

Community Plan Checklist

PZ17-00010 (Major CPA)

Son Silver West



**City Of Sedona Community
Development Department**

102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 · Fax: (928) 204-7124

This checklist includes all of the Community Plan’s goals. If there are directly applicable policies they will be addressed under the relevant goal. Other important elements of the Community Plan which are summarized in the Community Plan Summary (p. vi) include:

- An inclusive goal of the Plan:
 - Sustainability
- Vision Themes:
 - Environmental Stewardship
 - Community Connections
 - Improved Traffic Flow
 - Walkability
 - Economic Diversity
 - Sense of Place
- Major Outcomes:
 - Commitment to Environmental Protection
 - Housing Diversity
 - Community Gathering Places
 - Economic Diversity
 - Reduced Traffic
 - Access to Oak Creek

Project:	PZ17-00010 (Major Plan Amendment) Son Silver West	Date Submitted:	June 5, 2017
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Is this project in a CFA?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Name of the CFA:	CFA #11 Morgan Road		
If the project is in a CFA, is there an approved CFA Plan?	<input type="checkbox"/> Yes	If there is an approved CFA Plan, please refer to the attached CFA Checklist.	
	<input checked="" type="checkbox"/> No	If there is no CFA Plan, please address the Community Expectations at the end of this checklist.	

Note:

Since this proposal is requesting an amendment to the Future Land Use Designation of the parcel, the Community Plan goals are not applicable at this stage.

LAND USE, HOUSING, AND GROWTH GOALS		Community Plan, p. 17
1	Grow only within currently established residential and commercial limits.	
	<i>Compliance:</i> <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
2	Ensure harmony between the built and natural environments.	
	<i>Compliance:</i> <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
3	Reflect a unique sense of place in architecture and design.	
	<i>Compliance:</i> <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	

4	Provide public gathering spaces that promote social interaction.
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable
5	Create mixed use, walkable districts.
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable
6	Encourage diverse and affordable housing options.
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable

CIRCULATION GOALS		Community Plan p. 57
1	Reduce dependency on single-occupancy vehicles.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
2	Provide for safe and smooth flow of traffic.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
3	Coordinate land use and transportation planning and systems.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
4	Make the most efficient use of the circulation system for long-term community benefit.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
5	Limit the building of new roads and streets and make strategic investments in other modes of travel.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
6	Create a more walkable and bike-able community.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	

ENVIRONMENT GOALS		Community Plan p. 71
1	Preserve and protect the natural environment.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
2	Ensure a sufficient supply of quality water for the future.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
3	Protect Oak Creek and its riparian habitat.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	

4	Reduce the impacts of flooding and erosion on the community and environment.
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable
5	Promote environmentally responsible building and design.
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable

PARKS, RECREATION, AND OPEN SPACE GOALS		Community Plan p. 71
1	Protect and preserve natural open space.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
2	Ensure the protection of the environment while providing for responsible outdoor recreation.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
3	Provide activities and amenities that allow for community interactions and encourage active and healthy lifestyles.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	

ECONOMIC DEVELOPMENT GOALS		Community Plan p. 89
1	Support locally owned businesses.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
2	Recruit new businesses and organizations representing different business and institutional sectors that diversify Sedona's economic base.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
3	Preserve and enhance Sedona's tourist based economic sector.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
4	Incorporate an assets-based framework into the City's economic development efforts.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	
5	Improve the City's transportation, information and communication infrastructure to allow businesses to compete regionally, nationally and globally.	
	Compliance: <input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	

