

June 25th. 2024

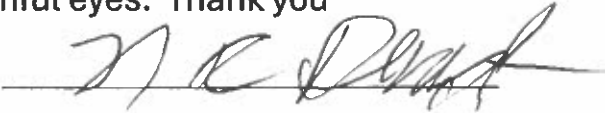
Good Evening Mayor Jablow and City Councilors:

My name is Nancy Robb Dunst, I live at 251 Bear Wallow Ln, Sedona, az. I have lived here for over 30 years and I am a public art artist.

I am sure that most of you now know that the 1999 art work, entitled "The Mural project " created by Marlys Mallet and Kevin Karnes, at Sedona Arts Center... has been painted over. Originally it was commissioned by the Sedona Art Center and the City of Sedona. This art work was the result of a public art competition involving several community artists. An art exhibit was held with all the drawings and maquettes, and the winner, Marlys Mallet (then Powell), was announced at the opening of the exhibition.

I am stunned that this piece of art has been painted over. According to the federal Visual Artist Rights Act of 1990, the artist should first have been asked if they approve of the destruction, mutilation or modification of their art work. If this can happen to the Artist Marlys Mallet, it could happen to any public art artist. This is a travesty because this art piece was in the collection of the City, and it also was historic, as it told the history of the Sedona Art Center through viewing.

I am telling you this and asking that it be in the City Council records so that you will now have this knowledge, and hopefully, it will never happen again under your watchful eyes. Thank you

Sincerely, 

Nancy Robb Dunst, MA, MC,
251 Bear Wallow Lane,
Sedona, az 86336
nrdunst@yahoo.com
928-221-3202(C/txt) or
928-282-0776(LL)

The **Visual Artists Rights Act of 1990 (VARA)**, ([Pub. L. Tooltip Public Law \(United States\) 101–650](#) title VI, [17 U.S.C. § 106A](#)), is a [United States](#) law granting certain rights to artists.

VARA was the first federal [copyright](#) legislation to grant protection to [moral rights](#). Under VARA, works of art that meet certain requirements afford their authors additional rights in the works, regardless of any subsequent physical ownership of the work itself, or regardless of who holds the copyright to the work. For instance, a painter may insist on proper attribution of their painting, and in some instances may sue the owner of the physical painting for destroying the painting even if the owner of the painting lawfully owned it.^[1]

Although federal law had not acknowledged moral rights before this act, some state legislatures and judicial decisions created limited moral-rights protection. The [Berne Convention](#) required the protection of these rights by signatory states, and it was in response that the U.S. Congress passed the VARA.

Exclusive rights under VARA^[edit]

VARA exclusively grants authors of works that fall under the protection of the Act the following rights

- right to claim authorship
- right to prevent the use of one's name on any work the author did not create
- right to prevent use of one's name on any work that has been distorted, mutilated, or modified in a way that would be prejudicial to the author's honor or reputation
- right to prevent distortion, mutilation, or modification that would prejudice the author's honor or reputation

Additionally, authors of works of "recognized stature" may prohibit intentional or grossly negligent destruction of a work. Exceptions to VARA require a waiver from the author in writing. To date, "recognized stature" has managed to elude a precise definition. VARA allows authors to waive their rights, something generally not permitted in France and many European countries whose laws were the originators of the moral rights of artists concept.^[2]

In most instances, the rights granted under VARA persist for the life of the author (or the last surviving author, for creators of joint works).

Covered works^[edit]

VARA provides its protection only to [paintings](#), [drawings](#), [prints](#), [sculptures](#), [still photographic images](#) produced for exhibition only, and existing in single copies or in limited editions of 200 or fewer copies, signed and numbered by the artist. The requirements for protection do not implicate aesthetic taste or value.

Application and effect^[edit]

VARA's application is limited to visual works that fall within a narrowly defined category. However, for works that do fall within the category of protected works, VARA imposes substantial restrictions on any modification or removal of those works. Purchasers of the works must obtain written waivers from the author if they wish to exercise any of the exclusive rights under VARA.

This has particularly been an issue for those that commission public sculptures. Absent a waiver, artists could effectively veto decisions to remove their structures from their benefactor's land. In a 2006 decision involving public sculptures that were removed from the park for which they were created, the [United States Court of Appeals for the First Circuit](#) ruled that VARA does not protect location as a component of site-specific work. VARA covered works can be moved as long as the

move does not constitute "destruction, distortion, or mutilation."^[3] However, one artist has claimed "The moment that the sculpture is removed, it will be destroyed, because it cannot be what it is anywhere else."^[4]

Examples of works^[edit]

- [Tilted Arc](#), a well-known artwork by [Richard Serra](#), was removed from public display prior to the enactment of VARA.
- [Kent Twitchell's Ed Ruscha mural](#) was painted over without his approval. Twitchell agreed to the largest settlement ever under VARA for \$1.1 million against the U.S. government and 12 defendants.^{[5][6]}
- On February 12, 2018, a federal judge cited VARA in awarding \$6.7 million to 21 graffiti artists at the [5 Pointz](#) open-air graffiti museum whose works were destroyed by the developer who owned the property on which the graffiti had been painted. The building owner tore the building down to rebuild condos.^{[7][8][9]}
- In 2018, Finnish/American artist Christian Narkiewicz-Laine filed the largest VARA lawsuit in U.S. history stemming from the destruction of the artist's rented space in Galena, Illinois where he alleged over 4,000 works of art were destroyed and mutilated, claiming a value of \$11.8 million. During the VARA trial in Rockford, Illinois, the artist's "recognized stature" under the statute was at issue. The defendants argued that he lacked sufficient stature to gain protection, citing his background as a Communist, a member of SDS during the 1970s, his numerous arrests during the Civil Rights Movement, and burning of an American flag during an anti-Vietnam War protest. His art and writings were also attacked for being provocative and "anti-American," and therefore not of stature. His credibility as a witness was also questioned, based on his prior felony conviction for lying to the FBI during an art fraud investigation. Although the defendants were found liable for trespass, conversion, and negligence, the jury awarded the artist \$120,000 for only four undisclosed, unnamed works of art from over 4,000. The federal judge found that the jury's VARA award was properly included within the jury's other damages, thus reducing the amount of the total judgment. In 2019, the case was appealed to the U.S. Court of Appeals for the Seventh Circuit and was affirmed. The artist appealed the VARA case to the U.S. Supreme Court and was declined a hearing.^{[10][11]}

Comment on Development Proposal

donotreply@sedonaaz.gov <donotreply@sedonaaz.gov>

Tue 6/18/2024 5:28 PM

To:Cari Meyer <CMeyer@sedonaaz.gov>;Megan Yates <MYates@sedonaaz.gov>

A new entry to a form/survey has been submitted.

Form Name: Comments on Development Proposals
Date & Time: 06/18/2024 5:28 p.m.
Response #: 624
Submitter ID: 6892
IP address: 24.121.23.136
Time to complete: 7 min. , 38 sec.

Survey Details

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We want to hear what you think. Please share your thoughts below. If you have questions about the project, please enter your contact information so that we can respond. Please note that all information submitted (including name, addresses, and email) will become part of the public record and will be available for public inspection.

1. Project Name:

Oak Creek Heritage Lodge

2.

What are your comments, concerns, ideas, and suggestions about this project?

Love the idea of the Oak Creek Heritage Lodge. For years (since 2010) we have envisioned a more pedestrian friendly area in the art district. In 2010 and prior, there was simply a dirt path along the road for guest to explore our area (few did). A boutique hotel along Schnebly and Oak Creek seems/feel like such a great fit for Sedona and it conducive to a pedestrian atmosphere. I have reviewed their plan and have met Craig. I think it is a great vision with a strong understanding of the importance of sustainability and contribution of our unique destination. I support this project.

Thank you.

Greg Stevenson

3. Your contact information (If you do not feel comfortable sharing or do not want this information to become a public record, a partial answer or "not applicable" is acceptable.)

Name: Greg Stevenson
Address (or Street Name): 431 State Route 179 #B1
City of Residence Sedona AZ
E-mail: greg@thehikehouse.com

4.

Would you like to receive notices about this project, such as public meeting dates?

(o) Yes

Thank you,
City of Sedona

This is an automated message generated by Granicus. Please do not reply directly to this email.

Insurance Defense Law Group, L.L.C.

Joseph P. Rocco

6619 N. Scottsdale Road
Suite 1A
Scottsdale, AZ 85250

Jason S. Carr

Telephone (602) 870-6920
Facsimile (602) 870-6922

June 20, 2024

City of Sedona, Arizona
City Council
102 Roadrunner Drive
Sedona, AZ 86336

Attention: Cari Meyer, Planning Manager, cmeyer@sedonaaz.gov

Re: June 25, 2024, City Council Meeting
Oak Creek Heritage Lodge
PZ23-00004 (DEV)/APPE24-00001/APPE24-00002

Dear Gentlepersons:

This furthers our position as originally conveyed in our correspondence of April 8, 2024, and directly addresses the pending appeals.

We represent Double Eagle Development Corporation and principal Jake Weber, the owner of the neighboring real property located at 50 Schnebly Hill Road, Sedona, Arizona, which is also known also as the Gassaway House Historic Landmark.

We support the approved project as referenced above because it is wholly within, enhances the existing zoning and focus, and because it creates very real value for the community (business and residential), and visitors alike.

Thank you in advance for your consideration of our position.

Sincerely,

/s/ Joe Rocco

Joseph P. Rocco, Esq.

Cc: Jake Weber



GASSAWAY HOUSE HISTORIC LANDMARK

June 20, 2024

City of Sedona, Arizona
City Council
102 Roadrunner Drive
Sedona, AZ 86336

Attention: Cari Meyer, Planning Manager, cmeyer@sedonaaz.gov

Re: June 25, 2024, City Council Meeting
Oak Creek Heritage Lodge
PZ23-00004 (DEV)/APPE24-00001/APPE24-00002

Dear Council:

I am first a family man, in other endeavors a Sedona property owner, long-time Village of Oak Creek resident, and 43 year business owner (Founder: Weber's IGA Food and Drug). I am a neighbor of the Oak Creek Heritage Lodge. I am additionally invested in the greater Sedona community through schools, charities, and clubs.

With sincere respect for those opposed, the many years spent on this carefully planned and professional project bring value to the entire community, economy, and neighborhood. I fully support the Oak Creek Heritage Lodge for final approval.

Thank you.

Sincerely and respectfully,

/s/ Jake Weber

Martin J. "Jake" Weber

Cc: Joe Rocco

Double Eagle Development Corporation, P.O. Box 21059, Sedona, AZ 86341
Jake Weber (928) 300-7336 Direct jweber1250@gmail.com
Joe Rocco (602) 828-2898 Direct jrocco@idlgrou.com

INSPIRATION HOLDING COMPANY

June 25, 2024

Cari Meyer
Planning Director
City of Sedona

Re: Sedona Oak Creek Heritage Lodge

Dear Cari:

I want to add my name to the list of Sedona residents who strongly support the proposed Sedona Oak Creek Heritage Lodge off of Schnebly Hill Road.

I have been a Sedona resident since 1998, when I bought my home in Sky Mountain Ranch, roughly 3.0 miles from the Lodge site. I support Sedona Oak Creek Heritage Lodge because I support responsible development, and I speak with some authority on that topic.

On May 9th, I Grand Opened the INSPIRATION apartment community in Cottonwood, along with my partners the Fain Signature Group. INSPIRATION is a 192 unit, \$55.0 Million, HUD 221(d)(4) apartment project that has been widely praised as “responsible development”. It is my considered opinion that Sedona Oak Creek Heritage Lodge also represents the best of responsible development.

I respectfully request that you give the matter your most favorable consideration.

Thank you,

Robert C. Porter
Managing Member
Inspiration Holding Company, LLC
40 Stutz Bearcat Drive
Sedona, AZ 86336

Comment on Development Proposal

donotreply@sedonaaz.gov <donotreply@sedonaaz.gov>

Mon 6/24/2024 10:29 AM

To:Cari Meyer <CMeyer@sedonaaz.gov>;Megan Yates <MYates@sedonaaz.gov>

A new entry to a form/survey has been submitted.

Form Name: Comments on Development Proposals
Date & Time: 06/24/2024 10:29 a.m.
Response #: 627
Submitter ID: 6896
IP address: 70.59.241.157
Time to complete: 10 min. , 50 sec.

Survey Details

Page 1

We want to hear what you think. Please share your thoughts below. If you have questions about the project, please enter your contact information so that we can respond. Please note that all information submitted (including name, addresses, and email) will become part of the public record and will be available for public inspection.

1. Project Name:

Oak Creek Heritage Lodge

2.

What are your comments, concerns, ideas, and suggestions about this project?

I am in favor of the Oak Creek Heritage Lodge as the project complies with the Community Focus Plan, was approved by the planning and zoning department and the developers seem to have listened to the communities and city's concerns and modified the development based on the feedback they received.

After attending the Planning and Zoning final meeting regarding the project, listening to all sides, while I can empathize with neighbors of the project, it appears that the area is zoned for such a project and the developers have made changes that many other hotel projects in Sedona have not made to satisfy congestion, traffic, and environmental concerns.

Since it appears that we are going to continue to have resort and hotel projects here, I would prefer to see one that is well thought out and aesthetically pleasing.

Byrd

3. Your contact information (If you do not feel comfortable sharing or do not want this information to become a public record, a partial answer or "not applicable" is acceptable.)

Name: Mary
Address (or Street Name): Sedona
City of Residence Not answered
E-mail: Not answered

4.

Would you like to receive notices about this project, such as public meeting dates?

Not answered

Thank you,
City of Sedona

This is an automated message generated by Granicus. Please do not reply directly to this email.

June 24, 2024

To: Mayor & City Council Members:
Re: Oak Creek Heritage Lodge Appeal

I am one of the Schnebly Hill neighborhood residents who lives adjacent to the proposed development. I was involved with the area-specific planning effort for the Schnebly Hill CFA, and I was supportive of the idea that clustered mixed uses could offer a better opportunity to preserve open space and historic character than the underlying existing R-10 single-family zoning on these mostly undeveloped parcels between the road and the creek.

The problem with relatively small-lot residential subdivisions is that they end up evenly spreading structures over the entire developable area. These days, both people's expectations and economic incentives push owners and/or builders to maximize the size of new structures, which combined with the small setbacks of R-10 zoning imply very little perceptible open space left.

Several decades ago, there was a residential proposal for a portion of this area that did exactly that, filled the area with two-story buildings in a "pseudo-southwestern" stucco parapet style that would have eliminated any vestige of historic character for the area. This got the neighborhood organized against it, and that experience was part of the impetus for developing the current CFA ideas.

Since the current approved development plan meets all of the objective criteria delineated in the Oak Creek Heritage District Zoning district, the decision before P&Z, and now you, is whether the subjective goals of the district are met by this particular development or not. Can a development of this overall size, with its associated accessory buildings, be seen as having sufficient historic, incremental character? That can be argued any number of ways, and I was one of several who responded critically to the initial concept presented. Subsequently, the developers have responded with several iterations and refinements over the course of their interaction with City staff, in an attempt to break up the whole development into multiple groupings of buildings, each with a slightly different character, in order to respond to the aesthetic goals of the CFA.

While there may be places where I personally would have pushed some of these goals a bit further, I am not the designer of this project, and I feel that overall, as currently approved, this project would be better than a residential ¼ acre lot development under the original zoning. As a neighbor who walks Schnebly Hill Road daily, this will provide more open space, pedestrian infrastructure, and permeability than a private neighborhood would. The primary views of Wilson Mountain will be preserved for drivers and pedestrians ascending Schnebly Hill Road. A single hospitality owner will have every incentive to keep the property well-maintained and attractive, most likely to a far greater degree than a number of different residential owners, some perhaps even remote and having their properties managed in any number of ways.

I understand the City's need for housing, and I am supportive of projects in appropriate places that will meet this need. While one could make an argument that this area could be used for housing, it is also one of the best areas appropriate for hospitality uses due to its proximity to restaurants, retail, hiking and recreation, public transportation, etc. Affordable housing in this location would require significant subsidy, and would not happen without City commitment. Given that the City has already bought expensive property at the Cultural Park for potential development (at least in part) as housing, it does not seem realistic to assume that you would do something similar here at this time. It is also not realistic to assume that private developers could make affordable housing work in this location either, especially in any way that would meet all the other goals of the CFA.

Regarding some particulars of the appeals, as a neighbor I share some concerns about noise from weddings, but I also feel that these can and should be managed by agreement between the managers of the hotel and the City.

The attacks on City staff by the appellants are unwarranted and offensive. If anything, Community Development personnel have put the developers through the ringer with multiple requests for further information and revisions where they were not initially meeting all of the height and massing requirements. The appellants' use of words like "nefarious" in referring to the developers, and "insidious" referring to the CFA plan, are slanderous and counterproductive.

In one of the appeals the appellants compare 8 homes on 8 lots to the current development proposal (26 buildings), but that is not a relevant comparison. The properties could be combined and then subdivided under the original zoning to achieve at least 18-20 lots (see sketch in the 2014 Community Plan Appendix B). Each lot could have a home, guest house, and garage, and most likely would end up with greater square footage and lot coverage than the current proposal.

Regarding creek water use, as a member of the planning committee for the CFA, I can vouch for the idea of using the combined properties' surface water rights to resurrect the historic ditch. It would be used to irrigate landscaping, especially plantings that would reference the historic agricultural uses: orchards, vineyards, ornamentals, etc. This was seen as central to achieving the CFA vision for this particular portion of the neighborhood, and making the historic ditch a living element. The historic ditches in the Verde Valley are semi-closed loops, taking water from the creek and ultimately returning what remains to the creek after use. Of course, plants do transpire a portion of that into the atmosphere, but the rest that goes into the ground ends up back in the hydrologic flow of the greater creek area. Everywhere the settlers made ditches, they in essence expanded the riparian zone, and provided for a lush and more productive environment. I do not believe that this use of creek water would have negative impacts on the downstream riparian zones along Oak Creek, and I think that the human and historic benefits that would accrue from such a feature outweigh any small reduction in downstream flow rates (which may actually be augmented by all the other adjacent irrigation using pumped groundwater). All of our historic ditches along Oak Creek should be maintained and used to enhance the historic agricultural properties adjacent to the riparian zone.

Finally, I do not think that there is any merit to the appellants' concern about balcony encroachments into the designated 100-year flood zone affecting the riparian habitat. This entire zone and beyond is mostly shaded by existing riparian trees, and the plants that grow there are used to varying degrees of light and shade. This entire zone is subject to periodic flooding and far greater natural destruction, and it recovers in some different way every time that I have observed. In fact, I supported actually building "tree-houses" (raised on hydrologically neutral piers) into a portion of this area in order to reduce some building mass from the more visible portions of the site. This was an idea proposed initially by the developer but rejected by city staff due to the final

wording of the CFA regarding “preservation” of the creek area. Most of this area is private and not accessible to the public, so would not pose any visual issues, and there are certainly environmentally creative and responsible ways to build in such areas that could have positive reductive impacts elsewhere on the property. I am not trying to suggest any change in course at this late point, but use this rather to illustrate what I feel to be excessive “hand-wringing” about anything near the riparian zone, and how sometimes opportunities are lost due to rigid enforcement of our own regulations.

In the end, do I wish the Oak Creek Heritage Lodge were a bit smaller yet, and there was a more significant swath of orchard or vineyard than the current pieces they have integrated into their landscape plan? While I would answer yes, I also feel that this proposal is far better than the alternative under the previous residential zoning. I think the developers have hung in there through a very long process with the City, and they will build a good project. I do not look forward to two years of construction, but it will happen all at once, and when it is complete I will again walk down Schnebly Hill Road. It will be different, but I will still enjoy it, and I will love seeing and hearing the water gurgling in the ditch. I will appreciate the flowering orchard trees, and I will meet more interesting visitors headed down to the corner for coffee, as I currently do with visitors staying at Rancho Sedona Trailer Park. The neighborhood has existed as a grandfathered mixed-use area for decades, with both Rancho Sedona and The Creative Life Center. Both projects have historically been open to respectful neighborhood residents, and they have added more to my quality of life than they have detracted. I would expect the same from The Oak Creek Heritage Lodge.

Sincerely,

Max Licher
16 Bear Wallow Lane
Sedona, AZ 86336

928-282-7071

mlicher9@gmail.com

Date: June 23, 2024
Subject: Comments for City Council Special Meeting Executive Session June 25 at 2:00 pm
Re: Appeals to P&Z April 16, 2024 Approval of Oak Creek Heritage Lodge (project")
By: D. Tracy

Since the objective of this meeting is to avoid litigation, the following comments may be worth considering.

The Thomas/Wagner ("Wagner") appeal application only noted two individuals as authorized to discuss their appeal with the City: Lauren Thomas (Scottsdale) and Christine Wagner (Encinitas, CA).

Per the Coconino county recorder's website, there were no documents found with either Lauren Thomas or Christine Wagner as grantors or grantees.

The Coconino county website does list the following five Bear Wallow Lane addresses as owned by a Wagner or a Wagner trust: 260, 280, 345, 350, and 365.

All five Wagner parcels are contiguous, have creek frontage, and are 50% in the floodway and 50% in the 100 year floodplain.

The Wagner appeal is submitted by "Residential Home Owners Representatives", but does not identify how many Bear Wallow residents are being represented. Lauren Thomas does not appear to be a Bear Wallow resident and Christine Wagner lists a California home address. I spoke with four property owners with Bear Wallow addresses and none were involved with, or aware of an organized Bear Wallow homeowners organization.

A google search for "Christine Wagner" "Encinitas" indicates that she is an attorney per AVVO, a lawyer referral website:

<https://www.avvo.com/attorneys/92024-ca-christine-wagner-235606.html>

Google search also revealed an article in the San Diego Union-Tribune re Encinitas resident Christine Wagner filing suit against her city:

Streetscape opponents file suit against Encinitas

And a Notice of Appeal that Christine Wagner filed with the California Coastal Commission:

Appendix A: Community Engagement Summary



[California Department of Housing and Community Development \(HCD\) \(.gov\)](https://www.hcd.ca.gov/housing-elements/docs)

<https://www.hcd.ca.gov/housing-elements/docs>

PDF

May 10, 2018 — ... *Christine Wagner* spoke about a Notice of Appeal which she submitted to the Coastal Commission regarding the North Highway 101 Streetscape ...

Conclusion: Christine Wagner has a track record pursuing legal action against government entities.

Questions:

So if Lauren Thomas is not a Bear Wallow resident, what is his role since he is listed as the primary contact authorized to discuss this appeal with the City as per their application?

Does a legal resident of another state have standing to file an appeal (lawsuit) as a resident in Arizona ?

If that resident of another state is also an attorney representing a group of residential homeowners, does that require a license to practice in AZ ?

As for the Sedona Residents Unite (SRU) appeal, a recent June 19, 2024 article posted on-line indicates that “Downtown [Uptown for locals] resident Mark TenBroak” is the author and SRU spokesperson for this appeal:

<https://www.helpministries.ch/2024/06/19/lido-pnto/JEB92010MI09OD42.html>

While I commend Mr. TenBroak for his dedication to public involvement, he can not argue conflicting positions. For example, in the Jordan Lofts project before P&Z in 2021, Mr. Tenbroak discounted the opinions of business [property] owners living outside of Uptown and argued for local neighborhood control as per this article in the Red Rock News:

<https://www.redrocknews.com/2021/07/12/sedona-pz-votes-5-2-for-jordan-lofts/>

Jul 12, 2021 — *Sedona* P&Z votes 5-2 for Jordan Lofts ... “The proponents of Jordan Lofts are mostly business owners living outside of Uptown,” said *Mark TenBroek* ...arguing that the opposition from the Uptown residents that live in the area is more important.

In his appeal of the Oak Creek Heritage Lodge project, Mr. Tenbroak is now the outsider and he not only objects to the findings of staff and the P&Z Commission, but seeks to interject his opinions of how our Schnebly Hill area should be developed ... which is not the same as the neighborhood view in support of this project. Staff was correct when they stated in their report that most of the opposition to this project was outside the area... and should be summarily dismissed.

To minimize litigation, council should deny both appeals and reaffirm P&Z approval. While the appellants may advance their arguments to the courts, both the facts and the law do not support their position. A court ruling against the appellants will subject them to not only attorney fees from the developer and other stakeholders, but also compensatory damages for construction delays.

An interesting observation is that the two appellants argue different topics so it seems unlikely that they have enough in common to justify pooling resources. It is unknown if either of the appellants and/or the organizations that they purportedly represent have insurance carriers to assist in additional litigation.

Another issue to consider is the demoralizing effect on staff and commissioners who have spent hundreds of hours in scrutinizing this project just to have their work products rejected by a couple disgruntled outside entities. It is not surprising that there is a high turnover rate in our local government. Council should deny both these appeals by outsiders and reaffirm P&Z approval.

The LDC currently allows any member of the general public to file an appeal. Does this mean that any special interest groups anywhere in the country could intervene in our city government ?

ADDENDUM TO
APPEAL OF DEVELOPMENT REVIEW AND PLANNING COMMISSION APPROVAL
OF
CASE NUMBER PZ23-00004 (DEV) OAK CREEK HERITAGE LODGE
RESORT HOTEL DEVELOPMENT

Submitted by Appellants

Residential Home Owner Representatives

Bear Wallow Lane, Sedona, Arizona

To the Sedona City Council

June 25, 2024

**“THEY PAVED PARADISE,
PUT UP A PARKING LOT**

**“WITH A PINK HOTEL,
A BOUTIQUE AND
A SWINGIN’ HOT SPOT**

“DON’T IT ALWAYS SEEM TO GO

**“THAT YOU DON’T KNOW WHAT
YOU’VE GOT ’TIL IT’S GONE**

**“THEY PAVED PARADISE,
PUT UP A PARKING LOT”**

JONI MITCHELL
BIG YELLOW TAXI

Bear Wallow Lane Appellants submit this Addendum to their Appeal of Planning Commission Approval of PZ23-00004(DEV) Development Permit Application for the Oak Creek Heritage Lodge Resort Hotel.

In referencing the Staff Report herein, Appellants include any and all documentation presented by the Development Department in support of the findings and recommendations contained in this Report, including the Oak Creek Heritage Area LDC and Schnebly Hill CFA Checklists, as well as all documentation submitted by the Developer in support of the Development Permit Application that was relied upon by the Development Department in preparing the Staff Report.

I. THE SCHNEBLY HILL COMMUNITY FOCUS AREA and THE OAK CREEK HERITAGE AREA ZONING DISTRICT ARE INEQUITABLE, AS WRITTEN AND APPLIED

The Schnebly Hill CFA and the Oak Creek Heritage Area Zoning District are inequitable, as written and applied. As such, the Schnebly Hill CFA and the Oak Creek Heritage Area Zoning District (OC Zone) are unconstitutional, in that they do not afford equitable protections for all existing and affected property owners within the CFA boundary.

The Arizona State Constitution provides:

Article 2. Political power; purpose of government

Section 2. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

Article 4. Due process of law

Section 4. No person shall be deprived of life, liberty, or property without due process of law.

Article 13. Equal Privileges and Immunities

Section 13. No law shall be enacted granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which, upon the same terms, shall not equally belong to all citizens or corporations.

These protections are also afforded under the United States Constitution.

Case of First Impression

In entertaining the proposed Oak Creek Heritage Lodge Resort Hotel Development Permit Application, the first project to be reviewed under these provisions, the adverse impacts of preferential, arbitrary and capricious language in both the Schnebly Hill CFA and the OC Zone have come to light.

The proposed project, if permitted for development, will bring high-impact lodging and other commercial land uses to this unique and sensitive location, land uses that are grossly incompatible with existing, neighboring land uses. These proposed commercial land uses do not meet the preservation/protection intentions of either the Schnebly Hill CFA or the Sedona Community Plan and, if allowed to be developed under the OC Zone, will irreparably damage the natural environment within the biologically sensitive Oak Creek riparian corridor, radically alter the unique, rural character of the area, and cause significant harm to existing residential land users in the area.

Zoning District Changes, From Residential to Hodgepodge, Made Under False Pretense

Prior to the adoption of the Schnebly Hill CFA and OC Zone, and with limited exception¹, parcels within this neighborhood were predominantly zoned Residential RS-10 and RS-18. It has been these low-impact, residential land uses that have preserved and protected the Oak Creek riparian corridor and the unique, rural character of the area, and continue to do so today.

The OC Zone was added as a new land use district to the City of Sedona Land Development Code, as the result of recommendations made in the Schnebly Hill Community Focus Area (CFA), to be used as an implementation mechanism to meet the objectives of the CFA. Objectives in the creation of the Schnebly Hill CFA and the OC Zone include encouraging development that “will best protect Oak Creek and the surrounding riparian habitat” and ‘retain

¹ existing RV park, existing CLC, Red Rock & Gem subdivisions, PDR, commercial office

the unique, rural character of the area'. Another objective was to thwart future residential development in an existing Residential Zone under false pretense².

In moving forward with 'implementing' the Schnebly Hill CFA, and instead of utilizing any of the City's existing zoning district designations (e.g. Lodging Area Zoning, Commercial Zoning, Mixed Use Zoning, Open Space Zoning and/or Historic District Zoning), the new OC Zone has created a Non-Residential District³ that is now a hodgepodge zone that allows for incompatible land uses with varying application to properties within the area. See *LDC Article 3, Table 3.1*.

In deed, the OC Zone allowances are not equally available or applicable to all parcels within the Schnebly Hill CFA.

Lot Size Limits for Inclusion in the OC Zone Preclude Equal Participation

The OC Zone allowances are not available to all parcels within the Schnebly Hill CFA because the OC Zoning was written to require a minimum lot size of 35,000 square feet (.80348 of an acre), effectively excluding numerous, existing residential properties from participation.

Optional Re-Zoning at Property Owner Election

Curiously, the CFA language suggests that all property owners within the CFA may voluntarily choose to rezone their property to the OC Zone to take advantage of the newly created commercial use options. However, in application, the only CFA property owners who have been able to apply for acceptance into the OC Zone are those property owners whose parcels met the lot size criteria. See *Schnebly Hill CFA* at p. 25. This provision has created incompatible land use allowances and has unfairly removed zoning predictability for neighboring property owners.

² "The area is currently zoned single-family residential, and future growth would result in far more houses than today, changing the area from its open, rural character to a typical residential area. The intent of this CFA Plan is to guide future growth in a manner that will retain the unique character of the area." CFA p. 3. "Although outside of the Lodging Area Limits designated in the Community Plan, allowing lodging in this area as an alternative to residential could be an incentive for development that is consistent with the desired character of the CFA." CFA p. 10.

³ The OC Zone, while still allowing for residential land uses, has usurped the previous residential RS-10 and RS-18 zoning of the area in favor of commercial interests that are incompatible with existing residential uses.

Arbitrary Cap on Number of CFA Acres for OC Zone Inclusion

Even if all parcels located within the Schnebly Hill CFA met the minimum lot size criteria, the OC Zone lodging use/accessory use allowances are not equally available to all parcels located within the Schnebly Hill CFA. This is because the CFA language limits the amount of allowable OC Zone lodging to no more than half of the acreage of the total CFA area (approx. 91 acres), capping the number of acres that can be included as Lodging Uses at approximately 45 acres, “to ensure a mix of land uses”. See *Schnebly Hill CFA* at 25.

Unequal Application of Protections Against Lodging Uses Outside of Lodging Areas

Recently, lodging uses were removed from the Soldiers Pass Road CFA (PZ22-00008, Resolution No. 2022-23) and the Western Gateway CFA (PZ22-00007, Resolution 2022-22) through CFA Amendments, based upon City Council findings that transient occupancy has created “negative consequences of increased tourism and the growth of short-term rentals in the community, including impacts on housing affordability and availability”, that “residents have expressed strong opposition to adding any additional hotel rooms”, and that such amendments “reflected changing circumstances and community needs [for housing]”.

Curiously, the Schnebly Hill CFA was not included as part of these lodging use amendment actions. See *Resolution 2022-22* and *Resolution 2022-23* and *2020 Housing Needs Assessment, Elliot D. Pollack & Company*.

More Leniency for Accessory Commercial Uses in OC Zone

Commercial land uses that are considered primary uses within other land use zoning districts (eg restaurants, cafes, bars, lounges, offices, recreational facilities personal services) and subject to more stringent review criteria are, by contrast, considered permitted “accessory uses” for those parcels within in the OC Zone. See *LDC Article 9, Section 9.4 Use-Related Definitions*.

The Schnebly Hill CFA and the LDC 3.3 Use Specific Standards generally confine primary commercial land uses to within 750 feet of the Schnebly Hill roundabout. However,

exception is made in the OC Zone, which allows for these commercial land uses to be sited anywhere within an OC Zoned property as “accessory uses.”

These primary commercial land uses listed in LDC 3.3, now allowable as “accessory uses” in the OC Zone, are largely incompatible with existing, neighboring residential land uses, and are otherwise prohibited uses within the RS-10 and RS-18 residential zones.

Curiously, the accessory commercial use allowance of “conference/meeting facility space”⁴ and adjacent outdoor areas are being proposed by the hotel resort development for use as a wedding venue, which, in all other zoning districts, is considered a temporary use of limited extent and duration, and requires separate permitting. See Argument Section III below.

More Dwelling Units per Acre are Allowed for Lodging Uses than For Residential Uses

Ironically, while the Schnebly Hill CFA was created to thwart the perceived ‘threat’ of future residential development within an established Residential Zone, the resulting CFA language and OC Zone now allows for more dwelling units per acre for lodging (8 du/acre) than for single-family residential homes (4 du/acre), with the proposed development being brought forward at a time when the City of Sedona is in critical need of residential housing.

Parcel Combinations By CFA Stakeholders and Resulting “Spot Zoning”

Prior to inclusion in the OC Zoning District, some of the parcels that make up the proposed development property would not have met the minimum lot size criteria. These parcels were combined in order to satisfy the OC Zone lot size criteria.

Curiously, the parcels which make up the proposed development property were owned by a few residential landowners, recognized as Stakeholders who participated in the creation of the Schnebly Hill CFA⁵ and resulting OC Zone.

The creation of the Oak Creek Heritage Area Zoning District criteria and its application to this proposed development meets the classic definition of “spot zoning” - the process of singling out a parcel of land for a use classification that is totally different from that of the

⁴Conference and Meeting Facilities are defined in the LDC 9.4(B) and 3.2(E) Table 3.1 as Public, Institutional and Civil Uses, and state that such facilities are to provide service to the public.

⁵ See *Schnebly Hill CFA Acknowledgements*, p. 2.

surrounding area for the benefit of the owner of such property and to the detriment of other owners. Anderson's American Law of Zoning 4th Edition, Section 5.12 (1995).

Constitutional Concerns Warrant Reversal and Denial of Development Permit

For these reasons, the OC Zoning District and the Schnebly Hill CFA are arbitrary and capricious, as written and applied, and cannot serve as a legitimate basis for evaluating and approving the proposed development project.

For these reasons, the City Council should amend and/or repeal the Schnebly CFA and the OC Zone to comply and conform with the Sedona Community Plan and to align with other provisions of the Sedona Land Development Code.

II. THE PLANNING COMMISSION'S ACCEPTANCE OF AND RELIANCE UPON AN UNAPPROVED TRAFFIC IMPACT ANALYSIS, ITS SILENCE ON INCREASED TRAFFIC GENERATED AS A RESULT OF THE PROPOSED PROJECT, AND ITS FAILURE TO CONSULT WITH THE SEDONA FIRE DISTRICT REGARDING EMERGENCY ACCESS, WARRANT REVERSAL OF ITS DECISION GRANTING DEVELOPMENT PERMIT APPROVAL

In discussing LDC 8.3E(5)(E) Review Criteria for Minimizing impacts on Surrounding⁶ Property Owners, and in failing to respond to citizen concerns regarding traffic generated by the proposed development, the Staff Report merely states “[t]he City has accepted the applicant’s Traffic Impact Analysis” without more. This was in error. The Developer Applicant did not obtain prior approval of the TIA by the Arizona Department Of Transportation (AZDOT), as required by Sedona City Code Section 14.10.070, and the City acceptance of the TIA without it is a violation of this code.

The Staff Report does not address the increased amount of traffic generated by the proposed development’s commercial land uses, and the potential significant and negative impacts of increased traffic on surrounding properties in the Schnebly Hill CFA. As such, the

⁶ Staff Report misquotes the criteria for this section by referring to Adjoining Property Owners, when the code language specifies Surrounding Property Owners. As mentioned in the Appeal, this language has legal significance, with surrounding encompassing a greater neighborhood, as opposed to only those parcels that abut a particular parcel.

Staff Report findings that the proposed development is in compliance with LDC 8.3E(5)(E) and LDC 8.3E(5)(J)⁷, as well as with the Sedona Community Plan and the Schnebly Hill CFA with regard to traffic reductions, are unsupported.

In discussing LDC 8.3E(5)(J) Review Criteria for Providing Adequate Roadway Systems and Traffic Mitigation⁸, the Staff Report statement that “the Sedona Fire District... ha[s] reviewed the plans and has raised no concerns from an emergency access perspective.” This statement is unsubstantiated.

A. The Developer’s Traffic Impact Analysis Has Not Been Approved by AZDOT

The proposed development can only be accessed via SR179, the only access road to Schnebly Hill Road. As such, “a state highway is involved,” triggering AZDOT review and approval of the TIA “prior to consideration by the City.” See *City Code Section 14.10.070*.

There has been no showing that the Developer Applicant’s TIA has been reviewed and approved by the AZ Department Of Transportation⁹, as required by Sedona City Code Section 14.10.070.

As AZDOT has not approved the TIA for the proposed development, acceptance of the TIA as a basis for approving the Development Application was in error.

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⁷ LDC Section 8.3E(5)(J) criteria reads as follows: “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.”

⁸ Staff Report misquotes the criteria for this section by omitting this italicized code language concerning traffic mitigation, and fails to identify and address traffic mitigation measures.

⁹ See Bear Wallow Lane Appeal ps.11 and 19, and Wagner Comments to Planning Commission dated April 15, 2024 at p. 10.

B. The Proposed Development Does Not Meet the Schnebly Hill CFA Expectations for Reduced Traffic Generation¹⁰

Community expectations for the Schnebly Hill CFA specify that non-residential uses **may** be supported **IF** such uses generate less traffic than medium-density residential uses. See *Schnebly CFA* at p. 3 (bold and capitalization emphasis added).

The Developer Applicant's TIA miscalculates the number of vehicle trips that would be generated by medium-density residential land uses. The TIA utilizes a medium-density residential unit density of 8 du/acre, when in fact the residential density unit allowance in the Schnebly Hill CFA is 4 du/acre. When the numbers are recalculated, the number of vehicle trips that would be generated by medium-density residential units for the development acreage of 11.58¹¹ is 442.5 trips on a Saturday, whereas the proposed development's non-residential uses for the property are estimated to generate approximately 583 Saturday trips. See *TIA for Oak Creek Heritage Hotel, prepared by Kimbley-Horn, Section 4.0 Project Traffic, ps. 6-7.*

Based on these calculations, **the proposed commercial uses** for the property are not supported under the Schnebly Hill CFA because they **will generate more traffic than medium-density residential uses**, and do not meet the reduction and mitigation criteria under the Sedona Community Plan or LDC 8.3E(5)(J).

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¹⁰ Nor does it meet the Sedona Community Plan goals and policies for Traffic and Circulation.

