side/rear of the property. Portions of the existing wall will remain and portions of a new wall will be established. This project will have a wall separating the two zoning districts; however, it will vary in height between 2 feet and 5 feet. Our request for a partial

waiver is justified due to the unique topography of this property as it is located on a ridge with the adjacent General zoning below and beyond a floodplain. Fireside Ridge will be designed and constructed with four-sided architecture. All sides, including rear, of the structures will be architecturally enhanced. The buildings on this property will be more attractive than a 6 foot "blank mass" masonry wall.

The rezoning request must be approved before this CUP application can be permitted, however, the Applicant desires to redevelop the site quickly and for this reason, the applications have been submitted simultaneously. The proposed development shall conform to each of the design standards identified in this document.

Conformance with Section 20.3-7 of the Zoning Ordinance

This request meets each of the requirements for a Conditional Use Permit to be granted as outlined in Section 20.3-7 of the Zoning Ordinance.

- 1. The proposed location of the conditional use is in accordance with the objectives of this Ordinance and the purpose of the zone in which it is located.*

This CUP application accompanies a concurrent rezoning application to allow for multi-family residential uses on the Property. The purposes of the RM-10A zoning category is to locate housing in a broad range of densities and ensure that such housing is built according to sound standards of public health, safety and welfare. The proposed development of a dormitory is a conditionally permitted use in the proposed RM-10A zoning category. This proposal to replace the existing, nonconforming mobile homes with new site built housing and dormitory will accomplish those purposes and help meet a critical housing need in the Town within the density allowance of the zoning district.

- 2. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or material injurious to properties or improvements in the vicinity.*

The proposed dormitory building, along with two, four-unit townhomes, will create new housing opportunities for Tusayan residents and employees. The proposed dormitory building meets the required setbacks as outlined in the Tusayan Zoning Ordinance. The utilities necessary to service the new housing facilities are already in place. Therefore, the structure will not create any undue burden on the current infrastructure or on the Town's services. The surrounding properties are currently developed for residential uses, including the Quality Inn Housing which is located less than 300 feet from the subject property, and a 23-unit mobile home park (Canyon Pines) is directly across the street to the west. The proposed development's location is in close proximity to the Town center and is appropriate in both density and size. The additional housing provided by this redevelopment proposal will improve the public welfare by allowing Tusayan

residents who currently live in commercially-located living quarters to relocate to site-built housing in a residential environment, and next to the Town's new Community Park. Finally, the removal of the nonconforming mobile homes and the construction of new, site-built homes will serve as an example for redevelopment potential in the area.

3. *The proposed conditional use will comply with each of the applicable provisions of this Ordinance, except for approved variances.*

The architectural design for the dormitory unit will comply with each of the requirements contained in the Tusayan Zoning Ordinance and the renderings will be approved through Design Review in conjunction with building permit issuance. The buildings on the Property will meet all applicable setback requirements identified in the RM-10A zoning category, the number and design of parking spaces meet the standards identified in Section 10 (with one deviation, as outlined below), Section 15 (off-street parking), and the maximum number of units proposed is within what is permitted in the RM-10A category.

As permitted by Section 20.3-7 in the Zoning Ordinance, this CUP application requests two deviations: 1) the requirement that parking cannot occur within the front yard setback; and 2) the requirement to establish a 6 foot wall between Residential and General zoning districts.

As demonstrated on the Conceptual Site Plan, the Fireside Ridge dormitory will provide the required number of parking spaces outlined in Section 15. However, the Applicant is requesting a deviation in order to allow a 10 foot encroachment into the 20 foot minimum front yard setback. This deviation is necessary for this project to develop to its fullest potential due to the topography of the site. The Property is located on a ridge and in order to design this project with the safest and most sensible circulation pattern, and keeping the parking spaces in logical placement with relation to the dormitory units, the Applicant is requesting to allow the off-street parking to encroach into the required front-yard setback by 10 feet. The project will maintain a 10 foot landscaped buffer between the proposed development and the adjacent roadway, Long Jim Loop. See Exhibit C – Landscape Plan L1.1 dated 6/26/2013.

