

**Summary Minutes**  
**City of Sedona**  
**Planning & Zoning Commission Meeting**  
**City Council Chambers, 102 Roadrunner Drive, Sedona, AZ**  
**Tuesday, April 5, 2016 - 5:30 p.m.**

**1. VERIFICATION OF NOTICE**

Chair Losoff verified the meeting had been properly noticed.

**2. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL**

The Chair called the meeting to order at 5:30 p.m., led the Pledge of Allegiance, and requested roll call.

**Roll Call:**

**Planning & Zoning Commissioners Present:** Chair Marty Losoff, Vice Chair Kathy Levin and Commissioners Randy Barcus, Eric Brandt, Avrum Cohen and Gerhard Mayer. Commissioner Klein was excused.

**Staff Present:** Roxanne Holland, Audree Juhlin, Cari Meyer, Ryan Mortillaro, Rachel Murdoch, Donna Puckett and Ron Ramsey

**3. ANNOUNCEMENTS & SUMMARY OF CURRENT EVENTS BY COMMISSIONERS & STAFF**

Cari Meyer indicated that Warren Campbell wanted to confirm that all Commissioners are using their digital devices and if any training is needed, he is available to help.

Commissioner Mayer referenced the *Arizona Republic* articles over the last year about water issues in Arizona, and the April 3<sup>rd</sup> edition article, *The Business of Water Conservation*, in which there are a lot of opportunities for the City to do something about it. Hopefully, the green building code will have some impact, because we are going to have some issues down the road with our water supply; it is one of the resources that we will get less and less.

Vice Chair Levin stated that today is Arizona Gives Day when non-profits are seeking contributions, so if you have a favorite charity in Sedona or Arizona; she was thinking of the Sedona Arts Center herself, because she was doing a phone-a-thon all day to raise funds, but it is Arizona Gives Day until midnight.

**4. APPROVAL OF THE FOLLOWING MINUTES:**

**a. February 16, 2016 (S)**

***MOTION: Commissioner Cohen moved to accept the minutes of February 16, 2016. Vice Chair Levin seconded the motion. VOTE: Motion carried five (5) for and zero (0) opposed. Commissioner Klein was excused and Commissioner Brandt abstained, because he was not present at that meeting.***

**5. PUBLIC FORUM: (This is the time for the public to comment on matters not listed on the agenda. The Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.)**

*Chair Losoff opened the public forum and, having no requests to speak, closed the public forum.*

**6. CONSIDERATION OF THE FOLLOWING ITEM THROUGH PUBLIC HEARING PROCEDURES:**

- a. **Discussion/possible action regarding a request for Conceptual Development Review to construct a new 3,510 square foot commercial building and associated site improvements at 1520 State Route 89A. The property is zoned C-2 (General Commercial). A general description of the area affected includes but is not limited to the northeast corner of State Route 89A and Posse Ground Road. APN: 408-25-038R. Applicant: Farshid Paydar/Mussa and Associates Case Number: PZ16-00002 (DEV)**

**Presentation, Cari Meyer:** Cari indicated that this is a Conceptual Development Review for 1520 Plaza. As a review for the Commission, she presented the steps of the process and the purpose of a Conceptual Review. Cari then indicated that this was originally submitted a little less than three years ago with a slightly different site plan. She then showed a vicinity map and aerial view of the subject property and surrounding area.

Cari explained that they went through a Conceptual Review about three years ago, but because of the elapsed time and changes in the project and on the Commission, we are doing another Conceptual Review. The parcel is currently vacant on the corner of S.R. 89A and Posse Ground Road, and it is on the western edge of the Soldiers Pass CFA. There is no existing vehicular access, but there are sidewalks on both street frontages. It is not in a floodplain and there are some existing trees and shrubs on the site.

Cari reviewed the background and proposal for a new commercial building with vehicular access off of Posse Ground Road and the parking and landscape areas on the portion of the site that the building is not on. Cari then displayed the conceptual site plan and indicated that the building is in the middle of the site. The applicant tried a number of different layouts for the site and this is the one they are currently using with the proposed uses and required parking. Some of the site constraints include setback requirements for the driveway, because of the proximity to the intersection, and there are very few locations where the driveway could be located.

Cari showed the proposed elevations and renderings for the views from Posse Ground Road and the KFC/Taco Bell building and indicated that some of the parking would be tucked under the building. Commissioner Cohen asked how close the pictures are to what is being proposed, and Cari stated that the pictures were taken by the applicant, based on their current plan.

Cari noted that staff's comments from the plan review are in the packet, which included incorporating some of the recommendations for design from the Soldiers Pass CFA plan, and we asked for more detail about compliance with the Land Development Code requirements related to height, massing and unrelieved building planes to ensure that enough area has been accounted for to accommodate the mechanical equipment areas. There also were some questions on the parking calculations and some information as to what we would be looking for at the next stage.

Cari indicated that this item was noticed to property owners within 500 ft. and she has not heard from any property owners, and she believes the applicant also sent out a letter, so the Commission could ask the applicant as well. Reviewing agency comments were received from the Public Works Engineering Department, Sedona Fire District, the water company, ADOT and Unisource and those comments are in the packet as well.

Cari stated that the key issues staff has identified in going forward include:

- Making sure height and massing requirements are met.
- Ensuring that appropriate water service is provided to the property.
- Making sure that emergency access and turnaround area requirements are being met, along with the loading and unloading areas.
- Looking at some minor site plan tweaks that may be needed.
- Incorporating the CFA recommendations where possible.

**Commission's Questions, Comments and Concerns:**

The Vice Chair asked if the applicant or architect was present.

**Mr. Simone Mussa, Designer**, introduced himself and stated that they are trying to develop the corner lot and make it part of the beautiful area of the Soldiers Pass CFA, and their intent is a space that people can enjoy not just by driving there, but also by walking, because he has looked at the plan and ideas behind the CFA and it makes a lot of sense. Sedona needs a place where people can park and walk around, and this building will help to be part of the master plan.

Commissioner Barcus referenced page 7 of the project application in the third bullet of Section 2.9, Building Equipment and Services that says all mechanical equipment will be located on top of the roofs and screened by parapet walls and indicated that when he looked at the elevation, he saw flat roofs, and he is wondering how the mechanical equipment can be below the 22 ft. design. Mr. Mussa pointed out a section of the building where there would be a parapet roof and indicated that they are currently about four feet high. The Commissioner then asked if the roof of the kitchen would be lower than the roof of the main area, and Mr. Mussa stated yes, the main area has the sloped roof which will be the main room of a restaurant. They sloped the roof so people inside will have floor to ceiling windows to catch the views. He wanted to make sure that all equipment was hidden, so having a tall parapet above the kitchen would do that and they would make sure that the height of the parapet is high enough. The Commissioner then indicated that clarified it.

Commissioner Cohen stated that sound travels up and asked what is behind the building where the sound from the equipment could make noise. If it is on top of the roof, there are other buildings in the area that will hear that noise, and we have asked that some buildings protect it from the noise going to other buildings. Mr. Mussa indicated that they could put some sound-deafening screening around the equipment, like an extra parapet wall so the sound would travel straight up. If that is a concern, he is sure they could find a way to screen that. The buildings next to it are Kentucky Fried Chicken and a veterinary clinic, and across the street is Ace Hardware. He understands the concern, although he doesn't think they are that close, but he will do his best to deafen that sound. The Commissioner thanked him for looking into it.

Commissioner Mayer asked about the percentage of the footprint versus the almost half-acre, and Mr. Mussa indicated it was 19%. The Commissioner noted that is very little and he is sure the parking needed has been figured out. Commissioner Mayer then noted that there is a restaurant and asked if they already have possible tenants and Mr. Mussa indicated possibly, but he is designing the building; he is not the owner of the land. Commissioner Mayer then asked if the restaurant is the main tenant and that is it, and Mr. Mussa stated there would be a restaurant and a small gallery.

