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December 1, 2011

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VIA ELECTRONIC DELIVERY

William J. Sims, Town Attorney
Town of Tusayan
P.O. Box 709
Tusayan, AZ 86023

**Re: *Camper Village - Conditional Use Permit - Coconino County Resolution No. 2393
Request for Minor Revision/Modification of Conditional Use***

Mr. Sims:

This firm represents Stilo Development Group USA, LP ("Stilo"). Stilo owns or is a partner in the ownership of three properties within the Town of Tusayan, including the 19.3 acre Camper Village property located at the southeast corner of Coyote Lane and State Route 64 (the "Site"). Prior to the Town's incorporation, Coconino County approved, subject to conditions, Conditional Use Permit ("CUP") Application No. UP-03-44 / Resolution No. 2393 on October 28, 2003 (the "Approval"). The Approval allowed the continued use of a campground on approximately 16.88 acres of the Site currently zoned RM/10A. Pursuant to the CUP, up to 120 recreational vehicles may be parked on the Site.

The purpose of this correspondence is to request administrative approval of a minor revision/modification of the Site's conditional use. The requested minor revision/modification will allow the placement of two model homes on the Site in lieu of two recreational vehicles. The model homes will provide a venue to inform local residents about housing products envisioned for Stilo's planned communities at the Camper Village, Kotzin and TenX Ranch development sites (see Tusayan Ordinance nos. Z2011-08-05-001, Z2011-08-05-002 and Z2011-08-05-003). The model homes will not be utilized for residential purposes. The proposed models are manufactured homes built in a factory on a non-removable steel chassis and, likewise with a recreational vehicle, are titled as a vehicle by the State. Each model home is approximately 750 square feet in size. When installed the model homes will not be connected to sewer or water and, therefore, the models will not be habitable.

Analysis of CUP approval conditions nos. one (1) and two (2) in relation to proposed model homes

Approval condition no. one (1) of the CUP specifies that the “use of the property shall conform to the site plan as submitted” and that “any additional RV or camp sites or any additional buildings or any change of use of any of the buildings or any of the property shall require a new application to modify the use permit.” As shown by the enclosed site plan dated May 7, 2009 depicting existing conditions allowed by the October 2003 Approval, the Approval permitted 120 recreational vehicle (“RV”) spaces, 40 tent camping spaces, eight (8) manufactured homes and three (3) seasonal travel trailers on the Property. We strongly believe that the placement of two (2) model homes titled as vehicles by the State on two of the Site’s 120 recreational vehicle spaces in lieu of RVs conforms with the site plan associated with the 2003 approval, does not represent a change of use, and is consistent with the purpose of approval condition no. one (1). For your reference, we have attached a copy of a report from the Coconino Planning Department which contains a description of issues and past violations related to Camper Village. As you can see by the description of issues and closed violations, this letter shows that the current use of Camper Village is consistent with the past use of Camper Village. The letter also shows that, according to Coconino County, there are no open violations at Camper Village.

Additionally, we do not believe that the reference to buildings in approval condition no. one (1) of the CUP applies to the proposed model homes. Similar to a recreational vehicle, each model home was built in a factory on a non-removable steel chassis that will not be placed on or in the ground or attached to the ground. Pursuant to the following definitions for buildings and structures specified by Section Eight (8) of the Town Zoning Ordinance, the proposed model homes are not considered buildings:

Building: A structure having a roof supported by columns or walls.

Structure: Anything constructed or erected, any edifice or building of any kind, or any work artificially built up or composed of parts joined together in some definite manner, which requires location on or in the ground or is attached to something having a location on or in the ground, including but not limited to mobile homes, signs, pre-fab storage sheds, light standards, flag poles, church spires, antennas, swimming and wading pools, and covered patios, excepting paved areas, concrete walks, tennis courts, and similar outdoors areas, and further excepting fences and walls three (3) feet or less in height.

As titled vehicles, the proposed model homes do not meet the definition of structure. Therefore, since they are not structures, the model homes also do not meet the definition of a building.

As mentioned above, the proposed model homes are manufactured homes. Approval condition no. two (2) of the CUP specifies that “the total number of manufactured homes on the property used for employees shall be limited to the eight that currently exist.” However, the restriction associated with the approval condition no. two (2) is expressly limited to manufactured homes used for employees, as opposed to manufactured homes in general. The approval condition does not restrict the placement of additional manufactured homes on the Site for non-residential use.

The second paragraph on the fourth page of the Coconino County staff report for Case No. UP-

03-44 enclosed with this correspondence further clarifies the purpose of approval condition no. two (2):

.....Staff is not supportive of the year-round use of travel trailers for employees. While the units are supposedly for seasonal employees, staff doubts that the units are moved off the property in the winter. Staff remains concerned about a steady increase in small increments in the number of units utilized not for overnight guests but by Tusayan and Grand Canyon residents.