¹¹ this 11.58 acreage utilized by the Developer is inaccurate, as the Coconino County Recorder shows the parcels totaling 11.41 acres, as do other documents submitted by Developer (see Phase 2 Drainage Report and Geotechnical Report)

C. The Sedona Fire District Did Not Review The Comprehensive Plans¹² For Public Safety, Water Availability for Fire Suppression Systems, and Emergency Access Needs

The Staff Report findings state that “[t]he Sedona Fire District...ha[s] reviewed the plans and ha[s] raised no concerns from an emergency access perspective” and that “the proposal is in compliance with th[e] criterion” stated in LDC 8.3E(5)(J). These findings are unsubstantiated and misleading.

The Staff Report presents no supporting documentation to support assertions that the Sedona Fire District was “provided with the Developer’s Comprehensive Review Plans”, had “reviewed the plans” had “raised no concerns”, or had otherwise “chose not to comment on the comprehensive submittal”¹³.

This is because **the Sedona Fire District did NOT review the Developer’s Comprehensive Plans**. In Appellant’s conversation with the Sedona Fire Marshal, Chief Booth, on May 21, 2024¹⁴, the Fire Marshal had no record of review of the project’s Comprehensive Development Application documents. It is understood that the Sedona Fire District had reviewed earlier conceptual plans in August 2021¹⁵. However, subsequent and significant modifications to the proposed development, including site layout and ingress/egress access configurations, as well as updates to the International Fire Code and Wildland-Urban Interface Code, warranted updated Sedona Fire District review. This was not done.

These failures jeopardize the health, safety and welfare of all residents and visitors to Sedona, most especially those residential property owners with homes on Bear Wallow Lane

¹² Failure of both the Developer Applicant and the Development Department to have the Comprehensive Review documents reviewed by the Sedona Fire District are also problematic in that necessary water use demands and availability for emergency fire suppression needs have not been determined.

¹³ See Staff Report statement addressing Reviewing Agency Comments and Concerns, which does not list Sedona Fire District as a reviewing agency, as well as Staff Evaluation statement under LDC 8.3E(5)(J) discussion.

¹⁴ Conversation of Christine Wagner with Sedona Fire Marshal Chief Booth on May 21, 2024.

¹⁵ See August 30, 2021 letter from Sedona Fire District to Cari Meyer, City of Sedona, included as exhibit in Conceptual Review documents for the proposed development.

and on residential streets further up Schnebly Hill Road, the only access road for ingress and egress to properties in an area prone to extreme natural disasters of fire and flood.

III. WEDDINGS AND SPECIAL EVENTS ARE TEMPORARY USES and CONFERENCE/MEETING SPACES ARE PUBLIC USES UNDER THE CODE

As stated in both the Developer's Parking Study and Acoustic Reports, the proposed development 'conference and meeting spaces' will be utilized as a wedding venue and other special event gathering space, utilizing both indoor facilities and outdoor lawn areas.

Under Use-Related Standards LDC 9.4(G) - Temporary Uses, weddings are considered Special Event uses having limited frequency and duration restrictions under LDC Section 3.5(E)(4)(a)(1), and have separate permitting requirements under LDC Section 8.4(D).

Furthermore, Conference and Meeting Facilities are defined in the LDC 9.4(B) and 3.2(E) Table 3.1 as Public, Institutional and Civil Uses, and state that such facilities are to provide service to the public and, as such, are unlikely an appropriate accessory use for this private development being proposed.

IV. THE PROPOSED DEVELOPMENT WILL SIGNIFICANTLY AND ADVERSELY IMPACT CRITICAL HABITAT FOR THREATENED SPECIES UNDER THE FEDERAL ENDANGERED SPECIES ACT

LDC 8.3E(5)(G) states that "[t]he proposed development shall be designed to minimize negative environmental impacts, and **shall not cause significant adverse impacts on the natural environment**, including water, air, stormwater management, wildlife habitat, soils, and native vegetation." (bold emphasis added)

In discussing LDC 8.3E(5)(G) Review Criteria, the Staff Evaluation states that "[n]o negative environmental impacts are anticipated because of the proposed development." This finding is speculative and unsubstantiated.

A large portion of the proposed development is within a federally recognized critical habitat for threatened species under the Federal Endangered Species Act, including the

yellow-billed cuckoo and the narrow-headed garter snake, which is the Oak Creek riparian corridor.

V. NOISE IMPACTS ON THE WILDLIFE 'RESIDENTS' HAVE NOT BEEN STUDIED OR REVIEWED

It is widely recognized by the biotic and aquatic species scientific communities that biotic and aquatic species have particular sensitivity to noise, sound and vibration, such that species' ability to migrate, mate, orient, hunt, forage and/or habitate in their native or adapted environments can be significantly and adversely impacted by noise, sound and vibration.

Referring again to the review criteria of LDC 8.3E(5)(G), the anticipated noise impacts of this high-density, high-impact resort development on the local wildlife habitat, Sedona's wildlife 'residents', support denial of the proposed development in this sensitive Oak Creek riparian corridor.

VI. A CREEKWALK IS NO LONGER A GOOD IDEA FOR THE COMMUNITY

When the Schnebly CFA was contemplated as part of the 2013 Sedona Community Plan, there were grand visions to secure a creek walk for public access to Oak Creek.

However, the continued and increasingly urgent community needs and expectations for the preservation and conservation of Oak Creek and its riparian corridor, wildlife habitat and species protection, and the need to curtail the negative impacts of disproportionate and unregulated tourism activities of visitors "loving Sedona to death", a creek walk in this location defies current common knowledge and native wisdom, especially in these times of climate uncertainty and in preparation for anticipated climate change risks and impacts.

Numerous outside agencies and groups, including the Coconino National Forest USFS, the Oak Creek Watershed Council, and others, have reported on the significant adverse impacts of overuse and damage to the Community's natural, vital resources by tourism. The

2024 Sedona Community Plan has also identified tourism as a source of damage to the very resources that visitors and residents alike come to enjoy.

The fragile and complex Sedona Oak Creek Ecosystem, while able to self-sustain and self-correct through natural environmental cycles and events, does not do as well against the onslaught of excessive human activities that disturb and damage it. See Exhibit A, Excerpts from *Sedona Oak Creek Ecosystem, Characteristics and Conditions: Executive Summary and Supplemental Information, USFS Sedona Ranger District, Coconino National Forest, January 1996*¹⁶.

The impacts and consequences of a publicly accessible creek walk go against numerous guiding principles and commitments made by the people of Sedona for the preservation and protection of the community's vital, natural resources.

The Sedona Community Plan's Environmental & Sustainability Goals envision, "[a]s responsible stewards of the natural environment, Sedona maintains a lasting water supply, healthy ecosystems, and the ability to adapt to changing conditions." In referencing Policy 7.2, the Sedona Community Plan states that "[p]roperties with significant natural resource values such as the riparian habitat of Oak Creek should be preserved and maintained in a natural state." Sedona Community Plan Policy 7.5 seeks to "Preserve and restore the Oak Creek corridor floodplains and riparian areas from the impacts of development".

The Schnebly Hill CFA Objective for Environmental Protection includes the 'permanent protection of Oak Creek is in its natural state, as a vital resource for the natural environment, community and region'. The Schnebly Hill CFA Strategies include 'permanent protection of the Oak Creek corridor through land preservation measures' and the 'maintenance of the Oak Creek floodway in a natural state' and 'preservation of Oak Creek and its associated floodway as the cornerstone of an open space system linked to corridors of open space along tributary drainages'.

¹⁶ See also USFS Oak Creek Watershed Restoration Project, 2019.

A plain reading of the language of the Sedona Community Plan and the Schnebly Hill CFA direct the community, and its decision-makers, to “protect” (*verb; an action word - to shield from damage, injury, loss or destruction*) and “preserve” (*verb; an action word - to maintain in its original or existing state, unaltered, without decline in quality*) the Oak Creek riparian habitat in its “natural state” (noun - a wild primitive state untouched by civilization).

While the Schnebly Hill CFA suggests that ‘minor improvements within the riparian corridor, such as trails,...’ might be permitted, this is a misnomer that contradicts the intended protections for Oak Creek, as there are no ‘improvements’ to nature, perfect in its imperfection, that can be made by man.

Public creek access along this section of Oak Creek within the City of Sedona will not be a community public benefit. To the contrary, public creek access along this section of Oak Creek within the City of Sedona will be an invitation for environmental degradation of the riparian corridor and the destruction of wildlife habitat, an invitation for visitor exploitation at the expense of and liability to the Community.

CONCLUSION

For any and all of these reasons, as well as those set forth in the initiating Appeal, the approval by the Planning Commission should be reversed and the proposed Development Permit for the project should be denied.

SEDONA/OAK CREEK ECOSYSTEM

Characteristics and Condition: Executive Summary and Supplemental Information
USFS Sedona Ranger District, Coconino National Forest, January 1996

“Special natural characteristics in the Sedona area include sensitive soils; an extraordinary diversity of plants and animals; including many rare species; the very lush and complex environment of the Oak Creek stream corridor; and the dynamic environmental influences of fire and floods.”

“Much of the planning area has highly sensitive soils that coincide with places in demand for urban and recreational development. Soils classified as highly sensitive to erosion cover about a third of the accessible land in this area. Much of this highly erosive land is near Sedona. The condition limits the activities that can occur without causing long-term erosion problems, or without requiring well planned erosion-control measures. Similarly, soils in the riparian zone along Oak Creek are sensitive to compaction and erosion. Loss of stream side plants from **development and trampling** can weaken soil stability and leave stream beds vulnerable to damage from flood flows.”

“The planning area has exceptional biological diversity...especially along the Oak Creek riparian corridor. Variations of sunlight, elevation, aridity, and soil composition result in an unusually diverse ecosystem.”

“This complex and rich biodiversity presents both opportunities and complications for people. Many people visit or live in the Sedona area to experience its natural diversity. Facilities and infrastructure and the locations of certain activities must be carefully designed and planned to minimize effects on this complex ecosystem.”

“Parking and **recreational activities** affect important plant “filter” strips along the stream banks [of Oak Creek]. Impairment of riparian filter strips may also weaken the ability of stream banks to resist flood flows. In some locations, this has degraded aquatic conditions for fish and other riparian and aquatic dwellers and has created undesirable recreation conditions.”

“Water quality is important to both the biological sustainability and the recreational appeal of Oak Creek... high bacterial levels often diminish Oak Creek’s water quality...”

“**Human activities** can break down the stream banks as well as compact the wet soils. This can result in loss of the protective plant cover, causing impacts to the riparian functions. Functions that are affected include the riparian area’s ability to serve as a filter strip for overland runoff during storms, and the ability of the riparian area to support wildlife, including aquatic animal and plant life.”

“The Sedona area supports cryptobiotic soils, communities of blue green algae, lichens and fungi that form a thin crust on sandy soils. This fragile crust protects the soil beneath from erosion, absorbs water, and starts a chain of life. **Heavy foot** and vehicle **traffic** in many areas around Sedona has removed this surface crust and exposed the underlying soils to erosion. Once affected, this cryptobiotic layer can take more than a decade to reestablish.”

“Controlling erosion is important from the standpoint of protecting many resources...unseasonable erosion that occurs as a result of **recreational use or development activities** can muddy Oak Creek during times of the year when it would naturally run clear, affecting the life cycle of aquatic animals.”

[Excerpts]

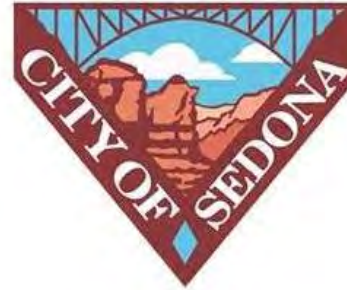
[bold emphasis added]



OAK CREEK

HERITAGE LODGE

A COLLECTION OF THERAPEUTIC +
SUSTAINABLE LIVING EXPERIENCES



City Council

June 25, 2024

Proposed Project

- 11.58-acre site
- 70 lodging units (6/ac.)
- 4,600 square feet restaurant and 2,500 square feet of outdoor seating (customer and employee areas)
- 3,300 square feet, 4 treatment rooms wellness spa (customer and employee areas)
- 1,900 square feet of meeting space
- 4 workforce housing units may **sleep up to 10 employees** (average of 354 square feet)
- 100% valet parking with 90 parking spaces



Initial Concept

- 11.58-acre site
- 92 lodging units (8/ac.)
- 4,500 square feet restaurant
- 8 treatment rooms wellness spa
- 3,900 square feet of meeting space
- 0 workforce housing units
- 100% valet parking with 90 parking spaces

Project Summary

July 2021

Total Site Area = 11.58 Acres
Total Number of Guest Rooms = 92 Units

Parking Count = 170 Spaces
Spaces Under Guestroom Building
Spaces in Floodway (Above 2 Year Storm Limit)



Community Outreach

Meaningful community outreach by conducting numerous meetings with neighbors (300-foot radius), interested parties, and City staff:

- 3 public open house meetings held on-site, along with several individual meetings. Collaborative meetings with City staff.
- Positive remarks from participants and incorporation of feedback during the process.
- Feedback gathered from participants include:
 - Relocate amenity/public buildings
 - **Implementation:** Restaurant, wellness, spa, and employee buildings relocated to Central and South Clusters away from north perimeter
 - No parking in Floodway; Screen parking lot from roads
 - **Implementation:** Parking lot relocated; Screened with solid fence, shrubs, and trees
 - Manage event noise
 - **Implementation:** Relocated meeting lawn to South Cluster; Added retaining walls/fences for noise mitigation
 - Address traffic concerns
 - **Implementation:** Shuttle program; Transportation Demand Management; Slow speed
 - Recommend low levels of lighting
 - **Implementation:** Dark sky lighting design
 - Sustainability practices
 - **Implementation:** LEED cert., Coconino County equivalent cert., VVREO cert.
 - Prefer fewer public paths
 - **Implementation:** Satisfying City requirement for path along Schnebly Hill Road, Bear Wallow Lane, and in the future (by City) extending over Oak Creek to an Uptown connection

Project Compliance

- **Zoned** for hotel use – **No rezoning** required or requested
- Proposed density at **6/ac.** is substantially less than the **8/ac maximum.**
- Schnebly CFA Checklist – **Fully compliant** with **all** applicable strategy items
- Land Development Code Checklist – **Fully compliant** with **all** applicable Oak Creek District development standards



Sedona Community Plan

Sedona's Community Plan is the City's "general plan" required by the State of Arizona ([A.R.S. 59-461.05](#)). It is intended to convey the community's shared vision, values, and priorities to all residents, property owners, businesses, developers, and City staff. It is a decision-making guide for City Council and the Planning and Zoning Commission, and serves as a tool for the evaluation and design of future projects and programs, whether proposed by the City or private developers.

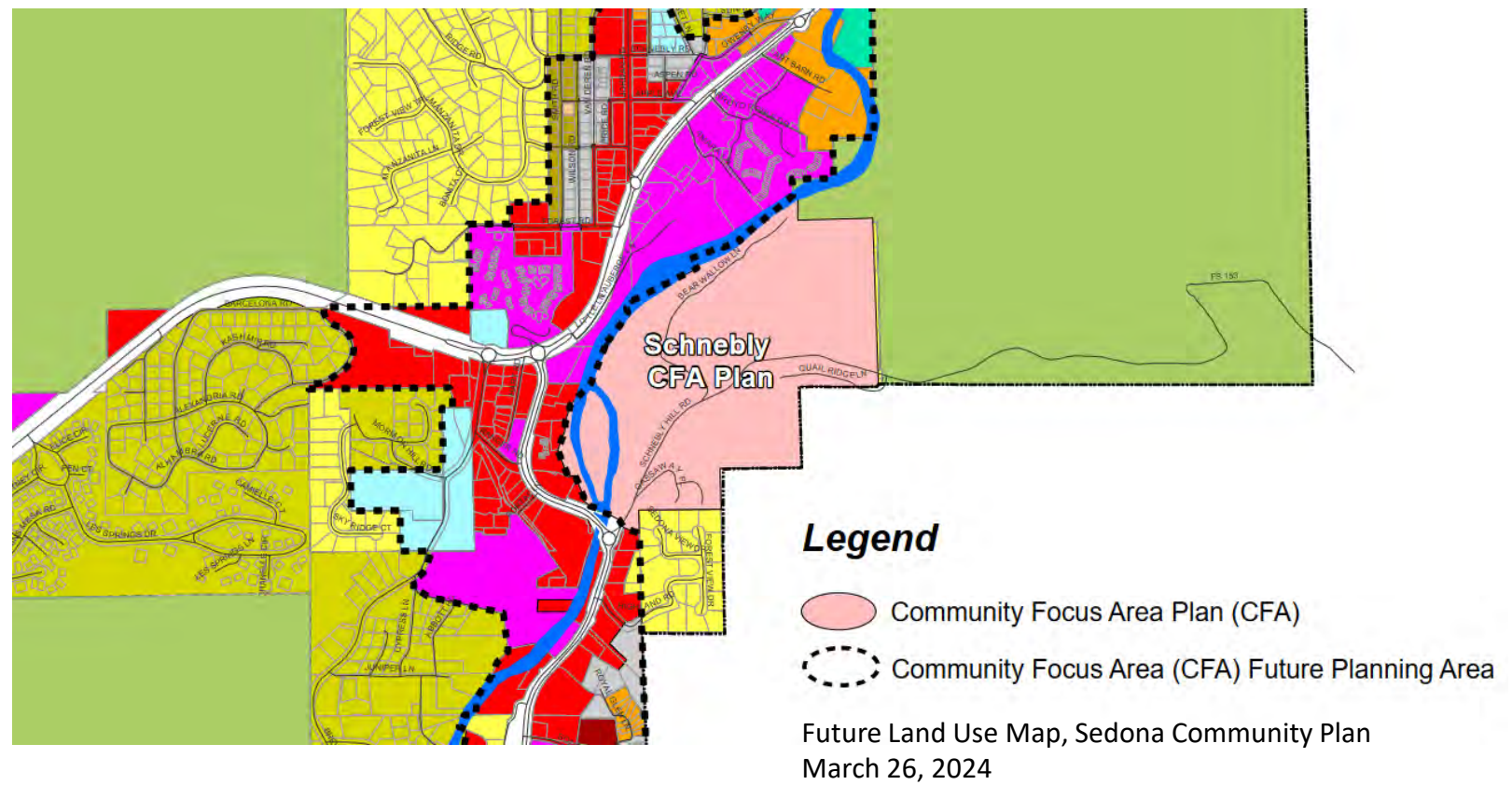
The Community Plan is not regulatory, and does not include the following:

- It is not a City capital improvements plan or maintenance and operations plan.
- It is not a City budget or commitment for expenditures of public funds.
- It is not a city code, land development code, zoning, or ordinance.

However, these are all expected to align with the Plan, and are key implementation tools for bringing the community's vision and goals to reality.



Sedona Community Plan and Schnebly CFA



Schnebly CFA Permitted Uses (Page 25):

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.

Schnebly CFA Objectives:

Preserve open space, floodplain and viewsheds

- Buildings are **setback** and a large contiguous open space is provided along Schnebly Hill Road.
- All structures are located outside the Floodway to **preserve Oak Creek**.
- Small buildings are **clustered** to maintain the existing large viewsheds from Schnebly Hill Road.
- **49%** of the site area is proposed as **open space** by clustering buildings and preserving the floodway.
- Existing **viewsheds** are protected through appropriate placement of buildings, trees, and outdoor spaces.



Design Integration with Schnebly CFA

- **Preservation of Oak Creek** with no permanent structures
- Creation of a **public bicycle and pedestrian friendly path** along Schnebly Hill Road and Bear Wallow Lane
- **Preservation of red rock views** from Schnebly Hill Road
- Creation of **generous landscape setbacks and open space** along Schnebly Hill Road and the Floodway
- Enhancing the agricultural history of the site by **preserving historic resources: irrigation channels and well sheds**
- Introducing small gardens, orchards, and historical narrative plaques to pay homage to and **celebrate the existing historic resources**
- Fostering low-light ambience in accordance with **dark-sky principles**
- Providing green building **sustainability initiatives**
- Providing **adequate on-site parking** with no public street parking
- Promotion of **guest walkability** to local restaurants, shops, and entertainment venues
- Providing hotel shuttle service on a daily timetable to transport guests (in groups) to local destinations to **reduce potential impact on traffic**
- Providing small upscale **local restaurant and wellness spa open to public**

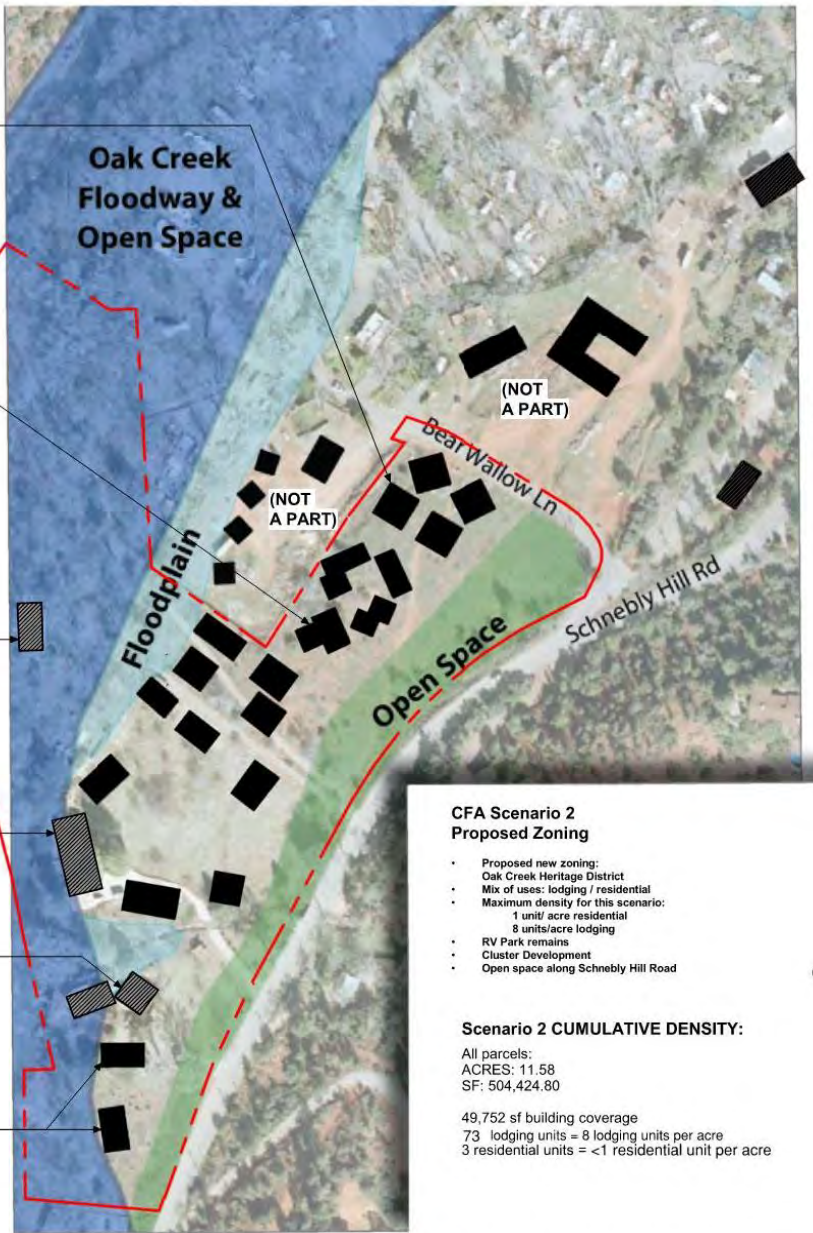
63 LODGING UNITS
 # 401-11-002F,
 #401-12-016C,
 #401-11-0361,
 #401-18-031G,
 ACRES: 7.9
 +/- SF: 344,124
 32,900 sf building coverage
 1,363 sf - 2,575 sf envelope range
 8 lodging units per acre
 0 residential units per acre

1 RESIDENTIAL UNIT
 W/ DETACHED GARAGE
 # 401-18-031B
 ACRES: .87
 SF: 37,487
 3,625 sf building coverage
 1,380 sf - 1,884 sf envelope range
 0 lodging units per acre
 1 residential units per acre

1 RESIDENTIAL UNIT
 W/ ATTACHED GARAGE
 # 401-18-031D
 ACRES: .96
 SF: 41,846
 +/- 4,349 sf building coverage
 1,380 sf - 1,884 sf envelope range
 0 lodging units per acre
 <1 residential units per acre

1 RESIDENTIAL UNIT
 W/ DETACHED GARAGE
 # 401-18-002C
 ACRES: .803
 SF: 35,000.00
 +/- 3,286 sf building coverage
 1,630 sf - 1,656 sf envelope range
 0 lodging units per acre
 <1 residential units per acre

9 LODGING UNITS
 #401-18-002C
 ACRES: 1.13
 SF: 49,558.00
 +/- 3,793 sf building coverage
 1,623 sf - 1,970 sf envelope range
 7.96 lodging units per acre
 0 residential units per acre



**CFA Scenario 2
 Proposed Zoning**

- Proposed new zoning: Oak Creek Heritage District
- Mix of uses: lodging / residential
- Maximum density for this scenario:
 1 unit/ acre residential
 8 units/acre lodging
- RV Park remains
- Cluster Development
- Open space along Schnebly Hill Road

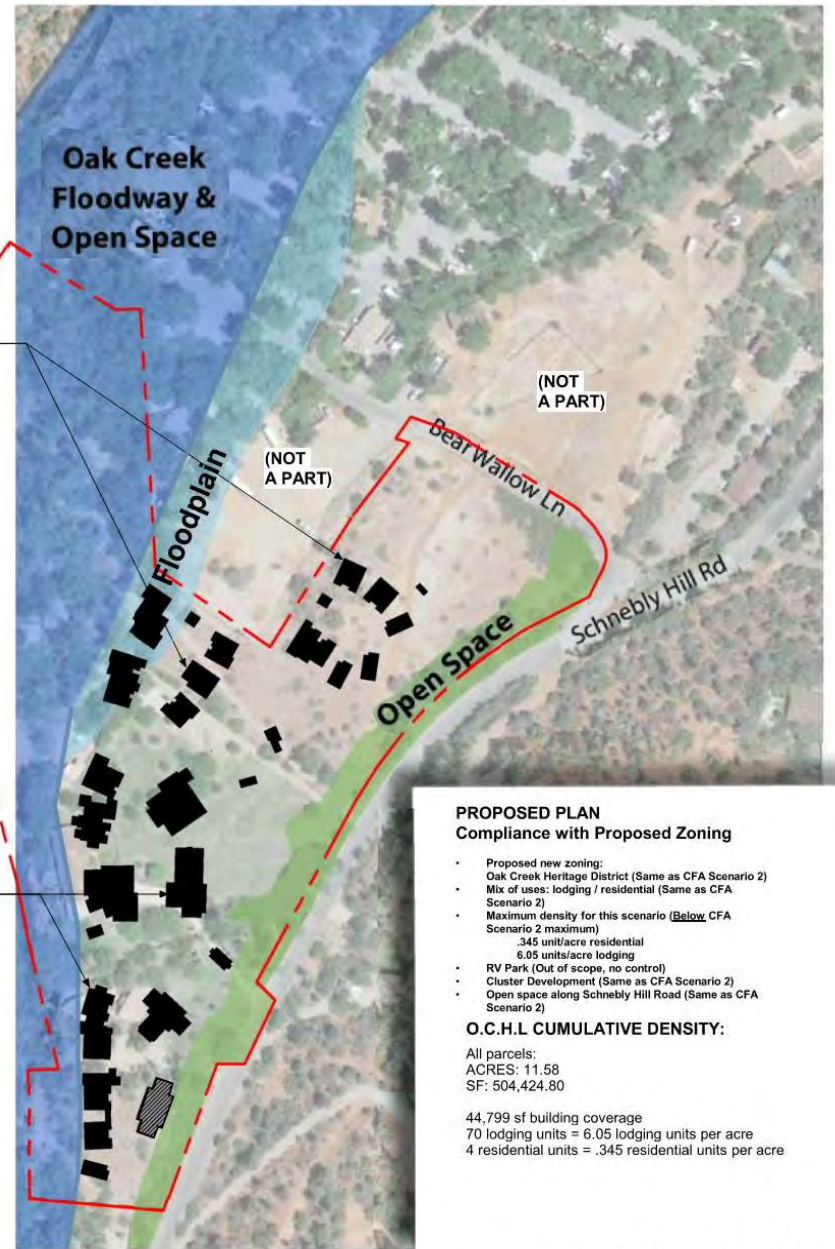
Scenario 2 CUMULATIVE DENSITY:

All parcels:
 ACRES: 11.58
 SF: 504,424.80

49,752 sf building coverage
 73 lodging units = 8 lodging units per acre
 3 residential units = <1 residential unit per acre

41 LODGING UNITS
 # 401-11-002F
 #401-18-031B
 # 401-11-0061
 # 401-12-016C
 ACRES: 6.72
 SF: +/- 292,723
 16,303 sf building coverage
 120 sf - 2,835 sf envelope range
 6.1 lodging units per acre
 0 residential units per acre

29 LODGING UNITS
 4 RESIDENTIAL UNITS
 # 401-18-031D
 #401-18-001A
 # 401-18-002C
 #401-18-002C
 # 401-18-031G
 ACRES: 4.86
 SF: +/- 211,701.60
 28,970 sf building coverage
 690 sf - 4,190 sf envelope range
 5.97 units per acre
 .82 residential units per acre



**PROPOSED PLAN
 Compliance with Proposed Zoning**

- Proposed new zoning: Oak Creek Heritage District (Same as CFA Scenario 2)
- Mix of uses: lodging / residential (Same as CFA Scenario 2)
- Maximum density for this scenario (Below CFA Scenario 2 maximum)
 .345 unit/acre residential
 6.05 units/acre lodging
- RV Park (Out of scope, no control)
- Cluster Development (Same as CFA Scenario 2)
- Open space along Schnebly Hill Road (Same as CFA Scenario 2)

O.C.H.L CUMULATIVE DENSITY:

All parcels:
 ACRES: 11.58
 SF: 504,424.80

44,799 sf building coverage
 70 lodging units = 6.05 lodging units per acre
 4 residential units = .345 residential units per acre

Figure from Page 11 of Schnebly CFA Plan

2 CFA SCENARIO 2
 1" = 160'-0"

1 PROPOSED SITE
 1" = 160'-0"

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	DC
Residential																			
Household Living																			
Dwelling, Co-Housing							P	P	C	P								P	3.3.A(1)
Dwelling, Duplex							P	P	C	P	P							P	
Dwelling, Live/Work										P	C	P	C	C	C	A		P	3.3.A(2)
Dwelling, Multifamily							P	P	P	P	P	P	P	P	P	A		P	3.3.A(3)
Dwelling, Single-Family Attached							P	P	C	P	P		C		C			P	3.3.A(4)
Dwelling, Single-Family Detached	P	P	P	P	P	P	P	P	C	C								P	3.3.A(5)
Manufactured Home					P	P	C	C	C										3.3.A(6)
Group Living																			
Assisted Living Center										P	P	P	P		P	P			
Dormitory							C	C	C	C	P	P	C						
Public, Institutional, and Civic Uses																			
Community and Cultural Facilities																			
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	3.3.B(1)
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			

Section 3.2.E.: Table of Allowed Uses - OC District

Section 3.2.E.: Table of Allowed Uses - OC District

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
Indoor Recreation Facility								A	A	P	P	P	P	P	P	P			3.3.C(5)
Outdoor Recreation Facility	CA	CA	CA	CA	A	A	A	A	A		C	C	C	C	C	C	C	P	3.3.C(6)
Food and Beverage Services																			
Bar, Tavern, Lounge, or Tasting Room										C	P	P	P	P	P			P	3.3.C(7)
Catering Establishment											P	P	P	P	P				
Microbrewery, Distillery, or Winery										C	P	P	P	P	P			P	3.3.C(8)
Mobile Food Vending										P	P	P	P	P	P	P		C	3.3.C(9)
Restaurant										P	P	P	P	P	P			P	3.3.C(10)
Restaurant with Drive-Through											C	P	P	P					3.3.C(11)
Office, Business, and Professional Services																			
Administrative, Professional, or Government Office										P	P	P	P	P	P	P		P	3.3.C(12)
Financial Institution										P	P	P	P	P	P				3.3.C(13)
Lodging																			
Lodging, Fewer than Seven Units										P	P	P	P		P			P	3.3.C(14)
Lodging, Medium-Density											P				P			P	3.3.C(14)b
Lodging, High-Density															See 3.3				→ 3.3.C(14)c
Personal Services																			
Personal Services, General										P	P	P	P	P	P			P	3.3.C(15)
Laundromat, Self-Service							A	A	A	P	P	P	P	P	P				3.3.C(16)
Retail Sales																			

OC District Lodging, Medium-Density, Definition

Lodging, Medium-Density

- Per Section 3.2.E. Table of Allowed Uses, **Lodging, Medium-Density, is a permitted use in the OC District.**
- Per Section 9.4.C., **Lodging, Medium-Density** is defined as a building, portion of a building or buildings consisting of seven or more units offered for transient lodging accommodations at a daily rate and that meets the density and other standards in Section 3.3.C(14)b. Accessory uses may include additional services such as restaurants, meeting rooms, and recreational facilities. **This use includes hotels, motels, timeshares, boarding house, bed and breakfast, cottages, bungalows and similar lodging**, but does not include foster homes, sheltered care homes, nursing homes or primary health care facilities. In the OC zoning district, alternative lodging types may include cabins and other similar permanent structures, but do not include RVs and tents or tent-like structures
- Per Section 3.3.C(14)b: **Lodging, Medium-Density shall not exceed a maximum density of eight lodging units per acre.**

OC District Permitted Uses

Dwelling, Multifamily

- Per Section 3.2.E. Table of Allowed Uses, **Dwelling, Multifamily is a permitted use** in the OC District.

Meeting Room

- Per Section 3.2.E. Table of Allowed Uses, **conference/meeting facility is allowed** as an **accessory use** in the OC District.

Bar/Lounge

- Per Section 3.2.E. Table of Allowed Uses, **bars, taverns, lounges,** and tasting rooms is a **permitted use in the OC District.**
- Per Section 3.3C(7)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.

OC District Permitted Uses

Restaurant

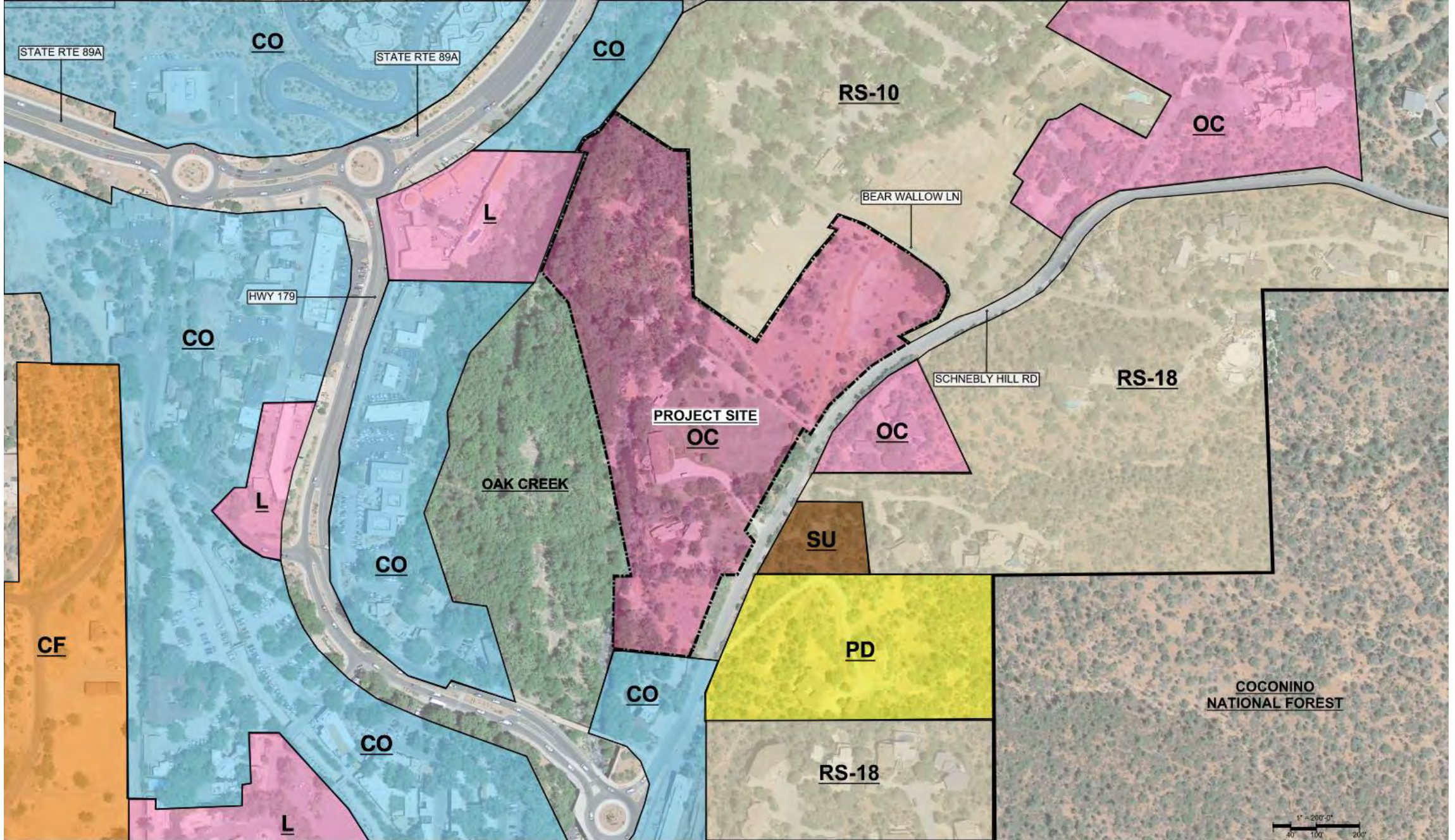
- Per Section 3.2.E. Table of Allowed Uses, **restaurant is a permitted use in the OC District.**
- Per Section 3.3.C(10)b, in the OC district, restaurants as a primary use shall only be allowed within 750 feet of the SR 179 roundabout. **Restaurants may be allowed as accessory uses to residential, lodging, 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.

Wellness Spa

- Per Section 3.2.E. Table of Allowed Uses, **personal services is a permitted use in the OC District.**
- Per Section 3.3.C(15)d, 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.



Vicinity Map



Zoning Context Map



7. 251 AZ-179



4. 313 AZ-179



5. 313 AZ-179



11. Adjacent Residence



12. Adjacent Residence



6. 341 AZ-179



1. Tlaquepaque Arts & Shopping Village



13. Adjacent Residence



14. Adjacent Residence



3. 431 AZ-179



2. 537 AZ-179



9. 411 AZ-179 West Elevation



8. Residential Neighborhood to East



10. 25 Schnebly Rd. West Elevation

Neighborhood



View from State Route 89A at Uptown



View of Site from Schnebly Hill Road driving North



View of Site from Schnebly Hill Road and Bear Wallow driving South



View of Site from Schnebly Hill Road driving South



7. Hart Pump House



6. South Cluster Material Palette



5. Schnebly House in Oak Creek Canyon



4. Central Cluster Material Palette



8. West Cluster Material Palette



9. Sedona Residence, CFA reference.



10. Tlaquepaque Arts Villages



11. North Cluster Material Palette



12. Faley Homestead



3. Jordan Sales Building



2. Garland Building



1. Wade Weissmann Cabin - CFA Example

- Central Cluster:

The Central Cluster is inspired by historic stone masonry and wood construction found locally. The Sedona Jordan Historical Fruit Packaging House, along with the Jordan Sales Building, were the two main influences for the architectural coloration and detailing.

