

**Action Minutes
City of Sedona
Planning & Zoning Commission Meeting
City Council Chambers, 102 Roadrunner Drive, Sedona, AZ
Tuesday, December 7, 2021 - 4:30 p.m.**

1. CALL TO ORDER, PLEDGE OF ALLEGIENCE, ROLL CALL

Chair Levin called the meeting to order at 4:30 p.m., led the Pledge of Allegiance and requested roll call.

Planning & Zoning Commissioner Participants: Chair Kathy Levin, Vice Chair Charlotte Hosseini, and Commissioners George Braam, Peter Furman, Kali Gajewski and Lynn Zonakis. Commissioner Sarah Wiehl was excused.

Staff Participants: Kurt Christianson, Cynthia Lovely, Jess McNeely, Cari Meyer, Karen Osburn, Donna Puckett, and Hanako Ueda.

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

Cari announced that two weeks ago the City Council denied the appeal of the Running River School's Conditional Use Permit and upheld the Commission's decision; however, they did reduce the term of it from 2025 to 2023. Then, the School would come back for a renewal if they want to extend it. When asked about the rationale, Cari explained that the Commission had the same discussion. The Council didn't think they needed that much time, and if they did, they would come back sooner to be able to evaluate the impacts.

Cari also announced that Mike Raber has officially retired. We were planning on doing something for him but that meeting was canceled; however, he is coming back on a part-time basis for the Community Plan and before he leaves for good, we will do something. Mike is coming back to help with the Community Plan Update, and the workgroup has started meeting. Their plan is to meet once a month.

Jess McNeely added that we anticipate that Mike would be in front of the Commission with Community Plan Update presentations. The workgroup has been established, and they had their first meeting. Their next meeting will be on January 12th, and we have a webpage set-up for the Community Plan Update, so you can always check the updates. We will be posting notes that capture discussions from their meetings, their agendas and their next meeting date. Cynthia Lovely is the Project Manager, and as a workgroup, they are operating on a consensus basis so there is no Chair for the workgroup. There will be regular updates; their initial charge is to give input to the Public Participation Plan that has to be approved by the City Council and from there we will have an agenda for them to follow, and we can do regular updates to the Commission.

3. APPROVAL OF THE FOLLOWING MINUTES:

a. November 2, 2021 (R)

Chair Levin indicated she would entertain a motion and a second.

MOTION: Vice Chair Hosseini moved for approval of the November 2nd minutes. Commissioner Zonakis seconded the motion.

VOTE: Motion carried six (6) in favor (Braam, Furman, Gajewski, Hosseini, Levin and Zonakis) and zero (0) opposed. Commissioner Wiehl was 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 at 4:35 p.m. and, having no request to speak, closed the public forum at 4:36 p.m.

5. **CONSIDERATION OF THE FOLLOWING ITEMS THROUGH PUBLIC HEARING PROCEDURES:**
- a. **Discussion/possible action regarding a request for a Conditional Use Permit to operate an outdoor market (Red Rose Artisan Markets) at 1405 W State Route 89A (Olde Sedona Bar and Grill). The property is zoned Commercial (CO) and is ±0.93 acres and is located southwest of the intersection of W State Route 89A and Saddlerock Circle. APN: 408-26-018D. Applicant: Tina Allegrezza Case Number: PZ21-00015 (CUP)**

Presentation by Cari Meyer, Planning Manager.

Applicant representatives available for questions: Lina Rueda and Tina Allegrezza with Red Rose Artisan Markets.

Commission's questions.

Opened public hearing at 5:12 p.m.

The following people spoke on this item: Marsha Beckwith, Sedona and Tom Carter, Sedona.

Brought back to Commission at 5:18 p.m.

Additional questions and comments from Commission.

MOTION: Commissioner Braam moved for approval of case number PZ21-00015 (CUP) subject to all applicable ordinance requirements and the attached ten conditions of approval, and this is for Red Rose Art Markets, in consideration of the applicable goals, objectives and recommendations described in the Sedona Community Plan and Land Development Code, the Commission finds as follows:

1. ***That, pursuant to Land Development Code Section 8.4.B and Section 2.14, the proposed location of the conditional use, Red Rose Art Market, is in accordance with the objectives of the Sedona Land Development Code and the Commercial (CO) zoning district and supports the overall purpose to accommodate general retail and other commercial and service uses, and incidental or accessory uses.***
2. ***That, pursuant to Sedona Land Development Code Section 8.3.E(5) and based on the evidence presented in the staff report and through testimony at the public hearing during which the application was considered by the Commission, the use requested by the applicant meets the approval criteria applicable to all development applications, including a Conditional Use Permit, in that:***
 - a. ***The application is in compliance with the general review criteria;***
 - b. ***There are no prior approvals with which this application must be considered with;***
 - c. ***The application is consistent with the Sedona Community Plan and the Soldiers Pass CFA Plan;***
 - d. ***The application is in compliance with the Land Development Code requirements, including the use-specific standards for Outdoor Sales and Display***
 - e. ***As conditioned, the art shows and farmers markets will not cause significant adverse effects on surrounding properties. If adverse impacts arise due to the operation of the market, the applicant will be required to work with the City and address the impact;***

- f. There are no intergovernmental agreements applicable to this property or on this project;**
- g. The application proposes to use an existing outdoor parking lot, adverse environmental impacts will be minimized;**
- h. The proposal will not result in any significant adverse fiscal impacts to the City;**
- i. All applicable review agencies have reviewed the project and determined that the existing utilities, services, and improvements are sufficient for the proposed use;**
- j. The City's Engineering Department has reviewed the anticipated traffic generation of the proposed use and determined that no additional analysis or mitigation is necessary;**
- k. All applicable review agencies have reviewed the project and determined that the existing public services and facilities are sufficient for the proposed uses; and**
- l. No phasing plan is necessary for the proposed use.**

Commissioner Furman seconded the motion.

