

**Summary Minutes**  
**City of Sedona**  
**Planning & Zoning Commission**  
**Special Work Session/Site Visit**  
**Community Development building lobby, 104 Roadrunner Drive, Sedona, AZ**  
**Thursday, April 11, 2013 - 2:00 p.m.**

**Purpose:** To give the members of the Planning and Zoning Commission an opportunity to conduct site visits regarding future agenda items.

**Special Note:** The Commission will be invited to walk the subject properties. It is strongly recommended that appropriate shoes and clothes should be worn.

1. **Verification of Notice, Call to Order, and Roll Call. The Commission and staff will then carpool to the site of the proposed Park Place project at 3865 W. SR89A.** Chairman Losoff called the special work session/site visit to order at about 2:02 p.m.

**Roll Call:**

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

**Staff:** Audree Juhlin, Cari Meyer and Kevin Snyder.

**Council Liaison:** Councilor Mike Ward

*Audree Juhlin explained that the Commission will be carpooling to the sites in three vehicles. The Chairman recessed the work session/site visit at 2:03 p.m. for the Commission to depart for the Park Place Condominium Project site. The work session/site visit was reconvened at the site at 2:10 p.m.*

2. **Discussion on a site inspection at 3865 W. SR89A regarding a request for Development Review approval to redesign a portion of the previously approved Park Place Condominiums Project. The redesigned units will be smaller units with decreased height and lot coverage. The applicant is also requesting approval of a new community building. The project site is zoned RM-2 (High Density Multi-Family Residential). The parcel was originally approved for 88 residential condominium units. Twelve of the approved units have been built and the rest of the site is vacant. A general description of the area affected includes but is not necessarily limited to the area on the southern side of W. SR89A across from Bristlecone Pines Road and adjacent to the Foothills South subdivision. The project site is approximately 7.94 acres and is further identified as Assessor's Parcel Number 408-11-531.**

**Bobby Woods, Architect:** Joined the Commission at the site and explained that the project had been shut down for a few years, and then the developers hired another group of architects, but kept them on board to try to keep the same look, so they have been working alongside of them, especially his dad. When this part is built out, it will feel like it is all part of the same development. The Chairman asked that Mr. Woods explain the overall site and where the buildings are going to be, etc.

Mr. Woods pointed out the location of the community center and another building and indicated that poles for the height of the new buildings may be set a week from Monday, but he can give the Commission the roof heights compared to the finished floor. While Mr. Woods got his plans, Chairman Losoff asked if the current residents aren't particularly excited about this and Audree Juhlin explained that there has been some discussion. Commissioner Jablow asked if these (existing units) are condos or rentals and Cari stated that they are condos, but she doesn't know how many are owner-occupied.

Mr. Woods returned with the plans at this time and referenced a deck on the plan and the edge of the community center, and then he explained that the top of the roof here is 5 ft. above that finished floor.

Commissioner Currivan asked when the people bought that unit, what they thought was going to be blocking their view and Mr. Woods indicated that it was much higher and he has a sketch that shows the original buildings. Cari Meyer and Commissioner Hadley pointed out that a picture of that was in their presentation. Mr. Woods then added that there was an additional drawing that he has with him and it shows what the buildings are now and what used to be there; however, it only shows it from the road.

Commissioner Taylor then asked about the height of one of the buildings and Mr. Woods indicated that roofline is one foot below a roof that he pointed out to the Commission. The Commissioner then referenced a specific unit and asked if that is the only one that is higher and Mr. Woods stated yes, and the one that begins a little beyond this building is one foot below this finished floor.

Commissioner Jablow indicated that if he understands it correctly they knew when they bought this that in the future something would be going on in front of them and Mr. Woods stated absolutely, and what would be really helpful is he has an elevation that shows what it was going to be compared to this; however, the Commissioners indicated that they had seen that.

Chairman Losoff then asked about the relationship in height between two of the buildings and Mr. Woods explained that this roofline is 9 ft. higher than the other, but only 8 ft. higher than a different one, and it is approximately 5 ft. lower than it used to be. The Chairman then commented that there will be some view shed issues and Mr. Woods stated yes, in every case, the buildings on this side of the road have their views partially blocked by the buildings on that side, but it is better than it was. Generally speaking, all of the buildings are 5 ft. lower at the tops of the roofs than they were originally. If they go back to their original plan, that roof would be 10 ft. above this.

Commissioner Hadley pointed out that not only did the people know, but P&Z approved this entire development. Commissioner Taylor indicated that these people have this whole arc, but they can see over this building and Mr. Woods commented it is better than it used to be.

Chairman Losoff asked about the location of the garages and parking spaces and Mr. Woods explained that for the clubhouse, there is some off-street parking at the end of the building, the C unit, right across the street from the community center. He then pointed out the parking spots and indicated that is carried throughout the project. Then, when you go to the units, their parking comes in from the side and there are some additional outflow parking spots too. The Chairman pointed out SR 89A on the plan and asked about a specific area. Mr. Woods indicated it is a parking area and the Chairman then asked if it will be seen on SR 89A and Mr. Woods explained that you won't see it, because it will be so low; it will be below the wall. You will see that gap; you'll see no building there, he guesses. The building ends about where the jog in the wall is and from there over, that will be at ground level. The Chairman asked if it is like where the cars are now and was told no, lower than that.

Commissioner Taylor asked if it could be screened with plantings and Mr. Woods stated absolutely, there are going to be plantings along the wall. Actually, having no building is better than having a building from SR 89A; most folks would appreciate that, where before the buildings were going to be pretty continuous, where now they tend to have a building and then a gap, so a building, a gap and a building, so you have more space between buildings. He has two cars parked out here, and it is more of a car courtyard than a parking lot. People can have access to their units.

Commissioner Currivan referenced a diagram and asked if that is the one that shows the previous elevation. Cari Meyer indicated that the outline is what was previously approved, and then she identified the existing building and what is proposed. The Commissioner then asked which buildings they are looking at, and Mr. Woods identified 110 and referenced the next one over, then stated that its roof is approximately 5 ft. below the old one.

