

**Summary Minutes**  
**City of Sedona**  
**Planning & Zoning Commission Work Session**  
**Vultee Conference Room, Sedona City Hall, Sedona, AZ**  
**Thursday, February 28, 2013 - 3:30 p.m.**

**1. Verification of Notice, Call to Order, and Roll Call. (5 minutes; 3:30 – 3:35)**

Chairman Losoff called the work session to order at 3:30 p.m.

**Roll Call:**

**Planning & Zoning Commissioners:** Chairman Marty Losoff and Commissioners Eric Brandt, Michael Hadley, Geoffrey Messer and Norm Taylor. Commissioner Scott Jablow was excused.

**Staff:** Audree Juhlin, Cari Meyer, Charles Mosley, David Nicoella, David Peck, Donna Puckett, Ron Ramsey and Kevin Snyder

Audree introduced Kevin Snyder, who begins March 18th as the City's new Community Development Director, and she explained that he is present for a few days to meet staff, a few of the Commissions and various members of the community.

The Chairman welcomed Kevin, and then explained the purpose of the work session.

**2. Discussion regarding current planning projects. (5 minutes; 3:35 - 3:40)**

Cari Meyer indicated she would give an update of projects that have been approved administratively and projects that the Commission may have seen that are coming in for Building Permits. The update included the following projects:

- Thai Spices - They have submitted for their Building Permit and it is currently in the review process to ensure all of the Conditions of Approval have been met and the design complies with what was approved by the Commission.
- Fire Station - The new station in the Chapel area is in for permits as well. They hope to break ground in March, so staff is reviewing those plans. Chairman Losoff stated that the Commission isn't involved and has no say on that, but out of courtesy, they submitted their plans to staff, so when it comes time, it may be passed by the Commission just for information. It will be a very nice looking building.
- Pizza Lisa - The Commission heard a little about this project, when the Farmers Market CUP went through and it is the former Angel's Restaurant. They put on a new roof and they are doing some interior renovations to create a pizza parlor. There is no involvement for the Commission, because there is no addition of square footage. There was a change in the roofline and staff ran it by Chairman Losoff before staff approved it.
- Kayenta Pueblo - This project was approved approximately 10 years ago at the end of Kayenta Court behind the fire station. They built a foundation, but didn't go any further, so they are finishing the foundation and the Commission will see that project, if they go beyond finishing a building on top of that existing foundation. Commissioner Hadley asked if that is Steve Thompson's project and Cari indicated yes.
- Pink Jeep Call Center - This location was formerly the Twice Nice Thrift Shop, and they are doing a small addition to add a conference room and a couple of ADA restrooms.
- Hillside Entryway - There is a permit in for a new entryway at Hillside to replace the arch.
- Medical Marijuana Clinic - The Clinic is in the process of going through the state licensure requirements and staff processed the Tenant Occupancy Permit and ensured they complied with the City's Medical Marijuana Ordinance. Now they have to go to the state.

Regarding the Hillside entryway, Chairman Losoff stated that initially it was going to be so big that staff thought it would come through the Commission, but they modified it. Cari agreed and

explained that instead of an arch, they are putting up two posts and going a little deeper with the design of it, so it is a much lower profile than they originally proposed.

The Chairman then asked the location of the Medical Marijuana Clinic and Cari indicated it is in Uptown on Jordan Road. Audree added that it is in the building where the Japanese restaurant is.

Cari then continued her update of the projects:

- 25 Schnebly Hill Road - The building is in the process of being sold and finished. They have some things to do with the Flood District, but the potential new owners are getting permits to finish and occupy that building. Chairman Losoff asked if it would be residential or commercial and Cari stated it would be a commercial building, but nothing for the Commission.

Cari then indicated that three projects had been submitted by the deadline for a preliminary work session four weeks from today and a May public hearing. These projects include:

- Park Place - redesign for a Development Review to make some of the units smaller.
- Over the Edge Eatery - the bike shop has applied for a Conditional Use Permit to put a food trailer in the back to serve healthy snacks to people who meet there for rides.
- Kayenta Plaza - also on Kayenta Court and it is an existing office building that the owner wants to subdivide in order to sell the units individually.

Cari then pointed out that the documents for all of these projects are on the City's website and the Commissioners are welcome to start reviewing them now. The Commission will have a preliminary work session on them in about a month.

Commissioner Hadley indicated that he had heard there might be some progress on the C-Market and Cari explained that she heard from the architect that they are hoping to submit in the next couple of months, and they have until next year, but they are moving forward with their architectural drawings and it will be part of the update once they submit.

Cari added that staff had two administrative waivers; one was to enclose an existing carport within a setback, and that was approved last week. The other one is currently in the process to build a shed within a setback that would cover an existing underground vault, and both requests are within the 25% reduction in the setback. Commissioner Brandt asked about the type of vault and Cari explained it is an underground bunker of some sort. Audree added that it is designed for air and electricity to be able to live underground.

Chairman Losoff then asked the Commissioners if they would find a periodic review like this to be helpful and the Commissioners indicated yes.

### **3. Discussion regarding the purpose for Conditional Use Permits and the approval process. (10 minutes; 3:40 - 3:50)**

Chairman Losoff noted that the Commission has been getting CUP requests and he thought it would be good for the Commission to have a refresher on the criteria, etc., so the Commission can keep in mind their purpose and the Commission's role in deciding on approvals.

Cari summarized that in each Zoning District there are outright permitted uses that were determined to be appropriate, and there are conditionally permitted uses that are appropriate if certain conditions are met. Anything not in one of those categories is a prohibited use. The conditional uses are uses that the City wants to have more control over and they require a hearing with the Planning & Zoning Commission, and the Commission may place certain conditions to ensure the operation and compliance with what they proposed, plus to ensure they don't create a nuisance, etc., and approval is not a guarantee, because the Commission has that discretion.

Uses are typically subject to a Conditional Use Permit in residential areas for anything other than a home, including a day care center, a school, a church, a subdivision sales office, etc. In commercial districts, open air businesses, schools, recreational uses and gas stations typically

require a Conditional Use Permit. Their review is governed by the Land Development Code that sets certain submittal requirements and it is an extensive process. The applicant goes through at least one pre-application meeting and sometimes more, depending on the extent of the project. We notify property owners after the submittal and the applicant is required to notify property owners. It is sent to review agencies and it is brought to the Commission for review and work sessions. We do public noticing and they go through a public hearing, so it is about a nine-week process from the application submittal.