Placing the parking spaces closer to the roadway will not result in the appearance of a densely developed project. It is estimated that approximately 49% of the Property will remain as open space following the completion of the development. Furthermore, while the Town's Zoning Ordinance allows maximum lot coverage of 45%, even with the dormitory, the Fireside Ridge project is designed for 25% lot coverage. Thus, the Applicant is not asking for more pavement but requesting to be permitted to position the required parking within the front yard setback as a direct result of the challenging topography of the site. Instead of requesting a deviation that would decrease the number of parking spaces, granting this relatively small setback deviation will provide for sufficient parking with ample circulation and turning radiuses to safely accommodate buses, fire trucks, trash trucks and other emergency vehicles.

As mentioned previously, the Property is located on a ridge with the adjacent General zoned property located below, which property contains a floodplain. As a result, future development on the General zoned property will not be adjacent to the Fireside Ridge Property and thus, the need for screening is diminished. Plus, as the project name indicates, it is on a ridge and elevated from the adjacent General Land. Thus, there is no need for a physical barrier between the properties as there is already a natural separation. For this reason, the Applicant is respectfully requesting that the barrier requirement not be applied to the Fireside Ridge development.

4. *The proposed conditional use is consistent with and conforms to the goals, objectives and policies of the General Plan or Specific Plan for the area.*

The Tusayan Area Plan serves as the Town's General Plan. As identified in the accompanying rezoning application, the proposed redevelopment meets numerous goals and policies of the Area Plan. See Appendix A - Compatibility with Tusayan Area Plan Goals and Policies. The proposed development does not create an undue burden on the existing utilities, it creates new housing opportunities, it removes outdated and aging housing, it is close to the Town center, provides housing in a residential setting and away from commercial activities, and is designed with energy saving building materials and fixtures.

Design

Site Plan

The site will be developed and owned by one owner and the single parcel meets the minimum standards outlined in the Tusayan Zoning Ordinance. (See Exhibit B – Conceptual Site Plan A1.1 dated 6/26/2013). All of the units are situated around a common open space, enhanced by a historic Tusayan landmark—the Old Tusayan Bar fireplace, which is the project's centerpiece and will pay tribute to Tusayan's past by incorporating a placard that details the history.

Based on current engineering, the project is not anticipated to require stormwater detention basins. If required, the exact size, shape, and depth are to be determined during the engineering stage of the design. In addition, the outfall of the Property will be designed to serve as a first flush to capture and hold pollutants transported by the stormwater from the parking lot areas. This first flush will prevent contaminants from entering water ways and affecting surface water quality.

Architecture

Elevation Plans for the dormitory building and the Townhomes are included with this application. These renderings are conceptual elevations of the buildings and will be refined as we move towards the permitting process. All elevation plans will be designed in accordance with the standards outlined in the Tusayan Zoning Ordinance and will incorporate the following design elements:

Building

Buildings will be symmetrically massed to replicate historic National Park architecture and will contain four-sided architecture. The two-story structure will use horizontal and vertical materials, breaks, and changes to articulate the elevations and add a sense of scale. Materials will be chosen for their fire-resistant and aesthetic characteristics and will contribute to the overall architectural style.

Colors

Colors will be from common, earthen tone families to help blend with the natural surroundings not only of this site but the entire region. Elevations will utilize at least one, and probably two body colors with an accent/trim color and other colors that may be required to fulfill the design intent.

Rooflines

Rooflines for this project will be standing seam metal roofing in a color that compliments the Grand Canyon region. Snow guards will be installed at all of the eaves. Rooflines for this project will be simple and linear with adequate breaks to soften long, horizontal lines. Given the elevation of the pad and the approach road, the roof does not constitute a significant aesthetic element as it is not readily visible as you approach the site.

Facades

Facades will be complimentary, with four-sided architecture assuring all faces are similar in mass, detail and color. Each fascia will be wrapped in metal color in order to match the roofing. This will provide weather protection as well as visually lowering the buildings. Siding will be 8" horizontal siding at the lower portions of the buildings in either a lap or T&G style. Siding in the upper areas will be a board-and-batten style. Both types of sidings are used throughout the region. The siding will most likely be a cement-fiber material that is fire-proof and will be painted appropriate earth-tone colors. We anticipate the exterior color palette will include at least two complimentary colors. Stone will be incorporated generally as shown on the elevations will be a cultured stone in a pattern and color that mimics the Kaibab Limestone found in the nearby area.

Exterior window material will be either aluminum or vinyl cladding in a color that compliments the earth-tone palette used for the siding.