Chairman Losoff asked if they had talked to people in one of the developments and Mr. Woods indicated that he hasn't personally. Audree Juhlin indicated that she thinks Don Woods is scheduling times to talk with them. Mr. Woods indicated that they had a meeting with one group of folks and he sat in on that meeting. The Chairman asked how it went and Mr. Wood stated pretty good, they didn't have a lot of criticisms, but that doesn't mean that they didn't have some disappointments. He thinks the

biggest disappointment is the value of the homes coming down. The homes are pretty expensive and these will be sold at a lower price point, so that is disappointing for them, but these are smaller units. The Chairman asked if all 12 are full and Mr. Woods indicated he thinks there is at least one that is not in one building and two others that aren't. Nobody is here, but he doesn't know if they are sold or not; they just sold a unit that went on the market a couple of weeks ago, and they sold it in two days, but he doesn't pay that much attention to how they are doing, so he can't tell you for sure.

Commissioner Jablow indicated he wasn't at the last meeting and asked what the people are complaining about, and Kevin Snyder referenced that one complaint is essentially about loss in property value or impact on property value, and the other one is actually tied up in, not a City issue as much as an HOA issue and CC&R's, and some disagreements between CC&R's that they would like the City to place some condition on, which we can't, so those are the two primary areas. Chairman Losoff noted that the Commission will have more time to discuss some of this, and asked what else the Commissioners wanted to see while on the site; he would like to see the other side.

Commissioner Brandt asked if some specific trees would be incorporated into the Landscape Plan and Mr. Woods indicated that he didn't think they would be; they were actually moved from another location and came off of their site. They save existing trees and those are boxed, so they will move them and use them in the landscape, but they probably won't stay where they are. This is kind of the pool deck area, so he doesn't know how much of that they are saving. The Commissioner then asked if that is essentially an area of open space and Mr. Woods stated that the area of open space is huge. He then pointed out the location of the clubhouse and pool, and described where the pool went "back in the day" and that they had no pool initially. Then, they had a concept of putting in a pool and moving it back, but they never went through a change on that. The Chairman asked how far it would extend and Commissioner Brandt pointed out the parking area. Mr. Woods pointed out the location of Unit B and indicated that almost directly across from that opening is where the parking spots are. Commissioner Brandt then referenced an area that was to be open space; however, Mr. Woods explained that area was the clubhouse. The Commissioner then explained that he was referring to the new one.

Chairman Losoff asked where the pool ends and Mr. Woods stated there is a pool and pool terrace. The Chairman indicated that he wanted to know about the whole pool area, and Mr. Woods pointed out the approximate location. He then referenced the entry gate and pointed out a surface parking area and explained that it is not a garage. Mr. Woods then referenced one of the buildings and indicated that it begins about 60 ft. beyond the end of the new building and it ends short of the transformers; basically that building is down in the hole. They are going to fill about 5 ft. of that hole and put the building in it.

Commissioner Brandt asked if some specific trees stay with the new plan and Mr. Woods said that he didn't think so, the parking area pretty much fills the space, but in the parking area, there is landscaping, so he bets every one of those trees are relocated. Mr. Woods then referenced one building and indicated that the guy's roof is 8 ft. above that finished floor. Commissioner Taylor asked if they are the same elevation and Mr. Woods indicated yes; the roof is 8 ft. and it used to be 12 ft. or more actually; you can see it was much closer. Commissioner Taylor noted that the building has been moved over.

Mr. Woods indicated this is a good example of open areas, because you have a big gap, and yes there are cars, but it creates a lower scale, which is a positive, and there is that 5 ft. drop essentially across the building. He then pointed out a roof that drops another 10 ft.

Chairman Losoff asked what the people in Foothills are going to see and Mr. Woods pointed out the line of the floor and indicated that you go up 8 ft. from there, that is the first roof, and then it drops 10 ft., and in the second building, they are 10 ft. apart. The Chairman then asked when they might have the poles up and Mr. Woods stated that he thinks it will be a week from Monday. The Chairman then stated that he would like to see it with the poles up.

Commissioner Taylor asked about certain buildings and Mr. Woods referenced one building and explained that it is almost completely out of their view line eventually as they build it out, and that point is about where the jog in the wall is, and all of that building goes to just short of the transformers. Commissioner Currivan indicated that he is not sure that answered the question Commissioner Taylor was asking. He then identified building 110 and Commissioner Taylor explained what he was asking

about and Mr. Woods pointed out a balcony. Commissioner Taylor then asked about the previous location of a proposed building and Mr. Woods explained that it used to be right up against it, and they are relieved. He then identified a unit that has a much better situation; the building is further away and it has dropped 5 ft.

Commissioner Taylor then asked if a specific balcony belongs to the same unit and Mr. Woods indicated yes and showed the Commissioner the balcony. He then explained that the roof referenced is 8 ft. above the lower finished floors, and another one drops another 10 ft., so the difference between the two floor elevations is 10 ft. Commissioner Taylor agreed, but indicated that what affects those people is the distance.

Chairman Losoff pointed out that the Commission shouldn't get hung up on what it was going to be and should concentrate on what it is and go from there; however, Commissioner Taylor pointed out that what it was is what was approved. The Chairman explained that the Commission now needs to take a look at view corridors and what the people are going to look at, even though it should be better. We want to make sure it is going to conform with . . . Mr. Woods referenced the best sketch for that, and indicated that you have to think backwards a little bit; the neighbors are behind that looking over the tops of the roofs. He then explained that the dotted line is what they used to have to look over, and then he pointed out what is proposed, so you dump it 5 ft. and it is smaller with bigger gaps between the buildings, so that is probably a positive for the neighbors.

Commissioner Taylor suggested walking over to where the fence is. At one point while proceeding to the fence area, Mr. Woods noted that they were almost at the finished floor, so if they imagined 8 ft. above their heads, that would be the roofline, and there is a 10 ft. drop after that. Commissioner Hadley noted that you would be just about even with the underside of the second floor balcony and Commissioner Jablow indicated that it is not going to block the view of the mountains at all, maybe the greenery. Mr. Woods indicated that he thinks they are okay; the folks in that unit would have had a unit much closer and 5 ft. higher, and he is telling you the height at the absolute peak of the roof, so you get to look off of the down slopes, and it gets even better than that height. He then pointed out a location that has that constant height to look over, but noted that the other location will look at gables.