Cari then showed the required findings that are in the Land Development Code. Essentially, the use will not be detrimental to health, safety and welfare; the use is compatible with other uses in the neighborhood and it complies with the City Codes. Common things that the Commission would review would be the site plan, operation procedures, days and hours of operation, length of time that the permit is good for and sometimes the possibility of renewal, but the Commission has the discretion to state the number of years, and occupancy if it is for a certain type of business, plus traffic, parking and access issues, signs, noise impacts, and screening and landscaping for some of the outdoor businesses.

Chairman Losoff referenced the findings and indicated these need to be considered by the Commission as these projects come in. The Chairman also noted that the findings are part of the Land Development Code in Section 402.06.

**4. Introduction/discussion regarding the agenda items for the regularly scheduled meeting of Tuesday, April 2, 2013: (1 hours, 25 minutes; 3:50 – 5:15)**

**A. Discussion regarding a request for Conditional Use Permit approval to operate an outdoor entertainment venue at 215 Coffee Pot Drive (Studio Live). A general description of the area affected includes but is not limited to the western side of Coffee Pot Drive between Yavapai Drive and Jackrabbit Lane. The property is approximately 0.6 acres and is further identified as Assessor's Parcel Numbers 408-24-041 & 408-24-042A. Applicant: Studio Live Case Number: PZ13-00001 (CUP)**

Audree indicated that based on one-on-one discussions with the Commissioners at the beginning of the year, we talked about trying to do the work sessions a little differently by having the applicant provide the overview at the work session, so there can be direct dialogue with the applicant. If it doesn't work, we will go back to the old way, so this is a trial.

**Applicant's Statements:**

**Applicant, Suzie Schomaker, President of the Sedona Performing Arts Alliance:** Indicated that she runs Studio Live, which is a small 70-seat venue at 215 Coffee Pot. They have created a little grass area in the backyard with a fountain that has a stage, so they can do outdoor events and community things. They are requesting a Conditional Use Permit, because the City is sick of seeing them come through for Temporary Use Permits, so they figured they would try this. They lived through a lot of them last year and the City saw them about every other week in the summer months, so they figured it was time to go for the grown-up thing and try to go for the real deal, so here they are.

**Commission's Questions of the Applicant:**

Commissioner Messer indicated he had no questions and commented that he has been to several events there, and it is always wonderful. It seems like an appropriate place -- anything that gives a chance for arts and community together.

Commissioner Hadley referenced the site plan and asked if everything around it is commercial. Cari pointed out the C-3 district, which is a heavy commercial and the district that Studio Live is in. She then identified a residential area and the Commissioner noted that is on the other side of the street. The Commissioner then asked if there has been any community feedback or complaints in conjunction with the Temporary Use Permits that have been granted.

David Nicolella joined the meeting at this time and indicated that there were three emails received, which were notifying us of concerns about noise that have occurred there. Chairman Losoff asked if those were from residents and David stated yes and indicated that in 2012, they had a number of events in the backyard area. Residents were notified of this Conditional Use Permit request and they responded saying that the noise has been a little disturbing to them.

Commissioner Hadley asked if the hours of operation for the TUPs were any different than what is being requested for the CUP and David Nicolella stated not that he is aware of. They are looking at starting around 5:00 p.m. and going for about four hours under the CUP, and he believes the TUPs were approximately the same.

Applicant, Suzie Schomaker, explained that is a general timeframe and at 5:00 p.m., it is basically setting everything up and the actual event never started until about 7:00 p.m. or 7:30 p.m. and ran until about 8:30 p.m. or 9:00 p.m. and by the time the people left the property, it was probably around 10:00 p.m. when the lights were shut off and everything was closed. That was basically the deal with most events -- 99% of them were those.

Chairman Losoff asked if when it says the hours are from 12:00 p.m. to 8:00 p.m.; 12:00 p.m. is the set-up time. The applicant explained that at 12:00 p.m. there might be a sound tech there to start putting up speakers or they might start putting their tables out, etc. Volunteers come and start helping set up the ticketing area and where the concessions are, etc.

Commissioner Hadley stated that as with all outdoor venues that are sound-producing, his main concern is that we have some condition. Cari Meyer explained that the City's Sound Code regulates the sound and it is measured from the receptor property, so the sound that is allowed to be on a residential property doesn't change based on the use of the sound-producing property and that is how staff has been dealing with the TUPs.

Applicant, Suzie Schomaker, indicated that she has not gotten any complaints. Last year, a Police Officer came in one time and said this isn't written, but somebody mentioned it is a little loud, please turn it down and they did. They had no issues that she knew of. The applicant then asked if those three emails were just received, because she hasn't gotten any. David Nicolella indicated that they were received through this process and Suzie stated that she wished she could have spoken to them; she would have loved to have talked to the people.

Chairman Losoff indicated that part of the work session is to talk about these things and the Commission hasn't seen them as well. David Nicolella indicated that in terms of sound, the Conditional Use Permit will have a decibel level that they can't exceed, and then there are devices that staff can use to check those, as well as the Police Department. The applicant added that there are also technical things they can do audio-wise with their speakers, which aren't very difficult and can take care of a lot of that. Last year was their first year of being out there with the sound system, and they learned a lot, so they will be making adjustments to the speaker positioning and that should change where the sound goes.

Commissioner Hadley indicated that his only other concern is staff's opinion regarding the adequacy of parking and David indicated that is a concern of staff. Based on the site plan submitted, they have approximately 31 spaces onsite, and staff determined that a parking standard or ratio needed to be designated, and we proposed 3.5 ticket sales per space, so they would be limited by the number of spaces available. Since then, they have had discussions with adjacent property owners about shared parking, so they will have to have Shared Parking Agreements, and they are even contacting Basha's to get some additional parking, so the ticket sales will be connected to the number of spaces provided. There are also a few other things related to building safety and the Fire District as to occupancy and how many people can be on that site at one time. Through all of that, staff will have some clear numbers for the Commission.

Commissioner Brandt asked if the property to the north is a continuation of the parking lot and the applicant replied yes . . . Chairman Losoff interrupted to say that staff provided some pointers, and the applicant continued to say that is parking. Commissioner Brandt then asked if it is owned by the same person and the applicant stated that is correct. It is owned by Paula Brockman and the house is also owned by her. The Commissioner then asked if the ones behind are separate properties and the applicant stated as far as she knows; she hasn't met those people, but she doesn't know if Paula owns them.

