

**RESOLUTION NO. 2017-31
PINON/89A APARTMENTS
ZONE CHANGE
PZ 17-00009 (ZC)**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, ESTABLISHING AS A PUBLIC RECORD THE TERMS OF PROPOSED
REZONING OF YAVAPAI COUNTY ASSESSOR PARCEL NUMBER 408-11-086A
CONTAINING APPROXIMATELY 2.25 ACRES FROM C-2 (GENERAL
COMMERCIAL) TO RM-3 (HIGH DENSITY MULTIFAMILY RESIDENTIAL).**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA that the provisions set forth and the area to be rezoned and attached hereto
and incorporated herein as Exhibit A entitled "PZ 17-00009 Pinon/89A Apartments:
Zoning Map, Legal Description, and Conditions of Approval" constitutes a public record
to be adopted by reference pursuant to A.R.S. § 9-802 into Ordinance No. 2017-09.

At least one (1) paper copy and one (1) electronic copy of this public record shall
be kept in the office of the City Clerk for public use and inspection.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona,
Arizona, this 12th day of December, 2017.




Sandra J. Moriarty, Mayor

ATTEST:



Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

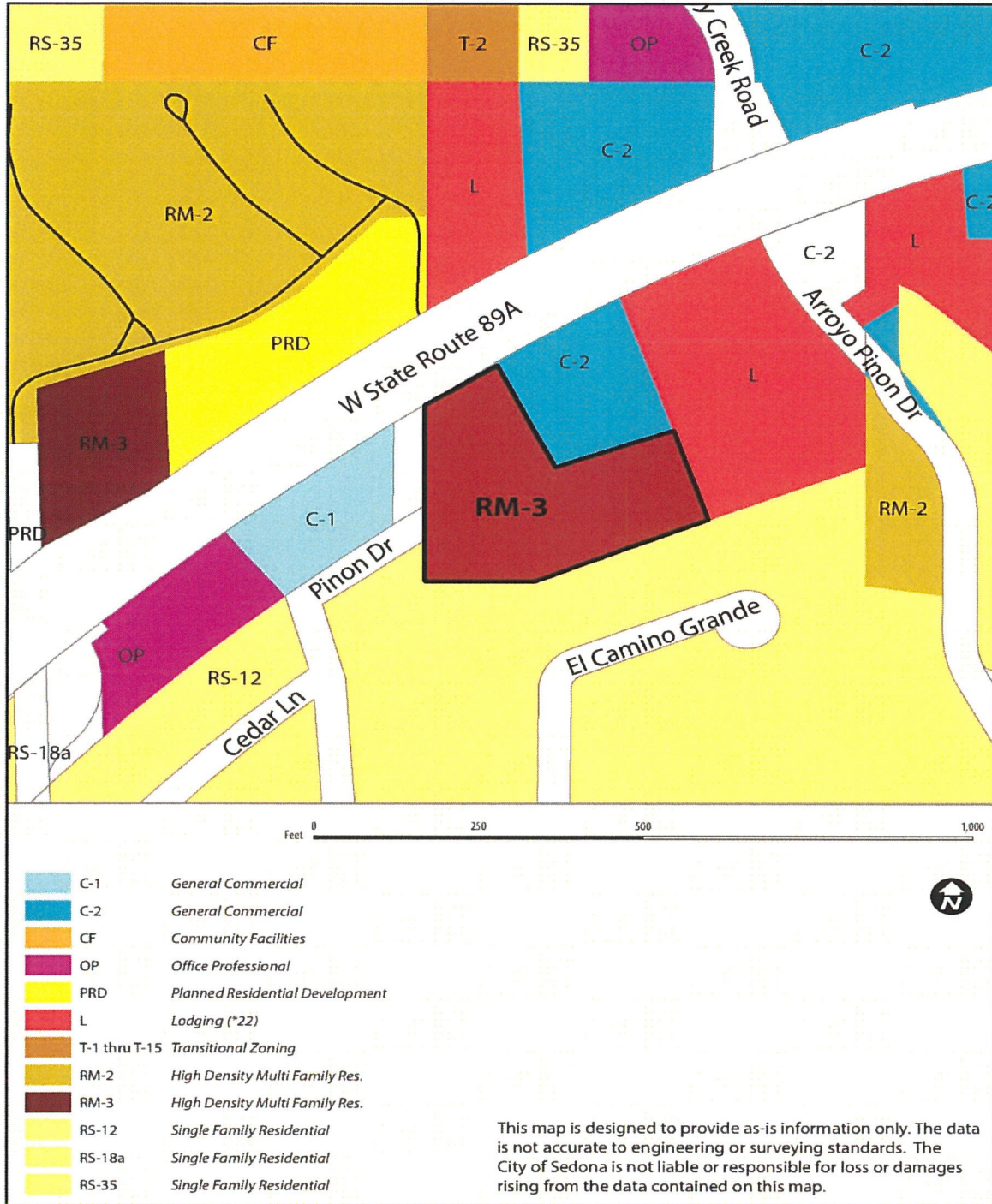


Robert L. Pickels, Jr., City Attorney

Exhibit A

PZ 17-00009 Pinon/89A Apartments: Zoning Map, Legal Description, and Conditions of Approval