The Chairman indicated that to stay on schedule, the Commission should probably move along, unless there are more questions. The Chairman then noted that the Commission may want to return when the poles are up to give the Commissioners a better perspective. Mr. Woods indicated that was done the last time through and it was effective.

**3. The Commission and staff will then carpool to the site of the proposed Wyndham Timeshare project at 1700 Kestrel Circle.**

*The site visit recessed as the Commission departed from Park Place at 2:35 p.m. and reconvened at the proposed Wyndham Timeshare location at 2:47 p.m.*

**4. Discussion on a site inspection at 1700 Kestrel Circle regarding a request for approval of a Plat Amendment, Amendment to the Planned Development, and Development Review to construct a new sales office for the Wyndham Timeshares in an area previously approved for 12 apartment units at 1700 Kestrel Circle. The project was originally approved in 1999 under the name Fairfield Sedona. The entire planned development is approximately 21.95 acres. The development has been divided into separate tracts and the subject tract is approximately 3.78 acres and is further identified as Assessor's Parcel Number is 408-28-362A.**

**Ernie Farhat, Manager of Sedona Wyndham Apartments, LLC:** Indicated that he and Sally are the owners of approximately four acres, which is currently zoned for apartment buildings. He then referenced a map that would be provided and indicated that they marked the ground to show the location of the proposed buildings and the location of the permitted building, so you can see the difference. He identified the height of the building that was going to be constructed there and indicated that he will show the profile of the building being proposed, which is a single-story building that will look similar to the adjacent building there. They have already submitted a conceptual plan and basically the

architect used those drawings, so it gives the same contours, same height and same massing.

The Commission, Councilor Ward and staff introduced themselves to Mr. Farhat, and from the plan, Mr. Farhat identified the location of the pool and the original footprint. He indicated it was about 7,500 sq. ft. and they will be building approximately 5,500 sq. ft., so it is even smaller in mass. Chairman Losoff asked if those are models or residents and Mr. Farhat indicated they are apartment buildings. He then pointed out where they would be built and the one they just renovated, plus he identified the one they won't build at this time; it will be the structure. Mr. Farhat explained that when Wyndham decided to sell the four acres, they didn't provide any opportunity to have a maintenance office or a place for the tenants to go to drop their mail off, etc. He then identified the location the Post Office wants for the mail boxes and where on the plan the Commission was standing at that time, as a point of reference.

Mr. Farhat led the Commission to a different part of the property and identified the pink corners and height of the original apartment building approved on the site. He then pointed out the building that they are now proposing and what the new building would look like. Mr. Farhat also told the Commission that 95% of the people who come to this facility are here onsite; it is not like they are coming from all different places. Today, they go to the front of the building and assemble, then they are loaded into vehicles and driven to the existing sales office. Commissioner Jablow asked where that is located and Mr. Farhat explained that it is on SR 89A. The gentleman who owns it passed away and his family wants to sell it, and they have less than a year left on their lease. It is a 12,000 sq. ft. building and they only occupy 4,200 sq. ft., and they are having some difficulty trying to extend the lease, so they came to them (the owners), because they realized that there was no recreation area and office. They asked if they could possibly do this and they went to Planning, Audree and Cari, and they realized they have an unusual problem, but they think this is beneficial to Wyndham, them and the community.

Mr. Farhat indicated there would be ingress from the back of the building, so people would be able to walk right from the pool area for ingress and egress, which he then referenced on the plan and described as a nice entrance. He then showed the approximate location of their property line and what the parcel looks like. Mr. Farhat pointed out the location of their little recreation center, about 4,500 sq. ft. and indicated a probable little shift in the building, so they can take care of the ADA requirements in the front. He also indicated they will probably take the pad down a little and fill in an area, so they will have a lower profile and it will be a nicer looking building.

Mr. Farhat then referenced the blue stakes and Luke Sefton walked out on the property, so they would be able to see the other corner. Commissioner Jablow asked if a particular building was going to be a sales office and Mr. Farhat stated, no, and explained that Wyndham would have a lease on this part of the property. He also identified the part that would remain theirs (the owners'), for the maintenance people, apartments, BBQ area and a little spa. Mr. Farhat explained that this is a replacement for what they have. Commissioner Jablow asked what the building is that they have now and Mr. Farhat explained it is Wyndham's Time Share Vacation Resort, and 95% of their people that stay at the resort, which is their other nine buildings, are the people that go in. Kevin Snyder stated that he thinks it is their commercial office space and Mr. Farhat indicated that is correct, and then he pointed out their welcome center, where the people check-in, and that they have a recreation building in there with arts & crafts.

Mr. Farhat indicated that the Planned Development itself had a sales office. Commissioner Hadley asked if a specific building is intended to replace the building next to ProBuild and Cari indicated yes. Commissioner Hadley then asked if they are going to sell that and Cari explained that is not owned by Wyndham; they have a lease on that building.

Chairman Losoff asked Mr. Farhat what he is asking of Planning & Zoning and Cari Meyer explained that this whole area was approved as a Planned Development and she pointed out where the commercial space, timeshares, apartments and single-family were. Cari then explained that they are asking for an amendment to the plat map and Planned Development to move the commercial space, and then a Development Review for the new building. The first go-around is conceptual, so the Commission won't see everything fleshed out, but this is the time to ask questions. The Commission will have the first work session on May 2nd and the Conceptual Review in June. The Chairman then

stated it is a modification to their Planned Development.

