Staff Report
PZ13-00013 Sedona Rouge Expansion
Summary Sheet

City Of Sedona Community & Economic Development Department
102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 · Fax: (928) 204-7124

Meeting Date:	**April 15, 2014**
Hearing Body:	**Planning and Zoning Commission**
Action Requested:	Approval of Development Review Recommendation of Approval of Zone Change Review of Development Agreement and Land Exchange
Staff Recommendation:	Approval of Development Review, with Conditions Recommendation of Approval of Zone Change, with Conditions Review of Development Agreement and Land Exchange
Location:	95 Goodrow Lane
Parcel Number:	408-24-071B
Applicant:	Sedona Rouge, LLC 2250 W Highway 89A; Sedona, AZ 86336
Authorized Agent:	PHX Architecture, Erik Peterson and Adam Valente 7507 E McDonald Drive, Ste. B; Scottsdale, AZ 85250
Project Summary:	Development Review for 32 new lodging units, Land Exchange and construction of a new public right-of-way, Zone Change to transfer existing zoning to reconfigured parcel, Development Review to guide overall development.
Site Size:	Existing Parcel: ± 1.59 acres Reconfigured Parcel: ± 1.54 acres
Sedona Community Plan Designation:	Planned Area
Current Zoning:	Lodging (L), 32 units
Proposed Zoning:	Lodging (L), 32 units (reconfigured parcel)
Current Land Use:	Existing single family house

	Area zoning	**Area land uses**
North:	RS-10a	Single Family Residential
South:	L	Lodging (Sedona Rouge Hotel)
West:	C-1	Commercial (Safeway Shopping Center)
East:	RS-10a	Single Family Residential

Report Prepared By: Cari Meyer, Associate Planner

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The applicant (Sedona Rouge, LLC) received a zone change and development review approval in 2009 to construct 32 new lodging units on the subject property. The zoning was vested through the applicant's provision of 2 affordable housing units and dedicating a vehicular and pedestrian easement through the property. The development review expired and the applicant is now requesting approval of a project that would allow a redesign of the 32 approved lodging units, an event lawn, and associated site improvements, including a remodeled wedding lawn, parking areas, and landscaping.

After discussions between City Staff and the applicant regarding the site plan and layout of the project, the City and the applicant are pursuing a Land Exchange in which the applicant would build a new city street across the northern portion of their property which would be given to the City in exchange for a portion of the existing Goodrow Lane right-of-way directly to the east of the expansion parcel. In order to facilitate this project, there are four separate components for this project, including:

1. Development Review for the new building and site improvements
2. Zone Change to transfer the zoning from the existing parcel to the reconfigured parcel
3. Land Exchange to execute the actual exchange of property
4. Development Agreement to provide assurances to both the City and the applicant regarding the approvals and timing of the process.

Key issues for the current proposal are:

- Obtaining all approvals necessary to facilitate the development review and land exchange
- Ensuring access for residents of Goodrow Lane is maintained
- Effectively addressing impacts of traffic on Rodeo due to the new road connection
- Use of the event lawn

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BACKGROUND

The existing Sedona Rouge Hotel and Spa was approved in 2001 (ZC 2001-3 & DEV 2001-8). Community benefits offered for that zone change application included compliance with the Community Plan and the goals and objectives of the City. The zoning for the existing hotel was vested through the approval of the development review application and issuance of building permits.

In 2008, the applicant began the process of expanding the hotel by 32 lodging units (ZC 2008-4 & DEV 2008-6). This expansion was approved in 2009. Community benefits for that zone change included 2 affordable housing units and vehicular and pedestrian easements from Goodrow Lane to Rodeo Road. The zoning for the 32 additional units was vested through provision of the affordable housing and the easements. However, the development review approval expired.

In July 2013, the applicant submitted conceptual plans to the City of Sedona to propose a redesign of the previously approved 32 lodging units. After discussions with City Staff regarding the site plan layout, the location of parking lots and the location of the pedestrian and vehicular easements through the site, the City and the applicant decided to pursue a land exchange. For the land exchange, the applicant would build a new City street across the northern boundary of the property. Once the new street is complete, the City would take ownership of the road and the applicant would take ownership of the portion of Goodrow Lane directly to the east of their expansion parcel. As the City Council would have to ultimately approve the land exchange, the concept was presented to City Council at a work session on November 13, 2013.

The applicant has now submitted all final project documents. After the Planning and Zoning Commission takes action on the project as appropriate, the project will be required to be presented to the City Council for final action.

