

# AGENDA

## City of Sedona Planning and Zoning Commission Meeting

4:30 PM

Tuesday, November 21, 2023

### NOTICE:

Pursuant to A.R.S. 38-431.02 notice is hereby given to the members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission will hold a meeting open to the public on Tuesday, November 21, 2023, at 4:30 pm in the City Hall Council Chambers.

### NOTES:

- Meeting room is wheelchair accessible. American Disabilities Act (ADA) accommodations are available upon request. Please phone 928-282-3113 at least 24 hours in advance.
- Planning & Zoning Commission Meeting Agenda Packets are available on the City's website at: [www.SedonaAZ.gov](http://www.SedonaAZ.gov)

### GUIDELINES FOR PUBLIC COMMENT

#### PURPOSE:

- To allow the public to provide input to the Planning and Zoning Commission on a particular subject scheduled on the agenda.
- Please note that this is not a question/answer session.

#### PROCEDURES:

- It is strongly encouraged that public input on the agenda items be submitted by sending an e-mail to [cmeyer@SedonaAZ.gov](mailto:cmeyer@SedonaAZ.gov) in advance of the 4:30 Call to Order.
- Fill out a "Comment Card" and deliver it to the Recording Secretary.
- When recognized, use the podium/microphone.
- State your Name and City of Residence
- Limit comments to 3 MINUTES.
- Submit written comments to the Recording Secretary.

1. CALL TO ORDER, PLEDGE OF ALLEGIENCE, ROLL CALL
2. ANNOUNCEMENTS & SUMMARY OF CURRENT EVENTS BY COMMISSIONERS & STAFF
3. APPROVAL OF THE FOLLOWING MINUTES:
  - a. November 7, 2023 (R)
  - b. November 7, 2023 (SV)
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. 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 criticism, or scheduling the matter for further consideration and decision at a later date.)*

5. Update/discussion regarding the Community Plan Update.

#### 6. CONSIDERATION OF THE FOLLOWING ITEM:

- a. Discussion/possible direction regarding a request for approval of a Development Review (DEV) to allow for development of a 70-room hotel with amenities including a restaurant, spa, meeting space, and employee housing units (Oak Creek Heritage Lodge) at 65-195 Schnebly Hill Road; 20 Bear Wallow Lane . The property is within the Schnebly Community Focus Area, is ±11.58 acres, and is located west of Schnebly Hill Road between State Route 179 and Bear Wallow Lane. APN: 401-11-001C, -002F; 401-12-016C; 401-18-001A, -002C, -031B, D & G. The property is zoned OC (Oak Creek Heritage Area).

**Case Number:** PZ23-00004 (DEV)

**Owner/Applicant:** RD Olson Development (Tony Wrzosek)

**Authorized Representatives:** WATG Architects (Greg Villegas), Sefton Engineering Consultants (Luke Sefton)

#### 7. FUTURE MEETING DATES AND AGENDA ITEMS

- a. Tuesday, December 5, 2023
- b. Tuesday, December 19, 2023

#### 8. EXECUTIVE SESSION

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.

#### 9. ADJOURNMENT

Physical Posting: November 16, 2023 By: DJ

Planning & Zoning Commission Meeting Agenda Packets are available on the City's website at: [www.SedonaAZ.gov](http://www.SedonaAZ.gov) or in the Community Development Office, 102 Roadrunner Drive approximately one week in advance of the meeting.

Note that members of the City Council and other City Commissions and Committees may attend the Planning and Zoning Commission meeting. While this is not an official City Council meeting, because of the potential that four or more Council members may be present at one time, public notice is therefore given for this meeting and/or event.

**Staff Report**  
 PZ23-00004 (DEV) Oak Creek Heritage  
 Lodge  
 Summary Sheet: Work Session



**City of Sedona**  
**Community Development Department**  
 102 Roadrunner Drive Sedona, AZ 86336  
 (928) 282-1154 • [www.sedonaaz.gov/cd](http://www.sedonaaz.gov/cd)

**Meeting Date:** November 21, 2023

**Hearing Body:** Planning and Zoning Commission

**Project Summary:** **Construction of a 70-room hotel with amenities including a restaurant, spa, meeting space, and employee housing units**

**Action Requested:** Review of Development Review Application (Work Session)

**Staff Recommendation:** None at this time (Work Session)

**Location:** Schnebly Community Focus Area, west side of Schnebly Hill Road between the Schnebly Roundabout and Bear Wallow Drive  
 65-195 Schnebly Hill Road; 20 Bear Wallow Lane

**Parcel Numbers:** 401-11-001C, -002F; 401-12-016C; 401-18-001A, -002C, -031B, D & G

**Owner/Applicant:** RD Olson Development (Tony Wrzosek)

**Authorized Agents:** WATG Architects (Greg Villegas)  
 Sefton Engineering Consultants (Luke Sefton)

**Site Size:** ± 11.58 acres

**Community Plan Designation:** Planned Area (PA)  
 Property is within Schnebly Community Focus Area (CFA); CFA Plan for this area was originally approved by City Council on April 11, 2017, and amended by Council on November 10, 2020

**Zoning:** Oak Creek Heritage Area (OC)

**Current Land Use:** Single Family Residential and Vacant

**Surrounding Properties:**

	<i>Area Zoning</i>	<i>Area Land Uses</i>
North:	RS-10	Rancho Sedona RV Park
East:	OC, RS-10, SU, PD	Residential, Lodging, Vacant
South:	CO	Office Building
West:	RS-10, CO	Creek properties, Commercial

**Report Prepared By:** Cari Meyer, Planning Manager

<b>Attachments:</b>	<b>Page</b>
1. Aerial View & Vicinity Map.....	11
2. Oak Creek Heritage District Standards (LDC Excerpts).....	13
3. Application Materials .....	27

*Due to file size constraints, the application materials are not attached to this document, but are available for review on the City's website at the link provided. Application documents include the following:*

- a. Project Application and Lighting Application
- b. Letter of Intent
- c. Citizen Participation Plan

- d. Response to City Comments
- e. Architectural Plans (2 Files)
- f. Building Materials and Colors
- g. Tree Survey, Historic Preservation, Letters of Serviceability, Hydrological Study, Sustainability Practices
- h. ALTA Survey, Civil Plans, Traffic Analysis, Noise Study, Water Study, Drainage, Sewer Report, Geotechnical Study
- i. Preliminary Grading Plan

4. Review Agency Comments ..... 28

5. Public Comments..... 39



## **PURPOSE OF A WORK SESSION**

The purpose of this work session is to give the Planning and Zoning Commission and the general public an opportunity to familiarize themselves with, and provide comments on, the development proposal prior to a decision being made at a public hearing. A work session also affords the applicant an opportunity to become aware of issues, concerns and suggestions from the Commission and the public as they work to address comments received from review agencies. This can create a timelier mechanism through which the design may be revised to address areas of concern prior to the public hearing.

At this stage of a project, Staff does not evaluate for full conformance with specific code sections or provide a recommendation on the project. Staff and review agencies have reviewed the most recent submittal and staff comments are provided for reference as [Attachment 4](#).

## **PROJECT DESCRIPTION**

The applicant is seeking review of a Development Review application with the expressed intent of developing a lodging project with 70 guest rooms, a restaurant, a spa, and meeting space.

Development of this site is permitted in accordance with the Land Development Code (LDC) requirements, including [Article 2 \(Zoning Districts\)](#), [Article 3 \(Use Regulations\)](#), and [Article 5 \(Development Standards\)](#). As the property is zoned OC (Oak Creek Heritage District), it is also subject to the requirements of the Schnebly CFA Plan.

## **BACKGROUND AND PROPERTY INFORMATION**

### ***Site Characteristics***

- The property is located on the west side of Schnebly Hill Road between State Route 179 and Bear Wallow Lane.
- Oak Creek borders the property to the west, with significant portions of the site within the Oak Creek floodway, 100-year floodplain, and 500-year floodplain.
- The project site is eight (8) separate parcels totaling approximately 11.58 acres.
  - Three (3) of the properties are developed as single family lots. The remaining properties are vacant. Existing single family buildings are proposed to be demolished as part of the development.
- The properties are not part of a recorded subdivision.
- The existing vegetation consists of a mixture of mature trees and shrubs. There are old orchard trees on the portion of the property closest to Schnebly Hill Road.

### ***Zoning and Community Plan Designations***

The site is designated PA (Planned Area) in the Community Plan and is within the [Schnebly Community Focus Area \(CFA\) Plan](#). This link provides information on the history of the CFA, public hearings, and a copy of the CFA plan. This CFA plan was adopted by the City Council in April 2017, with revisions approved in November 2020.

The site is zoned OC (Oak Creek Heritage Area). The purpose of the OC zone is stated as:

*... to ensure that development in the Schnebly Community Focus Area (CFA) is consistent with the CFA vision for a pedestrian-friendly, mixed-use area that preserves the Oak Creek riparian corridor, natural hillsides, and open fields, with a variety of modestly scaled buildings that sustain the historic context and character distinctive to this area.*

[LDC Section 2.20.A](#)

The OC District was created in December 2018 specifically for implementation of the Schnebly CFA plan. After creation of the new district, the City led an effort in 2020 to rezone properties within the CFA. The properties proposed for development with this application were originally zoned Single Family Residential (RS-10) and were part of the 2020 rezoning application. Therefore, development on these properties is not subject to a rezoning application provided the proposal is found to be in compliance with the requirements of the OC district and the Schnebly CFA Plan.

Conceptual Review public hearings were held by the Planning and Zoning Commission on December 7, 2021, and May 17, 2022. A Comprehensive Review application was submitted in March 2023, which staff reviewed and provided comments on. The Comprehensive Review application was resubmitted in September 2023. Staff has reviewed and provided comments on this submittal, and the applicant has agreed to do a work session with the Planning and Zoning Commission prior to addressing Staff comments and resubmitting the project. Staff will provide a complete evaluation of this project in relation to the Community Plan, the adopted CFA Plan, and the requirements of the OC District for a future public hearing. A complete history of the project, including links to previous meetings and submittals can be found at the following link:

<https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals/oak-creek-resort>

## **PUBLIC INPUT**

- The applicant has begun their outreach to neighboring property owners and will be required to continue this process and submit a Citizen Participation Report prior to a future public hearing.
- Project documents submitted by the applicant were placed on the [Projects and Proposals](#) page of the Community Development Department website.
- The Conceptual Review public hearing was noticed according to LDC Requirements.
- The Comprehensive Review public hearing will be noticed according to LDC Requirements.
- Written comments received by Staff are included as [Attachment 5](#).

## **REVIEW AGENCY COMMENTS AND CONCERNS**

Comprehensive Review plans were routed to all internal and external review agencies. Comments have been provided to the applicant, and the applicant has chosen to wait to submit revised plans until after the work session, where the Planning and Zoning Commission will be able to review and provide comments on the proposal.

Comments were received from the following agencies and are included as [Attachment 4](#):

- City of Sedona Community Development
- City of Sedona Public Works
- City of Sedona Sustainability Program

All other review agencies chose not to comment on the comprehensive submittal. Once the project is resubmitted, the above review agencies will be given the opportunity to review the application materials again.

## DEVELOPMENT PROPOSAL AND INITIAL EVALUATION

The applicant is applying for a development review for a lodging project with 70 guest rooms, a restaurant, a spa, and meeting space.

A detailed description of the proposal was submitted by the applicant and is included in [Attachment 3](#).

### **Phasing**

- The project is proposed to be developed in a single phase.

### **Schnebly Community Focus Area (CFA) Plan**

The Schnebly CFA plan was adopted by City Council on April 11, 2017, with amendments approved on November 10, 2020. The following is a summary of the recommendations and requirements of the CFA. A full review by staff will be done and provided to the Commission prior to the public hearing for the project.

#### *Environment Recommendations*

- **CFA Objective: Oak Creek is permanently protected in its natural state as a vital resource for the natural environment, community, and region**
- *The CFA strategy states that only minor improvements, such as trails or parks, are permitted within the riparian corridor.*

#### *Land Use Recommendations*

- **CFA Objective: A distinct identity unique to the area which reflects its rural, agricultural, and historical qualities.**
- *The land use recommendations include clustering of development to preserve open space, hillsides, and floodplains.*
- *Another land use recommendation is that “development shall be of a style and scale that reflects the desired character and identity unique to this area.”*

#### *Community Recommendations (Historic Preservation)*

- **CFA Objective: The historic values that contribute to the character of the area are protected and interpreted.**
- *Historic Resources Surveys have been provided for buildings over 50 years old.*
- *The current plan preserves the existing historic buildings and the irrigation ditch.*

#### *Circulation Recommendations (Pedestrian and Bicycle Network)*

- **CFA Objective: A system of trails that connects residents and visitors to destinations within the neighborhood and to Uptown that is safe and convenient for walking and bicycling.**
- *The plans include a shared use path along Schnebly Hill Road. While an 8-10 foot wide pathway is ideal, the path is proposed to vary in width as needed to preserve existing trees.*

### **Land Development Code (LDC)**

A comprehensive evaluation for compliance with all applicable sections of the Land Development Code will be done prior to the public hearing. In addition to the standard LDC requirements, various sections of the LDC contain specific standards for development within the OC District. Staff’s comments on the current

submittal include areas where the applicant needs to amend or clarify their plans to demonstrate LDC compliance.

#### [LDC Section 2.20: OC: Oak Creek Heritage Area](#)

- Density: Lodging density is permitted at double the previous residential density. The entire site was previously zoned RS-10, a single-family residential zone which allows up to 4 units per acre. Therefore, this site has a lodging density of 8 units per acre; the ±11.58 acre site permits 92 lodging units.
- Other development standards contained in this section include a maximum building coverage of 25%, total coverage of 30%, and a maximum building footprint of 5,000 square feet per building.

#### [LDC Article 3: Use Regulations](#)

- The uses permitted in the OC zone are summarized in [Attachment 2](#).

#### [LDC Section 5.3: Grading and Drainage](#)

- Oak Creek borders the site to the west. Additional areas of the site are impacted by the floodway, 100-year floodplain, and 500-year floodplain.
- A preliminary grading and drainage report and plan has been submitted and reviewed by the Public Works Department.

#### [LDC Section 5.4: Access, Connectivity, and Circulation](#)

- Primary vehicular access to the site is proposed from Schnebly Hill Road. Secondary/service entrances are proposed on Schnebly Hill Road and Bear Wallow Lane.
- All new roads will contain sidewalks and pedestrian facilities.
- A traffic impact analysis (TIA) has been submitted and reviewed by the Public Works Department. Many of the outstanding comments from Public Works are in regards to the TIA and the applicant has been meeting with Public Works Staff to address the outstanding items.

#### [LDC Section 5.5: Off-Street Parking and Loading](#)

- Parking is proposed to be provided through valet, with the parking lot located at the north end of the site.
- The applicant has provided a parking analysis for the project.

#### [LDC Section 5.6: Landscaping, Buffering, and Screening](#)

- A landscape plan has been submitted.
- The OC Zone requires a minimum of 75% of the plants be native species appropriate to the riparian setting (LDC Section 5.6.C(1)b.2).

#### [LDC Section 5.7: Site and Building Design](#)

- Staff has conducted a review of the plans and provided comments to the applicant about where changes or clarity are needed.
- The LDC has several requirements for the OC District, which are detailed in [Attachment 2](#), and include the following:
  - Preservation of Oak Creek, prohibition of permanent structures in the floodway
  - Open space requirements, open spaces to be uninterrupted and contiguous, not including paved areas
  - Requirement of a Historic Resources Survey for buildings more than 50 years old; reuse of historic resources
  - Architectural details to reflect character and cultural history of the area

[LDC Section 5.8: Outdoor Lighting](#)

- An outdoor plan lighting has been submitted.

[LDC Section 5.9: Public Art](#)

- The applicant will be required to meet public art requirements.

[LDC Section Article 6: Signs](#)

- A master sign plan for the development has been submitted.

*Wastewater Disposal*

- The property can connect to the City's Wastewater System.
- The applicant has been advised that they need to work with the City's Wastewater Department to determine the requirements for/location of the connection. (Public Works Comments)

**REVIEW GUIDELINES**

The following is requested from the Planning and Zoning Commission at this time:

- **DEVELOPMENT REVIEW:** Review of Proposal (Work Session Only – No Action)

All development applications are reviewed under [LDC Article 8 \(Administration and Procedures\)](#).

[LDC Section 8.3](#) contains procedures and rules applicable to all development applications while the following sections contain procedures and rules that apply to specific development applications. [LDC Section 8.3.E\(5\)](#) contains the approval criteria applicable to all development, subdivision, and rezoning applications. These criteria are as follows:

**A. Generally**

1. Unless otherwise specified in this Code, City review and decision-making bodies shall review all development applications submitted pursuant to this article for compliance with the general review criteria stated below.
2. The application may also be subject to additional review criteria specific to the type of application, as set forth in section 8.4 through 8.8.
3. If there is a conflict between the general review criteria in this section and the specific review criteria in section 8.4 through 8.8, the applicable review criteria in sections 8.4 through 8.8 control.

**B. Prior Approvals**

The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities.

**C. Consistency with Sedona Community Plan and Other Applicable Plans**

Except for proposed subdivisions, the proposed development shall be consistent with and conform to the Sedona Community Plan, Community Focus Area plans, and any other applicable plans. The decision-making authority:

1. Shall weigh competing plan goals, policies, and strategies; and



2. May approve an application that provides a public benefit even if the development is contrary to some of the goals, policies, or strategies in the Sedona Community Plan or other applicable plans.

**D. Compliance with This Code and Other Applicable Regulations**

The proposed development shall be consistent with the purpose statements of this Code and comply with all applicable standards in this Code and all other applicable regulations, requirements and plans, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.

**E. Minimizes Impacts on Adjoining Property Owners**

The proposed development shall not cause significant adverse impacts on surrounding properties. The applicant shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the Citizen Participation Plan for the specific development project, if such a plan is required.

**F. Consistent with Intergovernmental Agreements**

The proposed development shall be consistent with any adopted intergovernmental agreements, and comply with the terms and conditions of any intergovernmental agreements incorporated by reference into this Code.

**G. Minimizes Adverse Environmental Impacts**

The proposed development shall be designed to minimize negative environmental impacts, and shall not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, wildlife habitat, soils, and native vegetation.