Cari explained that they originally had the same apartment building approved for this area, and they would like to change from the apartment building to the commercial building; it is a change to the Planned Development in zoning. Audree clarified that it technically is not a Zone Change; it is amending the existing zoning of the Planned Development area, which is a specific kind of . . . Mr. Farhat interjected the identification of a specific two-acre parcel that has a 12,000 sq. ft. building on it and indicated that Wyndham only uses 4,500 sq. ft. of it. The gentleman passed away and they want to sell it, and their lease is running out. The Chairman commented that the building will stay there and Mr. Farhat indicated yes, but explained that at some point, leaving that there has some difficulties for the owner. The Chairman asked what the retail is going to be and Mr. Farhat stated there would be no retail activity. The Chairman then asked what the commercial is and Mr. Farhat indicated it would be just their (the owners') office to manage their apartment buildings, maintenance and a place for tenants to BBQ, wash their hands, etc. Cari then identified where there would be the same activities that are going on. Commissioner Jablow asked which is . . . and Mr. Farhat stated it is Wyndham's Worldwide Timeshare Sales, and 95% of the people that go there are right here.

Chairman Losoff asked if it would be their administrative office and Mr. Farhat indicated yes, and not only does he want to limit them with their lease, but also the occupancy, and when their lease is over, they (the owners) want the building back for their own use. Chairman Losoff said, administrative, and Mr. Farhat indicated yes or maybe turn it into an indoor swimming pool. They (the owners) don't want commercial traffic in here and in their lease documents that is not going to happen. Mr. Farhat explained that he is the owner and they have a very complex, thorough agreement with Wyndham about ingress, egress, maintenance and everything. He then identified the property line, his four acres and their property.

Commissioner Currivan asked if Mr. Farhat is SWA, LLC and Mr. Farhat stated yes. The Commissioner then asked why commercial zoning is needed if you are just going to have an office. Mr. Farhat explained that they originally approached Planning thinking they could do a minor modification, but when the City of Sedona looked at it, a Planned Development is a PD, not a PAD, so he was told it was best to present this, because they are simply going to move the existing use; the use didn't change, but they felt because it would be a commercial use as an office, it should technically be commercial.

Chairman Losoff noted that there are some other issues involved, which we can get to in a more detailed discussion, but in terms of the site visit, we want to get an idea of what is physically going on, then we can talk later about some of the complications. Kevin Snyder clarified that this is not a Zone Change request; this is a modification or an amendment to an existing approved Planned Development, so they are not looking to change the zoning, going from one zone to another. They are asking for a reconsideration of uses, plus a Development Review, but they are not changing zones.

Commissioner Currivan then indicated that a future owner then, for example, couldn't put in a massage parlor and Mr. Farhat stated no, they don't want that. Kevin Snyder explained that the only way they could do that is to come back through the process, and Chairman Losoff added that as this was first developed, there was one concept that changed a little over the years, so there are some other concerns with the use of the property that we will get into later.

Audree Juhlin agreed that the Commission can get into a deeper discussion at the work session; this is more to get a feel of the land to have a better concept when you meet on May 2nd. Commissioner Brandt then referenced where the Commission was standing and a 10 ft. or so fall to the land, and it is a one-story building across . . . Mr. Farhat explained the parts they would dig down a few feet and fill, so it is level, and where it may step down to accommodate the ADA requirements. He then indicated that it is in pretty good shape if they dig down a couple of feet and it would come in with less than a 7% grade. Mr. Farhat then pointed out where the mail boxes for all of the apartments would be and indicated it is good, because that will be their (the owners') office.

Commissioner Hadley asked if a specific part was in the original development and Audree Juhlin

indicated yes. Mr. Farhat stated that he has been in this business for 30 years and he has never seen any municipality. . . This is leased property and they took leased property and made it part of a Planned Development, which was very unusual, but it was a long time ago, so they looked at that building, but they can't really remodel or change the face of that building, because it was part of . . . Chairman Losoff interrupted to asked if he can't buy it, if they want to sell, and Mr. Farhat indicated that if they sell it for \$1 million versus \$2 million that would be . . . , but it just doesn't make any sense.

Commissioner Hadley then asked if the functions in one building would move to another, so what was proposed to happen in the one location would happen in the other, and Mr. Farhat stated yes, and then the owners could sell the building and do whatever they want. They have communicated a little with the City about the uses and the uses for the zoning are probably okay, but the building itself and to remodel it, he believes the Commission and Planning Department will have to look at that too. If somebody buys it, they will have some difficulty, because you can't change the outside of the building, the color, the lights, etc.; you can't do anything to the use or anything.

Commissioner Jablow asked what the zoning is for that and Audree Juhlin stated PD. Commissioner Hadley added it is part of the whole thing and Luke Sefton, Civil Engineer, stated that he wanted to make clear that right now all of the people that go up to the sales office or 95% meet at the check-in building and the sales people take them back and forth in golf carts. Commissioner Taylor asked why they meet there and Luke explained that they know where the check-in building is and it is easier to tell them to meet where they check-in. Mr. Farhat noted that they are actually driving golf carts on public roads, which is not a good idea.

Chairman Losoff asked if the nearby people have been contacted and Mr. Farhat indicated yes; there were a couple of people in the houses on the periphery that have gone to Luke's office, and they are very pleased that the building will have a 15 ft. lower profile. Luke Sefton added that he heard that one gentleman indicated that because the building will be lower, they will have more of a view. Then, Mr. Farhat stated that their apartment tenants are thrilled, because they won't have a big building there.

Chairman Losoff expressed the need to stay on schedule and asked if there were any more questions about the site. Hearing no questions, the Chairman indicated that the Commission will get all of the information prior to the work session, and then the Commission can go into more detail. Mr. Farhat indicated that they will have an open house for the public with three people from Wyndham there to answer questions before the work session, so they can write their report.

Commissioner Taylor then asked if everybody that egresses from the reception center is going to have to walk on the pool deck and Mr. Farhat responded that is what they would love to have them do; their General Manager just told him that they would love to walk them past the pool and into the sales office.