Commissioner Mayer commented that he is a real stickler about the design and he really likes the design and appreciates that. It is modern and he guesses Italian, and Mr. Mussa stated yes. The Commissioner then indicated that he is familiar with that site and surrounding businesses. He saw them cutting through to get to that site; it was all rocks. He then asked how Mr. Mussa planned to deal with the runoff from the roof, etc. Mr. Mussa explained that he had been working with SEC and they actually used the natural slope to come up with the concept for the building, so instead of excavating the site, they are building up with parking below one-third of the building in the front, so they basically have less excavation. At this stage, they are not required to have full civil engineering plans, but SEC is working on a retention basin underneath the parking lot that will retain the water and trickle the water down . . . the Commissioner interjected that is his concern, because he has seen it coming down from Posse Ground, so that would make a lot of sense. Mr. Mussa added that trying to keep the water controlled is the main goal of the site. Commissioner Mayer then referenced the air conditioning and indicated that they are a completely different story then they were 10 years ago, so there is hardly any noise, but anyway, you have the Kentucky Fried Chicken next to it,

so that is not an issue to him. The design and aesthetics are what he is really nitpicking on and he really likes what was designed.

Mr. Mussa thanked the Commissioner and indicated that they are going to try to design the building as green as possible, using very green insulation, natural rock, very good roof insulation, etc., to keep the energy cost low, plus the consideration for the water drainage. Commissioner Mayer then asked if they would have some water conservation features in the restaurant like waterless urinals, etc., and Mr. Mussa stated probably; that is a good point and all of the features are going to be energy-efficient fixtures. The Commissioner asked if they are then going to be doing their own green building, and Mr. Mussa stated to a certain extent. The Commissioner noted that it doesn't have to be LEEDS-certified, because we don't have a green building code in place yet. He just wants to make sure that everything possible is done to enhance our environment and Mr. Mussa stated that he tries to do that with all of his projects.

Commissioner Brandt referenced the four-page preliminary review that Cari prepared and item 9 regarding heights on page 61 of the whole packet or page 3 of 4. He then indicated that he didn't recall the second code requirement of 20% of 16 ft. ever coming up before; however, Cari indicated that it has, but they usually address it before it gets to the Commission. The Commissioner then noted that it has to be all one area unbroken, not separated into smaller areas, and Cari explained that is a quote from the Land Development Code. The Commissioner then referenced CVS and asked if it was one of the canopies. Cari explained that one end of the building met it as they stepped down. The Commissioner then asked about if where it says, ". . . visible from both sides of the longest elevation" means from two sides of a corner; he didn't understand what that means. Cari explained that taking the longer elevation on the east and west views, you need to be looking through it and have it go straight through. For example, if an area is less than 16 ft. from natural grade and you can see all the way through and it goes straight across, then depending on how much that area is, that . . . the Commissioner interjected that has to be one of the distinct masses, and Cari stated yes.

Commissioner Brandt asked if she sees the three masses, and Cari indicated that in looking at this one no; they were using 2 ft. offsets instead of 3 ft. offsets, so it could be a matter of increasing or decreasing a parapet, and that is something that staff will comment on, but not hold them up at this stage, since we are trying to get as much feedback as possible. The Commissioner indicated that he didn't measure, but it appeared to be well broken. Cari indicated that in the plan review, her comments were that there are specific requirements for the offsets, and they are one foot off in a couple of areas, so they just need to play with some of that. It is close and not a box obviously.

Commissioner Brandt referenced the site plan aerial that shows the boundaries and trees, and Cari noted that it is not exact. Commissioner Brandt agreed and asked how far off it was, because the one in the packet shows . . . Cari interjected that their site plan is based on a survey. The Commissioner continued to say the one in the packet shows the north property line, and the property line is actually in the north properties' parking lot, and one comment from Mike was to integrate opportunities for integration with adjoining properties, and all of the properties are relatively small, so that is difficult to do. There might be ways to integrate with landscaping, but it is hard to tell where the existing trees are, because there isn't a landscape plan and the survey doesn't show existing trees.

Chair Losoff indicated that overall it seems to be okay; he was concerned about alternate standards. Given the corner and the viewshed, he would hope we don't have the building too high and that it stays within the normal height requirements, just conceptually; there is a nice viewshed on that corner. Cari explained that there was not a large portion of the building that would need alternate standards; there was just a small portion and most of it was under 20 ft. Mr. Mussa commented it was 10 inches above 22 ft. The Chair commented that still anything that they can do to preserve the viewshed, and secondly, it was mentioned that they would conform to the CFA where possible, so where would it not be possible? Audree Juhlin

explained that in the CFA there is discussion about a lot of different things, including housing. She then asked if the Commission would want them to include housing and stated probably not, so those are the areas where we look at what is and isn't most appropriate and applicable. The Chair stated that beauty is in the eye of the beholder and we are starting to get modern-looking buildings along S.R. 89A. He then asked how it integrates with the rest of the street and if that is okay.

Commissioner Mayer stated that he likes it a lot. The Chair then referenced the building by City Hall and indicated that would be fairly modern while others are not, so the Commission has to see where we are going with it all. Commissioner Mayer pointed out that Sedona doesn't have a particular style; it is a mix. Some of it is like southwest and if you look at the Whole Foods building, aesthetically the entry doesn't fit with the complex on the right side. Chair Losoff noted that the Design Review Manual states that project should be compatible with the neighborhood or surrounding buildings; however, Commissioner Mayer repeated that there is no style.

Vice Chair Levin indicated that she also likes the design; however, Mike Raber commented that the design is not compatible with the Soldiers Pass CFA, so she wondered if staff could clarify what he meant. The small portion on the CFA in the Community Plan doesn't generally address aesthetics, but the emerging CFA might. Cari indicated that she thinks Mike was referring to the design guidelines that were included and largely based on the Whole Foods shopping center and the George Moore office buildings, which used specific types of materials, and she thinks his comments were those materials that we see in other places in the CFA weren't incorporated. Audree Juhlin added that she is not sure that Mike was saying that it was not compatible and asked where the Commissioner was talking about. He stresses the point that it needs to be compatible in context with the surrounding buildings, and in the CFA, that is getting at what Commissioner Mayer was saying. There are so many styles in town, so we want to blend with whatever is closest to the new building, so there is some continuity in design. For example, if there is a feature of red rock, river rock or timber, you want to look at how you can incorporate similar design features, so it is more in context with the immediately adjacent construction.

Vice Chair Levin noted that issue came up with the building going up to the south of City Hall, but then we looked in all directions and said we really didn't want it to emulate City Hall or the property on the corner, and that would also go to the first person that remodels or builds setting the design aesthetic thereafter, which may or may not be the most distinguishing. She then read what Mike Raber wrote on page 64 under Sense of Place as follows, "The CFA Plan includes a strategy that development design should be complementary to the architectural character of the surrounding area as well as the natural environment. This project appears to have an architectural style that is somewhat different than the CFA plan examples", and he references page 21, which is a schematic in our packet and says, "Is this consistent with the architectural character of the area?" So, if we follow your reasoning, we would look to Taco Bell, the vet's office and Ace Hardware. Audree Juhlin added that you could also look across the street and Cari indicated that the car wash is across the street. The Commissioner then stated that she had made her point, and Audree stated that it is a good discussion that the Commission should have in directing the applicant as they move forward with the design. She then asked if they wanted to see some of the features changed to be more similar or if the Commission is okay with this design, which is not as similar as what the CFA recommends. Vice Chair Levin noted that we are seeing a trend toward rusted metal and natural materials, which has been suggested here. If you look at Mariposa and the Nexus for the movement into a more contemporary design, then she would say it is compatible with those other new buildings in the community, and like art, we are going to have different opinions, but she does like what is being proposed in terms of design materials. Commissioner Mayer commented that architecture and design is a functional art and if you use components of our natural environment like natural stones, red rocks, copper or rusted metal like Mariposa that is fine, because you don't want to adapt a design from Ace Hardware or the building next door. Chair

Losoff noted that he didn't see a lot of natural stone on this building, the pictures are all glass, so conceptually regarding Mike's comments about its compatibility with the CFA, he doesn't think it is. He would like to see more compatibility put into the building to look like the rest of the neighborhood – less glass, more stone.

Commissioner Cohen stated that we seem not to be dealing with anything southwestern lately, and the Nexus building has a southwestern building across the street and there are more southwestern buildings, and we have not discussed what we want the buildings to look like; however, Vice Chair Levin stated yes we have. Commissioner Cohen then stated that if we look at this building, which he happens to like, he is not sure it fits what we are trying to accomplish as a city. Do we want to have all buildings from now on look like this kind of design that in 10 years may be passé, rather than something more traditional?