**H. Minimizes Adverse Fiscal Impacts**

The proposed development shall not result in significant adverse fiscal impacts on the City.

**I. Compliance with Utility, Service, and Improvement Standards**

As applicable, the proposed development shall comply with federal, state, county, service district, City and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.

**J. Provides Adequate Road Systems**

Adequate road capacity must exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services. The proposed development shall also provide appropriate traffic improvements based on traffic impacts.

**K. Provides Adequate Public Services and Facilities**

Adequate public service and facility capacity must exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, potable water, sewer, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.

**L. Rational Phasing Plan**

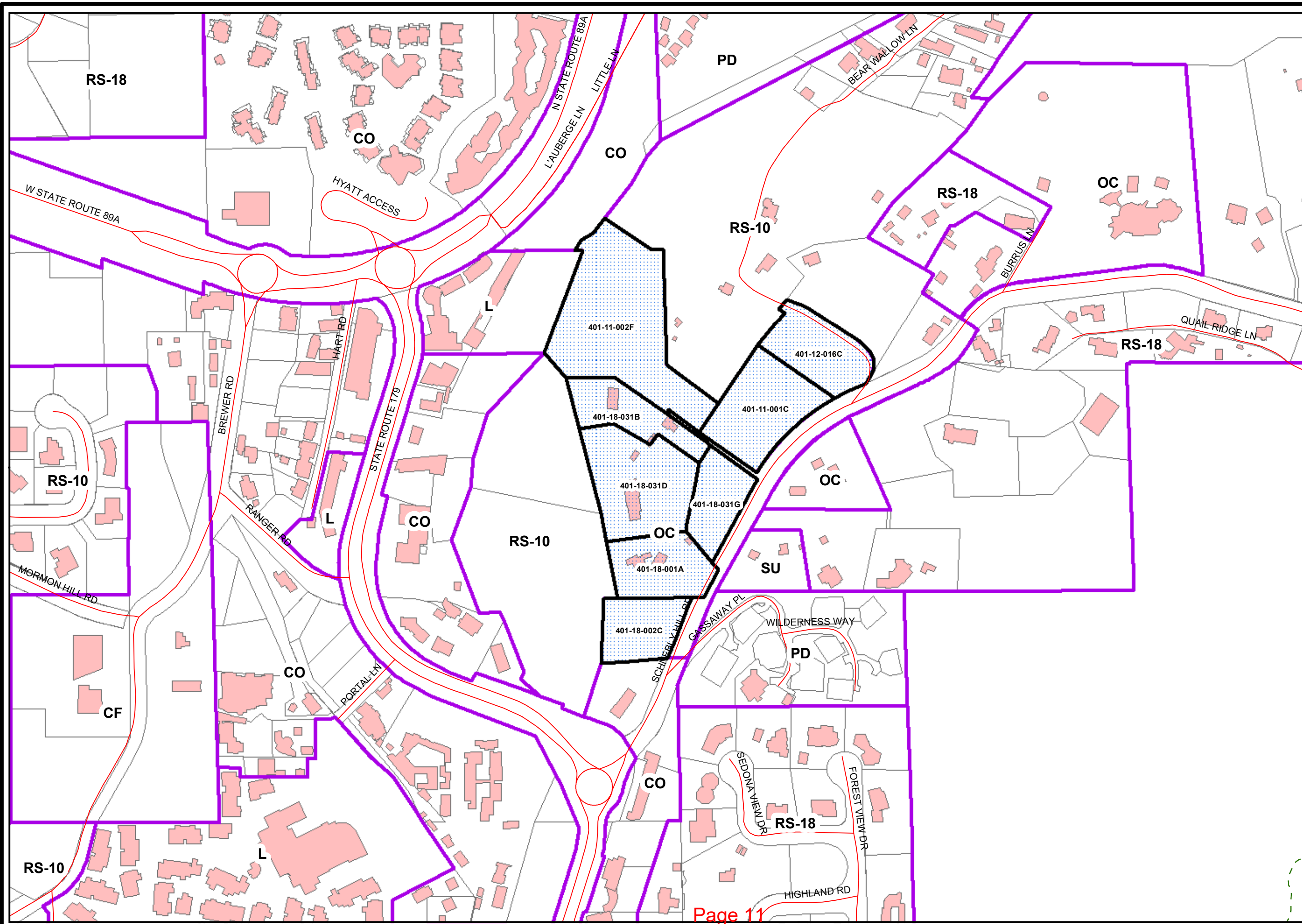
If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date, and shall not depend upon subsequent phases for those improvements.

***Discussion (Development Review)***

The development review will review the proposed site plan and buildings for compliance with applicable LDC standards, including, but not limited to, height, building design, parking, landscaping, etc. [LDC Section 8.4.A](#) contains the procedures and rules for development review applications. This section does not include any additional approval criteria for development review applications beyond the general criteria listed above.







***Staff Recommendation***

None at this time (Work Session). This is an opportunity for the Commission to provide feedback to the applicant and staff regarding the project.




Vicinity Map

Oak Creek Heritage Lodge

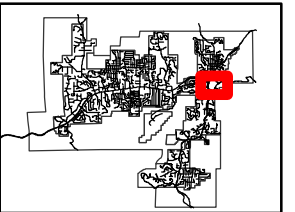
-  Selected Parcels
-  Zoning Boundary
-  Building Footprint
-  Parcel Boundary
-  Trail
-  Street Centerline



0 90 180 Feet



City Index






GIS, City of Sedona  
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This map is designed to provide information about Sedona, and has been prepared for general planning and informational purposes only. It is not necessarily accurate to engineering or surveying standards. Every effort has been made to make this map as complete and as accurate as possible; however, no warranty of fitness is implied.

The information is provided on an "as-is" basis. The City of Sedona shall have neither liability nor responsibility to any person or entity with respect to any loss or damages in connection with or arising from the information contained on this map.

Aerial View

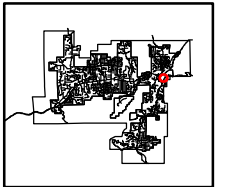
Oak Creek  
Heritage Lodge

-  Selected  
Parcels
-  Parcel Boundary
-  Street Centerline



0 55 110 Feet

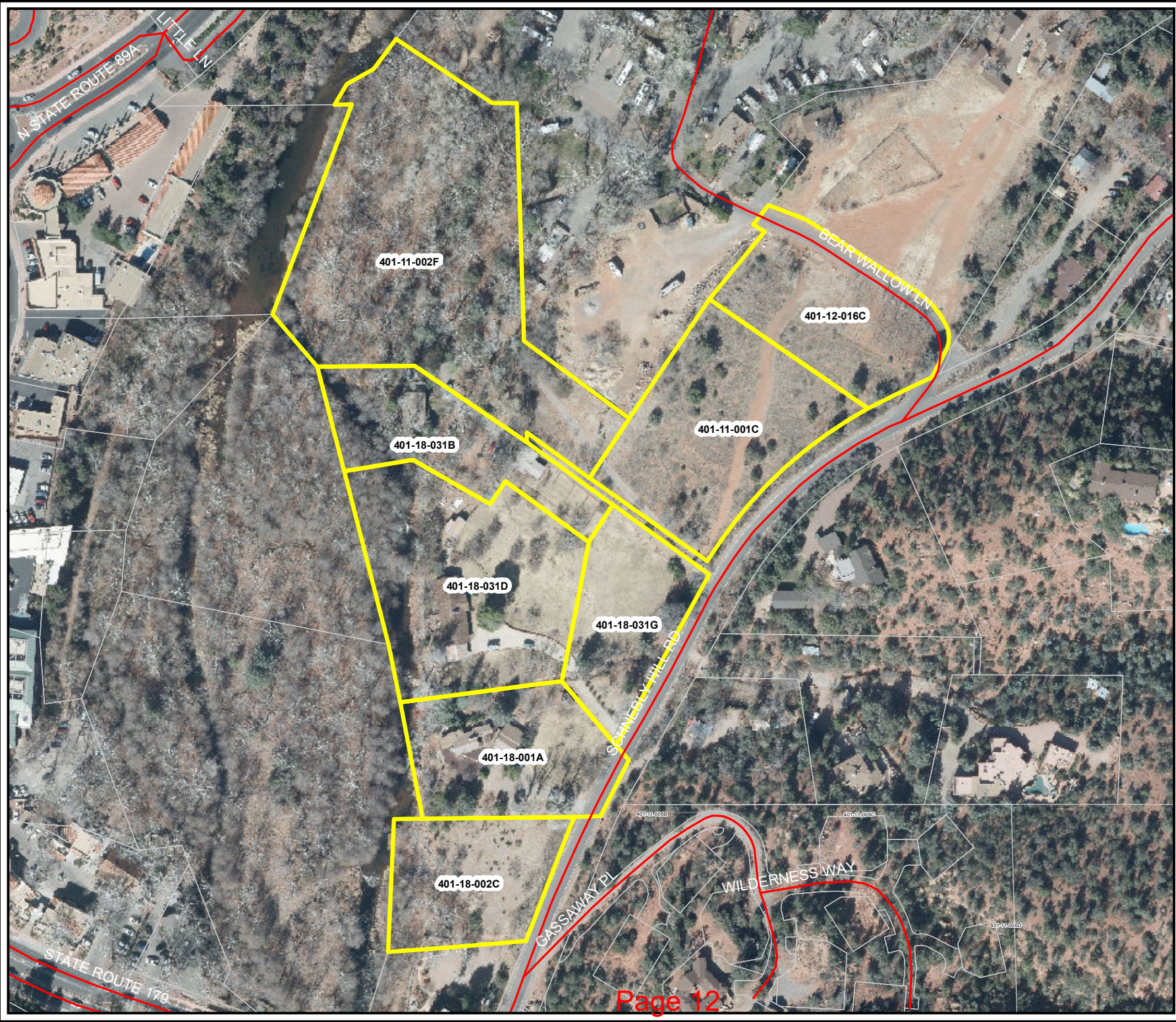
City Index



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mxd/ochl\_aerial.mxd



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# Agenda Item 6a, Attachment 2

Oak Creek Heritage District Standards (LDC Excerpts)



# Oak Creek Heritage Area Zoning District Summary

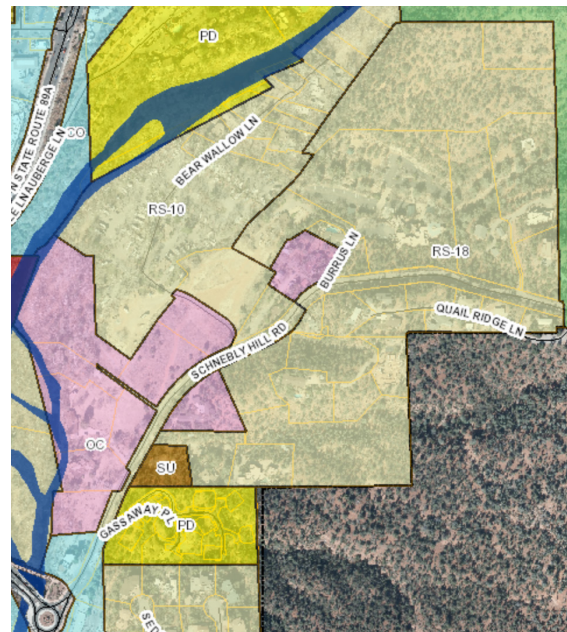
The Oak Creek Heritage Area (OC) zoning district was recommended by the Schnebly Community Focus Area (CFA) Plan and established in 2018 as part of the updated Sedona Land Development Code (LDC). The following describes the need for a new zoning district specific to this CFA.

*To better enable new development projects to meet the objectives of this CFA Plan, a new zoning district is recommended. The Oak Creek Heritage District will offer options for multiple compatible land uses that may be more suitable to the area's unique features than residential zoning. The new district will encourage creative site design that will preserve the area's natural and cultural resources while strengthening the sense of place.*

- CFA Plan pg 24

A property zoned OC that is considering redevelopment must take into consideration both the Land Development Code and the CFA Plan.

If you are considering development under the OC district or you are interested in rezoning to the OC district, we recommend that you meet with city planners to discuss the opportunities and limitations that are unique to each property.



The map above shows zoning as of 2020. OC is pink, residential is yellow. The property shown in pink were rezoned from RS-10 or RS-18 to the OC district in 2020.

Not all properties in the CFA are eligible to rezone to the OC district. One of the limiting factors is lot size. Property zoned OC must be at least 35,000 sq. ft.

## Table of Contents

### Land Development Code

Excerpts of the LDC unique to the OC district page 2  
Table of Allowed Uses page 6

### Schnebly Community Focus Area Plan

Excerpts of the CFA Plan page 12

## References:

City of Sedona Land Development Code:  
[www.sedonaaz.gov/ldc](http://www.sedonaaz.gov/ldc)

Schnebly Community Focus Area Plan:  
[www.sedonaaz.gov/cfa9](http://www.sedonaaz.gov/cfa9)

City of Sedona Community Development  
928-282-1154, [www.sedonaaz.gov/cd](http://www.sedonaaz.gov/cd)

## Sedona Land Development Code Excerpts

### Article 2. Zoning Districts

#### Section 2.20 OC: Oak Creek Heritage Area

##### A. Purpose

The OC district is intended to ensure that development in the Schnebly Community Focus Area (CFA) is consistent with the CFA vision for a pedestrian-friendly, mixed-use area that preserves the Oak Creek riparian corridor, natural hillsides, and open fields, with a variety of modestly scaled buildings that sustain the historic context and character distinctive to this area. If the district standards do not allow for the flexibility necessary to achieve the CFA goals, additional modifications may be considered through the CFA Alternative Standards Request pursuant to Section 8.8.C.

##### B. OC Lot and Building Standards

Lot Standards	
Width	None
Area, minimum	35,000 sq. ft.
	As allowed by the CFA plan.
Density, maximum	RV parks: 8 sites per acre as allowed by the CFA plan.
Setbacks (minimum)	
Front	40 feet
Side	20 feet
Rear	20 feet
Height	
Building height	See § <a href="#">2.24.E</a>
Impervious Coverage (maximum)	
Building coverage	25 percent
Total coverage	30 percent
Building footprint (individual buildings)	5,000 sq. ft.

##### C. Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section <a href="#">2.24</a>
Use-Specific Standards	Section <a href="#">3.3</a>
Access, Connectivity, Circulation	Generally, Section <a href="#">5.4</a> ; Specific to the OC district: § <a href="#">5.4.E(5)</a> and § <a href="#">5.4.H(5)</a>
Off-Street Parking	Section <a href="#">5.5</a>
Landscaping, Buffering, and Screening	Section <a href="#">5.6</a>
Site and Building Design	Generally § <a href="#">5.7</a> ; Specific to the OC district: § <a href="#">5.7.F(3)d</a>

## Article 3. Use Regulations

### 3.3.C. Commercial Uses

#### (4) RV Park

- b. Accessory Uses
  - 4. In the OC zoning district, accessory uses are allowed in accordance with Sections 3.3.C(7)b, (10)b, (12)d, (15) d and (18) and the CFA plan.
- e. OC Zoning District
  - 1. The maximum RV park density shall be eight sites per acre.
  - 2. RV parks shall be located in accordance with the CFA plan.

#### (7) Bar, Tavern, Lounge, or Tasting Room

- b. In the OC district, bars, taverns, lounges, and tasting rooms as a primary use shall only be allowed within 750 feet of the SR 179 roundabout. Such uses may be allowed as accessory uses to residential, lodging, agriculture, and parks, anywhere in the OC district. Such uses may be allowed as accessory uses to RV parks located in accordance with the CFA plan.

#### (10) Restaurant

- b. In the OC district, restaurants as a primary use shall only be allowed within 750 feet of the SR 179 roundabout. Restaurants may be allowed as accessory uses to residential, lodging, agriculture, and parks, anywhere in the OC district. Restaurants may be allowed as accessory uses to RV parks located in accordance with the CFA plan.

#### (12) Administrative, Professional, or Government Office

- d. OC Zoning District
 

Office uses as a primary use shall only be allowed within 750 feet of the SR 179 roundabout. Office uses may be allowed as accessory uses to residential, lodging, agriculture, and parks anywhere in the OC district. Office uses may be allowed as accessory uses to RV parks located in accordance with the CFA plan.

#### (14) Lodging

- a. Generally: All Lodging
  - 1. Building Length
 

All lodging uses shall comply with the maximum building length standards in Section 5.7.F(2)d, Building Length (Multifamily Residential and Lodging Uses).
  - 3. OC Zoning District
 

The total area of the combined lots containing lodging units shall not exceed half the acreage of the total area covered by the CFA plan. Alternative lodging types may include cabins and other similar permanent structures, but do not include RVs and tents or tent-like structures. RV park sites are not considered lodging units.

#### (15) Personal Services, General

- d. OC Zoning District
 

Personal service uses as a primary use shall only be allowed within 750 feet of the SR 179 roundabout. Personal service uses may be allowed as accessory uses to residential, lodging, agriculture, and parks, anywhere in the OC district. Personal service uses may be allowed as accessory uses to RV parks located in accordance with the CFA plan.

#### (18) General Retail, Less than 10,000 Square Feet

- In the OC district, general retail of less than 10,000 square feet as a primary use shall only be allowed as a primary use within 750 feet of the SR 179 roundabout. Retail uses may be allowed as accessory uses to residential, lodging, agriculture, and parks, anywhere in the OC district. Retail uses may be allowed as accessory uses to RV parks located in accordance with the CFA plan.

### 3.3.D Industrial Uses

#### (2) Manufacturing, Artisan

In the M1, M2, M3, and OC zoning districts:

- a. Artisan manufacturing uses shall be limited to 3,000 square feet of shop floor area.
- b. All activities shall occur entirely within an enclosed structure.



## Article 5. Development Standards

### 5.4 Access, Connectivity, and Circulation

#### 5.4.E. Driveways and Access

##### (5) OC District

In the OC district, the following additional standards apply:

- a. All streets, driveways, parking areas, and walkways shall be surfaced with gravel or other permeable surfacing except where necessary to meet ADA requirements, or where determined to be infeasible, for the scope of the project, or where the Fire District requires a different material.
- b. To limit the number of access points and curb cuts on Schnebly Hill Road, developments shall take access from shared driveways to the maximum extent feasible. [Ord. 2020-04 § 1, 9-8-20 (Res. 2020-16); Res. 2019-19 Exh. A, 10-8-19].