Parking

Section 15 of the Zoning Ordinance establishes off-street parking requirements for dormitory units at two spaces per three units. The proposed development plan contemplates 21 dormitory units resulting in the need for 14 parking spaces in addition to 2 parking spaces required for open guest parking. As

indicated on the Conceptual Site Plan, the current parking layout provides 20 parking spaces (19 standard and 1 handicap accessible parking space).

According to Section 10.3.B (II), the RM10-A zoning category requires 16 off-street covered parking spaces and 2 open guest spaces for the development of the eight townhomes. Each townhome is designed with a two car garage and 2 uncovered parking spaces on the driveway in front of the garage. Altogether, the townhomes provide 32 parking spaces to satisfy the parking requirement for this project. Additionally, all parking space dimensions are consistent with the requirements outlined in Section 15 of the Zoning Ordinance.

Landscape Theme

Plant Palette

All landscaping materials and native plant species will be selected from the Native Plants for Northern Arizona Landscapes document compiled by The Arboretum at Flagstaff per Section 18.4 of the Tusayan Zoning Ordinance. Any plant species included on the Landscape Plan but not included in this publication shall be selected from a low-water, drought tolerant palette. In order to preserve the beauty of the property, an irrigation system will be installed to maintain the health of the plants and ensure a timely maturity. The landscaping materials and plants will be maintained to ensure the community appears attractive for the future residents of Fireside Ridge and the neighboring property owners. (Exhibit C – Landscape Plan L1.1 dated 6/26/2013)

Standards (tree size and number (per LF), shrub size and number (per SqFt))

Tree and shrub sizes and counts will be based on acceptable practices and the guidelines published in the Tusayan Zoning Ordinance. See attached Landscape Plan for preliminary landscape design concept.

Open Space

While this project maximizes the unit per acre density, suitable open space is being retained to allow room for outdoor gathering and circulation as well as fenced, private backyards for future residents. The buildings and paving will occupy approximately 33,000 square feet of the site and approximately 49% of the site remains as open space.

Lighting

The Property is located in Astronomical Zone Three, identified as being more than seven miles from key night sky observation points. While the Property is not subject to the stricter requirements of Zones One and Two, the Applicant values the unique conditions of the Tusayan area as it pertains to the night sky. As such, all lighting will be fully hooded, whenever feasible, to limit any light pollution beyond what is absolutely necessary to maintain a safe environment for the future residents and guests of Fireside Ridge. In addition to the requirements and prohibitions established in Section 17 of the Tusayan Zoning Ordinance, the following guidelines will establish the various types of lighting for this property.

Site Lighting

Class 2 lighting will be provided in common parking areas. Lighting levels will be held to a minimum to provide a safe environment without unnecessary light pollution. A photometric study will be provided to verify lighting levels.

Building Lighting

The dormitory building will be lit with fully shielded, wall mounted light fixtures. Fixtures will be positioned to provide safe access around the building and to all entrance/egress points. Fixtures at primary entrance/exits will be provided with a battery back-up for emergency egress in the event of power failure. Site lighting will extend to the dumpster enclosure assuring safe access for future residents at all times of the day.

Landscape Lighting

Landscape lighting will be provided to accent the property. This will include selective up-lighting on specimen trees, lighting on the historic fireplace element and walkway lighting. Other landscape lighting may be included as desired.

Development Standards

To maintain the rural character of the area and blend the project with the surrounding properties the improvements will be constructed according to the following proposed parameters:

Standard	Permitted	Proposed
Minimum Building Site (Acre)	0.5	1.5
Density per Acre	10	10
Unit Count	15	15
Setbacks		
Front	20	20 with parking allowed in 10 ft*
Rear	20	20
Side (interior)	10	10
Side (Street)	15	15
Lot Size		
Width	100	100
Depth	100	100
Coverage	45%	25%
Building Height (feet)	35	25.8

Parking Spaces		
Multifamily Units (covered)	16	16
Open Guest Parking	2	16
Dormitory (2 per 3 rooms)	14	18
Open Guest Parking	2	2
Minimum Between Buildings (feet)	10	10

* Proposed deviations from permitted standards are indicated with bold font

If a design standard is not addressed in this document, then the standards identified in the Town of Tusayan Zoning Ordinance shall be applicable.

Infrastructure

Solid Waste

Fireside Ridge is serviced by Norton Services. Each residential unit will include dual solid waste containers, one for solid waste and one for recyclable materials. As shown on the Conceptual Site Plan, dual dumpsters will be positioned at the north end of the site and it is anticipated that these community receptacles will service all units, townhomes and dormitory.