**5. The Commission and staff will then carpool to the site of the proposed Over the Edge Bikes project at 1695 W. SR89A.**

*Chairman Losoff indicated that the Commission will head for their next site at Over the Edge Bikes and Cari Meyer noted for the record that the work session/site visit recessed at 3:08 p.m. and reconvened at Over the Edge Bikes at 3:18 p.m.*

**6. Discussion on a site inspection at 1695 W. SR89A regarding a request for Conditional Use Permit approval to operate an outdoor food service business at Over the Edge Bikes. The property is zoned C-2 (General Commercial) and has an approximately 1,300 square foot bike shop. A general description of the area affected includes but is not limited to the southern side of W. SR89A between Northview Road and View Drive. The property is approximately 0.28 acres and is further identified as Assessor's Parcel Number is 408-26-431.**

**Jonathan Kerchner, Applicant:** Joined the Commission at the site and referenced the corner and a flag. He then indicated it is 8' x 20' and will come off of the corner at an angle. Mr. Kerchner pointed out where it will be and added that they are going to paint and clean the area up, plus do a privacy fence

with a gate, and it will be a redwood fence. By code, they can go as tall as the building, but they don't need to go that high to screen the trailer. He then explained that it is a food truck, essentially; it is a kitchen that will be staying in one spot, so it is not designed to move on a regular basis, so while it will be movable, it will be in one place for months at a time, and the fence will be designed so the sections can be taken out. The plan is to do metal posts with a metal sleeve into the ground, and then the post will go into the ground an appropriate amount, so those sections can be lifted out. While it physically is a trailer, it will be designed to look and feel like it is a set piece that is an extension of the building.

Commissioner Currivan asked if he had told the Commission that he is going to be moving the trailer once a year to do some festival in the Sedona area and Mr. Kerchner explained that the festival is in Colorado toward the end of June and until the beginning of September, so it will stay in Telluride, Colorado during that time, and then this will be just a patio space for the bike shop and the fencing will probably go back in during the meantime and just be a nicer area. The plan is to put the fence in and there will be a gate to be able to have access, and all of the gravel will be pavers that will continue out. They are going to paint the building and the trailer to match, and then there will be landscaping. They also are going to put in an irrigation system, have shrubs along the fence, and really try to beautify it and make the place welcoming and nice.

Chairman Losoff asked how far the fence out will come and Mr. Kerchner identified the proposed placement of the fence. He then told the Commission that he confirmed the area that with What You Want rents with her and it matched what Joe, the owner, told him. She rents 4 ft. from the building, so he didn't know if that was from the wall or from the overhang of the roof, so he marked 4 ft. from the overhang, and then they have 4 ft. clearance to where the fence would be, so they are staying away from her building as much as they can, and they have everything worked out with her. She is interesting in seeing how it is going to work out, and she is on board about everything.

Commissioner Taylor asked if it is all one property owner and Mr. Kerchner stated yes; their priority is to get this in and they are essentially creating a courtyard space that would be fenced, so when you walk out of the back door of the bike shop, you aren't seeing this anymore; this will all go away and become the trailer, the structure with fencing behind it, and then they are going to beautify the whole area and make it clean.

Commissioner Hadley asked if it goes all the way down to the next fence and Mr. Kerchner indicated yes and explained that it is actually two lots and both are rented by Over the Edge, with the exception of the envelope for What You Want, so all of that is parking for the bike shop, and they meet the parking requirements with just what is in the front and on the side. There is plenty of parking, because there is also another parking area that is rented by the shop. You can see what it looks like now and they are really going to clean it up.

Chairman Losoff asked if the applicant is renting the space from the owner and Mr. Kerchner stated yes. The Chairman then commented that the applicant is then at the owner's mercy, and if all of these things are done and it doesn't work out, he could be kicked out. Mr. Kerchner indicated that he supposes he could; however, the owner, Joe, has given his go-ahead and said that he is okay with everything, so far everything the bike shop has done . . . , and they have changed this whole place around. When it was Mountain Bike Heaven, it was kind of like going into a dingy cave, and the bike shop has done all of this at their own expense and the owner is ecstatic. The Chairman asked if Joe could come to one of the meetings and Mr. Kerchner indicated that he is inviting him.

(Audio unclear). Mr. Kerchner indicated that he does have a document in the packet and Cari Meyer explained that part of the application requirements is to have the property owner's authorization. The Chairman then stated that it would be nice to have a face-to-face, and Mr. Kerchner indicated that he spoke with the owner last week and he is in Cottonwood. The applicant is giving him the dates for the May meeting and he is interested in coming; however, the applicant can't force him to attend. The guys who own the bike shop are young guys, who got out of college and worked for a little bit in the bike industry and ultimately came to Sedona to start the bike shop. They are straight on how they do everything by the book; they have gotten permits for everything they have done and they are trying to

make it into something really cool, and he is trying to uphold that. The owner has been behind everything they have wanted to do.

Commissioner Jablow asked what the applicant's connection is to this and Mr. Kerchner indicated that he is good friends with them and he helps run Hermosa Tours, which is run out of this bike shop; Hermosa Tours is a mountain biking tour guiding business. The Commissioner then asked how it brings him into this project and Mr. Kerchner explained that it was an idea that came about with friends about having a food service mixed in with the bike shop as a natural progression, because people are here trying to get ready for rides and waiting for their bikes to be ready, etc., and they are always asking where to eat, when they don't have much time. Commissioner Jablow indicated that he got that, but asked how he, Mr. Kerchner, fits in; you're not in the bike shop or the owner of the property, and then he asked if Mr. Kerchner was linked to the food-vending truck and Mr. Kerchner stated yes, he is the owner. He will be number one for this venture.

Chairman Losoff asked if they are going to need more parking spaces and Audree Juhlin explained that the onsite parking is one of the things staff will be analyzing. Commissioner Jablow pointed out that primarily it will be bikers that come and take food to go biking, not people stopping on the street. Mr. Kerchner added that it is being designed as an extension of the shop to be able to supply people with what they need to go, and have it set up in a way so they can grab things they can take with them, or get something when they return from their ride. It will run from 9:00 a.m. to 6:00 p.m. If he stayed open to 11:00 p.m. or 12:00 p.m., maybe, but he doesn't want to go there. It is not something that is in his plan.

Commissioner Jablow asked if he has tables planned and Mr. Kerchner indicated that he still has questions for Charles Mosley about the sewer connection, but if they hook up to the sewer system, they will be mandated to do a 5-seat minimum for the initial sewer fees, and since it is new and he isn't made of money, he wants to see how it works, so they will start off with just five seats, and most of it will be designed to go. Most of the people wanting food want it right now, so they can stand at their car or take it to the trailhead and get going or whatever, so they can take off.

