

**Summary Minutes
City of Sedona
Planning & Zoning Commission Meeting
City Council Chambers, 102 Roadrunner Drive, Sedona, AZ
Tuesday, June 7, 2016 - 5:30 p.m.**

1. VERIFICATION OF NOTICE

Acting Chair Brandt verified the meeting had been properly noticed.

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

Acting Chair Brandt 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: Acting Chair Eric Brandt and Commissioners Randy Barcus, Avrum Cohen. Larry Klein and Gerhard Mayer. Chair Marty Losoff and Vice Chair Kathy Levin were excused.

Staff Present: Roxanne Holland, Cari Meyer, Ryan Mortillaro, Donna Puckett and Ron Ramsey

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

Cari Meyer announced that Mike Raber sent out an email, but we received one application for a Major Community Plan Amendment that will probably start coming to the Commission in work sessions in August with a tentative public hearing in September, but you are welcome to review the application. It is for the property formerly known as the Sedona Racquet Club, and they are proposing to change it to a residential use.

4. APPROVAL OF THE FOLLOWING MINUTES:

a. May 17, 2016 (R)

Acting Chair Brandt indicated that this item is for approval of the minutes of the May 17, 2016 meeting.

MOTION: Commissioner Barcus moved to approve. Commissioner Cohen seconded the motion.

Acting Chair Brandt asked if there is any discussion and hearing none, called for the vote.

VOTE: Motion was tabled for the next meeting with three 3) votes for, because Commissioners Klein and Mayer indicated that they had to abstain, since they were not present for the meeting.

Donna Puckett noted that we will defer that agenda item to the next agenda, when we have a quorum for the vote.

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.)

Acting Chair Brandt opened the public forum and, having no requests to speak, closed the public forum.

6. **Discussion/possible action regarding a request for Development Review to construct a new 3,808 square foot commercial/warehouse building and associated site improvements at 60 Sinagua Drive. The property is zoned C-2 (General Commercial). A general description of the area affected includes but is not limited to the east side of Sinagua Drive south of Southwest Drive. APN: 408-24-319. Applicant: Larry and Denise Garnello/Dan Surber Architect Case Number: PZ16-00001 (DEV)**

Presentation by Cari Meyer: Cari noted that this request was discussed at the work session two weeks ago, and we can refer to those documents. She then provided an overview of the request, and indicated that it is a four-bay warehouse and is an allowed use in the Zoning District. The site is a little over one-third of an acre and previously used as a commercial nursery, and there is no natural vegetation left onsite. With their proposal, they are proposing an 11-space parking lot, and based on warehousing parking ratios, only five parking spaces are required. In their Letter of Intent, they stated that they are using some of the overflow parking for potential employee parking for their adjacent business, and one of the conditions of approval is that future uses may be limited by the parking that is available.

Cari stated that staff did a complete review of their application, including the elevations, site plan, landscaping, signage and lighting, and found that in staff's opinion, it complies with all of our regulations. Staff and the applicant did do public outreach and there was one public comment that we both received, and the applicant spoke with that neighbor to the north – the owner of the School of Massage building, who had some questions about the development that were answered by the applicant.

Cari indicated that we had a work session a couple of weeks ago and one of the things discussed was connectivity between other parcels in the area, and they currently have a connection to the lot to the south. They currently are not proposing any connections to other lots, but based on the design of the site, if there was some kind of agreement between the property owners, there is nothing in this site plan that would block any future connections if that is something they decided to do together, but in some of the discussions, the Commission seemed to come to the conclusion that it wasn't a high priority for this site in particular, so staff believes that this application meets the required findings as outlined in the Staff Report and we are recommending approval of this application.

Commission's Questions of Staff or Applicant:

Commissioner Mayer asked if the applicant has told staff what kind of goods will be in that warehouse and if there will be some activities other than just warehousing. Cari stated that they said that they own the Crystal Magic store on S.R. 89A, so the additional rocks, gems, etc., and their current proposal is for three of the bays, and then one would be a contractor's office. The Commissioner then commented, okay so no manufacturing, and Cari stated no.

