

**Staff Report**  
 PZ17-00010 (Major Community Plan  
 Amendment)  
 Son Silver West  
 Summary Sheet



**City of Sedona**  
**Community Development Department**  
 102 Roadrunner Drive Sedona, AZ 86336  
 (928) 282-1154 • www.sedonaz.gov

**Meeting Date:** **Work Session:** September 14, 2017  
**Public Hearing:** September 19, 2017

**Hearing Body:** **Planning and Zoning Commission**

**Action Requested:** Consideration of a Major Community Plan Amendment to the Future Land Use Map

**Staff Recommendation:** Recommendation of Denial of a Major Community Plan Amendment to the Future Land Use Map

**Location:** 1535 State Route 179 (Tract 40, Broken Arrow Subdivision)

**Parcel Number:** 401-31-011

**Owner:** Linda Rose Robson and William B. Robson, Trustees of the Linda Rose Robson Living Trust dated July 12, 1999  
 1476 State Route 179; Sedona, AZ 86336

**Applicant/Authorized Agent:** Francis J. Slavin, Esq. and Heather N. Dukes, Esq.  
 Francis J. Slavin, P.C.  
 2198 E Camelback Rd. Suite 285; Phoenix, AZ 85016

**Project Summary:** Major Community Plan Amendment to allow for a potential rezoning for construction of a private parking lot

**Site Size:** ± 0.48 acres

**Sedona Community Plan Designation:** SFLD (Single-family Low Density)

**Proposed Sedona Community Plan Designation:** PA (Planned Area)

**Zoning:** RS-18b (Single-family Residential)

**Current Land Use:** Vacant

**Surrounding Properties:**

|              | <b>Subdivision</b> | <b>Community Plan Designation</b>     | <b>Zoning</b> | <b>Current Land Use</b> |
|--------------|--------------------|---------------------------------------|---------------|-------------------------|
| <b>NORTH</b> | Broken Arrow       | Single-family Low Density Residential | RS-18b        | Son Silver West Gallery |
| <b>EAST</b>  | Broken Arrow       | Single-family Low Density Residential | RS-18b        | Residential             |
| <b>SOUTH</b> | Broken Arrow       | Single-family Low Density Residential | RS-18b        | Vacant                  |
| <b>WEST</b>  | Broken Arrow       | Single-family Low Density Residential | RS-18b        | Residential             |

**Report Prepared By:** Audree Juhlin, Director

**Attachments:**

1. Vicinity/Aerial Map
2. Applicant Submitted Materials
  - a. Project Description, Amendment Process, Public Participation Plan
  - b. August 9, 2017 Letter
  - c. Resubmittal Materials (Submitted August 24, 2017)
  - d. Citizen Participation Report
3. Staff Evaluation
  - a. Community Plan Checklist
  - b. Staff Response to Planning and Zoning Commission Work Session
  - c. Staff comments: Letter of Intent
4. Staff and Review Agency Comments
  - a. City of Sedona Community Development Department
  - b. City of Sedona Public Works Department
  - c. Sedona Fire District
  - d. UniSource Energy Services
5. Public Comments

## Staff Report

PZ17-00010 (Major Community Plan Amendment) Son Silver West



City of Sedona

Community Development Department

102 Roadrunner Drive Sedona, AZ 86336

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### PROJECT SUMMARY

The applicant is seeking a Major Community Plan Amendment with the expressed intent of constructing a private parking lot on the subject parcel to serve the adjacent property to the north. While the initial submittal included both a Major Community Plan Amendment and Zone Change application to be considered concurrently, on August 9, 2017 the applicant submitted a letter updating the City on the status of their Zone Change application (see Attachment 2.b). In summary, while they were working on responding to the zone change comments in order to submit a complete Zone Change application, they acknowledge that they would not get the materials resubmitted to the City with sufficient time to allow the two applications to be considered concurrently, resulting in the Major Community Plan Amendment and Zone Change applications being heard in sequence rather than concurrently. Therefore, the current application for Commission consideration as part of this public hearing process is only the Major Community Plan Amendment. If the Major Community Plan Amendment application is approved, this would allow for the consideration of a future Zone Change application.