Based on the staff report, it is clear that the purpose of approval condition no. two (2) is to restrict the number of manufactured homes on the Site that may be used as a permanent residence. Stilo will not use the proposed model homes for residential purposes. Approval condition no. two (2) does not apply to manufactured homes which are not being used as a permanent residence. Therefore, we strongly believe that approval condition no. two (2) does not encumber Stilo's ability to place two (2) manufactured homes on the Property for the purpose of providing a venue to inform Tusayan residents about housing products envisioned for the planned communities at Stilo's Camper Village, Kotzin Ranch and TenX Ranch development sites.

Analysis of whether or not the CUP approved on October 28, 2033 has lapsed

We strongly believe that the CUP approval for the Site has not lapsed. Approval condition no. eight (8) of the CUP specifies that the use permit shall not expire until October 28, 2013. We are also not aware of documentation establishing that the campground use on the Site has been continuously terminated for a period of two (2) years. Section 20.3-11(D) specifies that a CUP shall lapse if the use for which the permit is approved is terminated for a period of two years.

Analysis of minor revision/modification request

Section 20.3-13 of the Tusayan Zoning Ordinance (the "Ordinance") authorizes the Director of Community Development to approve minor revisions or modifications to a conditional use upon determining that proposed changes do not affect the findings prescribed in Ordinance Section 20.3-7.

The percentage requirement to constitute a minor adjustment is specified in Section 20.8-1 of the Town Zoning Ordinance. Generally, a minor adjustment is a revision of less than ten (10) percent. In this case, the model homes will occupy two (2) spaces and will affect 1.7 percent of the Site's available recreational vehicle spaces. we believe that the placement of two (2) model homes titled as a vehicle by the State on the Site in lieu of two (2) of 120 recreational vehicle spaces qualifies as a minor revision/modification of the approved CUP. Also, as established below, the placement of two (2) model homes on the Site does not affect the findings prescribed in Ordinance Section 20.3-7.

Section 20.3-7.A - That the proposed location of the Conditional Use is in accord with the objectives of the Ordinance and the purpose of the Zone in which the Site is located

The installation of two (2) model homes is in accord with the objectives of the Ordinance and the purpose of the RM-10/A zone. Section 10.1.II.F(2) of the Ordinance specifies that model homes are allowed as a temporary use within the RM-10/A zone, subject to CUP approval. The proposed model homes,

which will not be occupied for residential purposes, will be temporarily installed on the Site until the time that development of the planned Camper Village mixed-use development commences on the portion of the Site accommodating the model homes.

The portion of the Site proposed to accommodate the model homes is currently zoned RM-10/A, a medium to high density residential land use category intended for the development of apartments, condominiums, townhouses or other group dwellings. The purpose of the proposed model homes is consistent with the purpose of the RM-10/A zone. The model homes are reflective of the types of products available in the multi-family zoning districts of Kotzin and Ten X and are reflective of the temporary housing we will have in Camper Village, as required by Section 8(c) of the Pre-Annexation and Development Agreement (“PADA”) between the Town of Tusayan and Stilo Development Group, USA. In addition, the proposed model homes will provide an opportunity for Stilo to inform local residents about housing products, including the multi family options (apartments, condominiums and townhouses), available at Camper Village, Kotzin Ranch and TenX Ranch properties. Approval of the minor revision/modification request will allow Stilo to advise Tusayan residents about the development status of future housing options to be provided in Tusayan.

The requested minor revision/modification is also in accord with the objective of Zoning Ordinance Section 10.2-A(2), which prohibits recreational vehicles as a temporary or permanent residence. The placement of model homes on the Site will result in the removal of two recreational vehicle spaces. The placement of the model homes on the Site is also representative of Stilo’s ongoing efforts to educate local residents about the development of future permanent housing options to be provided in Tusayan at the Camper Village, Kotzin Ranch and TenX Ranch development sites.

Section 20.3-7.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 approval of the minor revision/modification request to allow the proposed model homes will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. Camper Village is located in a predominantly commercial area and is located immediately east of more intense commercial uses along Highway 64. As shown by the enclosed site plan, the model homes will be placed at the southwest corner of the Site in proximity to commercial uses and paved access. The model homes will also generally only be open between the hours of 9:00 a.m. and 6:00 p.m.

Section 20.3-7.C - That the proposed Conditional Use will comply with each of the applicable provisions of the County Zoning Ordinance, except for approved variances

The Site currently accommodates a 120-space recreational vehicle park. The proposed model homes, which will be titled as a vehicle by the State, will be installed on the Site in a manner similar to the other vehicles within the existing recreational vehicle park, as allowed by the CUP.

Section 20.3-7.D - That 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 Site is located within the Tusayan Area Plan planning area. The proposed installation of model homes is consistent with and conforms to the goals, objectives and policies of the Tusayan Area Plan. The installation of the model homes is one of the first steps in the development of viable affordable and ownership housing opportunities for Tusayan residents and employees.