Wastewater

Wastewater service is provided by the South Grand Canyon Sanitary District (SGCSD). The Applicant has obtained a will serve letter from the SGCSD which serves as confirmation that the provider has the capacity to accommodate this redevelopment project.

Water

Water service is provided by the Hydro Resources and following meetings with Hydro representatives on April 22, 2013, it has been determined that the existing water lines are adequate to accommodate the new demand created by this project.

Reclaimed Water

According to the will serve letter provided by SGCSD, Fireside Ridge will not be required to install additional reclaimed wastewater storage on site. However, the buildings will be required to be double-plumbed and connected to the existing reclaimed water system. It is SGCSD's opinion that the proposed development does not represent a "significant development" and the existing facilities have the capacity to accommodate the increased wastewater demand associated with this project.

Roadways

The Property is located just 3/4-mile from the center of Tusayan, near the intersection of Long Jim Loop and RP Drive, which are both paved roadways. The roadway profiles are adequate to accommodate the increased traffic created by this redevelopment project. Because the Property is in close proximity to the Town, alternate forms of transportation, such as walking and biking, are possible. These alternate forms of travel will reduce the potential impacts on the existing roadway system.

Preliminary Drainage

The Property drains generally towards the north into the existing drainage way. Surface flows developed as a part of this project will be directed towards the same and will not adversely affect adjacent properties. Post-development flows from this 1.5 acre site are not expected to increase over the pre-development flows as the site was completely developed previously.

Utilities

Electricity on this property is serviced by APS. Cable and phone providers are still to be determined.

Development Schedule

The Applicant intends to construct the project in two phases of development as soon as the necessary entitlements are obtained. After mass grading and site prep, it is anticipated that one of the townhome units provided for in the RM10-A rezoning application will be erected to house the families currently living in the four mobile home units on the Property. Construction of the second townhome as well as the dormitory building will commence immediately thereafter.

Conclusion

Fireside Ridge is currently an underdeveloped property containing nonconforming mobile home units that do not further the goals of the Tusayan Area Plan. This Conditional Use Permit application, in conjunction with the rezoning application, establishes the redevelopment plan necessary to create new, site built housing for Tusayan employees and residents. The redevelopment plan will meet all of the criteria and required findings for a Conditional Use Permit: (1) a dormitory is a conditionally permitted use under the requested zoning; (2) the desired use is consistent with the development pattern of the surrounding properties; (3) the proposal conforms with the Zoning Ordinance with one variance that is necessary due to the topography of the Property, and (4) request will further a key goal of the Tusayan Area Plan - the addition of safe, site built housing. This project is a perfect fit for Tusayan and will stand as a model example for future redevelopment. The Applicant respectfully requests approval of this CUP in accordance with this application.

APPENDIX A

Conformance with Tusayan Area Plan

The Town's General Plan is the Tusayan Area Plan. This document guides the development of the Town in a manner that protects the unique character and beauty of the area. As stated in the Area Plan, Tusayan is the Gateway to a National Treasure, the Grand Canyon. The following analysis establishes that the rezoning and CUP requests for Fireside Ridge are consistent with the goals, objectives and policies of the Tusayan Area Plan.

Infrastructure

Water Policy 1 *Adequacy of water supply shall be considered in the review of developments requiring Commission or Board (Council) approval.*

The Applicant met with John Rueter with Hydro Resources on April 22, 2013 to discuss the details of the Fireside Ridge project. The current water lines and well can supply the water demand created by the proposed development plan.

Water Policy 2 *Water conservation measures shall be included in all major development proposals requiring Commission or Board (Council) approval.*

The proposed dwelling units will be constructed with low-flow fixtures, all landscape plantings will be selected from a drought-tolerant plant palette, and reclaimed water lines will be constructed to the property to provide irrigation using non-potable water.

Wastewater Policy 1 *Approval of new developments shall be contingent on access to adequate community wastewater treatment facilities.*

As indicated in the attached will-serve letter from the South Grand Canyon Sanitary District (SGCSD), the proposed redevelopment does not represent a "significant development" and the existing sewer facilities have the capacity to accommodate the increased wastewater demand associated with this project.