#### 5.4.H. Pedestrian and Bicycle Circulation

c. In the OC District:

1. Public access easements shall be provided to ensure future public access to a continuous and connected trail system.
2. Trail connections to established National Forest trails shall be provided where appropriate and as approved by representatives of the Coconino National Forest.
3. Development with frontage on the west side of Schnebly Hill Road shall provide a trail that connects to the sidewalk at the SR 179 roundabout; shall be set back from the road to improve safety; and shall be designed to preserve the historic irrigation ditch to the maximum extent feasible.
4. Development with frontage on Oak Creek shall provide a publicly accessible trail ("creekwalk") where appropriate to create a continuous and connected trail parallel to the creek.

5. The creekwalk and associated amenities shall be designed to have minimal impacts on the riparian habitat and floodway of Oak Creek, with materials and construction that blend with the natural environment.

6. Trails and pathways shall be surfaced with gravel or other permeable surfacing and be designed to blend with the natural environment and rural character, except where necessary to meet ADA requirements, or where determined to be infeasible, for the scope of the project, or where the Fire District requires a different material.

#### 5.7.D. Site Design

### 5.6. Landscaping, Buffering, and Screening

#### (3) Sensitive Area Protection in the OC Zoning District

The following standards implement the Schnebly CFA plan; see pages 13–14.

a. Preservation of Oak Creek

1. The Oak Creek floodway and riparian habitat shall be permanently protected in its natural state to preserve riparian habitat, maintain storm water functions, minimize flood damage, and serve as an historical focal point of Sedona and character-defining feature of the area.
2. Permanent structures shall be located outside the Oak Creek floodway, with only minor improvements allowed within the floodway such as trails, recreation amenities, or temporary structures other than tents or tent-like structures.

## b. Open Space

Open space shall be a defining feature of the area, protected for its natural resources, wildlife habitat, riparian and scenic values, and rural character, subject to the following standards:

1. Development shall be clustered to preserve open space, which shall comprise at least 25 percent of the site, and may include hillsides, floodplains, and other features, but shall not include paved areas.
2. Open space shall be uninterrupted and contiguous with open space and natural areas on adjacent properties.
3. Drainages flowing into Oak Creek shall be retained unaltered as linear corridors of natural open space.
4. Hillsides that are identified in the Schnebly CFA Plan as visible from Uptown and Highway 89 shall be preserved as open space to retain scenic views and to minimize erosion.
5. Uses within open space areas may include:
  - i. Park, greenway, trails, and other recreation amenities.
  - ii. Orchards, gardens, and other agricultural uses.

## 5.7.F. Building Design

### (3) Architectural Style and Character

#### d. OC Zoning District Historic Resources

While some existing structures in the OC District do not exhibit sufficient architectural integrity to meet local landmark criteria, they may nevertheless retain significant architectural features and/or be located in a setting or context that conveys the events of Sedona's history. Protection of historic resources shall be an important consideration in all development and redevelopment proposals. The following standards shall apply:

1. When development is proposed on a property that contains a structure that is at least 50 years of age, a Historic Resource Survey shall be completed prior to site development in order to document the resource, determine its historic significance and integrity, and determine the feasibility of its preservation and integration into the new development.
2. Architectural details shall be designed to include materials and architectural features that reflect the character and cultural history of the area, are simple in design (i.e., without excessive or elaborate ornamentation), and complement the character of adjacent historic resources.
3. Historic resources shall be reused and incorporated into the overall design of the development to the maximum extent practicable.

### Article 3. Use Regulations

#### 3.2.E. Table of Allowed Uses

Table 3.1 Table of Allowed Uses																			
P = permitted C = conditional use permit required A = accessory Blank Cell = use prohibited																			
	Residential									Non-Residential					Other		Use-Specific Standards		
	RS-70	RS-35	RS-18	RS-10	RS-6	RMH	RM-1	RM-2	RM-3	M1	M2	M3	CO	IN	L	CF		OS	OC
<b>Residential</b>																			
<b>Household Living</b>																			
Dwelling, Co-Housing							P	P	C	P								P	<a href="#">3.3.A(1)</a>
Dwelling, Duplex							P	P	C	P	P							P	
Dwelling, Live/Work										P	C	P	C	C	C	A		P	<a href="#">3.3.A(2)</a>
Dwelling, Multifamily							P	P	P	P	P	P	P	P	P	A		P	<a href="#">3.3.A(3)</a>
Dwelling, Single-Family Attached							P	P	C	P	P		C		C			P	<a href="#">3.3.A(4)</a>
Dwelling, Single-Family Detached	P	P	P	P	P	P	P	P	C	C								P	<a href="#">3.3.A(5)</a>
Manufactured Home					P	P	C	C	C										<a href="#">3.3.A(6)</a>
<b>Group Living</b>																			
Assisted Living Center										P	P	P	P		P	P			
Dormitory							C	C	C	C	P	P	C						
<b>Public, Institutional, and Civic Uses</b>																			
<b>Community and Cultural Facilities</b>																			
Cemetery or Interment Facility																C			
Club or Lodge	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P		P	<a href="#">3.3.B(1)</a>
Conference/Meeting Facility											A	A	P	P	P	P		A	
Day Care	C	C	C	C	C	C	C	C	C	C	P	P	P			A			

Table 3.1

**Table of Allowed Uses**

P = permitted C = conditional use permit required A = accessory Blank Cell = use prohibited

	Residential									Non-Residential						Other			Use-Specific Standards
	RS-70	RS-35	RS-18	RS-10	RS-6	RMH	RM-1	RM-2	RM-3	M1	M2	M3	CO	IN	L	CF	OS	OC	
<b>Foodbanks</b>	CA	CA	CA	CA	CA	CA	CA	CA	CA	P	P	P	P	P	P	P		P	Accessory to non-residential use
<b>Funeral Facility</b>													P	P	P	P			
<b>Library</b>										C	C	P	P	P	P	C			
<b>Museum</b>										C	C	P	P	P	P	C		P	
<b>Park, Active</b>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
<b>Park and Open Space, Passive</b>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
<b>Religious Assembly</b>	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P		P	
<b>Shelters (e.g., homeless shelter)</b>	CA	CA	CA	CA	CA	CA	CA	CA	CA	P	P	P	P	P	P	P		P	Accessory to non-residential use
<b>Educational Facilities</b>																			
<b>School, Public or Private</b>	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P		P	<a href="#">3.3.B(2)</a>
<b>Healthcare Facilities</b>																			
<b>Hospital</b>											P	P	P		P				
<b>Medical or Dental Clinic</b>										C	P	P	P		P				
<b>Commercial Uses</b>																			
<b>Animal-Related Uses</b>																			
<b>Kennel, Commercial</b>													C	P					<a href="#">3.3.C(1)</a>
<b>Stable, Commercial</b>	P	P																	<a href="#">3.3.C(2)</a>
<b>Veterinary Hospital or Clinic</b>										C	P	P	P	P					<a href="#">3.3.C(3)</a>
<b>Recreation and Entertainment</b>																			
<b>RV Park</b>																		P	<a href="#">3.3.C(4)</a>

Table 3.1

**Table of Allowed Uses**

P = permitted C = conditional use permit required A = accessory Blank Cell = use prohibited

	Residential									Non-Residential						Other			Use-Specific Standards
	RS-70	RS-35	RS-18	RS-10	RS-6	RMH	RM-1	RM-2	RM-3	M1	M2	M3	CO	IN	L	CF	OS	OC	
<b>Indoor Recreation Facility</b>								A	A	P	P	P	P	P	P				<a href="#">3.3.C(5)</a>
<b>Outdoor Recreation Facility</b>	CA	CA	CA	CA	A	A	A	A	A		C	C	C	C	C	C	C	P	<a href="#">3.3.C(6)</a>
<b>Food and Beverage Services</b>																			
<b>Bar, Tavern, Lounge, or Tasting Room</b>										C	P	P	P	P	P			P	<a href="#">3.3.C(7)</a>
<b>Catering Establishment</b>											P	P	P	P	P				
<b>Microbrewery, Distillery, or Winery</b>										C	P	P	P	P	P			P	<a href="#">3.3.C(8)</a>
<b>Mobile Food Vending</b>										P	P	P	P	P	P	P		C	<a href="#">3.3.C(9)</a>
<b>Restaurant</b>										P	P	P	P	P	P			P	<a href="#">3.3.C(10)</a>
<b>Restaurant with Drive-Through</b>												C	P	P	P				<a href="#">3.3.C(11)</a>
<b>Office, Business, and Professional Services</b>																			
<b>Administrative, Professional, or Government Office</b>										P	P	P	P	P	P	P		P	<a href="#">3.3.C(12)</a>
<b>Financial Institution</b>										P	P	P	P	P	P				<a href="#">3.3.C(13)</a>
<b>Lodging</b>																			
<b>Lodging, Fewer than Seven Units</b>										P	P	P	P		P			P	<a href="#">3.3.C(14)</a>
<b>Lodging, Medium-Density</b>												P			P			P	<a href="#">3.3.C(14)b</a>
<b>Lodging, High-Density</b>															See <a href="#">3.3</a>				<a href="#">3.3.C(14)c</a>
<b>Personal Services</b>																			
<b>Personal Services, General</b>										P	P	P	P	P	P			P	<a href="#">3.3.C(15)</a>
<b>Laundromat, Self-Service</b>							A	A	A	P	P	P	P	P	P				<a href="#">3.3.C(16)</a>
<b>Retail Sales</b>																			

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	Residential									Non-Residential						Other			Use-Specific Standards	
	RS-70	RS-35	RS-18	RS-10	RS-6	RMH	RM-1	RM-2	RM-3	M1	M2	M3	CO	IN	L	CF	OS	OC		
Auction House											P	P	P	P	P					<a href="#">3.3.C(17)</a>
Building Materials and Supply Store													P	P						
General Retail, Less than 10,000 Square Feet										P	P	P	P	P	P				P	<a href="#">3.3.C(18)</a>
General Retail, 10,000 Square Feet to 25,000 Square Feet													P		P					
General Retail, More than 25,000 Square Feet													C		C					
Medical Marijuana Dispensary													P	P						<a href="#">3.3.C(19)</a>
Medical Marijuana Dispensary, Off-Site Cultivation Location													P	P						<a href="#">3.3.C(19)</a>
Nursery or Garden Supply Store											C	P	P	P	P				P	<a href="#">3.3.C(20)</a>
<b>Transportation, Vehicles, and Equipment</b>																				
Equipment Sales and Rental													C	P						<a href="#">3.3.C(21)</a>
Fleet Services													P	P	C	C				<a href="#">3.3.C(22)</a>
Parking Facility												P	P	P	P	C				
Transit Terminal or Station																C				
Vehicle Fuel Sales												C	P	P						<a href="#">3.3.C(23)</a>
Vehicle Repair, Major													P	P						<a href="#">3.3.C(24)</a>
Vehicle Repair, Minor											C	C	P	P	P					<a href="#">3.3.C(25)</a>
Vehicle Sales and Leasing													P	P	C					<a href="#">3.3.C(26)</a>

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	RS-70	RS-35	RS-18	RS-10	RS-6	RMH	RM-1	RM-2	RM-3	M1	M2	M3	CO	IN	L	CF	OS	OC		
Vehicle Service Station											C	C	P	P	P				<a href="#">3.3.C(27)</a>	
Vehicle Wash											C	P	P	P	P					
<b>Adult Entertainment Establishments</b>																				
Adult Entertainment													C	C					<a href="#">3.3.C(28)</a>	
<b>Industrial Uses</b>																				
<b>Manufacturing and Processing</b>																				
Food Processing										C	C	P	P	P	P				<a href="#">3.3.D(1)</a>	
Manufacturing, Artisan										C	C	P	P	P	P			P	<a href="#">3.3.D(2)</a>	
Manufacturing, Light													P	P					<a href="#">3.3.D(3)</a>	
<b>Storage and Warehousing</b>																				
Contractor Office or Equipment Storage Yard													C	P						
Outdoor Storage													C	P					<a href="#">3.3.D(4)</a>	
Self-Storage Facility													P	P					<a href="#">3.3.D(5)</a>	
Warehousing and Wholesale Facility													P	P					<a href="#">3.3.D(6)</a>	
<b>Public and Semi-Public Utility Uses</b>																				
Flood Control Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C		
Public Utility, Major	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P				
Public Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C		
Water Storage Tank	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	C		
Wireless Telecommunications Facility	<i>See Article 4: Wireless Communication Facilities</i>																			
<b>Accessory Uses</b>																				
Agriculture, General	A	A															CA	A	<a href="#">3.4.D(1)</a>	

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Agriculture, Urban	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	<a href="#">3.4.D(2)</a>
Guest Quarters	A	A	A	A	A	A	A	A	A	A									A	<a href="#">3.4.D(3)</a>
Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A							A	<a href="#">3.4.D(4)</a>
Outside Sales and Display										CA	CA	CA	CA	CA	CA					<a href="#">3.4.C(3)</a>
Outdoor Dining										A	A	A	A	A	A				A	
Outdoor Storage, Accessory	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	<a href="#">3.4.D(5)</a>
<b>Temporary Uses</b>																				
Christmas Tree and Pumpkin Sales										P	P	P	P	P	P	P	P	P	P	<a href="#">3.5.E(1)</a>
Construction Support Activity	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<a href="#">3.5.E(2)</a>
Filming-Related Activity	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<a href="#">3.5.E(3)</a>
Model Home	P	P	P	P	P	P	P	P	P	P	P								P	
Special Event	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<a href="#">3.5.E(4)</a>
Temporary Housing	P	P	P	P	P	P	P	P	P	P									P	<a href="#">3.5.E(5)</a>



## Schnebly Community Focus Area Plan Excerpts

### CFA Vision

This CFA is located within the Heart of Sedona, a pedestrian-friendly area focused on Oak Creek and Sedona's heritage. Future development and redevelopment is a mix of uses that preserves the Oak Creek riparian corridor, with natural hillsides, open fields, and a variety of modestly scaled buildings, thus sustaining the distinct historic context and character.

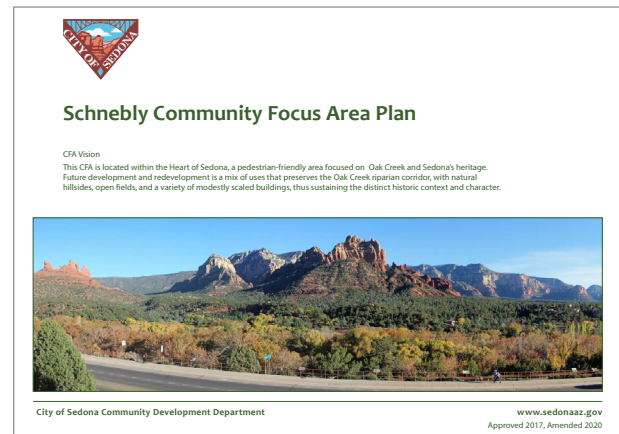
The following CFA Plan excerpts are from the Implementation chapter of the CFA Plan (page 25-26).

The Oak Creek Heritage District is a new zoning designation that provides the means for a land use that exemplifies the distinctive natural and cultural values of this area. Those features that set it apart, such as Oak Creek, the hillsides, and the historic sites are all valuable assets that should be considered a highlight rather than a hindrance for property owners. Under this district, property can be developed in a manner that maintains the historic character, scenic views, and natural resources that are the defining features of this unique setting.

One objective of this district is to encourage development that will best protect Oak Creek and the surrounding riparian habitat. Coordinated and consolidated development allows for designs that can cluster buildings and preserve larger areas of connected open space. The alternative is small, individual building lots with more driveways and more fences that will fragment wildlife habitat and eliminate the scenic characteristics of the area.

This district would also diversify the City's lodging options by offering a variety of unique alternatives that are not the typical hotel experience. This is an ideal location for low intensity lodging where visitors can easily walk to the Uptown restaurants and shops and not contribute to traffic congestion.

Landowners with property in the CFA may voluntarily choose to rezone their property to the Oak Creek Heritage District to take advantage of this opportunity once the new zone district regulations are adopted. The City will assist landowners by facilitating the rezoning application process.



### Permitted Uses

#### Lodging:

- Lodging Density: not to exceed double the established residential zoning density of the property.
  - For example, if the property was zoned RS-10 which is a maximum of 4 houses per acre, the new zone would allow for a maximum of 8 units of lodging per acre.
- Lodging will be limited to no more than half the acreage of the CFA to ensure a mix of land uses.
- Lodging styles supported include small designer hotels, bed and breakfast inns, cottages, bungalows, and alternative lodging types, including cabins and other similar permanent structures, but not including RV's and tents or tentlike structures.
- Lodging may have associated amenities and accessory uses as listed below.

#### RV Parks:

- RV Park Density: 8 sites/acre
- An RV Park is an outdoor facility designed for accommodation in RV's for recreation, education, naturalist, or vacation purposes. An RV is a mobile structure designed as temporary living quarters for recreation, vacation, camping or travel use, which is either self-propelled or is mounted on or drawn by another vehicle. Examples include, but are not limited to, a travel trailer, camping trailer, fifth-wheel trailer, truck camper, motor home or camper van.
- RV Parks are limited to the location of the established RV park as it existed at the adoption of the CFA Plan, covering 10.8 acres.

**Agricultural uses:**

- Gardens, nurseries, vineyards, orchards, and incidental operations.

**Park and Recreation Amenities:**

- Park amenities such as picnic tables, benches, etc.
- Trails
- Amenities may be publicly accessible or for customer use only

**Commercial:**

- To limit traffic impacts, commercial development should be located on Schnebly Hill Road within 750 feet of the roundabout.
- Appropriate businesses may include restaurants, markets, offices, galleries, studios, and retail shops.

**Single-Family Residential:**

- Density: not to exceed the established residential zoning density of the property
- The housing must be clustered in order to preserve areas of open space.

**Multi-family Residential:**

- Density: not to exceed established zoning density
- Increased density may be considered on a case by case basis when associated with community benefits, such as affordable housing, creek access, or agricultural uses.
- Multi-family housing may include duplexes, apartments, patio homes, courtyard bungalows, condos, or townhouses.
- The housing must be clustered in order to preserve areas of open space.