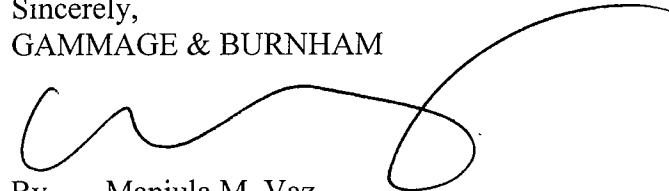
The Tusayan vision statement notes that “the provision of decent, affordable housing for all employees as close as feasible to the employment centers is the most basic community and resident need.” In an effort to encapsulate this vision, the Tusayan Area Plan cites the following housing goals:

- Providing adequate and affordable housing for employees, existing and future, shall be a priority of the community; and,
- A comprehensive housing needs assessment shall be conducted to identify the current and future community needs.

Stilo is working to achieve both of these goals through: (1) the installation of the model homes; and (2) the development of three new planned communities. The installation of the model homes will provide the basis for a housing needs assessment as interested individuals can begin to reserve either temporary or future permanent housing options to be provided at the Camper Village development site or future permanent housing options to be provided at the Kotzin Ranch and TenX Ranch development sites. The preliminary reservation method will provide valuable information to the Town regarding the amount of housing needed and the type and style of housing desired. As a result, the requested minor revision/modification to install model homes is consistent with the Tusayan Area Plan and is a necessary tool for implementing the goals of the Tusayan Area Plan

We appreciate your consideration of this request. Please let me know if you have any questions regarding this request.

Sincerely,
GAMMAGE & BURNHAM



By Manjula M. Vaz

MMV/rl

Encl: Coconino County Resolution No. 2393
Staff Report for Coconino County Case No. UP-03-44
Camper Village site plan dated May 7, 2009
August 2010 Coconino County enforcement report

RESOLUTION NO. 2393

A RESOLUTION OF THE
COCONINO COUNTY
PLANNING AND ZONING COMMISSION

GRANTING A CONDITIONAL USE PERMIT RENEWAL

The Planning and Zoning Commission of Coconino County does resolve as follows:

SECTION 1: The Planning and Zoning Commission does hereby find and determine that an application was duly initiated by Logan Luca, LLC, Kirkland, WA (Case No. UP-03-44), with respect to the real property described as follows:

16.88 acres in the RM-10/A (Residential Multiple Family, maximum 10 units per acre) Zone located east of Highway 64 in Tusayan and identified as Assessor's Parcel Number 502-17-001P,

requesting a Conditional Use Permit Renewal (of UP-77-7) for continued use of a campground (Grand Canyon Campers Village); that a hearing was duly set for Tuesday, October 28, 2003, at 5:00 P.M. in the Board of Supervisors' Meeting Room, County Administrative Center, 219 East Cherry Street, Flagstaff, Arizona; and a notice of the date, time, place and purpose of aforesaid hearing was posted in the area; that a hearing was duly held at aforementioned time and place.

SECTION 2: The Planning and Zoning Commission further finds and determines that facts DO exist as required in the Coconino County Zoning Ordinance justifying the granting of a Conditional Use Permit Case No. UP-03-44.

SECTION 3: Based on the aforementioned findings, the Commission hereby GRANTS with respect to the property described in Section No. 1 above, a Conditional Use Permit subject to the following conditions:

1. Use of the property shall conform to the site plan as submitted. Any additional RV or camp sites or any additional buildings or any change in the use of any of the buildings or any of the property shall require a new application to modify the use permit.
2. The total number of manufactured homes on the property used for employees shall be limited to the eight that currently exist. Any increase shall require a zoning change (to MHP) and a use permit modification.
3. All necessary permits shall be obtained and kept up to date.
4. Seasonal travel trailers for employees shall be limited to no more than three
5. All roadways, internal drives and parking areas shall be maintained with proper drainage and with an all-weather dust-free surface.

6. The park shall be maintained in a neat and orderly manner.
7. Within three months the applicant shall schedule a special building inspection from the Department of Community Development for the electric system, and any necessary life safety upgrades shall be completed as recommended within three months after the inspection.
8. This use permit shall be valid for a period of 10 years to expire October 28, 2013 before which date a new application for renewal shall be submitted if continuation of the use beyond that date is required.

SECTION 4: This action shall become final fifteen (15) days after the date of adoption of this Resolution unless during that time a written appeal is taken to the Coconino County Board of Supervisors.


SECTION 5: The Secretary shall certify to the adoption of this Resolution and shall transmit a copy to the applicant(s).

ADOPTED and APPROVED this 28th day of October, 2003.

Chairman, Coconino County
Planning and Zoning Commission

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning and Zoning Commission of Coconino County at a regular meeting thereof held the 28th of October, 2003, by the following vote of the Commission:

AYES: Sacher, Crosman, Barotz, Buzzard, Cooper, Flores, Garcia, Taylor, Shughart
NOES: None
ABSTENTIONS: None
ABSENT: None



Secretary, Coconino County
Planning and Zoning Commission

Ms. Crosman asked Mr. McNeel for guidance on how the Commission can enforce the previous level of use. Mr. McNeel stated the level of use should not impact the Commission's decision. He said there appears to have been some level of acceptance of the increase in usage and he would caution against attempting to restrict the usage level at this point.