Larry Garnello, Applicant: Mr. Garnello stated that basically it is for processing his materials on S.R. 89A. He goes to the gem show once a year, because it is in Tucson, so it is nice. It is hard to ship rocks affordably, so it's nice to be able to go to Tucson and get them. With that in mind, he has to buy enough rocks to last a year, and he doesn't have the space to do it anymore, so that is why he is building this building.

Commissioner Mayer then indicated that he had another question, but more for the architect. The Commissioner then referenced some sketches and some crosscuts, etc., and asked if there were any renderings to see more.

Dan Surber, Architect: Mr. Surber indicated that there are elevations. Commissioner Mayer then asked about exterior . . . , Cari Meyer interjected that staff did receive the color material samples and it is going to be a gray color with the rock wainscoting. The Commissioner asked about veneer in the front and Cari indicated yes. He then asked if it is all steel construction and Mr. Surber stated that they are looking at a metal construction with the stone veneer on the wainscot and the

columns. Commissioner Mayer then asked if the roof will be metal and stated okay; he is sure everything complies with the codes, so he doesn't have any other questions.

Acting Chair Brandt indicated that the neighbor had asked about the trees, and we touched on that at the work session. He just went by the property and saw that on the north side there are two trees that were said to be off of the property, but they're on your side of the fence. Mr. Garnello explained that regarding the two trees, one of them is half dead, and he may have to take that one down, because it could be a hazard. He really doesn't want to take the other tree down, and he discussed with her that he doesn't want to take it down, but she has to be responsible for it, because it is right on the property line, so it is between them and he had said that if she took care of them, he wouldn't remove them. He is just going to trim it where it might hit against the building, but he has no intentions to remove it. He knows why she wants the trees there, because when they do their massage therapy classes, they take breaks and have a little area with pavers, chairs and a BBQ, and they hang out in the trees there, so he understands the whole concept, and he doesn't want to take it out, but that one tree that is half dead, the Aspen that is closest to the road. If you look at it, it is dead, so he might take it out or at least cut the half that's dead and see what happens.

Commissioner Cohen asked whose tree is the one that is not half dead, and Mr. Garnello indicated that both trees are planted on the property line, so realistically, it could be his tree or her tree, but he has been maintaining them. He hasn't been watering them; he has been trimming them and keeping them groomed, but she was supposed to water them and one of them didn't make it. The Commissioner then asked if the tree is in the middle of the property line, then it belongs half to you and half to her, and Mr. Garnello indicated yes, he thinks so. Commissioner Cohen then asked what the future of the tree is and Mr. Garnello stated that he is going to leave the trees, except for the one that is half dead. The tree has four or five branches on one-half of the tree, the four or five branches are alive and on the other half, they are dead, so he doesn't know if he trims the dead ones off if the tree will come back alive; he doesn't know. Commissioner Cohen then asked what she said when he told her about needing to water the other tree and Mr. Garnello stated that she does and she's happy with what they discussed too. She is just happy that there will still possibly be two trees, not just one. The Commissioner then stated, so your neighbors are happy with you going forward with this. Mr. Garnello indicated that he hasn't heard anybody say anything against what he has been doing, so he is assuming everyone is happy; he can't read their minds. He knows she is okay with it; he knows the guy that's east of him is okay with it, so those are the two people that are impacted by this the most, and they seem okay. Commissioner Cohen then asked if there have been other comments from any other neighbors, and Cari stated no.

Acting Chair Brandt explained that the only reason he brought it up is because the landscape plan doesn't show anything in that location, but the trees are there, and he sees that they are on your side of the fence, so to speak, so that is why he was curious. It's great that you are going to keep them and work with them, and let's just hope they can manage. Mr. Garnello said that he hopes so, because he doesn't want to get rid of the tree. When the City did a stormwater plan about five years ago down the side of the Giant gas station and his building, Magic Clothing, they did a culvert, and there is a really huge tree there by S.R. 89A, and the construction company, which was Tiffany, in order to put that culvert in, that tree was just skirted right where it had to be, and they wanted to take it out, but he did whatever he could to have them not take it out, and they assured him that by them putting in the new culvert, basically all of the roots that were next to the old culvert drinking the water would be cut off, so there wouldn't be any roots, and it has been five years and it is still alive and doing well, so he is all for trees, especially for shade in the summertime and for the aesthetics too.