### SITE CHARACTERISTICS (EXISTING)

- The project site is one parcel of approximately 0.48 acres.
- The property is located in Coconino County.
- The property is currently vacant and located within the Broken Arrow subdivision.
- There is existing vehicular and pedestrian access to the site from State Route 179.
- There is an existing vehicular and pedestrian access to the property from 365 Bowstring. This access is not permitted and is in violation of City Codes.
- The property is not within a designated floodplain.
- The existing natural and disturbed vegetation onsite consists of a mixture of mature trees and shrubs.

### BACKGROUND

Son Silver West Galleries, LLC (SSW) is a successful family owned business operating an art gallery and gift shop on State Route 179 (SR 179) since the 1980s, prior to the City's incorporation. SSW is widely known and embraced as a popular destination for residents and visitors alike. Coming from Interstate 17 on SR 179, after entering the Sedona city limits, it is one of the first attractions that visitors experience and draws many repeat visitors. SSW is an integral participant in Sedona's visitor-based economy and adds to Sedona's small town, unique, artistic, and creative character. While success is something that the City hopes all our businesses achieve and sustain, SSW's success may also be, in part, responsible for ongoing parking issues. Addressing the need for more parking to support SSW is the crux for why the property owners are seeking approvals for the construction of additional parking.

Though not a part of this proposal, the impacts of the success of the gallery are the driving forces behind this application. The SSW gallery is located on Tracts 41 and 42 of the Broken Arrow Subdivision and is zoned RS-18b (Single-family Residential), which does not typically allow for commercial uses. However, the commercial activities were established prior to the City's incorporation and became a legal non-conforming use upon the City's incorporation. SSW received approval of a Conditional Use Permit (CUP) for expansions in 1992 (CUP92-3). At that time, the City's Land Development Code

allowed for the expansion of legal non-conforming uses through review and approval of a CUP. Since that time, that provision has been removed from the Land Development Code, thus the only avenue available to address their current parking problems is through a Major Community Plan Amendment and Zone Change request.

The owners of SSW own the following residential properties within the Broken Arrow Subdivision (see map below):

- Tract 40: 1535 SR 179-subject of this proposal, currently vacant lot to the south of SSW;
- Tracts 41, 42: site of SSW gallery and existing parking lot (further references to SSW are referring to these tracts) and not included with this application;
- Tract 45: 61 Arrow Drive, residential home and not included with this application;
- Tract 49: 365 Bowstring Drive, residential home and not included with this application.



## PUBLIC INPUT

- The proposal documents were placed on the Projects and Proposals page of the Community Development Department website ([www.sedonaaz.gov/projects](http://www.sedonaaz.gov/projects)).
- The applicant notified property owners within 300 feet of the subject property and held an open house on June 29, 2017.
- The Citizen Participation Report for the proposal is included as Attachment 2.d.
- This proposal was included in the City-wide notice distributed by the City regarding all 2017 proposed Major Community Plan Amendments.
- A notice was published in the Red Rock News on September 1, 2017.

- All notices contain contact information or directions on how to submit comments. All public comments received as of August 31, 2017, at 12:00 noon are included as Attachment 5.

## REVIEW AGENCY COMMENTS AND CONCERNS

The submitted documents were routed to review agencies for comments. Comments were received from the following agencies and are included as Attachment 4:

1. City of Sedona Community Development Department
2. City of Sedona Public Works Department
3. Sedona Fire District
4. UniSource Energy Services

## COMMUNITY PLAN

The Sedona Community Plan Future Land Use Designation for Tract 40 is Single-family Low Density (0.5 to 2.0 dwelling units per acre). This land use designation only supports low density residential zoning for the property and the existing zoning of RS-18b (Single-family Residential) is in compliance with that designation. The proposal is to develop a private parking lot on the subject property. A parking lot is not permitted in a residential zoning district, including the RS-18b district; therefore, a zone change is necessary. However, as the current Future Land Use Map Designation only supports Single-family Low Density zoning districts for this property, a Community Plan Amendment is needed as well.