Action: A motion to approve Case No. UP-02-37, subject to the conditions previously approved and reflected by Resolution No. 2272, was made by Mr. Cooper and seconded by Ms. Buzzard.

Ms. Taylor asked what authority the Commission will have to impose compliance with regard to future extensions if it approves the subject extension. Mr. McNeel said the Commission needs to consider each application independently. He said the Commission is free to look at the history of behavior and compliance when making its decision.

Ms. Garcia asked Mr. Aber to research what ADA requirements should be met and who is responsible for enforcing the ADA requirements. She also asked Mr. Aber to look into Ms. Flagg's comments concerning the black water tank. Mr. Aber said the black tank has been stored on the property for over a year and the issue was supposed to be resolved by the 2002 use permit. He said, however, nothing has happened with the tank because of the partnership issues of which the applicant spoke. He explained the tank would no longer be an approved use if the permit were to lapse and would then become an enforcement matter. He stated he will check with the Building Division on the ADA requirements.

Ms. Taylor expressed her opinion it would be a hardship on the Parks community if the Commission did not approve the extension. She said, however, she would not feel as lenient about the one year extension if it were not the only convenient source of water.

Ms. Crosman said she is uncomfortable approving the extension, however, she believes denying the extension would place an undue hardship on the community.

Upon a call for the question, the motion passed by a vote of 9 to 0.

4. Case No. UP-03-44: A request for Conditional Use Permit renewal (of UP-77-07) for continued use of a campground (Grand Canyon Camper Village). The property consists of 16.88 acres in the RM-10/A (Residential Multiple Family, maximum 10 units per acre) Zone, is located east of Highway 64 in Tusayan, and is identified as Assessor's Parcel Number 502-17-001P.

Applicants: Logan Luca, LLC, Kirkland, WA

Mr. Towler summarized the staff report.

Ms. Taylor suggested they approve the CUP for a maximum of five years in view of the history of non-compliance. Mr. Towler agreed.

Lon Halverson, Applicant, stated his family has been involved in the Tusayan area for 45 years. He said he would agree to a five year limit if the property was still under its previous ownership. He said, however, his family now owns the property and he believes 10 years is a reasonable time period. He explained he became involved because of disputes with surrounding property owners, noting they ultimately came up with a global settlement. With regard to Condition 2, he asked for the ability to replace the eight existing mobile homes with later models. In terms of Condition 4, he explained seasonal employees are there from March to November, stating it would be inconvenient to have to remove their trailers for the three months during which they are not onsite.

Mr. Towler clarified the existing mobile homes can be replaced, however, the number of mobile homes cannot increase.

Mr. Cooper agreed it would not make sense to require the applicant to remove the trailers for three months. He said he does not have a problem approving the permit for 10 years.

Chairperson Sacher commented on how difficult it is to find housing in the outlying areas. She said she too will support a 10 year renewal.

Chairperson Sacher opened the meeting up for public comment on this case. As no comments were made, she closed the public hearing on this item.

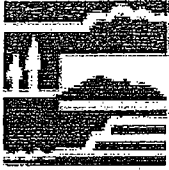
Action: A motion to approve Case No. UP-03-44, subject to the eight stipulations recommended by staff, modifying Condition 4 to read "Seasonal travel trailers for employees shall be limited to no more than three." was made by Ms. Crosman, seconded by Mr. Cooper and passed by a vote of 9 to 0.

5. Case No. UP-03-45: A request for a Conditional Use Permit for use of a recreational vehicle (park model) as a permanent residence. The property consists of 2 acres in the AR (Agricultural Residential) Zone, is located at the northeast corner of Joyce Drive and Cienega Drive west of Double A Ranch Road in Kaibab Estates West (Annex 4, Lot 327) north of Ash Fork, and is identified as Assessor's Parcel Number 206-27-047.

Applicants: Cloyce Brown and LaVonne Pitman, Ash Fork, AZ

Ms. Pratt summarized the staff report.

Cloyce Brown, Applicant, stated they were not aware of any restrictions on the land when they purchased the park model. He said they intend to upgrade when they can afford to do so.