- South Cluster:

The South Cluster is inspired by traditional agricultural and barn architecture that was infused into the southwest region. The Sedona Hart Pump House and the Schnebly House were the two main influences.

- West Cluster:

The West Cluster is inspired by contextual wood and plaster buildings found near the project site. Key influential case studies include the Tlaquepaque Arts Village, Garland Building and several residential timber/stucco buildings throughout the Oak Creek Historical District.

- North Cluster:

The North Cluster is inspired by traditional rustic wood buildings found near the project site. Key influential case studies include the Faley Homestead and the Weissman Cabin.



Arrival



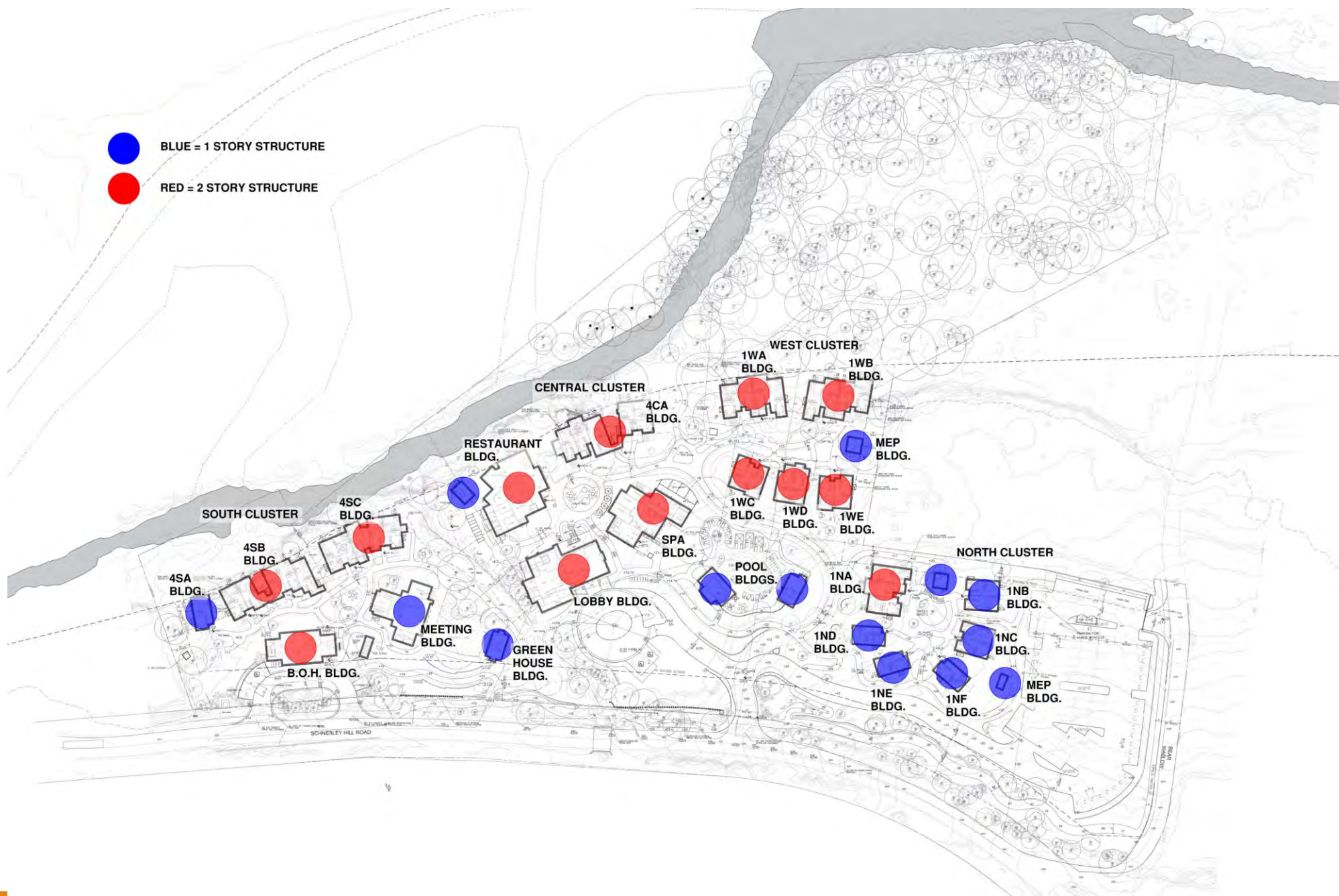
Pedestrian Bridge



Guestrooms



Reconstructed 95SHR Cottage with Heritage Gallery & Apple Orchard



Building Story Diagram

Planting Plan

Key highlights:

- Planting goals include keeping the site naturalized, maximizing preservation of existing trees and utilizing native plants of low water use
- Layout preserves 49% of the site as open space
- The project preserves 53% of the existing 945 trees
- The proposed palette includes a mix of riparian and transitional planting species
- 87% of plants are native
- Only 1.57% of the total landscape area is used for lawn
- Parking lots provide the required amount planting areas and mix of deciduous and evergreen trees

PROPOSED PLANTING PLAN

SYMBOL	BOTANICAL COMMON NAME	AGE	PLANT SIZE	QTY	REMARKS
○	ARCTOSTAPHYLOS FRINGENS	30	NATIVE		
○	ARTEMISIA DRACUNCULOIDES	237	NATIVE		
○	ARTEMISIA X YONIS CASTLE	28	ADAPTIVE		
○	CELANOLES INTEGERRIMUS	79	NATIVE		
○	LYPHISIA VERUS	79	NATIVE		
○	FRAXINUS LARGIFOLIA	61	NATIVE		
○	FORSTYRIA MICROCARPA	10	NATIVE		
○	GARZYA WINDY	24	NATIVE		
○	GUTIERREZIA SARGENTII	34	NATIVE		
○	LEGUMINUM FRUTESCENS	10	ADAPTIVE		
○	LYRABIA SIA Y FLOIDA	244	NATIVE		
○	MALE EMERGISA RIGENS	2	NATIVE		
○	NOBILIA MEXICANA	27	NATIVE		
○	PENTSTEMON PALMERI	141	NATIVE		
○	PELSEA TRIPOLATA	5	NATIVE		
○	OLEURIA THIBELLII	18	NATIVE		
○	IRIDIUM ALBUM	22	NATIVE		
○	ROSMARINUS OFFICINALIS	30	ADAPTIVE		
○	SALVA DORIS	169	NATIVE		
○	SALVA PARMACIA	46	ADAPTIVE		
○	SYMPHORICARPOS	55	NATIVE		
○	SYMPHORICARPOS	5	REGIONALLY APPROPRIATE		

SYMBOL	BOTANICAL COMMON NAME	QTY	REMARKS
○	ARCTOSTAPHYLOS FRINGENS	30	NATIVE
○	ARTEMISIA DRACUNCULOIDES	237	NATIVE
○	ARTEMISIA X YONIS CASTLE	28	ADAPTIVE
○	CELANOLES INTEGERRIMUS	79	NATIVE
○	LYPHISIA VERUS	79	NATIVE
○	FRAXINUS LARGIFOLIA	61	NATIVE
○	FORSTYRIA MICROCARPA	10	NATIVE
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○	ROSMARINUS OFFICINALIS	30	ADAPTIVE
○	SALVA DORIS	169	NATIVE
○	SALVA PARMACIA	46	ADAPTIVE
○	SYMPHORICARPOS	55	NATIVE
○	SYMPHORICARPOS	5	REGIONALLY APPROPRIATE

SYMBOL	BOTANICAL COMMON NAME	QTY	REMARKS
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○	ROSMARINUS OFFICINALIS	30	ADAPTIVE
○	SALVA DORIS	169	NATIVE
○	SALVA PARMACIA	46	ADAPTIVE
○	SYMPHORICARPOS	55	NATIVE
○	SYMPHORICARPOS	5	REGIONALLY APPROPRIATE

○	LONGERA JAPONICA	M	REGIONALLY APPROPRIATE
○	WATERIA FRUTESCENS	B	REGIONALLY APPROPRIATE

CODE COMPLIANCE CHARTS

PLANT MATERIAL QUANTITY COMPLIANCE (SECTION 5.6C(1)a.2)
NET LANDSCAPE AREA OUTSIDE OF FLOODWAY: 142,117 SF

TREES REQUIRED: 355

TRANSITIONAL NON-RIPARIAN SHRUBS ALLOWED: 400
(1 TREE + 3 SHRUBS PER 400 SF OF PLANTING AREA)

RIPARIAN SHRUBS ALLOWED: 673
(1 TREE + 5 SHRUBS PER 400 SF OF PLANTING AREA)

HERITAGE AGRICULTURE SHRUBS ALLOWED: 502
(1 TREE + 6 SHRUBS PER 400 SF OF PLANTING AREA)

TOTAL SHRUBS ALLOWED: 1,580

NATIVE AND NON-NATIVE COMPLIANCE (SECTION 5.6C(1)b.2)
(REQUIRED: 75% OF ALL PLANTS MUST BE NATIVE)

TREES:	NATIVE	ADAPTIVE/REGIONALLY APPROPRIATE	TOTAL
SHRUBS:	113	81	194
	1,459	147	1,606

TOTAL TREES AND SHRUBS: 1,800
PERCENTAGE OF NATIVE PLANTS PROVIDED: **87%**

LAWN % COMPLIANCE (SECTION 5.6C(1)d.1)

% ALLOWED: 10% MAXIMUM
% PROVIDED: 1.57% (2,234 SF OF A TOTAL 142,117 SF NET LANDSCAPE AREA)

GROUND COVER/LAWN % COMPLIANCE PROVIDED OUTSIDE 500 YEAR FLOOD PLAIN (SECTION 5.6C(1)d.1)

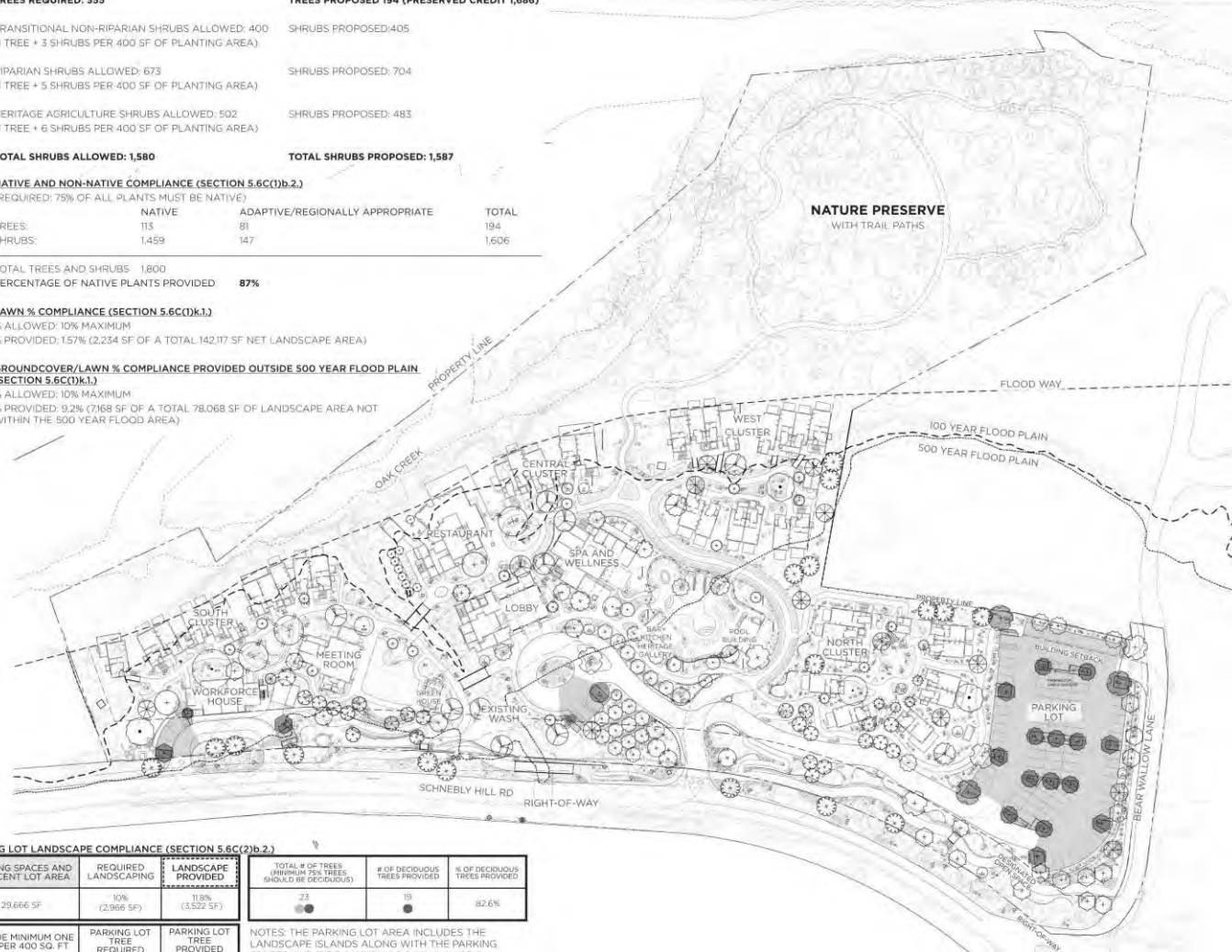
% ALLOWED: 10% MAXIMUM
% PROVIDED: 9.2% (7,168 SF OF A TOTAL 78,068 SF OF LANDSCAPE AREA NOT WITHIN THE 500 YEAR FLOOD AREA)

PARKING LOT LANDSCAPE COMPLIANCE (SECTION 5.6C(2)b.2)

PARKING SPACES AND ADJACENT LOT AREA	REQUIRED LANDSCAPING	LANDSCAPE PROVIDED	TOTAL # OF TREES (MINIMUM 75% TREES SHOULD BE DECIDUOUS)	# OF DECIDUOUS TREES PROVIDED	% OF DECIDUOUS TREES PROVIDED
29,666 SF	10% (2,966 SF)	3,522 SF	23	19	82.6%

PROVIDE MINIMUM ONE TREE PER 400 SQ. FT.	PARKING LOT REQUIRED	PARKING LOT PROVIDED
5,884 SF OF PARKING LOT LANDSCAPE	9	23

NOTES: THE PARKING LOT AREA INCLUDES THE LANDSCAPE ISLANDS ALONG WITH THE PARKING SPACES AND CIRCULATION AS SHOWN IN GRAY



THE PLANT PALETTE

Riparian



Platanus wrightii
Arizona Sycamore NA, C, H



Salix goodingii
Goodings Willow NA, C, H



Rhus trilobata
Skunkbush NA, C, L



Vitis arizonia
Canyon Grape NA, YL, L



NA, C, M



Ephedra viridis
Green Ephedra NA, C, M/L



Ribes aureum
Golden Currant NA, YL, L



Mirabilis multiflora
Colorado Four O' Clock NA, YL, L



Ptelea trifoliata
Hop Tree NA, C, L



Forestiera neomexicana
New Mexico Olive NA, C, M/L



NA, C, VL



Salvia dorrii
Desert Sage NA, YL, L

THE PLANT PALETTE

Non-Riparian Transitional



Juniperus scopulorum
Rocky Mountain Juniper NA, C, L



Pinus edulis
Pinyon Pine NA, C, L



Nolina microcarpa
Bear Grass NA, C, L



Arcostaphylos pringlei
Pringle Manzanita NA, C, VL



Quercus gambelii
Gambel Oak NA, C, L



Symphoricarpus rotundifolius
Roundleaf Snowberry NA, C, M/L



Juniper deppeana
Alligator Juniper NA, C, L



Desmodium grahamii
Graham's Ticktrefoil NA, YL, L



Mirabilis multiflora
Colorado Four O' Clock NA, YL, L



Prosopis Velutina
Velvet Mesquite NA, C, M



Bouteloua gracilis
Blue Grama NA, YL, L



Ericameria laricifolia
Turpentine Bush NA, C, L



Ceanothus integerimus
Deer Brush NA, C, VL

THE PLANT PALETTE

Heritage Agriculture



Prunus americana
American Plum AD, C, M



Malus domestica/*Malus* 'Wolf River'/ *Malus domestica* 'Black Twig'/ *Malus* x 'King David'/ *Malus domestica* 'Mendocino Cox'
Apple RA, HA, M



Salvia dorrii
Desert Sage NA, YL, L



Mirabilis multiflora
Colorado Four O' Clock NA, YL, L



Rosmarinus officinalis
Rosemary AD, C, L



Lupinus palmeri
Bluebonnet Lupine NA, YL, L



Bouteloua Dactyloides
Buffalo Grass RA, HA, L



Wisteria frutescens
Wisteria RA, HA, M



Thymus praecox arcticus
Creeping Thyme RA, HA, L



Desmodium grahamii
Graham's Ticktrefoil NA, YL, L



Leucophyllum frutescens
Texas Sage NA, C, L



Forestiera neomexicana
New Mexico Olive NA, C, M/L



Lonicera japonica
Japanese Honeysuckle RA, HA, H



Artemisia dracunculus
Tarragon NA, YL, L



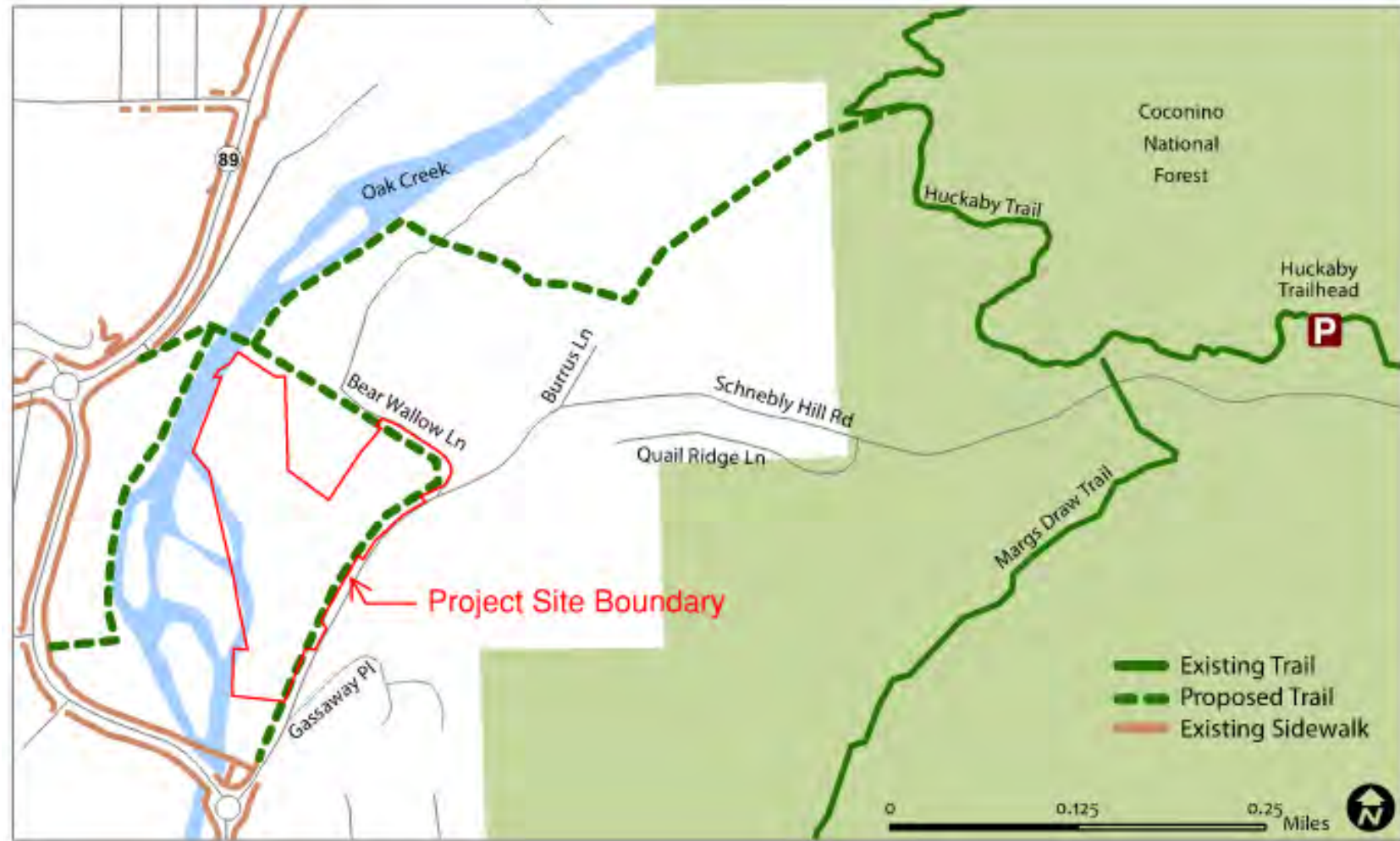
Prunus persica
Peach Tree RA, HA, M



Syringa x Bloomerang
Bloomerang Lilac RA, HA, M

Schnebly CFA Objectives: Potential Pedestrian & Bicycle Network

- This **CFA map** shows potential routes that could create a connected system of pedestrian and bicycle paths.
- The intent is to provide **safe and convenient access** to Uptown and the National Forest Trail System.



Schnebly CFA Objectives: Site Application

- Minor network of pathways proposed within the Floodway near north section of Oak Creek.
- **Public trails** proposed along Schnebly Hill Road and Bear Wallow Lane.
- **Creek site easement** provided along the western part of the site for future trail by the City.
- Shifted all internal roads, parking, and main drop off away from the floodway and Oak Creek.



SCHENBLY HILL ROAD TRAIL OPTIONS

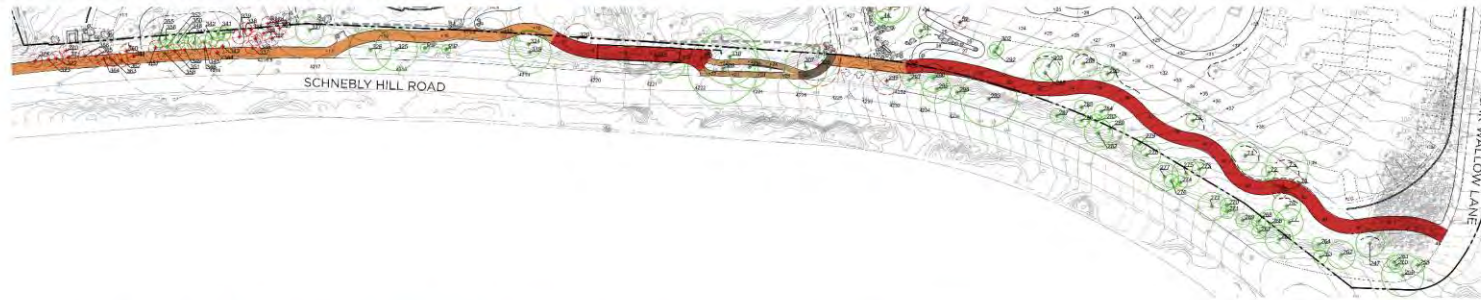
OPTION 1: AS PROPOSED

A. EXISTING TREES
TREES REMOVED: 40
TREES PRESERVED: 75

B. IRRIGATION CHANNELS:
PRESERVES BOTH IRRIGATION CHANNELS

LEGEND

- 4' WIDE
- 6' WIDE
- 8' WIDE
- 10' WIDE
- TREES REMOVED
- TREES PRESERVED



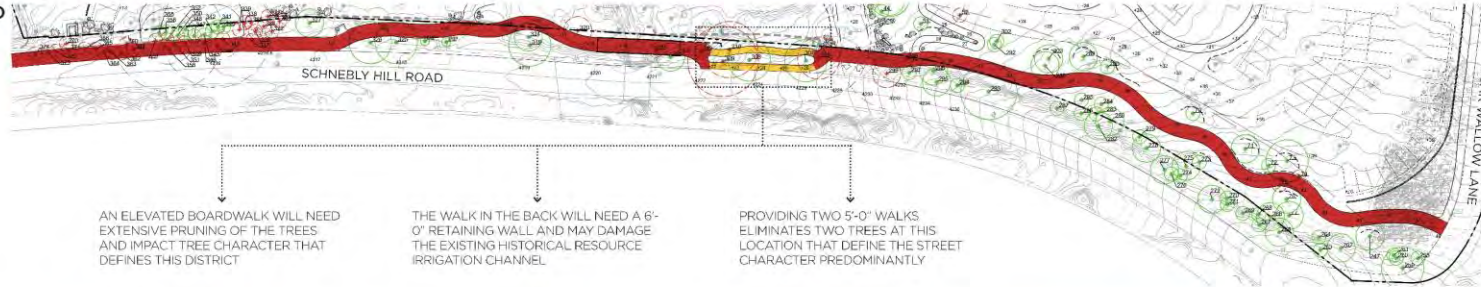
OPTION 2: AS REQUESTED

A. EXISTING TREES
TREES REMOVED: 43
TREES PRESERVED: 72

B. IRRIGATION CHANNELS:
MAINTAINS BOTH IRRIGATION CHANNELS

LEGEND

- 5' WIDE
- 10' WIDE
- TREES REMOVED
- TREES PRESERVED



OPTION 3: CITY PROPOSED

A. EXISTING TREES
TREES REMOVED: 57
TREES PRESERVED: 58

B. IRRIGATION CHANNELS:
SEVERE IMPACT ON EXISTING HISTORICAL RESOURCE IRRIGATION CHANNELS

LEGEND

- 10' WIDE
- TREES PRESERVED
- TREES REMOVED



OPTION 4: WIDER ROAD WIDTH

A. EXISTING TREES
TREES REMOVED: 51
TREES PRESERVED: 64

B. IRRIGATION CHANNELS:
PRESERVES BOTH IRRIGATION CHANNELS

LEGEND

- 10' WIDE
- TREES REMOVED
- TREES PRESERVED



NOTE: TREE COUNT ON ALL OPTIONS REFLECTS THE RIGHT-OF-WAY AREA SOUTH OF THE ENTRANCE DRIVE AND FROM STREET CURB TO PARKING DRIVE NORTH OF THE ENTRANCE DRIVE.

Schnebly CFA Objectives:

Historic Preservation

Preserve and celebrate the history

- The existing **historic resource irrigation channels and both wells** are preserved in place. Trails and walks are provided for visual access to these remnants.
- **Interpretive signs accessible to the public** will be provided to pay homage to and learn about the property's history.
- **Repurpose materials** salvaged from the existing building structures to form art pedestals, platforms, and sculptures.
- Promote **art that celebrates local history, culture and artists.**



ADDING TO SEDONA PUBLIC ART

1 Ruth
by John Waddell is one of America's celebrated sculptors of the 20th Century, at Sedona V.V. Medical Center

2 The Healer
by Joe Beeler depicts this Native American Shaman and his love of all creatures, at Sedona V.V. Medical Center

3 Sedona Schnebly
by Susan Kleiwer stands 10 ft. high depicting our city's namesake and pioneer, at the Sedona Public Library

4 Of Fears & Dreams: American Priorities Revisited
by Nancy Robb Dunst and Red Rock High School students envisions their priorities, at the Sedona Public Library

5 Caduceus
by James N. Muir is the Angel of Healing rising like the phoenix to heal the Earth, at Goldenstein Gallery

6 Coyotes in the Garden
by Steve Smith is a whimsical depiction of these Native American tricksters, at Arroyo Pinon Botanical Park

7 Anasazi Fountain
by John M. Soderberg questions the transient nature of Mankind, at Sedona City Hall

8 GlasScape
by Joanne Hiscox depicts Sedona's red rock glow at sunset at Sedona Rouge Hotel & Spa

9 Heart of the Hound - Sout of the Car
by James N. Muir is a poignant reminder that all animals need a home, at Sedona Humane Society

10 Invocation
by John M. Soderberg is A Teysa Indian gives thanks for Earth's bounty, at Jack Jameson Memorial Park

11 Merlin
by John Soderberg is the Sedona icon of the movie "Sedona," at the Whole Foods Market

12 Apple Turnover
by Fuller Barnes reminds us of Sedona's first apple orchards in found metal, at the Sedona Heritage Museum

13 Storytelli'n' Cowboy with Josie and Joey
relates the knack of "spinnin' yarns" about the Old West, at Sedona

14 Welcome
by Eugenia Everett greets all visitors, at the Sedona Arts Center

15 Peace
by Nassan Gobran Egyptian sculptor who worked with surrealist Max Ernst, at the Sedona Arts Center

16 Have-Aloha
by Andrea Smith is part of the colorful Javalinas on Parade City Project, Main St. in Uptown

17 Birdwoman: Sacagawea & Pomp
by John M. Soderberg helped the Lewis & Clark Expedition meet their goals, Main St. in Uptown

18 Red Rocks and the Cowboy Artist
by Clyde Ross Morgan depicts Sedona's own Joe Beeler, founder of the Cowboy Artists of America, Main St. in Uptown

19 Astral Voyagers
by Larry and Gayle Taylor is a colorful vision out of this world! Main St. in Uptown

20 The Dance
by James N. Muir spins gracefully in a never-ending waltz everyone can enjoy in front of the historic Cowboy Club

21 Heart of the West
by James N. Muir Once faced with extinction, the hardy Spanish Colonial horse was brought here by the Spanish Conquistadors, Main St. in Uptown

22 Ice Cream Treat
by Karl Jensen is a classic favorite for any child, Main St. in Uptown

23 Tlaquepaque Chapel
The Saints by Eileen Conn was commissioned by Abe Miller, the creator of Tlaquepaque.

24 Follow the Leader
by W. Stanley Proctor captures a happy moment of a simpler time, at Hillside Sedona

25 First Mate Pounce
by W. Stanley Proctor couldn't make a boy happier fishin' at Hillside Sedona

26 Pondering
by Barbara R. Brown is a frog's favorite pastime. See if you can find him at Hillside Sedona!

27 Voices in Stone
by Ken Ottinger was inspired by Mayan and Pre-Columbian symbology at Hillside Sedona.

28 Chapel of the Holy Cross
was commissioned by Marguerite Brunswig Staude and designed by August K. Strotz.

SITE ART & SIGNAGE

ART

Sedona's art scene is diverse and represents its vibrant and eclectic way of life. Sedona is home to hundreds of artists whose styles include individualistic, contemporary, visionary, Native American, and modern realism expressions. The project offers opportunities to pay homage to the artists of the past as well as those emerging strong on the horizon.

- Promote art that celebrates local history, culture and artists.
- Utilize preserved areas to develop art destinations that invites/engages visitors to the site and orients them to the area's local history.
- Structure art arounds specific site areas that pay homage to its history, existing agricultural remnants, and the structures that will be removed.
- Re-purpose materials salvaged from the site structures to form art pedestals, platforms and sculptures.
- Establish goals for art that explore the following objectives:
 - Accentuate/frame views from the site;
 - Highlight the Oak Creek corridor and the geological formations of the red rocks;
 - Connect with the earth and the sky;
 - Promote nature immersion and mindfulness; and
 - Express art through site objects such as fire features, walls, and gates.

LEGEND

SCULPTURE/PAINTING	SITE COMPONENTS
1 MURALS	5 FIRE FEATURES
2 PEBBLE/ROCK MOSAIC	6 FEATURE WALL/GATE
3 OBJECTS	7 HERITAGE GALLERY
4 MAPS	8 RAIN CHAIN
● PUBLIC ART OPPORTUNITIES	● CLUSTER ART OPPORTUNITIES

SIGNAGE

Proposed signage is simple, artful and elegant. It utilizes the following principles of design:

- Understated scale and massing
- Extension of architecture and landscape walls
- Boulders with polished surface and steel lettering or steel panel with laser cut letters mounted on boulders

LEGEND

▲	HISTORICAL PLAQUE
● C	CLUSTER SIGN
● D	DIRECTIONAL SIGNS
● W	WAYFINDING SIGNS
● A	AMENITY IDENTIFICATION SIGN
✱	PRIMARY ENTRY MONUMENTATION
✱	SECONDARY ENTRY MONUMENTATION

overlay



Celebrating Historic Resources

- Irrigation Channel
- Well Sheds
- Remnant reuse of Cottage 95SHR



Schnebly CFA Objectives:

Celebrate the property's historical resources

Irrigation Channel & Well Sheds

- The existing **historic resource irrigation channels and water wells** are preserved in place and are integrated into the design.
- Commemorates the Farley and Steele families and their legacy with fruit farming
- **Preserving and celebrating** these remnants ensures the history of the site and area will be passed on to future generations.



Concrete Irrigation Channel



North Well



South Well

Schnebly CFA Objectives:

Celebrate the property's historical resources

Water Well Sheds

- The existing **historic resource well sheds** are integrated into the site design. Trails and walks are provided for visual access to these remnants.
- Interpretive signs will be provided to pay homage to and learn about the property's history.
- **Orchard trees** are proposed adjacent to the historic resource irrigation channels to pay homage to the agrarian history of the site.



Schnebly CFA Objectives:

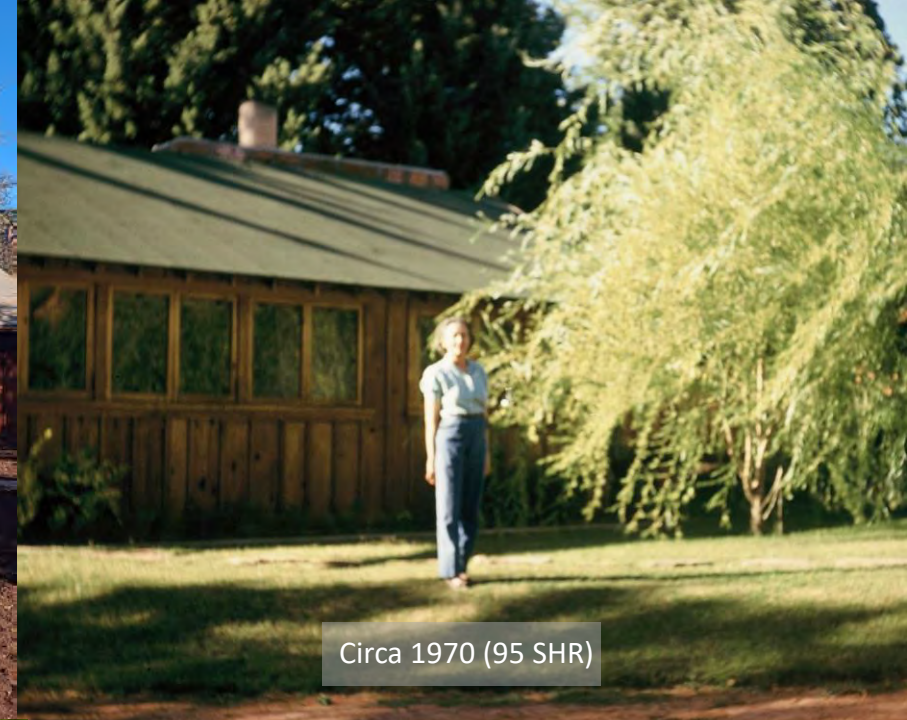
Celebrate the property's historical resources

95SHR Cottage

- Key materials from the original circa 1950 cottage will be used on the **entry road building**, which is designed in the same vernacular as the original 95SHR residence.
- The entry road building and **heritage gallery** will be experiential, allowing visitors to learn about the property through visual and textual mediums.
- The **key building components** reused: the board and batten siding, stone porch threshold, select wood trim, exterior sink, and original casement windows.
- **Orchard trees** are proposed adjacent to the building to address the riparian heritage of the site supported by Oak Creek.



Present (95 SHR)



Circa 1970 (95 SHR)



Present (95 SHR)



Proposed Entry Road Building

To preserve the quality of Oak Creek in accordance with ADEQ, **site drainage** elements:

- Site detention
- Rain catchment basin to prevent runoff from going into Oak Creek and provide water for landscape.
- Soakage area
- Biochar
- Tree wells

The post flows will be 35-45% of the pre-development flows.

The 4" waterline in Schnebly Hill Road will be **upgraded to an 8"** pipe, providing significantly increased flow for **better water pressure and firefighting ability**.

Grading throughout the site is at or very close to existing grades.



Fire Flow Analysis

Fire Flow Analysis

The minimum required fire flow at the Oak Creek Heritage Lodge is 1,500 gpm for a flow duration of 3 hours. As part of the OCHL project, a **water main upgrade** within Schnebly Hill Road will provide 1,500 gallons per minute to the project site.

Governing Codes & Analysis:

- City of Sedona Building Code (SBC), based on the International Building Code, 2018 Edition, as adopted and modified by the City of Sedona.
- Sedona Fire Code (SFC), based on **the International Fire Code (IFC), 2012 Edition**, as adopted and amended by Sedona Fire District.
- Fire & Life Safety Requirements For Fire Department Access and Water Supplies, Revised March 11, 2020, prepared by Sedona Fire Marshal's Office.
- CRR Policy 1316, Fire Flow Reductions in Sprinklered Buildings, prepared August 6, 2018, which is a Sedona Fire District official interpretation of Appendix "B" Section B105 of the 2012 IFC.

The minimum fire-flow and duration for the project is specified in Tables B105.2 and B105.1(2) (SFC B105.2). As specified in Table B105.1(2), a building of **Type V-B** construction with an adjoining floor area of 12,940 square feet requires a fire flow of 3,000 gallons per minute for a duration of 3 hours. Per Table B105.2, as amended by the City of Sedona Fire Marshal, buildings of Type V-B construction that are protected by an automatic sprinkler system in accordance with NFPA 13, the required fire flow is permitted to be reduced by 50%, but **not to less than 1,500 gallons per minute**.

Applying the 50% reduction: $3,000 \text{ gpm} \times 50\% = 1,500 \text{ gpm}$

Water Rights

- The existing residences directly withdraw water from the Creek.
- According to the nearby USGS stream gage, Oak Creek Near Sedona, AZ – 09504420, the mean annual flow rate in Oak Creek is 30 cubic feet per second (21,700.0 acre-feet per year).
- The Project has the **right to withdraw up to 28.2 acre-feet per year** from Oak Creek.
- The Project maximum allowable withdrawal is **approximately 0.1%** of the Oak Creek annual flow in the area.
- This small percentage will **not significantly affect creek flows**.

Floodway

- The **flood maps for Oak Creek were recently updated** in 2023 and 2024 utilizing state-of-the-art aerial mapping and risk modeling techniques along with 30-plus additional years of rainfall information.
- Per the fact sheet on Yavapai County's website: "Updated flood maps for the Yavapai County portions of Oak Creek became effective February 8, 2024. The **Yavapai County Flood Control District (YCFCD) led this project in conjunction with the Federal Emergency Management Agency (FEMA), Coconino County Flood Control District, and the City of Sedona**".
- Schnebly CFA - 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.
- Sedona LDC Section 5.7.D.(3).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.