Pinon/89A Apartments Zoning Map



Pinon/89A Apartments Legal Description (PZ17-00009)

A tract of land in the Northeast quarter of the Northeast quarter of Section 15, Township 17 North, Range 5 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the point of intersection of the West line of said Northeast quarter of the Northeast quarter of Section 15 and the Southerly right of way line of State Highway U.S. 89A (132 feet wide right-of-way), as marked by a found one inch iron pipe from which, the Northwest corner of the Northeast quarter of the Northeast quarter as marked by a one inch iron pipe lies North 00 degrees, 12 minutes, 27 seconds East 542.83 feet (North 00 degrees, 11 minutes East 541.7 feet per Deed recorded in Book 2720 of Official Records, Pages 606-607 hereafter referred to as "record"), said Point of Beginning being a non-tangent point of curvature, the central point of which lies South 32 degrees, 57 minutes, 23 seconds East, 3753.72 feet;

Thence through a central angle of 01 degrees, 47 minutes, 42 seconds on a curve to the right in a Northeasterly direction an arc length of 117.59 feet (record arc length 118.20 feet) to a found 5/8 inch rebar with obliterated cap on the aforementioned Southerly right-of-way line;

Thence South 27 degrees, 52 minutes, 11 seconds East, 207.22 feet (record South 27 degrees, 50 minutes East 207.0 feet) to a found 1/2 inch rebar, no tag or cap;

Thence North 70 degrees, 56 minutes, 03 seconds East 187.59 feet (record North 70 degrees, 50 minutes East, 188.5 feet) to a found 1/2 inch rebar with plastic cap stamped "Landmark LS 14184";

Thence South 19 degrees, 18 minutes, 02 seconds East 159.95 feet (record South 19 degrees, 05 minutes East 160.00 feet) to a found 1/2 inch iron pipe;

Thence South 68 degrees, 04 minutes, 31 seconds West 283.29 feet (record South 68 degrees, 00 minutes West 284.0 feet) to a set 5/8 inch rebar with plastic cap stamped "SEC RLS 13015";

Thence South 89 degrees, 50 minutes, 42 seconds West 164.68 feet (record North 89 degrees, 59 minutes West 165.0 feet) to a found 1/2 inch rebar with plastic cap stamped "LANDMARK LS 14184" from which, the found one inch iron pipe marking the Northwest corner of the Northeast quarter of the Northeast quarter lies North 00 degrees, 11 minutes, 00 seconds East (record and basis of bearings) a distance of 859.51 feet;

Thence North 00 degrees, 08 minutes, 32 seconds East 316.68 feet (record North 00 degrees, 11 minutes East 316.2 feet) to the TRUE POINT OF BEGINNING.

Pinon/89A Apartments Conditions of Approval (PZ17-00009)

1. Development of the subject property shall be in substantial conformance with the applicant's representations of the project, including the site plan, letter of intent, and all other supporting documents submitted, as reviewed, modified, and approved by the Planning and Zoning Commission and City Council.
2. The applicant shall enter into a Development Agreement with the City of Sedona that covers, at a minimum, the following items:
 - a. Restriction of subdivision (condominium conversion) for a minimum of 30 years.
 - b. Minimum initial lease length of 90 days.
 - c. Prohibition on subleasing without management approval. Subleases will prohibit short term rentals.
 - d. Priority for 25 of the 45 units will be given to tenants that are employed locally or have a verifiable offer and acceptance of employment locally.
 - e. Priority for some of the units given to prospective tenants who earn less than the AMI (Area Median Income).
3. The zoning for the subject property shall be considered vested when the Development Agreement is approved and construction of the project as approved under PZ17-00009 (DEV) is complete. If the applicant does not complete construction of the approved project, the City may initiate proceedings to revoke the zoning, subject to the provisions of Sedona Land Development Code Section 400.11 and applicable State statutes.
4. Within thirty days of approval of the zone change, the property owner of record of the subject property voluntarily agrees to sign and record a waiver acknowledging their waiver of any right to claim just compensation for diminution in value under A.R.S. § 12-1134 related to the granting of this Zoning Change approval.