### *Potential Community Plan Designations*

There are only three Future Land Use Designations that would support a parking lot on private property – Commercial, Commercial/Lodging, or Planned Area. The proposal is requesting the Planned Area designation. Planned Areas were established in the 2002 Community Plan and brought forward in the current Community Plan to address needs and provide benefits for certain areas including land use transition or buffers between residential areas, commercial uses, and highway corridors. Where a Planned Area designation falls within a Community Focus Area (CFA), the Community Plan's Community Expectations for that area apply. The subject property, Tract 40, falls within the Morgan Road CFA. Accordingly, the Community Expectations associated with the Morgan Road CFA will apply to this proposal.

### *Purpose of the Existing Land Use Map and Future Land Use Map*

The difference between existing uses and Future Land Use Designations is important to understand when considering changes to the Future Land Use Designation of a property. The Existing Land Use Map in the Community Plan is intended to reflect existing land use conditions; however, those existing conditions may not be the land use conditions desired in the future. While not considered as part of this proposal, SSW is depicted as Commercial on the Existing Land Use Map. The subject property is depicted as Vacant. Both properties have a Future Land Use Designation of Single-family Low Density.

As in this case, it is not uncommon for the Existing Land Use Map and the Future Land Use Map to be different. While the Existing Land Use Map is intended to reflect existing land use conditions, those existing conditions may not be the land use conditions desired in the future. As entitlements to existing, non-conforming uses expire, properties generally must conform to authorized uses. The Future Land Use Map is the foundation for future community development, showing the desired location for each land use as the city continues to grow and develop. The Future Land Use Map serves as a guide for land use and development decisions.

## **AMENDMENT PROPOSAL**

The proposal is for the consideration of a Major Community Plan Amendment to change the Community Plan Future Land Use Designation from Single-family Low Density to Planned Area. The proposal states that the reason for this request is to allow for the consideration of a future Zone Change application for the purposes of constructing a new parking lot and is intended to address overflow parking for SSW employees and customers. In order for the property owners to build a parking lot, the following must be approved:

1. *Major Community Plan Amendment to the Future Land Use Map*, re-designating the property from Single-family Low Density (0.5 – 2 DU/acre) to Planned Area (PA).
2. *Zone Change*, rezoning the property from Single-family Residential (RS-18b) to Parking (P) or other zoning district that would allow for construction of a parking lot.

The initial submittal for this proposal included a Zone Change application that was to be heard concurrently with the Major Community Plan Amendment application, which, if both proposals were approved, would have rezoned the subject property to Parking (P). On August 9, 2017, the applicant submitted a letter to the City, stating that they would not be able to submit all of the zoning documents by the Major Community Plan Amendment deadlines for review and consideration and requested that the applications not be considered concurrently.

Therefore, only the Major Community Plan Amendment is being considered at this time. If the Major Community Plan Amendment is approved by City Council, this would allow for a Zone Change application to be considered in the future. It is important to note that now that the Major Community Plan Amendment is being considered separately from a Zone Change application, many of the representations by the applicant in the Letter of Intent cannot be guaranteed, as those assurances would be accomplished through the zoning approval process.

While a Zone Change application can be conditionally approved, a Major Community Plan Amendment cannot be subject to the same type of conditions. If the Major Community Plan Amendment is approved, it would set the criteria for review of future Zone Change applications. These criteria include, but are not limited to, the Future Land Use Designation, the Morgan Road CFA Community Expectations and other applicable portions of the Community Plan.

### ***Letter Of Intent***

The proposal's Letter of Intent cites areas of the Community Plan that appear to support a parking lot in this location. However, some of these citations appear to be taken out of context or misstated. General clarifications related to the Letter of Intent are provided in Attachment 3.c.