Community Plan Considerations

This project contains a zone change component to ensure that, if the Land Exchange is ultimately approved by the Sedona City Council, the reconfigured parcel would have the same zoning designation as the existing parcel. By definition, the zoning of an adjacent parcel only extends to the center of an adjacent right-of-way (ROW). Therefore, only the western half of the existing Goodrow ROW is zoned for lodging. The eastern half of the ROW is zoned to be consistent with the property to the east, which is RS-10a (residential single-family). The Sedona Community Plan designates the entire area as the Goodrow Planned Area and it is within Community Focus Area (CFA) 4: Rodeo-Coffeepot.

The Community Plan contains the following guidelines for development in a Planned Area:

- Enhanced buffering (strategic building and parking placement, vegetative screening)
- Land uses that generate minimal traffic compared to residential areas
- Provide diverse housing options (if applicable)
- Eliminate non-conforming uses
- Consolidate properties under unified planning (if applicable)

The Community Plan contains the following guidelines for CFA 4 (Rodeo-Coffeepot):

- Provide mixed uses.
- Create a more walkable environment.
- Create public gathering spaces, building on a variety of service, entertainment, and visitor-oriented uses.
- Retain the low to moderate income housing that already exists within the commercial area.
- Focus re-development on "parking once" with walkable connections.
- Make more efficient use of parking areas currently underutilized.
- Provide buffering and land use alternatives as transitions between more intensive commercial and residential uses and adjacent single-family neighborhoods.
- Create vehicle connections between Madole and Andante Drives and Rodeo Road and Goodrow Lane as alternatives to State Route 89A.
- Limit highway access points and consolidate curb cuts.
- Focus on the general needs discussed for the West Sedona Corridor

SITE CHARACTERISTICS

- The existing Sedona Rouge parcel is approximately 1.59 acres. The reconfigured parcel would be approximately 1.54 acres.
- There are 3 main sections of the site that will be referred to throughout this report - see Attachment 4.c.ii. The area identified as Parcel A is currently owned by Sedona Rouge and would become a public ROW. The area identified as Parcel B is currently public ROW and would become Sedona Rouge property. The area identified as Parcel C is currently owned by Sedona Rouge and will remain Sedona Rouge property regardless of the outcome of this project.
- Uses on the neighboring properties include:
    - Single family residential to the north and east
    - Commercial and Lodging uses (Safeway shopping center and existing Sedona Rouge Hotel and Spa) to the west and south
- The proposed expansion area currently has a single family home and natural vegetation.

DEVELOPMENT PROPOSAL

The applicant is proposing redesign of a previously approved (but now expired) 32 unit expansion of the existing hotel along with other site improvements, including an event lawn, parking areas, and landscaping (See Attachment 4.c.ii for proposed Site Plan). In order to facilitate the proposed development, other project components include a Land Exchange with the City of Sedona wherein the applicant would construct a new City street on "Parcel A" and then give it to the City in exchange for "Parcel B," where they would build a parking lot to serve the new lodging units. As the City's Land Development Code does not automatically transfer zoning with a Land Exchange, there is also a Zone Change component of the project to ensure the reconfigured parcel has the same zoning and the existing parcel. The last project component is a Development Agreement that will guide the overall development.

Phasing

The project is proposed to be completed in one phase. However, due to the requirements for the Land Exchange, the project will need to be developed in the order as follows:

- The applicant builds the new road through Parcel A.
- Once the road is complete and is accepted by the City of Sedona, the Land Exchange is finalized.

- The applicant builds the new parking lot on Parcel B.
- Construction of the new lodging units on Parcel C may begin at any time after approval of the project by the Planning & Zoning Commission, City Council, and issuance of building permits.

Community Benefits

- Though there is a zone change component to the project, it is included to transfer the zoning from Parcel A to Parcel B and no increase in the number of lodging units is proposed.
- Community Benefits include:
    - Creating a vehicle and pedestrian connection between Rodeo Road and Goodrow Lane
    - Providing residents of Goodrow Lane access to the signalized intersection at State Route 89A and Rodeo Road via a fully improved public ROW
    - Creating a more walkable environment by providing sidewalks along the new ROW and along the east side of Rodeo Road

Access and Traffic

- The primary vehicular access to the site is via W State Route 89A and Rodeo Road.
- The new Connector Road through Parcel A would be used as ingress and egress for residents of Goodrow Lane and as an exit for hotel guests.
- The applicant is proposing a gate at the northern end of the parking lot that would open automatically for northbound traffic but would prevent southbound traffic from entering.
- The applicant will be creating a new driveway connection between the front of the Hotel and Goodrow Lane to allow guests to access the new parking lot without having to use W State Route 89A or Rodeo Road.
- The applicant will be widening the pavement on the lower portion of Goodrow Lane to a minimum width of 20 feet.
- Shephard Wesnitzer, Inc. (SWI) prepared a Traffic Impact Analysis (TIA) for this project (Attachment 4.i). The TIA contains the following conclusions:
    - All existing intersections will continue to operate at their current levels of service (LOS) after the project is complete.
    - The new intersection of the Collector Road and Rodeo Road will operate at a LOS B during the AM and PM peak hours.
    - SWI does not recommend any improvements to W State Route 89A or Rodeo Road.