Chairman Losoff asked about washing and waste and Mr. Kerchner indicated that they will have hand wash stations, bathrooms with hand wash, and a bathroom in the bike shop, and the kitchen structure has the three-sink dishwashing . . . (audio unclear) . . . conform to the Health Code or he won't be able to do any . . . (audio unclear) . . . He has been in contact with Robert Mumper who is the head of the Health Department and had several conversations with him. Me. Mumper sent him the packet and they have to follow that; there is no way around that.

Commissioner Currivan indicated that they come in, park their car and get their bike, and then asked what they typically do. Mr. Kerchner indicated that they leave in their car with their bike and most of the time it is just traffic in and out. The Commissioner then asked if certain parking spaces were included when the parking was being figured and Cari stated no. (Audio unclear) . . . Mr. Kerchner explained that lot is rented as additional parking and it is a different lot, so just beyond this structure is the property line and another lot starts, and it is all rented by the bike shop.

Commissioner Taylor asked if there is a dumpster or some place for the trash and Mr. Kerchner indicated that right now no, but the plan is to get one as this goes through and they are working on the design for it. He works as a landscape designer, so he is diligently working on the design and doing measurements. Part of the permit request is to get all of the parking designed and done, so he will have that. Cari asked if they have trash cans now and Mr. Kerchner stated yes, but he will have all of that stuff for the work session, and this isn't the first time he has thought about it.

Commissioner Jablow indicated that some preparation is going to be onsite and some will be offsite, and he then asked about cooking and if propane will be involved. Mr. Kerchner indicated that there will be LP gas. They have an oven right now, so there was a question about how limited the food would be and currently they are limited, because currently, there is just an oven associated with the structure. The plan is to possibly get a range and a griddle, but they are not planning on doing high-end food, although yes, it runs off of gas. Everything would run off of gas and he has had meetings with the Fire

Chief and all of that will be done to code with the Fire Chief. This whole thing has a fire suppression system with an 8 ft. stainless steel hood, which is code, and everything checks out, but before anything goes through, he will meet with the Fire Chief to inspect everything. Cari clarified that it will be the Fire Marshal.

Mr. Kerchner expressed appreciation for the Commission's time and his hopes of getting the permit, so if they have any questions, he is available. He also indicated that Cari is amazing and has been there every step of the way.

**7. The Commission and staff will then carpool to the site of the proposed Studio Live project at 215 Coffee Pot Drive.**

*Cari Meyer noted for the record that the work session/site visit recessed at 3:35 p.m., as the Commission left the site, and reconvened at 3:42 p.m. at Studio Live.*

**8. Discussion on a site inspection at 215 Coffee Pot Drive regarding a request for Conditional Use Permit to operate an outdoor entertainment venue (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 and 408-24-042A.**

**Suzie Schomaker, President of the Sedona Performing Arts Alliance, Dawn Shattuck, Board Member, and Joy Sinnott, Administrative Assistant** joined the Commission at the site.

Suzie Schomaker noted that they were in the office, and Commissioner Currvan asked if this is also the venue for indoor performances. Ms. Schomaker indicated no, that is on the other end and the group can walk through that.

The group went to the indoor venue area and Ms. Schomaker explained that the office is only open from 10:00 a.m. to 5:00 p.m. Chairman Losoff asked how many people could be seated for indoor venues and Ms. Schomaker indicated 70 and explained that she had the high school students in to record today. There were five different bands and each recorded one song, and they will return tomorrow to record another five songs, and then they will create a CD for them that they can sell it to bring money in for the Music Department.

Chairman Losoff asked what is behind the curtains and Ms. Schomaker indicated that there is a mirror. They have mirrors up, because in the beginning they had dance teachers, but that didn't really work out. Commissioner Jablow asked if food is served and Ms. Schomaker indicated no, just beer and wine, soda and water. The Chairman then asked if there is access from this building to the back and Ms. Schomaker indicated yes, right out the back door. The Chairman then asked if something like this would be outside and Ms. Schomaker indicated that it could be.

Commissioner Jablow noted the chairs and Audree indicated that they do look comfortable. Ms. Schomaker indicated that they are comfortable and invited the group to sit in them. The group proceeded to the back outdoor area and Commissioner Taylor commented that he didn't recall it being as large. Ms. Schomaker explained that they had plants and rocks, etc., so she cleared it all out. Commissioner Jablow mentioned that when it gets flooded, you have to start all over; however, Ms. Schomaker explained that it has never flooded. They had the issue of it coming in the front doors, but they have never had an issue in the back. She then confirmed the location of the stage and Chairman Losoff asked how performers access the area. Ms. Schomaker indicated through the double gates, and then explained the location of the ticket booth and the food truck, if they have one.

Chairman Losoff then asked about the lighting and Ms. Schomaker indicated that she has lights strung across the side, and spotlights, plus they are having lights put in the middle. Currently, they have the solar lights, which lit the walkway beautifully. Ms. Schomaker also noted that nobody parks in the driveway, and the Chairman asked is there are tables outside or just the lawn and Ms. Schomaker

indicated just the lawn. Commissioner Jablow asked if the lighting is to code and Ms. Schomaker explained that is all going to be changed; the electrician is going to fix all of that. Commissioner Jablow then asked about conduit and Kevin Snyder explained that the Building Department has been out here and that was identified as a concern.

Chairman Losoff asked about restrooms and Ms. Schomaker explained that they have restrooms in each of the doors. She then indicated which restrooms they use right now, although there is accessibility to all of the restrooms. She was then asked if she meant all four spaces and Ms. Schomaker indicated yes. Commissioner Currivan mentioned the tile place, and then asked if the other one is vacant and Ms. Schomaker explained that the landlord is using it for video filming; it is his own studio, so they can use those.

