

Summary Minutes
City of Sedona
Planning & Zoning Commission Meeting
Vultee Conference Room, 102 Roadrunner Drive, Sedona, AZ
Tuesday, May 6, 2014 - 5:30 p.m.

1. VERIFICATION OF NOTICE

Chair Losoff verified the meeting had been properly noticed.

2. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL

The Chair called the meeting to order at 5:30 p.m.

Roll Call:

Planning & Zoning Commissioners Present: Chair Marty Losoff, Vice Chair Michael Hadley and Commissioners Eric Brandt, John Currivan, Scott Jablow, Kathy Levin and Norm Taylor.

Staff Present: Audree Juhlin, Cari Meyer, Donna Puckett and Ron Ramsey

Note: Chair Losoff proceeded to agenda item 4.

4. APPROVAL OF THE FOLLOWING MINUTES:

- a. April 10, 2014 (WS)
- b. April 15, 2014 (R)

MOTION: *Commissioner Jablow moved to approve the work session minutes of April 10, 2014 and regular meeting of April 15, 2014. Vice Chair Hadley seconded the motion. VOTE: Motion carried seven (7) for and zero (0) opposed.*

3. ANNOUNCEMENTS & SUMMARY OF CURRENT EVENTS BY COMMISSIONERS & STAFF

Vice Chair Hadley indicated that work is being done on Mariposa; more plumbing was put in place in the part of the slab that hadn't been poured yet, so they are close to pouring.

Cari Meyer reported that the City Council approved the Sky Ranch project and Sedona Rouge is scheduled for a City Council public hearing on June 10th. Also, Park Place submitted their Final Plat Amendment to match what the Commission approved for the redesign.

5. PUBLIC FORUM: For items not listed on the agenda within the jurisdiction of the Planning and Zoning Commission – limit of three minutes per presentation. Note that the Commission may not discuss or make any decisions on any matter brought forward by a member of the public.

Chair Losoff opened the public forum and having no requests to speak, closed the public forum.

6. CONSIDERATION OF THE FOLLOWING REQUEST(S) THROUGH PUBLIC HEARING PROCEDURES:

- a. Discussion/possible action regarding a request for a Conditional Use Permit renewal for Sedona ATV & Buggy Rental. The applicant is proposing to operate in the same manner as the original Conditional Use Permit and subsequent renewals (related cases CUP2006-02, CUP2009-01), with the exception of increasing the number of outdoor display vehicles, to allow an off highway vehicle rental business. The subject property is currently zoned C-1 (General Commercial), is approximately 0.654 acres in size, and is located at 211 State Route 179. A general description of the area affected includes but is not necessarily limited to the area east of State Route 179 between W State Route 89A and Ranger Road. The subject property is further identified as Assessor's Parcel

Number: 401-18-035A. Applicant: Sedona ATV & Buggy Rental. Case Number: PZ14-00004 (CUP) (15 minutes; 5:45 pm–6:00 pm)

Staff's Presentation - Cari Meyer:

Cari Meyer provided an overview of the request for a Conditional Use Permit renewal for Sedona ATV & Buggy Rental and explained that Sedona Off-Road Center vacated the location in 2013 and Sedona ATV & Buggy Rental is now the applicant, who has been in compliance with all of the previous Conditions of Approval, and they are current on all City fees.

Cari indicated that the applicant is also actively participating in the Off-Highway Vehicle Work Group sponsored by the City. They have requested one change to the existing Conditions of Approval to increase the number of vehicles displayed to five in the same area. Staff is also recommending that a condition be added to require a training course for their customers, which is based on the applicant's current business practice, but would also apply to anyone else who moved into that space in the future.

Cari added that staff is recommending a 5-year approval, and she showed a picture illustrating what the display of five vehicles would look like with the screening wall and landscaping in front of it. Cari then read staff's recommendation for approval.

Audree Juhlin discussed the creation of the working group through the Citizens Engagement Program to work with the City in identifying the issues and solutions regarding the use of off-highway vehicles and indicated that the applicant is an active member of that group.

Applicant's Presentation - Tim Angus, Owner, and Deb Householder, Office Manager:

Mr. Angus explained that they were motivated to display the additional vehicles, because it would give them more vehicles for people to look at, but it also adds a level of safety to things. A lot of people don't have a lot of experience on the vehicles, and having 5 of the 11 vehicles outside with perhaps one or two inside would help them to put the customer with the right vehicle. If people have no experience with ATVs, it is one of the last things they want to put people on, and they try to put people on a vehicle that matches their abilities.