Commissioner Brandt then asked if through the Temporary Use Permits there were any changes to the procedure to fine-tune or change the parameters and the applicant indicated no, it was the same thing. It was basically an event that started around 7:00 p.m. - 7:30 p.m. and was done by 9:00 p.m., and they were out of there by 10:00 p.m. The only one that might have been earlier was when they had the High School Battle of the Bands. The kids opened their season and it was a little chilly. The Chairman commented about that being nice for the neighborhood; however, the applicant stated it was wonderful for the kids -- they loved it. As far as the high school kids doing something productive, it was a wonderful afternoon with the parents on the lawn.

Commissioner Brandt explained that he asked, because if there was anything that was a problem and it was changed, the people who emailed may not be aware of the changes or there may still be things that need to be done for the Conditional Use Permit.

Commissioner Taylor indicated that when he was involved in theatre design in the past, it was 2.2 people per car for parking, and staff is talking about 3.5. David Nicolella confirmed they are talking about 3.5 ticket sales per parking space and his understanding was that it was derived from like if you park at a movie theater or something similar, it is one space per 3.5 fixed seats, so it was done as a comparison to that. Commissioner Taylor repeated that they always used 2.2. Cari explained that she worked with David to get that number within the current code, and there is a church assembly use in the code with that parking requirement, and that was the closest thing in the Land Development Code to this type of use. If they need more parking, it can be put into the Conditional Use Permit. Commissioner Taylor stated that it sounds low, especially in a town with no public transportation like New York City where people come by train or bus, etc.

Commissioner Taylor then asked if the Commission is looking at just the chart or is the Commission looking at the building also. He then asked what the Conditional Use Permit covers and David explained that the permit is advertised and all of the documentation is for both parcels, so there is the building, the parking in the front and the open area in the back. The Commissioner then asked about the plan of the . . . David Nicolella interjected that is correct; the indoor space is a permitted use and they have indoor events, and that is permitted per the C-3 zoning designation, but having entertainment outside is not.

Commissioner Taylor then stated that doesn't look like it is in compliance with the exit code requirements, and David explained that has been looked at pretty close and his understanding is that it is in compliance, with the occupancy sign. Chairman Losoff then asked the Commissioner what he thinks is not in compliance and Commissioner Taylor stated there aren't two exits. There is a stage at one end, even though it is not really a theatre stage and is probably a platform. There is no control over . . . Chairman Losoff interrupted to asked if the Fire District has looked at it and Audree stated yes. David Nicolella added that he can ask a little further, but from all of the discussions he has been in, there was no concern raised about that and it has been reviewed by both the Fire District and Building Safety, and there didn't seem to be any issues at this time.

Commissioner Taylor indicated that it wouldn't be fine in New York State and the Chairman noted this is Sedona. Commissioner Taylor asked if all of the people we are looking at parking for are going to be in the courtyard and David indicated they will be in what is called the

backyard. Commissioner Taylor then asked if it is a courtyard or if you have to go out the passageway and David explained that you can access it through the suites, but during the outdoor events, they will not access it that way. He explained that people will come in from the entryway to the venue, and then David pointed out the exit. The Commissioner asked if both are exits in case of fire in the building and the applicant stated yes. The Commissioner then asked if there is no way out of the courtyard other than through those passageways and the applicant explained that there is another exit in the top left corner that goes to the back by the brewery and to the brewery parking lot. There is a gate there, but it is not open. They don't access it for their people, but it could be an emergency exit.

Chairman Losoff asked staff to take another look at the exits and make sure the Fire District has analyzed all of that for the Commission. Commissioner Taylor stated that it should be looked at carefully, because if there is a fire in the building, people have to get away from the building and that is his main concern with the project.

Chairman Losoff indicated that as far as he is concerned the Commission wants to look at the conditions, in terms of hours. The Letter of Intent says that events occur between the hours of 12:00 p.m. and 8:00 p.m., and if they don't start until 5:00 p.m. or 6:00 p.m., those starting hours should be put in. If they are set-up time that is one thing, but he is talking about when the events actually begin and this says between 12:00 p.m. and 8:00 p.m. He doesn't think they want to start at 12:00 p.m.

The applicant says that she doesn't know that the events start at 12:00 p.m. . . . the Chairman then interrupted to say that under the conditions, if we are saying that the performances are going to begin, they should start no sooner than 5:00 p.m. or 6:00 p.m. or whatever time, and not include start-up time. The way this is worded, they could begin and start playing music at 12:00 p.m.

The applicant explained that like during the Gumptionfest, as they have done about every year for the last eight years; they have had outdoor things happening by 11:00 a.m. to 1:00 p.m. in the afternoon, and her thought was to have a time so they could at least start their set-up. If we have to be held to 6:00 p.m., what if it gets chilly by 8:00 p.m., she wants to start the show at 4:00 p.m., so it is a little warmer. The Chairman referenced the residents in the community and indicated that if there is a noise issue, we don't want to start before -- if we want to put a "not to start before a certain time", not counting set-up time. The Chairman then asked if the Commissioners had any thoughts on that; does the Commission care if it starts at 10:00 a.m. or 12:00 p.m.

Commissioner Taylor stated that it is the ending time that is a serious issue and David Nicolella agreed. Commissioner Brandt also expressed agreement and Commissioner Hadley stated it is what time they quit. The Chairman then asked if 12:00 p.m. to 8:00 p.m. is okay and the consensus was yes. The Chairman then asked if the Noise Ordinance says 10:00 p.m. or 11:00 p.m. and Audree explained that 10:00 p.m. is when it switches to a different sound level. Audree then asked if the ending time is 8:00 p.m. and Chairman Losoff indicated that is what it says in their Letter of Intent. Audree asked the applicant if that is the intent and the applicant explained that the thought was that they could start a show at 7:30 p.m. or 8:00 p.m. and it would run until 9:00 p.m. or 9:30 p.m., if they had to make sure they were out of there by 10:00 p.m., so just for the Sound Ordinances and things, we wanted to . . . the Chairman interrupted to tell staff that for the next review, we need to -- he is hearing different starting and ending times. Audree indicated that staff would nail that down.

The Chairman then stated that the Commission will want to see any Shared Parking Agreements in writing and the whole parking issues is an issue to be solidified by making sure that it is 3.5 or 2.5 or come up with something that we are all comfortable with, and also on the exits, the Commission will want that redefined and signed off again by the Fire District.

Commissioner Taylor added that on the exits, they should have emergency lighting in the courtyard and in those passageways. David Nicolella stated that there were discussions with the Fire District and the applicant was there and that was their requirement. The applicant stated that is in process now. The Chairman noted that is all a standard part of the process, and finally the Commission will want to see the community responses, and the applicant should also see them.

The Chairman asked if there was anything from Engineering and David Peck indicated that they had discussions on the sewer capacity and sewer billing as the only issues. The Chairman asked if David is okay with it and he stated they will work through it.