**Accessory Uses:**

- Employee, caretaker, or owner-occupied housing
- Spa, fitness, yoga, or other wellness studio
- Outfitter and guide services
- Outdoor recreation equipment supplies and rentals
- Excluding motorized vehicle rentals
- Retail shop (gifts, gear, and supplies)
- Produce stand
- Café, bar, or restaurant

**Development Guidelines:**

The CFA Development and Design Guidelines (pages 17-19) and all other CFA strategies are applicable to this district, in addition to the following.

- **Oak Creek Floodway:** All structures are to be located outside of the floodway. This will preserve the Creek's natural habitat, maintain the stormwater functions, and minimize flood damage.

**Open Space Viewshed:**

- A continuous corridor of open space along Schnebly Hill Road will preserve the viewshed from the road which is one of the defining features of the district.
- Development may need to be clustered in order to preserve open space, including hillsides.

- **Habitat Preservation:** • Site design shall retain large native trees and as much of the natural vegetation as possible.

- Open space should be uninterrupted and contiguous with open space and natural areas on adjacent properties.

- **Historic Features:** historic buildings and other historic resources should be preserved, adapted for reuse, and integrated with new development.

- Trails and pathways that connect across other properties are encouraged and will be publicly accessible, including the proposed Oak Creek creekwalk. Internal paths do not need to be publicly accessible.

- Limit the number of driveways off of Schnebly Hill Road by using existing driveways or private roads or sharing driveways wherever possible.

- Existing land uses would continue as non-conforming uses.

**Note:**

- Please see the Land Development Code (LDC) for all development standards.
- Portions of the LDC unique to the OC district are summarized on pages 2-11 of this document.

# Agenda Item 6a, Attachment 3

Project Application Materials Available at the following link:

<https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals/oak-creek-resort>

Documents at the Above Link Include:

- a. Project Application and Lighting Application
- b. Letter of Intent
- c. Citizen Participation Plan
- d. Response to City Comments
- e. Architectural Plans (2 Files)
- f. Building Materials and Colors
- g. Tree Survey, Historic Preservation, Letters of Serviceability, Hydrological Study, Sustainability Practices
- h. ALTA Survey, Civil Plans, Traffic Analysis, Noise Study, Water Study, Drainage, Sewer Report, Geotechnical Study
- i. Preliminary Grading Plan

# Agenda Item 6a, Attachment 4

## Review Agency Comments

1. City of Sedona Community Development
2. City of Sedona Public Works/Engineering
3. City of Sedona Sustainability Program



## City of Sedona Community Development Department

102 Roadrunner Drive Sedona, AZ 86336

(928) 282-1154 • [www.sedonaaz.gov/cd](http://www.sedonaaz.gov/cd)

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### PZ23-00004 (DEV) Oak Creek Heritage Lodge, Comprehensive Review Planning Comments, October 27, 2023

**LDC Section 8.3.C(7): If an application has not been resubmitted to address staff-noted deficiencies within three months, such application shall be deemed abandoned and all fees forfeited. The applicant may request three additional months to address staff-noted deficiencies. Abandoned applications shall require a new pre-application meeting and may be subject to additional fees.**

It is the applicant's responsibility to be aware of submittal deadlines. Staff may not alert an applicant that a deadline is approaching and may not accept submittals after the deadlines.

#### 1. Comprehensive Review

- a) The application has been submitted for comprehensive review. The following comments identify areas where information is missing, does not comply with City codes, or areas of suggested changes to bring the project into greater compliance with City goals. The applicant and their representatives should carefully review all applicable code sections and ensure the plans submitted clearly show compliance.

Previously provided comments that the applicant has addressed or provided a response to have been removed. Removal of a comment does not necessarily indicate that Staff agrees with the response; it is only an acknowledgment that the applicant has provided a response.

**Comments that were not addressed or new comments necessitated by the response to previous comments/changes in the application are repeated below with additional clarifications in red text.**

- i) The fee paid for this project includes review of the initial submittal and one resubmittal. Additional reviews are charged at a minimum rate of \$50 per hour.
- b) Contact the following Staff members with questions:
- i) Cari Meyer, Planning Manager, [cmeyer@sedonaaz.gov](mailto:cmeyer@sedonaaz.gov), (928) 203-5049.
- c) The comments reference the Land Development Code (LDC) and Design Review, Engineering, and Administrative Manual (Manual). These documents are available for review at the following links:
- i) LDC: <https://sedona.municipal.codes/SLDC>
- ii) Manual: <https://www.sedonaaz.gov/home/showdocument?id=38278>

#### 2. Overall Submittal

- a) The digital plans are of a lower quality that does not allow for review of the plans (when zooming in, text and numbers become pixelated and unreadable). Ensure all digital plans are legible.

**Comment not fully addressed. While this submittal is better, there are still areas that are illegible. Ensure that the digital submittal is thoroughly reviewed for legibility.**

#### 3. Letter of Intent (LOI)

- a) The LOI and other project documents contain many statements regarding how the hotel will be run (employee transportation, parking, shuttling, sustainability practices, etc.) that the applicant would need to implement after all construction is complete. Include an explanation of how these commitments will be followed through on and how the City can ensure the assumptions made in the review of this project come to fruition (e.g., Development Agreement).

Comment not addressed. Include an explanation of how these commitments will be followed through on and how the City can ensure the assumptions made in the review of this project come to fruition (e.g., Development Agreement).

#### 4. Floor Plans

- a) Lobby Building: The section view shows a use below the first floor with a finished floor of 4206 (The plans indicate that the RFE for this building is 4211). Clarify the use of this space and include on floor plans, building footprint, etc.

Comment not addressed. Floor plans show a First Level and Second Level Plan. Elevations do not appear to show a second level, but do appear to show a lower level below the first level. Clarify and label plans correctly/consistently.

- b) Lodging 1WC: Floor areas not provided.  
c) Lodging 1WE: Floor areas are cut off in printed plans.

#### 5. LDC Section 2.24.E: Heights

- a) For buildings using the allowance for multiple buildings on the site (LDC Section 2.24.E(4)a), the plans must show which areas of the buildings are applying the additional height along with a calculation of the total area to allow for review for code compliance. Buildings using this exception must also be separate from other buildings on site by a minimum of 15 feet – show setback to other buildings where applicable.

The following buildings are shown as using the allowance for multiple buildings but are not separated from other buildings on the site by 15 feet. Increase separation or reduce height.

- Lodging 4SC – Plans show 10 foot separation from Lodging 4SB
- Lodging 1WA and 1WB – Both buildings use the exception, plans show 10 foot separation.
- Lodging 1NA – Plans are unclear whether this building is using the exception. Plans show 12'9" separation to Lodging 1NF.

- b) For buildings that are proposing to use unrelieved building planes for additional height, clearly show the location and size of the largest unrelieved building plane on the elevations. The plans indicate multiple buildings are applying additional height based on an unrelieved building plane of 500 square feet. None of the elevations indicate the largest unrelieved building plane and many appear to exceed 500 square feet.

The following buildings are applying additional height based on unrelieved building planes and show building planes that exceed 500 square feet. Building planes need to be reduced or height needs to be reduced so this exception is not needed.

- Spa Building
- Back of House Service Building
- Lodging 1WA and 1WB
- Lodging 1NA

- c) Spa Building: The height chart states the building is using Unrelieved Building Plane for height; the section view shows an exception based on multiple buildings on the property. Clarify and provide correct calculations for evaluation. No area for the multiple building exception is provided and the elevations show building planes over 500 square feet.
- d) Back of House Service Building. The building exceeds maximum height allowances. Address the following:
- i) The roof plan shows the ridge on the south side of the building at 4240.57 over a natural grade of approximately 4207.75, for a height of approximately 32.82'. The maximum height for this portion of the building is 31'.

- ii) Provide a roof height at the edge of the 447 square foot area applying the 5' exception for multiple buildings on the property. This information was included on other buildings applying this exception, but appears to have been left off of this plan. Based on a rough calculation, maximum height may be exceeded at this point.
- iii) Building planes appear to exceed 500 square feet (e.g., the lower two levels of the west elevation). Building planes need to be reduced or height needs to be reduced so this exception is not needed.
- e) Lodging 1WA (North Elevation) and 1WB (South Elevation): The Area Plan Diagrams on Sheets A4-01 and A4-02 show a bumpout that does not appear on the floor plans or the elevations. If this bump out exists, update all applicable plans, this may bring the largest unrelieved building plane below 500 square feet.
- f) Lodging 1NA: The height chart states the building is using Unrelieved Building Plane for height; the section shows a height exception based on multiple buildings on the property. Clarify and provide correct calculations for evaluation. No area for the multiple building exception is provided and the elevations show building planes over 500 square feet.

## 6. LDC Section 5.4: Access, Connectivity, and Circulation

- a) LDC Section 5.4.H(5)c.4 and CFA Plan p. 22.
  - i) Development with frontage on Oak Creek shall provide a publicly accessible trail ("creekwalk") where appropriate to create a continuous and connected trail parallel to the creek.
    - (1) The creekwalk shown is along a short property line and is partially in the creek, which would not allow for use. The City would prefer an easement through the property with the location to be determined. This would allow for better coordination with adjacent properties as they develop.
 

Comment not addressed. The easement is still shown as along a short property line and partially within the creek, while the Circulation Plan shows the creekwalk deviating a bit from the property line. The City would prefer an easement through the property with the location to be determined. This would allow for better coordination with adjacent properties as they develop.

## 7. LDC Section 5.6: Landscaping, Buffering, and Screening

- a) Only the requirement for 75% native planting is addressed in the Letter of Intent. The sections and requirements for screening and walls are not addressed. Address all applicable sections.
 

Comment not addressed.
- b) LDC Section 5.6.C: Landscaping and Buffering
  - i) Plant List:
    - (1) Creeping Juniper (*Juniperus Horizontalis*) is adaptive, not native. Change and recalculate native percentages.
  - ii) Provide the total landscape area. This was provided on the first submittal, but appears to have been left off of this submittal.
  - iii) Parking Lot Landscaping: The areas counted towards parking lot landscaping must also be included in the parking lot area – it does not appear that this has been done. Recalculate and adjust parking area landscaping requirement as needed.
 

Comment not fully addressed. Clearly show what is being included in parking lot landscape area.
  - iv) One of the primary goals of the CFA is to maintain the floodway in its natural state. Remove additional plantings and turf from the floodway.

(1) The landscape plans show no planting in the floodway while the LOI (page 10) states that there will be landscape improvements, including lawn, in the floodway. In order to comply with the CFA, the LOI should be updated to reflect what is currently shown on the plans (no additional planting).

- c) LDC Section 5.6.D (Screening): Show location and screening method for all roof-mounted mechanical equipment, ground mounted mechanical equipment, and loading, service, and refuse areas.

The LOI indicates that rooftop equipment will be used and refers to roof plans. The roof plans do not include rooftop equipment other than solar panels. Clarify.

## 8. LDC Section 5.7.E: Building Placement and Orientation

- a) LDC Section 5.7.E(3): Building Separation: Lodging buildings 1C, 1D, and 1C in the West cluster and Buildings 1A and 1C in the North Cluster have adjacent building lengths between 31 and 40 feet, so the minimum building separation shall be increase to a minimum of 15 feet.

Comment not addressed (now buildings 1WC, 1WD, 1WE). Though the building layout as shown on the plans meets this requirement for other building separations, the methodology used on the plans is not correct.

## 9. LDC Section 5.7.F: Building Design

- a) LDC Section 5.7.F(2)a: Building Massing

i) Lodging 1WC (no areas provided) may exceed 2,500 square feet and Lodging 1WD (2,585 square feet) exceeds 2,500 square feet. Buildings over 2,500 square feet must have a minimum of 3 masses in plan view and elevation view; these buildings do not have 3 masses. Redesign or reduce size of buildings.

- b) LDC Section 5.7.F(2)c: Building Articulation

i) Subsection 2.ii: Upper Stories: The second floor must be at least 10% smaller than the first floor. The following buildings do not meet this requirement:

The Back of House Building appears to be attempting to meet this requirement by including an exterior stair case (rather than an interior staircase) on the second level. The elevations show this areas as fully enclosed. Clarify and ensure building meets requirements.

ii) Subsection 5: Transparency: The ground-floor level of each façade facing a public street or other public area such as a plaza, park, or sidewalk shall contain a minimum of 30 percent windows or doorways. Upper floors of each façade facing a public street shall contain a minimum of 15 percent windows.

(1) Note the proportion of solid area to window and door area on each applicable elevation.

Comment not addressed. Proportions not noted on the applicable elevations.

- c) LDC Section 5.7.F(4) & (5): Building Materials and Building Color

i) Many of the colors provided exceed 21% LRV, which is what the plans use for alternate standard calculations. While trim colors may be permitted to be higher, the trim colors vs. siding colors are not differentiated on the materials board.

Comment not addressed. No changes to the color/materials board provided with this submittal.

ii) Using a 21% LRV for alternate standards limits the trim colors to 31%. Two of the proposed colors, Desert Wood and Sand Castle, have an LRV of 34% and would not work for a trim color or a main color.

Comment not addressed. No changes to the color/materials board provided with this submittal.

## 10. Historic Preservation (CFA Strategy)

- a) LDC Section 5.7.F(3)d: OC Zoning District Historic Resources; CFA Page 20



- i) The CFA Plan, along with the historic surveys submitted with the application, indicate that the Farley/Steele Ditch may be eligible for landmark status. Indicate location on the plans. As stated in this code section, this ditch must be integrated into the development. Sheet T0-06 indicates that an existing irrigation channel will remain and one will be removed; it is unclear how these will be incorporated into the development.
  - (1) Statement in CFA Plan: “Recognize and protect historic resources, such as the historic irrigation ditch (west of Schnebly Hill Road)... Designating the land to each side of the ditch as open space will protect its historic integrity... Placing a trail along the alignment of the ditch can provide for public use and interpretive opportunities of this and other historic features.”
  - (2) Statement in Historical Survey: “These are very important structures which help to tell the story of homesteading and irrigated farming on Schnebly Hill Road. The existing sections of the Farley/Steele Ditch should be retained and interpreted wherever possible, particularly to illustrate the various construction methods used to move the water along the Farley/Steele Ditch.”

The response to comments states both sections of the irrigation channel will remain. Sheet T0-06 states one will be modified. Clarify.

### 11. LDC Section 5.8: Exterior Lighting

- a) While string lights may be permitted if shielded by covers such as the ones shown, it is not clear that the covers shown are large enough to provide the required shielding (light cannot hang below shield). Provide additional detail to ensure shielding is sufficient and provide mounting details to ensure lights remain fully shielded after installation.
  - i) Comment not fully addressed. It is unclear whether the caps proposed for the string lights will provide sufficient shielding. Provide additional information about the size of the shields vs. the size of the light bulbs. Provide mounting details to ensure lights remain fully shielded after installation.

### 12. Missing Application Materials

- a) The following are required application materials that were not included in the submittal. Please review the Manual and ensure all required documents are provided when the application is submitted for comprehensive review. At a minimum, the following items should be provided for this stage of review:
  - i) A summary of any additional legal restrictions for development on the subject property (e.g., previous development agreements, deed restrictions, etc.) (Manual Section 1.1.H(10))
  - ii) Topographic map, prepared by a registered surveyor, with a minimum of 1-foot contours (Manual Section 1.2.A(1))

Survey was provided, summary of legal restrictions and topographic map were not (if they were, clarify where in the project documents to find these items).



## Public Works Department

102 Roadrunner Drive Sedona, AZ 86336  
(928) 204-7111 • Fax: (928) 282-5348;  
Hanako Ueda, EIT (928) 203-5024

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**PZ21-00011 (DEV)**  
**Oak Creek Resort (Comprehensive)**  
**10/30/2023**

### Engineering Comments

**Please address all comments by the next submittal:**

1. Traffic Impact Study:
  - a. Please provide a final sealed TIA with legible images and clarifying the items below.
  - b. Please clarify whether the apartments are 354sf or 400sf.
  - c. Section 3.3: Please describe traffic flow on SR179 on weekends.
  - d. Figure 3: Please note roundabout movements rather than a t-intersection (Schneibly Hill Traffic vs U-turns).
  - e. Section 4: If 20% of restaurant and 30% of meeting room guests are off-site visitors and not captive uses, please include these in the trip generation & warrants.
    - i. The restaurant square footage is different between the TIA and parking analysis. Please clarify.
    - ii. The parking analysis assumes 50% off-site traffic for restaurant use.
  - f. The addition of 4.9 seconds of delay per vehicle during peak traffic (1701+52 vehicles) suggests an additional 143 minute delay. Please propose mitigation measures consistent with the Transportation Master Plan, timing, funding sources, and roles (City funded? Developer funded? Development fee allocation?).
  - g. Due to the increase in ADT, Schneibly Hill Rd will need to be widened to 26' along the resort frontage.
  - h. In the recommendation section, please clarify who will be installing the mitigations.
2. Please provide sealed civil plans.
3. Plans show encroachment onto the floodway, which will require mitigation. It is our understanding that there are cantilevered balconies over the floodway and no piers or supports extend into the floodway.
4. Parking needs study –
  - a. page 4: revise comment that lodge meeting space is 2,750sf per key.
5. Please include the City's future on-demand "microtransit" shuttles in the TDM.