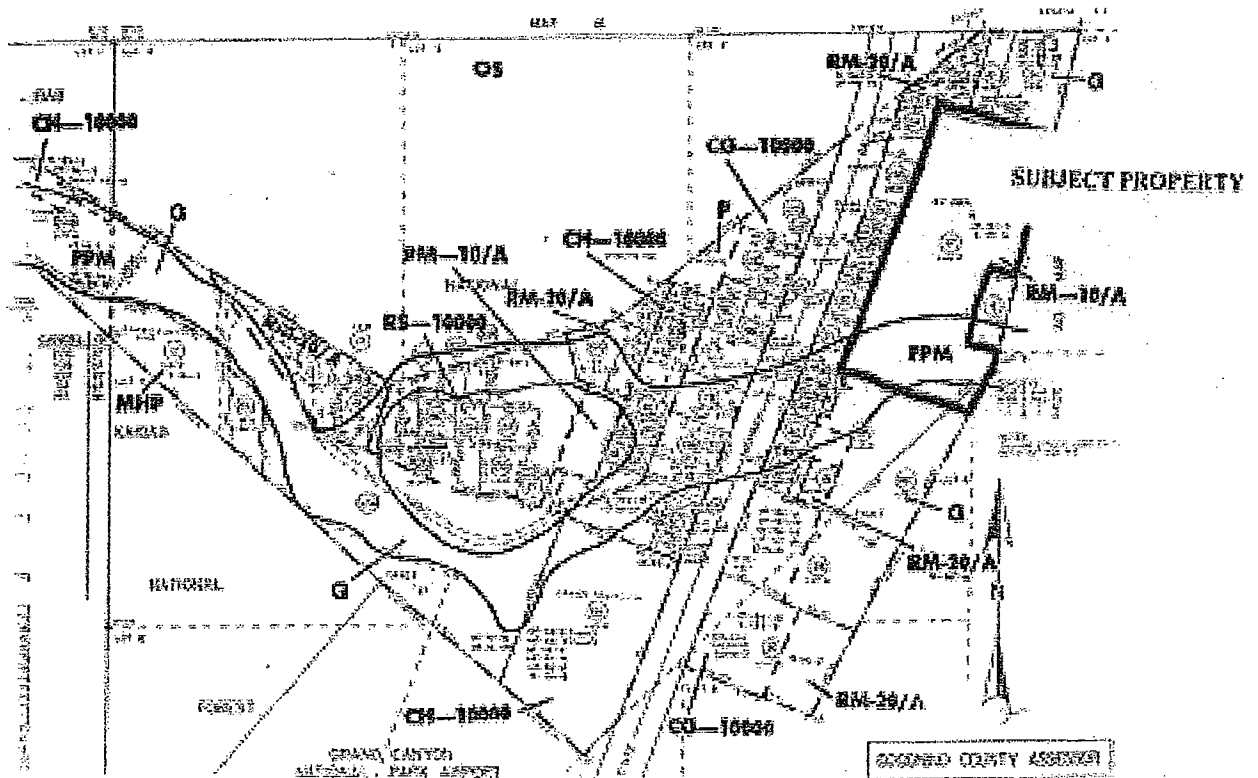
COCONINO COUNTY ARIZONA
COMMUNITY DEVELOPMENT

William L. Traister
Director

STAFF REPORT

Date: October 20, 2003
To: Planning and Zoning Commission
From: Department of Community Development
Subject: Case No. UP-03-44: A request for Conditional Use Permit renewal (of UP-77-7) for continued use of a campground (Grand Canyon Camper Village). The property consists of 16.83 acres in the RM-10/A (Residential Multiple Family, maximum 10 units per acre) Zone and is identified as Assessor's Parcel Number 502-17-001P. Applicant: Logan Lura, LLC, Kirkland, Washington

Location: The property is located east of Highway 64 in Tusayan.



SUBJECT PROPERTY AND SURROUNDING LAND USES

The subject property is developed with a campground with about 200 sites, some of which have hookups. There are six restroom buildings, a group area shelter, an area with ropes that are set up and can be used for camping, an office, and an RV dump station. There are eight manufactured homes, an apartment building, a manager's residence and three travel trailers used for employee housing.

To the north are the Halverson and South Rim Trailer Parks that house employees from a variety of Tusayan businesses. To the west between Highway 64 and the campground are the Tusayan General Store, We Cook Pizza, Grand Canyon 4x4 Tours, Yippee-Ee-O Steakhouse, Grand Canyon Village Shops, a convenience store with gas sales, Manarch II gift shop, and the Tusayan fire department. To the south is a vacant piece of property recently used for an outdoor weekend art show. Across the highway to the west are the IMAX theater, Wendy's, Happy Trails gift shop and the new Tusayan fire department building that is under construction.

BACKGROUND

On August 31, 1971 the Planning and Zoning Commission approved a conditional use permit for this property for a 250-space overnight trailer park (Case No. UP-71-22). A letter in the file to the applicant dated June 28, 1974 indicates that the use had not been established and that therefore the use permit had lapsed and become void. A new application was submitted March 6, 1977 (Case No. UP-77-7) for a 403-space recreational vehicle camping park with a combination of RV and tent spaces. A hearing was held on March 29 but due to community concerns, the case was continued to the April 26 meeting. Meanwhile apparently the campground was constructed and opened anyway. A petition was submitted prior to the April meeting calling for a number of problems to be addressed. The campground temporarily ceased operation. The item was continued again until the May meeting. Additional conditions were prepared by staff including perimeter fencing, dust free roadways, regular maintenance and upkeep, a limit of 250 spaces, and a requirement for appropriate permits. The permit was approved on May 31, 1977. The campground opened on June 12th.