There were no other concerns or questions asked.

**B. Discussion regarding a request for Zone Change to C-1 (General Commercial District) and Development Review approval to allow a proposed restaurant located at 700 West State Route 89A. The proposed project site consists of 2 parcels currently zoned OP (Office Professional). One parcel is vacant and the other has a vacant 3,224 square foot building. A general description of the area affected includes but is not necessarily limited to the area on the northern side of West State Route 89A across from Rolling Hills Road and the Rolling Hills Estates Subdivision. The project site is approximately 2.25 acres and is further identified as Assessor's Parcel Number 401-46-124A & 401-46-124B. Applicant: Michael Stevenson Case Number: PZ13-00003 (ZC & DEV)**

The Chairman stated this is a request for a Zone Change from OP to C-1 and there have been several work sessions on it. There are two issues; one is the Zone Change before anything else can be put on the property, and secondly, if the Zone Change is approved, they are proposing a restaurant and we have seen some drawings. Today, we want to have a final work session on the Zone Change and some of the Development Review issues before the public hearing on April 2nd. Cari noted that the Commission will have one more work session on March 28th.

At the Chairman's request, applicant, Michael Stevenson; Architect, Luke Sefton, with SEC and Matt Dougan, Design and Plans, introduced themselves. The Chairman then referenced the restriction or limit of the C-1 uses to 20 or 25 different uses, as opposed to 80 or 85 and asked if they want to bring the Commission up-to-speed on that.

Michael Stevenson indicated that they are working with staff and the City Attorney, and they have a list that was simplified from the last meeting. He then distributed copies of the list to the Commission and staff and stated that by restricting the C-1 zoning, there were approximately 73 uses and 25 conditional uses for a total of 98 uses, and they have trimmed it down to 23 uses and one conditional use. These are the actual uses of the property that they are asking for the C-1 to include.

The Chairman asked for the Commissioners to take a minute to review the list, and he then expressed appreciation for the thought put into the process by the owner and people involved, because if the Commission left it OP, it would be limited to what is in OP, so this is like a hybrid and several of these uses are in OP, while some are new, like the restaurant.

**Applicant's Statements:**

The applicant, Michael Stevenson, indicated that in the last meeting, he and Commissioner Taylor were discussing the barber shop and it is important to understand that it is difficult to identify by the terminology how broad of a range it is, so they tried to go through the list and remove anything they considered to be detrimental to the community as far as the use of the property. The rest of these -- many are probably of no consequence, because they will never be used, but they trimmed it to the point that anything detrimental to the community was removed.

**Commission's Questions of the Applicant:**

Commissioner Taylor stated that he is opposed to the Zone Change. He has thought about it and has gone through everything, including the most recent material and he is still . . . the Chairman interrupted to say that the Commissioner's issue is still that it is more of the use of the land in general, rather than the property.

Commissioner Brandt indicated that the proposal is fine.

Commissioner Hadley thanked the applicant for doing a great job in whittling it down and easing some of the concerns about changing it to Commercial, in his mind. He then indicated that the staff's comments were very good; things were picked out that he might not have seen in reading through the proposal, and these are things that keep coming up, and he knows they will be dealt with, but he would like to ask a couple of questions. One of staff's concerns was about lighting and the total lumen count.

The applicant, Michael Stevenson, indicated that in the last week, they have brought onto their team an astronomer from Flagstaff named Matt White, who retired from the Lowell Observatory and is working with them to develop Arizona's first dark sky restaurant, so the plan is to follow the Code, but to carry it even further. Regarding the whole lighting issue, they developed their own lighting fixture for the parking lot, to eliminate any overhead lights. All lighting will be curb level and light the roadway and landscaping, and with a rope light under the canopy, they will be able to develop -- the rope light puts out about 80 lumens per foot, but they will only use about 17% of that; the rest will be shielded and the lower they get the lights, the less lumens they will need, so the outside perimeter, the pathway and the parking lot will all be lit in under 1 ft. off of the ground. The only reason they would do any other thing would be for a safety reason, if they find some place they need a bollard or something, but they will be more like a landscape light than a parking lot light.

Chairman Losoff indicated if that works, it could be a model for several places in the City. Mr. Stevenson agreed and indicated that as they go in the restaurant, anything that is going to be inside will be shielded and pointed downward, so it is all very carefully scripted, so it not only lights where we need a light, but that nothing will be coming outside. Mr. Stevenson added that besides being a community benefit, it is a benefit for Lisa with the restaurant, because they will be applying for a certification as a dark sky restaurant and it will be an advertised fact. Since the streetlights don't go from Airport Road to the "Y", they hope it will stay that way, because it will be a dark sky area -- Chairman Losoff noted that he didn't know if they want to bring that up. Mr., Stevenson added that if you have ever parked on the property at night and turned your lights off, it is unbelievable, so they would like to provide outside dining with all the lights low enough to have that dining experience. Commissioner Taylor commented that there is a roof over it and Mr. Stevenson pointed out that is only over part of it. There will be a section of outside dining with no roof.

Commissioner Hadley indicated that most of his questions have been answered, but he still wonders about noise and if there are any thoughts about entertainment. The applicant indicated that the best example is most of you have been to Lisa's restaurants, and this restaurant is no different. She has never had a noise complaint in 17 or 18 years at either of the restaurants that he knows of and you can stand on the street in front of her restaurants, and the noise comes from the street, not the restaurant. She is very careful about those kinds of things. He doesn't think noise is a problem; they have actually done some sound studies with the City.

Luke Sefton added that they went to the site, and Cari previously went over the sound. He turned the radio up above 60 decibels at the property line, which is the legal limit, and it was louder than that and you couldn't hear it across the street. In fact, they raised a wall a little bit, because of the traffic noise, to block the sound. Mr. Stevenson explained that they are actually going to try to soundproof the restaurant from the highway and it will soundproof everything

from across the street too, and the design of the restaurant pretty much has everything on the back side of it, so he doesn't see that as a big problem. Luke added that 60 decibels is loud and Lisa has talked about it being a fine dining experience; you have to be able to have a conversation. Commissioner Hadley indicated he had no other questions and he is pleased with the way this is going.

Commissioner Messer indicated that while he understands Commissioner Taylor's disappointment that the land can't be used for something like a park, he would like to remind the Commission that under the current zoning, the list is a lot longer than what we have, and it seems that this team has gone above and beyond to narrow the scope of possibilities and it is narrower than what is currently his right under OP, and given the design of the building and its low profile and the enthusiasm from the people at the top of the hill and the community at large, he thinks it is a good thing as opposed to what could be there.