Parking

- The parking provided for the existing Sedona Rouge Hotel and Spa is in compliance with the requirements when it was approved.
- The 32 additional rooms would require an additional 32 parking spaces. In addition, the applicant will be removing 2 existing parking spaces to allow for the new driveway connection to Goodrow Lane, for a net requirement of 34 new parking spaces.
- The new parking lot contains 41 parking spaces including 2 handicap spaces, 7 more than the net requirement for the new development
- New parking areas will be asphalt.

Preliminary Grading and Drainage Report and Plan

- SWI prepared a preliminary grading and drainage report for this project (Attachment 4.g). This report contains the following conclusions:

    - The detention pond will be designed to offset increased flows for 2, 10, 25, and 100-year storms.
    - The design concepts used will ensure that the drainage integrity of the site is sustained with proper maintenance activity.
- A preliminary grading plan prepared by SWI shows the detention pond in the southeast corner of the site under the new parking lot.

Wastewater Disposal

- The development has the ability to connect to the City's wastewater system and will be required to pay all applicable fees.

Land Development Code and Design Review Manual Compatibility

- The new building is required to meet requirements of the Land Development Code and Design Review Manual.
- The applicant is proposing use of alternate standards to achieve the proposed maximum building height of 27 feet.
- The color and materials board approved for the existing Sedona Rouge Hotel will be used and shows a variety of colors and materials for exterior surfaces.

Vegetation and Landscaping

- The site plan will allow for the preservation of approximately 35% of the existing trees.
- The applicant has submitted a conceptual landscaping plan for the entire site (Attachment 4.d). All plant materials are on the City's low-water plant list or are listed as being appropriate for the Sedona area by Sunset's *Western Garden* book.

Signage

- Sedona Rouge currently has signage on W State Route 89A and Rodeo Road.
- The applicant is proposing on-site signage to direct internal traffic. The new signs would be designed in the same style as the existing signs.
- The applicant is not proposing any new freestanding signs.

Outside Lighting

- The lighting application provided as a part of this submittal (Attachment 4.e) proposes use of 4 poles lights in the parking lot, 36 patio lights (patios of lodging units), 54 hallway lights (covered walkways), and 93 landscape lights.
- A total of 98,100 lumens are proposed. A total of 154,000 are allowed. The applicant is using approximately 63.7% of the total lumens allowed.
- A total of 510 lumens of partially shielded lighting are proposed (a maximum of 8,470 partially shielded lumens may be allowed). The patio lights are listed on the lighting plan as partially shielded but are not included in this count as the fixture proposed is fully shielded and the building will provide additional shielding.

Mechanical Equipment

- Major mechanical equipment will be located on the rooftop and screened by the building's parapets. If additional screening is needed, screen walls will be installed around the equipment.
- No additional screening is anticipated at this time.

Public Input

- Property owners within 500 feet of the property and all property owners with access off of Goodrow Lane were included on the notification list for this project.
- The applicant completed a Citizen Participation Plan (Attachment 4.b). The applicant sent out letters to all property owners on the notification list, held 2 open houses on January 17, 2014 (10:00 am and 3:00 pm), and provided an email address, phone number, and fax number for submittal of comments. Comments received by the applicant included the following:
    - Concern about changes to the traffic flow in and out of the neighborhood
    - Substandard nature of parts of Goodrow Lane
    - Possible changes at the W State Route 89A and Rodeo Road intersection
    - Increased traffic on Rodeo Road
- Staff completed the public noticing for this project. Staff has been contacted by various members of the public regarding this project. All members of the public who contacted Staff were asked to submit comments in writing if their questions were not answered satisfactorily. Verbal comments included the following:
    - Design of the building
    - Use of outdoor event lawn
    - Emergency access
    - Location of new property lines
    - Screening of new development from residential properties
    - Design of new road
    - Possible changes at the W State Route 89A and Rodeo Road intersection
    - Lighting on the new road
    - New road signs
- Staff received one written comment (Attachment 5.d). These comments included:
    - Concerns about erosion, both during and after construction
    - Provision of landscape buffer between home and new road
    - Pedestrian access through the new parking lot
    - Signs on the new street to prevent hotel guests from traveling up the road

REVIEWING AGENCY COMMENTS AND CONCERNS

Community & Economic Development – Current Planning

Staff generated a comprehensive list of comments and concerns that were provided to the applicant. The applicant has addressed staff's comments.