### ***Conceptual Site Plan***

The proposal materials include a conceptual site plan with parking lot layout. While the site plan is an illustration of one possible concept, it is not under review with this proposal. A future rezoning proposal for a parking lot will include a detailed site plan review of a proposed design. Future rezoning and site plan review for a parking lot would include, but not be limited to:

- Compliance with Land Development Code standards, including but not limited to, parking standards, vegetation, landscaping, signage, lighting, and screening. If all approvals are obtained, the Public Works Department will ensure the parking lot meets the City's grading and drainage standards during the building permit review process.

## **PUBLIC COMMENT**

### *Neighborhood Comments*

- A number of neighbors from the Broken Arrow subdivision have generally expressed concern about parking, traffic, noise, deliveries, and the overall expansion of the Son Silver West Gallery.
- Additionally, neighbors have also expressed concern about compatibility of the use with the neighborhood.
- One neighbor expressed a position of neutrality on the proposal, while the others do not support the proposal.

### *Visitor Comments*

- Visitors/tourists to SSW art gallery are generally supportive of the continuation of Son Silver West Gallery operations. Some expressed anger that the City is trying to shut down and replace the family owned, small business with a big box, corporate or other strip commercial development.

All written comments received by Staff are included as Attachment 5. The applicant has also submitted a Citizen Participation Report detailing their outreach efforts, included as Attachment 2.d.

## **PLANNING AND ZONING COMMISSION WORK SESSION**

The Planning and Zoning Commission conducted a site visit to the subject property on August 10, 2017, and held a work session on the proposal on August 15, 2017. Questions and comments raised during those meetings and Staff's responses are included in Attachment 3.b.

## **REVIEW GUIDELINES**

The following is requested of the Planning and Zoning Commission:

### **Major Community Plan Amendment:**

Recommendation from the Planning and Zoning Commission

***In making a recommendation regarding a Major Community Plan Amendment to City Council, the Planning and Zoning Commission should determine whether such amendment is in the interest of the public and is consistent with the community's vision, adopted plans, Community Focus Area (CFA) Community Expectations, and overall consistency with the Sedona Community Plan.***

### **DISCUSSION (MAJOR COMMUNITY PLAN AMENDMENT)**

As defined by A.R.S. 9-461.06, a major amendment is a substantial alteration of the City's land use mixture or balance as established in the Community Plan's Land Use Element. It is up to the City to develop criteria that meet this definition. Based on the criteria set by the City of Sedona in the Community Plan (page 113), the following Major Amendment criterion applies to this application:

#### **A. A change to the Future Land Use Map where:**

*There is a change in the land use designation from Residential to Planned Area.*

When it has been determined that a Major Amendment is required, the following are required for the review of the application:

1. Major amendments are subject to public participation procedures adopted by the City Council.

- a. *Property owners within 300 feet of the subject property were notified of the application by the applicant and invited to an open house. An open house was held by the applicant on June 29, 2017. A summary of that meeting is included in the applicant's Citizen Participation Report.*
  - b. *The public hearing was noticed in the Red Rock News with a ¼ page display ad on September 1, 2017.*
  - c. *City-wide notification regarding all 2017 Major Community Plan Amendments was distributed on August 28, 2017 and included this proposal.*
2. Shall be presented at a single public hearing in the same calendar year the proposal is made.
    - a. *The proposal was made in 2017. The Planning and Zoning Commission hearing is scheduled to be held on September 19, 2017, and the City Council public hearing is tentatively scheduled for October 25, 2017.*
    - b. *All Major Community Plan Amendments will be presented at the same public hearing.*
  3. Be approved by an affirmative vote of at least two-thirds of the members of the City Council.
    - a. *The proposal will not become effective unless approved by two-thirds of the City Council.*
  4. May be initiated by the City or requested by the private sector.
    - a. *This proposal was requested by the property owner.*

## **EVALUATION OF PROPOSAL**

### *Considerations for Major Community Plan Amendments*

When considering a change to the Future Land Use Designation, consideration should be given to the following:

- The Community's Vision
- Adopted Plans
- Community Expectations
- Overall consistency with the Sedona Community Plan

### *Inclusion of Adjacent Properties in Application*

In several discussions with the property owners and their agents prior to the applicant's June 2017 submittal of the Major Community Plan Amendment and Zone Change applications, staff suggested that the best course to pursue approval of a parking lot may be through a more comprehensive submittal that addresses all affected properties.