Floodplain

- **Per Coconino County's Floodplain Regulations**, in Zones AE and Zone AH, the Base Flood Elevation (BFE) is determined from the FIS and/or FIRM. The **lowest floor elevations shall not be below the BFE.**
- **Per Sedona LDC Section 2.24.E(1)c, buildings' height within a city-recognized floodplain may be measured from regulatory floodplain elevation**, as established by the city's floodplain management study or a floodplain analysis prepared by a registered engineer.
- **Coconino County Flood Control District issued updated Floodplain Regulations in October of 2023.** The Regulations indicate in Section 5.2.2 Non-Residential Construction that: "Nonresidential construction, new, or substantial improvement, shall have the lowest floor either elevated to conform with 5.2.1.A, Section 5.2.1.B, or Section 5.2.1.C as appropriate, or, together with attendant utility and sanitary facilities. **Upon completion of the structure, certification by a registered professional engineer or surveyor** that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification; or certification by a registered professional engineer or architect that the floodproofing standards of this section are satisfied shall be provided to the Floodplain Administrator for verification."
- The Project **complies with Federal, State, and Local requirements for development adjacent to a Floodway.**

Table 1 - Saturday Midday Peak Hour Trip Generation

Alternative	Land Use	Weekday			Saturday	
		Daily	AM Peak	PM Peak	Daily	Midday Peak
Proposed	70 Hotel Rooms	559	32	41	565	50
	4 Dwelling Units	27	2	2	18	2
	Proposed Total	586	34	43	583	52

Table 2 - Saturday Midday Peak Hour Level of Service Summary

Approach	Without Project		With Project		Difference Delay (veh/s)
	Delay (veh/s)	LOS	Delay (veh/s)	LOS	
Northbound	312.5	F	335	F	22.5
Southbound	19.1	C	19.9	C	0.8
Eastbound	11.4	B	12.4	B	1.0
Overall Intersection	134.3	F	139.2	F	4.9

- As shown in Table 2, the proposed development is anticipated to increase delay by an average of 4.9 seconds (**less than a 1% increase in existing delay**) per vehicle during the Saturday peak hour.
- This can be **considered “the same level of delay”** as the **development does not meaningfully increase delay** at the intersection or on the intersection approach.

Traffic:
Level of Service (LOS)
Evaluation

Traffic:
Recommended
Street Improvements

#	Recommendation
1	Widen Schnebly Hill Road to 26' adjacent to the development.
2	If directed by City of Sedona, install additional speed limit signs north of the development for vehicles leaded southbound on Schnebly Hill Road.
3	If directed by City of Sedona, install a speed feedback sign on southbound Schnebly Hill Road to warn motorists when they exceed the posted speed limit.
4	If directed by City of Sedona, install a set of speed tables could be installed on Schnebly Hill Road.
5	If directed by City of Sedona, refresh pavement makings on Schnebly Hill Road to improve safety and visibility.
6	Implement a Travel Demand Management Program , which includes elements to reduce single-occupancy vehicles trips.
7	Pedestrian Crossing of Oak Creek, to reduce conflicts between vehicles and pedestrians. This improvement is part of the SIM Program.
8	Portal Lane Connection to provide an alternative route for vehicles exiting Tlaquepaque and making a U-turn at SR 179/Schnebly Hill Road. Removing these vehicles will reduce delay at this intersection. This improvement is part of the SIM Program.

Traffic: Sedona's Capital Improvement Program

(Excerpt from page 74 of
Sedona Community Plan 2024)

2020 Main Street Improvements

80% reduction in traffic congestion on 89A after building a median divider/
barrier, 2 southbound lanes, 2 roundabouts, and the new Owenby Rd.

2022 Northbound Improvements

18% efficiency improvement in traffic and pedestrian movement from the Amara
Lane Intersection Project.

2023-24 Northbound Improvements

50% improvement is expected after adding a
left-turn lane, two northbound lanes, and pathway
between The Y and Forest Road.

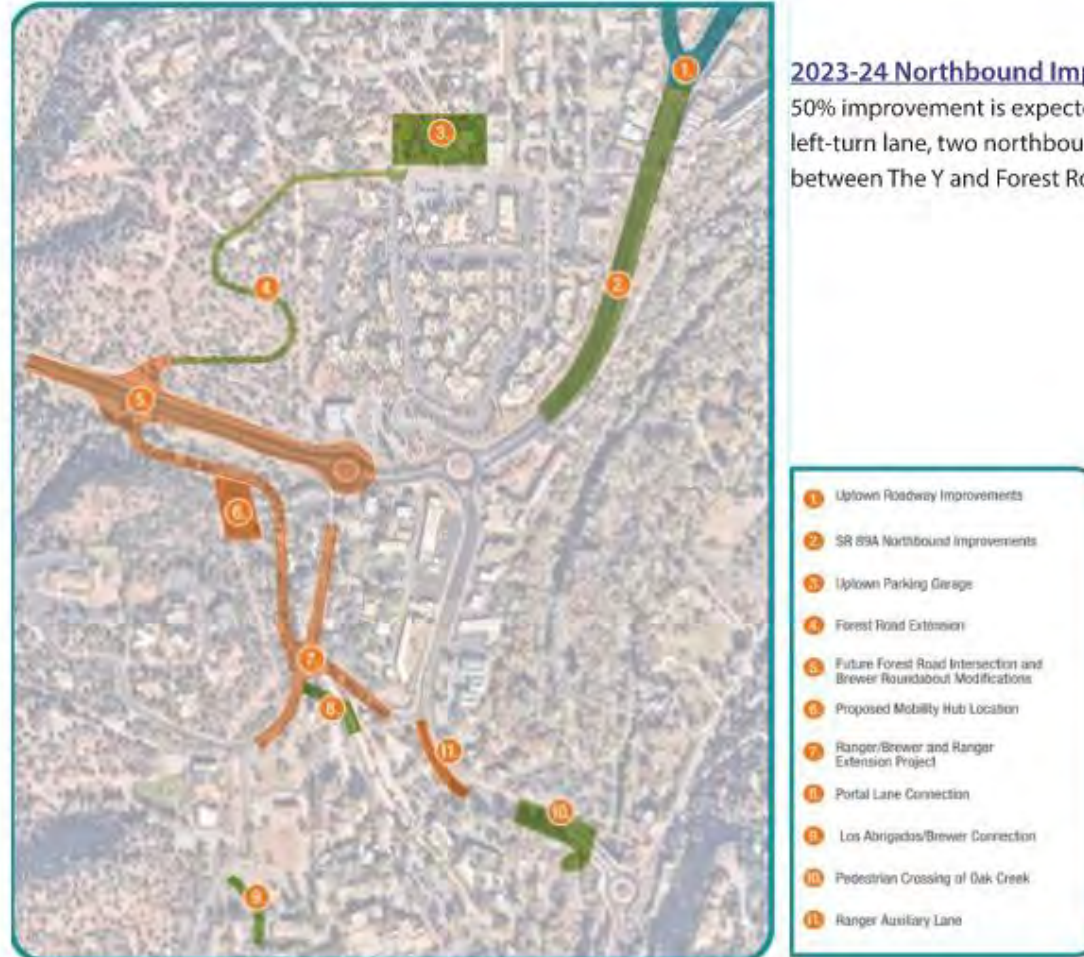


Figure 6.7. Map of Uptown projects that are complete, being designed, or in the study phase.

Traffic: Travel Demand Management

Travel Demand Management to Reduce Vehicle Trips and Emissions

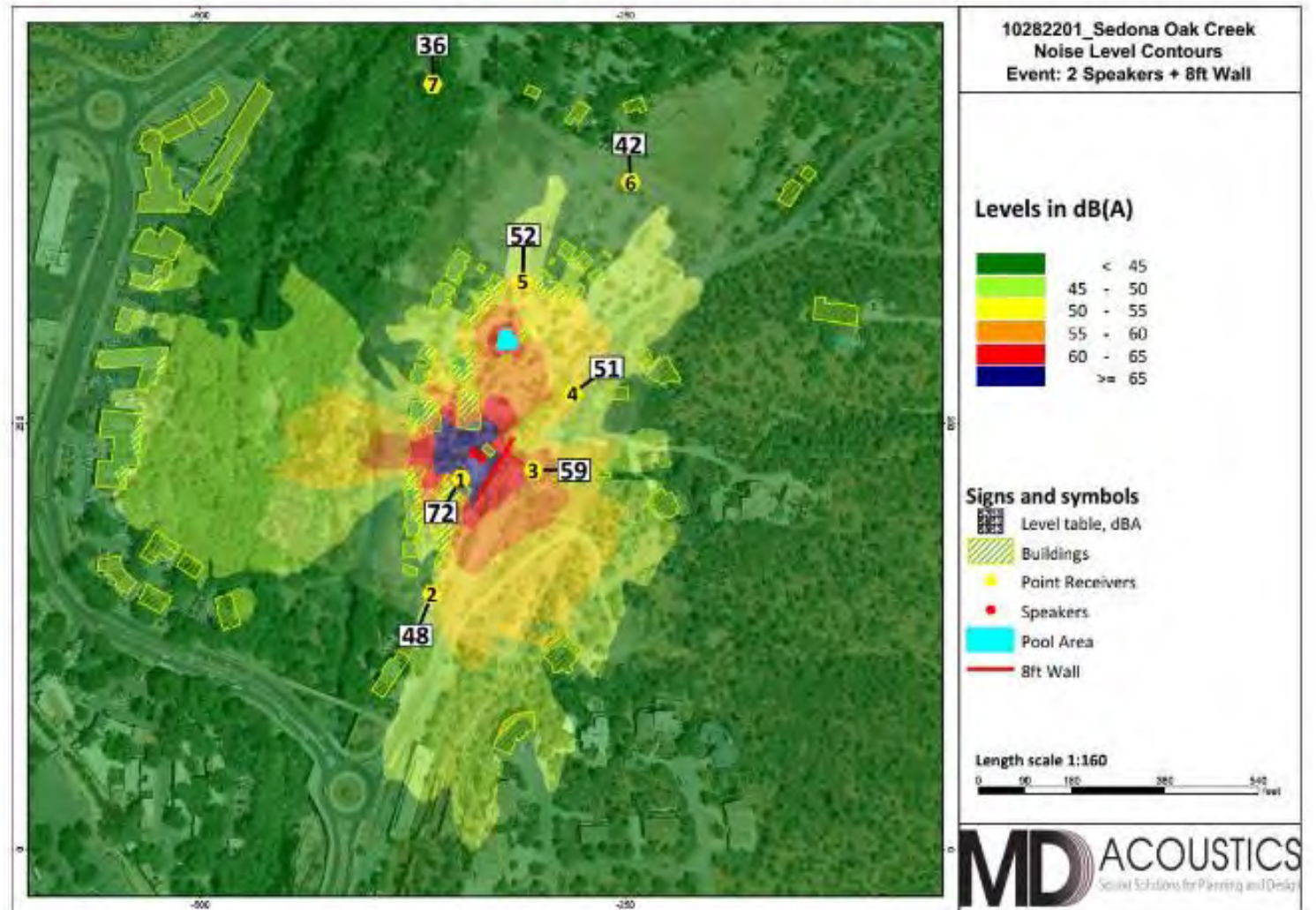
- **On-site employee transportation coordinator** to facilitate employee transportation alternatives and incentives:
 - Developing a Rideshare Registration for providing **ride-matching services**
 - Administering **incentive programs** for carpool, vanpool, transit use, bicycling, and walking
 - Marketing and promoting the commuter program
 - Conducting employee surveys to collect data employee means of travel arrival times, and interest in information on ridesharing opportunities
 - **100% valet operations for hotel guests**

Alternative Travel Modes

- Guests can enjoy **bicycles, electric bicycles, and walking paths** to explore the hotel site and adjacent commercial district
- Sedona Shuttle On-Demand MicroTransit
- **Electric shuttle van with fixed daily schedule to facilitate groups of guests** visiting local and key destinations within 2 miles of hotel, and transport guests to Sedona Shuttle stops/Park and Ride lots where they will use Sedona Shuttle to access trailheads

Noise Management

Figure 5: Sound Barrier Scenario



Sustainability Principals

CAP - SEDONA CLIMATE ACTION PLAN GUIDING PRINCIPALS



BUILDINGS & ENERGY

GOAL: Ensure long-term access to clean energy while reducing the fiscal and environmental impacts of consumption



TRANSPORTATION AND LAND USE

GOAL: Reduce transportation emissions and enhance community mobility



MATERIALS AND CONSUMPTION

GOAL: Increase the diversion of waste from the landfill and reduce GHG emissions associated with the consumption of goods and services



WATER AND NATURAL SYSTEMS

GOAL: Conserve community water resources by maximizing water efficiency technologies while ensuring a secure and sustainable water supply in the face of climate change impacts. Manage, restore, and foster resilient ecosystems, landscapes, and resources



CLIMATE RESILIENCE

GOAL: Ensure Sedona and its residents, businesses, visitors, facilities, and services are prepared for climate impacts, especially those at the highest risk



Community & Site



Water Use & Efficiency



Energy Use & Efficiency



Materials & Resource Use



Indoor Environmental Quality



Aesthetics, Education & Innovation

PROJECT SUSTAINABILITY GOALS & SYNERGIES



“LEED CERTIFIED”
3 PUBLIC BUILDINGS
LOBBY, RESTAURANT & SPA



Coconino County
BRONZE LEVEL CERTIFICATION



VVREO
Verde Valley Regional Economic Organization
BRONZE LEVEL CERTIFICATION

Project Specific
Water Conservation & Sustainability Study



Schnebly Community Focus Area Plan



Keep Sedona Beautiful



Arizona Public Service

Energy conservation

Reduce energy demand through conservation and energy efficient design utilizing the most impactful green building strategies:

- **Passive solar design** (shading, orientation, glazing, building envelope)
- Rooftop **photovoltaic solar panels** for use as renewable energy.
- **Low voltage LED light fixtures**. Automatic shut-offs for site lighting, while utilizing dimming systems to reduce night sky pollution.
- **Energy Star certified** equipment and appliances
- **Efficient Variable Refrigerant Flow (VRF)** heating and air-conditioning system with programmable energy conservation thermostats and room controls

Sustainability

Water conservation

- Utilize **low flow plumbing fixtures** (more efficient than code)
- Strategic placement of water refill stations throughout the property to encourage hotel guest reuse of bottles.
- Proposed irrigation with automatic controllers, **rain sensors, and smart metering of outdoor water use** will improve water conservation.
- Natural systems will be harvested, such as **rainwater collection and storage** to foster resilient natural eco systems.
- Utilize Heat Pump Water Heaters (energized with Solar and reduces natural gas use)

Materials and Consumption

- Trash and **recycling program** will be implemented by hotel operations.
- Hotel guests will be informed of the programs through emails, program flyers, and signs in guestrooms and throughout the property.
- Collaborate with Sedona Recycles, Compost Crowd, or other local vendors to **improve general waste, recycling, food waste, and composting diversion.**

Summary

- **Zoned** for hotel use – No rezoning required or requested
- Schnebly CFA Checklist – **Fully compliant** with **all** applicable strategy items
- Land Development Code Checklist – **Fully compliant** with **all** applicable Oak Creek District development standards
- **Celebrating** historic resources





OAK CREEK

HERITAGE LODGE

A COLLECTION OF THERAPEUTIC +
SUSTAINABLE LIVING EXPERIENCES



City Council

Thank you

Appendix A: Domestic Water Demand

Estimated Comprehensive Water Usage:

A3 Engineering (mechanical engineers) and WATG have developed three (3) methodologies to estimate the actual average GPD water use for the 70-unit Lodge with all accessory uses and fixtures included.

The result is average estimated GPD water use will be significantly less than the requirement for *infrastructure* design. The GPD impact to the municipal water system is further reduced when accounting for the limited water use from Oak Creek for irrigation purposes. **The actual average GPD water use is approximately 7,843 GPD.**

Methodologies and codes to determine estimated Domestic Water Demand (Average Gallons Per Day Use (GPD))	Three (3) Methods of Analysis (GPD)				Average
	Phoenix Design Stds. Table 8 (1)	User-Defined Assumptions (3)	Comparable Resort (LIDO House) (4)	Project Goal: USGBC LEED Calculator (2)	
A. Phoenix Design Stds. Table 8 (1)	21,600	N/A	N/A	N/A	
B. Code Based (GPD) (7)	N/A	11280	N/A	5,949	
C. LEED Certified Design of (3) Public Bldgs. (GPD)	N/A	7870	N/A	5,434	
D. Pool / Spa Study (GPD) (5)	N/A	700	N/A	700	
E. Comparable Resort Analysis (4)	N/A	N/A	8825	N/A	
F. Landscape Irrigation (GPD) (6)	N/A	3462	3698	3,462	
SUBTOTALS: Estimated Gallons Per Day (GPD)	21,600	12,032	12,523	9,596	11,384
Property Water Rights to Oak Creek (25,175.37 GPD) (8)	N/A	-3,462	-3,698	-3,462	Average
Estimated Gallons Per Day (GPD) from Munciple Source	21,600	8,570	8,825	6,134	7,843

(1) City of Phoenix Design Standards Manual for Water and Wastewater Systems - Table 8 for 'Resorts'. Includes all water usage. Peak use for infrastructure.

(2) USGBC LEED Indoor Water Use Reduction Calculator v4.1

(3) User-Defined Assumptions

(4) Comparable Resort (LIDO House Hotel)

(5) Pool / Spa water usage study per A3 Engineering's report dated 3/8/2023.

(6) Landscape irrigation per 'Preliminary Irrigation Demand Study'.

(7) Code Based values not used in total GPD as the project will be designed using low-flow fixtures (LEED Design method).

(8) Property Rights to Oak Creek: 28.2 Acre-Foot-Per Year = 25,175.33 US Gallons-Per-Day

Appendix B: Pool and Spa Water Demand

Pool and Spa Water Use Off-Set Study

Summary

By improving design efficiencies for water-use fixtures, beyond the Building Code requirements, the detailed MEP Sustainability and Water Conservation Study prepared by A3 engineers demonstrates we can “off-set” annually water use for the pool (1,000 s.f. +/-) and spa (200 s.f. +/-).

Demand and Water Saving Analysis

Pages 7-8 from the Water Demand Study section provides detailed analysis supporting the following conclusion:

- By utilizing low-flow fixtures, the property can reduce the water usage by several hundred-thousands of gallons annually, far exceeding the annual water usage required by the pool and spa.
- The analysis accounts for annual evaporation, backwash, and maintenance.
- The baseline code for the Lodge water usage was the IPC 2021 and CAP listed low flow fixtures (page 5 of the report).

Appendix C: Fire Flow Demand

Fire Hydrant Flow Rate Test Results

Hydrant No.	Static Pressure (psi)	Hydrant Flow Test		Calculated Maximum	
		Flow (gpm)	Residual Pressure (psi)	Flow (gpm)	Minimum Pressure (psi)
95 Schnebly Hill Rd	130	919	124	4425	20
411 AZ-179	130	1126	122	4550	20
N. Corner Round-About	126	1163	118	4609	20

Design Criteria for Public Water Infrastructure

Building Construction Type	Adjoining Building Area of 4SA, 4SB, & 4SC (SF)	Required Flow (gpm)
V-B	12,940	1,500

ADDENDUM TO
APPEAL OF DEVELOPMENT REVIEW AND PLANNING COMMISSION APPROVAL
OF
CASE NUMBER PZ23-00004 (DEV) OAK CREEK HERITAGE LODGE
RESORT HOTEL DEVELOPMENT

Submitted by Appellants

Residential Home Owner Representatives

Bear Wallow Lane, Sedona, Arizona

To the Sedona City Council

June 25, 2024

**“THEY PAVED PARADISE,
PUT UP A PARKING LOT**

**“WITH A PINK HOTEL,
A BOUTIQUE AND
A SWINGIN’ HOT SPOT**

“DON’T IT ALWAYS SEEM TO GO

**“THAT YOU DON’T KNOW WHAT
YOU’VE GOT ’TIL IT’S GONE**

**“THEY PAVED PARADISE,
PUT UP A PARKING LOT”**

JONI MITCHELL
BIG YELLOW TAXI

Bear Wallow Lane Appellants submit this Addendum to their Appeal of Planning Commission Approval of PZ23-00004(DEV) Development Permit Application for the Oak Creek Heritage Lodge Resort Hotel.

In referencing the Staff Report herein, Appellants include any and all documentation presented by the Development Department in support of the findings and recommendations contained in this Report, including the Oak Creek Heritage Area LDC and Schnebly Hill CFA Checklists, as well as all documentation submitted by the Developer in support of the Development Permit Application that was relied upon by the Development Department in preparing the Staff Report.

I. THE SCHNEBLY HILL COMMUNITY FOCUS AREA and THE OAK CREEK HERITAGE AREA ZONING DISTRICT ARE INEQUITABLE, AS WRITTEN AND APPLIED

The Schnebly Hill CFA and the Oak Creek Heritage Area Zoning District are inequitable, as written and applied. As such, the Schnebly Hill CFA and the Oak Creek Heritage Area Zoning District (OC Zone) are unconstitutional, in that they do not afford equitable protections for all existing and affected property owners within the CFA boundary.

The Arizona State Constitution provides:

Article 2. Political power; purpose of government

Section 2. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

Article 4. Due process of law

Section 4. No person shall be deprived of life, liberty, or property without due process of law.

Article 13. Equal Privileges and Immunities

Section 13. No law shall be enacted granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which, upon the same terms, shall not equally belong to all citizens or corporations.

These protections are also afforded under the United States Constitution.

Case of First Impression

In entertaining the proposed Oak Creek Heritage Lodge Resort Hotel Development Permit Application, the first project to be reviewed under these provisions, the adverse impacts of preferential, arbitrary and capricious language in both the Schnebly Hill CFA and the OC Zone have come to light.

The proposed project, if permitted for development, will bring high-impact lodging and other commercial land uses to this unique and sensitive location, land uses that are grossly incompatible with existing, neighboring land uses. These proposed commercial land uses do not meet the preservation/protection intentions of either the Schnebly Hill CFA or the Sedona Community Plan and, if allowed to be developed under the OC Zone, will irreparably damage the natural environment within the biologically sensitive Oak Creek riparian corridor, radically alter the unique, rural character of the area, and cause significant harm to existing residential land users in the area.

Zoning District Changes, From Residential to Hodgepodge, Made Under False Pretense

Prior to the adoption of the Schnebly Hill CFA and OC Zone, and with limited exception¹, parcels within this neighborhood were predominantly zoned Residential RS-10 and RS-18. It has been these low-impact, residential land uses that have preserved and protected the Oak Creek riparian corridor and the unique, rural character of the area, and continue to do so today.

The OC Zone was added as a new land use district to the City of Sedona Land Development Code, as the result of recommendations made in the Schnebly Hill Community Focus Area (CFA), to be used as an implementation mechanism to meet the objectives of the CFA. Objectives in the creation of the Schnebly Hill CFA and the OC Zone include encouraging development that “will best protect Oak Creek and the surrounding riparian habitat” and ‘retain

¹ existing RV park, existing CLC, Red Rock & Gem subdivisions, PDR, commercial office

the unique, rural character of the area'. Another objective was to thwart future residential development in an existing Residential Zone under false pretense².

In moving forward with 'implementing' the Schnebly Hill CFA, and instead of utilizing any of the City's existing zoning district designations (e.g. Lodging Area Zoning, Commercial Zoning, Mixed Use Zoning, Open Space Zoning and/or Historic District Zoning), the new OC Zone has created a Non-Residential District³ that is now a hodgepodge zone that allows for incompatible land uses with varying application to properties within the area. See *LDC Article 3, Table 3.1*.

In deed, the OC Zone allowances are not equally available or applicable to all parcels within the Schnebly Hill CFA.

Lot Size Limits for Inclusion in the OC Zone Preclude Equal Participation

The OC Zone allowances are not available to all parcels within the Schnebly Hill CFA because the OC Zoning was written to require a minimum lot size of 35,000 square feet (.80348 of an acre), effectively excluding numerous, existing residential properties from participation.

Optional Re-Zoning at Property Owner Election

Curiously, the CFA language suggests that all property owners within the CFA may voluntarily choose to rezone their property to the OC Zone to take advantage of the newly created commercial use options. However, in application, the only CFA property owners who have been able to apply for acceptance into the OC Zone are those property owners whose parcels met the lot size criteria. See *Schnebly Hill CFA* at p. 25. This provision has created incompatible land use allowances and has unfairly removed zoning predictability for neighboring property owners.

² "The area is currently zoned single-family residential, and future growth would result in far more houses than today, changing the area from its open, rural character to a typical residential area. The intent of this CFA Plan is to guide future growth in a manner that will retain the unique character of the area." CFA p. 3. "Although outside of the Lodging Area Limits designated in the Community Plan, allowing lodging in this area as an alternative to residential could be an incentive for development that is consistent with the desired character of the CFA." CFA p. 10.

³ The OC Zone, while still allowing for residential land uses, has usurped the previous residential RS-10 and RS-18 zoning of the area in favor of commercial interests that are incompatible with existing residential uses.

Arbitrary Cap on Number of CFA Acres for OC Zone Inclusion

Even if all parcels located within the Schnebly Hill CFA met the minimum lot size criteria, the OC Zone lodging use/accessory use allowances are not equally available to all parcels located within the Schnebly Hill CFA. This is because the CFA language limits the amount of allowable OC Zone lodging to no more than half of the acreage of the total CFA area (approx. 91 acres), capping the number of acres that can be included as Lodging Uses at approximately 45 acres, “to ensure a mix of land uses”. See *Schnebly Hill CFA* at 25.

Unequal Application of Protections Against Lodging Uses Outside of Lodging Areas

Recently, lodging uses were removed from the Soldiers Pass Road CFA (PZ22-00008, Resolution No. 2022-23) and the Western Gateway CFA (PZ22-00007, Resolution 2022-22) through CFA Amendments, based upon City Council findings that transient occupancy has created “negative consequences of increased tourism and the growth of short-term rentals in the community, including impacts on housing affordability and availability”, that “residents have expressed strong opposition to adding any additional hotel rooms”, and that such amendments “reflected changing circumstances and community needs [for housing]”.

Curiously, the Schnebly Hill CFA was not included as part of these lodging use amendment actions. See *Resolution 2022-22* and *Resolution 2022-23* and *2020 Housing Needs Assessment, Elliot D. Pollack & Company*.

More Leniency for Accessory Commercial Uses in OC Zone

Commercial land uses that are considered primary uses within other land use zoning districts (eg restaurants, cafes, bars, lounges, offices, recreational facilities personal services) and subject to more stringent review criteria are, by contrast, considered permitted “accessory uses” for those parcels within in the OC Zone. See *LDC Article 9, Section 9.4 Use-Related Definitions*.

The Schnebly Hill CFA and the LDC 3.3 Use Specific Standards generally confine primary commercial land uses to within 750 feet of the Schnebly Hill roundabout. However,

exception is made in the OC Zone, which allows for these commercial land uses to be sited anywhere within an OC Zoned property as “accessory uses.”

These primary commercial land uses listed in LDC 3.3, now allowable as “accessory uses” in the OC Zone, are largely incompatible with existing, neighboring residential land uses, and are otherwise prohibited uses within the RS-10 and RS-18 residential zones.

Curiously, the accessory commercial use allowance of “conference/meeting facility space”⁴ and adjacent outdoor areas are being proposed by the hotel resort development for use as a wedding venue, which, in all other zoning districts, is considered a temporary use of limited extent and duration, and requires separate permitting. See Argument Section III below.

More Dwelling Units per Acre are Allowed for Lodging Uses than For Residential Uses

Ironically, while the Schnebly Hill CFA was created to thwart the perceived ‘threat’ of future residential development within an established Residential Zone, the resulting CFA language and OC Zone now allows for more dwelling units per acre for lodging (8 du/acre) than for single-family residential homes (4 du/acre), with the proposed development being brought forward at a time when the City of Sedona is in critical need of residential housing.

Parcel Combinations By CFA Stakeholders and Resulting “Spot Zoning”

Prior to inclusion in the OC Zoning District, some of the parcels that make up the proposed development property would not have met the minimum lot size criteria. These parcels were combined in order to satisfy the OC Zone lot size criteria.

Curiously, the parcels which make up the proposed development property were owned by a few residential landowners, recognized as Stakeholders who participated in the creation of the Schnebly Hill CFA⁵ and resulting OC Zone.

The creation of the Oak Creek Heritage Area Zoning District criteria and its application to this proposed development meets the classic definition of “spot zoning” - the process of singling out a parcel of land for a use classification that is totally different from that of the

⁴Conference and Meeting Facilities are defined in the LDC 9.4(B) and 3.2(E) Table 3.1 as Public, Institutional and Civil Uses, and state that such facilities are to provide service to the public.

⁵ See *Schnebly Hill CFA Acknowledgements*, p. 2.

surrounding area for the benefit of the owner of such property and to the detriment of other owners. Anderson's American Law of Zoning 4th Edition, Section 5.12 (1995).

Constitutional Concerns Warrant Reversal and Denial of Development Permit

For these reasons, the OC Zoning District and the Schnebly Hill CFA are arbitrary and capricious, as written and applied, and cannot serve as a legitimate basis for evaluating and approving the proposed development project.

For these reasons, the City Council should amend and/or repeal the Schnebly CFA and the OC Zone to comply and conform with the Sedona Community Plan and to align with other provisions of the Sedona Land Development Code.

II. THE PLANNING COMMISSION'S ACCEPTANCE OF AND RELIANCE UPON AN UNAPPROVED TRAFFIC IMPACT ANALYSIS, ITS SILENCE ON INCREASED TRAFFIC GENERATED AS A RESULT OF THE PROPOSED PROJECT, AND ITS FAILURE TO CONSULT WITH THE SEDONA FIRE DISTRICT REGARDING EMERGENCY ACCESS, WARRANT REVERSAL OF ITS DECISION GRANTING DEVELOPMENT PERMIT APPROVAL

In discussing LDC 8.3E(5)(E) Review Criteria for Minimizing impacts on Surrounding⁶ Property Owners, and in failing to respond to citizen concerns regarding traffic generated by the proposed development, the Staff Report merely states "[t]he City has accepted the applicant's Traffic Impact Analysis" without more. This was in error. The Developer Applicant did not obtain prior approval of the TIA by the Arizona Department Of Transportation (AZDOT), as required by Sedona City Code Section 14.10.070, and the City acceptance of the TIA without it is a violation of this code.

The Staff Report does not address the increased amount of traffic generated by the proposed development's commercial land uses, and the potential significant and negative impacts of increased traffic on surrounding properties in the Schnebly Hill CFA. As such, the

⁶ Staff Report misquotes the criteria for this section by referring to Adjoining Property Owners, when the code language specifies Surrounding Property Owners. As mentioned in the Appeal, this language has legal significance, with surrounding encompassing a greater neighborhood, as opposed to only those parcels that abut a particular parcel.

Staff Report findings that the proposed development is in compliance with LDC 8.3E(5)(E) and LDC 8.3E(5)(J)⁷, as well as with the Sedona Community Plan and the Schnebly Hill CFA with regard to traffic reductions, are unsupported.

In discussing LDC 8.3E(5)(J) Review Criteria for Providing Adequate Roadway Systems *and Traffic Mitigation*⁸, the Staff Report statement that “the Sedona Fire District... ha[s] reviewed the plans and has raised no concerns from an emergency access perspective.” This statement is unsubstantiated.

A. The Developer’s Traffic Impact Analysis Has Not Been Approved by AZDOT

The proposed development can only be accessed via SR179, the only access road to Schnebly Hill Road. As such, “a state highway is involved,” triggering AZDOT review and approval of the TIA “prior to consideration by the City.” See *City Code Section 14.10.070*.

There has been no showing that the Developer Applicant’s TIA has been reviewed and approved by the AZ Department Of Transportation⁹, as required by Sedona City Code Section 14.10.070.

As AZDOT has not approved the TIA for the proposed development, acceptance of the TIA as a basis for approving the Development Application was in error.

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⁷ LDC Section 8.3E(5)(J) criteria reads as follows: “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.”

⁸ Staff Report misquotes the criteria for this section by omitting this italicized code language concerning traffic mitigation, and fails to identify and address traffic mitigation measures.

⁹ See Bear Wallow Lane Appeal ps.11 and 19, and Wagner Comments to Planning Commission dated April 15, 2024 at p. 10.

B. The Proposed Development Does Not Meet the Schnebly Hill CFA Expectations for Reduced Traffic Generation¹⁰

Community expectations for the Schnebly Hill CFA specify that non-residential uses **may** be supported **IF** such uses generate less traffic than medium-density residential uses. See *Schnebly CFA* at p. 3 (bold and capitalization emphasis added).

The Developer Applicant’s TIA miscalculates the number of vehicle trips that would be generated by medium-density residential land uses. The TIA utilizes a medium-density residential unit density of 8 du/acre, when in fact the residential density unit allowance in the Schnebly Hill CFA is 4 du/acre. When the numbers are recalculated, the number of vehicle trips that would be generated by medium-density residential units for the development acreage of 11.58¹¹ is 442.5 trips on a Saturday, whereas the proposed development’s non-residential uses for the property are estimated to generate approximately 583 Saturday trips. See *TIA for Oak Creek Heritage Hotel, prepared by Kimbley-Horn, Section 4.0 Project Traffic, ps. 6-7.*

Based on these calculations, **the proposed commercial uses** for the property are not supported under the Schnebly Hill CFA because they **will generate more traffic than medium-density residential uses**, and do not meet the reduction and mitigation criteria under the Sedona Community Plan or LDC 8.3E(5)(J).

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¹⁰ Nor does it meet the Sedona Community Plan goals and policies for Traffic and Circulation.

¹¹ this 11.58 acreage utilized by the Developer is inaccurate, as the Coconino County Recorder shows the parcels totaling 11.41 acres, as do other documents submitted by Developer (see Phase 2 Drainage Report and Geotechnical Report)

C. The Sedona Fire District Did Not Review The Comprehensive Plans¹² For Public Safety, Water Availability for Fire Suppression Systems, and Emergency Access Needs

The Staff Report findings state that “[t]he Sedona Fire District...ha[s] reviewed the plans and ha[s] raised no concerns from an emergency access perspective” and that “the proposal is in compliance with th[e] criterion” stated in LDC 8.3E(5)(J). These findings are unsubstantiated and misleading.

The Staff Report presents no supporting documentation to support assertions that the Sedona Fire District was “provided with the Developer’s Comprehensive Review Plans”, had “reviewed the plans” had “raised no concerns”, or had otherwise “chose not to comment on the comprehensive submittal”¹³.

This is because **the Sedona Fire District did NOT review the Developer’s Comprehensive Plans**. In Appellant’s conversation with the Sedona Fire Marshal, Chief Booth, on May 21, 2024¹⁴, the Fire Marshal had no record of review of the project’s Comprehensive Development Application documents. It is understood that the Sedona Fire District had reviewed earlier conceptual plans in August 2021¹⁵. However, subsequent and significant modifications to the proposed development, including site layout and ingress/egress access configurations, as well as updates to the International Fire Code and Wildland-Urban Interface Code, warranted updated Sedona Fire District review. This was not done.

These failures jeopardize the health, safety and welfare of all residents and visitors to Sedona, most especially those residential property owners with homes on Bear Wallow Lane

¹² Failure of both the Developer Applicant and the Development Department to have the Comprehensive Review documents reviewed by the Sedona Fire District are also problematic in that necessary water use demands and availability for emergency fire suppression needs have not been determined.

¹³ See Staff Report statement addressing Reviewing Agency Comments and Concerns, which does not list Sedona Fire District as a reviewing agency, as well as Staff Evaluation statement under LDC 8.3E(5)(J) discussion.

¹⁴ Conversation of Christine Wagner with Sedona Fire Marshal Chief Booth on May 21, 2024.

¹⁵ See August 30, 2021 letter from Sedona Fire District to Cari Meyer, City of Sedona, included as exhibit in Conceptual Review documents for the proposed development.

and on residential streets further up Schnebly Hill Road, the only access road for ingress and egress to properties in an area prone to extreme natural disasters of fire and flood.

III. WEDDINGS AND SPECIAL EVENTS ARE TEMPORARY USES and CONFERENCE/MEETING SPACES ARE PUBLIC USES UNDER THE CODE

As stated in both the Developer's Parking Study and Acoustic Reports, the proposed development 'conference and meeting spaces' will be utilized as a wedding venue and other special event gathering space, utilizing both indoor facilities and outdoor lawn areas.

Under Use-Related Standards LDC 9.4(G) - Temporary Uses, weddings are considered Special Event uses having limited frequency and duration restrictions under LDC Section 3.5(E) (4)(a)(1), and have separate permitting requirements under LDC Section 8.4(D).

Furthermore, Conference and Meeting Facilities are defined in the LDC 9.4(B) and 3.2(E) Table 3.1 as Public, Institutional and Civil Uses, and state that such facilities are to provide service to the public and, as such, are unlikely an appropriate accessory use for this private development being proposed.

IV. THE PROPOSED DEVELOPMENT WILL SIGNIFICANTLY AND ADVERSELY IMPACT CRITICAL HABITAT FOR THREATENED SPECIES UNDER THE FEDERAL ENDANGERED SPECIES ACT

LDC 8.3E(5)(G) states that "[t]he proposed development shall be designed to minimize negative environmental impacts, and **shall not cause significant adverse impacts on the natural environment**, including water, air, stormwater management, wildlife habitat, soils, and native vegetation." (bold emphasis added)

In discussing LDC 8.3E(5)(G) Review Criteria, the Staff Evaluation states that "[n]o negative environmental impacts are anticipated because of the proposed development." This finding is speculative and unsubstantiated.

A large portion of the proposed development is within a federally recognized critical habitat for threatened species under the Federal Endangered Species Act, including the

yellow-billed cuckoo and the narrow-headed garter snake, which is the Oak Creek riparian corridor.

V. NOISE IMPACTS ON THE WILDLIFE ‘RESIDENTS’ HAVE NOT BEEN STUDIED OR REVIEWED

It is widely recognized by the biotic and aquatic species scientific communities that biotic and aquatic species have particular sensitivity to noise, sound and vibration, such that species’ ability to migrate, mate, orient, hunt, forage and/or habitate in their native or adapted environments can be significantly and adversely impacted by noise, sound and vibration.

Referring again to the review criteria of LDC 8.3E(5)(G), the anticipated noise impacts of this high-density, high-impact resort development on the local wildlife habitat, Sedona’s wildlife ‘residents’, support denial of the proposed development in this sensitive Oak Creek riparian corridor.

VI. A CREEKWALK IS NO LONGER A GOOD IDEA FOR THE COMMUNITY

When the Schnebly CFA was contemplated as part of the 2013 Sedona Community Plan, there were grand visions to secure a creek walk for public access to Oak Creek.

However, the continued and increasingly urgent community needs and expectations for the preservation and conservation of Oak Creek and its riparian corridor, wildlife habitat and species protection, and the need to curtail the negative impacts of disproportionate and unregulated tourism activities of visitors “loving Sedona to death”, a creek walk in this location defies current common knowledge and native wisdom, especially in these times of climate uncertainty and in preparation for anticipated climate change risks and impacts.

Numerous outside agencies and groups, including the Coconino National Forest USFS, the Oak Creek Watershed Council, and others, have reported on the significant adverse impacts of overuse and damage to the Community’s natural, vital resources by tourism. The

2024 Sedona Community Plan has also identified tourism as a source of damage to the very resources that visitors and residents alike come to enjoy.