Chairman Losoff noted that one of the issues was the location of the stage or its orientation and Ms. Schomaker indicated that she doesn't think that is going to change any of the audio or sound issues. Changing the stage will not change the sound issues; there will still be sound issues. Commissioner Currivan asked if the speakers are directional and Ms. Schomaker indicated yes, but then you will have complaints coming from there. She then explained that the thought is, and they have done two tests thus far, but she put the speakers where they go and tilted them down towards the grass and in, so they come in to a point. She then showed the Commission where they end up pointing and the location of the sound desk. She also explained that the sound coming down kept the sound on the street to 60 to 62, and that was at zero, if you know anything about audio. Unity is just the balance for everything and if she brings that down, it would bring it down to about 58, but at zero or unity, it was pretty loud and that means she can bring the mains down even more, because people on the lawn will hear it very well.

Commissioner Currivan asked if that is assuming that you have two main speaker arrays and Ms. Schomaker indicated that is correct. The Commissioner then asked if the bands don't have their own amplifiers and speakers. Ms. Schomaker stated that they do and then discussed isolating the amplifiers and drums. She found that as she walked around to Jackrabbit and told them to play as loud as they could, so she could count numbers, she got a number on the street of about 65, while they were slamming as loud as they could, but when she walked to Jackrabbit, they were up to 75, so that told her that a drum kit on that stage needs to be surrounded with Plexiglas, and she is going to put sound batting on the inside of the Plexiglas, so the sound is captured and won't go that way, it will hit the Plexiglas and stay as much there as she can keep it, and then at that point they will put microphones on the drums and control the sound on the sound board. They will do the same thing with the amplifiers. You isolate an amplifier and keep the sound in there, and then take a microphone to it and control it from here, and it comes out the speaker.

Chairman Losoff indicated that is a lot of work for each performance and Ms. Schomaker indicated it is really not that bad. The Chairman then asked about positioning the stage a different way; you have the berms. Ms. Schomaker explained that moving the stage would cost them another \$3,000 to \$4,000, and she would have to rebuild the whole thing all over again. The Chairman commented that it would muffle the sound a lot, but Ms. Schomaker indicated that she didn't think so. What happens is you have rock, and sound waves bounce unless you are capturing them with something soft that will capture things and make it not bounce as far, but with rock it bounces. Joy Sinnott then explained that they are trying not to move the problem to another location. If they put a stage here, then there are neighbors that way. Ms. Schomaker added that the issue with sound waves is you have to stop them from traveling and stop the sound transference, and the only way to stop that is by capturing it with something soft like foam, fabric, grass, people, whatever; with anything hard, it is going to bounce, and then it continues and gets amplified.

Chairman Losoff noticed an exit sign and asked if people can go out that way and Ms. Schomaker indicated yes, there is an exit. She then identified where the people enter and the location of an exit plus a gate that can be used as an emergency exit also.

Commissioner Currivan indicated that if you put up poles along the back with a soft material, it would be decorative, but also absorb sound and Ms. Schomaker indicated that is very possible, but they would

have to be very tall. The Commissioner indicated that he is talking about being as high as the fence; however, Ms. Schomaker stated that it would have to be higher than the fence. (Audio unclear) . . . Ms. Schomaker stated maybe it might be able to catch some of it, but catching it at the point of where the sound is, and mainly what she heard back there and what caused the spike was the drums. She heard those clear as a bell, like she was sitting right next to them, so she knows that is the main issue, and she can control it at the drums. The Commissioner noted that the speakers aren't going to help with the drums, you have to isolate the drums and Ms. Schomaker stated that is correct.

Ms. Schomaker explained that they operated under Temporary Use Permits last year and Commissioner Taylor indicated that it is now time that they are going to have to work with the neighbors and do these things they are talking about doing. Ms. Schomaker stated absolutely and indicated which neighbors she has talked with. One neighbor was very sweet and he told her it is not them; it is Oak Creek Brewery. They do it every weekend and it is sound constantly and he indicated that if she was going to add to them . . ., and they told him no -- they have to put up with them too.

Chairman Losoff stated that there is an issue with having no place to park and people are parking along the streets, and now with the sign place, and it is pitch black at night and you are serving beer and wine. Ms. Schomaker stated for two hours and Kevin Snyder explained that the space has 32 onsite and they propose nine offsite at Sun Signs right down the street and within 300 ft., so there would be a total of around 40 parking spaces, and that would be the maximum parking. They had proposed parking at Basha's, but they weren't successful with that. Ms. Schomaker clarified that it was across the street at the Fox Building and the Holman Building, and Kevin explained that they are beyond that measurement, so the code wouldn't allow that, and they will be restricted to that parking, but similar to other events, they could come forward with a proposal for shuttle service, although the number of heads here will be ultimately tied to several factors -- the available parking, the allowable occupancy by Building Code, and the sewer capacity.

Commissioner Taylor then asked about lighting for the parking lots and if that is required. Kevin explained that the lighting is something that is only required by Building or Fire Code and they haven't completed their reviews yet. A question was then asked about the number of restrooms and Kevin indicated that the number of restrooms is an influencing factor and the Chief Building Inspector has made a determination that there has to be one bathroom space per 40 persons, so they have one bathroom there and three other units, so they would have to demonstrate that they have access to all of those and that they are code-compliant functional bathrooms, and then that would also dictate it too.

Commissioner Brandt asked if staff could go over the zoning here and the adjoining zoning, and Kevin indicated that this property is zoned C-3, Heavy Commercial, and although this is not a specifically listed use, it is similar in nature, and prior to his arrival, there was a determination that it was consistent and he supports that; it is Heavy Commercial. He can't explain why it is Heavy Commercial, because it is in a transitional area going into residential uses. It probably should have been zoned at a lower commercial density, but it wasn't, so the use is consistent with the other types of uses in that zone from staff's perspective. As to the surrounding zoning, there is commercial on one side, residential in two areas, and a combination of single-family and condominiums across the street, so we are in a transition area. (Audio unclear) . . . she should come back with a proposal and she has come up with recommendations of ways to control that. It is 60 decibels at the property line, so if an event is occurring and we come out with a sound meter and measure over 60 decibels we have a problem.