Commissioner Mayer indicated that most of the existing buildings are passé. Commissioner Cohen then indicated that Commissioner Brandt is the architect, so he would like to hear what he has to say. Commissioner Brandt stated that the best thing about modern buildings is that they show that people lived here in 2016, so that is why he likes to see what some people call contemporary or modern. If you want to just look at the CFA, what really pulls all of the buildings together is the use of materials and that is what the pictures are showing. There is natural wood, different types of stone and brick, but the most important part is that it is actually more towards a rustic stone as opposed to a smooth or brick-like stone, because the more modern or contemporary a building is, the more it is going to rely on its materials to convey a sense of where it is and that is what is going to hold it together. The pueblo buildings that the Anasazi's and Sinagua's built here, which would be the original buildings, are just cubic buildings and some are built into cliffs, so you can imagine it being rustic or enclosed in glass and that ultimately is what the most modern buildings are – glass cubes, so it really comes down to materials, and he thinks this is a southwestern building if the materials are handled appropriately and that is where the focus should be. The massing works really well, and he likes the fact that from the last concept, this one seems a lot more broken up and not as streamlined. As far as materials, he thinks it is headed in the right direction; he doesn't know if it is Italian, he thinks it is international actually or southwestern.

Commissioner Cohen asked if the glass wall is on Posse Ground or S.R. 89A and Cari stated that it is facing the parking lot. Commissioner Brandt noted that it faces north. Commissioner Cohen then asked if facing it from S.R. 89A, we wouldn't see glass and Vice Chair Levin stated yes. Cari added that you would see some glass, and the Commissioner then asked where the wonderful design of the wall goes. Mr. Mussa indicated that it is on Posse Ground. When you approach the building, you turn and drive up to the parking lot, and you see that beautiful stone wall with rusted metal, and they did that because it is a west-facing wall, and they did not want people to bake inside the building, so they did a natural stone wall with rusted steel and clerestory windows, so they let the natural light flood the building, but at the same time protect it from the sun. The big floor to ceiling windows are so the people inside have an experience and enjoy the space. Architecture is also about enjoying the space; it is not just how the building looks from the outside. When you step inside the building, it is as important as the outside. Commissioner Cohen then asked which view people would see when they drive past it on S.R. 89A, and Mr. Mussa pointed to the view indicating that they tried to keep the building as low and flat as they could to blend more with the land, and then you see the mountains behind. They tried to keep the building as simple and close to the natural grade as they could.

Vice Chair Levin explained that she is chairing the meeting until Chair Losoff returns and asked if there were any other comments. Audree Juhlin indicated that to get clarity for direction, the Commission is okay with the design, but wants as much natural material, like the more rustic rock and wood features. The Vice Chair then indicated that she thought Commissioner Barcus wanted to comment on the design; however, Commissioner Barcus clarified it was more of a compliance question on page 66. He noticed the note that the Fire Marshal included about the turnaround at the end of the parking area, and he is hopeful that the conceptual site plan will be

able to accommodate that turnaround space, because we have to design buildings that are safe for firefighters. Mr. Mussa stated that he has a meeting with Gary Johnson next week to discuss all of this. Cari added that when staff talked with him, he seemed hopeful that they could come up with a solution. Commissioner Barcus stated great, and then asked about objects on the aerial view and Cari indicated that those were APS boxes. The Commissioner asked if they were in the utility right-of-way and Cari stated yes, they are not on this property, but she believes they are proposing some landscaping. Commissioner Barcus noted they are the most prominent feature on S.R. 89A right now and they are not shown on the site plan sketches; however, Mr. Mussa pointed them out in the picture and Commissioner Barcus indicated that he just didn't see them. Commissioner Brandt commented that is because they are painted dark, which would be really nice. Mr. Mussa indicated that they would be talking to ADOT about how they could landscape that section in front of the building with meandering paths and places for people to sit under trees. Their plan is to make a walkable environment, so people can enjoy it.

Commissioner Barcus then referenced the traffic study and indicated that it seemed the Traffic Engineer's recommendation was to extend the turning lane past the fast food restaurant to the intersection on the corner, so is that off of the table now or is that something that would be. . . Cari interjected that the engineering staff could weigh-in on that. She was reading it as that was basically something that could be warranted even without this development, so it is not necessarily something that we would be able to require this development to completely implement. The Commissioner then asked who does this, ADOT? Roxanne Holland explained that ADOT would be responsible for doing that and whether it would fall on the development or come out of ADOT's budget would be up to ADOT. Commissioner Mayer then asked if the transformers would be in the way and Roxanne stated probably. Commissioner Mayer indicated that is a big issue and Mr. Mussa explained that is one of the reasons why 2½ years ago, they decided to go the other route and put the entrance on Posse Ground. The other reason was that all of a sudden if you imagine continuing that deceleration lane to turn right, then you have a 5-lane highway. His opinion is if we keep doing that, we are going to have the highway become a lot wider and wider.

Chair Losoff indicated that the discussion is probably a little off track for a Conceptual Review; that is an ADOT issue, and we could have discussions with them as the project goes forward, but it is not predicated on the project. He then asked if that is what Roxanne was saying and Roxanne stated that it could be; it depends. The traffic analysis isn't a complete analysis; it is the one that was done three years ago, so conditions have probably changed and it needs to be updated to current standards, so they would have to look at it after it is updated to make a determination. Commissioner Barcus then stated that it is great that the entrance is going to be on Posse Ground and not S.R. 89A.

Vice Chair Levin referenced page 18 and asked if the ADA ramp is on S.R. 89A or Posse Ground, and Mr. Mussa stated Posse Ground. The Vice Chair then asked if you happened to be on S.R. 89A, would you have to go up the hill to get to the ramp and if it is right on the corner. Mr. Mussa explained that the ramp is 2/3 up the lot and before the parking. The Vice Chair then stated that makes sense. She noticed in the packet that there were two different numbers for the distance from S.R. 89A to the driveway – one was 120 and the other was 143, so you just need to check those discrepancies.

The Vice Chair then asked if the medical space is going to be occupied by the applicant, and Mr. Mussa indicated that there is no medical space; there is a restaurant and a gallery. The Vice Chair then read, "The proposed project is comprised of a single building which will include medical office space, retail space and food and restaurant space" on page 25 in Granite Basin's TIA. Cari explained that the original plan had all of those uses, and the TIA was done at that time. Cari then confirmed that the medical use is not being carried through and Mr. Mussa added that they had two buildings 2½ years ago, and they couldn't fit everything in. The

Vice Chair noted that makes sense, because she didn't see that carried through anywhere. Mr. Mussa then stated that the medical building is not going to be there.

Vice Chair Levin then confirmed that the numbers are going to be updated on the TIA, because the community is talking about combining grades 7 and 8 from both schools there, so there will be increased traffic, and there are park community events at Posse Grounds and Barbara's Park which would need to go into these calculations for anticipated traffic impact, plus the community pool and the hub, so a lot of new public areas are being activated, and it would be helpful if they were integrated into the new TIA. She also had a question on page 28 in paragraph 2 where it reads, "A similar split on the proposed and combined southbound turning movements of Posse Ground Road was used for this study"; however, this intersection doesn't have a signal, whereas, Soldiers Pass does, so she is not sure those are apples to apples. She is also wondering for historical data if it is common business practice to just use three years as the benchmark, and Roxanne stated that she believed it is.

The Vice Chair then referenced page 29 in the last paragraph, when it discusses existing vehicular traffic patterns being attributed primarily to school traffic and the neighborhoods and indicated that she would argue that there are a lot of recreational uses on Posse Ground Road – Bike Park, Dog Park, etc., so we need to bring that data forward. She then asked why there is no designated crosswalk there or if that could be added between Ace Hardware and the corner of Posse Ground. Roxanne stated potentially, and the Vice Chair then asked if we have them going down S.R. 89A and Roxanne indicated not crossing S.R. 89A. Mr. Mussa explained that the roads do not line up. The Vice Chair then indicated that it would have to be a curvy crosswalk, but if we are trying to encourage pedestrian activity, she guesses that is something we should look at. Roxanne explained that Public Works is doing a Traffic Master Plan that will look at that and pedestrian uses.