The fragile and complex Sedona Oak Creek Ecosystem, while able to self-sustain and self-correct through natural environmental cycles and events, does not do as well against the onslaught of excessive human activities that disturb and damage it. See Exhibit A, Excerpts from *Sedona Oak Creek Ecosystem, Characteristics and Conditions: Executive Summary and Supplemental Information, USFS Sedona Ranger District, Coconino National Forest, January 1996*¹⁶.

The impacts and consequences of a publicly accessible creek walk go against numerous guiding principles and commitments made by the people of Sedona for the preservation and protection of the community's vital, natural resources.

The Sedona Community Plan's Environmental & Sustainability Goals envision, "[a]s responsible stewards of the natural environment, Sedona maintains a lasting water supply, healthy ecosystems, and the ability to adapt to changing conditions." In referencing Policy 7.2, the Sedona Community Plan states that "[p]roperties with significant natural resource values such as the riparian habitat of Oak Creek should be preserved and maintained in a natural state." Sedona Community Plan Policy 7.5 seeks to "Preserve and restore the Oak Creek corridor floodplains and riparian areas from the impacts of development".

The Schnebly Hill CFA Objective for Environmental Protection includes the 'permanent protection of Oak Creek is in its natural state, as a vital resource for the natural environment, community and region'. The Schnebly Hill CFA Strategies include 'permanent protection of the Oak Creek corridor through land preservation measures' and the 'maintenance of the Oak Creek floodway in a natural state' and 'preservation of Oak Creek and its associated floodway as the cornerstone of an open space system linked to corridors of open space along tributary drainages'.

¹⁶ See also USFS Oak Creek Watershed Restoration Project, 2019.

A plain reading of the language of the Sedona Community Plan and the Schnebly Hill CFA direct the community, and its decision-makers, to “protect” (*verb; an action word - to shield from damage, injury, loss or destruction*) and “preserve” (*verb; an action word - to maintain in its original or existing state, unaltered, without decline in quality*) the Oak Creek riparian habitat in its “natural state” (noun - a wild primitive state untouched by civilization).

While the Schnebly Hill CFA suggests that ‘minor improvements within the riparian corridor, such as trails,...’ might be permitted, this is a misnomer that contradicts the intended protections for Oak Creek, as there are no ‘improvements’ to nature, perfect in its imperfection, that can be made by man.

Public creek access along this section of Oak Creek within the City of Sedona will not be a community public benefit. To the contrary, public creek access along this section of Oak Creek within the City of Sedona will be an invitation for environmental degradation of the riparian corridor and the destruction of wildlife habitat, an invitation for visitor exploitation at the expense of and liability to the Community.

CONCLUSION

For any and all of these reasons, as well as those set forth in the initiating Appeal, the approval by the Planning Commission should be reversed and the proposed Development Permit for the project should be denied.

SEDONA/OAK CREEK ECOSYSTEM

Characteristics and Condition: Executive Summary and Supplemental Information USFS Sedona Ranger District, Coconino National Forest, January 1996

“Special natural characteristics in the Sedona area include sensitive soils; an extraordinary diversity of plants and animals; including many rare species; the very lush and complex environment of the Oak Creek stream corridor; and the dynamic environmental influences of fire and floods.”

“Much of the planning area has highly sensitive soils that coincide with places in demand for urban and recreational development. Soils classified as highly sensitive to erosion cover about a third of the accessible land in this area. Much of this highly erosive land is near Sedona. The condition limits the activities that can occur without causing long-term erosion problems, or without requiring well planned erosion-control measures. Similarly, soils in the riparian zone along Oak Creek are sensitive to compaction and erosion. Loss of stream side plants from **development and trampling** can weaken soil stability and leave stream beds vulnerable to damage from flood flows.”

“The planning area has exceptional biological diversity...especially along the Oak Creek riparian corridor. Variations of sunlight, elevation, aridity, and soil composition result in an unusually diverse ecosystem.”

“This complex and rich biodiversity presents both opportunities and complications for people. Many people visit or live in the Sedona area to experience its natural diversity. Facilities and infrastructure and the locations of certain activities must be carefully designed and planned to minimize effects on this complex ecosystem.”

“Parking and **recreational activities** affect important plant “filter” strips along the stream banks [of Oak Creek]. Impairment of riparian filter strips may also weaken the ability of stream banks to resist flood flows. In some locations, this has degraded aquatic conditions for fish and other riparian and aquatic dwellers and has created undesirable recreation conditions.”

“Water quality is important to both the biological sustainability and the recreational appeal of Oak Creek... high bacterial levels often diminish Oak Creek’s water quality...”

“**Human activities** can break down the stream banks as well as compact the wet soils. This can result in loss of the protective plant cover, causing impacts to the riparian functions. Functions that are affected include the riparian area’s ability to serve as a filter strip for overland runoff during storms, and the ability of the riparian area to support wildlife, including aquatic animal and plant life.”

“The Sedona area supports cryptobiotic soils, communities of blue green algae, lichens and fungi that form a thin crust on sandy soils. This fragile crust protects the soil beneath from erosion, absorbs water, and starts a chain of life. **Heavy foot** and vehicle **traffic** in many areas around Sedona has removed this surface crust and exposed the underlying soils to erosion. Once affected, this cryptobiotic layer can take more than a decade to reestablish.”

“Controlling erosion is important from the standpoint of protecting many resources...unseasonable erosion that occurs as a result of **recreational use or development activities** can muddy Oak Creek during times of the year when it would naturally run clear, affecting the life cycle of aquatic animals.”

[Excerpts]

[bold emphasis added]

**Appeal of development review and planning commission
approval of case number PZ23-00004**



LDC 8.3E(5) Approval Criteria Applicable to All Development, Subdivision and Rezoning Applications

A. Generally

B. Prior Approvals

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

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

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

F. Consistent with Intergovernmental
Agreements

**G. Minimizes Adverse Environmental
Impacts**

H. Minimizes Adverse Fiscal Impacts

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

**J. Provides Adequate Road Systems and
Traffic Mitigation**

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

L. Rational Phasing Plan

C. Consistency with Sedona Community Plan and Other Applicable Plans

8.3E(5)C

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.

Staff Evaluation: *Staff evaluated the proposal for compliance with the Community Plan and it was found to be consistent:*

- *The property is designated Community Focus Area (CFA) in the 2024 Community Plan (was designated Planned Area (PA) in the 2013 Community Plan). This designation supports the OC zoning designation. This use is consistent with the CFA/PA designation.*
- *The proposal complies with recommendations and requirements of the Schnebly CFA, as outlined in the CFA Checklist.*
- *The proposal does not contradict any of the policies within the Community Plan.*

The proposal is in compliance with this criterion.

Community Plan states a **NEED** for residential housing

City council approved and adopted two resolutions removing lodging from 2 of the 3 CFAs

Resolution 2022-22 Western Gateway CFA

Resolution 2022-23 Soldiers Pass Road CFA

In the resolutions it stated

3,829 total rooms in short-term rentals have been added in the Sedona area

The 2020 Housing Needs Assessment performed by Elliot D Pollack & Company identified an affordable housing gap of approx **1500 households**

The community and the City Council have **requested action on the negative consequences of increased tourism** and the growth of short-term rentals in the community, including impacts on housing affordability and availability;

Residents have expressed strong opposition to adding any additional hotel room

Residential Land Use Best Supports the Goals & Policies of the Community Plan

RESIDENTIAL LAND USE	TRANSIENT VISITOR LAND USE
Low-impact land use	High-impact land use
Vested interest in place	No vested interest
Conservation mindset	Consumption mindset
Here to stay	Here today, gone tomorrow
Less density per acre	More density per acre (OC zone)
Limited Accessory Uses	Permitted Accessory Uses (OC zone)

The proposed Resort Development Lodging and Accessory Uses are **INCOMPATIBLE** with existing Residential and other Land Uses in the Area

Community Expectations for Schnebly Hill CFA

“Retain large parcels and rural character;

“Support agriculture as a key character element;

“Support non-residential uses (e.g. bed and breakfast, neighborhood cafe) if tied to the preservation of large land areas and generates less traffic than medium-density residential;

“**Retain** similarly affordable **housing** currently provided in existing mobile home/RV park;

“Protect riparian environment along Oak Creek;

“Evaluate potential for environmentally sensitive public creek access;

“Preserve historic resources (Gassaway House).” SCP 2013, p. 45

Proposed Resort Will Generate More Traffic Than Residential

TIA Calculation for residential units is inaccurate

Established residential zoning of the property is
RS-10 which allows 4 du per acre
 $4 \times 11.58 = 46.32$

When the correct density is applied, the proposed development generates more traffic than medium density residential - therefore violating the Schnebly CFA

583 resort Saturday trips > 467.5* anticipated maximum medium density residential daily trips

The proposed development is estimated to generate approximately 583 Saturday trips with 52 trips occurring during the peak hour. Trip generation worksheets are included as **Appendix C**.

4.1.2 TRIP GENERATION COMPARISON

The Schnebly Community Focus Area Plan includes the following community expectation for future development along Schnebly Hill Road:

Support non-residential uses (e.g., bed and breakfast, neighborhood cafe) if tied to the preservation of large land areas and generates less traffic than medium-density residential.

For medium-density residential on 11.58 acres, a total of ~~92~~⁴⁶ medium-density residential units could be constructed.

The Institute of Transportation Engineers' (ITE) *Trip Generation Manual, 11th Edition*, daily and peak hour trip generation average rates for land use code 210, single-family detached housing were used to estimate the number of daily and peak hour trips that could be attributed to a residential development, as shown in **Table 4**. For medium-density residential on 11.58 acres, the anticipated maximum daily trips are 935 with peak PM at ~~92~~⁴⁶ trips.

~~467.5~~^{467.5} The comparison shows that the proposed hotel will generate fewer daily trips and fewer peak PM trips than medium-density residential land use.

Table 2. Trip Generation Summary – Single Family Detached Housing

ITE Land Use	Intensity	Units	Daily Trips	Peak Volumes
210, Single-Family Detached Housing, Weekday	92 ⁴⁶	Residential Units	935 ^{467.5}	69 (AM) ^{34.5} and 92 (PM) ⁴⁶
210, Single-Family Detached Housing, Saturday	92 ⁴⁶	Residential Units	885 ^{442.5}	89 (Mid-Day Peak) ^{44.5}

* numbers were divided by two as the density calculated was double allowed

Proposed Development Will Not Maintain Oak Creek Riparian Corridor in its Natural state

Environment Recommendations: Protection of Oak Creek (Page 13)	
CFA Objective: Oak Creek is permanently protected in its natural state as a vital resource for the natural environment, community, and region.	
Strategy 1: 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.	<p><i>Evaluation:</i> The western portion of the site is within the Oak Creek floodway and is not being developed. All development is outside of the floodway and the floodway will be retained in its natural state with only trails through the area.</p> <p><i>Compliance:</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>
Strategy 2: Permanently protect the Oak Creek corridor through land preservation measures.	<p><i>Evaluation:</i> No development is proposed in the floodway and development of the property is required to comply with the approved plans. The applicant currently intends to retain ownership of the entire site. If that were to change in the future, they would be encouraged to work with a public or non-profit organization to establish conservation easements.</p> <p><i>Compliance:</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>
Strategy 3: Oak Creek and its associated floodway shall be preserved as the spine of an open space system linked to corridors of open space along tributary drainages	<p><i>Evaluation:</i> The Oak Creek floodway is not being developed and will be retained in its natural state with only trails through the area, and the tributary wash from the east will connect and be retained in its natural state.</p> <p><i>Compliance:</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>

vocabulary.com defines natural state as - **noun a wild primitive state untouched by civilization**

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3834599.pdf

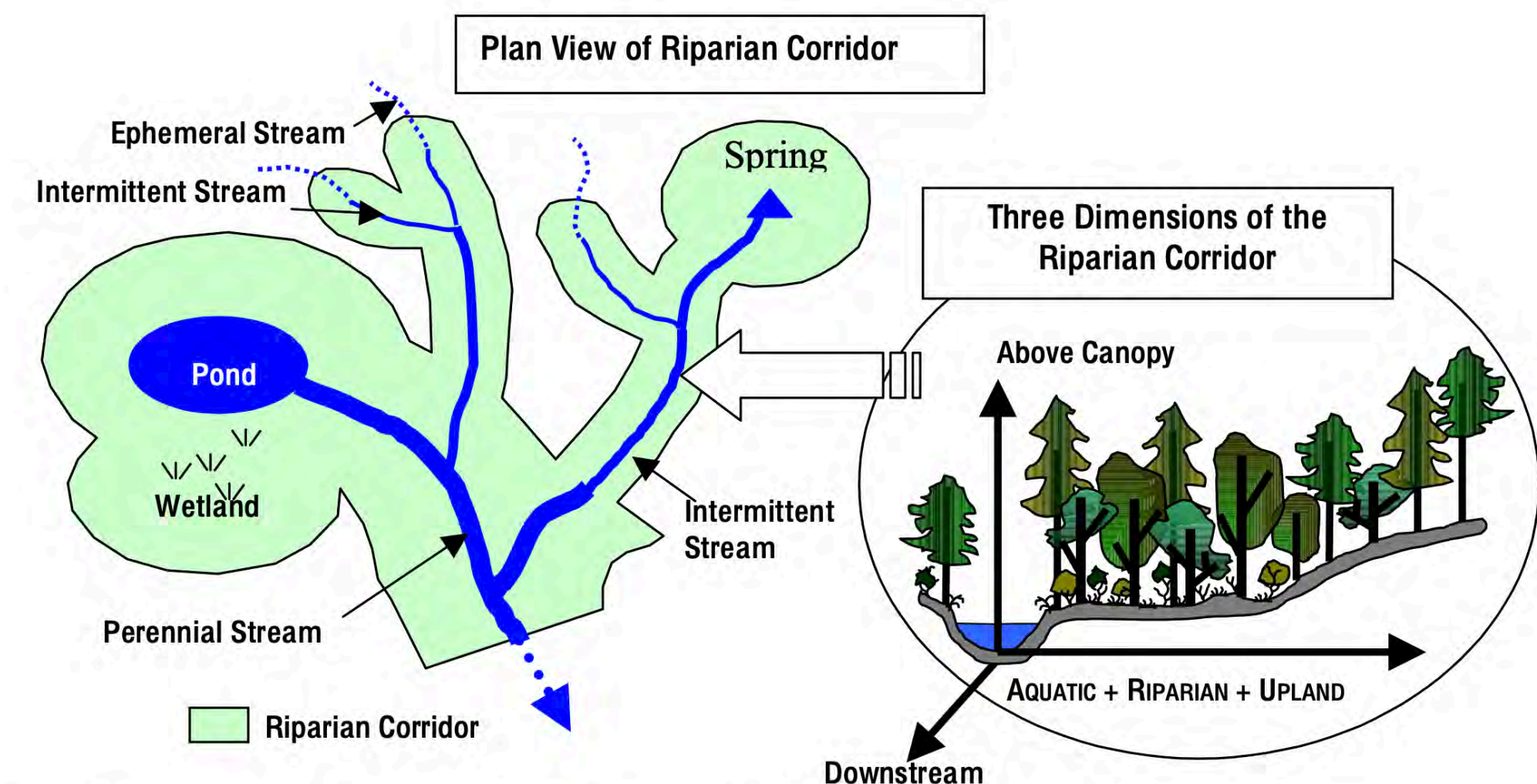


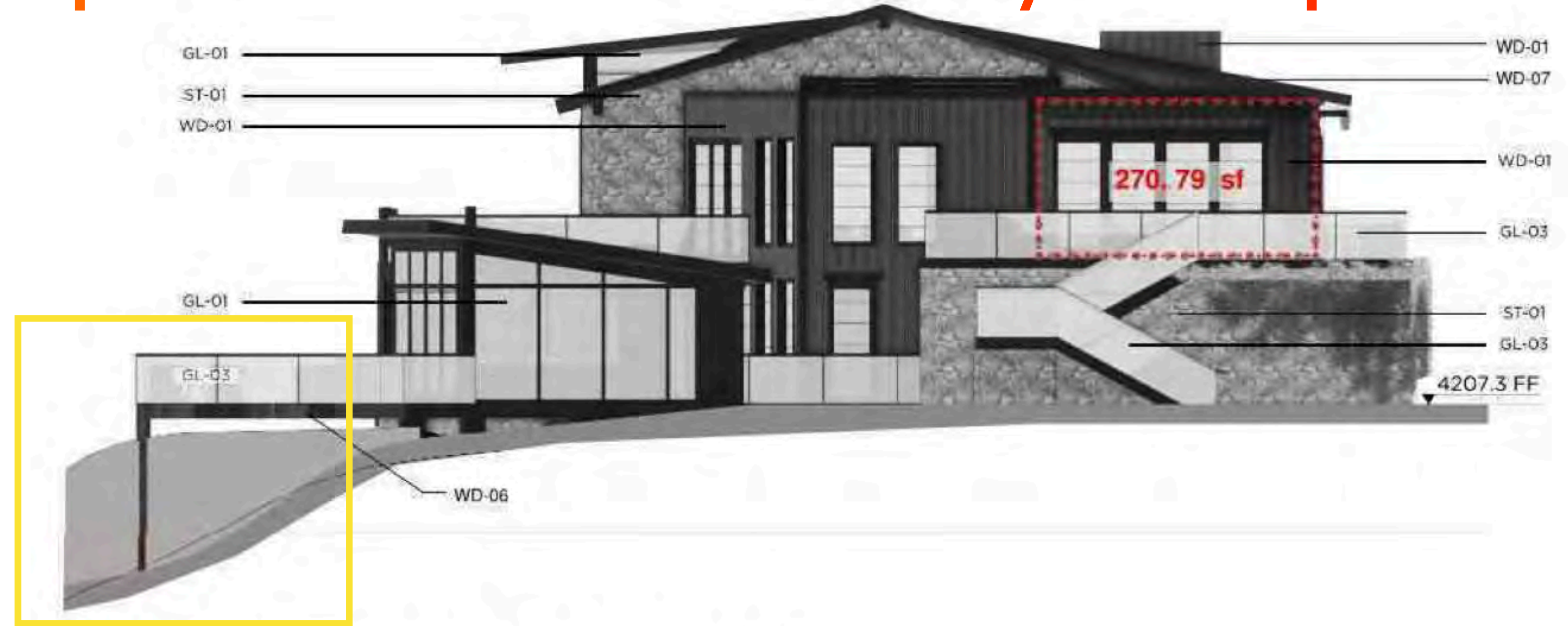
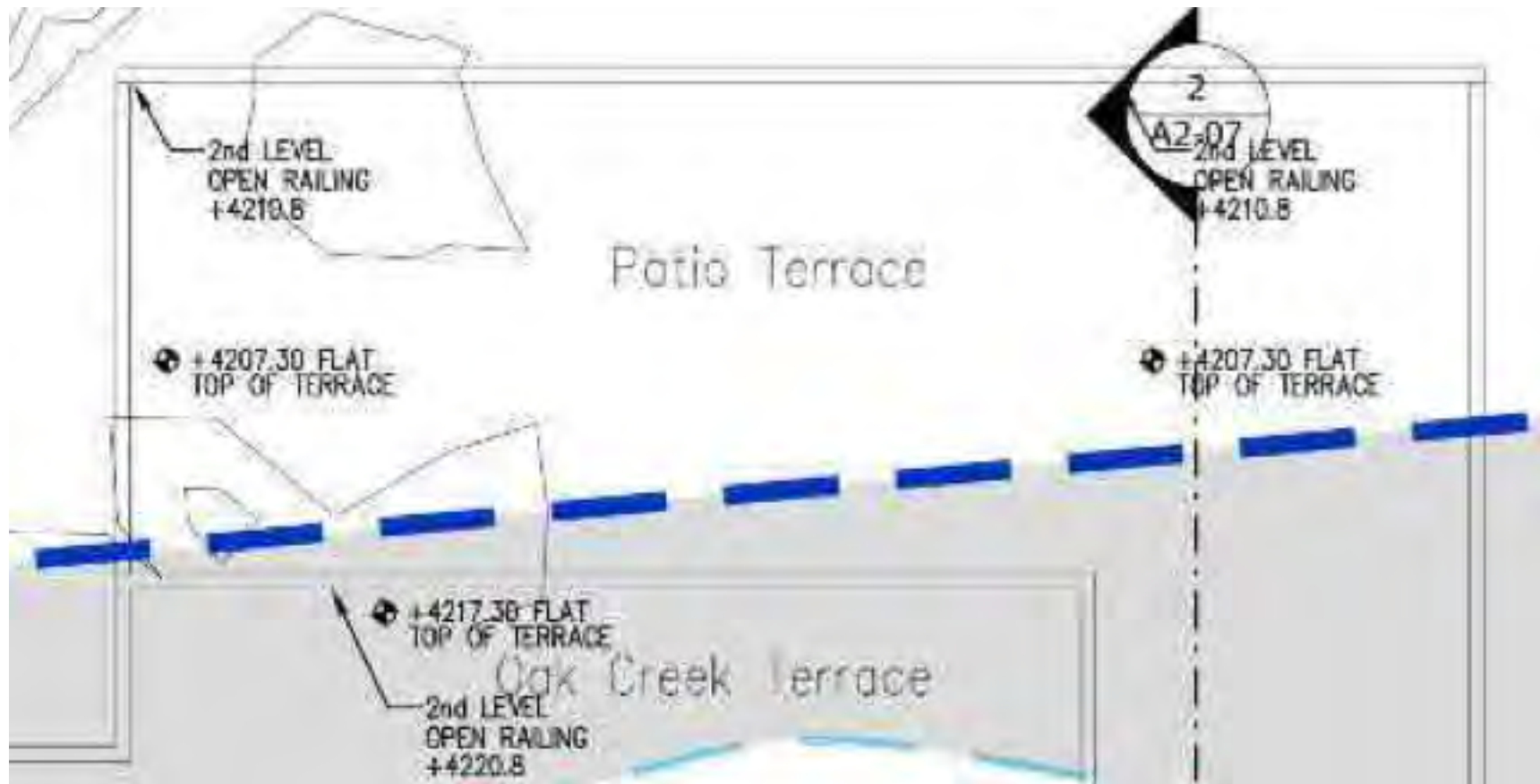
Figure A-1 Simplified Representation of a Riparian Corridor

according to the national park service:

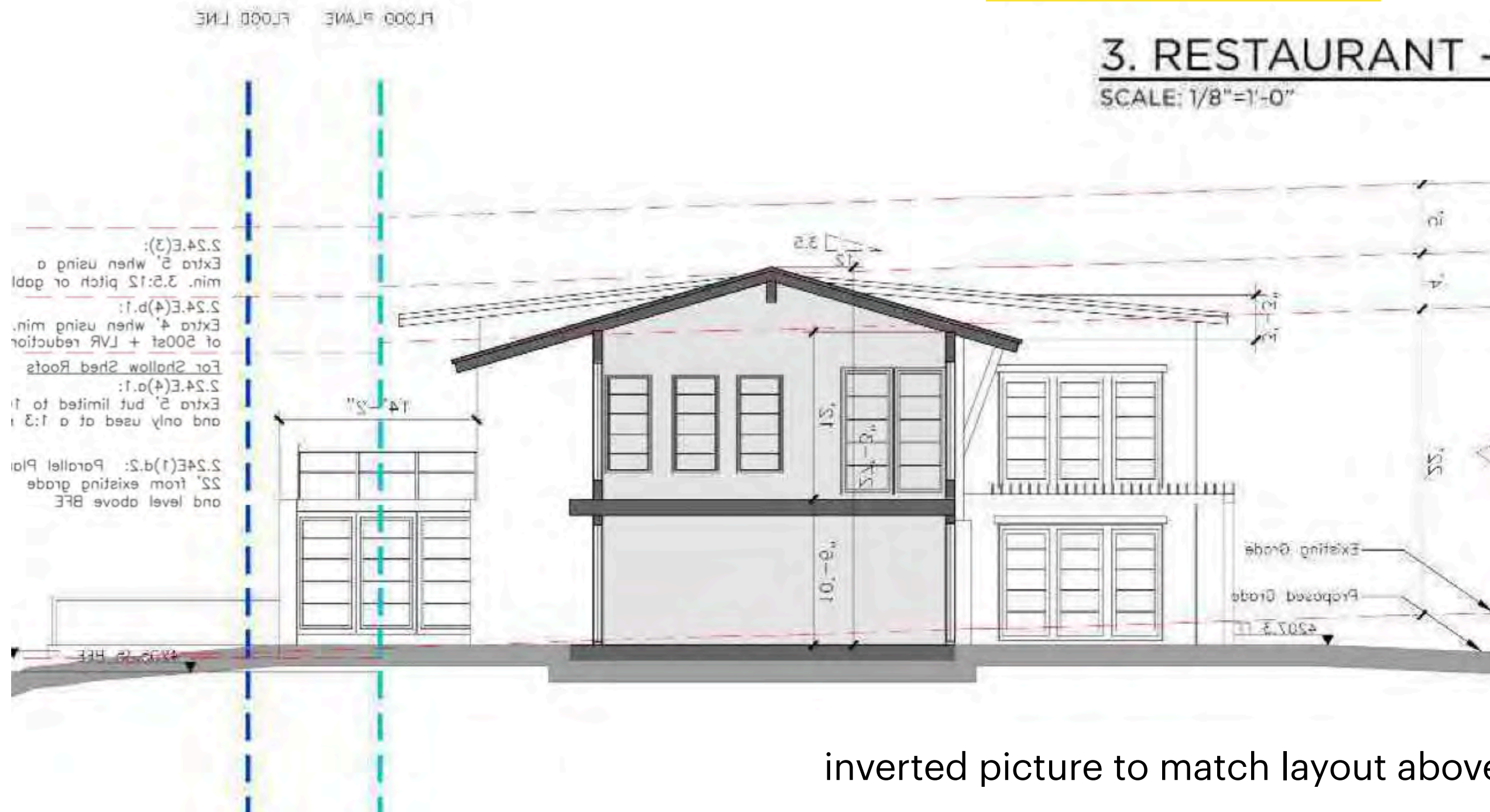
“Riparian zones in the southwestern United States make up less than two percent of the land area, but they support the highest density and abundance of plants and animals of any habitat type there.”

https://www.nps.gov/articles/000/nrca_glca_2021_riparian.htm

Proposed Development Proposes Intrusions Into Floodway & Floodplain



3. RESTAURANT - SOUTH ELEVATION
SCALE: 1/8"=1'-0"



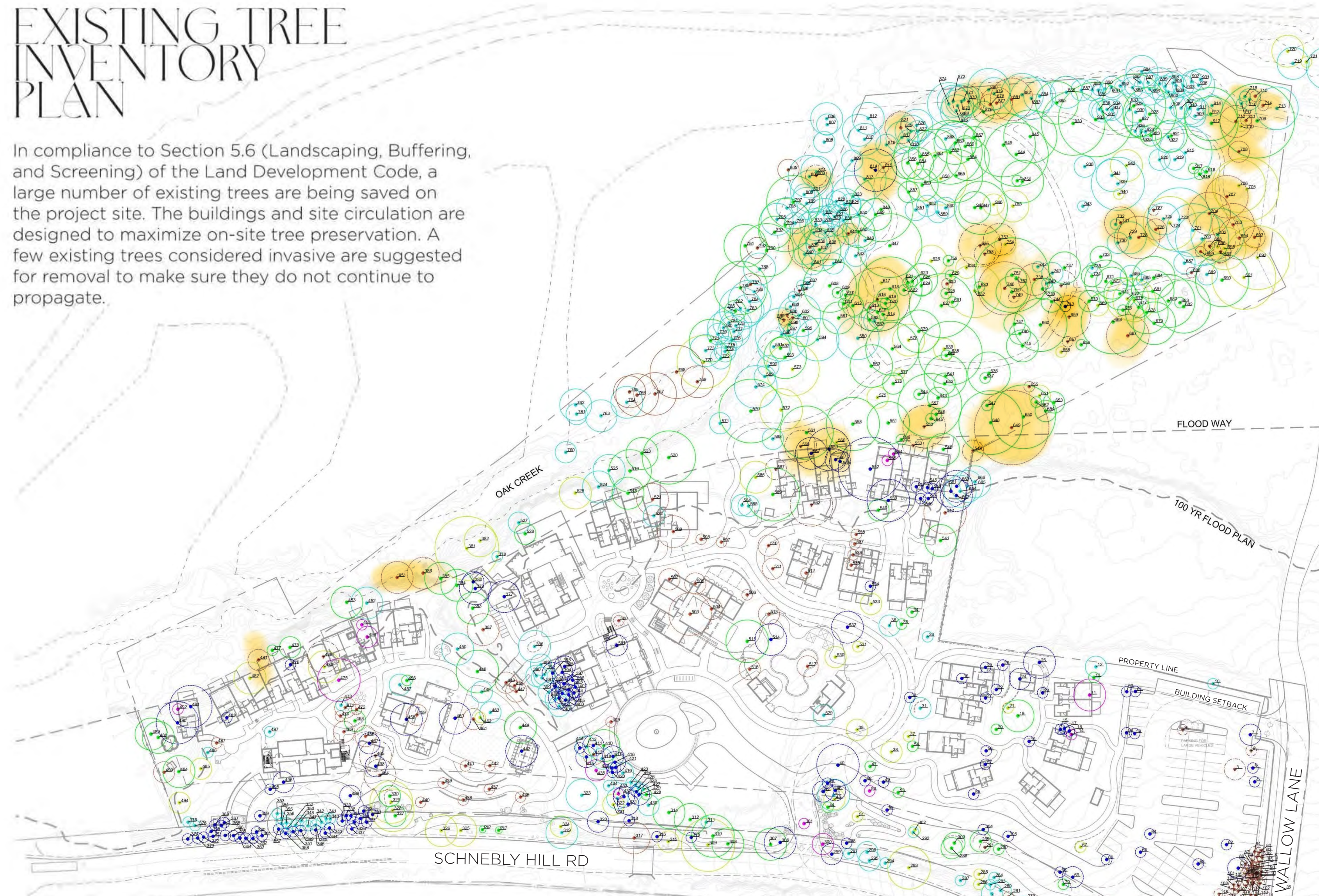
inverted picture to match layout above

Support Pillar for restaurant appears to be in the floodway

Removal of trees is not maintaining Natural state

EXISTING TREE INVENTORY PLAN

In compliance to Section 5.6 (Landscaping, Buffering, and Screening) of the Land Development Code, a large number of existing trees are being saved on the project site. The buildings and site circulation are designed to maximize on-site tree preservation. A few existing trees considered invasive are suggested for removal to make sure they do not continue to propagate.



LEGEND

TREES TO BE PROTECTED IN PLACE - 505		
187	EXCELLENT CONDITION	37%
64	GOOD CONDITION	13%
246	FAIR CONDITION	48%
8	POOR BUT KEEP	2%

NOTE: QUANTITIES OF TREES TO BE PROTECTED IN PLACE ARE SUBJECT TO FINAL DEVELOPMENT PLANS/UTILITY DESIGN.

NON-SALVAGEABLE TREES - 285

78	POOR CONDITION
207	DEAD, DECEASED, DYING OR FALLING SUGGESTED FOR REMOVAL BASED ON CITY GUIDELINE

SALVAGEABLE TREES - 155

13	FOR RELOCATION
142	REMOVE 21 IN EXCELLENT CONDITION 37 IN GOOD CONDITION 84 IN FAIR CONDITION

TOTAL ON-SITE TREE COUNT - 945

LANDSCAPE TREE CREDIT CALCULATION

REQUIRED:	
357	AT ONE TREE PER EVERY 400 SF OF 142,739 SF LANDSCAPE AREA
295	SALVAGEABLE TREE REMOVED BE CREDITED PER SECTION 5.5.C(1)h.5 TABLE 5.5
652	TOTAL TREE CREDIT REQUIRED
PROVIDED:	
1,686	TOTAL EARNED CREDIT FOR PRESERVING TREES
113	ESTIMATED NEW PROPOSED TREE
13	RELOCATED EXISTING TREE
1,812	TOTAL TREE CREDIT PROVIDED

CONSIDERATIONS:

1. Being that most trees on site are deciduous, exact tree species identification on some trees was difficult without

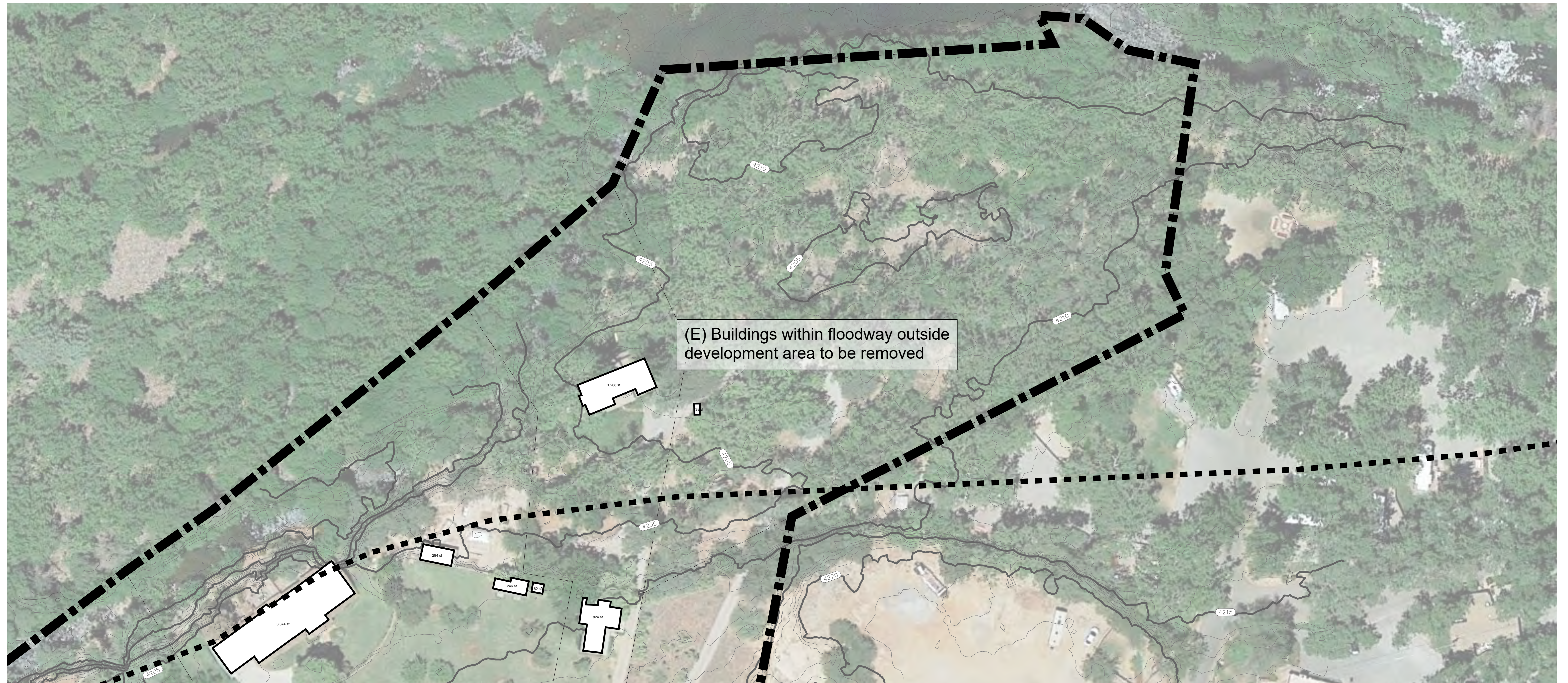
TREE CHARACTERISTICS AND SITE CONDITIONS

1. The trees within the riparian zones lie mostly untouched in their natural setting. The area contains large amounts of volunteers from natural tree reproduction habits over the

DEVELOPMENT IMPACT

1. As with all construction projects, construction that takes place in areas where trees are currently standing will require relocation or removal of select trees. There are many

Removal of structures from floodway will alter natural state & not preserve/ protect riparian corridor



D. Compliance with This Code and Other Applicable Regulations

8.3E(5)D

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.

Staff Evaluation: *As outlined in the Land Development Code Checklist, the proposal is compliant with all applicable standards of the Land Development Code, including the allowed uses for the OC zoning district, OC district standards, and site and building design standards, and the recommendations and requirements of the Schnebly CFA. The proposal is in compliance with this criterion.*

Inaccurate acreage used in Impervious Coverage Calculation

Calculated using 11.58 acres not the accurate 11.41 acres per Coconino County

Coverage allowed by the OC district is 30%, according to the staff report, this project complied with 29.99%, when calculated with the correct acreage (11.41), project is not compliant

2.0 PROJECT DESCRIPTION

Based on information provided by Mr. Dustin Schmidt, Vice President of Real Estate, the proposed project will consist of eleven, one to three-story structures with plan areas ranging from approximately 1,500 to 5,000 square feet to be constructed on a 11.41-acre site. The structures are assumed to be of wood frame and/or masonry construction with slab-on-grade and suspended floors. It is assumed that the structures located adjacent to Oak Creek will be constructed very close to the near-vertical creek bank. Maximum wall and column loads for the structures are assumed to be 3.0 kips per linear foot and 45 kips, respectively. We anticipate no extraordinary slab-on-grade criteria and that the finished floor levels will be within about 2 to 3

In the developers **Geo-technical report** and **Phase II drainage report** acreage is stated as 11.4

- B. **PROPERTY OWNER/DEVELOPER**
RD Olson Development
150 Schnebly Hill Road
Sedona, Arizona 86336
Phone:
- C. **DESCRIPTION OF PROPERTY**
The proposed development of Oak Creek Heritage Lodge will consist of 80 guest rooms, a lobby & check-in building, a restaurant & bar, a fitness & spa facility, a service building, and meeting space building. The development will also include a parking lot, paved access to the lobby, service building, and parking lot from Schnebly Hill Road and Bear Wallow. The property encompasses approximately 11.4 acres and is partially developed. Currently three of the parcels that will be a part of the development have residential structures and paved driveways and the other five are undeveloped with well-established trees and shrubs.