Community & Economic Development – Long Range Planning

Long Range Planning Staff has reviewed this application for conformance to the Community Plan. The project as submitted is in conformance with the Community Plan.

Community & Economic Development – Building Safety

No comments provided.

City of Sedona Public Works Department

- Comments were provided regarding the Grading Plan, the Traffic Impact Analysis, and ADA requirements. The applicant has revised the Grading Plan and TIA in response to these comments. ADA requirements will be addressed when the plans are reviewed for building permits.
- All other comments provided by the Public Works Department pertain to what will be required prior to issuance of building permits.
- Public Works Comments, dated March 18, 2014, are attached to this report (Attachment 5.a).

City of Sedona Police Department

No comments provided.

Sedona Fire District

- All Sedona Fire District comments will be addressed during building permit review. None of the comments are anticipated to require any changes to the site plan or building design.
- Items that will be reviewed at building permit stage for compliance with Fire District standards include:
    - Roadways/driveways, gates, fire hydrants, fire sprinklers, water supply and water flows, phone system
- Fire District Comments, dated March 17, 2014, are attached to this report (Attachment 5.b).

Yavapai County Community Health Services

No comments provided.

United States Forest Service

No comments provided.

Arizona Water Company

Letter of Serviceability provided.

UniSource Energy Services (Natural Gas)

- UniSource has existing easements through the portion of Goodrow Lane that would become Sedona Rouge property if the Land Exchange is approved. These easements will need to be maintained if this section of Goodrow becomes private property.
- UniSource Comments, dated February 14, 2014, are attached to this report

Arizona Public Service

Letter of Serviceability provided.

REVIEW, COMMENTARY AND ANALYSIS

The following are requested from the Planning and Zoning Commission and City Council:

DEVELOPMENT REVIEW	Approval from the Planning and Zoning Commission
ZONE CHANGE	Planning and Zoning Commission provides a recommendation; Final approval to be granted by the City Council
LAND EXCHANGE	Planning and Zoning Commission reviews (takes no action); Final approval to be granted by the City Council
DEVELOPMENT AGREEMENT	Planning and Zoning Commission reviews (takes no action); Final approval to be granted by the City Council

DISCUSSION (DEVELOPMENT REVIEW)

In considering an application for Development Review approval, the review process is guided by the following criteria noted in Section 401.06 of the Land Development Code:

1. *The degree to which all of the applicable provisions of this Code and all other ordinances have been complied with.*
2. *The degree to which the proposed development of buildings, uses or structures conforms to the design standards as set forth by the Design Review Manual.*
3. *The degree to which the proposed development integrates the proposed built environment into the natural environment with minimal disturbance to view corridors, existing native vegetation and/or established landscaping, the natural topography of the site, natural drainage ways, known wildlife habitats, rock outcrops, and other natural features.*
4. *The degree to which the proposed development integrates into, and is compatible with, the built form of surrounding properties and existing developments with regard to building height and character, landscaping, signage, building materials, historical structures or features, and pedestrian and vehicular circulation.*
5. *That the proposed use is in general conformance with applicable goals, objectives and recommendations described in the Community Plan and adopted specific plans.*
6. *The degree to which proposed vehicular ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and solid waste collection are designed to promote public safety and convenience.*
7. *The degree to which pedestrian circulation is facilitated both on and off-site through interconnected passages, pathways and plazas, and is designed to promote public safety and convenience.*
8. *The degree to which the proposed development addresses concerns cited by participating reviewing agencies with jurisdiction in the areas of public health and safety.*

The Planning and Zoning Commission should refer to Attachment 2 (Development Standards Checklist) and Attachment 3 (Design Review Manual Checklist), for a comprehensive evaluation of the proposed project in relation to the requirements of Article 9 (Development Standards) and Article 10 (Design Review Manual) of the Sedona Land Development Code (SLDC). Based on the evaluation summarized in these checklists, Staff concludes that the applicant has proposed a project that complies with the requirements of the SLDC, meeting Findings 1 and 2.

