

Summary Minutes
City of Sedona
Planning & Zoning Commission Meeting
City Council Chambers, 102 Roadrunner Drive, Sedona, AZ
Tuesday, May 21, 2019 - 5:30 p.m.

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

Chair Levin 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 Kathy Levin, Vice Chair Randy Barcus and Commissioners Eric Brandt, Kathy Kinsella and Larry Klein. Commissioners George Braam and Charlotte Hosseini were excused.

Staff Present: Warren Campbell, James Crowley, Karen Osburn, Cari Meyer and Ryan Mortillaro,

Councilor(s) Present: Vice Mayor John Martinez

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

Chair Levin announced that Commissioner Klein was recognized at the Volunteer Recognition Luncheon and read in part, "When he applied to the Planning & Zoning Commission for the City of Sedona in 2014, he expressed that he would seek 'fair hearings' for all applicants and appropriate rulings on planning issues based on the facts." Since that time, Larry has been coming to meetings having thoroughly reviewed and analyzed the materials prepared to offer insights into every topic from the simplest to the most straightforward to the most complex and controversial. His ability to discern the issues and provide well-thought out perspectives routinely results in a higher quality end product for the community. Larry was awarded the Volunteer Commitment Award. Charlotte Hosseini was also recognized at that luncheon, and the Chair read in part, "Charlotte has demonstrated a high level of commitment to the City of Sedona and dedicated significant time and effort to understanding the issues and offering her knowledge and expertise for the betterment of the community we live in. She has participated in the Citizens' Budget Work Group for the past four years. She also participated in a Fiscal Sustainability Work Group that involved a 10-month analysis of the City's financial position. We asked if she would like to end her annual participation in the Citizens' Budget Work Group after her appointment to the Planning & Zoning Commission, but she had no hesitation about participating in both. Charlotte has been a valuable resource on the Citizens Budget Work Group providing insightful recommendations and fully engaged in discussions, even following-up on the status of open items in the next year's budget process. Even though Charlotte is new to her role on the Commission, she has hit the ground running, when it comes to making contributions to the Planning & Zoning Commission. In preparation for her appointment, she proactively familiarized herself with the Community Plan, the Zoning Codes, Community Focus Area Plans, and the Commission's Rules & Procedures. She comes to meetings with thought-provoking questions and has already made meaningful observations and suggestions that result in a high caliber of development. She is highly deserving of the Volunteer Commitment Award.

Karen Osburn clarified that Commissioner Klein actually received the Insight Award for the volunteer who scrupulously provides thoughtful insights, which you consistently do. She then presented Commissioner Klein with a \$100 gift card to a local restaurant, and some locally made chocolates. (*Commissioner Hosseini was excused.*)

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

a. **April 2, 2019 (R)**

Chair Levin requested a motion for approval of the April 2, 2019 minutes.

MOTION: Commissioner Kinsella so moved. Commissioner Brandt seconded the motion. VOTE: Motion carried unanimously with five (5) Commissioners (Chair Levin, Vice Chair Barcus and Commissioners Brandt, Kinsella and Klein) voting aye and zero (0) Commissioners voting nay. Commissioners Braam and Hosseini were excused.

4. **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 Levin opened the public forum and, having no requests to speak, closed the public forum.

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

a. **Discussion/possible action regarding a request for Development Review for the construction of a 58-unit townhouse development at 3865 W State Route 89A (Park Place). The property is zoned Medium-High Density Multifamily Residential (RM-2) and is located on the south side of W State Route 89A between Upper Red Rock Loop Road and Foothills South Drive. APN: 408-11-455 through 408-11-531 and 800-98-006Z; Owner: Park Place Presidio, LLC; Applicant: Miramonte Arizona, LLC (Jack Kemmerly); Case Number: PZ18-00007 (DEV)**

Presentation by Cari Meyer.

Questions of staff from the Commission.

Presentation by Whitney Cunningham, Attorney with Aspey Watkins and Diesel representing Miramonte, and Jack Kemmerly with Miramonte.

Questions of the applicant and attorney from the Commission.

