

# City of Flagstaff

Student Housing Symposium  
October 27, 2014



# CITY OF FLAGSTAFF

- Kevin Burke, City Manager
- Dan Folke, Planning Director
- Mark Sawyers, Planning Manager
- Rick Barrett, City Engineer
- Michelle D'Andrea, City Attorney
- Kevin Treadway, Chief of Police



# CITY OF FLAGSTAFF

## Planning and Development

Dan Folke, Planning Director

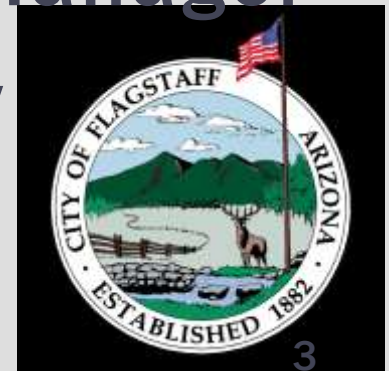
[dfolke@flagstaffaz.gov](mailto:dfolke@flagstaffaz.gov)

928.213.2630

Mark Sawyers, Current Planning Manager

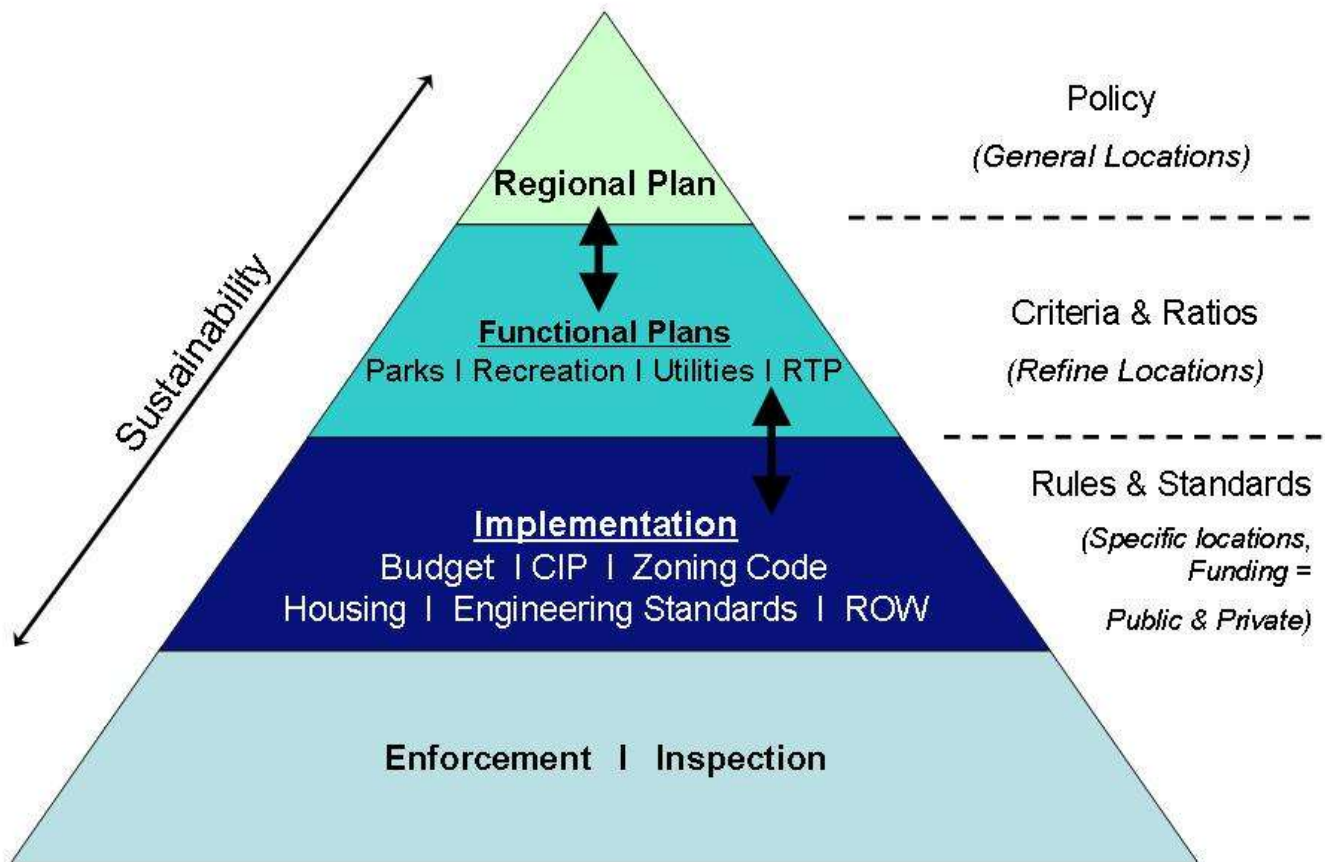
[msawyers@flagstaffaz.gov](mailto:msawyers@flagstaffaz.gov)