Wastewater Policy 3 *Major new developments shall be required to construct their fair share of facilities for reclaimed water storage and distribution.*

According to the will serve letter provided by SGCSD, Fireside Ridge will not be required to install additional reclaimed wastewater storage on site. However, the buildings will be required to be double-plumbed and connected to the existing reclaimed water system.

Utility Policy 2 *Major new developments shall be encouraged to incorporate energy conservation measures through the use of passive solar design, appropriate site planning, landscaping, and building materials.*

The new site built dwelling units will be constructed with the latest insulation and window construction to increase the energy efficiency of the homes and reduce energy demand. Efficient appliances such as water heaters and dishwashers will be installed to further reduce the energy demand of each unit.

Solid Waste Policy 1 *Recycling shall be encouraged in order to reduce the solid waste flow into regional landfills.*

Each residential unit will include dual solid waste containers, one for solid waste and one for recyclable materials. As shown on the Conceptual Site Plan, dual dumpsters will be positioned at the north end of the site and it is anticipated that these community receptacles will service all units, townhomes and dormitory.

Housing

Being surrounded by National Forest and containing very few parcels of privately held land, Tusayan has limited opportunities for new housing construction and providing for new housing is a stand-out goal in the Tusayan Area Plan. The rezoning and CUP applications seek to further the Town's efforts to remedy this housing deficit by increasing the available housing on the Property from the six existing mobile home spaces, to two, four-plex new construction units and 21 dormitory units. In the opening paragraphs of the Area Plan, the section entitled "Tusayan as a Community" states that "existing housing shall be continuously upgraded to improve the overall sense of community." The rezoning application in combination with the CUP seek to implement this directive – the proposal will create new, diverse, and affordable housing through redevelopment of an underutilized property containing outdated housing that is no longer allowed under the Tusayan Zoning Ordinance - all centered around a community amenity, the old Tusayan Bar fireplace. The new, site built dwelling units will provide housing for approximately 46 individuals in 29 dwelling units (21 are dorm units and according to the Tusayan Zoning Ordinance are calculated at a density of 1 dwelling unit per 3 dorm units). This increase in housing is supported by the Area Plan as demonstrated by the following:

Housing Goal 1 *Provide adequate and affordable housing for employees, existing and future, shall be a priority of the community.*

Fireside Ridge will pave the way for the elimination of mobile home units no longer permitted by the Tusayan Zoning Ordinance, which only provided housing for six (6) households and will create new, site built townhouses and a dormitory unit that accommodates a total of 29 dwelling units.

Housing Policy 1 *All new developments shall be encouraged to provide employee housing as close as feasible to employment centers.*

Fireside Ridge is located only $\frac{3}{4}$ of a mile from the center of Tusayan and is connected via two paved roads accessing State Route 64. Therefore, this project is within walking and/or biking distance from Tusayan employment opportunities.

Housing Policy 5 *High Density residential uses shall be discouraged in remote areas and in areas where U.S. Forest Service roads provide the only access.*

The Property is not remote and is located along the main Long Jim Loop Road that connects the northern and southern parts of Town. Along this road lies the new Town park. Across the street is the original Canyon Pines Mobile Home Park, which contains 23 units. And with the major employers in Town being within $\frac{3}{4}$ of a mile, this Property is ideally suited for high density residential development. Fireside Ridge is located near the center of Tusayan – not a remote area. Both roads accessing Fireside Ridge, Long Jim Loop and RP Drive, are fully paved to a profile adequate to accommodate current and future vehicular traffic.

Housing Policy 6 *All residential developments shall be designed to be compatible with the character of the area and in consideration of their location in proximity to the Grand Canyon National Park.*

The Tusayan Zoning Ordinance contains design standards that will be incorporated in the redevelopment of the Property. The Property, as originally constructed, did not contain any design elements and so developing under the new Town Ordinance will ensure that the design is compatible with Grand Canyon National Park. At building permit application, this project will be subject to Design Review consistent with the provisions of the Tusayan Zoning Ordinance.

Housing Policy 8 *A mix of housing types including dormitories, apartments, townhomes, and single family dwellings shall be provided to meet the employee housing needs.*

This redevelopment proposal will provide for the development of a mixture of housing types including both townhomes and dormitories - as specifically called out in this policy. Additionally, as mobile home units are not identified in this policy (and no longer permitted under the Tusayan Zoning Ordinance), six mobile unit spaces will be removed from the housing mix in place of permanent, site built structures.