Commissioner Brandt indicated that a question for staff would be if the restaurant is so wildly successful and it needs to move to a bigger space, this then becomes available for a future use, and is there anything to restrict it from being a drive-in like a McDonald's, etc. Mr. Stevenson pointed out that they removed fast-food from the list. Audree also explained that the only uses that can come in are the ones specifically stated on the list, and that is not a use that is included, although it is a C-1 use. They are voluntarily removing that from the list of possible uses. Chairman Losoff asked if McDonald's could say they are a restaurant and Audree explained that they couldn't have the drive-thru. The Chairman noted that they could put up a McDonald's without a drive-thru; however, Commissioner Hadley noted that they would have to have dark sky arches.

Cari Meyer asked Commissioner Brandt if he has any comments about the design, and the Chairman indicated that they will get to that, but as he keeps saying, in talking with people in the community, and the zoning is a key issue, if we are comfortable with the zoning change, then the next falls into place pretty nicely.

Mr. Stevenson added that one of the first things they did was look at the 2001 Community Plan and used that, as it explained the things that the community didn't want on that property, and they tried to trim those off of the list, but they have to have the restaurant on there to get the restaurant on the property and they think that is the best use. What kind of restaurant could come in the future would probably have to go back to the City for approval in some way.

Audree clarified that whatever is approved, if another restaurant wants to come in, it has to use the existing building and site plan; anything different than that would have to come back to the Planning & Zoning Commission for review and approval, so it is restricted to what is approved.

Chairman Losoff indicated that for the April 2nd meeting, we will have the Development Review Agreement to review, and Audree explained that we will have the Development Agreement available to review, but it is not something that the Commission will be approving. The Commission can support it or not, as it is taken forward to the City Council. The Chairman confirmed it will be part of the Conditions of Approval that are approved in the Development Review. Cari Meyer clarified that it wouldn't be for approval; the Commission would be making a recommendation to the City Council.

The Chairman then indicated that the Commission will go through the Design Review and the looks of the look of the place. The Commission had a site visit, and there is a list of various things the staff put together. The Chairman asked if staff is satisfied with the issues like the massing, landscaping and parking. Cari Meyer stated yes, very satisfied.

Mr. Stevenson indicated that they did make one change, because they decided if possible to change the color of the roof from green to rust, and they brought some samples and did another rendering. Staff showed the original roof sample and the applicant showed a sample of

the new color. The applicant explained that the sample is the very beginning of it and it goes progressively rust. Chairman Losoff asked if it is more reflective and the applicant stated no, it is going to be almost flat and it is a galvanized material that they rust chemically to start the process. There are three or four roofs in town that have been done that way. Commissioner Messer added that it is a real matt finish and Commissioner Taylor stated that it is Corten steel.

Chairman Losoff asked if there were any other changes and Mr. Stevenson stated no, he doesn't believe there were. The Chairman then asked about height and Cari Meyer indicated that they aren't going over 22 ft. above the existing grade, so they are complying with everything.

Matt Dougan explained that he tried to key in on the requirements with the main requirement being that in any elevation view, the large mass cannot exceed 60% of that view and the two largest masses cannot exceed 80% of a (audio unclear) elevation, and they need a minimum of 6 ft. offsets throughout vertically, horizontally, and as you see, they have a lot of that. They have tried to maintain the same kind of design as you move around the building, so that it is not mundane as far as the massing. Secondly to give it beauty, there will be exterior treatments -- rusting the roof, stucco, rock, and when it is landscaped, it will blend fairly seamlessly into the site. For the Landscape Plan, they are in the preliminary stage that will be further developed, but it will be in keeping with all of the Code requirements, such as the parking islands and landscape berms to conceal the parking and headlights from filtering into the residential areas across SR 89A, so all of the landscaping requirements, including all of the vegetation they will be bringing in, will be as close to the existing native vegetation as possible.

Chairman Losoff asked if they are running into any problems with the landscaping and Matt stated no, and the site pretty much dictates what they have to do. Mr. Stevenson explained that there is an issue that they are working with and that is the neighbors across the street. They have an elevation change from Rolling Hills probably from about 14 ft. above them down through the middle, and then they drop to about 20 ft. below them, so the folks that live across the street, and they have worked with them individually about their views, so the landscaping starting on the uphill side will be higher to mask the building and deaden the sound from the highway, but as they go to the lower end, they will have lower landscaping, probably with no trees, to try to protect the view from across the street, but they were planning to work with the City and the people across the street as they go through this.

The Chairman asked if they are having any more meetings with the people and Mr. Stevenson stated all the time. They had several of them at their open house, and then he met with the homeowners' association of Rolling Hills. The Chairman indicated that for the April 2nd meeting, the Commission will want a report and he assumes there weren't too many negative comments. Cari indicated that they have been doing a good job of getting all of that together and staff has a preliminary report, but we will get a final report as well. The applicant added that they are also working with the homeowners' association of Casa Contenta.

Chairman Losoff then indicated that at the last meeting the Commission talked about the traffic and Commissioners now have the Traffic Impact Analysis, The Chairman then asked if there were any issues. Cari indicated that she talked with ADOT about this project and they had no issues, so they won't be providing a direct comment; however, if you have any specific questions about why they don't have a comment, they are willing to answer those. The Chairman then asked if there are some accidents or problems on SR 89A and ADOT has not responded to the City, is the City liable for anything.

Ron Ramsey indicated probably not. ADOT had the opportunity to suggest an expanded deceleration lane, right turn, or whatever configuration they felt would be mandated by safety standards for the highway, and if they have no input, then they have no input. You can never, however, say that the City is never going to be brought into some claim on an accident. There are cases where the City tried to be a good neighbor, police the streets and keep debris from

the streets, and they failed to do it and a motorcyclist hit a hubcap and the City was successfully sued, so you can envision scenarios where the City could be sued, but on the design probably not. Also by statute, as long as the roadway design meets current design requirements at the time the project was constructed, you are locked in if they change the requirements, and that is not supposed to be a problem.

David Peck indicated that the City's main concern regarding the driveway access is the northeastern driveway, when people are making a left-turn into that, and at the same time, there is a left turn coming into Rolling Hills on the other side. It is a fairly short distance of 150 or 200 ft. between those two driveways, so there could be possible conflicts with vehicles trying to slow down and make that left turn. City staff is going to meet with ADOT regarding some other issues on Monday and also discuss this to get their input on it. The Chairman asked if the owner will be part of that and David indicated that he didn't believe so.