Commissioner Brandt asked if he could ask a question and the Chair noted that if it is about traffic, he would prefer to wait until the next study is done. The traffic experts know what to do, so before we second guess them, we should wait to see what comes back to us. Commissioner Brandt then asked if the City and school have some type of encouragement to not to use Posse Ground to go down to Soldiers Pass, and Audree Juhlin indicated she believes that is correct. The buses go through Carruth Drive to Soldiers Pass to the signalized intersection, and Roxanne added that there is signage on S.R. 89A asking people to do that.

Vice Chair Levin referenced the TIA and indicated that she was looking for total weekday and weekend traffic generated numbers, both by use and summed up. We have proposed traffic generation with weekday and weekend, but she would like to see it summed up, so we would have whatever it is 2,000 or 18,000, so we know what it is. She doesn't mean to challenge the existing TIA, but those are things she would be looking for. Chair Losoff noted that this is conceptual and we want big picture items, but ask what you want for the next meeting.

Vice Chair Levin then asked about the status of the proposed improvement for widening for a dedicated left-hand turn on Posse Ground Road on page 37, and Roxanne stated that currently there is no plan to do that and explained that staff did not review that Traffic Impact Analysis in detail, because it is in draft form from three years ago and has not been updated. Once it is updated with the final application, staff will look at it in more detail. The Vice Chair then asked when that is expected and Cari explained that a Traffic Impact Analysis is not included as one of the requirements for this stage of review. It was included, because they had a draft for something that was for a more intense use, but this would be required as part of the final review. We don't want them to do a Traffic Impact Analysis for a building that is going to shrink by 20% based on comments from the Commission, so it would be provided with all of their final application documents. The Vice Chair then stated that just to underscore, the things that are missing in the existing, she would want to see those deficiencies made up in the new.



Commissioner Cohen asked where the sign for what is in the building would go, and Mr. Mussa indicated that they are planning to put a sign on the side of the building on Posse Ground that tells you what is in the building – maybe a rustic steel razor-cut sign. The Commissioner then indicated that one problem with Mariposa is when people exit making a left turn, so how are people going to deal with traffic making a left turn at Posse Ground, and Vice Chair Levin stated the same way they do now. Chair Losoff again stated that the project is what it is and traffic is a separate study and is not something that we want to address conceptually today unless we feel traffic is going to be so bad, it will affect this project, and we won't know that until we see the actual traffic study, and even then we have some limitations.

Commissioner Cohen then asked if there is a plan for when the traffic study will be finished, and Roxanne explained that the applicant would need to submit it with their final application. Chair Losoff then pointed out that as Cari said, the purpose of today was not to get into those details, but just to get an overview of what the project would look like and what is going in there, and the rest will flow in future meetings, but you are hearing that traffic is a concern. Chair Losoff then asked if there has been discussion about a light at that intersection and Roxanne stated not that she was aware of, but again, we are going a Traffic Master Plan and it goes to Council on Tuesday for approval and all of the intersections will be looked at in that. The Chair then asked if the CFA addressed that, and Audree stated no, it refers back to the study.

Audree Juhlin reminded the Commission that this is not a rezoning and they are asking to do what they are entitled to do, and whatever commercial use goes in there will have traffic impacts, but this project wouldn't necessarily be required to fix all of the existing problems.

Commissioner Mayer asked if there is a physical separation between the Taco Bell/Kentucky Fried Chicken and this property, and Mr. Mussa indicated that there is a cliff and they have the driveway going to the back of the building. Commissioner Mayer then stated in regard to security, somebody walks out of a restaurant – safety. You know what I'm talking about; you fall off the cliff. Mr. Mussa stated no, actually he didn't think that was going to be the case, but he would look into it. The Commissioner then referenced the food vendors and asked where they were going to park and unload. Mr. Mussa explained that they basically allocated the section on the top where you enter the parking . . .; they are going to put signage that deliveries are going to have to be done between certain hours and that would be a stipulation for the owner to be able to open the restaurant. The Commissioner noted that the school traffic is limited in the morning and Mr. Mussa stated that the restaurant would probably be open like 10:00 or 11:00 and same thing for the gallery, so it won't be competing with that traffic.

Commissioner Brandt stated that overall the project is going in a good direction. Normally, he would not encourage having parking in front of the building toward the highway, but because of the small size and variety of setbacks, especially with the KFC building that is way set back because of the natural terrain, having the building set back actually helps bring some continuity and to bring KFC into the mix. So he would rather not have the parking in the front, but we are heading in the right direction for screening. He then asked if the screening is a vertical pipe fence that you can see through and Mr. Mussa stated yes, first he was thinking stone and then the other 3 ft. above would be see-through screening. The Commissioner noted that the stone would tie the building into the landscape really nice; you just need to make sure that the vertical pipe actually does provide enough screening. The stone below might do it all, but we need to follow-through to make sure that will provide enough screening.

Chair Losoff indicated that overall the project is meeting the criteria. There is concern about traffic and height, and we want to make sure that all of the proper materials in our Design Review Manual are met in terms of criteria, and we want to integrate with the neighboring buildings if we can. Commissioner Brandt then indicated that Audree had a question concerning the consensus of the board; however, Audree indicated that the Chair just summarized it fairly well. It could be modern, but you want to incorporate contextual architectural features and materials from around the adjacent buildings.

Cari noted that this is a conceptual public hearing, and she didn't know if there is anyone from the public that wanted to speak.

*The Chair opened the public comment period and, having no requests to speak, closed the public comment period.*

Cari indicated that she had taken a lot of notes and staff would be working with the applicant and bring back something.

*Audree Juhlin suggested switching agenda items 7 and 8, since a staff member was present for agenda item 8 and that agenda item was requested by the Commission for informational purposes. The Chair noted there were no objections and the agenda items could be switched.*

## **8. Discussion regarding the Parks and Recreation Master Plan**

**Presentation, Rachel Murdoch, Parks & Recreation Manager:** Rachel explained that this presentation is meant to be an introduction to the Master Plan, because some of you didn't know that it existed. It is a general overview, and she planned to touch on everything so you know the categories exist, and then between the Executive Summary and the presentation, she has put in a lot of the pages that are in the Master Plan, so if you want to investigate it further, you can enjoy. Additionally, if you ask a question and she doesn't know the answer, she will get it to you, but there was a lot of information and she might not remember 67%, etc.

Rachel referenced Section 1 – Where We Are Today and explained that was where we were in 2012. Obviously, things are outdated and she has referenced those. The plan talked about our seven parks and 92 acres, which didn't include the Wetlands Preserve and the Brewer Road property. Also, the department still had the maintenance department, so when it talks about staff, etc., we don't do anything with the trailheads, the maintenance department does that under Public Works, and it is the same with the Schnebly Memorial Gardens, which was included because of the municipal parking lot, but she hasn't programmed anything there, although it is included in this tally.

Rachel stated that the Master Plan indicated that parks were generally well maintained, although they lack bicycle and pedestrian connectivity. Programs had increased and community connectivity should be addressed. She then showed a map showing the location of all of the parks, and pointed out that parks are not evenly distributed through the City, clearly they aren't, because there is nothing along S.R. 179. Section 1 also gives an inventory, and there was a question about what is a neighborhood park versus a community park, and we will discuss that later. She then noted that again the inventory didn't reference everything that we have today. Some of the additions made when we are talking about amenities on the right-hand side include the Bike Skills Park, the pickleball courts, more ramadas and more restrooms, so if it is affecting your decision on one of the capital projects, etc., please feel free to come to her for the latest and greatest. The Chair asked if "pickleball" should be in bold letters and Rachel noted that they are out there every morning.

Rachel referenced Section 2 – The Future and put up the vision of the Community Plan and indicated that the Master Plan references that this was to work in line with the Community Plan that hadn't been completed then, but it says that Sedona is a community that nurtures connections between people and encourages healthy and active lifestyles.

In Section 2.1 – Demographics and Trends, Rachel indicated that she was just going to give some examples. Underneath, "We are dominated by older and active adults", we need programming for them, such as water aerobics, pickleball, tennis, bocce ball, outdoor fitness classes and lap swimming. Next is providing for families in programming, and our examples are extensive with basketball, a variety of classes provided by independent contractors, programs at the pool, summer camps and over 10 ongoing special events a year, so we are doing a lot and paying attention to what it asked for. Additionally, it said that we should be from free to fee, and we are doing that.

Our community events are from free to \$5, so they are not a hardship, whereas, the softball program pays for itself, so we paid attention to that.