Housing Policy 10 *New housing developments and new subdivisions for employees and residents shall be favored over housing for second homes or recreations use.*

The site ownership will be maintained by a common owner with all units available on a for-rent basis to the local workforce population. In the future, the site may be restructured for individual ownership, but that is not contemplated or permitted in this application. Consequently, this policy statement is completely consistent with the application. It is the goal and desire of the Applicant that these new dwelling units provide safe and comfortable housing for employees working in the Town.

Public Safety

Public Safety Policy 5 *Adequate space shall be required between structures to inhibit the spread of fires.*

As indicated on the Conceptual Site Plan, the spacing of the units reduces the risk of fires spreading between structures. Furthermore, non-flammable building materials will be used in the design and construction of the homes, preventing the start and spread of fires. All housing units including the dormitory will be constructed with sprinkler systems as required by the applicable fire codes.

Transportation

Transportation Policy 8 *Adequate off-street parking shall be required for all new developments.*

The Conceptual Site Plan is designed to accommodate off-street parking spaces sufficient to support the proposed building types and conforms to the parking requirements and guidelines of the Town of Tusayan Zoning Ordinance. Technical elements of the parking and access design will be established during the site plan design and review process.

Natural Resources and Environmental Quality

Environmental Quality Policy 1 *Major development projects that would impact drainage on adjacent properties shall include a drainage report as part of the application submittal which shall discuss how surface runoff will be accommodated and the impact of such on adjacent properties.*

Fireside Ridge will have no drainage impact on adjacent properties. The Applicant will submit a drainage report with other technical drawings and documents as part of the building permit package that will confirm this.

Natural Resources Policy 2 *Developers shall be encouraged to conserve and re-use drainage or runoff water.*

The project will be designed with rainwater collection and storage facilities that will be connected to the non-potable water supply infrastructure, such as landscape irrigation and toilet water supply. This, in addition to low-flow plumbing fixtures and the extension of reclaimed water lines to the property, will greatly reduce the need for potable water to service the proposed development.

Environmental Quality Policy 3 *Protection of existing quality of ground and surface water resources shall be a priority factor in the approval of residential developments in Tusayan. Applicants shall be required to show the impact of the proposed development on quality and quantity of surface and groundwater resources.*

As previously stated, the Applicant will submit a detailed drainage report to outline how the development of the property will control and utilize surface water. Also, the design of the project will include best practices regarding first-flush protection of stormwater runoff so as to not contaminate surface or below-ground water beyond the property limits. With regard to water resources, the Property is currently served by Hydro Resources via an existing well. Therefore, no new wells would be required to serve this project.

Environmental Quality Policy 5 *Protection of existing air quality shall be a major consideration in the review of plans for new residential projects. Applicants shall show the impact of the proposed activity on air quality within the area.*

The proposed development is only ¼-mile from the center of Tusayan. This project will allow residents to live in closer proximity to work, thereby reducing commuter trips and providing the opportunity for alternative modes of transportation such as biking and walking. The reduced trip distance vs. other potential projects at the outskirts of town and the potential for multi-modal transportation actually minimize any affect this project could have on air quality.

Natural Resources Policy 7 *Landscaping standards emphasizing preservation of native vegetation and materials and the use of indigenous and low water consuming plans shall be applied to all new developments. Tree preservation shall be a major factor in the approval of new major developments.*

The natural beauty of the Tusayan area is the key factor in maintaining the high quality of life for the residents and tourists. To maintain the visual appeal of the area, this project will only utilize vegetation selected from the natural plant palette and appropriate species found within a drought-tolerant plant palette. The Applicant, being long-time residents and landowners within Tusayan, uniquely understands the necessity of maintaining and preserving the Town's natural vegetation.

Natural Resources Policy 8 *All new developments shall include adequate open space, for properties of one to three acres a ratio of 85/15 shall be maintained.*

As indicated on the Conceptual Site Plan the proposed development includes 49% open space. Included in this open space is the preservation of a historic Tusayan land mark, the fireplace remains of the oldest tavern and structure in Tusayan. The Applicant, because of their love and deep roots in the community, has chosen to preserve this monument and include it in the open space concept. This conscious design will not only meet the desires of the Town to preserve open space but it also takes a step in preserving the history of the area.