COMMUNITY GOALS		Community Plan p. 97
1	Cultivate an appreciation and respect for Sedona’s distinctive community character.	
	<i>Compliance:</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>Partial</i> <input type="checkbox"/> <i>No</i> <input checked="" type="checkbox"/> <i>Not Applicable</i>	
2	Ensure that the needs and aspirations of the community now and into the future are met through a variety of cultural activities, opportunities, and facilities.	
	<i>Compliance:</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>Partial</i> <input type="checkbox"/> <i>No</i> <input checked="" type="checkbox"/> <i>Not Applicable</i>	
3	Create increased opportunities for formal and informal social interactions.	
	<i>Compliance:</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>Partial</i> <input type="checkbox"/> <i>No</i> <input checked="" type="checkbox"/> <i>Not Applicable</i>	
4	Enhance opportunities for artistic display, engagement and learning.	
	<i>Compliance:</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>Partial</i> <input type="checkbox"/> <i>No</i> <input checked="" type="checkbox"/> <i>Not Applicable</i>	
5	Preserve and celebrate the community’s history.	
	<i>Compliance:</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>Partial</i> <input type="checkbox"/> <i>No</i> <input checked="" type="checkbox"/> <i>Not Applicable</i>	

CFA COMMUNITY EXPECTATIONS	
CFA 11 MORGAN ROAD	
Community Plan p. 47	
1	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).
	See Staff Report. <i>Compliance:</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>Partial</i> <input type="checkbox"/> <i>No</i> <input type="checkbox"/> <i>Not Applicable</i>
2	Consider new non-residential development only if compatible with the character of the neighborhood.
	See Staff Report. <i>Compliance:</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>Partial</i> <input type="checkbox"/> <i>No</i> <input type="checkbox"/> <i>Not Applicable</i>



On August 15, 2017, the Planning and Zoning Commission held a Work Session to discuss the proposed Major Community Plan Amendments the City is considering for 2017. The purpose of the work session was for the Planning and Zoning Commission to review the proposals and request additional information they felt would be needed to allow them to act on each proposal.

During the discussion for the Son Silver West (PZ17-00010), the Commission requested clarification on a number of items. The following is provided in response to that request.

General Comment: A number of questions asked by the Commission were about the Son Silver West operations and do not pertain to the discussion regarding the current proposal, which is a Major Community Plan Amendment to the Future Land Use Map for Tract 40. As the existing Son Silver West operations legally occupy only Tracts 41 and 42, questions regarding that operation are not relevant to this proposal. Those questions are not being addressed as part of this response.

1. Whether Staff can provide an evaluation of the submitted Letter of Intent

- a. Staff completed an evaluation of the Letter of Intent. Due to the length of this document, it is included as a separate attachment (Attachment 3.c).

2. Whether the existing road from the property at 365 Bowstring is permitted

- a. No.

3. Whether Tract 40 is currently being used without permits

- a. The property owners of Tract 40 have received notices from the City maintaining that commercial uses are not permitted on residential properties.

4. If an application for a zoning designation other than Parking is possible

- a. Yes, if the Planned Area designation is approved, this would allow for the property owners to submit a zoning application that could include non-residential uses. Future zoning applications would be reviewed for compliance with goals and policies in the Community Plan, including an adopted CFA plan or the CFA expectations for this area, if no CFA plan is adopted. The CFA expectations and a future CFA plan could potentially support a variety of non-residential uses if specific amenities are provided.

5. Whether the CC&Rs are still in effect

- a. The CC&Rs do not fall within the City's review and enforcement authority and are not considered as part of the review and approval process for either the Major Community Plan Amendment or future Zone Change application.

6. Parking requirements for the approved uses

- a. Parking requirements would be addressed through the zoning application process.

7. Whether requiring a parking analysis to demonstrate need is appropriate

- a. The analysis of parking needs would be addressed through the zoning application process.

8. Clarification of the easement between lots 39 and 40

- a. There is a document recorded that provides for a 10 foot vehicular easement running along the northern property line of Tract 39 and a 10 foot vehicular easement running along the southern property line of Tract 40.

9. Legality of using Arrow Drive for employee and customer overflow parking

- a. Arrow Drive is a public roadway. Because it is not posted with “No Parking” signs, parking is legal on the road as long as it does not interfere with the flow of traffic.

10. Impact on traffic on State Route 179

- a. Traffic impacts would be analyzed as part of the zoning application process.

In addition to the above, the following questions were asked by the Commission. However, it is more appropriate for the applicant to respond to these questions:

- 1. Number of employees who will be parking in the vacant lot**
- 2. Why the zoning portion of the application was removed**



The following are provided as general comments on the Letter of Intent.