Mr. Angus indicated that they now are simply adding vehicles with steering wheels, roll cages, brakes and accelerators that are more familiar and safer. They have had a couple of incidents among the tens of thousands rentals, but they haven't had one incident within the city limits. There have been a couple of incidents on the trails, which is where they prefer to keep them if they are going to happen. They also spend 10 – 15 minutes with each person that comes in and they go through a complete safety orientation.

Mr. Angus added that they are requiring everyone from their sales staff to people putting customers on the vehicles to complete a 5 to 6-hour certification training course that is with the Arizona Game & Fish Department, and they are now moving that into their Service Department.

Mr. Angus indicated that the age limit is 18 for driving, but passengers can be under that age. There is no age limit for passengers and he would like to see helmets for ATVs. There is no helmet law in Arizona, and he would like the City to require at least rental companies to rent with a helmet. He has even taken people off of vehicles before, because they couldn't control the vehicle. They also have a prescribed course, provide maps with numbers and a picture book with corresponding pictures.

Commission's Questions, Comments and Concerns:

- Comment that staff provided some real positive feedback on this company as opposed to the prior company.
- Question about alterations to the vehicles with mufflers. Mr. Angus indicated that in November of 2013, he spent five figures on quiet exhaust systems and they have had a couple of citizens from Dry Creek Road who complained about noise indicate that they can

tell the difference. It is voluntary and they are the only company that has done it, but they are trying to promote it with the other companies and work with the City on securing a grant from the State of Arizona to help with that.

- Comment that it is impressive that the owner cares enough about the community to take care of the noise problems. In the past the site was never clean and it was an eyesore, but that has changed since this applicant took it over and now it is spotless, so he can support this application. Mr. Angus added that they run their business by the letter of the law. It has been tough with just two vehicles on display, but it has been two, and that is how they operate.
- Question as to if the applicant took over the prior business or if they went out of business. Mr. Angus indicated that they had not paid their rent in a long time and the current owner of the building contacted them.
- Question as to if the applicant had been located somewhere else or if this is a new venture. Mr. Angus explained that is their second location; their main location is in West Sedona and they don't send vehicles out from the Uptown location. It is simply a sales location, so they aren't washing, servicing or drive out of that location. He has safety issues with putting somebody out immediately into roundabouts, etc.
- Comment agreeing that the building has never looked better; it looks very nice and clean, and the landscaping is starting to mature.
- Comment that the trails tend to keep the equestrians and the motorized vehicles separate. Mr. Angus indicated that they try to keep their vehicles out of sensitive areas. Soldier Pass Road is one and that has been removed from their maps; they prefer the western canyons and they are not big on urban trails. They also don't send them to Broken Arrow.
- Question about what happened to the dumpster. Mr. Angus explained that the dumpster was not theirs; it belonged to the Hideaway Restaurant and there had been an agreement between the owner and the prior owner of the Hideaway Restaurant that he could use that, but once the Hideaway Restaurant went away, the whole thing went away and that is why it is fenced off back there.
- Question as to if the applicant requested approval for five years. Cari indicated no, staff stated that based on their recent occupancy there are no issues with this tenant, but there were some issues with the property, so five years was appropriate.
- Question about whether or not using the location just for reservations is an important factor in renewing the CUP, because there is nothing in the Conditions of Approval to require that to continue. Cari indicated no, staff didn't evaluate how they get people on and off of the road, since they aren't using it that way and staff didn't feel it would be appropriate to limit that if their business model changed.
- Question about the applicant possibly deciding to start doing pick-ups and drop-offs, etc., which could affect traffic and safety, and if that should be a condition. Audree Juhlin explained that an analysis was done based on their business model, but staff also looks at the past practices and there were no issues with the previous model that had some loading on the back side, so staff felt if the business model changed, it didn't cause any problem in the past, but if there are issues, Article 4 of the Land Development Code allows us to pull it back in and review the conditions, although based on past practices staff has no concerns.
- Question as to if changes in the business practices would have to come to staff's attention somehow. Audree explained that they have the ability within the Conditions of Approval to do that, but we could ask them to tell us if they change their business model.
- Comment that the question is if staff thinks it makes sense to have a condition and if anyone else thinks it is a problem. Audree explained it is not a requirement, because it runs with the land and this is specific to how they are going to operate. The previous business operated in that fashion with no problems, and it runs with the land.
- Question as to if the condition would be to simply notify staff of a change in operation.
- Comment that it would either be that or be restricted to reservations only.
- Question about other locations for such rentals. Audree indicated that there are a lot on 89A and in Uptown.