An additional Condition of Approval was suggested to state that no reductions to the landscaping counts/amounts would be approved without coming back to Planning & Zoning.

Opened the public hearing at 6:33 p.m. The following individuals spoke on this item: Stuart Hart, Sedona and George Sieverding, Sedona.

Closed the public hearing and brought back to the Commission at 6:37 p.m.

Further questions and comments from the Commission included an inquiry about memorializing the applicant's representation about the minimum 12-month occupancy in the Conditions of Approval. Karen Osburn explained that isn't something that staff can require; however, if the applicant is willing to voluntarily memorialize that as a Condition, she would look to Mr. Cunningham as to whether that is something they are willing to do. Mr. Cunningham stated yes, they can commit to that, and he will be happy to do that in a way that is acceptable to the Assistant City Manager. Bear in mind, this project only goes forward cooperatively with the existing condominium owners. There is not going to be much interest on their part to see a product along these streets that diminishes their own values, so that is sort of at the floor for them, not to mention the fact that Miramonte's own market analysis suggests that is the way to go, so it is really a non-issue for them. The one year will match the existing condominiums, and he will submit a letter to the development file to indicate that. Karen Osburn indicated that we can both

memorialize in the minutes this conversation and the applicant's commitment, and then accept the letter for the file rather than actually having it be a Condition of Approval.

The Chair confirmed there was general consensus on that from the Commission.

MOTION: Commissioner Klein moved for approval of case number PZ18-00007 (DEV), Park Place Townhouses, in accordance with findings of compliance with all ordinance requirements and satisfaction of the Development Review findings and applicable Land Development Code requirements and the conditions as outlined in the Staff Report. Commissioner Brandt seconded the motion.

Cari Meyer noted the additional landscaping condition that would read, "No reduction in the amount of landscape material shall be permitted without Planning and Zoning Commission approval."

The maker of the motion stated that will be included in the motion, and both the maker of the motion and the second accepted the amendment.

AMENDED MOTION: Commissioner Klein moved for approval of case number PZ18-00007 (DEV), Park Place Townhouses, in accordance with findings of compliance with all ordinance requirements and satisfaction of the Development Review findings and applicable Land Development Code requirements and the conditions as outlined in the Staff Report. No reduction in the amount of landscape material shall be permitted without Planning and Zoning Commission approval. Commissioner Brandt seconded the amended motion.

VOTE: Motion carried unanimously with five (5) Commissioners (Chair Levin, Vice Chair Barcus and Commissioners Brandt, Kinsella and Klein) voting aye and zero (0) Commissioners voting nay. Commissioners Braam and Hosseini were excused.

6. FUTURE MEETING DATES AND AGENDA ITEMS

- a. Tuesday, June 4, 2019; 3:30 pm (Work Session)
- b. Tuesday, June 4, 2019; 5:30 pm (Public Hearing)
- c. Tuesday, June 18, 2019; 3:30 pm (Work Session)
- d. Tuesday, June 18, 2019; 5:30 pm (Public Hearing)

Karen Osburn indicated that the Ambiente Development Review is scheduled for June 4th, but we are in the process of confirming if some of the access issues have been worked out sufficiently, so we should know in the next week or so whether that meeting will take place. Cari Meyer added that would be a 5:30 p.m. meeting, and there could be a 4:30 p.m. site visit if the Commission is interested in looking at that site. It is a more difficult site to walk around, so she would recommend hiking shoes, and poles if you have them.

Karen stated that on June 18th, we have a Conditional Use Permit request for a communications tower for KAZM radio, and Cari added that it is a Conditional Use Permit to add additional wireless facilities onto the KAZM radio tower.

7. 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.

8. ADJOURNMENT

Chair Levin requested a motion to adjourn.

MOTION: Commissioner Kinsella so moved. Vice Chair Barcus seconded the motion.

Without objection, the meeting adjourned at 6:50 p.m.

I certify that the above is a true and correct summary of the meeting of the Planning & Zoning Commission held on May 21, 2019.

Donna A. S. Puckett, *Administrative Assistant*

Date