### ***Prior to Issuance of Building Permit:***

- **Please aim for a 10' pathway along Schneibly Hill. Reduce to 8' where trees may be compromised.**
- **Follow foundation recommendations stated in the geotechnical report. The report discourages development on the cliff/along the floodway without significant improvements, retaining walls, deep foundations, concrete filled drill shafts, etc.**
- **All new sewer mains shall be 8" and all laterals to buildings shall be 6".**
- **ADEQ's new anti-degradation law appears to prohibit new discharges into Oak Creek. Prepare to provide onsite retention rather than detention. Some recommendations are, but not limited to: groundwater recharge, permeable pavers & underground retention structures along parking & paths (already proposed), and above ground storage structures which meet design standards of the Land Development Code & CFA Plan.**
- **Work with the Wastewater Department on final sewer plans. If there is not enough downstream capacity at the Bear Wallow lift station, improvements to the lift station or pumping sewage to Schneibly Hill would be required.**

- Property lies in a floodplain. An elevation Certificate in the FEMA from an Arizona Registered Land Surveyor is required for each building.
- Any improvements within the floodway must submit a “certificate of no rise”.
- Provide design approvals from all utilities.
- A Floodplain Development Permit from Coconino County Flood Control District is required.
- Provide a public access (bike/ped) easement for portions of the path along Schnebly Hill Rd that is on private property.
- Sewer lines in the flood hazard areas shall be encased.
- For projects involving grading of more than 5,000 cubic yards, a haul plan, a dust control plan, a topsoil reutilization plan, a stormwater pollution prevention plan, and a traffic control plan shall be required. Each must be acceptable to and approved by the City Engineer. (DREAM 3.1.H.6.i).
- For projects involving grading of more than 5,000 cubic yards, an assurance bond is required per DREAM 3.1.G.1.
- Provide Final Grading and Drainage Plans. The Site Plan shall meet the requirements of DREAM Chapter 3.1.
- Provide the Final Drainage Report.
- Applicant shall follow the City of Sedona Land Development Code in its entirety.
- Applicant shall provide a Storm Water Pollution Prevention Plan. SWPPP measures shall be in place prior to the start of construction (DREAM 3.1). Storm water quality measures shall also comply with City of Sedona Code requirements (City Code Chapter 13.5)
- Accessible sidewalks and parking areas will need to meet the current US Dept. of Justice ADA requirements.
- Accessible parking/signage shall meet the requirements of the City LDC and DREAM documents.
- All concrete within the City ROW shall be colored “Red Rock Sedona”

# MEMO



To: Cari Meyer, Planning Manager  
From: Sustainability Program Staff  
[sustainability@sedonaaz.gov](mailto:sustainability@sedonaaz.gov)  
(928) 203-5127

Date: October 4<sup>th</sup>, 2023

Subject: Updated Recommendations for Oak Creek Heritage Lodge Development Application

**The following recommendations are updated from the previous submission on May 4<sup>th</sup>, 2023. Additional information, resources, suggestions, project notes have been added across sections.**

## **Energy Conservation and Emissions Reductions**

Upon reviewing the updated application materials, the Sustainability Program commends the applicant for use of passive and active energy savings, pursuit for green building certifications, inclusion of solar photovoltaics on applicable buildings, and thermally efficient building designs. The plans also have options for sustainable building materials that might have lower embodied carbon or environmental impacts. Inclusion of those materials is suggested where economically feasible. Below are some additional suggestions and comments for consideration:

- 1) The Sustainability Program suggests exploring APS's [Green Choice Program](#) once energy is delivered to the site, which allows for portions of the electricity consumed on site to come from green renewable energy sources.
- 2) For the rooftop solar photovoltaics that are shown on the updated plans, the facility may be eligible for a federal tax credit for up to 26% of the costs of any installed solar through the [Commercial ITC Program](#). Additionally, the project may be eligible for the [Rural Energy for America Program](#) that provides federal grant funding towards rural small businesses for solar installation, energy efficient appliances, improved insulation, high-efficiency HVAC systems, cooling or refrigerant units, etc.
- 3) Natural gas is a significant greenhouse gas that contributed to over 30,000 metric tons of CO<sub>2e</sub> in the 2018 Climate Action Plan inventory. It is recommended that natural gas connections should be avoided whenever feasible. However, the designs of the buildings do appear to have reduced natural gas consuming systems to a handful of operations. R.D. Olson Development has noted that where those operations are occurring Energy Star and UL labeled appliances will be used and electrical kitchen equipment will be further

evaluated. The heating and cooling of facilities with VRF system in the planning documents remains commendable here and should lead to an overall smaller carbon footprint than a development without it.

- a. Explore future feasibility of sourcing renewable natural gas for operations that are not electrified.
- 4) It's noted that the development at the moment would achieve a minimum bronze ranking under the [Coconino County's Sustainable Building Program](#). Incorporating elements of that program, along with LEED certifications and VVREO Business Sustainability components, the project has demonstrated awareness and effort to incorporate regional sustainability initiatives into the project.

### **Transportation and Electric Vehicle Support**

Sustainability Program's comments in this section remain unchanged. Through the inclusion of electric shuttles, bicycles, EV charging stations, Verde Shuttle passes for employees, and carpool ride-matching assistance, R.D. Olson Development aligns well with transportation related components of the Climate Action Plan.

### **Water Conservation**

Indoor and outdoor water conservation components appear well defined. The use of low-flow water fixtures, smart irrigation controllers, water bottle refill stations, and the like are welcomed efforts for water conservation. Infiltration basins and permeable pavers should help stormwater management and subsurface infiltration across the property.

- 5) It is noted that the applicant and design team will further evaluate restaurant operations and appliances for additional reductions in water consumption, such as installation of leak detection devices on water supply lines as the project progresses.

### **Landscaping, Native Plants, and Ecosystem Services**

Efforts to retain current native plants on-site, along with planting native and adaptive species in new plantings aligns well with the Climate Action Plan and is strongly encouraged. R.D. Olson Development has shown all proposed plantings to be on the City approved plant list after a couple of substitutions. RDOD has stated they will develop an invasive species management plan and fertilizer use policy, along with incorporating signage informing guests and the public on animal interactions and the City's wildlife feeding ordinance. Recommendations from the previous submission have been addressed.

### **Recycling and Compost**

It is noted that R.D. Olson Development has expressed a willingness and desire to collaborate with local vendors to improve waste and recycling efforts. Sustainability's recommendations remain unchanged in this section. As the project progress, the Sustainability Program looks forward to seeing efforts materialize here. Recommendations below are unchanged from previous submission.

- 6) Recycling drop off location: Considerations should be made on providing increased recycling access for users of the property. A recycling drop-off location in collaboration with Sedona Recycles, or other vendor, would be ideal and improve waste diversion. This would help reduce greenhouse gas emissions associated with landfilled solid waste, reduce waste entering the watershed, and improve ecosystem health.
  
- 7) Compost: Considerations should be made on utilizing a compost pick up service for food scrap waste. Collaboration with Compost Crowd, or other vendor, would be ideal and improve waste diversion. This would help reduce greenhouse gas emissions associated with landfilled solid waste and improve ecosystem health. Alternatively, consider using on-site food composting from food waste to reduce costs and landfill waste associated with restaurant operations, additionally to provide benefits to the landscaped areas.

# Agenda Item 6a, Attachment 5

Public Comments

May 30, 2023

Sedona Planning and Zoning  
% Cari Meyer  
109 Roadrunner Road  
Sedona, AZ 86336

Subject: Oak Creek Heritage Lodge March 2023 Development Proposal

Dear Madam:

This letter is to provide comments on the latest submittal from the Oak Creek Heritage Lodge (as it is now being called) developer. I have noticed that since the developer's last presentation to Planning and Zoning they have made a few modifications to the configuration and submitted this to Sedona Community Development in March of 2023.

It appears that the developer did this with the hope that some additional detail and small modifications would allow Planning and Zoning to better understand the plan concept and would allow a more complete evaluation of the proposed development.

### **2022 Public Hearing**

At the last Planning and Zoning Commission meeting, members of the Commission and the Public noted the following concerns with the plans previously submitted:

- The proposed development is not a rural concept and is a traditional resort facility that is not in keeping with the Oak Creek CFA. This is a contemporary hotel not a rural cabin or cottage development as called for in the CFA.
- The plans did not show a boutique hotel setting and did not present access to Oak Creek.
- The proposed development includes higher density meeting space, event, weddings and the associated traffic in an area that is in the center of the high traffic zone in Sedona.
- The prior documents did not include any architectural concept, just a selection of renderings from other documents, including the CFA.
- There was a concern with maintaining trees on site and not using mass grading to remove existing vegetation. Maintaining site vegetation like Ambiente is viewed more positively.
- The floodplain was not shown clearly on the available drawings.
- The traffic analysis for parking appeared to be low with no employee parking, and this is in the highest traffic area in town
- It was noted that available water is sufficient, but is another water user needed in Sedona?
- A complete listing of the typical and total guest room sizes relative to a standard bay should be provided. This should include a compilation of total beds and sofa beds.
- Orchard Parking seems to have been hidden in the orchard area.



## Oak Creek Heritage Lodge

May 30, 2023

- It was noted that the proposed development falls flat on a sustainability perspective.
- The climate action plan was not addressed in the plan submitted.
- Given its location, Oak Creek access is important
- Grading and earthwork was not provided.
- Is LEED certification anticipated?
- Did the developer consider vegetated roofs, ebikes, bike storage?
- Is water conservation included? Is gray water harvesting to be used?
- Are there irrigation rights on the property that are intended to be used?
- Will the restaurant include a connection to healthy foods?
- What use of fertilizer and pesticides are planned
- How will the concern with exiting safely from the facility be addressed?
- How will the development preserve the creek ecology?
- Is there employee housing?
- What is the number of employees for the development? (Developer responded that 30 would be on site at one time with a greater total number throughout the day.
- Developer did not include the presentation ahead of time. The Commission should have been given time to review and study this before the hearing.
- The developer must mention all CFA requirements in any future response.
- No demolition can be performed till a survey of historic features is completed,
- Wedding noise has been a continuing problem with other resorts on Oak Creek, and how will this development be addressed since they are noted as a developer of destination wedding resorts?
- How will the restaurant noise be contained for residents in the area?
- How will the difficulty of entering and exiting the facility be managed given the limited sight distances?
- How many rooms and what size and the number of occupants will be included in the resort plan?
- How many staff will be needed by the resort? Where will this staff be from given the local staffing issues at other businesses in Sedona?
- Does Sedona need more resorts?
- How will access to the creek be provided? (The developer stated that the public will be welcome to access the creek through their development)
- A resident noted that campers are routinely removed from under the SR179 bridge.
- How will water conservation be managed on the site?
- How will the destruction of this unique riparian habitat be considered during the construction and operation of the development

### March 2023 Proposal Comments

With these prior comments, the following comments are being submitted on the March 2023 submittal from the Developer:

1. **Overall Hotel Concept** - While the number of rooms has been reduced to 70 from 80, a similar number and size of buildings is still planned. These concept drawings do not show this as being a rural concept, nor does it resemble anything that could be

reasonably called a cottage or cabin as called for in the CFA.

It is notable that the size of rooms varies from over 500 square feet to over 1,100 square feet. This is quite large compared to a standard hotel room of about 300 square feet. In addition, these rooms have about half with double queen and king rooms, with some additional junior rooms for multiple children. It is hard to compile the total number of beds, but it likely will accommodate well over 200 guests in the various structures. The total number of guests that these various rooms can accommodate needs to be compiled in one location, as this reviewer could not locate this summary.

Again, it is hard to envision these very large rooms as being consistent with a cottage or cabin, in spite of the developers repeatedly calling them that. They are not cottages or cabins.

- 2. Employees and Housing** - While the new plan includes 4 on-site housing units for staff, the total number of employees has not been included in this submittal. It should be noted that for a hotel of this level of luxury, especially since it includes a large restaurant, spa, event (wedding) building, and valet parking, it would be expected that the employee to guest ratio should be between 1:1 to 2:1.

Since this hotel would serve at least 200 guests given the number of rooms and beds, it should be expected that this hotel would require at least 200 employees to perhaps twice that to service these guests and the events that they would support. Clearly the 4 employee housing units would be rather insignificant (say 2%) compared to the need for hotel workers. These same 200+ workers would also need to be identified and transported to the development each day, impacting traffic in the most congested part of the community.

- 3. Floodway and Floodplain** - This proposed development is located in one of the few remaining intact riparian areas in Sedona, let alone Arizona. This unique ecology, according to the Community Plan, is to be preserved and not disrupted. While in many locations on the drawings it is hard to identify the location of the 100-year floodplain, the design shows that a large portion of the development buildings are located in the 100-year floodplain, using columns to support the buildings 1' above the calculated 100-year flood water surface. In a number of cases, the patio areas and decks are cantilevered over the floodway.

It should be noted that these floodplain co-located buildings will completely destroy the existing floodplain ecology that is so important to a healthy riparian area by covering them up from the sunshine that they need to thrive. It is clear that this is an attempt to locate the large development buildings as close as possible to the creek to utilize this unique habitat for the guests while at the same time destroying the majority of the habitat that is present in Oak Creek.

It should also be noted that during the recent 2023 25-year (4% annual recurrence) flooding event, which is much smaller than the 100-year (1% annual recurrence) flooding event that is the development standard, standing waves were observed in this section of the creek that exceeded 4' above the average water surface.

It should be noted that the steady state computer modeling methods of calculating water surface does not take into account the presence of standing waves that are commonly seen in mountain streams like Oak Creek. This is to point out that the safety of the guests and visitors could easily be impacted by a large flash flood in the Oak Creek watershed.

It also needs to be considered that while the current 1% recurrence (100-year flood) is the development standard, we all know that with climate disruption, more intense and frequent events are likely going forward. In addition, this climate disruption also is causing increasing wildfires in the upper basin areas which as you know will make the runoff from smaller storms more rapid and the volume larger. The large burn areas in Flagstaff routinely are experiencing large increases in flood volume due to these burn scars, something we should expect in Oak Creek.

4. **Room Sizes** - As noted earlier, the proposed design includes rather large room sizes that do not meet the intent of cabins or cottages as noted in the CFA. The developer simply referring to these large buildings as cottages does make them so. This is a huge difference from the intent of the CFA and the intent is to attempt to try to make the development into something it most definitely is not - a cabin or cottage that has a rural or boutique setting.
5. **Restaurant, Event Facility, and Fitness Spa** - The developer has maintained that the restaurant as well as the "event facility", which should more appropriately be called a wedding hall, are appropriate for the size of the development. Both of these large facilities are intended for the wedding ceremony and perhaps more importantly the reception facility that most definitely includes music and dancing. This is similar to the large weddings that are taking place routinely at L'Auberge de Sedona.

The latest proposal notes that this restaurant will be a "small" upscale restaurant open to the public. At 4,800 square feet and using a generous 20 sq ft per diner, this relates to a seating capacity of 240. This restaurant is certainly not small and would likely be one of the largest restaurants in Sedona. This restaurant is open to the public and would likely draw even more traffic to the location along with a large number of wait and cook staff needed to serve these customers, likely another 50 staff members.

It also needs to be understood that the event facility will also serve essentially as another restaurant for receptions, requiring additional staffing in the kitchen to prepare the meals, wait table, and bus and clean the facility.

**Oak Creek Heritage Lodge**  
**May 30, 2023**

The Fitness Spa is also rather large at 2,800 sq ft, which depending on the type of spa experience would serve 30 to 60 users at a time. This will also be open to the public and would potentially result in additional traffic in addition to the restaurant and other on site uses.

The nearby residents have spoken at great lengths about how the existing Uptown resorts already have caused disruption in the area. The audio analysis included in these documents was performed in the middle of the existing vegetation and not in the future setting of large buildings with hard reflective surfaces as well as an open environment that will aid the conduction of sound to the entire Uptown area.

All of the proposed facilities include accordion doors on three sides of each building which will inevitably be opened for the convenience of the dining guests as well as the reception crowd that will want to party long into the evening hours and disrupt the peaceful surroundings. It is unlikely that the neighbors will ever again be able to hear the quiet babble of the Oak Creek if this development is to be constructed and operated.

6. **Site Grading** - In the last public hearing, the developer noted that the soil balance would not be changed on the site and that there would not be mass grading. It seems from the provided drawings that a completely different scenario is in play. While the areas under the proposed buildings in the floodplain area will not have grading since these buildings will be kept above the floodplain elevation with posts, almost all other areas with new buildings and roadways will have all vegetation removed and the areas completely regraded to the planned contours.

This is not as presented at the last public hearing. The only areas that will not have the existing vegetation removed and graded are those areas in the floodway and floodplain that cannot be effectively used for the development site. These areas are called the preserve, in spite of the fact that they will also include the addition of walkways along the creek.

As noted before, the soils that will be graded have taken decades to develop and will be removed and will not be left as they have on the Ambiente development on 89A. This will include a huge amount of disruption on the site and the final development will have none of the current character of the largely undeveloped site.

### **Comparison of Development to CFA Vision**

For some final comparisons to the Oak Creek CFA, these properties are located within the Heart of Sedona, a pedestrian-friendly area that is focused on Oak Creek and Sedona's heritage. The CFA notes that future development and redevelopment should be a mix of uses that preserves the Oak Creek riparian corridor, with natural hillsides, open fields, and a variety of modestly scaled buildings, thus sustaining the distinct historic context and character.

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The proposed development fails on almost all counts as it does nothing but degrade the existing riparian corridor, regrades the existing natural hillsides to accommodate roadways and walkways and buildings, and does not include anything that could be termed a modestly scaled building similar to a cottage or cabin. It does not sustain the distinct historic context or character of the site.

To specifically address the Community Expectation from the Oak Creek CFA the development would need to:

- **Retain large parcels and rural character** - This proposed development does not retain anything that could be called rural character. It is nothing less than a highly manicured wedding resort and event facility intended as a location for expensive destination weddings. With large resort suites, large restaurant and event facility with dance floor and a sound system, spa, lobby with exclusive valet parking it is intended for use for well to do weddings in our serene surroundings.
- **Support agriculture as a key character element** - There is nothing in this development proposal that can be termed agricultural in nature. The prior proposal indicated the use of non-fruit bearing trees in a parking area camouflage as an orchard. While the planting plan is not included, it will likely include large areas of non-native grasses intended to give that country club feel. This is not agriculture.
- **Support non-residential uses (e.g., bed and breakfast, neighborhood cafe) if tied to the preservation of large land areas and generate less traffic than medium-density residential** - This facility will generate large amounts of traffic, both for the guests that attend and park using valet parking, outside users of the large restaurant, and the 200+ daily workers that will pamper the facility guests. This is not in the theme of bed and breakfast or neighborhood cafe, and does not protect any large tracts of the property, other than areas that are already in the floodway and not buildable.
- **Retain similarly affordable housing currently provided in existing mobile home/RV parks** - Clearly this development does not include anything close to affordable housing and is way out of character from the nearby mobile home/RV park. There is nothing affordable about this development.
- **Protect riparian environment along Oak Creek** - Riparian zones are the areas bordering rivers and other bodies of surface water. They include the floodplain as well as the riparian buffers adjacent to the floodplain. Riparian zones provide many environmental and recreational benefits to streams, groundwater and downstream land areas.

This development makes no real effort to protect this unique riparian environment that has largely been destroyed in Arizona through development. In fact, this development takes special measures to encroach on the floodplain as well as even the floodway with cantilever structures that project into this area. All of this disruption completely destroys

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the existing riparian environment and ecology. On this issue alone, this development should be summarily rejected.