A violation letter was written on June 6, 1980 about numerous violations of conditions and building without permits. One of the issues was use of some of the RV spaces for employee housing units. One of the options provided by Community Development staff was a submittal for conditional use permit modification. This application was made on March 27, 1981 along with a request for a zone change from A-General to R-3 (multiple family residential, now RM-10(A)). These cases were heard by the Planning and Zoning Commission on April 28, 1981. The zone change was denied.

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and the use permit was approved (Case Nos. Z-81-6 and UP-81-2). The zone change was subsequently approved by the Board of Supervisors on June 1, 1981. The use permit modification allowed the use of six additional mobile homes for employee housing for a ten year period as well as a youth hostel. The youth hostel was proposed to be located in a building that had been built without a permit in 1977.

The next correspondence in the file is a 1992 letter citing failure to renew the 1981 use permit. The applicant responded that the uses approved in 1981 had never been established.

In September 2001 a complaint was received about the conversion of a bathroom to a dwelling. This resulted in a letter from Community Development to the property owner on February 21, 2002 that the use permit was due to expire on May 31, 2002. Since no application was submitted, enforcement action started on January 10, 2003. The department discovered that the property had changed ownership on April 14, 2003. The new owners contacted the department on July 22nd and the renewal application was received on September 4th.

DISCUSSION AND ANALYSIS

The park has been operated virtually unchanged for 20 years. There are currently 71 sites with full hookups, water, sewer and electric, 75 sites with water and electric, and 72 sites with electric only, for a total of 218 RV sites. There are also undelineated tent camping sites that are generally used by groups, as well as the seven tepee sites. The property is relatively well kept up, although it is apparent that not much money has been spent over the last 20 years to improve the site. An example is the lack of landscaping in the park. The reason is that different uses will eventually be proposed for the property. Between 1977 and 2003 when ownership changed, the park was operated not by the property owners but by lessees or managers.

The main issue staff still has is use of the property for employee housing. Given its current zoning, the property is actually well-suited for established site-built employee housing, but not necessarily for manufactured homes and less so for travel trailers. As stated above there are eight manufactured units, three travel trailers and a manager's residence in the back (northeast corner). There is also one additional manufactured unit right in front of the office that is used by an employee. Of the eight manufactured homes, only three are used by the applicant. Two are used by Tusayan businesses (Café Tusayan and We Cook Pizza) and three are used by a park concessionaire for employees in the national park. The travel trailers are used by seasonal employees of the RV park. Eight manufactured homes is one more than was originally approved. The alleged conversion

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of a bathroom to a residence appears to involve the small structure labeled "apartment" on the site plan. According to the applicant this is a one room building that could be used as a residential unit but is not currently. The "storage building" in the rear of the apartment is presumably the building that was proposed to be converted to a hostel and it in fact is currently being used for storage.

According to the applicant, there have been numerous requests by other Tusayan businesses, including ones that are owned by people or companies related to the applicant, to locate additional units in the RV park for employees, and they are not interested in accommodating these requests.

Staff does not have a major problem with the eight units that are established in the northeast corner, although it is questionable whether these should be used by employees inside the national park. Staff assumes that it would be a considerable hardship to ask that these be moved. Staff is not supportive of the year-round use of travel trailers for employees. While the units are supposedly for seasonal employees, staff doubts that the units are moved off the property in the winter. Staff remains concerned about a steady increase in small increments in the number of units utilized not for overnight guests but by Tusayan and Grand Canyon residents.

RECOMMENDATION

Staff recommends approval of Case No. UP-03-44 subject to the following conditions:

1. Use of the property shall conform to the site plan as submitted. Any additional RV or camp sites or any additional buildings or any change in the use of any of the buildings or any of the property shall require a new application to modify the use permit.
2. The total number of manufactured homes on the property used for employees shall be limited to the eight that currently exist. Any increase shall require a zoning change (to MHP) and a use permit modification.
3. All necessary permits shall be obtained and kept up to date.
4. Seasonal travel trailers for employees shall be limited to no more than three. The units shall be removed from the property in the off-season.
5. All roadways, internal drives and parking areas shall be maintained with proper drainage and with an all-weather dust-free surface.

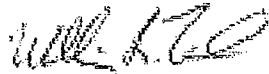
Case No. UP-03-44

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6. The park shall be maintained in a neat and orderly manner.
7. Within three months the applicant shall schedule a special building inspection from the Department of Community Development for the electric system, and any necessary life safety upgrades shall be completed as recommended within three months after the inspection.
8. This use permit shall be valid for a period of 10 years to expire October 28, 2013 before which date a new application for renewal shall be submitted if continuation of the use beyond that date is required.