928.213.2612



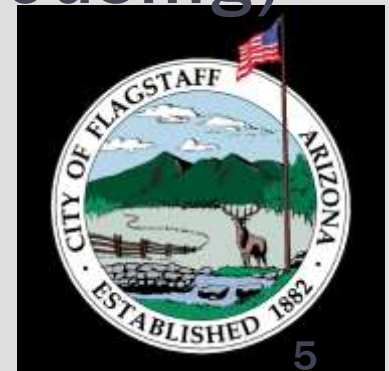
# PLANNING PYRAMID

City of Flagstaff – Planning Working Group – February 2, 2010



# FLAGSTAFF HOUSING TYPES

- Single Family Dwelling Unit – One family: up to 8 unrelated individuals
- Multiple Family Dwelling Unit – Four dwelling units or more, leased by the unit, one family per unit
- Rooming and Boarding Facility – leased by the room (aka dormitory style housing)
- Student Housing – not a type of dwelling unit



# USE BY RIGHT VS. CONDITIONAL USE PERMIT

- Single, duplex, multiple family allowed by right within designated districts
- Rooming and Boarding Facility – always requires a Conditional Use Permit

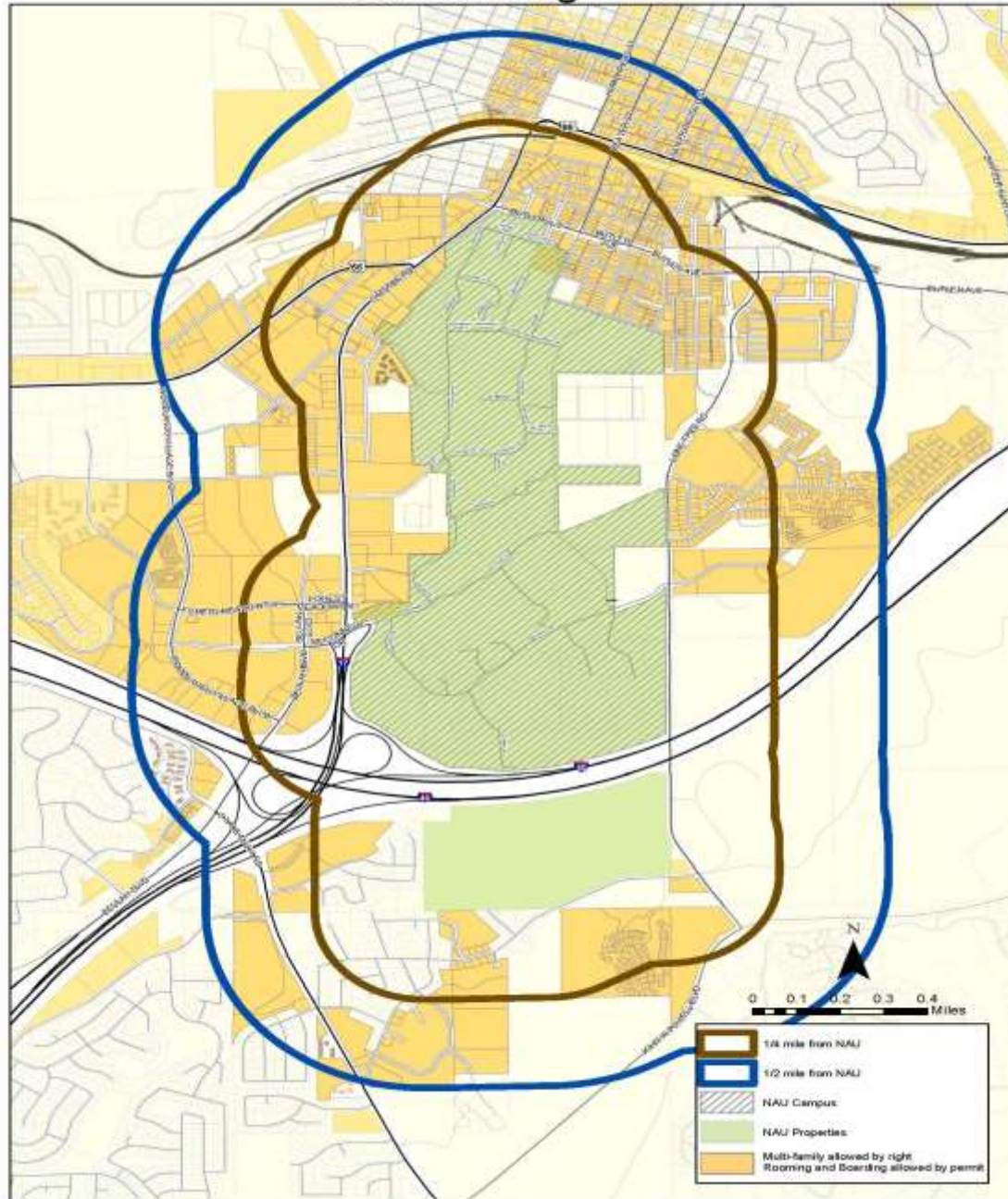


# MULTI-FAMILY DWELLING UNITS

- Permitted in Medium and High Density Residential districts
- Permitted in Commercial districts as part of mixed use project; requires a CUP if residential only



# Multi-Family and Rooming and Boarding Zoning Surrounding NAU



University of Utah, September 2014. Source: NAU, Robert Beckwith/NAU