- **Evaluate potential for environmentally sensitive public creek access** - This appropriate access to Oak Creek is an issue that has been discussed in prior public hearings. The developer originally said that public access to the property would be allowed, but at the last presentation this was noted as missing. In this latest proposal, there are some access corridors provided on the northern edge of the property that do not have any real connection to any existing creek access.
- **Preserve historic resources (Gassaway House)** - There are several historic structures on the site, and it does not appear that these will be retained in the final development construction other than as an afterthought.

**Summary**

This development proposal should be summarily rejected for the reasons noted above. This is not a good fit for Sedona and does a complete disservice to the effort to retain and preserve the Oak Creek riparian area. This proposal is nothing more than a disguised development that does not meet any of the requirements intended in the Oak Creek CFA. It is recommended that this proposal be rejected.

Sincerely,



Mark TenBroek  
Uptown Sedona resident

Date: August 31, 2023

Re: Oak Creek Heritage Lodge - Comprehensive Review Comments

By: D. Tracy

**Acknowledgments.** I acknowledge that many of the issues outlined below are beyond the scope of the P&Z Commission comprehensive review process. The purpose of this laundry list is to document the various issues that are inherent to this neighborhood so that future changes can be evaluated in light of other known neighborhood/community topics of interest.

**Disclaimers.** Although I am a previous owner for 20+ years of a portion of this project site and continue to serve as a volunteer caretaker, I have no financial interest in this project. I do have a continuing interest in the [re]development of this area since I was a participant in the original CFA planning group.

**Irrigation rights.** At previous P&Z Commission meetings on this project, concern was raised over pumping water from Oak Creek. I believe that the community benefits outweigh the disadvantages and pumping should continue. In support of this position are the following points:

- Creek water is used to irrigate locally grown fruit and nut trees. This would not be as feasible using more costly water from AZ Water Company.
- Creek water is also used to irrigate lawn grasses and other flora. Via photosynthesis, these green plants convert CO<sub>2</sub> into oxygen and thus improve local air quality.
- In turn, the lawn grasses reduce soil erosion and sediment transport into Oak Creek, esp dog feces and wildlife feces which wash down Schnebly Hill Road from upper elevations, including Forest Service lands.
- The grasses and trees moderate the heat sink effect of near-by asphalt roads and concrete surfaces.
- This property has “grandfather” water rights which have been kept active for over 100 years. Water rights that are not kept active are subject to forfeiture.
- It might be possible to revive/restore the old Farley-Steele irrigation ditch using these historic water rights. This would greatly enhance the experience for visitors and residents traversing the pathway along Schnebly Hill Road.
- Oak Creek water which is not used locally to help keep the Verde Valley green, becomes the property of Salt River Project (SRP) which can then be sold at a profit to residences down in the Valley to fill swimming pools and hot tubs.

**Recommendation:** Allow property owners with valid water rights to continue withdrawing water from Oak Creek and help keep the Verde Valley green. **I agree, and using Oak Creek water for re-activating the historic ditch would be essential both to the historic vision, and for the environmental/sustainable goal of landscaping with edible trees and shrubs. I believe this far outweighs any concern about water “conservation”. I’m sure someone could do the math on all the ditches along Oak Creek and show that that amount of agriculture would have little effect on the overall flow of the surface waters.**

**Protect Oak Creek vs. reduce flooding and erosion.** The CFA plan on page 13 lists these two community goals: “Protect Oak Creek and its riparian habitat” and “Reduce the impacts of flooding and erosion on the community and the environment.” These goals are somewhat in conflict. Furthermore, the CFA notes that “Oak Creek is to be permanently protected in its natural state” and “Drainages flowing into Oak Creek should be retained unaltered ...” Leaving Oak Creek and its associated dry washes and the riparian corridor in their natural state, i.e. unmanaged, poses an

increased risk to the community of flooding, erosion, and wildfires. Below are discussion comments related to these conflicting goals:

- The USGS website for the Oak Creek stream gauge located at Tlaquepaque notes that 233 sq miles of Oak Creek watershed lies upstream of the SR 179 bridge.  
<https://waterdata.usgs.gov/monitoring-location/09504420/#parameterCode=00065&period=P7D>
- The water from this large drainage area has to pass underneath the SR 179 pedestrian bridge, owned by the city of Sedona. Adjacent to this ped bridge and immediately upstream are two large land parcels, Coconino tax parcels 40118072B and 40118073. These parcels totaling 6.5 acres are entirely in the floodway and are privately owned by the Eng family of Buckeye, who also own the Center for the New Age property on SR 179. The two large land parcels are designated “open space” in the CFA (page 14).
- This area is filled with debris dams from previous flood events which increases bank erosion and sediment flows into Oak Creek as well as serves as a fuel source for wildfires. See photos at this Dropbox link:

<https://www.dropbox.com/scl/fo/sx6pgb0enm448s984qbma/h?rlkey=oxnfvinaopfndmigbi5fss33e&dl=0>

There have been several fires in this area from illegal transient campsites in the past. A fire starting in this area and propagating north would trap the residents of the Rancho Sedona RV park and the residential homeowners across the dry wash from their only escape route on Bear Wallow Lane.

- These two parcels are entirely under water during significant flood events and the uncontrolled vegetative growth in this area impedes the flow of flood waters, and serves as a repository for dead and fallen trees and debris such as lawn furniture, fences, decks, and trash.
- To leave this riparian area in its natural state increases our community exposure to flooding, bank erosion, sedimentation loading, transient camping, and wildfires.
- As a corollary, on September 10, 2009 our community experienced a disastrous flood in the adjacent Soldiers Pass watershed area which inundated Tlaquepaque:  
<https://www.weather.gov/fgz/SedonaFlood2009>

This drainage artery was not left in its natural state after this disaster, but was subsequently improved to minimize future flood damage. Similarly, we the community should not require Oak Creek and its associated dry washes to be protected in their natural state until we have a disastrous flood event or wildfire. A proactive approach is better.

- As another example, the Forest Service has learned to better manage our forests by controlled burning, rather than leaving them in their natural state and subjecting the environment to uncontrolled and devastating wildfires. We should benefit from their experiences and apply their lessons learned to this CFA.
- As a sidenote, both the Oak Creek riparian corridor and the dry wash within this project site, contain man-made improvements to minimize the impacts of flooding and erosion noted above. So to protect Oak Creek and its associated drainages in their unaltered, natural state as required by the CFA (page 13) is somewhat a moot issue.
- An option considered years ago was for the City to condemn these two tax parcels and implement a management plan to address the aforementioned community issues. A “Flood Control Facility” is a permitted use under the current RS-10 zoning for these parcels and is an allowable use in the OC district with a conditional use permit (CUP). However, this public ownership/control option is not so appealing today, given the court ruling which



allows transients to legally “hang-out” in this desirable area in the heart of our tourist district.

**Recommendation:** P&Z needs to clarify that protecting the safety of our community from flooding and wildfires and reducing sediment loading in the creek has precedence over retaining Oak Creek and its drainages in their natural state. **I have previously expressed my opinion that prohibiting anything in the floodway is counterproductive, and based on a mistaken assumption that that total preservation is always the best “environmental” solution. There are sensitive and ecologically appropriate ways to develop in such environments, and if so done, it would allow for less visible density on the more open fields between the riparian zone and Schnebly Hill road.**

**Public creek access:** The CFA notes on page 7 that Oak Creek is on private land and that there is no legal access for the public. Yet many residents and visitors to Sedona, and even members of our police dept, believe that the public and their dogs have the right to cool off in the creek and pursue other activities such as sunbathing, sleeping, swimming, skinny-dipping, bathing, doing laundry, fishing, tubing, kayaking, exploration, meditation, etc. The issue is amplified when “no trespassing” signs are torn down or spray painted so trespassers can claim ignorance of their illegal presence on private lands. Here are some other comments:

- The land under the SR 179 bridge is owned by ADOT, and is thus considered public, and affords easy access to the creek. But ADOT has stated that they do not support public access because of graffiti, trash, and illegal camping. Attached is a recent video showing the degradation caused by public access under this bridge area. ADOT has expressed an interest in erecting fences, gates, and appropriate signage in the past, but has not followed thru.
- There are water quality issues involved when people recreate in Oak Creek. E. coli, from wildlife and dog feces as well as human wastes and trash, is contained in the sediment in the streambed. When it is disturbed by foot traffic, it goes back into suspension and becomes a health risk which can result in death. High bacteria counts are a common reason the Slide Rock State Park is periodically closed.
- Previous City Councils and the Creekwalk Committee formed to study the issue of public creek access, concluded that if a public creekwalk were built by the City, the public would not be allowed to enter the water.

**Recommendations:** To protect Oak Creek, we need a plan to manage access or the creek will be “loved to death” as warned by the Oak Creek Watershed Council (OCWC) on their website: <https://oakcreekwatershed.org/resources/documentary-loved-to-death/>  
New members of the Sedona police dept need to be educated as to court rulings. The Community needs to [re]engage with other stakeholders such as SRP, ADWR, ADEQ, ADOT, USFS, OCWC and private property owners to further protect this natural resource. I personally am not against people swimming in Oak Creek, but I have been dismayed by the rapid increase in the permanent “occupation”. **I agree; swimming should be OK, but camping in town should not be allowed, just as it is not allowed in the USFS “Neighborwoods” areas adjacent to private land around Sedona. It is important that the few spots where there might be public creek access in Sedona not be taken over by any group of people that would make it uncomfortable for others to use it.**

**Parking on Schnebly Hill Road (SHR).** One of the CFA goals is to “Create a more walkable and bike-able community.” (page 21) At the present time, cars are allowed to park in the SHR right of way, thus forcing foot traffic into the street. Just as this new development must provide adequate on-site parking, the community needs to implement a no parking policy on busy SHR. Below are more talking points on this issue:

- This SHR on-street parking issue reached a crisis point several years ago when visitors attending an event at Tlaq parked on both sides on SHR and two RVs could not pass. Since then, our neighborhood tries to coordinate with the City's public works dept to erect no parking signs and barricades for major Tlaq events. But local businesses still use SHR for all day employee parking and serve as a catalyst for visitors to do the same.
- The SHR neighborhood prefers that visitors to the Rancho Sedona RV park leave their big rigs and trailers parked in the RV park and walk to nearby attractions. Similarly, we prefer that mountain bikers use their bikes to access Forest Service lands rather than use the limited vehicle parking at the Huckaby trailhead.
- It is challenging to convince visitors and residents to walk and bike when we, as a community, fail to provide a safe means to do so.

**Recommendation:** To help the community achieve this walking/biking goal, P&Z should recommend that city council enact an ordinance prohibiting on-street parking on SHR. *There really is not adequate space for on-street parking, except perhaps on the east side immediately north of the roundabout, and this is where overflow parking for festival days tends to happen. This does make pedestrian use even more difficult and dangerous, so I am in agreement that this is not a good place to allow for on-street parking. There may also be reason to shift the SHR pavement a bit to the east in this area, in order to make a 5' wide walking path happen on the west side of the road without having to create retaining walls and railings on the steep embankment in this area.*

**Off highway vehicle (OHV) noise/speeding/dust.** The CFA notes that “Schnebly Hill Road is narrow with no shoulder and several blind curves that can make for a hazardous experience.” (page 8). Here are some additional discussion points about this safety hazard:

- The first mile or so of Schnebly Hill Road is paved from the SR 179 roundabout to the Huckaby trailhead with several hidden residential driveways. This portion of SHR is all uphill so OHV drivers "power up" to maintain speed which amplifies their exhaust noise.
- There is a single 25 MPH speed limit sign north of Bear Wallow Lane and is only visible to northbound (NB) SHR traffic. (Update: A 25 MPH speed limit sign and a “Hidden Driveway” sign were added recently to the SB SHR traffic lane.)
- The speed issue is exacerbated when OHVs return southbound (SB) on SHR, all downhill, to return their rental vehicles within their allotted time period. This downhill speed issue is also a concern with some Jeep drivers and visitors and even mountain bikers who have been observed passing cars on this downhill section of SHR.
- Although the speed limit on the unpaved portion of SHR past the Huckaby trailhead is 15 MPH, this is rarely enforced. OHV drivers want to experience the thrill of off-road dirt track racing, so excessive speed, “doughnuts”, and “catching air” are common. Additionally, the aggressive tread design on ATV tires pick up dust which then drifts outside the roadway, leaving SHR sunken, rough, and prone to channeling and sediment transport to Oak Creek. More information was included in the council packet for their August 22, 2023 meeting.
- It is worth noting that when OHVs are part of a guided “caravan” tour, all the drivers are issued dust masks. But hikers and bikers and visitors in open Jeep tour vehicles have to suffer thru the resultant OHV dust storms.
- Compounding the safety problems on SHR are visitors frequently making U-turns in these hidden driveways and in the street. This U-turn issue arises because visitors fail to recognize/heed signage at the SHR roundabout that the road to Uptown requires a left turn at the SHR/SR 179 roundabout. All the the previous SR 179 roundabout signs from the I-17

exit to Sedona require SR 179 traffic to proceed straight.

**Recommendations:** Convince ADOT to improve the signage at the SR 179/SHR roundabout. Post more speed limit signs and enforce same. Require governors on OHVs to limit speed on paved roads and dirt roads. Support use of mufflers on OHV. Advocate for battery powered OHVs. **Also make blasting music from open-aired OHV's illegal.**

**Shared use path (SUP).** This CFA never envisioned a ten feet wide shared use path that has been the standard for other parts of the City and recommended in the staff report. The character of this area, which is a key trait that the neighborhood seeks to preserve, is its rural nature, defined by its lack of curbs and gutters along the streets, lack of sidewalks, and use of modest trails rather than SUPs with footprints equivalent to a paved lane of traffic. Here are some other arguments in further support of this issue.

- The CFA strategy (page 21) was to “Provide a non-motorized alternative to Schnebly Hill Road with a pedestrian and bicycle trail.” A ten feet wide path is an invite to not only motorized ebikes and scooters capable of high speeds, but also OHVs and ATVs. These motorized conveyances need to stay on Schnebly Hill Road in a share-the-road arrangement along with the more aggressive mountain bikers. This is the current situation in this area and seems to work mostly well. The CFA ped/bike trail was intended only for hikers and recreational bicycle riders and does not need to be ten feet wide to meet this objective.
- To require a ten feet SUP will result in clear cutting much of the natural vegetation and trees that form the attractive streetscape of this area.
- There is an existing ped/bike trail along the westerly edge of Schnebly Hill Road, from the roundabout to the Sedona Creative Life Center. This existing trail is only a foot or so wide in many sections, which allows for a tree canopy covered walking experience. The CFA also provided (page 21) that “The trail should be set back from the road to improve safety and experience whenever possible.” and “Consider trail alignments ... along drainages and irrigation ditches.”

**Recommendations:** The Community, esp the immediate neighborhood, needs to decide the ultimate design and alignment of this pedestrian/bicycle trail, considering the impact on the streetscape, the walking experience, and the safety aspects. Moreover, since the Community “owns” a large swath of open space along both sides of Schnebly Hill Road, we need to decide if this area is to serve as a linear park, greenway, orchards, or other agricultural uses, as suggested in the CFA (page 14). If this is a public pathway, how do we control transient activity, including transients sleeping under the dry wash bridge on SHR? And finally, if a trail alignment along the historic Farley-Steele irrigation ditch is desired, who would be responsible for historic [interpretive] signage as suggested in the CFA (page 20)? **I also feel strongly that there should not be a 10' wide multi-modal pathway in this neighborhood; we have discussed this over and over during the CFA planning process, and it is annoying that the City keeps coming back and wanting to implement this as part of some larger plan. All engineering infrastructure in this area needs to be sensitive to the historic/incremental character described in the CFA plan, and not look like the rest of Sedona.**

**Affordable housing.** The current submittal indicates that four affordable housing units are being provided. This was not a specific goal of this CFA, but rather a take-off from the Sedona Community Plan which expected retention of affordable housing currently provided in the existing RV park. The CFA planning group did not include additional affordable housing; the rationale being that complying with the other CFA goals was perceived to be enough of a challenge, and potentially an impediment, to the desired [re]development of this area. Below are some additional comments.

- Adding affordable housing in the heart of our tourist district adds to our intracity traffic congestion. Residents in these units will need to drive to west Sedona to shop for groceries, for medical treatments, go to the hardware store, do business with the City, etc. What concessions were given to the developer in return for this perceived community benefit?
- While “residing” in a resort might initially sound appealing, it is not the same as residing in a conventional neighborhood with stable occupants. Resort guests are constantly changing which is the same STR issue that has decimated our neighborhoods. It is not a good long-term housing situation for either the affordable housing residents or the resort guests.
- Given the high land prices and development costs in this area, it might make more sense to use these units for resort guests and redirect the tax loading to more affordable land acquisition and development in other parts of the City. For example, the tax revenue at 13.5% tax load on four resort units at \$1000/night and 70% occupancy would be \$135,000 per year.
- Plus, there are additional sales taxes from these higher income resort guests who go shopping, dining, and visiting attractions in the nearby tourist district. Affordable housing tenants simply do not have this level of discretionary spending.

**Recommendations:** Use the resort accommodations for their intended purposes and use the resultant tax benefits to provide affordable housing in closer proximity to the services required by the tenants of these housing units. The traffic impacts will be lessened two-fold: the resort guests will walk or bike to their attractions and the affordable housing tenants will drive less to meet their needs. **I don’t have strong feelings one way or the other about this issue.**

**Flexibility in site design standards.** On page 14 of the CFA is a mention that flexibility in site design standards will be considered to help meet the CFA goals. Is there a list of these changes in the standards that have been considered or will be included as part of the comprehensive review process? **In my opinion, this is very important, and should be considered on a site-by-site and project-by-project basis, rather than trying to pre-determine a different set of standards.**

**Public-private partnerships.** On page 24 of the CFA is this statement: “To realize the vision set forth in this plan, contributions and participation from both public, private and non-profit entities will be necessary.” Does the City plan to budget funds for capital improvements, or property/easement purchase, for specific community benefits? For example, will the City provide the funding for the pedestrian and bicycle trails in the public right-of way along Schnebly Hill Road and Bear Wallow Lane? Who will decide the plantings for this area and be responsible for irrigation and pruning? How about the bridge crossing over Oak Creek to connect this CFA to Uptown? Other proposed trails in this CFA as shown on page 23 to connect to Forest Service trails such as the Huckaby Trail?