Respectfully submitted,



William L. Towler
Community Development Director



Community Development - Planning and Zoning
2500 North Fort Valley Road Building #1 Flagstaff AZ 860
 (928) 679-8850 Fax (928) 679-8851

CASE # PZC-08-0113

Complaint Type: PLANNING AND ZONING **Date Submitted:** 03/11/2008
Complaint Status: CLOSED **Date Closed:** 07/14/2010

Violator Information	Location
Name: LOGAN-LUCA LLC Address: 12515 WILLOWS RD NE STE 200 City: KIRKLAND St: WA Zip: 98034 Phone #s	Street: 549 CAMPER VILLAGE LANE City: GRAND CANYON St: AZ Zip: 86023 Location: Intersection:

Nature of Complaint

DATE: 3/11/08
 COMPLAINANT: Unknown
 PHONE:
 LOCATION: Grand Canyon Camper Village, Coyote Road - Tusayan
 PROBLEM: Storage and/or occupancy of one or more mobile or manufactured homes
 APN: 50217001P LOT: N/A UNIT: N/A
 OWNER: Logan-Luca LLC TENANT:
 12515 Willows Road NE Suite 200
 Kirkland WA 98034-8795
 PHONE:
 CASE NO.: PZC-08-113 ZONE: RM-10/A LOT SIZE: 16.88 acres +/-
 RELATED CASES: CUP-03-044 (RV park)
 IN DATABASE: No
 IN COCOPAL: Yes
 TAG CREATED: Yes - HOLD - 5/5/08

Additional Details

Initial NOV sent: 06/04/2008
Initial NOV delivered: 06/09/2008
Compliance deadline: 06/19/2008

Contact Information

Name	Address
LOGAN-LUCA LLC (OWNER)	12515 WILLOWS RD NE STE 200 KIRKLAND , WA 98034

Parcel Information

Parcel #	Parcel Address	Owner Name	Owner Address
50217001P	629 COUGAR DR	LOGAN-LUCA LLC	12515 WILLOWS RD NE STE 200 KIRKLAND, WA 98034

Violation Information

Violation Type	Description of Violation	Resolved
PZ-CUP COND	Lack of compliance with conditional use permit conditions	06/08/2009
PZ-MH STG	Storage and/or occupancy of one or more mobile or manufactured homes	06/08/2009

Action Items

Type of Action	Assigned To	Due Date	Status	Status Date
COMPLAINT RECEIVED	REGAN, FRAN		COMPLETE	11-MAR-08



Community Development - Planning and Zoning

2500 North Fort Valley Road Building #1 Flagstaff AZ 860

(928) 679-8850 Fax (928) 679-8851

Comments:	The caller said Tom Jaworski obtained an old double-wide manufactured home from IMAX (??), and it has been placed in the campground – unassembled. The caller suspected that the manufactured home would be used for employee housing.		
COMPLAINT RECEIVED	REGAN, FRAN	COMPLETE	25-APR-08
Comments:	Assistant Department Director Sue Pratt forwarded a voice message to me regarding this violation. The caller said fifteen employees of the Grand Canyon Village Shoppes were living in the apartment on the second floor of that building (see PZC-08-0114 for follow up on this violation), and other employees were living in the campground in a trailer that has no water or electricity.		
COMPLAINT RECEIVED	REGAN, FRAN	COMPLETE	30-APR-08
Comments:	The person who left the voice message on 4/25/08 called again. The caller reiterated what was said in the voice message, and added that fifteen or twenty employees are living in the trailer, the trailer has no windows, electricity is provided via extension cords, the employees are being forced to live like dogs and they are being treated like slaves. The caller said employees are hired for two weeks, they are not paid, Tom Jaworski gets mad when they demand to be paid, and the employees are fired.		
COMPLAINT RECEIVED	REGAN, FRAN	COMPLETE	02-MAY-08
Comments:	A voice message was received from John Thurston (928-638-9502). He said a double-wide manufactured home and several travel trailers had been moved into the RV park for employee housing.		
COMPILE DETAILS ABOUT THE VIOLATION	REGAN, FRAN	COMPLETE	05-MAY-08
Comments:	Records were checked. A condition of approval for CUP-03-044 required a special inspection of the electrical system for the park. That inspection was subsequently performed by Building Official John Farnol and Building Inspector David Clark. Numerous deficiencies were found. After John sent a letter listing the required corrections to a representative of the owner, the owner responded by saying the RV park would remain closed indefinitely because of the cost of the required corrections.		
	The staff report for CUP-03-044 noted:		
	<ul style="list-style-type: none"> • Six restrooms • A group shelter • An office • eight mobile/manufactured homes • an apartment building (former restroom converted to habitable space? – see 2001 complaint) • a manager's residence • three travel trailers used for seasonal employees • an additional manufactured home in front of the office • a storage building (previously proposed to be a youth hostel) 		
	The eight mobile / manufactured homes that had previously been approved are all located in the northeast corner of the property.		
	Several building permits (issued since CUP-03-044 was approved) were also found:		
	BLD-04-0482 – issued on 4/8/04 for COMM ADD/ALT ELECTRIC SERVICE – current status VOID – NO ACTIVITY		
	BLD-04-0687 – issued on 5/7/04 for COMM ADD/ALT PROPANE TANK – current status VOID – NO ACTIVITY		
	BLD-05-0237 – issued on 3/16/05 for COMM ADD/ALT ELECTRIC SERVICE – current status – RENEWED (see BD-07-0406)		
	BD-06-1922 – issued on 3/9/07 for electrical upgrades to 9 mobile / manufactured homes and two single family dwellings – temporary power approved on 4/26/07 – main service inspection on 10/29/07 – no final inspection – current status EXPIRED (TAG created by Jesse Newton on 3/17/08)		
	BD-07-0040 – issued on 1/11/07 for the demolition of a mobile / manufactured home – final inspection performed		
	BD-07-0406 – issued on 4/10/07 to renew BLD-05-0237 – no inspections noted in either permit.		
	I discussed this matter with Bill Towler. He said the manufactured home in front of the office building was approved by CUP-03-044 (removal not required).		
	A copy of this case and a copy of a portion of the site plan from CUP-03-044 were put on Building Inspector Todd Anderson's desk. I asked Todd to inspect the site the next time he is in Tusayan.		
SITE INSPECTION	ANDERSON, TODD	COMPLETE	06-MAY-08
Comments:	Todd Anderson inspected the site. He found an older mobile home that was apparently being occupied. Todd left a correction notice. He also took thirteen photographs of the mobile home.		
	While Todd was at the site, he found various other probable Building Code violations. See PZC-08-0149 for follow up.		
SEND AN INITIAL NOTICE OF VIOLATION	REGAN, FRAN	COMPLETE	04-JUN-08
Comments:	An initial notice of violation was sent to the owners.		
SITE INSPECTION	KING, BRIDGETTE	COMPLETE	30-JUL-08