Commissioners then discussed the concept of having a condition requiring the applicant to notify staff of a change in operation and the consensus was that such a condition was not needed.

- Question as to if the training is specific to this applicant or is the applicant providing the training independent of what any other ATV rental place might do. Mr. Angus indicated that they are the only one going to those lengths, as they led by example on the exhaust systems, and the two main topics for the work group's next meeting will be noise and the safety element, because they want one system used throughout all of the ATV rental companies. Audree added that we are not getting into what the training looks like, but they have to provide training.
- Question as to if any record-keeping will be required to demonstrate that are doing the training. The Chair noted that may be beyond the purview of the Commission in terms of imposing specifics. Mr. Angus indicated that every customer signs that they have received the training and Audree indicated that the Commission can talk with the applicant about that, if the applicant is willing to have that kind of condition, but she doesn't know that the Commission has the authority to get into the business model practices.
- Comment that if it is a Condition of Approval, the assumption is that we have some authority to monitor. Cari indicated that staff does have the ability to do monitoring and could ask to see what they are doing for training.
- Question as to what authority the Commission has to make that a Condition of Approval. Staff indicated that there isn't anything in the Land Development Code.
- Comment that it would be voluntary on the applicant's part. Audree explained that the Commission has the responsibility of all aspects, including safety, and we know there have been issues in the past and this would help ensure that safety component, so safety is not out of the Commission's realm. We aren't sure what will come out of the Citizen's Engagement work group, but there could be a recommendation to the City Council to have an ordinance to say they need to provide safety training, etc.
- Question about adding vehicles and whether or not we are really talking about advertising or signage, and would that be consistent with rental car companies that wish to do the same display, but she is convinced that the primary reason is to match the renter with the appropriate vehicle, so the concern has been answered.
- Question about staff's rationale for not recommending a longer timeframe. Cari explained that they are a new tenant and there could be additional things to look at from the Citizens Engagement group in a few years.
- Comment that we also have the Community Plan in place, so five years could be a long time given some of the possibilities, and that is a reasonable period of time.
- Comment to concur that the way the location looks now is as good as it has ever looked. Question about the number of cars out front, and do we care?
- Comment that given the screen wall and some of them have lower profiles, it isn't a problem.
- Comment to concur that it isn't a problem.
- Comment of agreement as long as they are parked behind the wall.
- Comment of agreement with the 2009 Sedona Main Street Program comments. Everything looks great, but they also start with, "Overall the Sedona Main Street Program considers motor vehicle sales lots to be incompatible and inappropriate within the Sedona Main Street District", and we would be going in the wrong direction by allowing a group of vehicles instead of a few individual vehicles to be displayed, so he would say three possibly four, but five is a crowd.
- Question as to if there are five different varieties of vehicles. Mr. Angus indicated yes, everyone will be a different variety and you can't see the two ATVs, because they are practically behind the wall.

- Comment to express agreement with five, because the applicant is pulling three extra vehicles out of inventory that are available at the other location, since the ones in front aren't available to be rented while they are there, so it is for a valid business reason.

Chair Losoff opened the public comment period at this time and having no requests to speak, closed the public comment period.

MOTION: Commissioner Jablow moved for the approval of case number PZ14-00004 (CUP), based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings and applicable Land Development Code requirements and the conditions as outlined in the Staff Report. Vice Chair Hadley seconded the motion.

Commissioner Brandt indicated that he is in agreement with everything as far as the Conditional Use Permit and five years seems to be reasonable. The safety program also makes a lot of sense, but he is not in favor of five vehicles.

Chair Losoff indicated that at the moment the motion states five, as opposed to Commissioner Brandt's comment.

VOTE: Motion carried six (6) for and one (1) opposed. (Commissioner Brandt opposed.)

Chair Losoff asked if there was any objection to changing the order to address agenda item 8 prior to agenda item 7 and there were no objections.