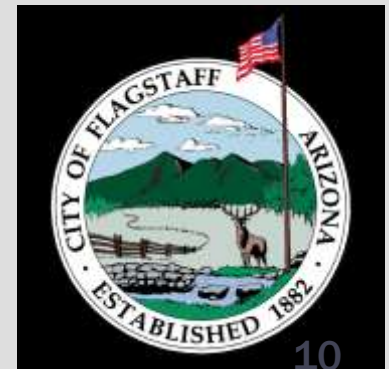
# REZONING PROCESS

- **Concept Zoning Plan:** requires impact analysis, proposed uses, circulation plan, building types - site plan approval is administratively reviewed
- **Direct Ordinance:** impact analysis, detailed site plan for an identified use – site plan approved at the time of the rezoning



# ADMINISTRATIVE REVIEW PROCESS

- **Concept and Site Plan Review:  
Interdivisional Staff**
- **Compliance with development standards**
  - **Zoning**
  - **Engineering**
  - **Utilities**
  - **Storm water**
  - **Fire Department**



# REGIONAL PLAN HOUSING POLICIES

- **Goal NH.1. Foster and maintain healthy and diverse urban, suburban, and rural neighborhoods in the Flagstaff region.**
- **Policy NH.1.7. Develop appropriate programs and tools to ensure the appropriate placement, design, and operation of new student housing developments consistent with neighborhood character and scale.**