Public Hearing Date: April 16, 2024

Reviewer: Cari Meyer, Planning Manager

Color Coding	Full Compliance	Partial Compliance	Non-Compliance	Not Applicable
LDC Article 2: Zoning Districts				
2.20: OC: Oak Creek Heritage Area				
2.20.B: OC Lot and Building Standards				
Evaluation: Lot Standards: The lots meet the minimum lot width and area. For this development, the lots will be required to be combined into a single parcel which will meet the minimum lot width and area.				
The property was previously zoned RS-10 (4 residential units per acre). As the OC Zoning allows double the previous residential density in lodging units, up to 8 lodging units per acre are permitted. 70 lodging units are proposed (92 permitted, 11.56 acres x 8 units per acre).				
Setbacks: The project provides at least 40 foot setbacks along Schnebly Hill Road and 20 foot setbacks along all other property lines.				
Heights: As outlined in the height evaluation (See LDC Section 2.24.E), all buildings meet height requirements.				
Impervious Coverage: The project has a building coverage of 9.00% (25% permitted) and a total coverage of 29.99% (30% permitted). The site has a total of 26 separate buildings.				
The largest building footprint is the restaurant building with a footprint of 4,198 sf (5,000 sf permitted). All other buildings have smaller footprints.				
Compliance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable				

PROJECT 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 DESIGNATIONS:	401-11-001C, -002F; 401-12-016C; 401-18-001A, -002C, -031B, D & G
ZONING DISTRICT:	OAK CREEK HERITAGE AREA (OC)
COMMUNITY FOCUS AREA:	SCHNEBLY COMMUNITY FOCUS AREA: 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.
SITE AREA:	11.58 ACRES (504,424.80 SQUARE FEET)
DENSITY:	Allowed: Lodging Density of (8) Units per acre; or 11.58 x 8 = 92.64 units allowed Proposed: 70 Lodging Units with Accessory Use Structures (4 will be provided as Accessible Units per Table 1108.6.1.1) Proposed: 4 Work-Force Housing Apartments (1 will be provided as an Accessible Unit)
SETBACKS:	FRONT: 40 FEET, SIDE: 20 FEET, REAR: 20 FEET
BUILDING COVERAGE:	Allowed: Maximum Building Coverage = 25% (126,106.2 sf = 504,424.8 x 25%) Proposed: Maximum Building Coverage = 9.00% (45,862 sf = 504,424.8 x 9.00%) Allowed: Total Coverage (Impervious Coverage) = 30% (151,327.44 sf = 504,424.8 x 30%) Proposed: Total Coverage (Impervious Coverage) = 29.99% (151,320 / 504,424.80 = 29.99 %) OK. (Building Coverage = 61,837 sf + Hardscape Coverage = 89,483 sf = 151,320 sf) Allowed: Maximum Building Footprint = 5,000 sf Proposed: Maximum Building Footprints. Of the (27) building structures, are all under the 5,000 sf allowed (Range of proposed buildings is 128 sf to 4,198 sf)

**11.41 acres (per Coconino County recorder)* equals
497,019.6 sf
allowed total impervious coverage = 497,019.6 X
30%=149,105.88 sf
Proposed 151,320 sf is greater than allowed 149,105.88 sf**

- *Parcel size in acres
- 401-11-002F** 3.2
 - 401-18-031B** 0.96
 - 401-18-031D** 1.86
 - 401-18-001A** 1.04
 - 401-18-002C** 0.88
 - 401-18-031G** 0.84
 - 401-11-001C** 1.55
 - 401-12-016C** 1.08
 - Total** 11.41 acres

Parking LDC section 5.5

5.5: Off-Street Parking and Loading	
5.5.D: Minimum Off-Street Parking Spaces Required	
	<p><i>Evaluation:</i> A parking analysis has been submitted and accepted by the City. The analysis states the combination of uses will result in a maximum demand of 87 parking spaces. 90 parking spaces are provided: 84 in the valet lot at the north end of the site, 2 at the lobby building, and 4 at the Back of the House building.</p> <p>No covered parking is required</p> <p>A minimum of 9 bicycle parking spaces are required and 18 are provided (12 by the lobby building, 6 by the Back of House/multifamily building).</p> <p>Bus parking is provided in the valet lot on the north end of the site (3 spaces can be used as a bus space).</p>
	<p><i>Compliance:</i> <input checked="" type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>Partial</i> <input type="checkbox"/> <i>No</i> <input type="checkbox"/> <i>Not Applicable</i></p>
5.5.E: Parking Alternatives, Credits, and Adjustments	
	<p><i>Evaluation:</i> The parking analysis shows that the mix of uses on the site will result in a peak demand of 87 parking spaces. 90 spaces are provided. The applicant has addressed all outstanding questions on the parking analysis, and it has been accepted by the Community Development and Public Works Departments.</p> <p>Up to 9 compact spaces are permitted (10%) and 8 are proposed. No structured parking, on-street parking, or motorcycle spaces are proposed, and no reductions based on pedestrian or transit access are requested.</p>
	<p><i>Compliance:</i> <input checked="" type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>Partial</i> <input type="checkbox"/> <i>No</i> <input type="checkbox"/> <i>Not Applicable</i></p>

Parking LDC section 5.5

“The City’s **Development Code** Sec. 5.5.C(5) and LDC Table 5.2 specifies parking requirements based on two metrics: (1) total guest rooms and (2) square footage for other land use types”. Based on this analysis, by code standards the resort would **need 204 parking spots**. The City’s acceptance of this parking analysis proposes a peak of 87 parking spots, **with 90 provided**. This allowance and approval by the Development Department is less than half what the Code suggests.

Table 1: City of Sedona Land Development Code-Required Off-Street Parking Spaces*

Use type	Measurement criteria	Ratio	Required minimum off-street parking spaces
Lodging	70 rooms	1/room + 10%	77
Restaurant	7,100 SF	1/100 sq. ft.	71
Personal Services (spa)	3,300 SF	1/250 sq. ft.	14
Meeting rooms	1,900 SF	1/50 sq. ft.	38
Studio apartment	4 units	1/unit	4
TOTAL			204

*Parking requirements rounded to the nearest whole parking stall for each land use.

Source of tables: Parking need study report pg 2 and 9

SUMMARY AND CONCLUSIONS

Table 3: Peak Parking Stall Demand and Adjustments (From ULI Shared Parking and ITE Parking Generation)

Land Use	City Code-Required	ULI/ITE Base Demand (Before Shared Use)				ULI/ITE Projected Peak Shared-Use Demand			
		Weekday – 5pm		Weekend – 9pm		Weekday – 5pm		Weekend – 9pm	
		Guest/Visitor	Employee/Resident	Guest/Visitor	Employee/Resident	Guest/Visitor	Employee/Resident	Guest/Visitor	Employee/Resident
Lodge	77	70	11	70	11	50	6	60	2
Restaurant	71	48	10 ¹	55	11 ¹	1	8 ¹	4	9 ¹
Wellness Spa	14	10	3	11	3	2	2	-. ²	-. ²
Meeting/Banquet	38	53	3 ¹	34	3 ¹	10	2 ¹	6	2 ¹
Residential (Studios)	4	1	4	1	4	-. ²	4	-. ²	4
TOTALS	204	182	31	171	32	63	22	70	17
						85		87	

¹ The ULI recommendations combine restaurant and meeting employees into one category. The employee distributions for these two land uses have been allocated based on the proposed restaurant and meeting/banquet space square footage.

² The wellness spa is assumed to be closed at 9pm on weekends when projected peak parking demand occurs. Resident visitor parking demand is assumed to be null during the projected weekday (5pm) and weekend (9pm) peak demand periods.

Fire Code and Review

Compliance with this code and other applicable regulations

- Fire department review is mentioned in the following sections
 - LDC Checklist 5.4.D, 5.4.E, and in the staff report under 8.3.E(5)J
- Per the fire marshal this project was only reviewed at its conceptual stage
 - Design has changed significantly since
- Review was preformed against the 2012 International fire code not current 2018 International Wildland-Urban Interface (WUI)



← Design Before
source:
<https://www.sedonaaz.gov/home/showpublisheddocument/44990/637738840840100000>
Design currently →
source:
<https://www.sedonaaz.gov/home/showpublisheddocument/50888/638463764911270000>



The traffic impact study does not comply with Sedona City Code Section 14.10.070

“The purpose of this chapter is to establish a uniform policy for conducting a traffic impact study where the anticipated traffic behavior resulting from a development is expected to have a materially negative operational or safety impact on a street or highway within the city.” (City Code Section 14.10.010)

“A traffic impact study shall be approved jointly by the city engineer and the director of community development. **Where a state highway is involved, approval by the district engineer and by the Assistant State Engineer of the Traffic Engineering Section, Arizona Department of Transportation, shall be obtained by the developer prior to consideration by the city.**” (City Code Section 14.10.070 bold emphasis added)

The only way to access Schnebly Hill Road is via SR179, a state highway.

There is no showing that the Traffic Impact Study was approved by the district engineer and by the Assistant State Engineer of the Traffic Engineering Section of AZDOT.

Accessory uses

LDC3.2 shows meeting space as an accessory use but neither the OC or the Schnebly CFA call for that to be allowed

Per the OC district -

“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.”

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

(10) Restaurant

(12) Administrative, Professional, or Government Office

(15) Personal Services, General

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

Per the Schnebly Hill CFA

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

Meeting space is only defined under 9.4B Public, Institutional, and Civic Uses - **which states to provide a service to the public**

Accessory uses continued

In the parking study the meeting room are suggested to be used for gatherings such as business retreats and weddings

In the Noise Study - the project was assessed for weddings and other gatherings.

Neither providing a showing of service to the public

Both weddings and retreats are identified in 9.4G as **Special Events**

in 3.5 E (4) it specifies how often special events can occur

10 special events a year, lasting a max of 3 days, and 10 days elapsed between

How will these limits be followed? Is this an allowed accessory use?

E. Minimizes Impacts on Surrounding Property Owners

8.3E(5)E

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 surrounding property owners in the immediate neighborhood as defined in the Citizen Participation Plan for the specific development project, if such a plan is required.

Staff Evaluation: The applicant completed their required Citizen Participation Plan, which is included in [Attachment 3](#). Staff completed the required noticing. All comments received are included as [Attachment 6](#) and included the following:

- Concerns about the appropriateness of a hotel in this location.
 - Staff Response: The property was rezoned to OC in 2020, which includes lodging as a permitted use. The evaluation for this project is not whether a hotel should be located here, but rather, whether the proposed site and building design conforms with the requirements of the Land Development Code and the recommendations of the CFA Plan.
- Housing provided is not sufficient for hotel workers.
 - Staff Response: There is no requirement in the OC District for housing to be provided. Other projects have provided housing as part of a public benefit package for a rezoning application. This application is for Development Review only.
- Design of the hotel is not in line with the recommendations of the CFA.
 - Staff Response: As outlined in the CFA and LDC Checklists, Staff's evaluation of the project concluded that the project meets the recommendations and requirements of the CFA Plan. No building exceeds a footprint of 5,000 sf. 15 of the 26 buildings (58%) are under 2,500 sf and 10 of the 26 buildings (38%) are under 1,000 sf. The largest buildings are on the west side of the site, away from the road at the lowest elevations and under the tallest trees, while the buildings closer to the road are generally smaller, single-story buildings. The color and material palette was drawn from existing buildings in the vicinity of the property and structures on the subject property. The landscape plan was developed in consultation with the neighbors. Between the floodway and the open space buffer along Schnebly Hill Road, open space represents nearly 50% of the site (25% required), and the creek, floodway, and drainages leading to the creek are being left in their natural state.

- Impacts of outdoor events.
 - Staff Response: The hotel will be required to comply with the City's noise ordinance. To address neighbor concerns, the applicant did a noise study to understand the effects of noise on the surrounding properties and located their event lawn on the south end of the site, furthest from the existing residences up Schnebly Hill Road and Bear Wallow Lane. Given the screening of the event lawn with buildings and natural vegetation, as well as the creek, noise from this area is not expected to be an issue.
- Traffic Generated by the Development
 - Staff Response: The City has accepted the applicant's Traffic impact Analysis, which includes recommendations for improvements to Schnebly Hill Road. The Public Works Department will review these improvements and ensure compliance as part of the building permit process. The development will also be required to pay development impact fees which can be used for road improvements in the area.

The comments received in opposition to this application were primarily from residents of other areas of Sedona. The Schnebly CFA plan was developed with extensive input from the property owners in the Schnebly Hill area and the applicant has worked closely with the neighbors on this plan. Staff believes that the project meets the criterion of not causing significant adverse impacts on surrounding properties and the applicant has made a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the Citizen Participation Plan (property owners within 300 feet of the project site).

THE PROPOSED DEVELOPMENT WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON SURROUNDING PROPERTIES

The existing, surrounding residential properties in the immediate neighborhood, parcels included within the Schnebly Hill CFA, include those residences on Bear Wallow Lane.

The existing, surrounding residential properties on Bear Wallow Lane are only accessible via Bear Wallow Lane, a private road which is only accessible from Schnebly Hill Road, that is only accessible from SR179. Traffic congestion caused by the proposed development will significantly and adversely impact ingress and egress to these residential properties, including ingress and egress for emergency services and emergency evacuations.

These surrounding residential properties will be significantly and adversely impacted by high-impact resort land uses and attendant accessory commercial uses, uses that are incompatible with low-impact, quiet enjoyment of residential property uses.

These surrounding residential properties will be significantly and adversely impacted in terms of public services and utilities, potable water availability, light pollution, noise, environmental degradation, disruptions due to construction activity, and potential for trespass.

The existing, surrounding residential properties further up Schnebly Hill Road will likewise be significantly and adversely impacted by this proposed development.

G. Minimizes Adverse Environmental Impacts

8.3E(5)G

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, storm water management, wildlife habitat, soils, and native vegetation.

***Staff Evaluation:** No negative environmental impacts are anticipated because of the proposed development. The project leaves the floodway and associated drainages in their natural states and will follow City requirements for development within a floodplain. The site is served by existing streets and utilities. The drainage for the site has been designed in accordance with the City's requirements. While the site contains a City-designated floodplain, floodplain requirements have been taken into consideration in the design of the project.*

designated CRITICAL habitat for two threatened species

Details | Basemap

Print | Measure Find address or place

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Contents

- USFWS Critical Habitat - Critical Habitat - Polygon Features - Final
- USFWS Critical Habitat - Critical Habitat - Linear Features - Final
- USFWS Critical Habitat - Critical Habitat - Polygon Features - Proposed
- USFWS Critical Habitat - Critical Habitat - Linear Features - Proposed

Topographic

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R8-ES-2013-0011; FF09E21000 FXES11110900000 212]

RIN 1018-BE29

Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Western Distinct Population Segment of the Yellow-Billed Cuckoo

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R2-ES-2020-0011; FF09E21000 FXES1111090FEDR 223]

RIN 1018-BD96

Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Narrow-Headed Gartersnake

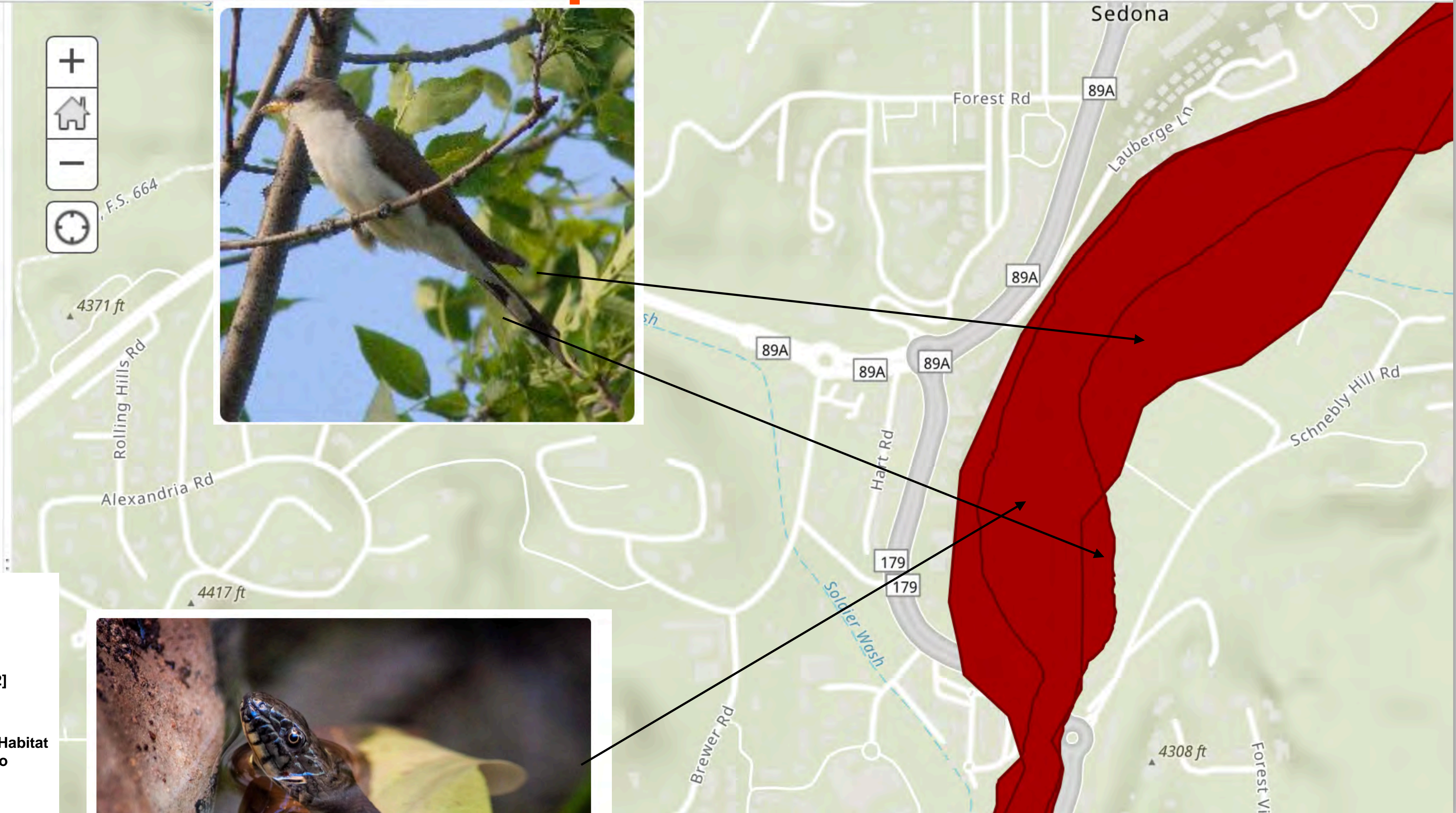
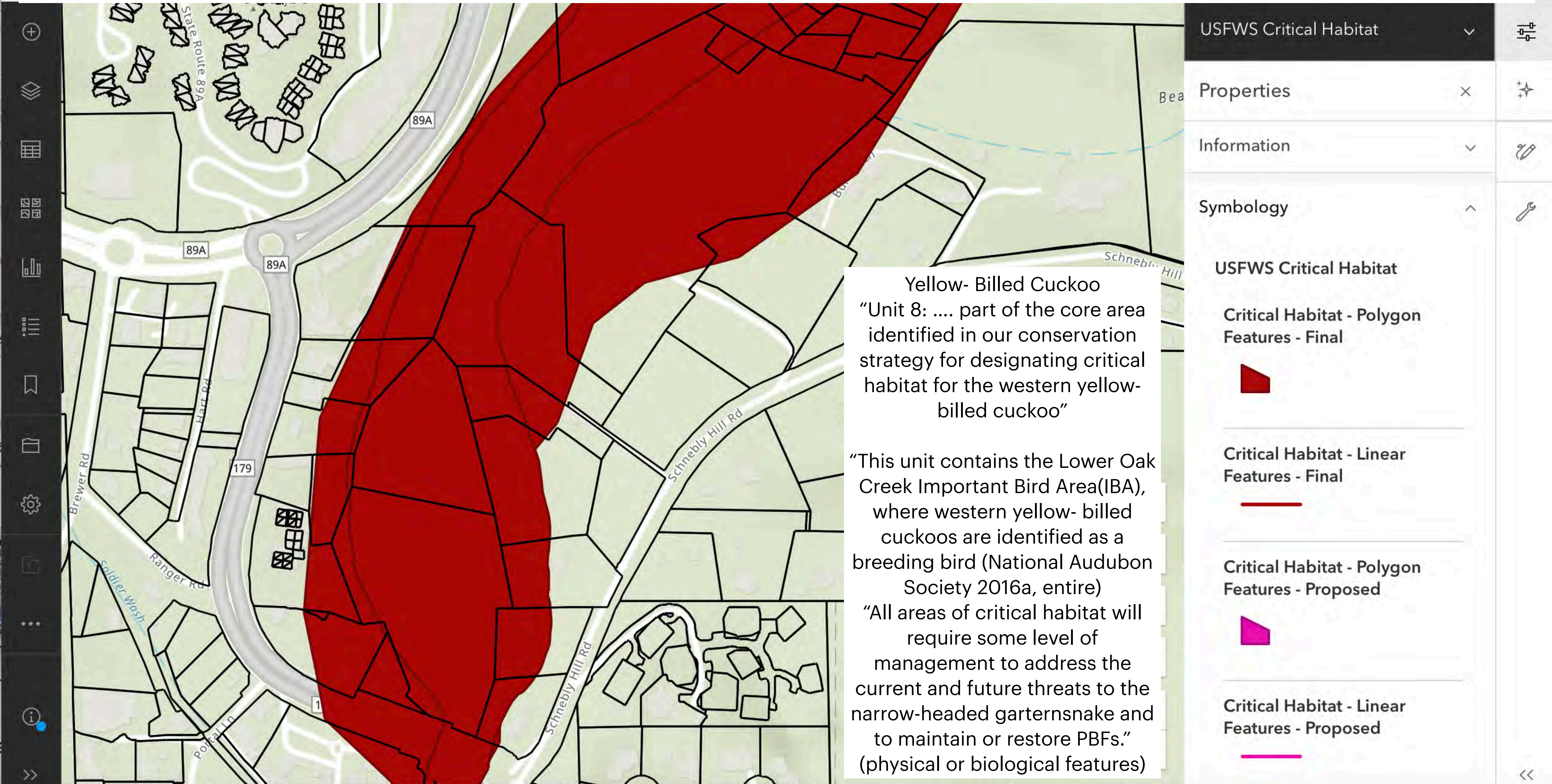


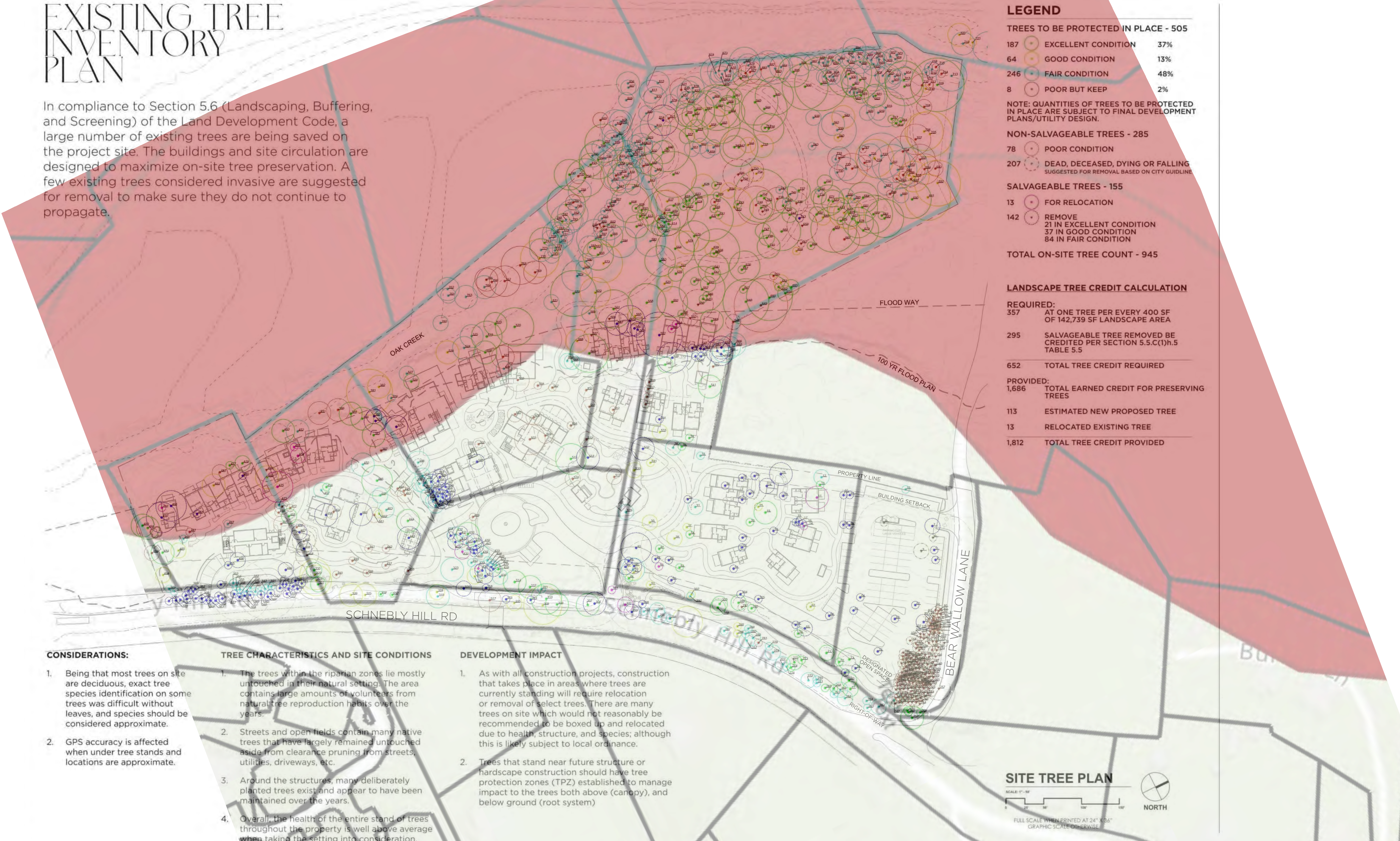
Photo By Jana Maravi

USFWS Critical Habitat Map at Proposed Development Site



EXISTING TREE INVENTORY PLAN

In compliance to Section 5.6 (Landscaping, Buffering, and Screening) of the Land Development Code, a large number of existing trees are being saved on the project site. The buildings and site circulation are designed to maximize on-site tree preservation. A few existing trees considered invasive are suggested for removal to make sure they do not continue to propagate.



LEGEND

TREES TO BE PROTECTED IN PLACE - 505		
187	EXCELLENT CONDITION	37%
64	GOOD CONDITION	13%
246	FAIR CONDITION	48%
8	POOR BUT KEEP	2%

NOTE: QUANTITIES OF TREES TO BE PROTECTED IN PLACE ARE SUBJECT TO FINAL DEVELOPMENT PLANS/UTILITY DESIGN.

NON-SALVAGEABLE TREES - 285		
78	POOR CONDITION	
207	DEAD, DECEASED, DYING OR FALLING	SUGGESTED FOR REMOVAL BASED ON CITY GUIDELINE

SALVAGEABLE TREES - 155		
13	FOR RELOCATION	
142	REMOVE	
	21 IN EXCELLENT CONDITION	
	37 IN GOOD CONDITION	
	84 IN FAIR CONDITION	

TOTAL ON-SITE TREE COUNT - 945

LANDSCAPE TREE CREDIT CALCULATION

REQUIRED:	357	AT ONE TREE PER EVERY 400 SF OF 142,739 SF LANDSCAPE AREA
295	SALVAGEABLE TREE REMOVED BE CREDITED PER SECTION 5.5.C(1)h.5 TABLE 5.5	
652	TOTAL TREE CREDIT REQUIRED	
PROVIDED:	1,686	TOTAL EARNED CREDIT FOR PRESERVING TREES
113	ESTIMATED NEW PROPOSED TREE	
13	RELOCATED EXISTING TREE	
1,812	TOTAL TREE CREDIT PROVIDED	

CONSIDERATIONS:

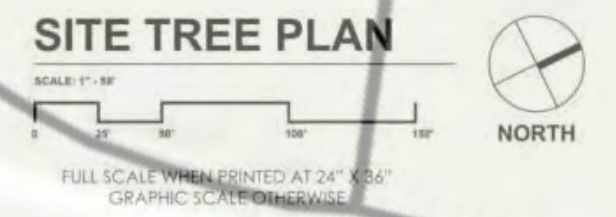
1. Being that most trees on site are deciduous, exact tree species identification on some trees was difficult without leaves, and species should be considered approximate.
2. GPS accuracy is affected when under tree stands and locations are approximate.

TREE CHARACTERISTICS AND SITE CONDITIONS

1. The trees within the riparian zones lie mostly untouched in their natural setting. The area contains large amounts of volunteers from natural tree reproduction habits over the years.
2. Streets and open fields contain many native trees that have largely remained untouched aside from clearance pruning from streets, utilities, driveways, etc.
3. Around the structures, many deliberately planted trees exist and appear to have been maintained over the years.
4. Overall, the health of the entire stand of trees throughout the property is well above average when taking the setting into consideration.

DEVELOPMENT IMPACT

1. As with all construction projects, construction that takes place in areas where trees are currently standing will require relocation or removal of select trees. There are many trees on site which would not reasonably be recommended to be boxed up and relocated due to health, structure, and species; although this is likely subject to local ordinance.
2. Trees that stand near future structure or hardscape construction should have tree protection zones (TPZ) established to manage impact to the trees both above (canopy), and below ground (root system)



I. Compliance with Utility, Service, and Improvement Standards

8.3E(5)I

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.

Staff Evaluation: *The application materials were provided to review agencies for an opportunity to review. As conditioned, the proposed development complies with all applicable regulatory authority standards included within this criterion.*

Agencies review

What agencies were submitted the documents for review?

Did the below agencies receive plans to review?

- Arizona Department of transportation
- Coconino County for Flood control, **powers and duties were assigned to them for floodplain management via ordinance NO 2023-07**
- Department of Interior - Fish and Wildlife Service- for designated habitat of threatened species
- Sedona Fire
- Coconino National Forest
- Coconino County for **emergency evacuation and reentry as part of the Intergovernmental Agreement from resolution NO. 2023-16**

J. Provides Adequate Road Systems and Traffic Mitigation

8.3E(5)J

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.

***Staff Evaluation:** No new roads are required to serve the site. The Sedona Fire District and Police Department have reviewed the plans and have raised no concerns from an emergency access perspective. The City's Public Works Department has reviewed the traffic analysis and will ensure compliance with the recommendations in the analysis through the building permit process. The proposal is in compliance with this criterion.*

J. Provides Adequate Road Systems and Traffic Mitigation

continued

The Sedona Fire District review that was prepared in 2021, was done pursuant to the 2012 International Fire Code, and is now outdated. A comprehensive review under the updated 2018 international Wildland-Urban Interface Code has not been prepared. **An updated review by the Sedona Fire Department is critical for an accurate understanding of the proposed project's impacts on emergency services access, potable water availability and emergency evacuation needs.**

The development directly impacts our ability to leave our homes in an emergency.

The proposed development documentation is void of traffic mitigation measures, both during construction phase and for any final roadway improvements that will be necessary.

K. Provides Adequate Public Services and Facilities

8.3E(5)K

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.

Staff Evaluation: Staff believes that adequate public service and facility capacity exists to accommodate the proposed development. All applicable review agencies have reviewed the plans and have not stated any concerns from a serviceability standpoint. The proposal is in compliance with this criterion.

From the Will serve letters

David Nicolella

From: TMathe@uesaz.com
Sent: Thursday, February 11, 2021 9:42 AM
To: David Nicolella
Subject: FW: Unisource "Will Serve Letter" Contact Status
Attachments: Schnebly Hill Rd. Gas.PDF

David,

My name is Taylor Mathe, I am the planner for the Verde Valley District. I looked over your parcels regarding your new resort off Schnebly Hill Rd. and currently we do have a few vacant risers on your parcels. There is a main currently on Schnebly Hill Rd and Bear Wallow that can serve your parcels, except for 401-11-002F and 401-18-031B those will need a main extension or you will have to pipe out to Schnebly. There is a cost for new services if you don't use any of the existing risers and a cost for any mainline extensions. In order to give you any estimate we will need meter locations and BTU loads.

Any questions feel free to contact me, my numbers are below.

Thank you.

Taylor Mathe

Planner- Verde District
500 S Willard Street
Cottonwood, AZ 86326
Office: 928-203-1214
Cell: 928-300-2728
tmathe@uesaz.com

From: Fanning, Monette <MFanning@uesaz.com>
Sent: Wednesday, February 10, 2021 3:51 PM
To: Mathe, Taylor <TMathe@uesaz.com>
Subject: FW: Unisource "Will Serve Letter" Contact Status

From: David Nicolella <DN@sefengco.com>
Sent: Wednesday, February 10, 2021 3:38 PM
To: Fanning, Monette <MFanning@uesaz.com>; Hector Riojas <hriojas@uesaz.com>; Irene Freeman <IFreeman@uesaz.com>
Subject: [EXTERNAL E-Mail]FW: Unisource "Will Serve Letter" Contact Status

***** UNS WARNING - EXTERNAL EMAIL *****

Do NOT open attachments or click links that you are not expecting.

From the December 7, 2021 meeting packet

RE: City of Sedona Development Application - Oak Creek Resort

Mathe, Taylor <TMathe@uesaz.com>

Mon 8/23/2021 11:05 AM

To: Cari Meyer <CMeyer@sedonaaz.gov>

Good Morning Cari,

I looked over the plans for the Oak Creek Resort. Until Unisource knows the amount of gas that the resort will consume we cannot provide a "Will Serve Letter". While, I did look over the area and know that there are gas mains nearby I need an estimate on gas usage in order to verify that we can serve the project.

I know that this is still a proposal, but feel free to forward my information along to anybody involved with the project and I can answer any questions that they may have.

Thank you!

Taylor Mathe

Planner- Verde District
500 S Willard Street
Cottonwood, AZ 86326
Office: 928-203-1214
Cell: 928-300-2728
tmathe@uesaz.com

From: Cari Meyer <CMeyer@sedonaaz.gov>

Sent: Wednesday, August 18, 2021 5:33 PM

Subject: [EXTERNAL E-Mail]City of Sedona Development Application - Oak Creek Resort

***** UNS WARNING - EXTERNAL EMAIL *****

Do NOT open attachments or click links that you are not expecting.

If the content or request made in this email seems unusual in any way, please contact the sender, via phone or in-person, to verify that this is a legitimate request.

***** REPORT ANYTHING SUSPICIOUS *****

I use the same distribution list for all new development projects. If the project(s) on this list are not in your county or area of service, do not feel obligated to respond, but feel free to contact me with any questions you have or clarifications you may need.

Hello,

The City of Sedona Community Development Department has received the following development application.

As a conceptual review, your review should focus on the general development proposal and any future requirements of your organization.

1. **PZ21-00011 (DEV) Oak Creek Resort (APN 401-11-002F; 401-12-016C; 401-18-001A, -001C, -002C, -031B, -031D, -031G).** The property is in *Coconino County*. The applicant is requesting a development review to allow for a new 92 room hotel with amenities including a pool, restaurant, spa, and meeting space. The property is approximately 11.6 acres and is zoned Oak Creek Heritage District (OC).

ARIZONA WATER COMPANY

3805 N. BLACK CANYON HIGHWAY, PHOENIX, AZ 85018-3351 • P.O. BOX 29006, PHOENIX, AZ 85038-9006
PHONE: (602) 240-6860 • FAX: (602) 240-6874 • TOLL FREE: (800) 533-6023 • www.azwater.com

March 15, 2021

Luke Sefton, P.E.
Sefton Engineering Consultants
40 Stutz Bearcat Dr.
Sedona, AZ 86336

Re: Domestic Water Service to Multiple Parcels SR179 and Schnebly Hill

Dear Mr. Sefton:

Arizona Water Company (the "Company") certifies that the above-described property is located within its Certificate of Convenience and Necessity in Sedona, Arizona, and that it will provide water service to the property in accordance with the Company's tariffs and the Arizona Corporation Commission's rules and regulations. It will be the responsibility of the developer to provide the funds to install the necessary water facilities, and the Company assumes no liability to install those facilities if the funds are not advanced by the developer.

The design of the water distribution system must comply with the Company's standard specifications that are on file at the Arizona Department of Environmental Quality. Both preliminary and final water system designs must be approved by the Company.

It will also be the responsibility of the developer to meet all the requirements of regulatory agencies having jurisdiction over Arizona subdivisions and of Arizona statutes applicable to subdivided or unsubdivided land, including, but not limited to, requirements relating to a Certificate of Assured Water Supply, as set forth in the Arizona Groundwater Management Act, A.R.S. §45-576.

Very truly yours,

Andrew J. Haas, P.E.
Vice President - Engineering
engineering@azwater.com

sla

E-MAIL: engineering@azwater.com

3/15/2021
PK6 09
E-3-1-1

SERVICEABILITY LETTER



Robert Lane, Public Lands Chief
Baker, Office Manager
Christopher Henry, E.I.T.
Leonard Filmer, Planner

Luke Sefton, P.E., CFM
Tim Huskett, P.E., CFM

January 29, 2021

John Snickers
Arizona Water Company

65 Coffee Pot Dr. Suite 7
Sedona, Arizona 86336

Re: Letter of Serviceability for the following Parcels, located within the City of Sedona's Jurisdiction:

- 401-11-001C
- 401-11-002F
- 401-12-016C
- 401-18-001A
- 401-18-031B
- 401-18-002C
- 401-18-031G
- 401-18-031D

Dear John,

Sefton Engineering Consultants is planning to submit plans to the City of Sedona for the development of a 100 plus unit resort for the above referenced parcels. As you are aware, a Letter of Serviceability is required from Arizona Water Company. At your earliest convenience, will you please provide a Letter of Serviceability confirming that the above referenced project is in Arizona Water Company's service area?

The above referenced parcel numbers are located on the west side of Schnebly Hill Road approximately 100 feet north of State Route 179 Roundabout, within the City of Sedona's limits. A vicinity map is attached.

Thank you in advance for your assistance.

SEND TO:

Vicinity Map

40 Stutz Bearcat Dr., Sedona, Arizona 86336 • Phone: (920) 202-1099
Email: info@seftoneng.com or www.seftoneng.com

In affiliation with:
Heritage Land Surveying & Mapping, Inc. with offices in Sedona, Camp Verde & Colorado



Estimated Water Demand Letter

Luke Sefton PE, CFM
Timothy Huskett, P.E., CFM
Dugan McDonald, R.L.S.
Clint Gillespie, R.L.S.
Sam Musser, Planner



From the Preliminary Wastewater Report

Luke Sefton PE, CFM
Timothy Huskett, P.E., CFM
Dugan McDonald, R.L.S.
Clint Gillespie, R.L.S.
Sam Musser, Planner

May 25, 2023

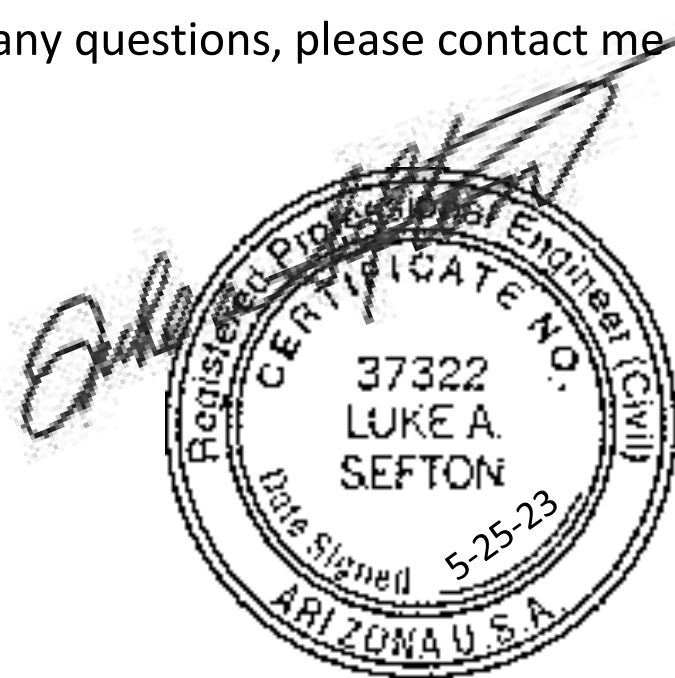
City of Sedona Public Works
Attn: Hanako Ueda
102 Roadrunner Drive
Sedona, Arizona 86336

RE: Oak Creek Resort
Estimated Water Demand

The estimated water demand for Oak Creek Resort was approximately **21,600 gallons per day**. The estimated water demand was calculated using an average water usage of 300 gallons per day per room and a total of 70 rooms. The usage is based on Table 8 of the *City of Phoenix Design Standards Manual for Water and Wastewater Systems*, using the 'Resort' Land Use category. The 21,600 gallons per day is considered the ultimate water usage, but additional water-saving measures will be considered as the design of Oak Creek Resort progresses.