The one area of the Development Standards where the project is not in full compliance is the shrub count regarding the required percentage of native, evergreen trees. The SLDC requires that 25% of the shrubs

shown on the plans be classified as native, evergreen. The current plans show that 21.7% of the shrubs are native, evergreen. The landscape architect has stated that regardless of a shrub's classification as native or adaptive, all shrubs will have the same water requirement (See Attachment 4.d.i). In addition, the landscape architect has stated that the landscaping has been designed so that the irrigation system may be turned off within 4-5 years, after the plants have established themselves. Based on this, Staff believes that the landscape plan, as presented, complies with the intent of the SLDC. However, should the Commission disagree; a condition could be added that would require the shrub count on the final landscaping plans to comply with the requirements of the SLDC.

There have been a number of questions from the Commission, Staff, and citizens regarding the intended use of the enhanced outdoor event lawn. The applicant has responded to these questions by providing a summary of their intended use of the space. These representations by the applicant are included in Development Review Condition 10. Any deviation from these representations would require approval of a Temporary Use Permit (TUP) or a Conditional Use Permit (CUP), depending on the duration of the event. In addition, Development Review Condition 10.g allows the Community & Economic Development Director to require that the applicant cease use of the facility or obtain a TUP or CUP if the use of the event lawn is deemed by City Staff to be a public nuisance.

One area of the Design Review Manual (DRM) in which this project is not in full compliance is the provision of covered parking. Covered parking is not required for lodging developments and the landscaping plan appears to show sufficient landscaping to provide shaded, if not covered, parking. In addition, the DRM recommends using courtyards with southern exposure. While the courtyard area is bordered to the south by the new hotel building, it is large enough so that large areas of the courtyard will have some southern exposure.

By complying with the requirements of the Land Development Code, placing the building on the lowest portion of the lot, and building a parking lot in an area already disturbed due to the existing ROW, the project will have a minimal effect on the natural environment, including view corridors, existing vegetation, and natural topography, meeting Findings 3 and 4.

The City of Sedona's Long Range Planner has reviewed the project and concluded that, as proposed, this project is in conformance with the Community Plan, meeting Finding 5.

The vehicular and pedestrian circulation plans have been reviewed and found to comply with applicable requirements, meeting the requirements of Findings 6 and 7.

Finally, Staff provided all applicable review agencies the opportunity to review and offer comments on the proposal. Any outstanding items relate to future requirements which may affect issuance of permits but are not anticipated to affect the design of the site or the buildings, meeting the requirements of Finding 8.

At the time that Staff reviews the building permit(s) for this project, conformance to the representations made in this project and compliance with the conditions of approval will be evaluated. While the applicant and the architect have done their best to present the project as much in its final state as possible, as the project develops, it is anticipated that changes may be required. While minor changes may be approved by Staff, any change deemed to be significant will be required to come back to the Planning & Zoning Commission for review.

Following substantive review of the application material, Staff concludes that the development plans for the proposed Sedona Rouge Expansion meet the findings required by the SLDC. The project as proposed and conditioned will not negatively impact the citizens of Sedona and surrounding properties, and is compatible with adjacent land uses. The project is proposed to be developed in full conformance with the regulations for the proposed underlying zoning district. The proposal is consistent with the goals, objectives and policies of the Sedona Community Plan.

Staff Recommendation

Based on compliance with all ordinance requirements and satisfaction of the Development Review findings of the Land Development Code, staff recommends approval of case number PZ13-00013 (DEV), Sedona Rouge Expansion, subject to all applicable ordinance requirements, and the attached conditions of approval.

Sample Motions for Commission Use

(Please note that the above motions are offered as samples only and that the Commission may make other motions as appropriate.)

Recommended Motion for Approval

I move to approve the proposed development review for the Sedona Rouge Expansion as set forth in case number PZ13-00013 (DEV) based on compliance with all ordinance requirements and satisfaction of the Development Review findings and applicable Land Development Code requirements and the conditions as outlined in the staff report.

Alternative Motion for Denial

I move to deny case number PZ13-00013 (DEV). (Please specify findings)

DISCUSSION (ZONE CHANGE)

As stated before, a Zone Change component is included in this project to ensure that the zoning from the parcel as currently configured will be transferred to the new parcel as reconfigured if the Land Exchange is ultimately approved. The applicant has not asked for any increase to the number of lodging units permitted. The previous zoning approvals for the 32 lodging units on this site were vested when the applicant provided 2 onsite affordable housing units and dedicated a vehicular and pedestrian easement through the site from Goodrow Lane to Rodeo Road. The 2 affordable housing units are in place and will remain. The vehicular and pedestrian easements will no longer be needed and will be abandoned after the applicant constructs and dedicates a new road on Parcel A.