1. Page 4

- a. Discussion related to Covenants, Conditions & Restrictions (CC&Rs) are included in the LOI and provided as an exhibit. These documents do not fall within the City's review and enforcement authority and are not considered as part of the review and approval process for either the Major Community Plan Amendment or future Zone Change application. This comment is applicable anywhere that mentions the CC&Rs.
- b. Last paragraph: While the City does not review for CC&R requirements, the applicant repeatedly states that the CC&Rs allow for up to 600 square feet of commercial space. The existing use of the property as a gallery exceeds the 600 square foot limitation from the CC&Rs.

2. Page 5

- a. 1st paragraph: The LOI states that there is a water well on Tract 7 of the subdivision (across State Route 179). This site is a water well/arsenic treatment facility and is considered a public utility. These types of facilities are permitted with a Conditional Use Permit in all residential zoning districts, including the RS-18b zoning district (LDC 605.02.B.6). (Same comment on Page 17).

3. Page 9

- a. 1st paragraph: The 1992 Conditional Use Permit (CUP) permitted a total of 5,000 square feet of outdoor display, not an additional 5,000 square feet.
- b. Last paragraph: It is the City's understanding that the site plan modifications were approved due to ADOT not approving 3 separate curb cuts for this property, not "due to future improvements being planned for State Route 179."

4. Page 9/10

- a. General Comment, Building Permits: With the exception of the parking lot changes, all building permits for structures were considered after-the-fact, as the structures were built without City approvals (building permits).
- b. Last paragraph, page 9, 1st paragraph, page 10, Figure 6: Building permit B2524, issued in August 1993, permitted only included the shed; parking lot improvements were specifically excluded and no shade structures were approved. Building permit B2582 permitted the parking lot changes; no shade structures were approved.

5. Page 13

- a. The LOI uses the Existing Lane Use Map as justification for the request. This map is only a record of current conditions (as of the date of the adoption of the Community Plan) and is not meant to outline future uses or entitlements.

6. Page 14

- a. Regarding the discussion of the "disparity" between the Existing and Future Land Use Map, 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. The Future Land Use Map is the foundation for future 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.

7. Page 14/15

- a. The Son Silver West Gallery is not specifically identified as an attribute of the CFA Area. Generally, the Community Plan acknowledges that non-residential uses exist in the area, but does not call out any one specific use. In addition, the "Attributes" list is not positive or negative, but instead simply a record of current conditions.

8. Page 16

- a. Last paragraph: While "the Robsons have historically driven their vehicles across Tract 40 as a means of traveling between their single family residence at 365 Bowstring (Tract 49) and the Son Silver West Property," this road was built without City approvals and, as such, is in violation of City Code.
- b. Last paragraph: The applicant has provided no supporting documentation for why the use of the easement between Lots 39 & 40 is not a feasible access point to State Route 179. It is Staff's understanding that this easement represents Lot 39's legal access and ADOT would approve this as an access point.

9. Page 20

- a. Last paragraph: There is an assertion that a private parking lot would serve as a land use transition or buffer based on the Community Plan's description of a PA (Planned Area), allowing for uses which would serve as "land use transitions or buffers between residential areas, commercial uses and highway corridors". This is taken somewhat out of context. The statement regarding transitions or buffers is general and not specific to a particular area.
- b. "Where a PA designation falls within a CFA, the CFA 'Community Expectations' will apply where appropriate" (Sedona Community Plan, page 30). If a PA designation is approved, the Morgan Road CFA Community Expectations would apply to this site until a CFA Plan is adopted for this area.
- c. *"A private parking lot on Tract 40 would serve as a land use transition and buffer between: (1) the SR179 highway corridor, the Son Silver West commercial art gallery and nearby commercial and office uses located near the Arrow Drive and SR179 intersection, and (2) the Broken Arrow single family residences."* The applicant has not provided any supporting documents demonstrating that a private parking lot in the proposed location would provide a land use transition between the single family uses and the nearby commercial and office uses.

10. Page 21

- a. Last paragraph. The applicant seems to be linking the Community Plan's CFA attributes, including non-conforming commercial uses, with support for additional commercial uses through a PA designation. While a CFA Plan or PA could recommend additional commercial uses, a PA designation in this location would be guided by the Morgan Road CFA Community Expectations until a CFA Plan is adopted. These expectations do not automatically confer an allowance for additional commercial development.