If you have any questions, please contact me at (928) 202-3999 or email me at ls@sefengco.com.

Sincerely,



Luke A. Sefton, P.E., CFM
Principle Engineer

Attachment:

GENERAL LOCATION AND DESCRIPTION

Project Overview

The purpose of this report is to determine the projected wastewater flow from the proposed development of Oak Creek Resort and to provide the design for a private wastewater collection system. Wastewater from this project will flow into the existing gravity wastewater collection system operated and maintained by the City of Sedona. This report consists of the design and materials for a proposed 8-inch gravity wastewater collection system capable of transporting the projected wastewater effluent from the development to the existing City of Sedona wastewater collection system.

The proposed development of Oak Creek Resort will consist of 70 guest rooms, a lobby & check-in building, a restaurant & bar, a fitness & spa facility, a service building, and meeting space building.

Project Location

Oak Creek Resort will be a commercial development located within the City of Sedona, Coconino County, Arizona. The property is located north of the intersection of State Route 179 and Schnebly Hill Road and south of Bear Wallow Road and Schnebly Hill Road. The development is located on parcels as Assessor Parcel Number (APN) 401-12-016C, 401-11-001C, 401-11-002F, 401-18-031B, 401-18-031D, 401-18-031G, 401-18-001A, and 401-18-002C within a portion of Southwest ¼ of Section 8 and the Southeast ¼ of Section 7, Township 17 North, Range 6 East of the Gila and Salt River Base Meridian.

Property Owner/Developer RD Olsen Development
150 Schnebly Hill Road
Sedona, Arizona 86336

DESIGN OF WASTEWATER COLLECTION SYSTEM

Design Flow

The proposed wastewater collection system was designed based on the cumulative flow determined using Table 1: Unit Design Flows from the Arizona Administrative Code Section R18-9-E323. Criteria for determining the cumulative design flow is as follows:

- 81 Beds @ 50 gallons per day
- 4 one-bedroom apartments @ 200 gallons per day
- Restaurant with 60 seats at 66 gallons per day
- Peaking Factor of 3.6

	Average Day (gpd)	Peaking Factor	Peak (gpd)
Hotel	4,050	3.6	14,580
Apartment	800	3.6	2,880
Restaurant	3,960	3.6	14,256
Total	8,810	3.6	31,716



“They paved paradise,
put up a parking lot

“With a pink hotel,
a boutique and
a swingin’ hot spot

“Don't it always seem to go

“That you don't know what
you've got’ til it’s gone

“They paved paradise,
put up a park lot”

Joni Mitchell - Big Yellow Taxi

Appeal to the Oak Creek Heritage Lodge Development Planning & Zoning Approval

Project PZ23-00004 (DEV)

June 25, 2024

Appellees from Sedona Residents Unite:

Carol Breen, Nancy Friedman, Ann Kelley, Sean Smith & Mark TenBroek

Fundamental Basis for Appeal

1. Land Use - Sense of Place:
 - a. Structures, proposed lodging and accessory buildings, are out of scale of rural character from CFA vision
 - b. Development generates significantly more traffic compared to single family homes
2. Environment - Protection of Oak Creek and Wildlife:
 - a. Development has obvious flood risk issues
 - b. Development does not protect the riparian corridor
 - c. Development fundamentally impacts the environmental biome

Background

Originally zoned Residential - concerned would allow high density development inconsistent with the desired character of the CFA

Established Oak Creek Heritage Area (OC) zoning district using the Schnebly CFA:

- “The new zoning district would allow for lodging which could serve a different niche that would diversify the City’s lodging inventory with small, intimate options such as cottages and cabins.”

(Page 10 Schnebly Hill CFA)

- “A property zoned OC must take into consideration both the Land Development Code and the [Schnebly] CFA Plan”

Oak Creek Heritage Area (OC) Summary (Page 1)

The Developer MUST comply with the conditions outlined in the Schnebly CFA!

Schnebly CFA Vision

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.”

(Page 1 Schnebly Community Focus Area Plan)

Community Expectations

The Sedona Community Plan listed the following expectations for this CFA:

- “Retain large parcels and rural character
- Support agriculture as a key character element
- Support non-residential uses (e.g., bed and breakfast, neighborhood cafe) if tied to the preservation of large land areas and generates less traffic than medium-density residential
- Retain similarly affordable housing currently provided in existing mobile home/RV park
- Protect riparian environment along Oak Creek
- Evaluate potential for environmentally sensitive public creek access
- Preserve historic resources (Gassaway House)”

Appeal Basis 1:

Land Use - Sense of Place

- a. Structures are out of scale of rural character from CFA vision
- b. Development generates significantly more traffic compared to single family homes

Land Use: Sense of Place

- Does not address “Style and Scale”
- Does not “preserve open space”

Color Coding	Full Compliance	Partial Compliance	Non-Compliance	Not Applicable
Land Use Recommendations: Sense of Place (Page 16)				
CFA Objective: A distinct identity unique to the area which reflects its rural, agricultural, and historical qualities.				
	Strategy 1: The design of new development shall be of a style and scale that reflects the desired character and identity unique to this area.			
	<i>Evaluation:</i> The project’s design is in compliance with the LDC requirements for the OC District. In addition, the color and material palette for this development has been selected based on the historic building materials in the area and on this site. Proposed materials include natural rocks, wood, and metal. Colors are proposed to be dark, earthen colors to fit into the landscape.			
	Compliance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable			
	Strategy 2: Cluster development in order to preserve open space, hillsides, and floodplains.			
	<i>Evaluation:</i> The development has been clustered in order to preserve both the floodway on the western portion of the property and the open space/agricultural strip on the east side of the property. In addition to clustering the buildings, each cluster has a slightly different (but complementary) architectural character to further visually distinguish them.			
	Compliance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable			

See page 25 - 27 for Implementation

Sense of Place: Schnebly CFA Implementation

“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.”

(Page 25 Schnebly Community Focus Area)

CFA Lodging Examples

Directly from the CFA

Used as examples in early development submittals

Examples of lodging accommodations:



Envisioned by CFA



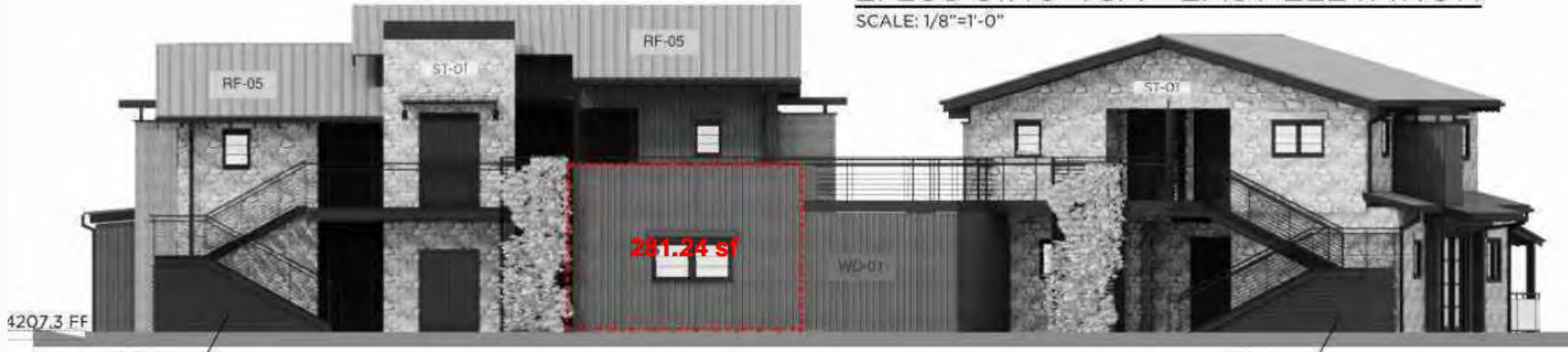
Proposed



Images to SCALE!

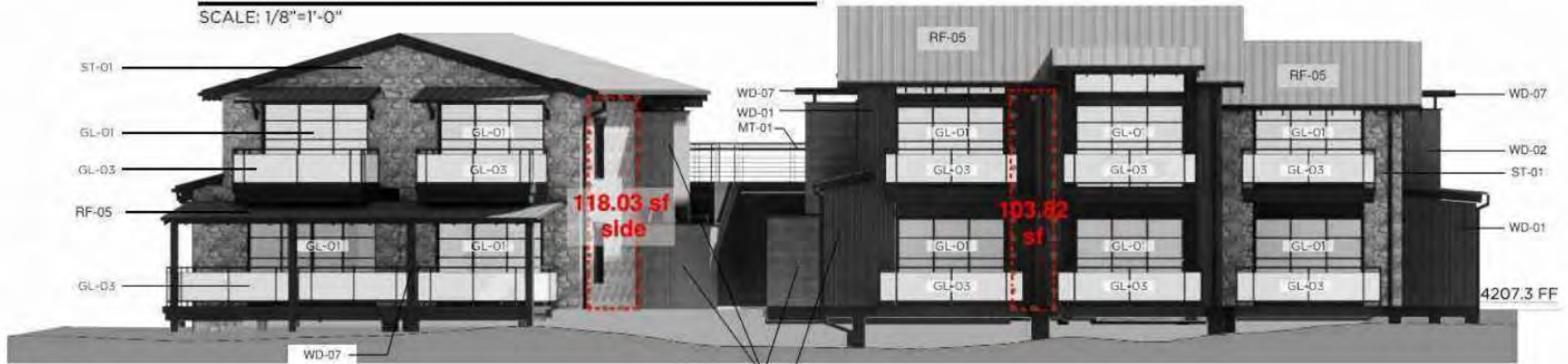
2. LODGING 4CA - EAST ELEVATION

SCALE: 1/8"=1'-0"



4. LODGING 4CA - WEST ELEVATION

SCALE: 1/8"=1'-0"



Envisioned
by CFA



Images to SCALE

Proposed



4. LOBBY - WEST ELEVATION

SCALE: 1/8"=1'-0"

WINDOWS&DOORSAT
LOBBYARE RECESSED
12" MIN.

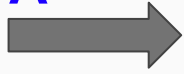


2. LOBBY - EAST ELEVATION

SCALE: 1/8"=1'-0"



Envisioned
by CFA



Images to SCALE

Proposed

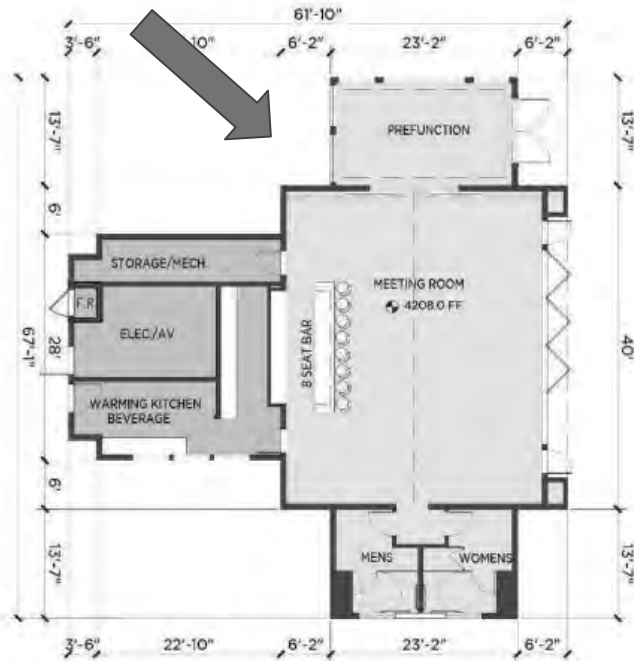


Envisioned
by CFA



Images to SCALE

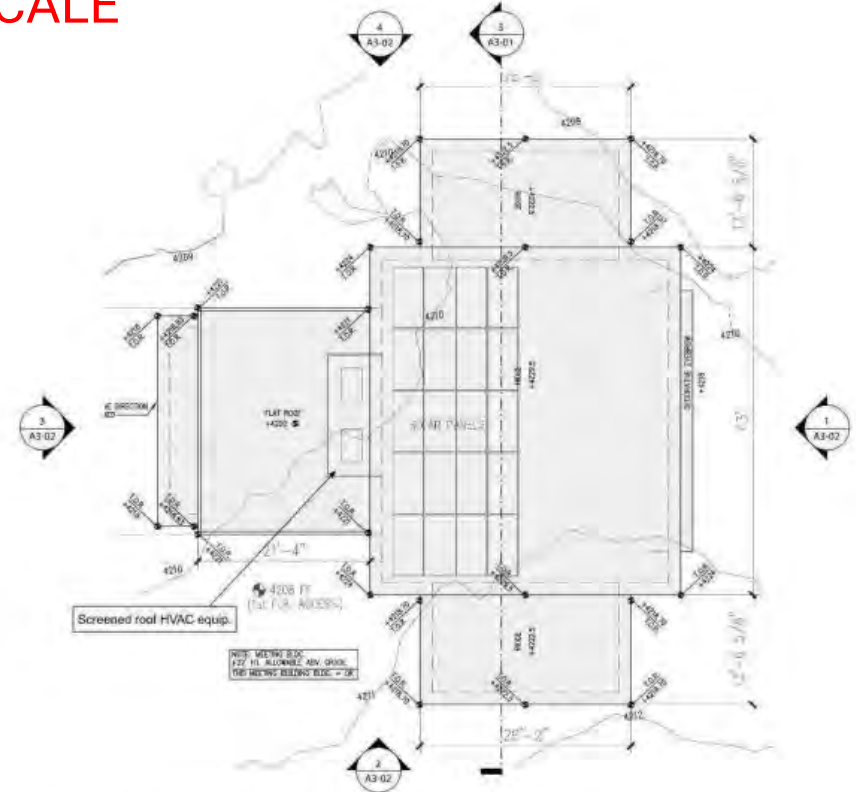
Proposed



1. MEETING ROOM - FLOOR PLAN

SCALE 1/8"=1'-0"

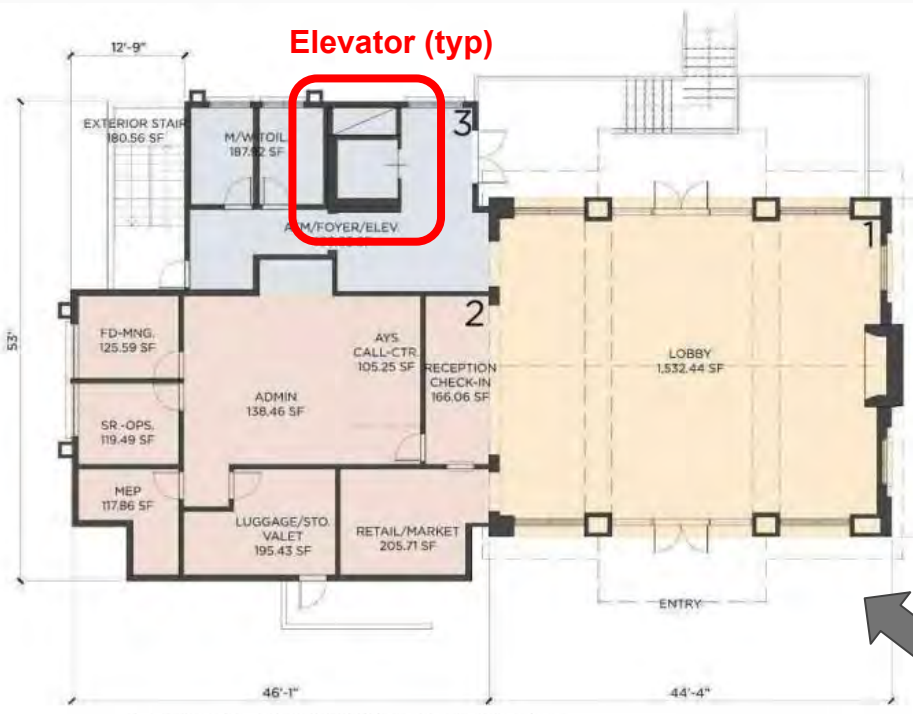
GROSS FLOOR AREA: 2,687 SF



2. MEETING ROOM - ROOF PLAN

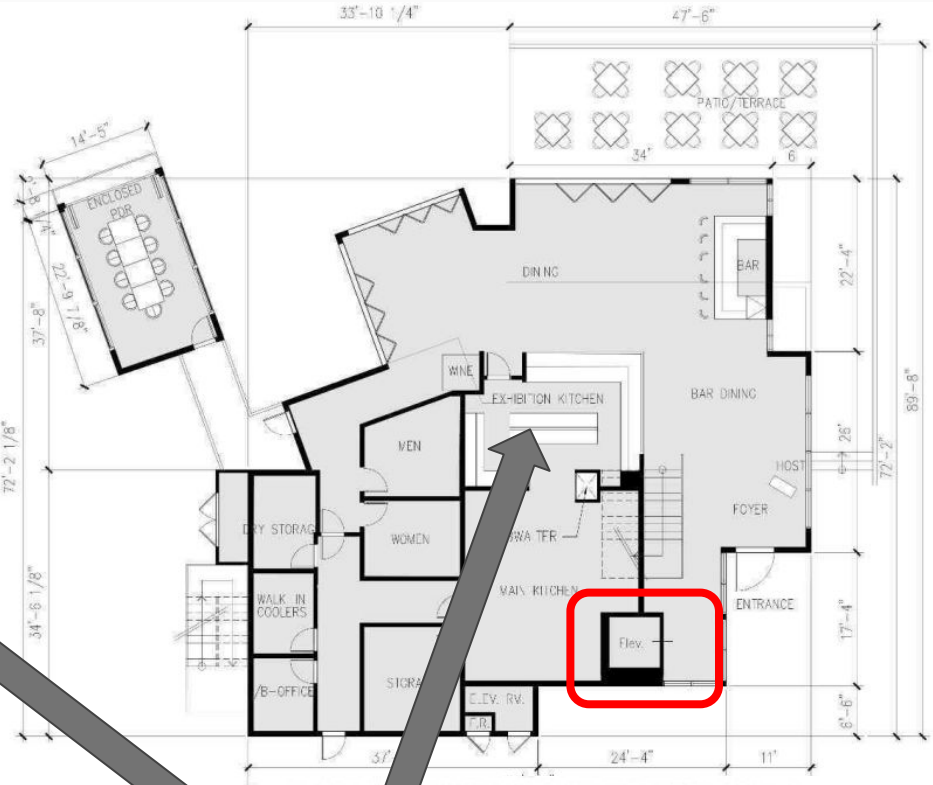
SCALE 1/8"=1'-0"



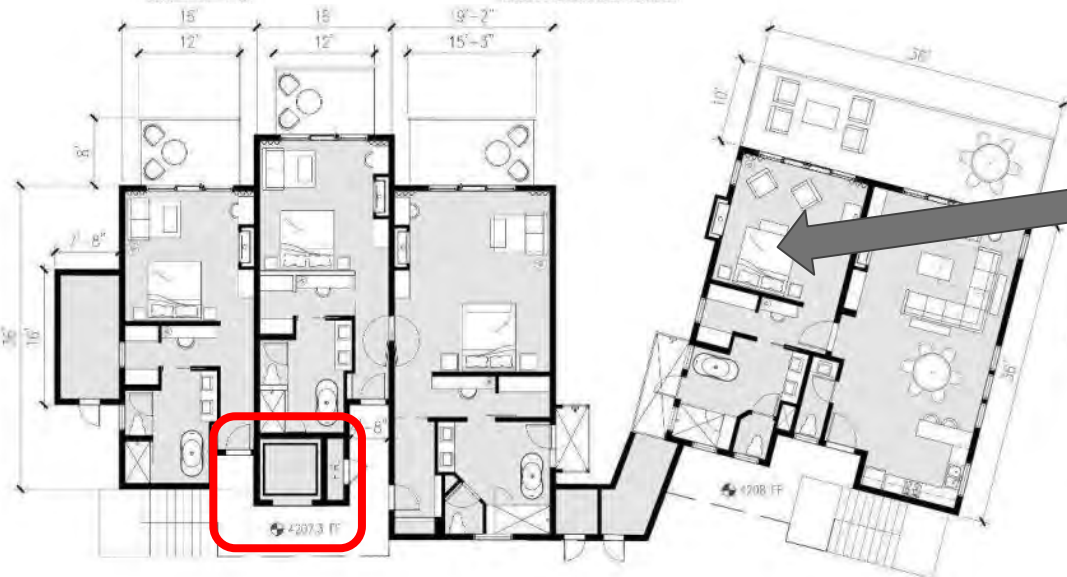


1. LOBBY - FIRST LEVEL FLOOR PLAN

SCALE: 1/8"=1'-0" GROSS FLOOR AREA: 3,700 SF



1. RESTAURANT - FIRST LEVEL FLOOR PLAN



1. LODGING 4CA - FIRST LEVEL FLOOR PLAN

SCALE: 1/8"=1'-0" GROSS FLOOR AREA: 3,550 SF

Proposed

Envisioned by CFA



Images to SCALE

Scale of Overall Development (21x Hoels' Cabins)

Oak Creek Heritage Hotel (Square Footage by Building) on 11 Acres

Area	<u>Basement</u>	<u>1st Floor</u>	<u>2nd Floor</u>	<u>Total</u>	<u>Average Area per Room</u>
Lobby	2,594	3,700		6,294	
Restaurant		4,198	2,797	6,995	
Spa		3,314	2,460	5,774	
Pool Service		946		946	
Pool Bar/Gallery		668		668	
Green House		518		518	
Meeting Room		2,687		2,687	
BOH		<u>2,257</u>	<u>2,031</u>	<u>4,288</u>	
<i>Subtotal</i>	<i>2,594</i>	<i>18,288</i>	<i>7,288</i>	28,170	402
Lodging 4CA		3,550	2,921	6,471	
Lodging 4SA		690		690	
Lodging 4SB		3,227	2,831	6,058	
Lodging 4SC		3,258	2,932	6,190	
Lodging 1WA		2,580	2,315	4,895	
Lodging 1WB		2,590	2,256	4,846	
Lodging 1WC		1,247	1,122	2,369	
Lodging 1WD		1,316	1,184	2,500	
Lodging 1WE		1,247	1,122	2,369	
Lodging 1NA		1,989	1,785	3,774	
Lodging 1NB		1,136		1,136	
Lodging 1NC		1,136		1,136	
Lodging 1ND		690		690	
Lodging 1NE		690		690	
Lodging 1NF		<u>690</u>		<u>690</u>	
<i>Subtotal</i>		<u>26,036</u>	<u>18,468</u>	44,504	636
Grand Total	2,594	44,324	25,756	72,674	1,038
Total Rooms				70	
Hoels Cabins (On 11 acres)		192	18 Cabins-->	3,456	192
Loma Casi Cottages (On 7 acres)		200	17 Cottages-->	3,400	200

Scale of Overall Development (21 x Hoels' Cabins)

Oak Creek Heritage Hotel (Square Footage by Building) on 11 Acres

Area	Basement	1st Floor	2nd Floor	Total	Average Area per Room
Lobby	2,594	3,700		6,294	
Restaurant		4,198	2,797	6,995	
Spa		3,314	2,460	5,774	
Pool Service		946		946	
Pool Bar/Gallery		668		668	
Green House		518		518	
Meeting Room		2,687		2,687	
BOH		2,257	2,031	4,288	
Subtotal	2,594	18,288	7,288	28,170	402
Lodging 4CA		3,550	2,921	6,471	
Lodg					
Lodg					
Lodg					
Lodg					
Lodg					
Lodg					
Lodg					
Lodg					
Lodg					
Lodg					
Lodg					
Lodging 1NE		690		690	
Lodging 1NF		690		690	
Subtotal		26,036	18,468	44,504	636
Grand Total	2,594	44,324	25,756	72,674	1,038
Total Rooms				70	
Hoels Cabins (On 11 acres)		192	18 Cabins-->	3,456	192
Loma Casi Cottages (On 7 acres)		200	17 Cottages-->	3,400	200

72,674 sq ft (for 70 rooms)

3,456 sq ft (for 18 cabins) = 21 Times Hoel's Cabins

Traffic Congestion and Evacuation Issues

Goal is to “generate less traffic than medium-density residential”

(Page 3 Schnebly Community Focus Area Plan)

- Traffic Sources:
 - 70-lodging rooms
 - Restaurant customers from outside the hotel
 - Employees that come to and from the hotel *
 - Scheduled shuttle operation (15-minute intervals)
 - Wedding guests that are lodging elsewhere
 - Catering and wedding support services
 - Traffic from tour busses visiting facility
- Schnebly Road is already a LOS-F intersection
- Must consider evacuation from facility given valet parking limits

* Developer states 60 employees, L'Auberge de Sedona has 200 employees

Proposed Peak Hour Trips 4.5 X Residential

Residential Development

Area	11.6	acres
Developable*	<u>6.7</u>	acres
	58%	
Residential **	4	homes/acre
	26.7	homes
ITE Manual (210)	<u>1.02</u>	trips/hr/home
	27.3	trips/hr

Cabins/Cottages

Area	11.6	acres
Developable*	6.7	acres
Lodging	3	units/acre
	18	cottages
ITE Manual (310)	<u>0.87</u>	trips/hr/room
	15.7	trips/hr

Oak Creek Heritage Lodge

Guest Trips per Room

Site Area	11.6	acres
Developable*	6.7	acres
	70	rooms
Lodging	10.5	rooms/acre
ITE Manual (310)	<u>0.87</u>	trips/hr/room
Trips	60.9	trips/hr

Restaurant Trips using Gross Area

Restaurant Size	7,100	sq ft
ITE Manual (931)	<u>10.82</u>	trips/hr/1,000 sq ft
Trips***	77	trips/hr
Outside Guests	<u>50%</u>	
Trips	38.4	trips/hr

Employee Trips using Employee Count

Employees *****	60	total
	30	daily
Trips (estimated)	<u>0.25</u>	trips/hr
	7.5	trips/hr

Scheduled Shuttle Operations

Shuttle ****	15	min/departure
Trips	8.0	trips/hr

Outside Wedding Guests

Wedding guests	60	Service/reception
Outside guests	<u>50%</u>	
	30	guests
Trips (estimated)	<u>0.22</u>	trips/hr/guest
Trips	6.5	trips/hr

Total Peak Hour Trips

Total Proposed Development Peak Hour Trips*** 121.3 trips/hr = 4.5 X Residential**



Notes:

* Outside of Floodway

** Medium Density Residential 4 units/acre

*** ITE estimate if all restaurant users

**** Intention to run scheduled shuttle every 15 minutes

***** Catering and wedding support not estimated

***** Developer Staff Estimate (L'Auberge de Sedona has 200 employees)
ITE (Institute of Transportation Engineers)

Peak Hour ITE Trips

Proposed Peak Hour Trips 4.5 X Residential

Residential Development

Area	11.6	acres
Developable*	6.7	acres
	58%	
Residential **	4	homes/acre
	26.7	homes
ITE Manual (210)	1.02	trips/hr/home
	27.3	trips/hr

Cabins/Cottages

Area	11.6	acres
Developable*	6.7	acres
Lodging	3	units/acre

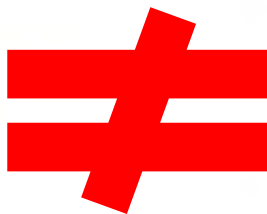
Oak Creek Heritage Lodge

Guest Trips per Room

Site Area	11.6	acres
Developable*	6.7	acres
	70	rooms
Lodging	10.5	rooms/acre
ITE Manual (310)	0.87	trips/hr/room
Trips	60.9	trips/hr

Restaurant Trips using Gross Area

Restaurant Size	7,100	sq ft
ITE Manual (931)	10.82	trips/hr/1,000 sq ft
Trips***	77	trips/hr
Outside Guests	50%	



121.3 trips/hr (Heritage Lodge)

27.3 trips/hr (Residential)

= 4.5 Residential

ITE

Not

* O

** M

***** Developer Staff Estimate (L'Auberge de Sedona has 200 employees)

ITE (Institute of Transportation Engineers)

30 guests

Trips (estimated) 0.22 trips/hr/guest

Trips 6.5 trips/hr

Total Peak Hour Trips

Peak Hour ITE Trips

Total Proposed Development Peak Hour Trips*****

121.3 trips/hr

= 4.5 X Residential

Appeal Basis 2:

Environment - Protection of Oak Creek

- a. Has obvious flood risk issues
- b. Does not protect the riparian corridor
- c. Fundamentally impacts the environmental biome

Protection of Oak Creek - Partial Compliance

- Makes major changes to Riparian Corridor
- Does not protect Oak Creek

Color Coding	Full Compliance	Partial Compliance	Non-Compliance	Not Applicable
Environment Recommendations: Protection of Oak Creek (Page 13) CFA Objective: Oak Creek is permanently protected in its natural state as a vital resource for the natural environment, community, and region.				
	Strategy 1: 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.			
	<i>Evaluation:</i> The western portion of the site is within the Oak Creek floodway and is not being developed. All development is outside of the floodway and the floodway will be retained in its natural state with only trails through the area.			
	Compliance:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Partial	<input type="checkbox"/> No <input type="checkbox"/> Not Applicable
	Strategy 2: Permanently protect the Oak Creek corridor through land preservation measures			
	<i>Evaluation:</i> No development is proposed in the floodway and development of the property is required to comply with the approved plans. The applicant currently intends to retain ownership of the entire site. If that were to change in the future, they would be encouraged to work with a public or non-profit organization to establish conservation easements.			
	Compliance:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Partial	<input type="checkbox"/> No <input type="checkbox"/> Not Applicable

See page 25 - 27 for Implementation




Schnebly CFA Content

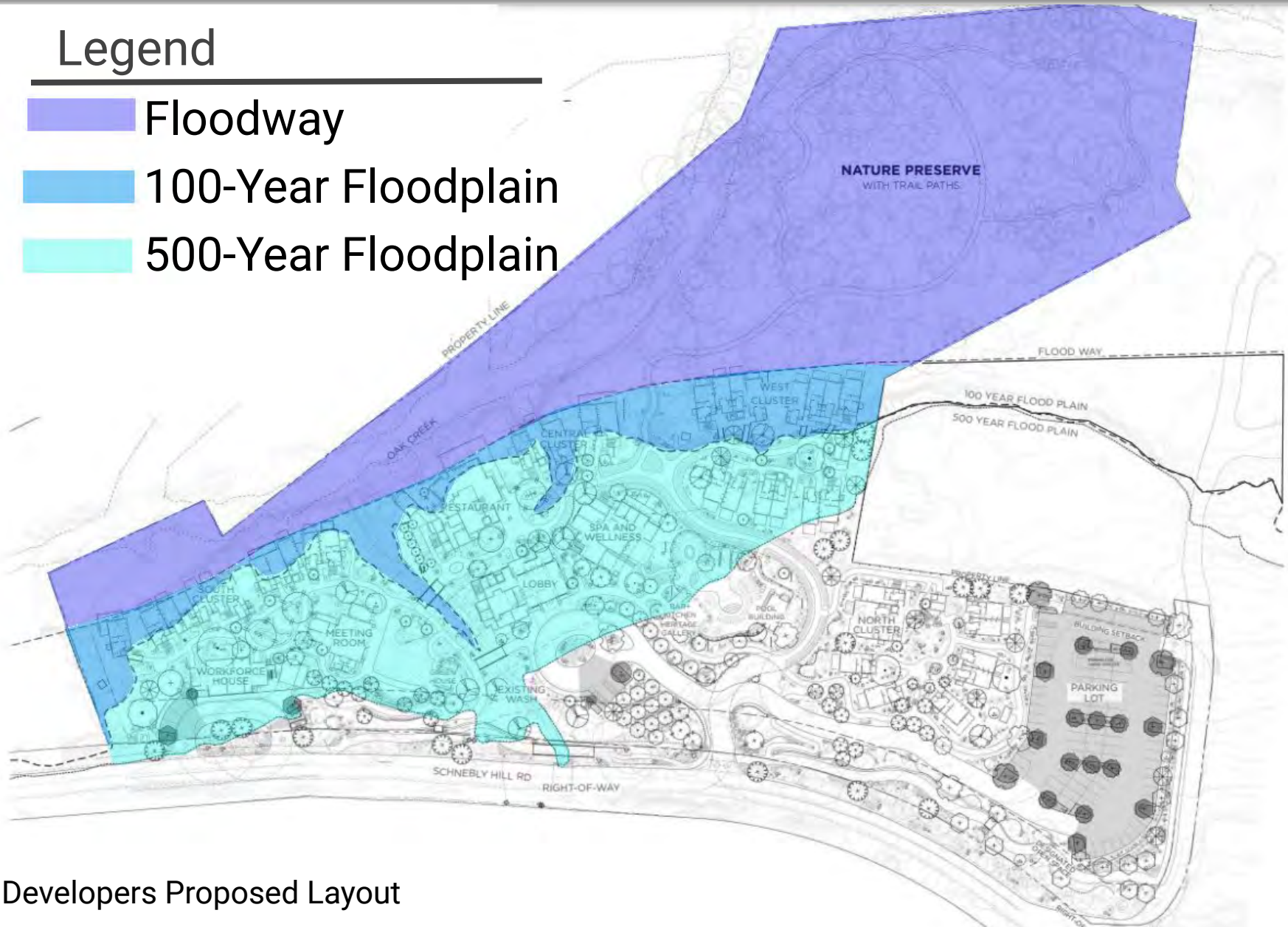
- “All structures are to be located outside of the floodway. This will preserve the Creek's natural habitat, maintain the stormwater functions, and minimize flood damage.”