In evaluating an application for a zone change, Staff reviews the City's Community Plan policies that are applicable to the subject property. This property is designated as Planned Area and included in Community Focus Area 4: Rodeo-Coffeepot in the Community Plan.

The project as currently presented meets the following guidelines for development in a Planned Area (Staff comments are in italics):

- Enhanced buffering (strategic building and parking placement, vegetative screening)

    - *The project is designed to keep the buildings in the area currently zoned for lodging and uses the existing ROW for parking and provide additional landscaping and screening from the adjacent residential property.*
- Land uses that generate minimal traffic compared to residential areas
    - *As there is no proposed increase in lodging units, there will be no increase in traffic over what the property is currently zoned for.*
- Provide diverse housing options (if applicable)
    - *The hotel provides 2 affordable housing units, as required under the previous zone change approval.*
- Eliminate non-conforming uses
    - *Though there are no non-conforming uses, the roadways in the area are substandard. As a part of this project, the applicant will be building a new City ROW to replace a portion of the existing Goodrow Lane and improving the road between Sedona Rouge and W State Route 89A.*
- Consolidate properties under unified planning (if applicable)
    - *This project is being developed as an extension of the existing Sedona Rouge Hotel and Spa and the two properties will be combined.*

The project as currently presented meets the following guidelines for CFA 4 (Rodeo-Coffeepot) (Staff comments are in italics):

- Create a more walkable environment, Focus re-development on "parking once" with walkable connections.
    - *A sidewalk will be built along the new road and extended down the east side of Rodeo Road to connect with a new mid-block crosswalk to allow pedestrian access to the Safeway shopping center. Hotel guests would also be able to use the new sidewalks and crosswalk.*
- Provide buffering and land use alternatives as transitions between more intensive commercial and residential uses and adjacent single-family neighborhoods.
    - *The project is designed to keep the buildings in the area currently zoned for lodging and uses the existing ROW for parking and provide additional landscaping and screening from the adjacent residential property.*
- Create a vehicle connection between Rodeo Road and Goodrow Lane as alternatives to State Route 89A.
    - *The applicant will be building a new ROW to connect Rodeo Road to Goodrow Lane.*
- Limit highway access points and consolidate curb cuts.
    - *No new highway access points are proposed with this project.*

In Staff's opinion, the zone change request, as proposed and conditioned, will not negatively impact the citizens of Sedona and surrounding properties, and is compatible with adjacent land uses. As noted above the proposal is consistent with the goals, objectives and policies of the Sedona Community Plan.

Staff Recommendation

Based on compliance with ordinance requirements as conditioned, general consistency with the Land Development Code and the requirements for approval of a zone change, consistency with and conformity to the Sedona Community Plan and the compatibility with surrounding land uses and character of the surrounding area, Staff recommends approval of the proposed rezoning as set forth in case number PZ13-

00013 (ZC), Sedona Rouge Expansion, from L (Lodging – 32 units) to L (Lodging – 32 units) subject to applicable ordinance requirements and the conditions of approval listed at the end of this staff report.

Sample Motions for Commission Use

(Please note that the above motions are offered as samples only and that the Commission may make other motions as appropriate.)

Recommended Motion for Approval

I move to recommend to the Sedona City Council approval of the proposed rezoning as set forth in case number PZ13-00013 (ZC) from L (Lodging – 32 units) to L (Lodging – 32 units) based on compliance with Land Development Code requirements, conformance with the requirements for approval of a zone change and consistency and conformance with the Community Plan, and subject to all applicable ordinance requirements and the conditions as outlined in the staff report.

Alternative Motion for Denial

I move to recommend denial of case number PZ13-00013 (ZC) based on the following findings (Please specify findings).

DISCUSSION (LAND EXCHANGE AND DEVELOPMENT AGREEMENT)

The final two components of this project are a Land Exchange and a Development Agreement. The Planning and Zoning Commission reviews, but takes no action, on these components of the project. Final action will be taken by the City Council.

As previously stated, approval of the Land Exchange would allow the City of Sedona and Sedona Rouge to exchange the areas identified on the site plan as Parcel A and Parcel B (Attachment 4.c.i). In exploring different options of how to accomplish the Land Exchange, Staff and the applicant found that the two competing issues are the following:

1. The City's desire to have the road built by the applicant and accepted by the City prior to officially exchanging the property.
2. Sedona Rouge's desire to know that the land exchange will occur and they will receive the Goodrow ROW prior to making the investment of building the new road.