Two options were discussed:

- 1) Wait until the Morgan Road CFA (CFA 11, see map below) specific planning effort is complete;  
or
- 2) Submit Major Community Plan Amendment and Zone Change applications concurrently that allow for considerations of the entire SSW art gallery operations (Tracts 40, 41 and 42).

Understanding that a timeframe for the initiation of the Morgan Road CFA Plan was unknown, Staff's recommendation for moving forward was to initiate the Major Community Plan Amendment and Zone Change applications concurrently for Tracts 40, 41, and 42. This would have allowed for the evaluation of the entire SSW art gallery operation and would have provided a better context in which to evaluate



the proposed Future Land Use Designation, address the business needs, and ensure compatibility with the surrounding neighborhood.

Ultimately, the property owner did not choose either of the two options above, electing to bring forward a Major Community Plan Amendment and Zone Change application that included only the proposed parking lot. The application was then amended to remove the zoning application. At this time the Major Community Plan Amendment for the vacant parcel is the only item being considered.

#### *Implications of Removing Zone Change from the Application*

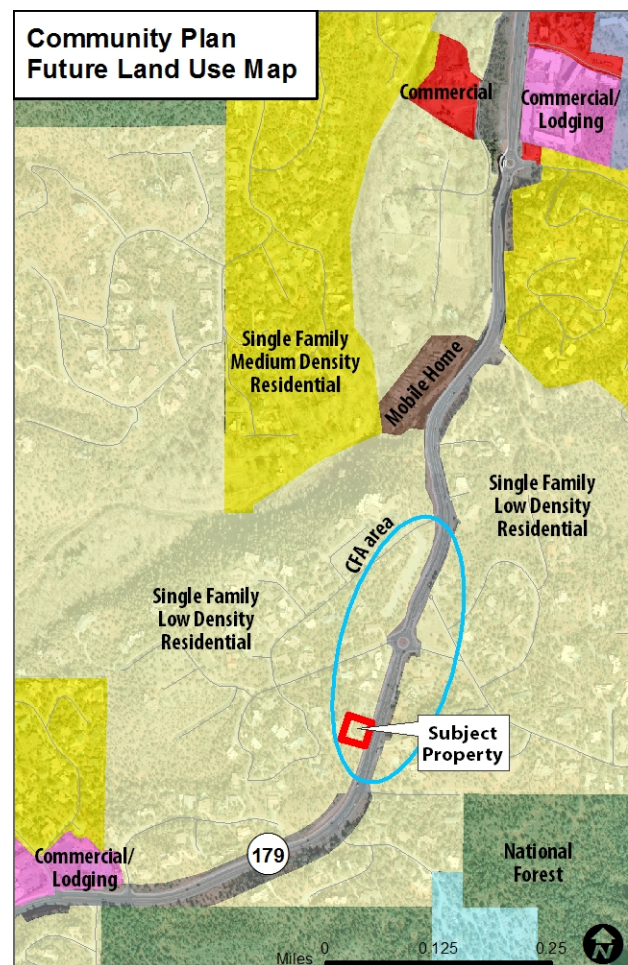
The zoning application was originally submitted to be processed, reviewed and considered concurrently with the Major Community Plan Amendment Planned Area designation. As the zoning portion of the application was removed from the application, if the Major Community Plan Amendment is approved, this would allow the property owners to pursue a Zone Change application for not only a private parking lot, but other non-residential uses.