(Page 27 Schnebly Community Focus Area)

Floodway and Floodplains per Developer

Legend

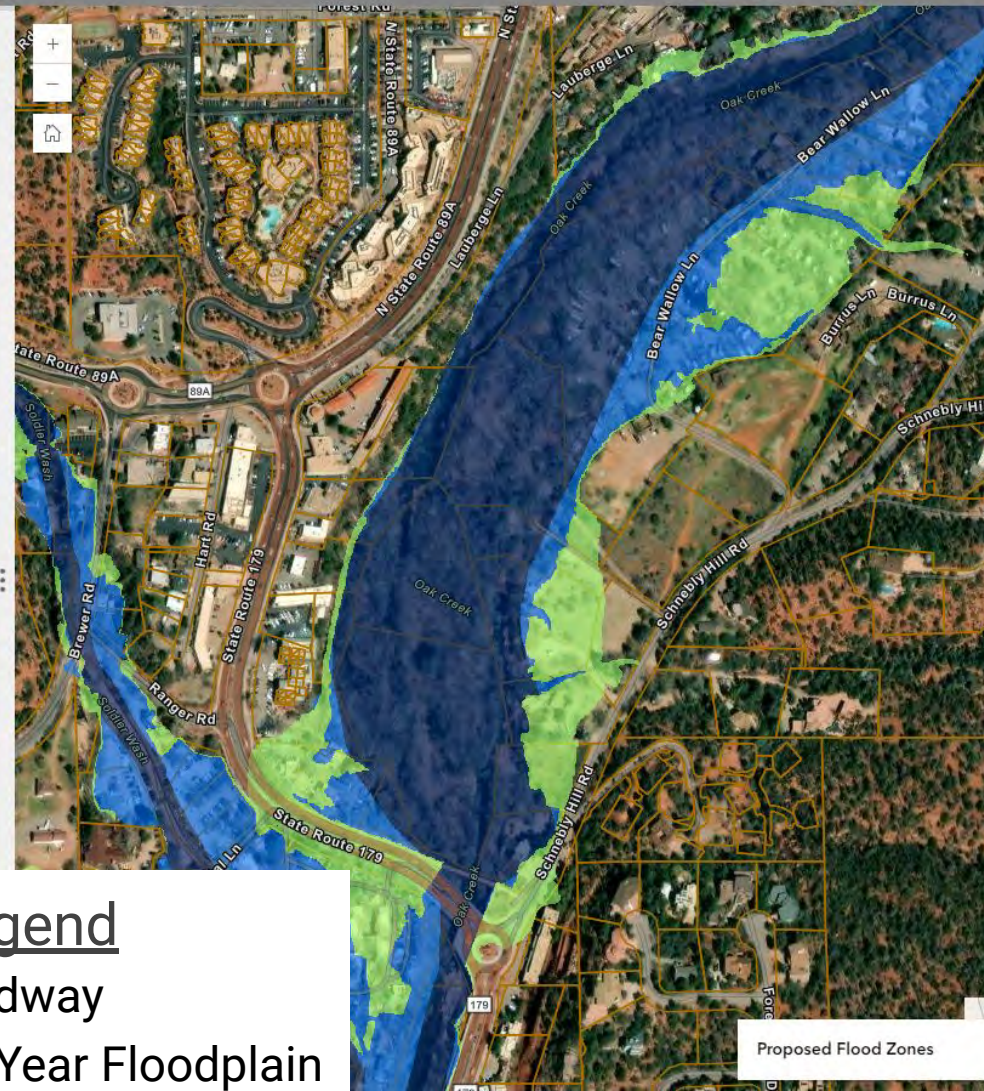
-  Floodway
-  100-Year Floodplain
-  500-Year Floodplain






Developers Proposed Layout

Current and 2023 Proposed Flood Zones

County Restudy of Oak Creek Floodplain



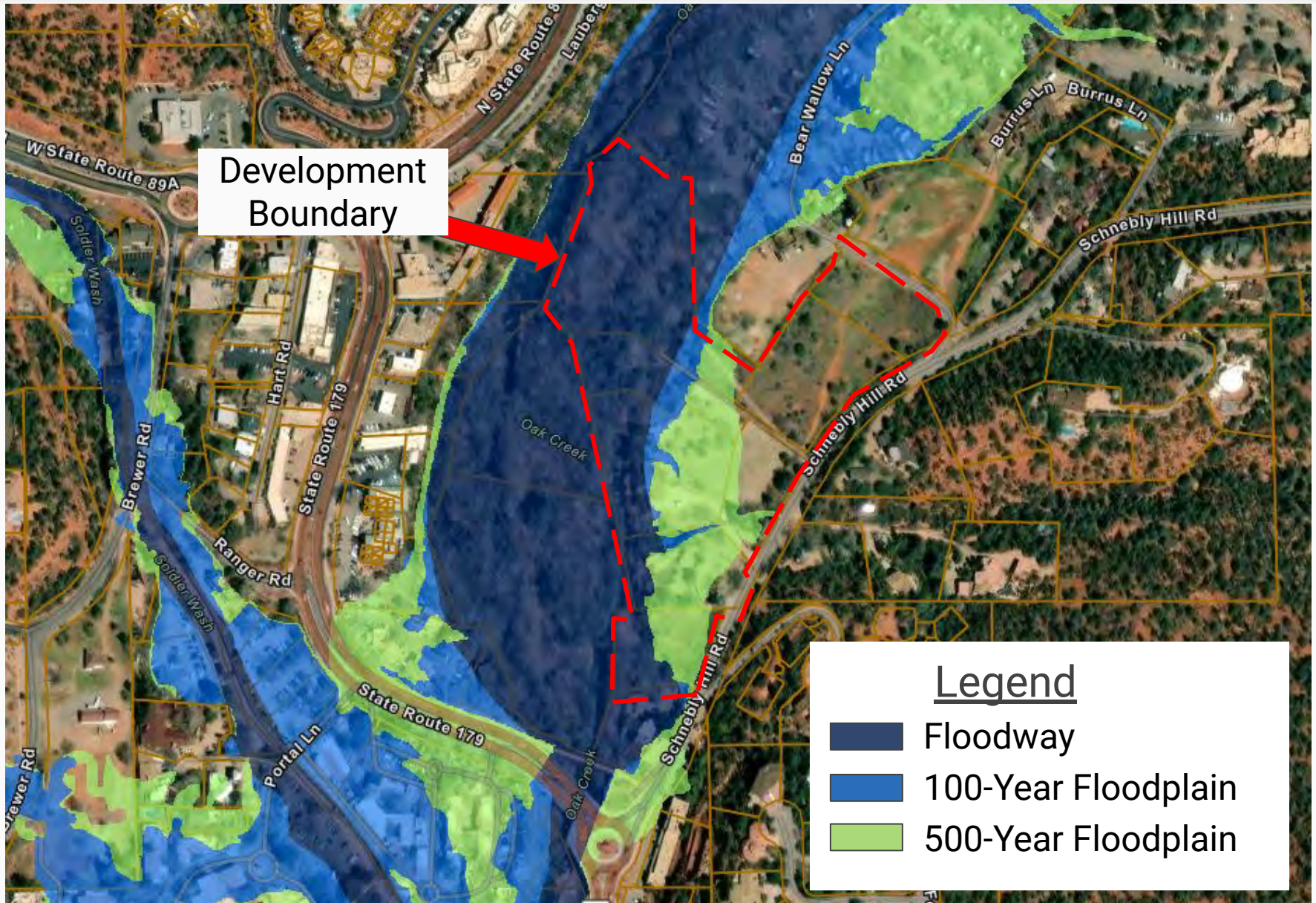
Legend

-  Floodway
-  100-Year Floodplain
-  500-Year Floodplain

Current Flood Zones

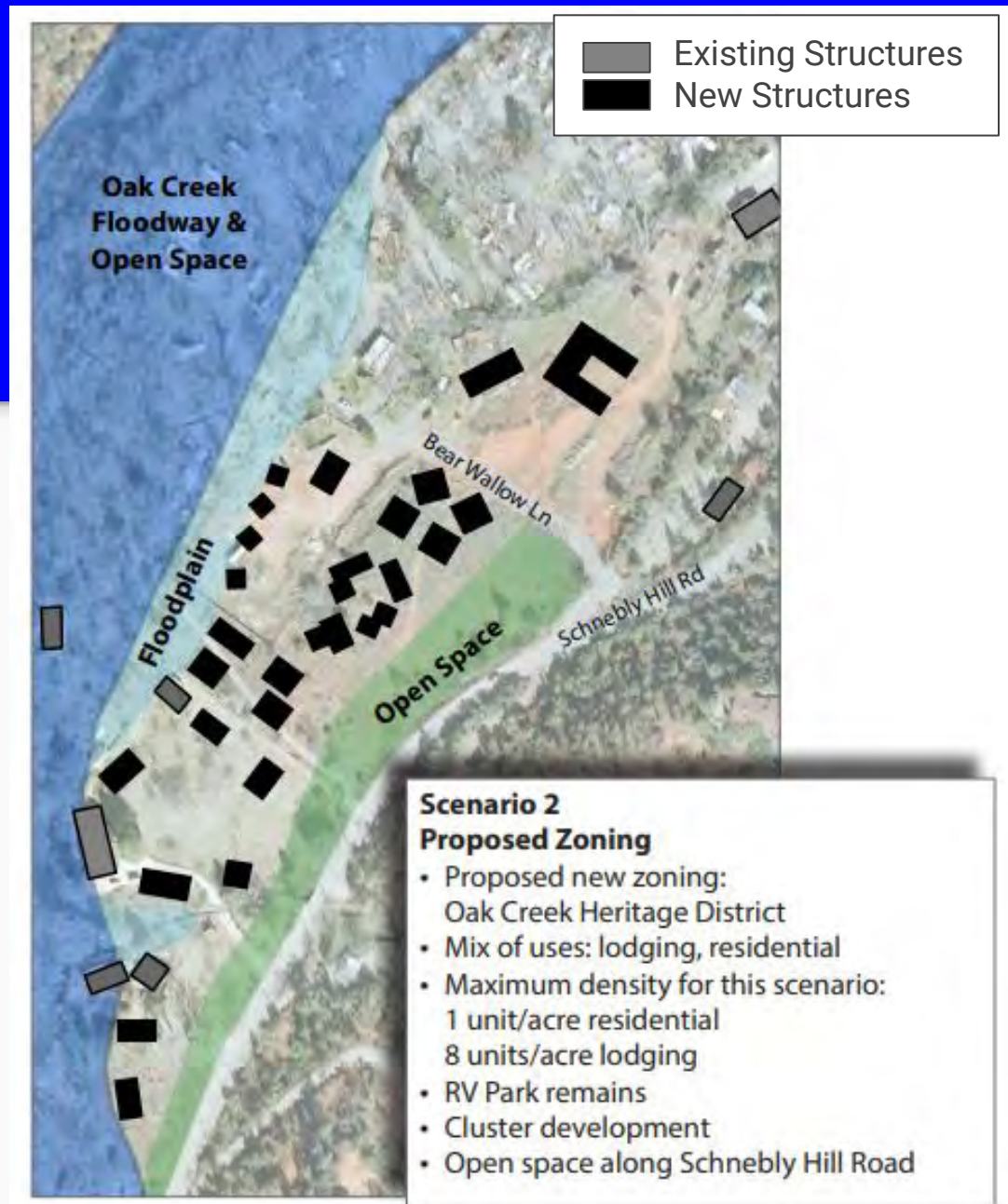
Proposed Flood Zones

Development Property on 2023 Flood Map




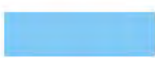
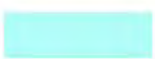
Proposed Zoning: Schnebly CFA

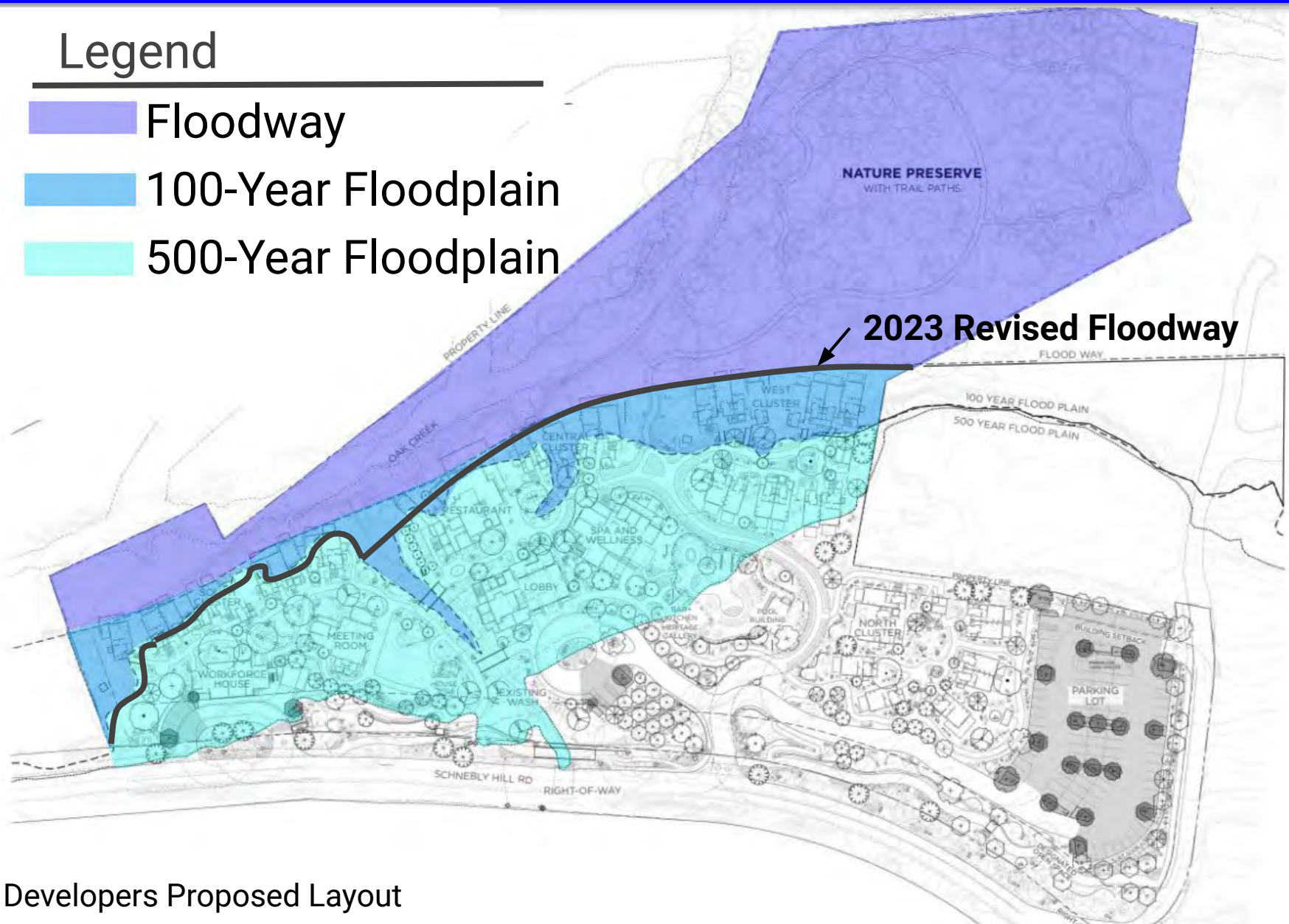
- Schnebly CFA showed new structures outside both the 100-Year Floodway & Floodplain
- Clustered structures should be built on the least environmentally sensitive areas in the Riparian zones



Reality: Multiple Buildings in Floodway

Legend

-  Floodway
-  100-Year Floodplain
-  500-Year Floodplain

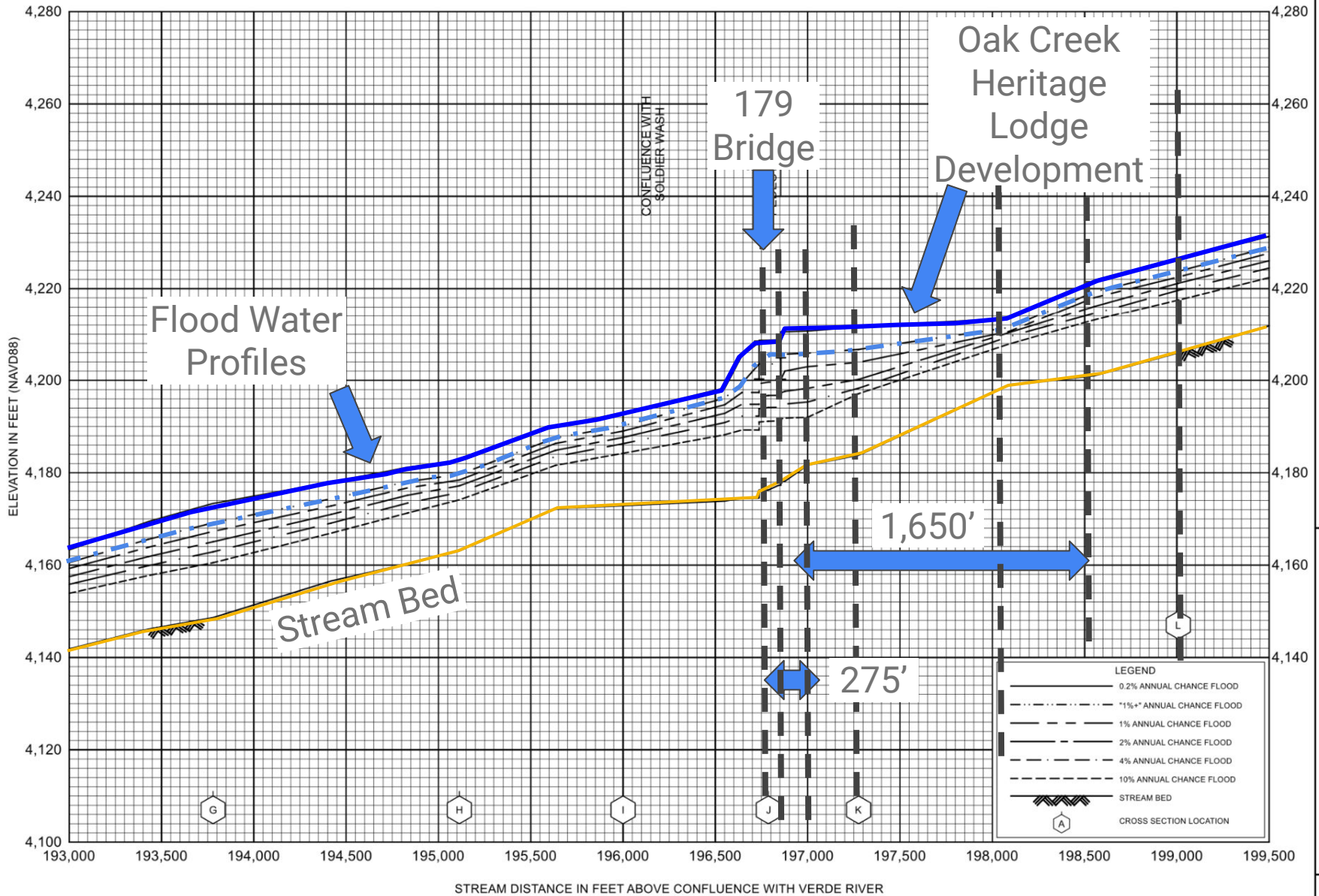


Developers Proposed Layout

100-year Flood Risk a Reality

- Two (2) incidents at L'Auberge de Sedona in the 1980's and also in 2023
- Brewer Road Mobile Home Park wiped out
- Tlaquepaque flooded in 2014
- Climate change leads to higher intensity storms
- Burn scars increases runoff (like Flagstaff)

Oak Creek Flood Insurance Study Update (2023)



FLOOD PROFILES

OAK CREEK

FEDERAL EMERGENCY MANAGEMENT AGENCY

COCONINO COUNTY, AZ
AND INCORPORATED AREAS

Value of Preserving Riparian Habitat

- Riparian Habitat represents less than 0.5% of Arizona land area
- Riparian Habitat (“streams of life”) are fundamental for survival of 60-75% of Arizona resident wildlife species

(Page 2,3 of Arizona Riparian Council Fact Sheet & Page 14,15 of SRU Appeal Package)

- It is critical to protect this unique habitat

Schnebly CFA - Riparian corridor

CFA does not define the “Riparian Corridor”. It does state the following noting that the Riparian Habitat extends beyond the floodway:

- “Maintain the Oak Creek Floodway in a natural state, with only minor improvements within the Riparian Corridor.”

(Page 13 Schnebly Community Focus Area)

USFS Definition of Riparian Corridor

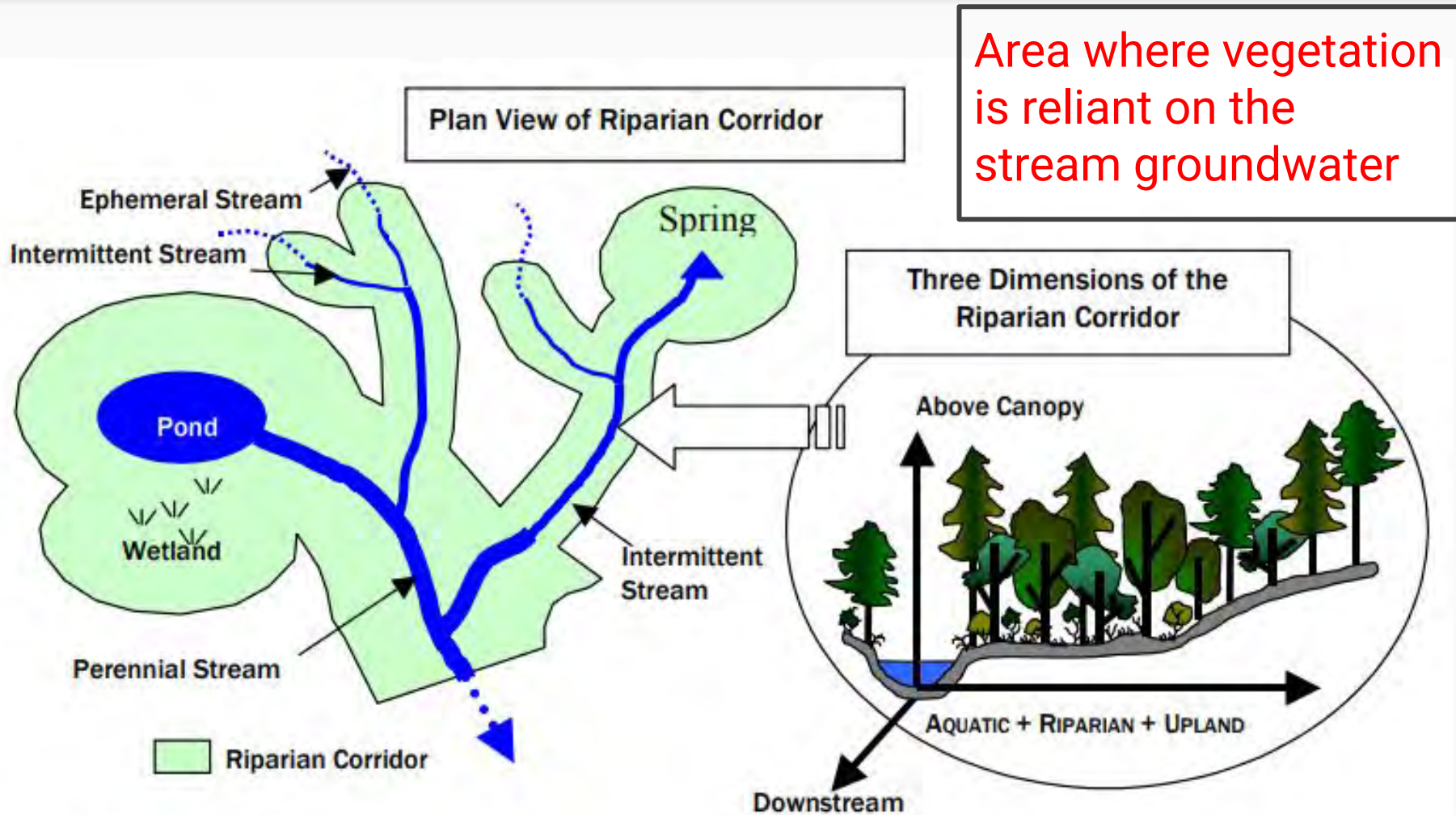
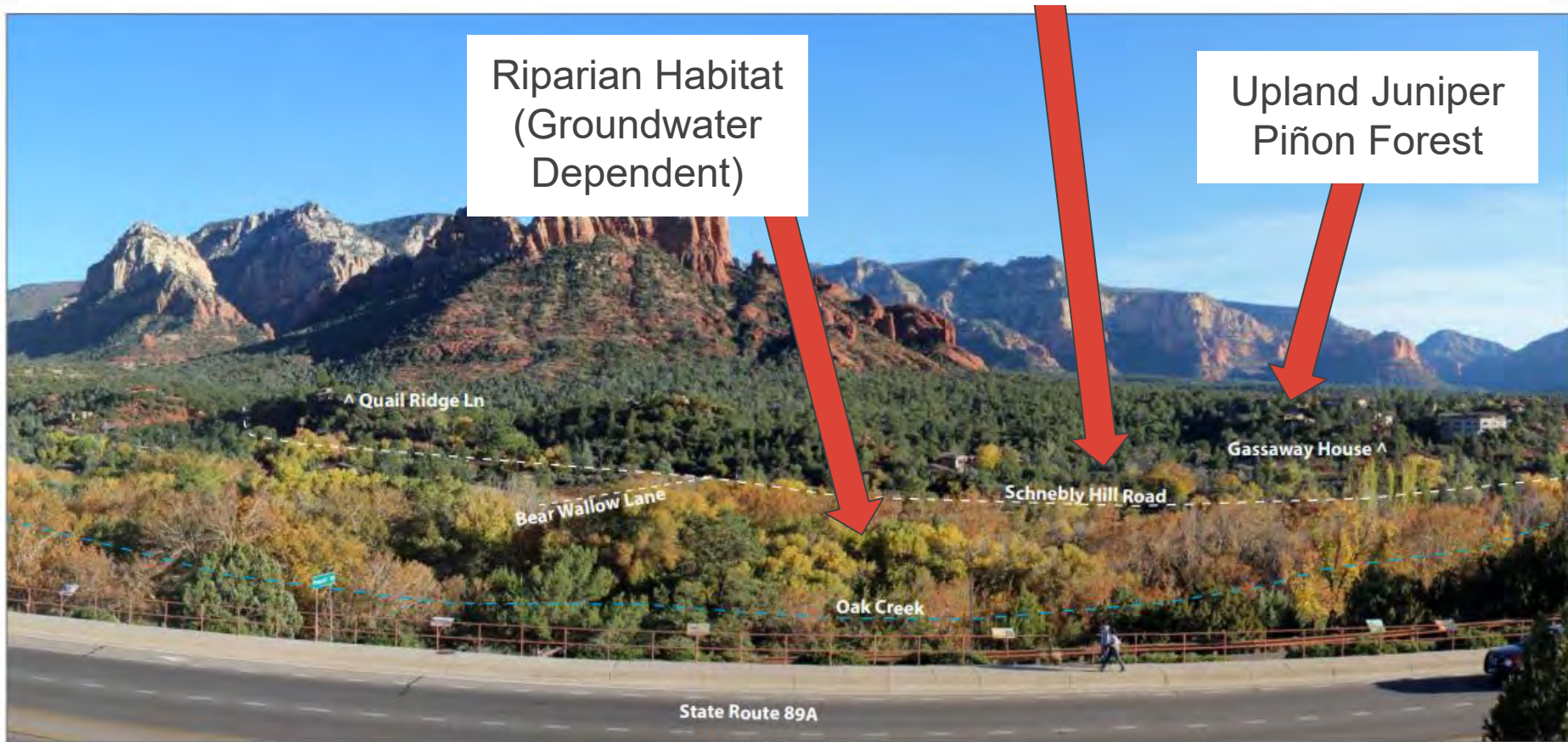


Figure A-1 Simplified Representation of a Riparian Corridor

Transition from Riparian to Terrestrial Zones

Transition zone from riparian to upland forest clear in this photo



Summary: Environmental Issues

- Multiple Structures proposed in Floodway and 100-Year Floodplain
- Grading plan showed removal of all soils and very little remaining Riparian Habitat
- Structures lined up along the Floodway boundary are barrier to wildlife access
- Existing ecology of property will be completely altered

Appeal Summary

Fundamental Basis for Appeal





1. Land Use - Sense of Place:
 - a. Structures, including proposed lodging and accessory buildings, are out of scale of rural character from CFA vision
 - b. Development generates significantly more traffic compared to single family homes
2. Environment - Protection of Oak Creek and Wildlife:
 - a. Development has obvious flood risk issues
 - b. Development does not protect the riparian corridor
 - c. Development fundamentally impacts the environmental biome

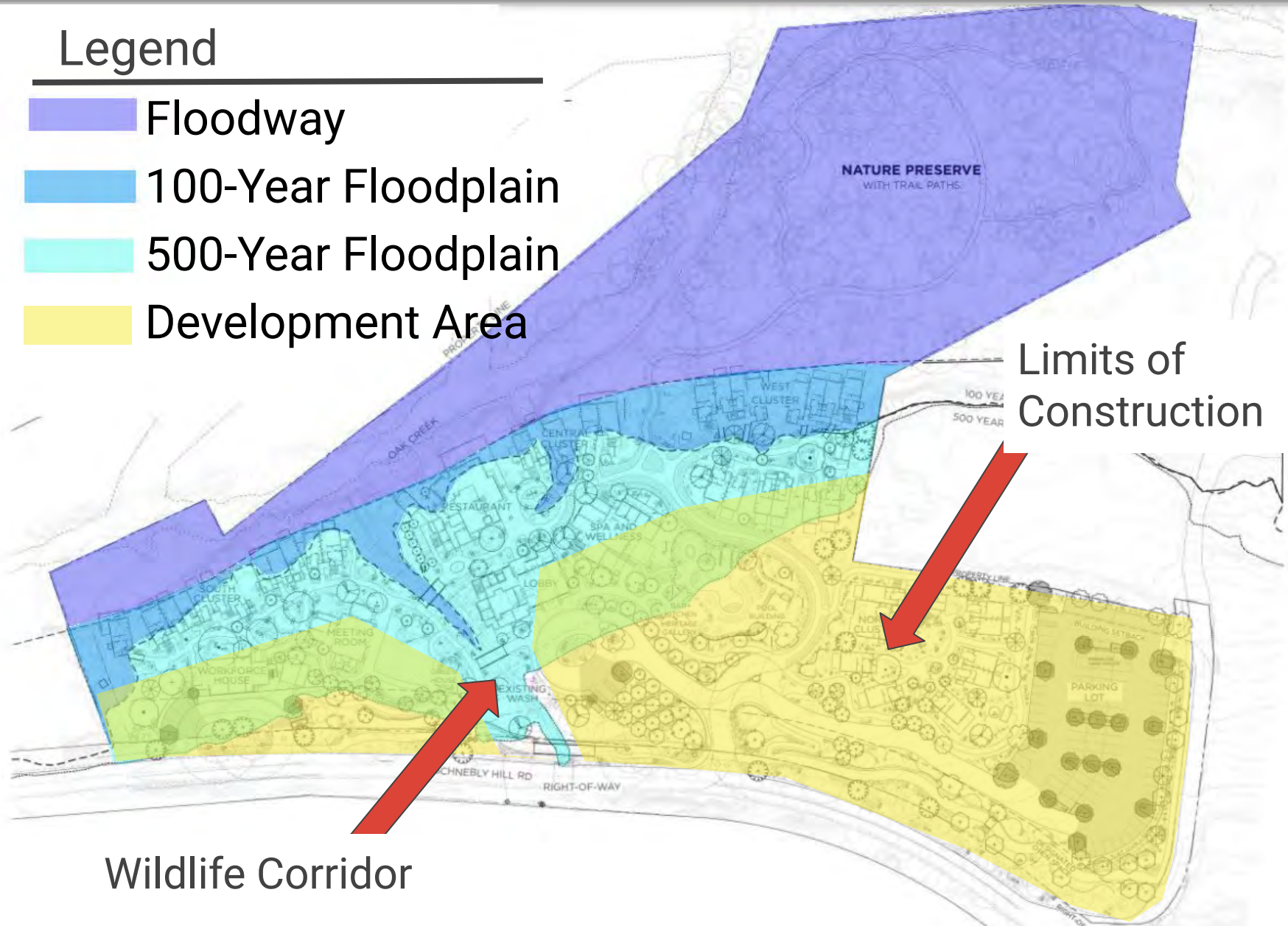
Council can Accept or Deny P&Z Approval, or can Request Changes:

1. Modify Scale of the Proposed Development:
 - a. Scale all structures to be consistent with CFA - Single story modest structures
 - b. Only allow development consistent with delivering less traffic than Medium Density single family
2. Modify Design Consistent with CFA Environmental Vision:
 - a. Move structures entirely out of the Floodway to preserve the Creek's natural habitat
 - b. Reduce total number of structures to provide more open spaces and creek access for wildlife

Alternative Development Area

Legend

-  Floodway
-  100-Year Floodplain
-  500-Year Floodplain
-  Development Area

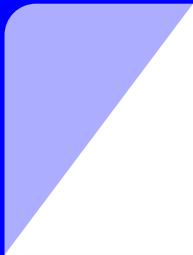


Limits of Construction

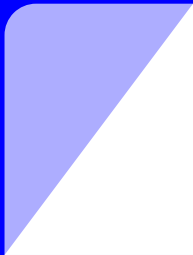
Wildlife Corridor

Thank You

SedonaResidentsUnite.com



Appendix



Proposed Site Layout



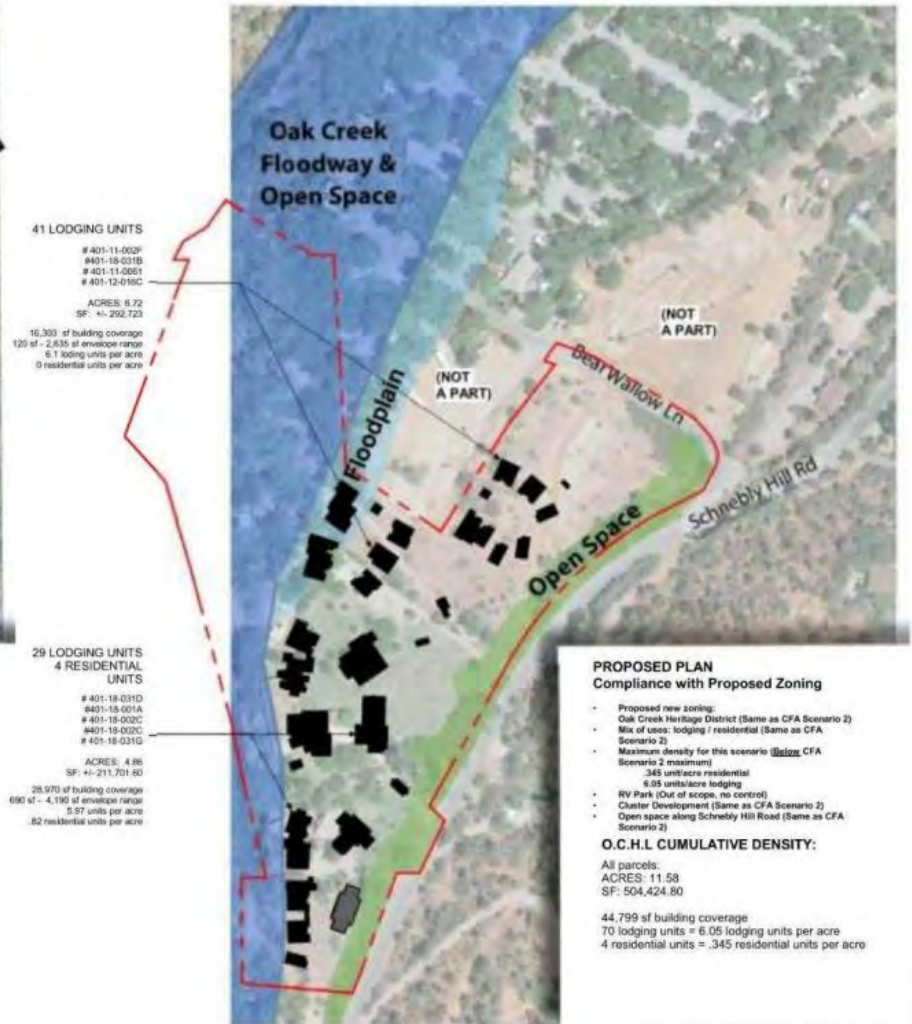
2 CFA SCENARIO 2
 1" = 160'-0"

CFA Scenario 2 Proposed Zoning

- Proposed new zoning: Oak Creek Heritage District
- Mix of uses: lodging / residential
- Maximum density for this scenario: 1 unit/acre residential
- 8 units/acre lodging
- RV Park remains
- Cluster Development
- Open space along Schnebly Hill Road

Scenario 2 CUMULATIVE DENSITY:

All parcels:
 ACRES: 11.58
 SF: 504,424.80
 49,752 of building coverage
 73 lodging units = 8 lodging units per acre
 3 residential units = <1 residential unit per acre



PROPOSED PLAN Compliance with Proposed Zoning

- Proposed new zoning: Oak Creek Heritage District (Same as CFA Scenario 2)
- Mix of uses: lodging / residential (Same as CFA Scenario 2)
- Maximum density for this scenario (Below CFA Scenario 2 maximum): .345 units/acre residential, 6.05 units/acre lodging
- RV Park (Out of scope, no control)
- Cluster Development (Same as CFA Scenario 2)
- Open space along Schnebly Hill Road (Same as CFA Scenario 2)

O.C.H.L CUMULATIVE DENSITY:

All parcels:
 ACRES: 11.58
 SF: 504,424.80
 44,799 of building coverage
 70 lodging units = 6.05 lodging units per acre
 4 residential units = .345 residential units per acre

1 PROPOSED SITE
 1" = 160'-0"

Safety Issues (Big Thompson):

- Stalled July monsoon thunderstorm
- Over 400 vehicles destroyed
- Over 400 structures destroyed
- 144 people dead
- 7.5" of rain in 1 hour
- 12.5 " of rain in 4 hours
- (3.5" in 6 hours is a 100-year storm)
- 20' wall of water
- Peak flow reached in 50 minutes



Peak Hour Trip Generation Table (Flagstaff)

Peak Hour trip rates from Flagstaff based on ITE manual for land use types

Table 1. Traffic Statement and TIA Requirement Thresholds

ITE LUC	Land Use	Trip Rate/Unit	Maximum Units For Less Than 100 Trips
<i>Residential</i>			
210	Single Family	1.02/DU	98 DU
230	Townhomes	0.52/DU	192 DU
220	Apartments	0.67/DU	149 DU
240	Mobile Homes	0.60/DU	166 DU
254	Assisted Living	0.37/Bed	270 Beds
310	Hotel*	0.87/Room	114 Rooms
<i>Commercial</i>			
911	Walk-in Bank	24.15/1,000 SF	4,140 SF
912	Drive-in Bank	26.70/1,000 SF	3,740 SF
820	Shopping Center*	4.82/1,000 SF	20,740 SF
850	Grocery Store*	18.93/1,000 SF	5,280 SF
851	24-Hour Convenience Store	77.10/1,000 SF	1,290 SF
815	Discount Store*	7.39/1,000 SF	13,530 SF
890	Furniture Store*	0.95/1,000 SF	105,250 SF
812	Lumber Store*	9.58/1,000 SF	10,430 SF
816	Hardware/Paint Store*	11.80/1,000 SF	8,470 SF
841	Auto-Sales*	4.02/1,000 SF	24,870 SF
817	Nursery/Garden Store*	23.39/Acre	4.27 Acres
565	Day Care	0.84/Student	119 Students
843	Auto Part Sales	6.44/1,000 SF	15,520 SF
942	Automobile Care Center	3.51/1,000 SF	28,480 SF
944	Gas Station	15.65/Pump	6 Pumps
491	Racquet Club	4.38/Court	22 Courts
492	Health Club	4.06/1,000 SF	24,620 SF
931	Quality Restaurant*	10.82/1,000 SF	9,240 SF
932	Sit Down High Turnover Restaurant	18.49/1,000 SF	5,400 SF
934	Fast Food with Drive Thru*	72.74/1,000 SF	1,370 SF
<i>Offices</i>			
710	Office	1.56/1,000 SF	64,090 SF
720	Medical-Dental Office	4.27/1,000 SF	23,410 SF
750	Office Park	1.71/1,000 SF	58,470 SF
770	Business Parks	1.40/1,000 SF	71,420 SF
760	Research & Development	1.90/1,000 SF	52,620 SF

* Weekend peak hour generator

Daily Trip Generation (ITE Table 1)

Daily trip rates from ITE manual for land use types (1976)

Table 1. Average Weekday Vehicle Trip Ends Generation Rate Summary.

ITE Land Use Code	Land Use of Building Type	Vehicle Trip Ends Rate
021	Commercial Airport	11.8/Employee
022	General Aviation Airport	6.5/Employee
110	General Light Industrial	3.2/Employee
130	Industrial Park	4.1/Employee
140	Manufacturing	2.2/Employee
150	Warehousing	4.3/Employee
210	Single Family Detached Unit	10.0/Unit
220	Apartment	6.1/Unit
230	Condominium	5.6/Unit
240	Mobile Home	5.4/Unit
310	Hotel	10.5/Occupied Room
320	Motel	9.6/Occupied Room
330	Resort Hotel	10.2/Occupied Room
411	City Park	60.0/Acre
412	County Park	5.1/Acre
413	State Park	0.6/Acre
420	Marina	3.8/Boat Berth
430	Golf Course	9.1/Acre
501	Military Base	1.8/Employee
520	Elementary School	0.5/Student
530	High School	1.2/Student
540	Junior/Community College	1.6/Student
550	University	2.4/Student
590	Library	41.8/1,000 gross square feet
610	Hospital	12.2/Bed
620	Nursing Home	2.7/Bed
630	Clinic	5.9/Employee
710	General Office Building	11.7/1,000 Gross Square Feet
720	Medical Office	75.0/1,000 Gross Square Feet
820	Shopping Center	116.0 to 26.5/1,000 Gross Square Feet
831	Quality Restaurant	56.3/1,000 Gross Square Feet
832	High Turnover Restaurant	164.4/1,000 Gross Square Feet
833	Drive-in Restaurant	553.0/1,000 Gross Square Feet
844	Auto Service Station	748.0/Station
850	Supermarket	125.0/1,000 Gross Square Feet
851	Convenience Market	578.0/1,000 Gross Square Feet

Proposed Daily Trips 4.5 X Residential

Residential Development

Area	11.6	acres
Developable*	<u>6.7</u>	acres
	58%	
Residential **	4	homes/acre
	26.7	homes
ITE Manual	<u>10</u>	trips/day/home
	267	trips/day

Cabins/Cottages

Area	11.6	acres
Developable*	<u>6.7</u>	acres
Lodging	3	units/acre
	18	cottages
ITE Manual	<u>10.5</u>	trips/day/room
	189	trips/day

Oak Creek Heritage Lodge

Guest Trips per Room

Site Area	11.6	acres
Developable*	<u>6.7</u>	acres
	70	rooms
Lodging	10.5	rooms/acre
ITE Manual	<u>10.5</u>	trips/day/room
Trips	735	trips/day

Restaurant Trips using Gross Area

Restaurant Size	7,100	sq ft
ITE Manual	<u>56.3</u>	trips/1,000 sq ft
Trips***	400	trips/day
Outside Guests	<u>50%</u>	
Trips	200	trips/day

Employee Trips using Employee Count

Employees *****	60	total
	30	daily
Trips	<u>2</u>	trips/day
	60	trips/day

Scheduled Shuttle Operations

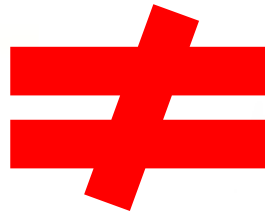
Shuttle ****	15	min/departure
Operation	9	hr/day
Trips	120	trips/day

Outside Wedding Guests

Wedding guests	80	Service/reception
Outside guests	<u>50%</u>	
	40	
Trips	<u>2</u>	trips/day/guest
Trips	80	trips/day

Total Daily Trips

Total Proposed Development Daily Trips*** 1,195 trips/day = 4.5 X Residential**



Notes:

* Outside of Floodway

** Medium Density Residential 4 units/acre

*** ITE estimate if all restaurant users

**** Intention to run scheduled shuttle every 15 minutes

***** Catering and wedding support not estimated

***** Developer Staff Estimate (L'Auberge de Sedona has 200 employees)

Daily ITE Trips