Rachel stated that we don't need to get into Section 2.2 – Community Involvement and Participation, but she wanted the Commission to know it was there. They explain how they did public meetings and the survey, so you know that the community was involved in writing this Plan. Overall, parks were found in very good condition and it favored development of an Oak Creek Park and development of more walking/biking trails, so the findings were in line with the Community Plan – walkability is important everywhere.

In Section 2.3 – Community Values Model, Rachel explained that it is easier if it is referenced in the book, since it is all operational in explaining how to do things like take the department's core values and make sure your decisions are in line with the core values. Section 2.4 – Community Benchmarking Analysis is how we compare and again, it would need to be updated, but it shows the cities that the City had agreed to compare us to and it does include national benchmarking in the Master Plan, which includes governance, land information, budget, staffing and other summaries, and that section is very easy to read.

Rachel noted that in the last meeting, one question specifically asked was about Section 2.5 - Park Classifications and Level of Service Standards, and you wanted to know about a neighborhood park versus a community park, and these are some of the things considered plus there are examples of our existing parks. The Level of Service Standards really just say what we have per 10,000 people or per acreage, and where we should move to, so an example would be that we have four tennis courts and our goal should be to have five, and it lists that for all of the amenities. Rachel then referenced the example of pocket parks and the three existing pocket parks we have, and the quick breakdown of how they look at the different categories. Neighborhood parks refer to our Sunset Park and the future Ranger Station Park. Posse Grounds is our only community park, and the goals of a community park include unique amenities or facilities that may draw users from a larger service area, and our list shows the Dog Park, the Bike Skills Park, the Hub, Barbara's Park, Skate Park and the pool. Sunset Park has the splash pad that brings people in, but it has many categories that fit under neighborhood park. There is also a regional park classification, but we don't have one and the Master Plan explains that, and then open space. We are little, but we have a good variety. There is the Sedona Wetlands Preserve that clearly fits into the open space category, and also trails would be open space.

Rachel indicated that Section 3 – How We Plan to Get There has a lot of recommendations on policies, and she had never heard of so many policies, so in discussions between her and the Assistant City Manager, they decided some aren't worth the time to write, so wait until it happens and we will get a plan, but if you are interested, there is a lot in there, and Section 3.1 Procedures, Organization and Partnerships is included. You are probably not aware, but she provided a list of some of the partners for the last three years, and we really do reach out to a lot of people and we are really community involved, and these groups make our events better and participate in our programs, and it shows that we are a small town with a department of three, and we work with the community members, so it is exciting to put it in writing.

Vice Chair Levin asked when the Plan was initiated if any of those partnerships were in place, and Rachel indicated yes, but our list just keeps growing, so it is very exciting. Section 3.4 - Programs and Services discusses current programs that we were offering at that time and talks about what people wanted. What came up most often were more events and keeping an age distribution in mind. People generally first think that in Parks & Rec, we do all of our stuff for kids, which is not a fact, but maybe they think of our events, but we are branching out and moving up – still kids, but this was the first year that we focused on some tweens. We just had our tween event that was added the day before the Celebration of Spring, and we had 105 tweens, so that was 5<sup>th</sup> – 8<sup>th</sup> grades and there were six or seven different schools represented, and the parents were very appreciative that we did something for them. We also do a spring event for the teenagers at their high school, so they are guaranteed to com. We throw them a Spring Fling and we are now trying

to get more events for adults, and we will be partnering with the Swordfish Swim Team to host an adult event at the park. We are always open for suggestions, but we are doing a lot plus our regular programs. Most of our classes through the independent contractors are for adults, so we have a variety for age distribution.

Chair Losoff asked if the mountain bike was considered an event, and Rachel stated no, but workshops would be considered a program; however, she clarified that she was thinking of the Bike Park, the Mountain Bike Festival was an event, but it wasn't her event. She just helped host and explain the park to them.

Rachel stated that Sections 3.5 – 3.6 - Maintenance gets very involved, so she would recommend reading it if you are interested. It brings up topics like Capital Project Implementation Plan and gives factors to consider when we are thinking of projects, like distributing City parks more equitably, targeting underserved populations, etc. There are 13 factors total, and it recommends capital maintenance priorities. One is upgrading existing park and recreation amenities, so you would see that we are in line with the Master Plan. They recommend updating the playgrounds and the City paid for the new design of the playground at Posse Grounds Park. We don't have construction money, because Council would like us to find partners or to get some outside funding, but we know that is the direction we should be heading. Another is to update the fitness trail, and we did and we got a \$76,000 grant for that, so we are going to be updating that. Then, additional parking is recommended, so if you find space let her know. Actually there is some space there that we are going to be bringing up and talk to our Engineers about, to get an overflow parking lot at Posse Grounds. Then, our concession stand is on our radar, so we are looking at maintaining what we have and fixing them up to make them better.

For Sections 3.7 – 3.8 – Funding, Revenue and Pricing, Rachel indicated that it is very operating plan oriented, such as get partners, sponsors and we do all of that. Diversify sources of funding is not her expertise and the Master Plan lists a bunch of different areas, so we had a Citizen Engagement group formed, but it didn't work, because people dropped off and then there were two left, so it is something that will come up again, and she brings that up as something that we are trying to listen to in the Plan and do that sort of thing; we are open to more ideas, but the group in the end was just trying to come up with more ways to get sponsors, which we already do. She needs the other foundations and the big fancy ways of getting revenue. In the recommended pricing plan based on the four categories, we do that as well. That is how she knows that softball fits into a category, so it should be subsidized or help pay for itself. We also look at programs at the pool that way and all of our programs, so we are kind of living it. She may not have a written pricing plan or policy, but we are living it and doing it.

Rachel indicated that Section 3.9 – Strategic Action Plan was really telling us to get a plan. They didn't write a strategic plan, but a strategic plan goes over Community Mandates, Service Standards, Outreach and Partnerships, Programs and Services, and then they give us recommended actions – for short-term 1-3 years, which we are passed; 3-7 years, and then 7+ years long term, and under each of those categories, they give policies, procedures, organization, level of service and capital projects recommendations, so it is pretty involved, but she has all of her notes and hash marks, and when we did it already, so if you are interested, she would be happy to go over it with you if you have specific questions. We do look at the recommendations and the Master Plan and work with those.

Rachel indicated that in Section 4 – Conclusion, it said to continue the tradition of excellence, work in complement with the Community Plan, and pursue ambitious goals with innovative and reliable strategies that reflect local best practices and efficiency by the City.

#### **Commission's Questions and Comments:**

Vice Chair Levin stated that she didn't know how all of that is done with three people. It is extraordinary what you accomplish every year and adding events especially. The Vice Chair then asked if staff could send the Commission a copy of the presentation, and Rachel indicated yes.

Vice Chair Levin asked if Rachel had any advice regarding parks and recreation issues that she would like for the Commission to be attentive to or get better educated about in general, in our role as P&Z Commissioners. Rachel indicated that she would like time to think about that and make it educated, and then email it.

Commissioner Mayer noted that Rachel had accomplished a lot of things and he was a member of the Parks & Rec. Commission for several years, and during the time, the Master Plan was presented, and it is amazing how much has been done since then. Quite a few ideas came from his brain, like the pocket parks and the possibility of having a little bit more of a life for the teenagers, and he would like to see more events in regard to music for teenagers, so they have something else. His son was on the swim team and that is another accomplishment of getting that pool done, and he applauds her on that. The swim team is very talented and swimming is a very important part of recreational activities, and you have all of those events at the pool as well, so he has to congratulate you on what you have accomplished, and he takes a little bit of pride as well for being on the Commission and having pursued those things. Rachel noted that his name is in the book on page 2.

Commissioner Brandt asked if there was any work done with the other departments to do things like one of the visions to have walking/hiking trails within the City. There is a great sidewalk through the Thunder Mountain subdivision and a lot of people from other neighborhoods come there, but between those neighborhoods and Thunder Mountain, there is nothing, so since it is one of the goals, he was wondering if there is some symbiotic relationship that could work with the Engineering Department, because they want to do the sidewalks too. Rachel indicated that she thinks that is incorporated in the Trails and Urban Pathways Plan that was going to be updated, and she is not a part of that; it is all in Community Development. Audree Juhlin then clarified that it is in Engineering, and the Commissioner noted that it would benefit Parks & Rec., and Rachel agreed and indicated she would support it, but she doesn't know where they are with updating the plans.