The Commission must determine if a Future Land Use Designation of Planned Area is appropriate for Tract 40 in isolation, without considering the uses on the adjacent properties and without the assurances that could be realized if the zone change was being considered concurrently.

#### *Implications of Considering Tract 40 in Isolation*

Since this proposal is a Major Community Plan Amendment for only one property, it is difficult to evaluate the proposed Future Land Use Designation to Planned Area because this property and the surrounding properties all have a Future Land Use Designation of Single-family Low Density. This includes SSW, which the proposed parking lot would support. If the Planned Area Future Land Use Designation was approved, it would be the only property in the immediate area, including the Morgan Road CFA, with a non-residential Future Land Use Designation. The closest non-residential Future Land Use Designations are the Copper Cliffs (Commercial) and Arabella (Commercial/Lodging) lodging uses to the north and Poco Diablo Resort (Commercial/Lodging) to the south. Non-residential uses other than parking for Tract 40 could be seen as inconsistent with the surrounding Future Land Use Designations.

An even greater challenge is assessing the conceptual private parking lot proposal which supports a use located off-site and is not tied to the proposal. Assuming that a future zoning application would only be for a private parking lot, and no other non-residential uses, without the ability to include the SSW art gallery property in the evaluation of this proposal, it is difficult to determine the need for the parking lot, the extent of the demand for parking, and whether the demand could be accommodated in a different manner. In addition, without the properties being tied together through this application, there are



no assurances that the two properties will function as one, as the applicant claims in the Letter of Intent.

### *Potential for Adjacent SSW Site*

Although not a part of this application, the proposal's Letter of Intent refers to the use on the adjacent site as justification of the proposed parking lot. Therefore, some consideration must be given to that use when evaluating the SSW property and the need for the expanded parking lot.

While it is understood that SSW has an established conditionally allowed commercial use, that commercial use is considered legal nonconforming and that property will remain with single family residential zoning, unless SSW seeks and receives an Amendment to the Community Plan and a Zone Change. Therefore, the SSW property can only be used for single family residential purposes and in accordance with the approved 1992 CUP. Consequently, future development may revert back to the allowed residential uses, while the vacant lot under consideration would remain as a Planned Area (with potentially non-residential zoning) while the use it was purported to support no longer exists.

### *Morgan Road CFA*

The subject property is located within the Community Plan's Morgan Road CFA. CFAs are identified in the Community Plan (page 34), and are described as follows:

*A Community Focus Area (CFA) is a location where the City will play a proactive planning role to implement the community's vision. With participation from property owners, neighbors, and stakeholders, the City will develop a Specific Plan, including any necessary rezoning, for adoption by the City Council. These Specific Plans may be adopted to bring properties into closer alignment with community expectations as expressed on the following pages. The specific planning process is intended to maintain flexibility for future creativity and innovation. The "Community Expectations" listed on each CFA page describe future conditions for each area that the Plan will strive to achieve over time. These Community Expectations are not intended as definitive requirements, but to provide guidance for community-level planning efforts.*



Although the City has not yet adopted a CFA plan for this area, the Community Expectations for the Morgan Road CFA are one component of the Community Plan that are used for this analysis and will be used in the evaluation of a future Zone Change request. The following are the Community Expectations for this CFA (Community Plan, page 47).

- *Explore opportunities for non-residential uses along SR 179 if key public or neighborhood amenities are provided (e.g. good pedestrian access to neighborhoods, open space retention, or enhancement next to the highway).*
- *Consider new non-residential development only if compatible with the character of the neighborhood.*

In reviewing the first expectation, it is difficult to assess whether the Planned Area designation would provide key public or neighborhood amenities. This evaluation must be based solely on the merits of re-designating the subject property, because this proposal does not include the use it is potentially supporting, the SSW art gallery. Therefore, the evaluation should focus on what key public or neighborhood amenities could be realized through potential non-residential uses for Tract 40 only, including the proposed private parking lot. Examples identified in the Community Plan include: good pedestrian access to neighborhoods, open space retention, or enhancement next to the highway. In isolation, this property could support such things as a neighborhood market, neighborhood pocket park, or open space. Providing for pedestrian connectivity for the Broken Arrow subdivision to SR 179 could be problematic as it would likely require public easements through private residential properties.