Cari indicated that in order to address some of those concerns, they are going to be moving a sign, so drivers coming from West Sedona will see that sign, and then possibly use the other driveway to enter the site, attempting to move some of the traffic that would normally be turning left. Chairman Losoff indicated that the traffic study goes into some discussion about where most people will be coming from and those are kind of major assumptions, but nothing will prevent people from entering on either side. Cari explained that the main entrance sign will be at the other driveway; however, there will be access through the both driveways,

Chairman Losoff asked about the service trucks and if they are going to try to keep the service trucks out of there in the evenings, and Mr. Stevenson indicated that most deliveries are in the mornings, but this whole issue of the left turns, just normally driving down SR 89A from West Sedona, you normally would turn into the first driveway available, so at least 60% of the traffic will turn into the first driveway, which will lighten the load of the second driveway substantially.

Charles Mosley referenced a conversation about several concerns of the Police Department and Public Works regarding the access to the property. He understands what the applicant is saying about some of the driveway issues, but he is not certain, unless somebody can produce a traffic report that demonstrates someone won't use the other driveway. Having stood out there, there are a couple of concerns that were expressed regarding inner-visibility and driveways for people trying to leave the property, and the bluff in-between kind of obscures it. The ability to deal with the volume of traffic during certain times of the day, when they seem to be coming out of the shadows, around the curve, and it is kind of a constant flow, and trying to anticipate when the gap is going to be there, and a lack of inner-visibility of the two driveways could complicate that, because you may think you see visibility looking westward, and that gap may disappear, because someone pulls out that you didn't see trying to get into the turn lane, so there are a number of concerns, and for years, Rolling Hills has always been concerned about trying to turn into there and this will make it a little more complex for them. Those are the concerns staff has and the position he has taken is a bit different, but he has always asked and continued to ask the question, "Will this facility operate with a right in/right out?" The second or third time something happens, and we have situations like this in town, but this is a little different because of speed and location, but if something happens, there will probably be a call to do something about that intersection, proximity of driveways and things like that, especially with the eastern one, so that is a concern and he doesn't think anyone in this room wants a monument to something that doesn't work with a right in/right out. That question really needs to be answered.

Chairman Losoff indicated that the impact analysis said it is more of an issue having a right in/right out, because people make u-turns, and he then asked what Charles's reaction is. Luke Sefton explained that he had based that off of Soldier Pass and several studies. Charles indicated that he would want to look closer at that and he would have some real questions, especially about this particular intersection, saying that a right in/right out would be more

dangerous. Normally, it is considered a lot safer movement. Luke explained that the accidents have been due to right turns or people making u-turns.

Applicant, Michael Stevenson, indicated that from his point-of-view, he understands what is being said and he would like for the City and ADOT to work together on this, and they are going to do what you folks want them to do. He wishes this would have been solved two months ago, rather than this late in the game, when they have invested a lot of money at this point, so he would like to have an answer as soon as he could.

Charles Mosley pointed out that he is not saying anything different than what he said at the beginning, with the exception of inner-visibility, but he raised the issue early on. Mr. Stevenson noted that he knows Charles did, and Charles continued to say that he was concerned about saying right in/right out, and that is his fundamental question. Does this facility work with a right in/right out? If and when that happens, the facility should be on record, because if they say it can't work with a right in/right out, then that should be considered at this time, because of the proximity of the turns and perhaps future plans for this road. We talked for a long time even before this development, and he thinks the Rolling Hills people would like to know that. We have talked to them about the possibility of right in/right out coming and having to go to a roundabout in order to make a turn. Years ago, we proposed a back exit along Alexandria, which they rejected, and that is how deep our concern goes, but we yielded to the community there, and if history means anything, some of the things we are concerned about may come about, and then the question is how this facility will operate in light of those eventualities. He would like to think it would continue to work, but if you know that it doesn't work, that is something that should be considered.

Audree indicated that she thinks we have had conversations about this and what we may do is put language in the Conditions of Approval that basically says the applicant acknowledges that at some point in the future, there may be restrictions of right in/right out, and they acknowledge at this point that is going to happen, so there are no grey areas about that eventuality.

Michael Stevenson indicated that everybody who lives in the community understands that it is a state road, and the State and the City works together on the road. They live by what the City and State want to do, so they can't fight that. They can argue about it, but it doesn't do any good. Audree indicated that at this point, we can say that we are not restricting it to right in/right out, but we're putting in writing that you're acknowledging that may happen in the future, and Charles Mosley stated right, so if something happens and he might be incorrect, but if and when that comes, as a necessity, one would like not to hear you are killing my business.

Chairman Losoff questioned if ADOT has been asked specifically about this and Cari indicated not specifically about this issue, and that is one of the things staff can ask them to address. Chairman Losoff then asked if ADOT will see this impact analysis and Cari explained that they have been sent all of the project documents, but she doesn't know how much they have looked into it in depth; they just said they have no issues.

Commissioner Taylor asked if Charles Mosley is going to that meeting and Charles indicated the March 5th meeting, yes. Chairman Losoff then asked if Charles had seen the analysis and he said he hasn't read through that, but he wanted to say something about ADOT and the interactions on other developments, and it may be their corporate culture, but they were facing a situation on another development where it was pretty clear there was a problem on the roadway, and ADOT's position pretty much came down to if something happens, they will do something about it, plus they hadn't looked at the current statistics, so to project a what if, etc., was a problem for them. Fortunately, the situation was resolved another way, but staff was very concerned about the access that ADOT was going to allow, and they said if the City wanted to do something about it, then do something about it, but they weren't going to jump into the pool and say anything. He understood where they were coming from, because the data of the past history didn't show it. It was the forecasting of data that was going to be a concern.

Chairman Losoff indicated that he doesn't know if it is their culture. Illinois had a similar problem and they said they couldn't put a stoplight up until you show you have so many deaths. You can put it up yourself if you want to pay for it, but the State said prove it later, and they did.

Chairman Losoff then stated that we will see what comes up on Monday, but we hope we move this along, because we should be able to have a final meeting on this on April 2nd. Michael Stevenson indicated that they are still going to work on this situation, even if ADOT says it is okay. They still want to do everything they can do to make the entrance and exit safe, and they will work with the City and Charles on that very thing. They may not agree totally, but they will work together on it, because they don't want anything to happen to people coming to the restaurant.

Chairman Losoff indicated that from his driving experience, the lights can be blinding, so it could be awkward sometimes. Michael Stevenson asked if he is talking about on the restaurant (property) and the Chairman stated yes with cars going both ways and Michael pointed out that you are only going 5 - 10 mph. The Chairman stated that is not a technical issue, it is just personal.