Chair Losoff thanked Rachel for providing some updates, and indicated that she is doing a great job, and Sunset Park has developed into a wonderful place for little kids. Posse Grounds has also improved, and with three people that is great. And as Vice Chair Levin said, if there are any synergies between the Commission and your needs, communicate with us so we can work together on it. Commissioner Cohen added that it might have been helpful if we had some input before we even discussed the Brewer Road property, because there are some pieces to the entire park that could have helped. Chair Losoff then recalled that when the consultants were working on this Plan the Citizens Steering Committee was meeting on the Community Plan, so there were several discussions with the consultants, and it was well integrated, but maybe it could have helped now.

*With the agreement of the Commission, the Chair then opened the public comment period.*

**David Tracy, Sedona, AZ:** Mr. Tracy indicated that they are working on a CFA that will come before the Commission sometime this year hopefully, and that is the Schnebly Hill Road CFA, and they have had a lot of discussions with the stakeholders pertaining to a park on Oak Creek and a creekwalk that was envisioned many years ago. He then asked if within this Master Plan, there are provisions for a creekwalk. Additionally, they are not big on concrete sidewalks on Schnebly Hill Road and they have talked extensively about having more of a natural decomposed granite pathway, and they have entertained the concept of a lineal park, and he doesn't know if the Master Plan would allow that, but they are becoming popular around the country. There is a High Line Park in New York where they took over old railroad tracks, etc., and made them a community space, and they have talked about one that could be a community garden here, because there is an irrigation ditch there, where they could grow some different things. He doesn't want to overload you, but if there is any flexibility in the Plan to accommodate those concepts, it would be nice, because they are going to come before the Commission. You are doing a great job, keep it up.

*Having no additional requests to speak, the public comment period closed.*

Rachel commented that the Master Plan was a snapshot in 2012, and it was meant to be flexible in that they knew new things would come up in the future. For example, the Master Plan didn't talk about the Bike Park, but when it became a need in the community through a petition and help with funding, then we could do new things. Chair Losoff repeated that the synergies will come together when a CFA comes before the Commission and we're talking about walkability, bike paths, etc., so some coordination will be necessary.

## **7. Discussion/possible action regarding the Draft Community Benefits Policy**

Chair Losoff noted that the Commission had a discussion several weeks ago on community benefits and came to some conclusions, but it was not agendized for action, so it is back today to make it legal.

Cari pointed out that one of the things that came out of the last discussion was possibly looking at lodging uses a little differently than by acreage, and by looking at some of the comparisons, the 20 rooms per acre was good. When looking at the densities, hotels that have only rooms, such as the Marriott, Days Inn, etc., are in the 20-30 units/acre range, while the ones with more amenities such as a spa, gardens, etc., get into lower densities, and in some of the City Council's discussions recently regarding lodging, the direction they seem to be going is toward the hotels with more amenities in her opinion, and since we were assigning 20 points per acre, it seemed that 20 is about an average density for a hotel, so it seemed logical to do one point per unit. That would translate into some of the hotels, that City Council finds more desirable, would be required to do less, which could encourage that type of hotel to come in. Cari then stated that was really the only change, since the last discussion.

### **Commission's Questions, Comments and Concerns:**

Commissioner Barcus indicated that with lodging, we want to provide incentives to do things that we want to do without having to set up barriers to things that we don't want to see done, and this very well meets that intent.

Chair Losoff commented that it is well done and his only comment is now, if you take the last page where you have some examples and the Over the Edge parking lot is the first one, it shows community benefit points 10, so the question is should it be 20 or 5. Now that we have the points, do we have to set up a grid to say A, B, C or D, etc. Now that we have this tool, what do we do with it and how do we use it? Cari explained that as mentioned at the last meeting, it is really going to be trying to get everyone starting on the same level. This is not set in stone, so we are not going to say you need 10 points and you only got 9.5. The Chair agreed, but asked if it should be 20 points and Cari indicated that you want to try to be equitable, but it is really a starting point tool that we will use. The Chair then indicated that we have this, and as we move forward, we will have to see if we are comfortable using this tool.

Commissioner Mayer indicated that he would like to see more of a benefit in regard to the quality of hotels, rather than cutting everything over the same level. If there is a motel that just provides rooms, we are talking about quantity versus quality, and he prefers quality and that should also be a criterion to award points. The Chair noted that comes up at Council meetings periodically regarding high-end versus ordinary or routine.

Cari stated that she has listened to a number of the Council's meetings, but she hasn't attended all of them, and there seemed to be a sense that if we get a project that we say wow, this is amazing, there will be a lot of flexibility in the CFA plans to look at that a little differently, rather than by a strict application of everything if we really get something that just blows us away. Commissioner Mayer commented that is the way to go, and Chair Losoff indicated that is probably how we could use Commissioner Mayer's comment when we look at a project and feel it is worth more because of the quality, then we could increase some of the points, but we will have to deal with this now and play with it to see how it works on future projects. The next one up is the one we talked about today.

He then asked if we want to use it on the Design Review projects or just on rezonings and Cari explained this is really just for rezoning applications.

Audree Juhlin reminded the Commission that the City Council still needs to approve the policy, and one of the questions for the Commission goes back to what the Chair raised, and that is so what? We have 10 points on this application and we have 85 on another, so what does that mean and how does the Commission anticipate using this, because that is what the City Council is going to ask staff, so we need feedback from the Commission on how you are going to use this information and is it going to be subjective or objective. How are you really going to use this matrix?

Vice Chair Levin responded that she would expect staff to do the analysis in the Staff Report, and it would be included in your recommendations as you evaluate the entire proposal. You have the background and expertise, so she would look to staff to provide that direction. Audree Juhlin indicated that because we don't have any live applications to apply it to in our analysis, we can only look back to see how it would have worked, and it is hard to say how we are going to be able to use this effectively until we actually have an application. Therefore, her preference would be to wait before taking it to the City Council and see how it actually works before we ask the Council to approve a policy when we are not sure of how it will work in real time. Vice Chair Levin asked if a rezoning was needed or more than one, and Audree stated that she would like to see at least one so we can do the analysis and get the overall picture of what is being presented in relationship to this draft policy. Right now, we don't know how we would respond until we actually apply it and look at a project in its entirety.

The Vice Chair recalled that staff did that wonderful historical analysis and you could see through it that some of the challenges and handicaps that might arise from applying it to the letter, but that helped the draft we have before us now and the policy itself. The Vice Chair then asked if Audree would still want to wait until we got a rezoning, and Audree responded personally yes, she would like to see a live application applied to that. It is easy to look back in hindsight and say here is how it met or didn't meet it, but we didn't use this policy in our analysis of whether we recommended approval or supported the project, and it is difficult to say without that analysis how well this would work. She is positive there will be a lot of wrinkles that need to be ironed out as it is applied. The Vice Chair indicated that she could see what Audree meant.

Commissioner Mayer indicated that if an applicant comes in with a hotel, spa, etc., project and proposes a five-star project, which is different than a one or two-star, he would base it on what is proposed, what kind of clientele he is trying to attract and how long the tourists would be staying there, if it is one night or long term like four or five nights. There are a lot of components that could lead to a better rating or point system than one that is generic. Audree Juhlin indicated that is true; the issue is that when we are approving a zone change, we don't really get into defining and regulating the use after it is approved, so it could be approved with the thought that it is going to be at a certain price point for nightly stays, etc., but there is no guarantee that six months later it would maintain that. They might say that they tried it and it didn't work, so they are going to change it from \$600 per night, because they can't get it and to survive we are going to be competitive at \$250. It is hard to give an analysis on something that is very subjective and could change.