# REGIONAL PLAN HOUSING POLICIES

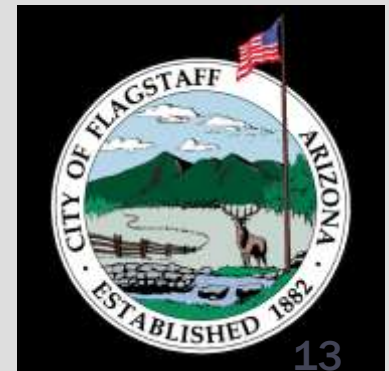
- **Goal NH.3. Make available a variety of housing types at different price points, to provide housing opportunity for all economic sectors.**
- **Policy NH.3.1. Provide a variety of housing types throughout the City and region, including purchase and rental options, to expand the choices available to meet the financial and lifestyle needs of our diverse population.**



# ZONING MAP AMENDMENT

## Three findings:

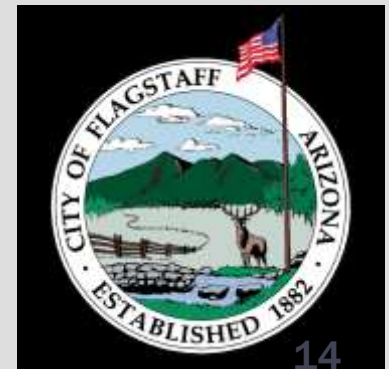
1. Consistent and conforms with the Regional Plan & any specific plans
2. Protects public interest, health & safety
3. Appropriate site plan



# CONDITIONAL USE PERMIT

## Three Findings:

1. Consistent with the Zoning Code
2. Protect public health, safety & welfare
3. Compatible with surrounding area



## **Multiple-Family Residential & Rooming and Boarding Facility Projects** **(October 21, 2014)**

### **Aspen Heights (Rooming & Boarding)**

**Location:** SWC Route 66/Woody Mountain Road

**APNs:** 112-01-019

**Size:** 6.08

**Units:** 227 units/815 beds

**Developer:** Capstone Collegiate Communities

**Development Type:** Mixed-use cottage-style student housing

**Status:** Annexation and rezoning application continued to Nov. 3

### **Mountain Trail Apartments (Market Rate Apartments)**

**Location:** 927 W Forest Meadows Street

**APNs:** 112-29-001E

**Size:** 7.35 acres

**Units:** 160 units

**Developer:** Chason Development

**Development Type:** Apartment complex

**Status:** Site plan and conditional use permit to allow housing in a commercial district approved. Construction plans have not been submitted.

## **Trailside Apartments (Market Rate Apartments)**

**Location: 600 N University Heights Drive N**

**APNs: 112-20-015B, 112-20-014B, 112-20-013A**

**Size: 4.02 acres**

**Units: 111 units**

**Developer: Chason Development**

**Development Type: Apartment complex**

**Status: Site plan approved. Construction plans have not been submitted.**

## **Village at Aspen Place (Market Rate Apartments)**

**Location: 601 E Piccadilly Drive**

**APNs: 104-19-125B**

**Size: 3.15 acres**

**Units: 222 units**

**Developer: RED / Land Development Strategies**

**Development Type: Mixed-use apartment complex**

**Status: Under construction.**



## **Capstone Collegiate Communities (Rooming & Boarding)**

**Location: 555 W Forest Meadows Street**

**APNs: 103-32-006**

**Size: 6.077 acres**

**Units: 227 units**

**Developer: Capstone Collegiate Communities**

**Development Type: Mixed-use multi-family and townhouse style student housing**

**Status: Concept review complete. Site plan and conditional use permit to allow rooming & boarding facility applications have not been submitted.**