Commissioner's question on the motion.

VOTE: Motion carried five (5) in favor (Braam, Furman, Gajewski, Hosseini, Levin and Zonakis) and one (1) opposed. Vice Chair Hosseini was opposed and Commissioner Wiehl was excused.

Note: The Conditions of Approval as approved are as follows:

1. The use shall be in substantial conformance with the applicant's representations of the project, including the site plan, letter of intent, and all supporting documents, as reviewed, modified, and approved by the Planning and Zoning Commission. Proposed changes in operation or activities to the approved Conditional Use Permit determined to be substantial by the Community Development Director shall require reconsideration by the Planning and Zoning Commission at a public meeting.
2. The applicant shall ensure that the use is operating in compliance with the Land Development Code requirements and applicable conditions of approval. In the event that any unforeseen problems or nuisances arise due to the operation of this use, City may require additional measures to be taken by the permit holder to correct the violation, problem, or nuisance. If a satisfactory solution is not found, City Staff may initiate proceedings to revoke the CUP.
3. The applicant shall ensure that the use operates in compliance with the requirements of all applicable agencies, including, but not limited to, Sedona Community Development Department, Sedona Public Works Department, Sedona Police Department, Sedona Fire District, and the Arizona Department of Transportation (ADOT).
4. Within thirty days of approval of the Conditional Use Permit, the property owner of record of subject property voluntarily agrees to sign and record a waiver acknowledging their waiver of any right to claim just compensation for diminution in value under A.R.S. §12-1134 related to the granting of this Conditional Use Permit.
5. The Red Rose Art Shows is approved as an accessory use (outside sales and display). Operation of the shows is only permitted when a primary use is established in the main building on the site.
6. All parking for the Red Rose Art Shows shall be located on the subject property or other private property with written permission from the property and business owners. No parking for the art shows is permitted on any public right-of-way or on neighboring properties without written permission from the property and business owners. The Red Rose Art Shows shall keep customers informed about the location of available parking.

7. The Conditional Use Permit shall be valid for 3 years and expire on December 22, 2024. Prior to the expiration date, the applicant or property owner may file a renewal application of the Conditional Use Permit.
8. The Conditional Use Permit shall allow for one (1) "farmer's market", as described in Letter of Intent, per week and a maximum of fifteen (15) 2-day events ("artist markets" described in Letter of Intent).
9. The applicant shall submit a traffic and parking mitigation plan, for review by staff.
10. The Event Coordinator or a designated representative shall be available and reachable for the duration of the event. The permit holder shall supply the City with a name and contact information for this person and post contact information on the event's website.

Chair Levin recessed the meeting at 6:10 p.m. and reconvened the meeting at 6:20 p.m.

- b. Discussion/possible direction regarding a request for Conceptual Development Review for a proposed hotel development to include 92 hotel rooms, a restaurant, spa, and meeting space, at 65, 95, 105, 115, 165, 175, 195 Schnebly Hill Road and 20 Bear Wallow Lane. The property is zoned Oak Creek Heritage District (OC) and is ±11.58 acres and is located west of Schnebly Hill Road between State Route 179 and Bear Wallow Lane. APN: 408-11-001C, -002F; 401-12-016C; 401-18-001A, -002C, -031B, D & G. Applicant: RD Olson Development (Tony Wrzosek) Case Number: PZ21-00011 (DEV)**

Presentation by Cari Meyer, Planning Manager.

Commission's questions.

Presentation by applicant Vice President Tony Wrzosek with R. D. Olson Development who introduced additional representatives Architect Frank Ternasky with Delawie, Landscape Architect Joel Harms with Burton Studio, and Civil Engineer Luke Sefton with Sefton Engineering Consultants.

Commission's questions.

Opened public hearing at 8:02 p.m.

The following people spoke on this item: Mark TenBroek, Sedona; Nancy Robb Dunst, Sedona; Ann Kelley, Sedona; Paul Tutnick, Sedona; Alec Chapman, Sedona and Bill Clarkson, Sedona. Jerome Helfrich, Sedona was not present when called to speak.

Brought back to Commission at 8:20 p.m.

Additional questions and comments from Commission.

6. FUTURE MEETING DATES AND AGENDA ITEMS

- a. Tuesday, December 21, 2021**
- b. Tuesday, January 4, 2022**

Cari stated that currently we don't have anything on either agenda, December 21st definitely has nothing on it and will be canceled. She doesn't anticipate anything for the first meeting in January. There is not a lot of time with the holidays to receive something, so we will likely be canceling both meetings.

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 adjourned the meeting at 8:23 p.m. without objection.

I certify that the above is a true and correct summary of the actions of the Planning & Zoning Commission in the meeting held on December 7, 2021.

Donna A. S. Puckett, *Administrative Assistant*

Date