Commissioner Jablow asked why it has to be outside; there is a vacant space next door, so why can't they . . . Ms. Schomaker indicated that in order to outfit the big stage next door, she would probably have to put in another \$150,000 in renovations and she was also told she would then have to put sprinklers in the whole building, and then she is basically out of business, so it doesn't make sense, but she can just have an indoor band. The question of why do it outside was repeated and Ms. Schomaker stated why not? People love it.

Commissioner Jablow indicated it is a question and a matter of the community that lives around here. He then asked if being zoned Heavy Commercial dictates entertainment inside versus outside and

Kevin stated that it does not. The Commissioner then indicated that it can be either one. Commissioner Currivan asked if entertainment is even included in C-3 and Kevin explained it is not a specifically listed use, but it is similar to other allowed uses in the zone that have been allowed elsewhere, so from a consistency standpoint, staff's position would be that this is not a dissimilar use or a non-permitted use. The Commission can make a determination of whether or not you concur, as well as about any condition after looking at the record, etc.

(Audio unclear) . . . Audree Juhlin explained to Commissioner Taylor that it is a large rectangle, and then she clarified that regarding if it is an allowable indoor and outdoor use, staff made the determination that it is allowed indoors, but the Conditional Use Permit is subject to the Commission's approval; outdoor uses require a Conditional Use Permit.

Chairman Losoff added that the site visit is to see what it looks like; that is the issue. We have to go back and consider that the applicant is applying for a Conditional Use Permit for 5 years as opposed to a temporary use, so that is what we are looking at, and as a Commission what we think about that. Audree Juhlin pointed out that is not for discussion today, and Chairman Losoff agreed and indicated that the Commission is just looking at the site today to get an idea of the physical facilities, and then we will discuss the conditional use in our work session.

Kevin Snyder indicated that he wanted to clarify the conditional versus temporary use, because the Commission doesn't review temporary uses, that is done at the staff level, but the point that the Chairman made is that previous events have been held under the auspices of a temporary use permit granted by staff, so the other part of the answer as to why, is because you are currently conducting events and you expressed to staff an interest in transitioning from a temporary to a conditional use, if allowed. Ms. Schomaker indicated that is right and the only reason was so they didn't have to do eight, ten or twelve Temporary Use Permits, because the City gets sick of looking at them. She just thought it would be easier if they got the Conditional Use Permit.

Chairman Losoff indicated that his understanding is that they do about 10 a year and Ms. Schomaker indicated that they have talked with Kevin and Audree and they were told at the very beginning to go for the top of whatever they needed, and to be honest, she doesn't think she can pull off more than twelve a year. She doesn't have the people or the finances and it is way too much work to pull off a show out here. It is lots of work. Joy Sinnott added that their focus is really providing the performer development and entertainment for local people.

Commissioner Jablow asked Kevin Snyder to elaborate more on the comment about it being similar to other places that are like grandfathered in other areas. Kevin explained that we allow similar intensity uses in the C-3 zone in the Zoning Code, so there is C-3 zoning throughout the City, but he would have to have a map. Tlaquepaque is an example of a similar intensive use.

Chairman Losoff noted that can be discussed later, and asked if there is anything else about the site. Kevin indicated that there is one bit of information to share and Audree Juhlin noted that staff has received a request from the applicant, and the Commission is going to be asked to continue the meeting from May to June 4th. The applicant is still working out the sound issues and other items, so at the May meeting, staff will be asking, on behalf of the applicant, to move it to June 4th, and if you have any questions, she (Audree) is going to take this CUP, so give her a call if you have any questions.

Audree added in response to a question from Commissioner Jablow, that they have two Temporary Use Permit requests in right now for review. Commissioner Currivan indicated if staff could let them know the dates; some of the Commissioners might come and listen. Audree Juhlin indicated that staff can do that.

Commissioner Jablow asked if it would be possible to have someone from the Building Department here at that time to do sound checks. Audree Juhlin indicated that would be Code Enforcement. The Commissioner added that the Commission would then know for sure if the sound has been addressed.

(Audio unclear) . . . Commissioner Currivan referenced some letters the Commission received that were talking about the noise issue, and they referenced some Battle of the Bands that goes on between this group and that group, and he then asked if any light could be shed on that. Ms. Schomaker indicated that there was one time last year, when they had an outdoor event blaring and she had Country Joe McDonald with his acoustic guitar here, and we weren't blaring music anywhere, so if anything was heard, it was from them and that is the one day she knows there was a conflict. One guy with a guitar is not going to touch 60 on the street and there was nothing else on the stage.

Chairman Losoff indicated that there were a lot of comments and the City would come out, but there would be no action and Audree Juhlin indicated that staff can respond to that in the work session. Commissioner Taylor referenced the work session and indicated that the Commission also talked about the interior, and he doesn't know if it is appropriate, but he doesn't think it is up to code. He doesn't think they are providing a safe exit. Audree Juhlin repeated that can be discussed at a meeting. Commissioner Taylor then talked about the tables being pushed right up and having to go around the edge of the sharp stage, etc.

Commissioner Brandt agreed that there was a discussion about the Battle of the Bands and also the Gumptionfest, and then asked if that would be part of the Conditional Use or a special . . . Ms. Schomaker indicated that it would be part of the conditional use if they were going to do it, but she thinks they are going for their own Temporary Use Permit and she is working with them by going for grant funding to help them. Commissioner Brandt then asked if that would continue to be at this venue and Ms. Schomaker explained that it hasn't been at this venue for several years. It has been at Oak Creek Brewery; this is the first time it will be here for years, and when they did have it, Dave took care of the issues and they had vendors in the parking lot and Spoken Word inside Studio Live with nothing outside, but Dave may have had it before she was here.

Chairman Losoff noted that in seeing the site, the issues are sound and parking, and even though we may have parking spaces according to code, it sure is dark out there at night. The Chairman then indicated that the work session/site visit is adjourning.

**9. Adjournment and return by carpool to City Hall.**

Chairman Losoff called for adjournment at 4:10 p.m. without objection.

I certify that the above is a true and correct summary of the work session/site visit of the Planning & Zoning Commission held on April 11, 2013.

\_\_\_\_\_  
Donna A. S. Puckett, *Recording Secretary*

\_\_\_\_\_  
Date