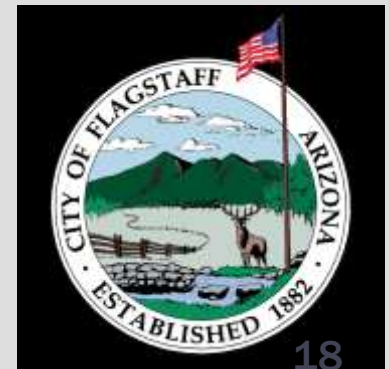
# CITY OF FLAGSTAFF

## Traffic Studies

Rick Barrett, City Engineer

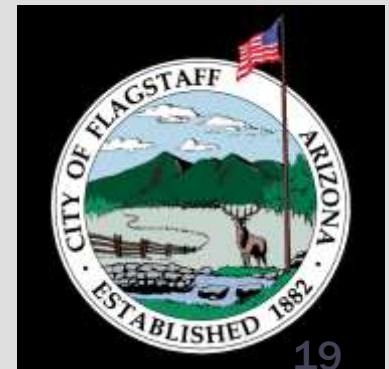
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# TRAFFIC STUDIES ENGINEERING STANDARDS

- Chapter 13-05 of the City's Engineering Design and Construction Standards & Specifications requires Engineering Design Reports
  - Traffic Impact Analysis (TIA)
  - Water/Sewer Impact Analysis
  - Stormwater Impact Analysis



# TRAFFIC STUDIES ENGINEERING STANDARDS

- Purpose for TIA
  - Identify development's impacts on Transportation Network
  - Considered for all developments
  - Highlight special conditions
  - Assessment of fair costs to mitigate impacts
  - Coordinate with General/Specific Plans
  - Uniform treatment of Developers
  - Provide data for capital programming and long range planning



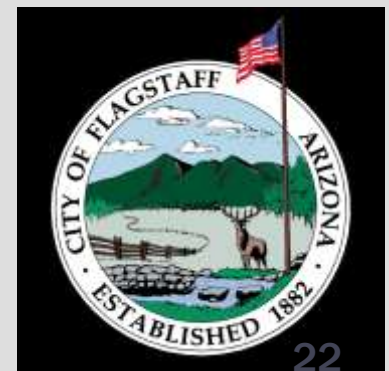
# TRAFFIC STUDIES ENGINEERING STANDARDS

- TIA prepared under supervision of a Professional Engineer registered in AZ
- City Engineer acceptance is a condition of development approval



# TRAFFIC STUDIES CATEGORIES

- TIA prepared under supervision of a Professional Engineer registered in AZ
- City Engineer acceptance is a condition of development approval



# TRAFFIC STUDIES CATEGORIES

- Very Small
  - <100 Peak Hour Trips
- Small
  - 100 to 500 Peak Hour Trips
  - Horizon = opening year
  - Area = site access + adjacent signalized intersection
- Moderate
  - 500 to 1000 Peak Hour Trips
  - Horizon = opening year
  - Area = site access + network & major intersections within 1/2 mile
- Large
  - >1000 Peak Hour Trips
  - Horizon = opening year + City Horizon year
  - Area = site access + network & major intersections within 1 mile
- Multi Phase
  - Moderate or Large
  - Horizon = opening year + City Horizon year
  - Area = site access + network & major intersections within 1 mile



# TRAFFIC STUDIES

## KEY ELEMENTS OF A TIA

- Data collection
- Trip Generation
- Distribution and Assignment
- Capacity Analysis (Level Of Service)
- Improvement [mitigation] Analysis
- Coordination with Arizona Department Of Transportation (as necessary)