Environmental Quality Policy 13 *Every effort shall be made to protect the night sky from unnecessary lighting and glare.*

To preserve the beauty of the night sky only low wattage fixtures shall be utilized for exterior lighting. Because safety remains a top priority in any community, some exterior site lighting and building access lighting will be necessary. These exterior lighting elements will, whenever possible, be bollard-type lights that light walkways but limit glare. Likewise, lighting that must be located at higher elevations

shall be shielded to reduce any fugitive glare to neighboring properties. Low voltage lighting will be used to illuminate landscaping and monument lighting as well as walkways between buildings and parking lots.

Land Use

The Town's Area Plan accurately outlines the current housing situation as it pertains to land use. The existing commercial uses surround the housing units, making the typical commercial nuisances of light, noise, and pollution unavoidable. With this proposed redevelopment the Applicant seeks to locate housing away from commercial and into a setting containing assets supportive of residential uses – open space, limited lighting, separation from the State Highway, and a reasonable level of privacy.

The Area Plan also correctly states that multifamily housing requires a significant level of infrastructure, including water, wastewater, utilities, and paved parking and access roads. Fireside Ridge already has the necessary infrastructure in place making it an ideal location for the proposed housing units.

Land Use Goal 3 *Provide a range of residential land uses which offer diverse housing opportunities.*

The Fireside Ridge development seeks to provide two new types of housing to the area – town homes and dormitory living. The current development allows for only mobile home units, the predominant housing option in the Town. Not only will the proposed development provide diversity in the type of housing available in the Town, it also provides housing in a residential setting away from commercial activities.

Land Use Goal 4 *Create a true residential community.*

The Fireside Ridge concept plan includes different types of safe and comfortable residential housing, open space, and adequate utilities located in an open and private setting, away from high volume traffic and commercial nuisances.

Land Use Goal 6 *Improve the overall appearance of the community.*

Currently, Fireside Ridge consists of four, very old, mobile home units. While the site is developed for 6 units, 2 of the mobile unit pads remain vacant. To benefit the overall appearance of the community, the Property is proposed for redevelopment under the Town's Ordinance, which has strict design requirements that will yield an improved visual appearance.

Land use Policy 9 *New multiple family residential developments are encouraged. Projects shall be located in areas compatible with surrounding land uses. Adequate open space and landscaping shall be utilized to insure an attractive residential appearance.*

This project will provide for the development of multifamily residential units and provide much needed housing for the Town. The Property is currently utilized for residential housing and is adjacent to a

similar residential property. The redevelopment request is consistent with the surrounding land uses. Accompanying the actual residential units, the property will be landscaped with native and drought-tolerant plant species to blend with the natural surroundings.