A private parking lot, as proposed, is not necessarily considered a neighborhood amenity. However, a private parking lot could be considered an amenity to the neighboring SSW operations by providing additional parking for customers and employees. As stated in the Letter of Intent, a parking lot may help alleviate some of the parking conditions on Arrow Drive. It is important to note that this proposal would not prohibit SSW customers and employees from parking on Arrow Drive and could not guarantee a reduction in neighborhood parking issues.

In reviewing the second expectation, it is difficult to assess whether the Planned Area designation is compatible with the character of the neighborhood. Evaluating the proposal and the merits of a single property with the Planned Area designation is difficult given the fact that it is surrounded by Single-family Low Density designated properties. As such this request does not appear to be consistent or compatible with the current Future Land Use Designation and Community Expectations for this area, absent a CFA plan or more inclusive proposal. Without assurances that future zoning applications would propose uses with design standards that could be considered complimentary to the character of the neighborhood and address area issues, determining compliance for the Planned Area Future Land Use Designation against the second CFA Community Expectation is challenging.

In summary, these questions remain:

- Is a Planned Area Future Land Use Designation consistent and compatible with the surrounding neighborhood and Morgan Road CFA?
- Would non-residential uses including a private parking lot be appropriate?

## **CONCLUSION**

The proposal under consideration is a Major Community Plan Amendment. While the City routinely considers proposals to amend the Community Plan, the decision of whether or not to make a particular amendment is a legislative policy action left to the judgement and discretion of the Planning and Zoning Commission and City Council. A variety of factors are considered when making these decisions, including how the proposal relates to the community's vision, adopted plans, Community Expectations and overall consistency with the Sedona Community Plan. In this case, the Planning and Zoning Commission is being asked to evaluate the proposal and forward a recommendation to the City Council.

The proposal is requesting a change in the Community Plan's Future Land Use Designation from Single-family Low Density to Planned Area. While the current land use designation does not allow for non-residential uses, the proposed Future Land Use Designation would. Careful consideration should be given in order to assure that the full spectrum of issues have been discussed while determining

whether to support the proposed amendment. The adjacent property to the north contains the SSW art gallery, a legal nonconforming use. Both the subject property (Tract 40) and SSW art gallery property (Tracts 41 and 42) are owned by the same property owner and the proposal has made the argument regarding the need for additional parking based on the operations at SSW. However, the SSW property is not included in this application proposal.

Therefore, the City must evaluate the merits of this proposal based on the subject property (Tract 40) alone, not taking into account the activities on the neighboring property, SSW art gallery (Tracts 41 and 42). Tract 40 and the surrounding properties all have a Community Plan Future Land Use Designation of Single-family Low Density. These properties are located within the Morgan Road CFA. A CFA plan has not been completed thus considerations should include whether the proposal is meeting the Community Expectations identified for the Morgan Road CFA, whether a change to Future Land Use Designation of Planned Area answers the following questions:

- Does the Planned Area designation which allows for the consideration of non-residential uses provide for key public or neighborhood amenities (e.g. good pedestrian access to neighborhoods, open space retention, or enhancement next to the highway)?
- Is the Planned Area designation which allows for the consideration of new non-residential development compatible with the character of the neighborhood?

To reiterate, assessing a future zoning application for a private parking lot, and no other non-residential uses, without the ability to include the SSW art gallery property in the evaluation of this proposal, is difficult to evaluate the extent and need for the parking lot and whether the demand could be addressed in a different manner. Further, without the properties being tied together through this application, there are no assurances that the two properties will function as one. The SSW art gallery is allowed to continue to operate as a commercial use subject to the CUP conditions of approval. No other non-residential uses are allowed on that property, and the current use is not allowed to expand beyond the approved CUP approvals. Without Community Plan and Zone Change approvals for the SSW property, it will remain with single family residential zoning. Therefore, future development could revert back to the allowed residential uses but the property under consideration (Tract 40) would remain as a Planned Area (with potentially non-residential zoning) while the uses it was purported to support no longer exist.