11. Page 22

- a. Policy at the top of the page: This is a general statement about the City as a whole and not a specific area.
- b. “Key Issue: Need for Planned Areas to serve as land use transitions or buffers between residential areas, commercial uses and highway corridors”: This is characterized as a key issue by the applicant, but is included in the Community Plan (page 30) as a general statement about the purposes of the Planned Area designation; it is not a key issue. This statement may apply to Planned Areas in general, but it is the Community Expectations for the CFA that apply specifically to this site.
- c. The LOI states that the adjacent lots “have remained vacant as a result of their existing single family residential land use designations and zoning adopted by the City of Sedona and cites the vacant lots as proof “that residential uses along the main highway leading into Sedona are not desirable or sustainable uses.” This section of the LOI goes on to state that residential development on this parcel is “neither appropriate or feasible as a result of the Property’s frontage on the heavily-traveled SR 179” and that ADOT is “unlikely” to approve a residential driveway. However, this claim is not supported by any back up documentation. Directly across State Route 179 from the Son Silver West Gallery and proposed parking lot, there are 6 residential lots. One of these lots is the water company site. Of the 5 remaining lots, 3 have houses constructed on them, with one of the houses being completed in 2015. Two of these houses, including the one constructed in 2015, have access directly off of State Route 179. Further, the property owner of the two vacant lots south of the Son Silver West site (Tracts 38 & 39) indicates that he bought those properties with the intention of building a single family house(s) for his family. There are other lots within this subdivision that do not have State Route 179 frontage that have remained vacant and unbuilt since the subdivision was approved.

12. Page 23

- a. CFA 11 – Morgan Road. First highlighted bullet. The “attributes” cited for this CFA are neutral and are simply describing the characteristics of the area. The LOI characterizes these attributes as positive points or recommendations.
- b. The second highlighted bullet should read as follows: “*Explore opportunities for non-residential uses along SR179 if key public or neighborhood amenities are provided (e.g. good pedestrian access to neighborhoods, open space retention, or enhancement next to the highway.)*” The LOI changes the word “Explore” to “Support” and does not list all of the suggested neighborhood amenities.

13. Page 25

- a. The first sentence is footnoted to page 62 of the Community Plan. This section of the Community Plan refers specifically to traffic backups from Uptown into Oak Creek Canyon and is not referring to the Son Silver West/State Route 179 area. This is taken out of context when referring to traffic backups in this area caused by pedestrian traffic and people looking for parking. The pedestrian traffic referenced in the Plan refers to pedestrians crossing the road in Uptown, not driveways in other areas of the City.
- b. The circulation policy cited from page 66 of the Community Plan is incomplete and includes many more examples, hence the term “multi-modal”. The Policy reads: “*Pursue a range of multi-modal options to reduce traffic to safe and convenient levels, including but not limited to: park and*

walk/ride, access control, parking interconnections, street connections, transit and incentives for reducing vehicular trips.”

14. Page 26

- a. First bullet: *“Create a network of pedestrian and bicycle improvements and connections linking neighborhoods, activity centers, and popular destinations, and promote walkable, bike-able connections to transit stops.”* The LOI asserts that with the walkway and bike lane added to SR 179 along Son Silver West’s frontage comprise a key segment of the City’s pedestrian planning efforts leading into Uptown Sedona. While sidewalks were included as part of the SR 179 improvements, it is unlikely that the sidewalks in front of Son Silver West will be a pedestrian corridor linking this area of the City to the Uptown Sedona area.
- b. Item 3, Circulation Key Issues: The LOI references Community Plan Key Issue *“Severe traffic congestion in Uptown Sedona and SR 179”* and states that limited on-street and off-street parking options along SR 179 leading into Uptown Sedona greatly impact parking available and traffic flows. While traffic congestion and parking are issues in Uptown Sedona and SR 179, primarily in the vicinity of Tlaquepaque, this issue has not been linked to parking concerns at Son Silver West.