In addition, as Goodrow Lane is the only point of ingress/egress for the properties up Goodrow Lane, the City and the applicant need to ensure that access for these properties is continually maintained throughout the project.

In response to these concerns, the City and the applicant decided to enter into a Development Agreement. A draft version of this Development Agreement is attached (Attachment 6). If approved by City Council, this Development Agreement would do the following:

1. Place the deeds for Parcels A & B into an escrow account that will transfer the parcels once the road construction is completed and accepted.
2. Abandon the existing vehicular and pedestrian easement after completion of the road.
3. Give responsibilities for maintenance of the retaining walls and landscaping to Sedona Rouge.
4. Control the use of the event lawn

5. Memorialize the applicant's commitments regarding interior traffic flow.

While the Planning and Zoning Commission does not take any action on either of these project components, the Commission may review them and provide comments, as City Council approval of both of these components is required prior to the project proceeding.

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PZ13-00013 (ZC)

1. If the City Council does not approve PZ13-00013 (Land Exchange, Development Agreement), this Zone Change approval shall become null and void.
2. Development of the subject property shall be in substantial conformance with the applicant's representations of the project, including the site plan, letter of intent, and all other supporting documents submitted, as reviewed, modified, and approved by the Planning and Zoning Commission and City Council.
3. The zoning for this property (Sedona Rouge Expansion) shall allow for a maximum of 32 lodging units, in addition to the existing 74 lodging units at the Sedona Rouge Hotel and Spa.
4. The applicant shall enter into a Development Agreement with the City of Sedona. At a minimum, the Development Agreement shall address the Land Exchange, timing of improvements, abandonment of existing easements, and the applicant's commitment to maintain the retaining walls and landscaping in the new right-of-way.
5. The zoning for the subject property shall be considered vested when the Development Agreement is approved, the new road construction is complete, and the Land Exchange is finalized.
6. Within thirty days of approval of the zone change, the property owner of record of the subject property voluntarily agrees to sign and record a waiver acknowledging their waiver of any right to claim just compensation for diminution in value under A.R.S. §12-1134 related to the granting of this Zoning Change approval.

PZ13-00013 (DEV)

1. If the City Council does not approve PZ13-00013 (Zone Change, Land Exchange, Development Agreement), this development review approval shall become null and void.
2. The project shall be developed in one phase, but shall follow the timing required by the Development Agreement.
3. The Development Review approval for the Sedona Rouge Expansion shall be valid for a period of two (2) years from City Council approval of PZ13-00014 (ZC), unless a valid building permit has been issued, the building is under construction, and the project is being diligently pursued towards completion.
4. Development of the subject property shall be in substantial conformance with the applicant's representations of the project, including the site plan, landscape plan, grading and drainage plans, letter of intent (dated February 21, 2014), and all other supporting documents, as reviewed, modified, and approved by the Planning & Zoning Commission. Proposed changes determined to be substantial by the Director of Community & Economic Development shall require reconsideration by the Planning & Zoning Commission at a public meeting.

5. Hours of work, for grading operations, shall be limited to 7 a.m. to 6 p.m., Monday through Friday and 9 a.m. to 5 p.m. on Saturday. No grading work shall occur on Sunday.
6. Storm water quantities and velocities shall not be greater than the historic values at the downstream property line.
7. The exterior wall colors and all roofing materials shall be in compliance with the approved color and materials board. All vents, down spouts, gutters, posts, etc. shall be painted to match the exterior wall or roof color or be in compliance with the color provisions of the Land Development Code.
8. All exterior mechanical equipment shall be screened and painted to the satisfaction of the Director of Community & Economic Development.
9. The applicant shall connect to the City's wastewater system, subject to all requirements of the City of Sedona and payment of all applicable fees.
10. The use of the outdoor event lawn shall comply with representations made by the applicant. Any deviations from these representations may be permitted through approval of a Temporary Use Permit or a Conditional Use Permit, subject to the requirements of the Sedona Land Development Code. These representations include:
    a. Use of the event lawn shall be reserved for guests of the hotel only during the months of March through October.
    b. All parking for events using the event lawn shall be contained on the Sedona Rouge property.
    c. All event-related sound shall comply with City of Sedona noise regulations. No amplified sound is permitted after 9:00 pm.
    d. Events using the lawn shall be limited to a maximum of 100 people.
    e. Sedona Rouge shall have a staff member available onsite during all events to respond to complaints from the neighbors and/or the City of Sedona.
    f. If food or alcohol is to be served during an event, all required approvals must be obtained from the Yavapai County Health Department, the State of Arizona, or any other applicable agency.
    g. The Community and Economic Development Director reserves the right to require use of the outdoor event lawn to cease or require a Temporary Use Permit or a Conditional Use Permit, based on the level of complaints from neighbors or if the use of the event lawn is deemed to be a public nuisance.
11. Prior to the issuance of grading and building permits, the applicant shall satisfy the following conditions and provide written documentation of such compliance to staff:
    a. A Final Grading and Drainage plan, in compliance with the Final Drainage Report, reviewed and approved by the Engineering Department.
    b. Provide a Geotechnical Report (SLDC Section 805)
    c. The Site Plan shall meet the requirements of SLDC Section 803.