# TRAFFIC STUDIES

## TRIP DISTRIBUTION MAP

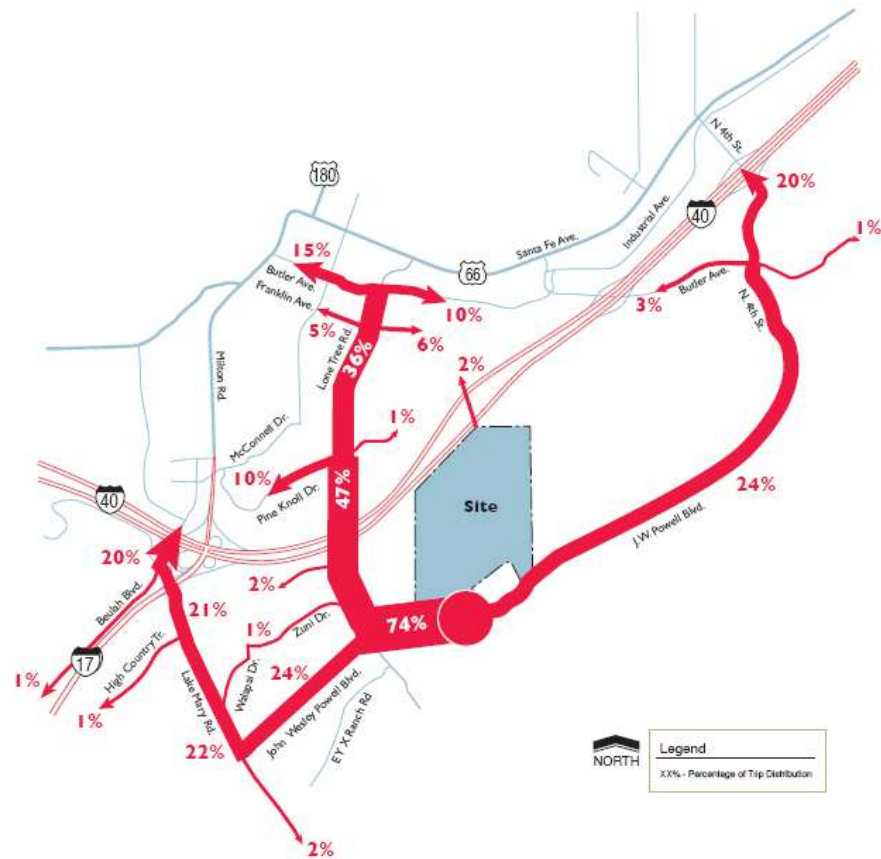


Figure 6: 2030 Full Build Trip Distribution

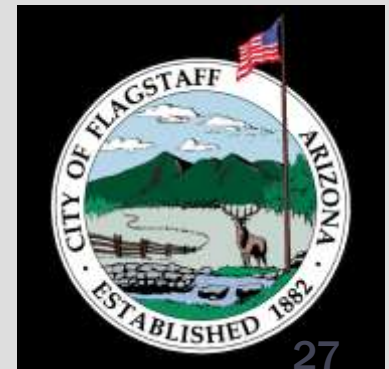
# TRAFFIC STUDIES LEVEL OF SERVICE (LOS)

- Data collection
- Mitigation not required if;
  - LOS A through LOS D
  - Excess capacity in system on first come first serve basis
- Mitigation is required if;
  - LOS E or LOS F
- Mitigation Option
  - Project physically makes improvements (back to LOS D)
  - Developer provides cash contribution to be used for future improvement by City



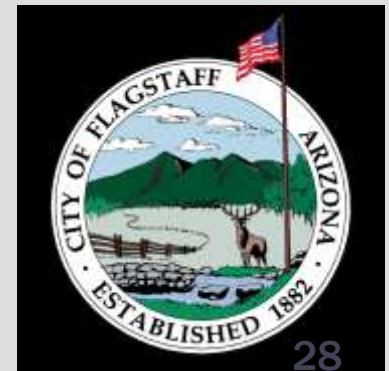
# TRAFFIC STUDIES STUDENT HOUSING PROJECTS

- A car is a car
- Engineering analysis based on “Peak Hour Trips”
  - Fewer peak hour impacts due to class schedules
- Engineering analysis allows for trip reductions
  - Multi-modal travel
    - Bicycle/Pedestrian/Transit



# TRAFFIC STUDIES STUDENT HOUSING PROJECTS

- Engineering Manuals don't have specific criteria for student housing projects
  - Similar to apartments
  - Professional Judgment
  - History/experience
  - Data collection from similar projects



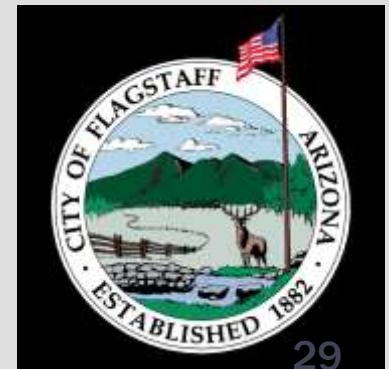
# CITY OF FLAGSTAFF

## Legal Limits on Local Legislation regarding Student Housing

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# LEGAL LIMITS ON LOCAL LEGISLATION

In Arizona, the largest impediment to local land-use regulation to control student housing is Proposition 207.