**Diversify the City's lodging options.** One of the objectives of the Oak Creek Heritage District was to offer some alternatives to the typical hotel experience (page 25). One such option was a tree house as shown in a CFA photo on page 27, and quite popular in other resort settings. Is this a viable option above the floodway/floodplain area in the northern portion of this project site? Although the CFA only supports minor improvements within the riparian corridor (page 13), some flexibility in design might result in other community benefits such as reduced flooding and erosion. FEMA provides guidelines on improvements in the floodway. It seems a bit disingenuous that the City can build a significant (\$3M+) pedestrian crossing in the regulatory floodway under SR 179 and on the southern border of this CFA, but a private developer cannot build minor support columns and/or parking to support elevated lodging units on the northern end of this project site. **Agreed.**

**Signage.** One of the comments from the original CFA planning group was that signage in the SHR streetscape should not underscore the commercial nature of any development, esp signage which is located 750 feet or more from the SR 179 roundabout. Commercial signage detracts from the rural streetscape character which the CFA seeks to achieve.

**Recommendations:** The neighborhood requests the right to approve or deny any proposed street signage. **Not sure we need full veto-power, but neighborhood input should be part of the staff review process for signage.**

**No comment for now on David's remaining questions and suggestions:**

**APS stub poles.** APS has been replacing the old wood poles in this area with new metal and wood poles. After APS transfers their electric lines to the new poles, APS cuts off the top of their old wood pole, thus creating a "stub" pole next to the new pole. The old stub pole remains in place until the other utility providers, such as the cable and phone companies, transfer their services to the new pole. The last utility company to transfer service is responsible for removing the stub pole. Unfortunately, this can take years as APS lacks the authority to mandate these transfers and pole removal. In the interim, one of our community's most scenic streetscapes, historic Schnebly Hill Road, is blighted with stub poles.

**Recommendations:** We have alerted the Mayor's office that APS may need help from the City to motivate the cable and phone companies to transfer their utilities and remove the stub poles.

**Bear Wallow resident issues.** There are several issues unique to this area of the CFA. (1) Amplified music and loudspeaker sounds from L'Auberge which is situated directly across Oak Creek from the residences on Bear Wallow Lane and the Rancho Sedona RV park. (2) Flooding in Bear Wallow wash which periodically prevents residents from accessing their homes. (3) Having to drive thru the center of the RV park to access their homes. (4) Concern that the Sedona Creative Life Center will expand commercial operations into this neighborhood since acquiring STRs and vacant lots at the end of Bear Wallow Lane.

**USFS issues.** Since the primary access to the Forest Service is thru the Schnebly CFA, an issue for one is an issue for the other. Among the issues documented thru the years are the following:

- The FS does not adequately maintain the paved portion of Schnebly Hill Road which extends past City limits to the Huckaby trailhead. The edge of this roadway has eroded and resulted in potholes which extend into the travel lanes. This degradation is due to Jeep drivers, OHVs, and others who drive off the roadway to park and point out red rock formations, or because there is insufficient parking at the trailhead, or to unload their OHVs, or simply to avoid paying the parking fee at the trailhead.
- On rare occasions, semi-tractor trailer rigs will not notice or ignore the warning signs on SHR just past the SHR roundabout. Since there is not a dedicated turn-around area at the trailhead, the driver of the big rig must either back all the way down SHR or more usually, just "plow over" the native vegetation to turn around.
- Although there are signs posted that prohibit camping in this area, it is common for RVs to spend the night at the trailhead. These rigs arrive after dusk and depart at daybreak to avoid enforcement and fines by Forest Service personnel. This issue is compounded because the only RV park in Sedona, Rancho Sedona, is often full and charges for use of its facilities. And the free FS 525 dispersed camping site has a limited number of spaces.  
<https://www.fs.usda.gov/recarea/coconino/recarea/?recid=84034>
- Litter and dog feces continue to be an on-going problem both at the trailhead and along

SHR in spite of a dog waste station installed at the trailhead. Trash is dispersed throughout this area by wildlife upsetting waste containers, party goers tossing alcohol containers before entering City limits, and Jeep tour vehicles and OHVs with open sides.

- As noted in a previous item, erosion of the dirt portion of SHR has escalated since OHVs started using this road. The combination of excessive speed, wheel spin, and aggressive tire tread design cause dirt to become airborne and then blown out of the roadway corridor by wind action. This excavation is severe enough to expose the markers for the fiber optic lines buried beneath the roadway. Recent remedial action, like hauling and spreading new fill dirt to smooth the road surface, does not solve the problem. A smoother road leads to greater speeds which then leads to more erosion and increased sediment flow from the watershed.

**Recommendations:** Similar to Oak Creek, our Forest Service lands are being overwhelmed by usage. At some time, the only viable solution may be to enact a paid reservation system to allocate available capacity among increasing demand.

File: W/David/Oak Creek Heritage Lodge – Comprehensive Review comments.odt

Attachment: DPhoto/Creekwalk underpass/Video – Homeless trash – Oak Creek – SR 179 bridge - Sedona

Date: September 15, 2023

Re: Oak Creek Heritage Lodge - Comprehensive Review Comments – Supplement #1

By: D. Tracy

This supplement is in addition to my comments dated August 31, 2023.

**Natural grade.** The LDC defines this as: “The grade prior to manmade disturbance of a site.” Since this site has had multiple prior owners, does this term refer to the prior owner or the first pioneer family, the Farley-Steeles in the early 1900s ? Or some owner in between ? Previous owners have removed or brought in fill or altered the grade to facilitate gravity irrigation of the orchards. Or to create driveways or retaining walls or foundations for structures or to prevent flooding. The grade next to Schnebly Hill Road was altered in 1902 when red rock was blasted to create this road. The natural grade in floodway/floodplain areas can change due to a flood event.

**Recommendation:** Consider applying flexibility in site design to establish a reasonable interpretation of natural grade that results in a functional and attractive project.

**Trees.** Previous submittal materials included much tree information, presumably because there are so many trees on this site. The CFA (page 27) required that:

“Site design shall retain large native trees and as much of the natural vegetation as possible.”

Obviously, this requirement is subject to interpretation and moreover, retaining large native trees may not result in the best project. As noted in my original comments, this would be another opportunity to consider “flexibility in site design standards” as noted on page 14 of the CFA. The following is a list of additional comments and field observations in support of a less rigid interpretation of this standard. (Although not native, I included some comments about orchard trees because there has been neighborhood interest in replicating orchards in the public space adjacent to the historic irrigation ditch.)

- Trees can be broadly categorized as native or non-native and then further subdivided according to water source, i.e. riparian (in the creek), dry wash, irrigation pump, or natural rainfall. Trees with roots in the creek will grow the fastest (6 – 12 feet per year) while trees dependent only on rainfall will grow the slowest. Irrigated trees such as the orchard fruit and nut trees will be dependent upon the frequency of watering.
- Weather patterns during the past 20+ years have been variable and volatile. The warmer winters adversely affect the fruit trees that require a certain number of chilling hours. Warm temperatures in February produce flower buds which can be wiped out by a subsequent winter snow storm. Above normal rainfall and snow in the winter causes excess tree growth in the spring which is difficult to sustain during the summer months which have been hotter and drier.
- The only orchard tree which seems to do fairly well are the persimmon trees because they bloom later in the spring and the fruit ripens in Oct/Nov, generally before freezing weather. Pomegranate trees (bushes) have been surprisingly tolerant of summer heat and drought. Younger and healthier trees do better than older trees. When Sedona's economy was dependent on its agricultural roots, stone fruit trees like peaches were replaced after 10 – 15 years and apple trees after 20 – 25 years. With the exception of one plum tree, all the orchard trees on this site are considerably older than 25 years.
- Large mature orchard trees do best with flood irrigation or above ground sprinklers if the root zone extends under adjacent lawn areas. Drip irrigation is more water efficient, but

- requires many small heads which are prone to plugging from sediment in the creek water.
- Scaffold branches on any trees that grow horizontally are more susceptible to breakage in a snow storm such as the one earlier this year on March 1. But this is the most desirable branch structure for fruit and nut production and also tree canopy for shade. I have adjusted pruning techniques to compensate for some of these more frequently occurring weather extremes.
  - With the exception of the orchard trees and the mesquite trees on the southern most parcel next to Schnebly Hill Road, most of the other trees on site are “volunteers”, growing wherever conditions allow. But such haphazard native growth is problematic. For example, there are still large cottonwood trees on site, but in the past 20 years I have removed nine large cottonwoods and the City has removed 4 or 5 from the SHR right-of-way with two more on the target list and two on a watch list. Some of the cottonwood trees may have died because these volunteers grew too close together and could not compete for the available soil nutrients, sunlight, or water. Even Cottonwood trees with roots in the creek die, as is evident today. Although Cottonwood trees are fast growing, their branches are not resilient and pose a hazard to buildings, vehicles, and people underneath them.
  - Another example of the problem with unmanaged tree growth is in the riparian corridor where tree roots have a constant and unlimited water supply. Volunteers grow 6 – 12 feet a year and so close together that they can not grow scaffold branches and foliage. As a result, some of these “pencil” trees die and must be removed.
  - Four large pine trees on site have died, due to pine bark beetles.
  - Orchard trees have died for a host of reasons including old age, snow/ice storms, disease (nematodes?), deer, ravens, and beavers. Drought has not been a problem since the property is irrigated via water rights.

**Recommendations:** Since the older, more mature native trees on site have a limited remaining life, it makes more sense to optimize the placement of buildings and pathways for functionality and aesthetics and replace the older trees with new trees and perhaps a species better suited for the intended purpose (shade, screening, fruit production, beauty, etc) and adaptable to the current climatology. While the developer can expedite new tree growth within his project with his water rights, the community needs to address the public space adjacent to the historic irrigation ditch. We will need to select slower growing, drought resistant trees, or purchase costly water from Arizona Water Company, or use some of the developer's water rights.

**Parking on site.** My original comments only discussed the issues with parking on Schnebly Hill Road. The issue of on-site parking warrants some commentary. With the present design, parking (by valet) is at the intersection of Schnebly Hill Road and Bear Wallow Lane. A previous design iteration contemplated parking in the floodway, in the northwesterly section of the site. Presumably, the parking site was changed because the CFA (page 13) included the following language:

“Maintain the Oak Creek floodway in a natural state, with only minor improvements within the riparian corridor, such as trails, parks, or temporary structures other than tents or tentlike structures.”

Parking was not specifically listed as an example of a minor improvement, but would seem to qualify as such. Below are some other factors for P&Z to include in their review of this project.

- The CFA planning group considered parking a viable use in the floodway since vehicles could be moved out of this area prior to a flood event.
- Vehicles parked in the floodway would not be visible to visitors from the Uptown tourist district



due to the dense tree canopy in this area. This was one of the objectives of the CFA. As an example, the adjacent Rancho Sedona RV park is also in the floodway and is well protected from the Uptown viewshed by the tree foliage.

- In contrast, the present parking location is on a hillside which is visible from Uptown and also from the Schnebly Hill Road and Bear Wallow streetscapes. To adequately screen this area will require many new trees.
- Although there have been concerns with the number of parking spaces required versus provided, valet parking will accommodate far more vehicles than self parking with marked spaces. Also, self parking cars are already coming to market which will further increase the efficiency of available parking. If the lodge can not accommodate the vehicles for their guests, employees, public visitors to their restaurant, then they will have to arrange off site parking, or shuttle service, or ride sharing, or require reservations or turn away customers. This would be a business decision, not a community problem to solve. But the neighborhood is not supportive of parking on the streets, so this is not an overflow option for the lodge.
- A sensitive design for parking in the floodway should not adversely affect the riparian corridor or the health of Oak Creek. (Note: There used to be a firm in Flagstaff that specialized in natural stream design, but the primary engineer died in a plane crash some years ago.)
- As a sidenote, the most likely time for a flood event in Oak Creek is in Jan, Feb, March which are typically slower months for Sedona lodging. So there might not be that many vehicles to relocate and there will be ample advance notice.

**Recommendations.** Consider allowing some amount of parking in the floodway to alleviate the visual impact of a single large parking lot adjacent to the Schnebly Hill Road streetscape. Again, exercising some flexibility in site design standards might help achieve this more worthwhile CFA objective.

**Accessory use.** The submittal materials and staff responses include discussions about a nexus between the number of lodging units and the number and/or size of the accessory uses and the percentage of accessory use by the lodging guests versus the public. I do not recall these issues being discussed by the CFA planning group nor is there any mention in the CFA or the LDC. The LDC made note that if an accessory use were to be a primary use, such as a stand alone restaurant, office, retail store, spa, etc., then it had to be sited within 750 feet of the roundabout. LDC Section 9.9 further defined accessory use as:

“A use conducted on the same lot as the principal use of the structure to which it is related and that is clearly incidental to and customarily found in connection with such principal use.”

Here are my comments on this issue.

- My understanding is that this OCHL, aka resort, will be designed and marketed as a luxury resort and compete with L'Auberge and Enchantment. To attract such wealthy guests, the lodge will need to offer amenities such as a signature restaurant and a first class wellness center. These are guest expectations and customarily found in such lodging facilities and exactly the type of visitors that Sedona prefers.
- From a practical perspective, the business model for a resort is to keep their guests on site to maximize revenue. As a result, guests will have priority access to the accessory uses and access by the public will be on a space available only. Example: recent ads by L'Auberge and Enchantment for locals to visit their restaurants (slow periods). To require a certain percentage of use by guests is not only not necessary, but would be impossible to monitor and enforce.
- My concern from a neighborhood perspective, is if some of our Bear Wallow residents or RV park visitors wanted to celebrate a special occasion at the OCHL restaurant and were

told that the restaurant was fully occupied by lodging guests or was primarily for lodging guests and they would have to go elsewhere.

- From a business perspective, is it OK for a OCHL guest to eat at L'Auberge with a reservation, but a L'Auberge guest may not be able to reserve a table at the OCHL restaurant because outside guests are limited by a government imposed quota ? This does not seem fair.
- While hoteliers compete for guests, they also understand that this competition is good for business. For example, a guest at L'Auberge who walks across the creekwalk bridge to have a drink at the OCHL bar may want to return to Sedona and stay at the lodge. Or an Enchantment guest who take the Enchantment shuttle to eat at the OCHL restaurant may opt to be a OCHL guest on their next trip to Sedona. In this instance, Sedona benefits from the lodging tax since Enchantment is outside city limits.
- Requiring the OCHL to limit the use of its amenities by non-guests places one resort at a competitive disadvantage with a similar resort (L'Auberge) just across the creek. This was not envisioned in the CFA nor an equitable position for the community. Such regulatory limits may constitute a restraint of trade, but that would require a legal review.

**Recommendations.** Allow the developer to make, and thus be responsible for, decisions concerning the proper mix of lodging units and amenities and the use of their facilities by others, based on [free] market forces, and within the guidelines noted in the CFA and LDC. Good decisions will benefit both the developer and the community, i.e. sales tax generation.

**P&Z development review process.** As noted in the **Acknowledgement** introduction in my initial comments, the reason to document all these issues is to share with the Commissioners, the background that has resulted in the latest submittal. The concern being that the Commission may want to make changes, additions, and/or add conditions just prior to approval , but after the last public (neighborhood) comment opportunity. This can be a problem if the proposed changes are contrary to the interests of the neighborhood.

This developer and his design professionals have held three on-site meetings which were well attended and numerous additional meetings with individual neighbors or small groups both on and off the site. The site plan has been changed multiple times, based on comments from these meetings. If the Commission desires to make a substantive, last minute, change to the current design, then the neighborhood would like the opportunity to evaluate the change. The review process does not allow this, except for an appeal to Council, which basically restarts the approval process.

The OCHL is a significant project for our community with many interested parties: the developer, neighborhood, community, staff, Commission, utility and service providers, as well as groups like the OCWC, ADEQ, NFS, KSB, SHS, just to mention a few. There will be issues and conflicts that arise during this review process that the Commissioners will need to address. Again, my comments are intended to identify some of those issues from a neighborhood perspective, and hopefully resolve them prior to the public hearing.

**Recommendations.** Discuss these issues and resolve as many as possible prior to the public hearing. Produce a short list of the any issues which can not be resolved, along with background information and arguments, both pro and con, for Commission deliberation at the public hearing.

File: W/David/Oak Creek Heritage Lodge – Comprehensive Review comments – Supplement #1.odt

Date: August 31, 2023

Re: Oak Creek Heritage Lodge - Comprehensive Review Comments

By: D. Tracy

**Acknowledgments.** I acknowledge that many of the issues outlined below are beyond the scope of the P&Z Commission comprehensive review process. The purpose of this laundry list is to document the various issues that are inherent to this neighborhood so that future changes can be evaluated in light of other known neighborhood/community topics of interest.

**Disclaimers.** Although I am a previous owner for 20+ years of a portion of this project site and continue to serve as a volunteer caretaker, I have no financial interest in this project. I do have a continuing interest in the [re]development of this area since I was a participant in the original CFA planning group.

**Irrigation rights.** At previous P&Z Commission meetings on this project, concern was raised over pumping water from Oak Creek. I believe that the community benefits outweigh the disadvantages and pumping should continue. In support of this position are the following points:

- Creek water is used to irrigate locally grown fruit and nut trees. This would not be as feasible using more costly water from AZ Water Company.
- Creek water is also used to irrigate lawn grasses and other flora. Via photosynthesis, these green plants convert CO<sub>2</sub> into oxygen and thus improve local air quality.
- In turn, the lawn grasses reduce soil erosion and sediment transport into Oak Creek, esp dog feces and wildlife feces which wash down Schnebly Hill Road from upper elevations including Forest Service lands.
- The grasses and trees moderate the heat sink effect of near-by asphalt roads and concrete surfaces.
- This property has “grandfather” water rights which have been kept active for over 100 years. Water rights that are not kept active are subject to forfeiture.
- It might be possible to revive/restore the old Farley-Steele irrigation ditch using these historic water rights. This would greatly enhance the experience for visitors and residents traversing the pathway along Schnebly Hill Road.
- Oak Creek water which is not used locally to help keep the Verde Valley green, becomes the property of Salt River Project (SRP) which can then be sold at a profit to residences down in the Valley to fill swimming pools and hot tubs.

**Recommendation:** Allow property owners with valid water rights to continue withdrawing water from Oak Creek and help keep the Verde Valley green.