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Comments:	Conducted site inspection with John Farnol at RV Park. Primary focus of inspection was the NE corner of park to assess presence of permanent residences. Pictures were taken and compiled into a large inspection record and located in the CUP 03-44 file with a correction notice from the Building Department. Inspection summary is that several violations were found in the locations of the permanent residences. Bootlegged utility connections were found to not meet code. Additionally, it was discussed that 8 permanent residences for the Park Shuttle Bus Drivers (to be removed by next summer), as well as 8 permanent residences-occupied seasonally-for the Logan-Luca pilots were located in the southern end of RV Park. A new entrance into southern end of park was graded in.			
COMPILE DETAILS ABOUT THE VIOLATION	KING, BRIDGETTE	COMPLETE	05-AUG-08	
Comments:	Investigation into activities since the first use permit was issued to park. Park has had continuing compliance issues since the beginning. Management of Park has been passed around amongst several individuals with no apparent continuity of information flow			
COMPLAINT ACTION	KING, BRIDGETTE	30-NOV-08	COMPLETE	08-SEP-08
Comments:	Logan-Luca is in process of amending their use permit as well as correcting code violations. Will revisit issue at end of November to see status then.			
SITE INSPECTION	KING, BRIDGETTE	COMPLETE	20-MAR-09	
Comments:	Site inspection conducted on this date revealed that site 152 was no longer a permanent residence. The horse trailer with living quarters has been removed. The travel trailer and shed located at site 134 have been removed. The illegally installed hook ups have been removed and the RVs are gone. The illegally installed propane tank has been installed correctly under permit from the Building Department. The travel trailer located at site 209 has been removed. Site illegally installed number 140 has been removed. The illegally converted bathroom to apartment has been vacated and is undergoing assessment and special inspection by John Farnol. Infrastructure improvements have taken place through out the park. The 16 sites at southern end of park that were previously used for employees have been vacated and are back to be used as overnight sites.			
AN EMAIL WAS RECEIVED	KING, BRIDGETTE	COMPLETE	25-AUG-09	
Comments:	Two emails were received about new manufactured homes being brought onto Camper Village. A records check was conducted and no permits were found.			
COMPLAINT ACTION	KING, BRIDGETTE	DUE	08-OCT-09	
Comments:	CLOSE CASE OKAY?			
A PHONE CALL WAS MADE	KING, BRIDGETTE	COMPLETE	26-AUG-09	
Comments:	A call was placed to the manager asking for information on the report of new manufactured homes being placed. The Code Enforcement Officer was told that the paperwork was inadvertently not filed yet, as the Site Manager had gone to a family emergency and that the paperwork would be filed as soon as possible.			
VIOLATION CORRECTED-CLOSED	KING, BRIDGETTE	COMPLETE	11-AUG-10	
Comments:	The violation for lack of compliance with code conditions was the presence of more than the allowed number of permanent spaces. Those spaces were removed by a demolition permit from the building department. The other violation was a new MH without permit, which was rectified when they came in for the building permit. Case can be closed.			