## Prop 207

- passed in 2006
- response to Kelo case
- Supreme Court allows local governments to condemn property for redevelopment



# LEGAL LIMITS ON LOCAL LEGISLATION

But it went further

requires local governments to pay property owners for the **reduced value of their property as a result of the adoption of a land use law** –

A land use law is a law that regulates the use or division of land- such as a zoning law or a law regarding subdivision.

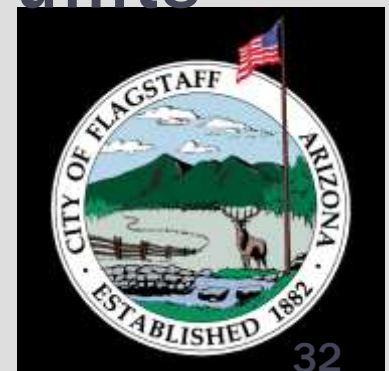


# LEGAL LIMITS ON LOCAL LEGISLATION

So: down-zoning property is expensive -- usually prohibitively so for local governments. Down zoning means changing the zoning in an area to require less dense development.

Examples of down zoning:

- Apartments to single family houses
- Density from 8 units per acre to 3 units per acre
- 5 stories allowed, but we want to reduce to 3





# LEGAL LIMITS ON LOCAL LEGISLATION

There are some exceptions to Prop 207. The most important ones for us in the student housing context are:

- we can regulate issues commonly recognized as public nuisance; (e.g. noise)
- we can regulate selling illegal drugs and liquor control through land use laws;
- we can enact ordinances that do not directly regulate the owner's land



# LEGAL LIMITS ON LOCAL LEGISLATION

We can enact ordinances regulating rowdy parties and requiring payment for excessive calls for police service due to those parties. We can also hold property managers and owners responsible for problem properties.

The Police Chief will talk more about these types of possibilities in his presentation next.



# LEGAL LIMITS ON LOCAL LEGISLATION

- We cannot spot zone.
- Basically, that means that we need to treat property owners in the same zone the same way. None can be given special benefits, none can be held to stricter standards.
- But we can adopt proper conditions to address site- specific concerns in the zoning context.
- Often this involves case-by-case analysis.



# LEGAL LIMITS ON LOCAL LEGISLATION

- All authority for zoning comes from the State.
- When the Council considers a zoning case, or a Commission considers a conditional-use permit, they must make their decisions based upon the findings found in the Zoning Ordinance.
- They are broad, but have some limits.
- Sometimes they are pre-empted.
- Sometimes vested rights come into play.



# LEGAL LIMITS ON LOCAL LEGISLATION

Cannot create informal moratoria on construction or land development.

- Can't just stop development.

Must officially adopt a moratorium after a hearing that proves we need to stop development to prevent a shortage of public facilities



# LEGAL LIMITS ON LOCAL LEGISLATION

We can't stop student housing applications while we have this community conversation, and we also can't slow them down.

We are not allowed to improperly delay processing applications. State statute now requires us to establish timelines for approving permits and applications and stick to them.