**Protect Oak Creek vs. reduce flooding and erosion.** The CFA plan on page 13 lists these two community goals: “Protect Oak Creek and its riparian habitat” and “Reduce the impacts of flooding and erosion on the community and the environment.” These goals are somewhat in conflict. Furthermore, the CFA notes that “Oak Creek is to be permanently protected in its natural state” and “Drainages flowing into Oak Creek should be retained unaltered ...” Leaving Oak Creek and its associated dry washes and the riparian corridor in their natural state, i.e. unmanaged, poses an increased risk to the community of flooding, erosion, and wildfires. Below are discussion comments related to these conflicting goals:

- The USGS website for the Oak Creek stream gauge located at Tlaquepaque notes that 233 sq miles of Oak Creek watershed lies upstream of the SR 179 bridge.

<https://waterdata.usgs.gov/monitoring-location/09504420/#parameterCode=00065&period=P7D>

- The water from this large drainage area has to pass underneath the SR 179 pedestrian bridge, owned by the city of Sedona. Adjacent to this ped bridge and immediately upstream are two large land parcels, Coconino tax parcels 40118072B and 40118073. These parcels totaling 6.5 acres are entirely in the floodway and are privately owned by the Eng family of Buckeye, who also own the Center for the New Age property on SR 179. The two large land parcels are designated “open space” in the CFA (page 14).
- This area is filled with debris dams from previous flood events which increases bank erosion and sediment flows into Oak Creek as well as serves as a fuel source for wildfires. See photos at this Dropbox link:

<https://www.dropbox.com/scl/fo/sx6pgb0enm448s984qbma/h?rlkey=oxnfvinaopfndmigbi5fss33e&dl=0>

There have been several fires in this area from illegal transient campsites in the past. A fire starting in this area and propagating north would trap the residents of the Rancho Sedona RV park and the residential homeowners across the dry wash from their only escape route on Bear Wallow Lane.

- These two parcels are entirely under water during significant flood events and the uncontrolled vegetative growth in this area impedes the flow of flood waters, and serves as a repository for dead and fallen trees and debris such as lawn furniture, fences, decks, and trash.
- To leave this riparian area in its natural state increases our community exposure to flooding, bank erosion, sedimentation loading, transient camping, and wildfires.
- As a corollary, on September 10, 2009 our community experienced a disastrous flood in the adjacent Soldiers Pass watershed area which inundated Tlaquepaque:  
<https://www.weather.gov/fgz/SedonaFlood2009>

This drainage artery was not left in its natural state after this disaster, but was subsequently improved to minimize future flood damage. Similarly, we the community should not require Oak Creek and its associated dry washes to be protected in their natural state until we have a disastrous flood event or wildfire. A proactive approach is better.

- As another example, the Forest Service has learned to better manage our forests by controlled burning, rather than leaving them in their natural state and subjecting the environment to uncontrolled and devastating wildfires. We should benefit from their experiences and apply their lessons learned to this CFA.
- As a sidenote, both the Oak Creek riparian corridor and the dry wash within this project site, contain man-made improvements to minimize the impacts of flooding and erosion noted above. So to protect Oak Creek and its associated drainages in their unaltered, natural state as required by the CFA (page 13) is somewhat a moot issue.
- An option considered years ago was for the City to condemn these two tax parcels and implement a management plan to address the aforementioned community issues. A “Flood Control Facility” is a permitted use under the current RS-10 zoning for these parcels and is an allowable use in the OC district with a conditional use permit (CUP). However, this public ownership/control option is not so appealing today, given the court ruling which allows transients to legally “hang-out” in this desirable area in the heart of our tourist district.

**Recommendation:** P&Z needs to clarify that protecting the safety of our community from flooding and wildfires and reducing sediment loading in the creek has precedence over retaining Oak Creek and its drainages in their natural state.

**Public creek access:** The CFA notes on page 7 that Oak Creek is on private land and that there is no legal access for the public. Yet many residents and visitors to Sedona, and even members of our police dept, believe that the public and their dogs have the right to cool off in the creek and pursue other activities such as sunbathing, sleeping, swimming, skinny-dipping, bathing, doing laundry, fishing, tubing, kayaking, exploration, meditation, etc. The issue is amplified when “no trespassing” signs are torn down or spray painted so trespassers can claim ignorance of their illegal presence on private lands. Here are some other comments:

- The land under the SR 179 bridge is owned by ADOT, and is thus considered public, and affords easy access to the creek. But ADOT has stated that they do not support public access because of graffiti, trash, and illegal camping. Attached is a recent video showing the degradation caused by public access under this bridge area. ADOT has expressed an interest in erecting fences, gates, and appropriate signage in the past, but has not followed thru.
- There are water quality issues involved when people recreate in Oak Creek. E. coli, from wildlife and dog feces as well as human wastes and trash, is contained in the sediment in the streambed. When it is disturbed by foot traffic, it goes back into suspension and becomes a health risk which can result in death. High bacteria counts are a common reason the Slide Rock State Park is periodically closed.
- Previous City Councils and the Creekwalk Committee formed to study the issue of public creek access, concluded that if a public creekwalk were built by the City, the public would not be allowed to enter the water.

**Recommendations:** To protect Oak Creek, we need a plan to manage access or the creek will be “loved to death” as warned by the Oak Creek Watershed Council (OCWC) on their website:

<https://oakcreekwatershed.org/resources/documentary-loved-to-death/>

New members of the Sedona police dept need to be educated as to court rulings. The Community needs to [re]engage with other stakeholders such as SRP, ADWR, ADEQ, ADOT, USFS, OCWC and private property owners to further protect this natural resource.

**Parking on Schnebly Hill Road (SHR).** One of the CFA goals is to “Create a more walkable and bike-able community.” (page 21) At the present time, cars are allowed to park in the SHR right of way, thus forcing foot traffic into the street. Just as this new development must provide adequate on-site parking, the community needs to implement a no parking policy on busy SHR. Below are more talking points on this issue:

- This SHR on-street parking issue reached a crisis point several years ago when visitors attending an event at Tlaq parked on both sides on SHR and two RVs could not pass. Since then, our neighborhood tries to coordinate with the City's public works dept to erect no parking signs and barricades for major Tlaq events. But local businesses still use SHR for all day employee parking and serve as a catalyst for visitors to do the same.
- The SHR neighborhood prefers that visitors to the Rancho Sedona RV park leave their big rigs and trailers parked in the RV park and walk to nearby attractions. Similarly, we prefer that mountain bikers use their bikes to access Forest Service lands rather than use the limited vehicle parking at the Huckaby trailhead.
- It is challenging to convince visitors and residents to walk and bike when we, as a community, fail to provide a safe means to do so.

**Recommendation:** To help the community achieve this walking/biking goal, P&Z should recommend that city council enact an ordinance prohibiting on-street parking on SHR.

**Off highway vehicle (OHV) noise/speeding/dust.** The CFA notes that “Schnebly Hill Road is narrow with no shoulder and several blind curves that can make for a hazardous experience.” (page 8). Here are some additional discussion points about this safety hazard:

- The first mile or so of Schnebly Hill Road is paved from the SR 179 roundabout to the Huckaby trailhead with several hidden residential driveways. This portion of SHR is all uphill so OHV drivers "power up" to maintain speed which amplifies their exhaust noise.
- There is a single 25 MPH speed limit sign north of Bear Wallow Lane and is only visible to northbound (NB) SHR traffic. (Update: A 25 MPH speed limit sign and a “Hidden Driveway” sign were added recently to the SB SHR traffic lane.)
- The speed issue is exacerbated when OHVs return southbound (SB) on SHR, all downhill, to return their rental vehicles within their allotted time period. This downhill speed issue is also a concern with some Jeep drivers and visitors and even mountain bikers who have been observed passing cars on this downhill section of SHR.
- Although the speed limit on the unpaved portion of SHR past the Huckaby trailhead is 15 MPH, this is rarely enforced. OHV drivers want to experience the thrill of off-road dirt track racing, so excessive speed, “doughnuts”, and “catching air” are common. Additionally, the aggressive tread design on ATV tires pick up dust which then drifts outside the roadway, leaving SHR sunken, rough, and prone to channeling and sediment transport to Oak Creek. More information was included in the council packet for their August 22, 2023 meeting.
- It is worth noting that when OHVs are part of a guided “caravan” tour, all the drivers are issued dust masks. But hikers and bikers and visitors in open Jeep tour vehicles have to suffer thru the resultant OHV dust storms.
- Compounding the safety problems on SHR are visitors frequently making U-turns in these hidden driveways and in the street. This U-turn issue arises because visitors fail to recognize/heed signage at the SHR roundabout that the road to Uptown requires a left turn at the SHR/SR 179 roundabout. All the the previous SR 179 roundabout signs from the I-17 exit to Sedona require SR 179 traffic to proceed straight.

**Recommendations:** Convince ADOT to improve the signage at the SR 179/SHR roundabout. Post more speed limit signs and enforce same. Require governors on OHVs to limit speed on paved roads and dirt roads. Support use of mufflers on OHV. Advocate for battery powered OHVs.

**Shared use path (SUP).** This CFA never envisioned a ten feet wide shared use path that has been the standard for other parts of the City and recommended in the staff report. The character of this area, which is a key trait that the neighborhood seeks to preserve, is its rural nature, defined by its lack of curbs and gutters along the streets, lack of sidewalks, and use of modest trails rather than SUPs with footprints equivalent to a paved lane of traffic. Here are some other arguments in further support of this issue.

- The CFA strategy (page 21) was to “Provide a non-motorized alternative to Schnebly Hill Road with a pedestrian and bicycle trail.” A ten feet wide path is an invite to not only motorized ebikes and scooters capable of high speeds, but also OHVs and ATVs. These motorized conveyances need to stay on Schnebly Hill Road in a share-the-road arrangement along with the more aggressive mountain bikers. This is the current situation in this area and seems to work mostly well. The CFA ped/bike trail was intended only for hikers and recreational bicycle riders and does not need to be ten feet wide to meet this objective.
- To require a ten feet SUP will result in clear cutting much of the natural vegetation and trees

that form the attractive streetscape of this area.

- There is an existing ped/bike trail along the westerly edge of Schnebly Hill Road, from the roundabout to the Sedona Creative Life Center. This existing trail is only a foot or so wide in many sections, which allows for a tree canopy covered walking experience. The CFA also provided (page 21) that “The trail should be set back from the road to improve safety and experience whenever possible.” and “Consider trail alignments ... along drainages and irrigation ditches.”

**Recommendations:** The Community, esp the immediate neighborhood, needs to decide the ultimate design and alignment of this pedestrian/bicycle trail, considering the impact on the streetscape, the walking experience, and the safety aspects. Moreover, since the Community “owns” a large swath of open space along both sides of Schnebly Hill Road, we need to decide if this area is to serve as a linear park, greenway, orchards, or other agricultural uses, as suggested in the CFA (page 14). If this is a public pathway, how do we control transient activity, including transients sleeping under the dry wash bridge on SHR ? And finally, if a trail alignment along the historic Farley-Steele irrigation ditch is desired, who would be responsible for historic [interpretive] signage as suggested in the CFA (page 20) ?

**Affordable housing.** The current submittal indicates that four affordable housing units are being provided. This was not a specific goal of this CFA, but rather a take-off from the Sedona Community Plan which expected retention of affordable housing currently provided in the existing RV park. The CFA planning group did not include additional affordable housing; the rationale being that complying with the other CFA goals was perceived to be enough of a challenge, and potentially an impediment, to the desired [re]development of this area. Below are some additional comments.

- Adding affordable housing in the heart of our tourist district adds to our intracity traffic congestion. Residents in these units will need to drive to west Sedona to shop for groceries, for medical treatments, go to the hardware store, do business with the City, etc. What concessions were given to the developer in return for this perceived community benefit ?
- While “residing” in a resort might initially sound appealing, it is not the same as residing in a conventional neighborhood with stable occupants. Resort guests are constantly changing which is the same STR issue that has decimated our neighborhoods. It is not a good long term housing situation for either the affordable housing residents or the resort guests.
- Given the high land prices and development costs in this area, it might make more sense to use these units for resort guests and redirect the tax loading to more affordable land acquisition and development in other parts of the City. For example, the tax revenue at 13.5% tax load on four resort units at \$1000/nite and 70% occupancy would be \$135,000 per year.
- Plus there are additional sales taxes from these higher income resort guests who go shopping, dining, and visiting attractions in the nearby tourist district. Affordable housing tenants simply do not have this level of discretionary spending.

**Recommendations:** Use the resort accommodations for their intended purposes and use the resultant tax benefits to provide affordable housing in closer proximity to the services required by the tenants of these housing units. The traffic impacts will be lessened two-fold: the resort guests will walk or bike to their attractions and the affordable housing tenants will drive less to meet their needs.

**Flexibility in site design standards.** On page 14 of the CFA is a mention that flexibility in site design standards will be considered to help meet the CFA goals. Is there a list of these changes in the standards that have been considered or will be included as part of the comprehensive review process ?

**Public-private partnerships.** On page 24 of the CFA is this statement: “ To realize the vision set forth in this plan, contributions and participation from both public, private and non-profit entities will be necessary.” Does the City plan to budget funds for capital improvements, or property/easement purchase, for specific community benefits ? For example, will the City provide the funding for the pedestrian and bicycle trails in the public right-of way along Schnebly Hill Road and Bear Wallow Lane ? Who will decide the plantings for this area and be responsible for irrigation and pruning ? How about the bridge crossing over Oak Creek to connect this CFA to Uptown ? Other proposed trails in this CFA as shown on page 23 to connect to Forest Service trails such as the Huckaby Trail ?

**Diversify the City's lodging options.** One of the objectives of the Oak Creek Heritage District was to offer some alternatives to the typical hotel experience (page 25). One such option was a tree house as shown in a CFA photo on page 27, and quite popular in other resort settings. Is this a viable option above the floodway/floodplain area in the northern portion of this project site ? Although the CFA only supports minor improvements within the riparian corridor (page 13), some flexibility in design might result in other community benefits such as reduced flooding and erosion. FEMA provides guidelines on improvements in the floodway. It seems a bit disingenuous that the City can build a significant (\$3M+) pedestrian crossing in the regulatory floodway under SR 179 and on the southern border of this CFA, but a private developer can not build minor support columns and/or parking to support elevated lodging units on the northern end of this project site.

**Signage.** One of the comments from the original CFA planning group was that signage in the SHR streetscape should not underscore the commercial nature of any development, esp signage which is located 750 feet or more from the SR 179 roundabout. Commercial signage detracts from the rural streetscape character which the CFA seeks to achieve.

**Recommendations:** The neighborhood requests the right to approve or deny any proposed street signage.

**APS stub poles.** APS has been replacing the old wood poles in this area with new metal and wood poles. After APS transfers their electric lines to the new poles, APS cuts off the top of their old wood pole, thus creating a “stub” pole next to the new pole. The old stub pole remains in place until the other utility providers, such as the cable and phone companies, transfer their services to the new pole. The last utility company to transfer service is responsible for removing the stub pole. Unfortunately, this can take years as APS lacks the authority to mandate these transfers and pole removal. In the interim, one of our community's most scenic streetscapes, historic Schnebly Hill Road, is blighted with stub poles.

**Recommendations:** We have alerted the Mayor's office that APS may need help from the City to motivate the cable and phone companies to transfer their utilities and remove the stub poles.

**Bear Wallow resident issues.** There are several issues unique to this area of the CFA. (1) Amplified music and loudspeaker sounds from L'Auberge which is situated directly across Oak Creek from the residences on Bear Wallow Lane and the Rancho Sedona RV park. (2) Flooding in Bear Wallow wash which periodically prevents residents from accessing their homes. (3) Having to drive thru the center of the RV park to access their homes. (4) Concern that the Sedona Creative Life Center will expand commercial operations into this neighborhood since acquiring STRs and vacant lots at the end of Bear Wallow Lane.

**USFS issues.** Since the primary access to the Forest Service is thru the Schnebly CFA, an issue for one is an issue for the other. Among the issues documented thru the years are the following:

- The FS does not adequately maintain the paved portion of Schnebly Hill Road which



extends past City limits to the Huckaby trailhead. The edge of this roadway has eroded and resulted in potholes which extend into the travel lanes. This degradation is due to Jeep drivers, OHVs, and others who drive off the roadway to park and point out red rock formations, or because there is insufficient parking at the trailhead, or to unload their OHVs, or simply to avoid paying the parking fee at the trailhead.

- On rare occasions, semi tractor trailer rigs will not notice or ignore the warning signs on SHR just past the SHR roundabout. Since there is not a dedicated turn-around area at the trailhead, the driver of the big rig must either back all the way down SHR or more usually, just “plow over” the native vegetation to turn around.
- Although there are signs posted that prohibit camping in this area, it is common for RVs to spend the night at the trailhead. These rigs arrive after dusk and depart at daybreak to avoid enforcement and fines by Forest Service personnel. This issue is compounded because the only RV park in Sedona, Rancho Sedona, is often full and charges for use of its facilities. And the free FS 525 dispersed camping site has a limited number of spaces.  
<https://www.fs.usda.gov/recrea/coconino/recrea/?recid=84034>
- Litter and dog feces continue to be an on-going problem both at the trailhead and along SHR in spite of a dog waste station installed at the trailhead. Trash is dispersed through out this area by wildlife upsetting waste containers, party goers tossing alcohol containers before entering City limits, and Jeep tour vehicles and OHVs with open sides.
- As noted in a previous item, erosion of the dirt portion of SHR has escalated since OHVs started using this road. The combination of excessive speed, wheel spin, and aggressive tire tread design cause dirt to become airborne and then blown out of the roadway corridor by wind action. This excavation is severe enough to expose the markers for the fiber optic lines buried beneath the roadway. Recent remedial action, like hauling and spreading new fill dirt to smooth the road surface, does not solve the problem. A smoother road leads to greater speeds which then leads to more erosion and increased sediment flow from the watershed.

**Recommendations:** Similar to Oak Creek, our Forest Service lands are being overwhelmed by usage. At some time, the only viable solution may be to enact a paid reservation system to allocate available capacity among increasing demand.

File: W/David/Oak Creek Heritage Lodge – Comprehensive Review comments.odt

Attachment: DPhoto/Creekwalk underpass/Video – Homeless trash – Oak Creek – SR 179 bridge - Sedona