Commissioner Mayer asked if he was going to replace the one tree that he might have to cut down, and Mr. Garnello indicated that he is going to put trees all around the whole property. The property with the parking spaces has two or three parking spaces divided by a median, and in the median, he is going to put a big tree, so he will probably add eight to ten trees to the whole property. Commissioner Mayer stated cool; shade for the massage people, and Mr. Garnello stated no, that

is not going to be on their side; it will be on the other side where the cars are and stuff, but yeah, shade.

Acting Chair Brandt indicated that if there were no further questions from the Commission, he would see if anyone in the public wanted to speak.

The Acting Chair opened the public comment period and, having no request to speak, closed the public comment period.

Acting Chair Brandt then asked if there were any comments or a motion.

MOTION: Commissioner Cohen moved to approve the proposed development review for Garnello Commercial Warehouse as set forth in case number PZ16-00001 (DEV) based on compliance with all ordinance requirements and satisfaction of the Dev Review findings and applicable Land Development Code requirements and the conditions as outlined in the Staff Report. Commissioner Barcus seconded the motion.

VOTE: Motion carried five (5) for and zero (0) opposed. Chair Losoff and Vice Chair Levin were excused.

7. FUTURE MEETING DATES AND AGENDA ITEMS

- a. Thursday, June 16, 2016; 3:30 pm (Work Session)**
- b. Tuesday, June 21, 2016; 5:30 pm (Public Hearing)**
- c. Thursday, June 30, 2016; 3:30 pm (Work Session)**
- d. Tuesday, July 5, 2016; 5:30 pm (Public Hearing)**

Cari Meyer indicated that of the four meetings on this list, we have nothing for any of them, so we will definitely cancel June 16th and hold off until next week to make sure there is nothing for the 21st; she doesn't anticipate anything. The next thing we know for sure is that Donna sent you an email this morning about a June 13th joint meeting scheduled with the City Council, and this is to kick-off . . . Commissioner Barcus interjected that it is July 13th and he will not be here. Cari agreed that it is July 13th and continued to say it is a kick-off meeting to the wireless communication ordinance and wireless master plan, and a lot of that is in response to some recent federal regulations that change what we are and are not allowed to do with wireless facilities, and it will be on July 13th at 3:00 p.m. here, and it will be open to the public.

Acting Chair Brandt asked if there will be discussion on towers, and Cari indicated that she was told by Audree everything she just told you, and Commissioner Cohen stated that there are towers involved. Cari then stated that the Wireless Communication Ordinance is what currently would regulate a wireless tower, so if we are updating it, she would say that is a possibility. The Acting Chair indicated that he was trying to figure out how we would be involved – just make them trees, so you can't see them. Cari explained that new wireless communication facilities would require a Conditional Use Permit, which would be heard by the Commission and it is also an article in the Land Development Code, which you are required to review before it goes to the City Council.

Commissioner Cohen asked when you send us the material, will you send us the federal regulations that you quoted, and Cari indicated that she will send the Commission whatever Audree and Karen give her to send. Other than that, we are working on the Schnebly Hill CFA and that is probably the next one to come to you, but we probably are looking at September or October, and we're looking at some different implementation measures and different options for that. She believes Audree said that we will be looking for some decision and action by the Commission in November. For the other dates on this list, we don't have anything.

Acting Chair Brandt and Commissioners Barcus and Cohen stated that they would not be available for the July 5th meeting, and Cari said since we are down three already and don't have anything, we

will probably plan on cancelling that meeting. Commissioner Cohen asked if June 21st was canceled, and Cari indicated that staff will check on Monday and let the Commission know.

8. 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.

9. ADJOURNMENT

Acting Chair Brandt called for adjournment at 5:50 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 June 7, 2016.

Donna A. S. Puckett, Administrative Assistant

Date