2

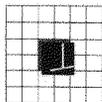
May 2013

ROSE | LAW GROUP
PC



Fireside Ridge
Exhibit A – Vicinity Map





PRELIMINARY DESIGN
 CONTRACT

ARCHITECT

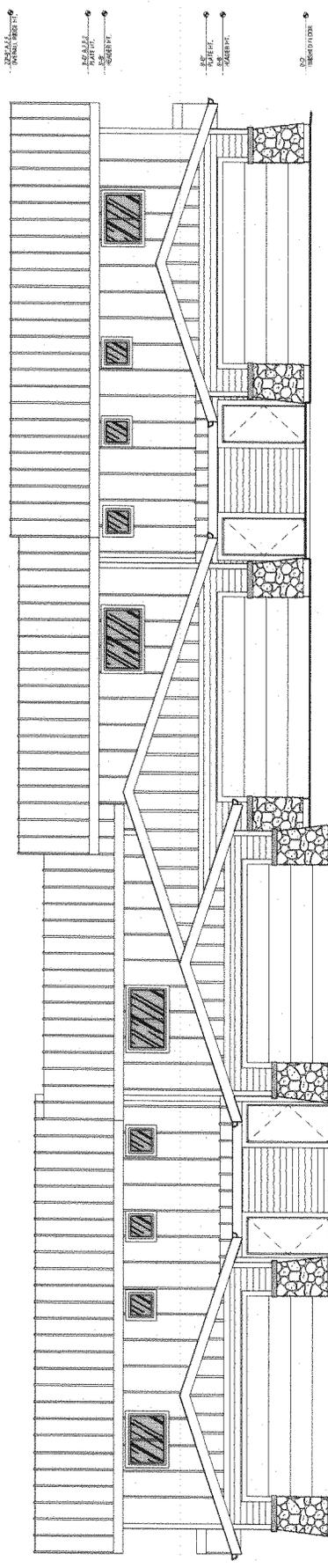
FRESNO, CA
 6/26/2013
 TOWNHOME #2

DATE	DESCRIPTION

ELEVATIONS

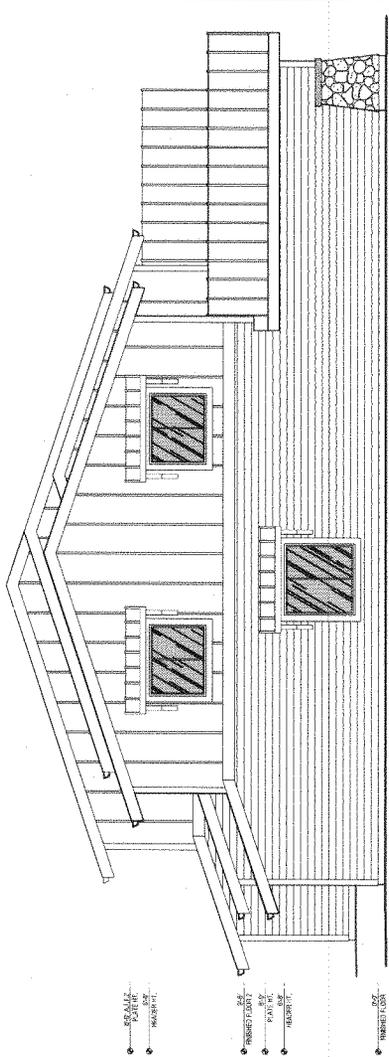
A6.1

REVISIONS: June 26, 2013 11:00 AM



3 WEST ELEVATION

SCALE 1/4" = 1'-0"



1 NORTH ELEVATION

SCALE 1/4" = 1'-0"

RESOLUTION NO. 2013-07

A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF TUSAYAN, ARIZONA, GRANTING A CONDITIONAL USE PERMIT FOR A DORMITORY IN RM-10/A ZONING

WHEREAS, application CUP2013-03 was filed on May 24, 2013 for a conditional use permit to allow a 21-unit dormitory on Coconino County Assessor's Parcel Number 502-17-020M; and

WHEREAS, the Planning and Zoning Commission of the Town of Tusayan has held a duly noticed public hearing on CUP2013-03 on July 23, 2013; and

WHEREAS, the Planning and Zoning Commission of the Town of Tusayan has determined that the findings for granting a conditional use permit have been met;

NOW, THEREFORE, BE IT RESOLVED that the Tusayan Planning and Zoning Commission approves application, Case No. CUP2013-03, for a conditional use permit for a dormitory subject to the following findings and conditions:

- a. The proposed location of the conditional use is in accord with the objectives of this Ordinance and the purpose of the zone in which the site is located.
- b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- c. With the exception of the waivers granted by the Commission, the proposed conditional use will comply with each of the applicable provisions of this Ordinance
- d. That the proposed conditional use is consistent with and conforms to the goals, objectives and policies of the Tusayan Area Plan.
- e. Approval of a waiver of Section 10.3.F of the Zoning Ordinance which is a requirement for a six foot high wall fence or screen landscaping abutting property zoned General. The waiver will allow a wall as shown on the Site Plan and as explained on pages 1 and 2 of the application.
- f. Approval of a waiver of Section 10.3.D of the Zoning Ordinance which is a requirement that the required front setback not be used for motor vehicle parking. The waiver will allow parking spaces in the back 10 feet of the front setback as shown on the Site Plan.
- g. Approval of RM-10/A zoning on the property as proposed in rezoning application Z2013-01.
- h. Approval of one or more design review applications prior to the issuance of building permits for any proposed development.
- i. Prior to the issuance of building permits, approval of a drainage report for the site by town staff.
- j. Development of the site in accordance with this application, CUP2013-03, and the attached narrative report, site plan, landscape plan and building elevations.

PASSED AND ADOPTED BY the Chairman and Members of Planning and Zoning Commission of the Town of Tusayan, July 23, 2013.

FOR THE PLANNING & ZONING COMMISSION

Robert Gossard, Chairman

ATTESTED TO:

Melissa A. Malone, Town Clerk

REVIEWED BY:

Will Wright, Town Manager

APPROVED AS TO FORM:

Bill Sims, Town Attorney