Luke indicated that they are tight there and they are going to try to push it. The rest of it is ADOT's property, and he is restricted to keeping it on the property. He then referenced David Peck's comments and indicated that by moving the sign, people coming from westbound will see the building and the sign. They will straighten out that driveway to more of a 90° for a better turn-in, and that should encourage most people to start making a left turn there.

Charles Mosley indicated that another thing they can do to help is as you are looking back, where people are supposed to stop, the hill causes visibility issues, so you may want to take a look at that, but that will help, so when people are looking there, they can anticipate the full situation, because if you are looking across a right turn lane, two through lanes and a center lane to make a turn out and that is coming around the curve, it can change quite a bit quickly, and the more time you can look at something and the situation stays static from your last look west, the better off you are.

Michael Stevenson again indicated that they will work with the City and Chairman Losoff indicated that these are good discussions; we heard a lot of these discussions when the roundabouts were being put in as to safe or unsafe, and fortunately, they seem to have worked out fairly well, so the more attention we pay to these things, the more prepared we are for any eventualities, and as the applicant said, they are at the mercy of the State and the City, so hopefully the Monday meeting will be productive. Michael Stevenson then noted that they had to ask ADOT to move the sign.

Commissioner Hadley referenced the Staff Report where Cari commented on the required massing and asked if staff is now satisfied. Cari indicated yes, her concern was that they were just copying the massing section and she wanted to see it, so they have provided that.

Commissioner Taylor asked how they decided to use the existing building and not knock it down and put their building at the back of the property where they would have a view. Michael Stevenson explained that they looked at the property as far as the use; everybody is used to the building where it is, so by using the building as the existing structure, they are not adding anything to the property. Originally, they were talking about adding a meeting center down below and Mike Raber brought up how that would block the view, so they rethought everything and decided to add a couple of patios behind the existing building, so as you are driving down the road everything looks the same and that whole lower lot is being left vacant for a parking lot. Commissioner Taylor stated right, but whether the building is here or back there, you are going to see something different and that wouldn't be any worse. He doesn't see that people dining are going to have a great view, except for those along the windows. He has been out there, but it isn't going to be the same when you get finished. You have walls and trees, and

things going on out in the view. He doesn't mean that they necessarily block the view, but they take your eye off of the view and you tend to focus on people moving about, etc., and your restaurant really wants to be facing that way. He then pointed out the area where the people will get a view and indicated that the only other experience is when you are going from the parking lot into the restaurant. Chairman Losoff pointed out that the Commission has had three or four work sessions on it and have pretty much agreed conceptually with what they have, so to go back and modify it wouldn't be appropriate.

Mr. Stevenson explained that the view out of the building is directly north, so two sides are glass, and the top is up high, so when you are setting at a table on the two sides, you have an unobstructed view out to the north. Commissioner Taylor stated that he knows where the view is, and he understands the building, and by the time you take the siding off and the interior finishes off and carve up the slab by running conduit, etc., you have got almost your cost.

Chairman Losoff repeated that we've pretty much had a consensus on the Commission for the conceptual design, so he is not sure we want to change anything at this stage of the game. Commissioner Taylor stated it is not his prerogative to change it, but he thinks it is okay for a Commissioner to bring that kind of opinion up. Chairman Losoff then indicated that at this stage after three or four meetings, we kind of got beyond that. Commissioner Taylor then stated that it has been confusing, because we have been discussing the building and the code change. Now, we are meeting on the code change. We've had meetings already and done this; he wondered why we are having this meeting again today and why we are waiting until April 2nd to change the code. He doesn't understand the long gaps and why this is taking so long.

Chairman Losoff explained it is all stipulated by the zoning regulations, timelines, etc., and he understands some things are drawn out by design and sometimes by not design, but we have to go through the process and it gives the developers time to make changes, so by April 2nd, we can . . . Commissioner Taylor interrupted to say that if the building was located differently and the parking was handled differently in that knoll, people wouldn't see it, then the access and egress would change.

Mr. Stevenson pointed out that the back side of that property is fill; all around the edges. They had that checked out and he probably would have to pull it all up and redo it. It was one of those things where you start out looking at what you've got and you are going to work with it. It started as a remodel, and then got a little bigger, and then Lisa came in and they started talking to her, so it has just been growing -- that is how they got to where they are now.

Chairman Losoff repeated that we have had several meetings and for the public hearing on the 2nd; there are a couple of things we want to come back with to finalize. The Commission will look at the list one more time to review it as it is and we will see a Development Review Agreement, we will also have some significant discussion on traffic and any impact analysis given by the State, the City and the applicant, and those are the main issues.

Commissioner Hadley asked if the Commission has one more work session and Cari indicated that it is the work session before the public hearing. The Commissioner then asked if it is needed and Chairman Losoff indicated it would be on March 28th for this project and the CUP we heard earlier. Cari added that there also will be three preliminary work sessions.

Chairman Losoff asked to go around the table and see what the Commissioners think. Commissioner Messer stated that we don't need the meeting and Commissioner Hadley agreed. Commissioner Brandt stated that a meeting isn't needed for this project and Commissioner Taylor indicated agreement. Cari explained that there will be projects that were submitted this month for the preliminary work session and Chairman Losoff suggested seeing what the agenda will look like, and if it is just this project, the Commission won't need a work session, but if there are other projects, we will include this.

Commissioner Brandt indicated that the public trail having more of a public use is the alternative for the up-zone to Commercial, so the public trail is a really important part of the works, but first, he wanted to follow-up on what Commissioner Taylor was saying about moving the building. The real visible direction of the parking is from up the highway. As you are coming down the highway and above the parking, you will see a lot more of it than when you are down below, where you really don't see any of it, and having the building there with the existing trees will really mask the parking.

Commissioner Taylor indicated that his concern was that he doesn't think you have the view from this building; however, Commissioner Brandt indicated everyone will have a view, except the dishwashers. The Commissioner then noted that there are also some existing trees out front that aren't shown on the plan, and regarding the walkway, he was happy to see the applicant has added some screening along the employee parking and trash area, but perhaps we need to have more for both on the highway and people on the walk. Then, as you come around, it seems that the public trail is really close to the covered patio, and we need more of a separation of the uses there -- either through more landscaping or more of a solid wall on the covered patio. Mr. Stevenson pointed out that there is a wall that goes up on the back of the patio; you can't see it on the renderings, but you can see around the front of the patios, there is a grade. Matt Dougan then explained that the grade drops off, so there is about 10 ft. out to the trail, and then it drops a good 5 ft. to 6 ft. in grade, so the trail will actually be down. They didn't want to do a tall wall under the patio, so people wouldn't have their view blocked, but they made a wall that would be tall enough to provide screening of people walking down below, so as you are walking on the back side of that covered patio, that wall is up to here in relationship.