# CITY OF FLAGSTAFF

## Law Enforcement

Kevin Treadway, Chief of Police

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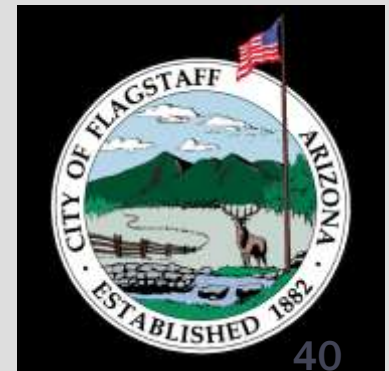
928.556.2304



# LAW ENFORCEMENT

## WHY DOES THIS MATTER TO PD?

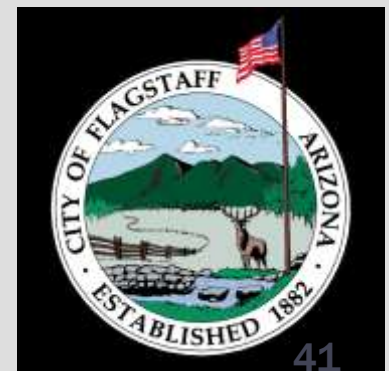
- Types of calls we see typically in student housing areas:
  - DTP-Disturbing the Peace/Disorderly Conduct
  - Loud parties
  - Fights/assaults
  - Alcohol violations
  - Foot traffic





# LAW ENFORCEMENT PAST CHALLENGES IN FLAGSTAFF

- The Grove, aka Campus Crest: 776 beds
- Opened: August 2012
- Calls for service: 256 in two year period
- Nature of calls: DTP's, assaults, parties
- Lack of partnership with management to date and lack of leverage

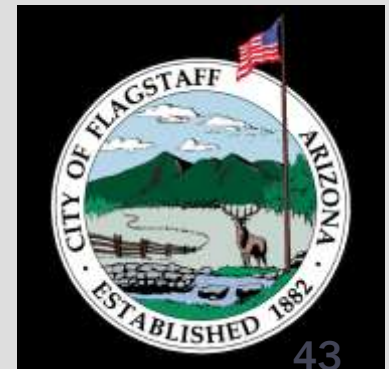




# LAW ENFORCEMENT

901 S. O'LEARY – THE COMMONS – 500 BEDS

- Problems initially: high call volume
- Statistical overview prior to CFMH: 225 calls in 2 years (2008-2010)
- Statistical review today after CFMH in place and partnership with management strong: Last year 22 calls



# LAW ENFORCEMENT

## RIO HOMES - 128 UNITS

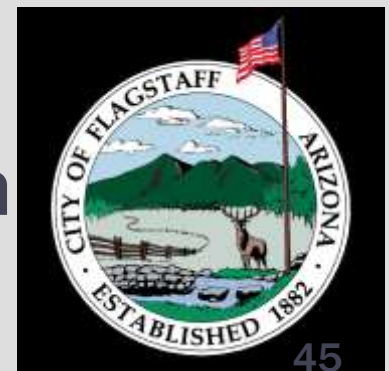
- Individual townhomes with private owners
- Initial problems: 2 years, 228 calls. A lot of parties, but not as many DTP's as at the Grove-criminal damage, late calls, etc.
- Calls significantly reduced today after recent HOA support and private security in place



# LAW ENFORCEMENT

## CRIME IMPACTS OF STUDENT HOUSING SOUTHSIDE

- Parking
- Difficult to assess because our 2011 COPS grant placed 3-4 officers in Southside neighborhood same time Grove opened
- Jan. 2011-Jan. 2012:172 DTP's, 2012:139, 2013:132
- Foot traffic increase to and from downtown bar area



# LAW ENFORCEMENT WHAT HAS WORKED

- **Crime Free Multi Housing-Education, site survey and security social. Crime Free lease addendum and partnership with management and police where they receive reports for immediate action.**
- **Crime Prevention Through Environmental Design**
- **Private Security, Crime Free addendum through HOA**



# LAW ENFORCEMENT OPPORTUNITIES

- Zoning Code mandates for CFMH involvement or contract with private security
- Police involvement in plans review to look at CPTED in design
- Revisit the current party disturbance ordinance extending “warning period” to 180 days, sticker, fine at first offense and holding property owner accountable for second offense



# CITY OF FLAGSTAFF

THANK YOU