Commissioner Mayer commented that he comes from an area that is heavily dependent on tourism; it is a lake and mountain area in the southern part of Austria bordering Italy and Slovenia, and it is tourism in the winter and summer with hardly anything in-between. They had a time with high-end tourism and international clients before WWII; afterwards, it was like a drought and there was nothing going on except the occupation. Then, the camping tourism started and the Germans came with their camping gear and farms were turned into campgrounds, so that tourism created an environment that the people with money didn't want to come to anymore. They went to Spain and Italy, and in the meantime, all of the high-end hotels went broke and had to sell, and they were dilapidating. It ruined the quality tourism you are looking for and repeat customers. It is hard to come back from and he had a study done with NAU regarding quality versus quantity, and we don't want to kill the goose that laid the golden egg in Sedona. If you overcrowd the area with cheap

motels or timeshares, then we will have an issue, because it is about the beauty and people don't want to mingle too much with certain clientele, so that is why he is concerned in regards to what we bring in. Audree Juhlin indicated that staff doesn't disagree, but the concern is that we don't approve business plans. Commissioner Mayer indicated that he knows and Audree added that for staff to do an analysis on something that is very subjective and outside of our control – the business plan, that would make it hard to make that recommendation.

Chair Losoff explained that this all started because of subjectivity in a couple of projects where the rezoning was looked at to obtain benefits from a developer that might have not been reasonable, and we have had case studies in meetings with our City Attorneys where the courts have ruled that is a no-no. We can't be extorting developers for something and he would be a little concerned if we started to have a matrix based on quality. He understands the point, but we could open ourselves up to all kinds of liability if we start saying that one project is better than another because it costs more, etc. The criteria that we could use to meet Commissioner Mayer's concern is the economic base and how it meets that economic base in our Community Plan, and not because it is more or less expensive, but does it contribute to the economic base in the Community Plan?

Commissioner Brandt stated that it is far beyond time to implement this. In February of 2014, there was a group put together to create the matrix to make it easier for evaluation objectively and to guide developers and let them know how to mitigate the impacts of development. So you say, "What does 10 points mean?" That is all based on the size of a property or number of hotel rooms now, which is a great idea; it is a matrix, it is not just 10 points. There is a reason why it is 10 points, and there is enough flexibility so that two projects side by side are not going to have the same issues. That is a given no matter how many training sessions you go through to see if it is going to work, because each one is going to be so different that it is just going to be a learning curve no matter when you start, so we need to start this now; it is ready.

Commissioner Cohen indicated that Commissioner Mayer raised a very good point from another point-of-view, and that is what in the State Legislature about eliminating what we have here about not renting short term is going to affect this point system and how we deal with things, because this could change the entire configuration of lodging. Ron Ramsey referenced the Senate Bill that basically started as a tax measure and to support B&Bs and some of the international organizations and has now extended so it prohibits short-term vacation rentals, but language of that legislation wouldn't impact lodging. Commissioner Cohen indicated that legally he wouldn't argue, but from a practical standpoint, how does it affect lodging if people start doing short-term vacation rentals in a house? Audree indicated there will be some kind of effect if this passes to allow for homes to be rented on a short-term basis. The market will be increased for lodging units available, but we don't know what that means at this time. Will it change price points, perhaps, but nobody knows the effects at this point. Commissioner Cohen then asked if it would affect the points in the matrix and Audree indicated that she didn't think so. Commissioner Cohen then indicated Commissioner Mayer's point was well-taken; Commissioner Mayer saw it in Austria and he saw it in Michigan.

Vice Chair Levin indicated that as to Commissioner Mayer's point, our matrix addresses it and Cari mentioned that the smaller proposed lodging facilities with amenities would be more community-benefit rich than the others. We will know if they are three to five stars because of the amenities proposed for the project. In the sequencing of a rezoning, we see it and then there is this business about Council awarding additional points because it matches Council's priority, so do we provide that list of Council priorities to the applicant when they apply and do you tell the applicant that it might fit into this Council priority area, but you don't know how many points they will give you, but stay with us and once it goes from P&Z, it will go to Council and then you will know. Cari stated that she imagined that was something that we would work out with Council at that point as to how they want to approach that, and it was put in there, because some of the projects this came out of was when the City Council felt they only saw the end and didn't get any input, so it is something that we will have to discuss with the Council as to how they want to approach it, but allowing them to somehow say at the beginning that they would like to see housing or see access to the forest, and for staff to be able to convey that to the applicant and put more priority on Council's priorities,



so that the projects we are getting are implementing Council's direction is something that we would have to flesh out more.

Vice Chair Levin repeated the question as to whether or not staff would provide them with a list of Council priorities and commented that this year those were still being revised mid-fiscal year, so it could be problematic. Cari repeated that it is something that staff would have to discuss with Council. The Vice Chair then stated that maybe they could be more timely, and Audree Juhlin stated that another concern from staff's perspective is that you still have to have some tie back to the proposed project. You can't say that the Council priority is to underground utilities and there are some down the road that you need to underground; we still have to tie it back to the project and its impacts, and that is going to be problematic in tying it to the Council's priorities.

The Vice Chair then asked if the Housing Policy is going to be amended and if there is a work group on that. Audree Juhlin indicated that the in-lieu fee formula will be amended. It is being done in-house and it should be done by the end of 2016; the rest of the policy is not in the Council priorities for any action in the near future – only the fee formula. The Vice Chair then noted that this could be adopted before the Housing Policy is amended and Audree stated that is correct.

Vice Chair Levin then referenced page 5 of 7 under Description of Benefits and asked how staff would evaluate it for benefits if the whole project was assisted living. Say in the CFA where the proposed new medical facilities and assisted living might go in the Western Gateway, and something came in and it was 100 units, she wants to know if the provision of housing or assisted living facilities to be "affordable as above", what would we be looking for, is that 30% of income or how would you evaluate the project? Cari stated that it would depend on what was proposed. When looking at that particular one, there is a difference between someone saying this is going to be affordable assisted living versus a high-end retirement community with some nursing assistance, so it is dependent on what the applicant proposes. The Vice Chair then asked if this matrix contemplates a whole project coming through and Audree indicated that she didn't believe so – not in that sense. These are the areas of the wrinkles that need to be worked out.

Vice Chair Levin stated that she had a couple of edit remarks on the last couple of pages and asked if Audree preferred for her to give staff her packet rather than stating her suggestions. Audree indicated that unless it is contextual, and then if the rest of the Commission is okay with that, staff is fine with it. The Vice Chair noted that she wanted to add a paragraph, but it is truly just for better readability.

Chair Losoff stated that we thought the Commission had pretty much approved this last time and that it was coming back as a formality, do we want to go back and change things; he guesses we can. His sense at this point is given the questions and comments, we're not ready to take it to Council, and Audree suggested using it for a while. Donna Puckett added that in the Commission's earlier reviews of the community benefits, one of the factors pointed out was to use it with a current case to make sure it had credibility with the applicants and developers, because you didn't want to put out a formula that didn't make sense. The Chair agreed, but stated that at the last meeting the Commission said we were ready to finalize it. He doesn't think we are given all of the comments today, and the Council would be right to ask what we will do with these numbers as would the developers. A developer could say they got a 10, but what does that mean, is that okay or not.

Commissioner Brandt stated that is going back to square one and why? Staff has been working on this for two years. The Chair clarified that he is saying to continue using it and as we go forward with it, start to tweak it. Audree Juhlin agreed and indicated that would be her recommendation; we should have a couple of zone changes or at least one in the very near future, so we could use this as a working model to see how well it works, and depending on that, then we would have final action for Council's approval. The Chair noted that as it is worked through, we also might find things to change in the definitions and descriptions, such as senior citizen housing, etc., to be more specific.

Vice Chair Levin stated that she misunderstood that conversation; she didn't realize that you wanted to hold adoption until you review it. That could be 12 to 18 months before the whole process is completed. Audree Juhlin agreed and explained that she is not saying don't use it; let's start using it immediately. We have been waiting for a rezoning application to come forward, so we could test it, but we haven't had any applications. It is going to be hard for staff to say that we recommend this policy, when we aren't sure if it is going to be effective, as Donna said, we would like to see if it is going to work. Commissioner Mayer commented that one or two might not do it; it might take a few more; however, Audree indicated that she thinks staff would have a good idea.

The Vice Chair then indicated that even though it was agendaized for action and we have a sample motion, you don't want us to move it forward, and Audree responded that if the Commission wants to move it forward for City Council consideration we will do that. The Vice Chair then stated, but you would like for us to hold back now, and Audree again explained until we are able to answer the questions as to what 10 points means versus 50 points, with Over the Edge as an example. Staff felt that was a good proposal, but it really didn't have any community benefits except the economic diversity component, so what does that mean, should staff still recommend it even though it has really low points as far as the application's contributions are concerned versus another one that might have more significant contributions?