#### *Findings of Fact*

- The current Future Land Use Designation is Single-family Low Density
- The surrounding properties have Future Land Use Designations of Single-family Low Density
- The Planned Area proposed Future Land Use Designation is not consistent with surrounding Future Land Use Designations
- The property is located within the Sedona Community Plan's Morgan Road CFA
- There is no CFA plan for the Morgan Road CFA
- It is unclear how the Planned Area proposed Future Land Use Designation addresses the Morgan Road CFA's Community Expectations
- Tract 40 is being considered in isolation to Tracts 41 and 42 which are an integral component of the proposed parking lot.
- Consideration and approval of this request in isolation would not be based in solid planning principles that consider surrounding uses.

In conclusion, staff does not believe that the request as submitted is in compliance with the Morgan Road CFA Community Expectations, and applicable goals and policies as enumerated in the Community Plan. Staff believes that a more comprehensive submittal that includes concurrent applications for both a Major Community Plan Amendment and Zone change for all SSW properties involved (Tracts 40, 41 and 42) is a better approach, and one which City staff would likely support, to seek approvals for a parking lot. Additionally, this approach would allow for the evaluation of the entire SSW art gallery operation in a holistic manner and would provide a better context in which to evaluate the proposed Future Land Use and Zoning designations, address current and future business needs, including parking, shipping/deliveries, outdoor retail space, screening, outdoor lighting, etc.

### ***Staff Recommendation***

Staff is recommending denial of the proposed Major Community Plan Amendment for the reasons outlined in this staff report and summarized below.

- The proposed Community Plan Future Land Use Designation of Planned Area is not consistent with the Single-family Low Density Future Land Use Designations for the surrounding properties, including the property it proposes to support.
- The proposed Community Plan Future Land Use Designation of Planned Area would allow for other non-residential uses on Tract 40, while all surrounding properties are restricted to Single-family Low Density considerations, including the legal nonconforming property it proposes to support.
- Without a concurrent Zone Change application, there are no assurances that the representations made in the applicant's Letter of Intent would be accomplished.
- The proposal is being considered in isolation to Tracts 41 and 42 which are an integral component of the proposed parking lot.
- Without the two properties (Tract 40 and Tracts 41 and 42) tied together, there are no assurances that the two properties will function as one.
- Because the conceptual parking lot proposal supports a use located off-site, it is difficult to evaluate the extent and need for the proposed parking lot and whether the demand could be addressed in a different manner.
- It is unclear how the Planned Area proposed Future Land Use Designation addresses the Morgan Road Community Focus Area Community Expectations.
- Consideration and approval of this request in isolation would not be based on solid planning principles that consider surrounding uses.
- A comprehensive application for a Major Community Plan Amendment and Zone Change for all involved properties (Tracts 40, 41 and 42) is the most viable means of resolving the longer term issues surrounding the use of the SSW properties, including Tract 40 for parking.



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**Staff Recommendation (Major Community Plan Amendment):**

Staff recommends denial of the proposed Major Community Plan Amendment as set forth in case number PZ17-00010 (Major CPA), Son Silver West.

***Sample Motions for Commission Use***

(Please note that the following motions are offered as samples only and that the Commission may make other motions as appropriate.)

***Recommended Motion for Denial:***

I move to recommend to the Sedona City Council denial of case number PZ17-00010 (Major Community Plan Amendment), Son Silver West based on the findings as outlined in the Staff Report.

***Alternative Motion for Approval:***

I move to recommend to the Sedona City Council approval of case number PZ17-00010 (Major Community Plan Amendment), Son Silver West, based on the following findings (please specify findings).