Commissioner Brandt asked if that is going to continue all the way across the patio and Matt indicated right, and pointed out the starting and ending points. The trail gets farther away from the patio as they go and it keeps dropping down, plus they have some in-fill landscaping plantings to be done in that area as well, so for elevation purposes, he didn't draw them in, but there will be quite a bit of vegetation along it.

Commissioner Brandt stated fine, and over where the . . . Chairman Losoff interrupted to ask if the Commissioner wanted to see those details on April 2nd. Commissioner Brandt stated that he feels the last issue was taken care of; however, the area of the employee parking should probably be further landscaped. The Commissioner then continued to say that the parking for the trail and the trail itself seems to get really squished together right there, if there is any way to alleviate that.

Matt Dougan asked if the Commissioner means the relationship of the parking to the trail itself and Commissioner Brandt stated yes. Commissioner Taylor then asked if the trail is really an extension or a sidewalk in a sense, so people coming down a sidewalk, which isn't very pleasant, would just walk around. Matt explained it is decomposed granite and is designed to eventually link to the National Forest trail. Commissioner Taylor then commented, so it is not part of the forest trail system, and Mr. Stevenson stated no, it is on private property.

Commissioner Brandt asked if there is a location for a link to the forest and Mr. Stevenson stated not yet, then the Commissioner asked if it is close to where the parking is and Luke Sefton stated yes, the Forest Service can put something there. Cari clarified that for now, it would just be a trail on this property, because the Forest Service isn't planning a connection there, but it is a future possibility.

Commissioner Brandt then referenced where the trail continues to the east side of the property and asked what happens there, does the trail come down on the driveway? Mr. Stevenson indicated that it is on the side and Luke added that it goes from cut to fill right there; it is really close to the forest and ADOT, and the Commissioner indicated that he sees that now. Commissioner Brandt then indicated that he would prefer to see the front of the property, where the existing bedrock is exposed, retained in its natural state, as opposed to adding riprap and

trying to stabilize something that doesn't need to be stabilized -- keep a very natural appearance.

Commissioner Brandt referenced the entrance access and indicated that if there is a sign right at the driveway, people coming up the hill can't see the building and they are going to drive by the first time and maybe every time, and then they will have to come in the other way, so he is wondering if that sign for the restaurant and for the public trail could be further down the highway, so you can see it. Audree explained that you can't have off-premise signs. It has to be on the property, so staff couldn't allow that. Commissioner Brandt asked even if it is safer that way and Audree explained that the Code would have to be amended to allow for off-premise signs. The Commissioner then asked if it was for the public trail and Audree explained that she isn't sure it is a "public" trail; it is a private property trail. Matt Dougan added it is for the public, but on private property.

Mr. Stevenson indicated there may be enough room to put a small sign down there, but the sign for the restaurant would have to be on their property, and the driveway enters right at that point. They just have enough room for the trail.

Chairman Losoff indicated that perhaps when the Forest Service comes up with a connection to the private trail, a public sign could be put on the highway. Audree added that would require ADOT's involvement. Commissioner Taylor stated that it isn't a good idea to have trail parking on the site; we have trail parking above there, where the hotel or something is supposed to go in and it is well used with six or seven cars and sometimes eight or nine cars. If you put trail parking here, people will come up and enter, and then go up and in, or they will make a u-turn and left turn in the road and come down, so he doesn't see having these little six-slot parking lots. If you are going to work with the Forest Service on a trail connection, fine, but the Forest Service should be encouraged to build a real trailhead somewhere on their own property to get rid of the little six-car lots.

Commissioner Brandt then indicated that Photinia trees remind him of golf courses and he would rather see this have a natural appearance blending with the forest. There is something about the red in those, maybe it is the Village of Oak Creek, he doesn't know -- how about just Piñon and Juniper. Audree noted that the Commissioner is carrying on the spirit of John Griffin.

Chairman Losoff noted that the Commission may start getting complaints if we put in too many Junipers, because of all of the allergies. The Chairman then indicated that the Commission is almost beating this to death at this point. It is good that we had so many meetings, but a disadvantage to that is we start to get into other things. In any case, the applicant has heard all of the comments and for April 2nd, we have the issue on traffic, the in and out, and all of the things we have discussed, and that is the major concern right now, and for the Design Review, it doesn't sound like the Commission has many issues with the actual Design Review criteria. He is not hearing any major concerns; the Commissioners agreed. The Chairman then added that aside from the parking, the applicant has already addressed most of the other issues the Commission was concerned about, and he thinks the applicant is doing a major job in trying to minimize the issues that the community has raised, so there is only that community input section for the meeting, but they have done a good job in trying to get this to be a model for the lighting issue and the dark skies will be a feather in everybody's cap.

Commissioner Messer asked the date of the next meeting and the Chairman indicated that the next official meeting is on April 2nd at 5:30 p.m. and we have a working meeting on March 28th with a question mark after we see what is coming up on the agenda. Cari added the Commission will be having a preliminary work session for projects submitted on Monday. The Chairman then indicated that the Commission will meet on March 28th, unless the Commission hears otherwise. Donna Puckett indicated that in the last meeting, March 19th was left open with Mike Raber and the Chairman indicated that he talked with Mike and there won't be a meeting on that day.

Audree Juhlin pointed out that the Sustainability Commission has finished drafting the Energy Policy, so the next step is to give it to the Planning & Zoning Commission for review and comments, so staff will be doing that at the next available meeting. If we meet on March 28th, it will be on that agenda. The Chairman indicated, let's see what is on the agenda for the 28th, if there are three other projects, we'll see what the Commission feels. Audree explained that the Sustainability Commission would like to have it reviewed as soon as possible, because they are preparing for a joint meeting with the City Council and hope to have that policy at that meeting, so they do have a sense of urgency.

Mr. Stevenson then asked if their project is on the 28th or just the 2nd and the Chairman stated that unless something comes up different than discussed today, any significant changes, your project does not have to come before the Commission as a work session item on the 28th. This will be the last work session for you. If there are other significant changes or something comes out of the ADOT meeting, etc., then we may have to modify that, but if nothing else, the Commission will see you on April 2nd.

**5. Adjournment. (5:15)**

Chairman Losoff called for adjournment at 5:08 p.m., without objection.

I certify that the above is a true and correct summary of the work session of the Planning & Zoning Commission held on February 28, 2013.

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Donna A. S. Puckett, *Recording Secretary*

\_\_\_\_\_  
Date