The Vice Chair stated that she is just caught by surprise that you want to pull back, and it is what it is and caution coming from staff should be the recommendation we listen to, and with that in mind, she asked if staff wanted her to go through the line by line grammatical edits. Chair Losoff stated not today. When you have grammatical changes, you can do it individually without taking time here, but do that, because it will come back.

Commissioner Cohen then asked how the Commission wanted to proceed; what Audree is suggesting is how we ought to go, but do you want a motion to that effect? Chair Losoff stated that he wanted to get a sense of the whole and asked if anybody else felt differently from what Audree is recommending; he knows Commissioner Brandt wants to forward it.

Commissioner Barcus indicated that he had a clarifying question about if we were to recommend something to the City Council, he thought we were recommending a draft Community Benefits Policy. He didn't think it would be a final Community Benefits Policy if it was accepted by the City Council. He had this confused idea that this is a draft and we think we should implement and try it out a few times, but he thought it would be wise to have the City Council adopt a draft Community Benefits Policy. Vice Chair Levin explained that the Commission is the recommending body, and if we recommended this draft policy and they put it on the agenda for an action item, then they would have to take action, so that is exactly what we were doing, but now we have a staff recommendation that they don't want us to move it forward now, and they want to apply it to any new rezonings that come in. Audree added that hasn't changed; we've always felt the same way in that we would like to try it on a real live case, but we haven't had any come forward. Vice Chair Levin stated that before it is adopted is the key.

Chair Losoff commented that the City Council is awaiting our recommendation, because it has been going on since 2014, so maybe we want to phrase it not that the City Council adopt it, but adopt our recommendation to use it as a draft for the next year or something. Commissioner Cohen then suggested that we just send forward some information of where we are with this, so they know we are working on it and that staff has made a recommendation that we are willing to adopt and we will keep them informed as we go forward. As soon as we have an opportunity we will apply this against one or two cases as suggested by Audree, then it is just an information item at this point.

Commissioner Barcus stated that his question wasn't clarified and asked if we recommend a draft policy to the City Council and they adopt our recommendation, then it becomes a final policy, and Audree stated that is correct. The Commissioner then asked if there is an opportunity to recommend an interim policy for practice purposes. Audree explained that Commissioner Cohen has provided an option and that is to inform the Council that this Community Benefits Policy was

put together and we think it is pretty good, but we don't know how it is going to work, because we aren't sure what these numbers mean until we actually are able to apply them. We can let them know that it is our intent to use this and if they have any major concerns with the components, that is their opportunity to tell us, and then we could come back to the Commission and work that out through the Commission and through applications.

Chair Losoff then asked if this draft would be presented to the Council and Audree stated as information only. Commissioner Brandt commented that he didn't think that was necessary and Chair Losoff then asked what Audree is most comfortable with. Audree again stated that if the Commission wants to send it forward, staff will send it forward, but she would be more comfortable knowing that the policy is going to be effective, and applying it to applications is important in her perspective. She would be fine with giving an email update to the City Council that basically says we have been working on this and refined it, and we have just been in the holding pattern waiting for a rezoning application to come forward before we can test it and bring it forward for Council's final approval. Commissioner Mayer commented that is good and Vice Chair Levin added that is based on a staff recommendation. Commissioner Mayer then stated that is fine with him and Commissioner Barcus indicated he is okay with that; he was just trying to sort through the words that would kind of do the same thing, so that we don't look like we don't know what we are doing or we're inept. Vice Chair Levin then asked if the Commission is taking no action today and staff will bring it back, and Chair Losoff responded that the decision being made is to use this during the next course of projects that come in for a rezoning to see how it works before we make a final recommendation to the City Council. Audree then added with direction to staff to provide an update to the City Council on the status of the policy.

Commissioner Mayer asked if we are going to use that on one or two upcoming rezonings, those things would not be binding for those two and Vice Chair Levin responded right.

- 9. FUTURE MEETING DATES AND AGENDA ITEMS**
- a. Thursday, April 14, 2016; 3:30 pm (Work Session)**
  - b. Tuesday, April 19, 2016; 5:30 pm (Public Hearing)**
  - c. Thursday, April 28, 2016; 3:30 pm (Work Session)**
  - d. Tuesday, May 3, 2016; 5:30 pm (Public Hearing)**

Cari indicated there are zero items on any of the dates listed above. Vice Chair Levin then asked if there would be no Thursday meeting, and Commissioner Cohen asked if all four were being canceled. Vice Chair Levin responded no and Chair Losoff stated that April 14<sup>th</sup> is canceled. He then asked if the 19<sup>th</sup> was being canceled and Audree Juhlin indicated that is up to the Commission; we could have a philosophy discussion about the CFA process and how we want to move future CFAs forward if the Commission would like to discuss that.

Vice Chair Levin asked when the next CFA is coming through and Audree indicated that staff is almost done with the Schnebly Hill CFA after working with the property owners and stakeholders in that area, and it is really in the refinement stages now. We should have a work session within the next few months, probably by June for that, but she wouldn't include that in this discussion because it is already started and has been in the works for over a year. She would like to have some discussion from start to finish as to what are the Commission's expectations and what are the best ways to perhaps manage it better than we have, so we learn from our mistakes and create a smoother process in the future. The Vice Chair then indicated that before she would agree to adding that for an agenda, did each Commissioner meet with you and the City Manager on that topic? Audree stated that we met and discussed whatever it was that the individual Commissioner wanted to discuss, and in most cases, she thinks there was some discussion about CFAs. The Vice Chair then suggested that staff summarize those ideas; however, Audree stated that she was not sure that all of them had ideas, and Commissioner Mayer stated it was general and nothing specific.

Chair Losoff added that he would rather not approach it that way; those were one-on-one meetings, which should probably be kept that way. Audree agreed and added that we don't want open meeting law violations. Vice Chair Levin explained that she was just looking for a shortcut. The Chair then noted that we have several more CFAs and before going to the next ones, we should have a general discussion as to the flow of the process, visioning, what we expect of the CFAs going forward, etc., and should we talk about combining some, consolidating CFAs, our expectations of staff and staff's expectations of the Commission, so we don't get as frustrated as we did with the last one. The Chair then asked if there were any objections to putting it on the agenda for the 19<sup>th</sup> and Commissioner Mayer stated that was fine with him.

Commissioner Barcus indicated that he was still trying to understand when the Commission has a public meeting and when we have a work session, and we need to answer the question of whether or not a discussion like this would work well in a public hearing or a work session environment. He doesn't have a preference; he is just wondering what works best. Vice Chair Levin noted that they are both public, but it is easier in the Vultee.

Chair Losoff stated that he doesn't see a big difference; they are both open to the public and the press comes if they feel like it. The only difference is that the Commission is on the dais and not around the round table, and we can move it to the Vultee if it is open. Audree agreed that it could be moved if the Vultee is available, but the April 28<sup>th</sup> meeting will be canceled, because that is an all-day City Council budget meeting, so staff will be involved with that.

Vice Chair Levin asked staff to bullet point some areas that staff hopes the Commission will cover and send that out in advance. Audree indicated that she anticipates putting together a little summary about the areas of weaknesses and strengths of the process for previous projects and where ideas have come up. Vice Chair Levin commented that would help lead the discussion and Audree added that staff has done a lot of thinking about this and has a lot of ideas.

Commissioner Cohen asked about including Proposition 123 regarding the sale of public lands to fund schools as a future agenda item, and then asked if that would have any effect on Sedona and work that the Commission might be involved in. Audree Juhlin indicated that she didn't see any relationship to the Planning & Zoning Commission and the Commission's roles and responsibilities.

## 10. EXECUTIVE SESSION

**If an Executive Session is necessary, it will be held in the Vultee Conference Room at 106 Roadrunner Drive. Upon a public majority vote of the members constituting a quorum, the Planning and Zoning Commission may hold an Executive Session that is not open to the public for the following purposes:**

- a. **To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).**
- b. **Return to open session. Discussion/possible action on executive session items.**

*No Executive Session was held.*

## 11. ADJOURNMENT

Chair Losoff called for adjournment at 7:46 p.m., without objection.

I certify that the above is a true and correct summary of the meeting of the Planning & Zoning Commission held on April 5, 2016.

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Donna A. S. Puckett, *Administrative Assistant*

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Date