d. Sidewalks and parking areas shall to meet current United States Department of Justice ADA requirements. Construction of ADA compliant pedestrian facilities shall meet ADA grade tolerances.

e. The applicant shall provide a Storm Water Pollution Prevention (SWPP) Plan along with the Arizona Department of Environmental Quality (ADEQ) Notice of Intent (NOI) (Arizona Pollutant Discharge Elimination System (AZPDES) - disturbance area appears to be greater than 1 acre). SWPP measures shall be in place prior to the start of construction (SLDC Article 8). Storm water quality measures shall also comply with City of Sedona Code requirements (City Code Chapter 13.5)

f. For projects involving grading of more than 5,000 cubic yards, a haul plan, a dust control plan, a topsoil reutilization plan, a Stormwater pollution prevention plan, and a traffic control plan shall be required. Each must be acceptable to and approved by the City Engineer. (SLDC Section 806)

g. Oil/water separators will be required for the parking lot storm drain inlets (City Code Chapter 13.5).

h. Provide details on the driveway entrance to the existing small parking lot north of the existing Spa building. ADOT Detail C-05.20 may be more appropriate for the entrance and ADA sidewalk.

i. Provide utility construction details on plans.

j. The applicant shall submit landscaping plans that comply with the conceptual landscaping plans approved by the Planning & Zoning Commission.

k. The applicant shall submit outdoor lighting plans that comply with all applicable City codes and with the conceptual outdoor lighting plans approved by the Planning & Zoning Commission.

l. All requirements of the Sedona Fire District shall be satisfied.

12. All new signs shall comply with Sedona Rouge's existing Master Sign Plan and the Sedona Land Development Code.

13. Prior to the issuance of a Certificate of Occupancy, staff shall verify that all construction is in substantial accordance with the plans as submitted, reviewed, and approved by the Planning & Zoning Commission and City Council, and meets the following conditions:

    a. All on-site improvements shall substantially conform to the plans on which grading and building permits were issued.

    b. All buildings shall be connected to the City of Sedona wastewater collection system and all applicable capacity and connection fees shall have been paid.

    c. Installation of all proposed landscaping shall be complete and in accordance with the approved landscape plan.

    d. All outside lighting shall have been installed in accordance with the approved plans. All lighting sources shall be fully shielded so that the direct illumination is confined to the subject property boundaries and so no light is directed above the horizontal plane. Staff shall conduct a night inspection and if deemed necessary, additional shielding will be required.

e. All new utility lines shall be provided through underground installation.

f. All mechanical equipment and trash receptacles shall be completely screened from surrounding areas by use of a wall, fence, landscaping or shall be enclosed within a building. All electrical panels shall be located so as not to be visible from public right-of-ways.

g. All requirements of the Sedona Fire District shall be satisfied.

h. The applicant shall provide copies of all required testing to the Engineering Department.

i. As-built plans shall be provided to the City in digital and hard copy formats acceptable to the City Engineer.

j. All areas of cut and fill shall be landscaped or dressed in such a manner as to reduce the potential for erosion.

k. The applicant shall provide a letter, sealed by the engineer of record, verifying that the work, as done, is in substantial accordance with the approved plans.

l. All construction shall comply with the Storm Water Regulations in Chapter 14 of the City of Sedona City Code. Storm water quantities and velocities shall not be greater than the historic values at the downstream property line.

m. The applicant shall fulfill the requirements of SLDC Article 18: Public Art. The applicant shall either make a cash payment to the City of Sedona Art in Public Places Fund in an amount as specified by the Land Development Code or have an alternative art contribution approved by the Arts and Culture Coordinator or other designated City Staff member or committee.

14. Within thirty days of approval of the Development Review, the property owners of record of the subject properties shall sign and record a waiver acknowledging their waiver of any right to claim just compensation for diminution in value under A.R.S. §12-1134 related to the granting of this Development Review.