8. Discussion/update on the Community Benefits Work Group currently meeting through the City's Citizen Engagement Program (20 minutes; 6:20 pm–6:40 pm)

Staff's Presentation – Cari Meyer:

Cari Meyer provided an overview of the work group and explained it is looking at the way the City evaluates community benefits related to zone changes. The group consists of two members of the City Council, two members of the Planning & Zoning Commission, two citizens and two staff members, and there is a general consensus that the City needs a way to fairly evaluate the community benefits, so there is a clear expectation throughout the process.

Cari indicated that the Commissioners had been provided with a first draft of the policy, which is subject to change. It is looking at different levels of zone changes from low impact to high impact, and using the Community Plan to determine what kind of benefits may be expected, relating those directly back to the Community Plan's visions and outcomes.

Cari added that one thing that has been important to the group is to ensure we aren't creating a legal obligation for the City to rezone a property. There are still a myriad of other factors and this is just a policy to ensure we are on the same page, and it is not set in stone. There has also been some discussion about how the CFA planning process would integrate into this, and making sure that projects in a CFA address expectations identified for that area. Some group members have also discussed that this type of thing might be used for projects that don't need a rezoning, but could benefit from a greater intensity of development; however, the group is currently looking at it in terms of zone changes. As we move forward, there may be other applications for it as well, and the group is going to have at least one more meeting,

Chair Losoff noted that there is a consensus that something needs to be done and it would be nice if everyone knew the priorities and how we are going to apply the community benefits. In recent projects, we have questioned whether or not they are really benefits for the community or the applicant, and some of this information came from a city in California and other locations.

Mayor Adams explained that one impetus for this was to give developers assurance that they weren't going to get hijacked in the middle of the process, when they come to an agreement with staff and then have that changed by P&Z or Council. One of his concerns is to have staff do the negotiation, and then that would be part of what P&Z and Council review, but would not be part of renegotiating that. Cari agreed and added that this document would be reviewed by City Council, so we will have something that is supportable by the Council. The Mayor then repeated that it wouldn't be something that would be renegotiated during the process, and the community benefits mentioned are taken directly from the Community Plan update, and that is what the community expects, which gives us a good guideline and basis for benefits that we are requiring.

Commission's Questions, Comments and Concerns:

- They know they are going to have to pay certain impact fees that are separate from this. Are those based upon the impact of construction or vehicle movements thereafter, because of the development of the land for a certain use? Cari explained that impact fees are based on the square footage of the development and a percentage goes toward transportation, police, administration and parks.
- Comment expressing concern about the difference in the two types of things.
- Question as to why there is a difference and why everything isn't built into the impact fees. Audree Juhlin explained that any new development is subject to Development Impact Fees, and when we look at proposals for zone changes, we also look at what the community is getting for an entitlement that the applicant doesn't have now.
- Comment that Sky Ranch Lodge, as an example, didn't have to put in a trailhead and develop the trail, but that came up for the zone change, which was above and beyond the impact fees.
- Comment that the community benefit should be that by allowing them to build more apartments, etc., that in itself is a benefit to the City. Audree explained that is what we are talking about; it is just two different processes. When applicants have the zoning, they don't have to request discretionary entitlements.
- Comment that the meaning is that more growth is a benefit to the City, so if we are rezoning Open Space for Lodging, you get more development and that is a benefit to the City, but most people think that Open Space is more beneficial to the City and if we are giving more rights to develop the property, what are the impacts to the City and how are we going to balance those.
- Comment that there is a consensus that we need some codification for the benefits.

Mayor Adams indicated that the Development Impact Fees are to off-set the impacts to the infrastructure, to help provide money to offset the additional traffic and impacts that the development will cause. The community benefits may be viewed as a quid pro quo for the enrichment that the developer gets for the zoning change. If you move from a Residential to a Multi-Family or an Office Professional to Commercial zoning, that increases the value of that property, so the community benefit is a quid pro quo for offering that zoning change and that is where the negotiation comes in. For that enrichment, what are you willing to provide as a benefit to the City?

- Comment that if you are able to put a number with that benefit, say changing Residential to Commercial . . . Chair Losoff explained that today, assuming we need this, the question is if this is the way to go? Audree Juhlin explained that Development Impact Fees are tightly regulated by state law, and we can only do those fees in accordance with state law. There may be community benefits, such as affordable housing, etc., that aren't included in the basic infrastructure that the Mayor referenced, but the Development Impact Fees cover the additional cost of services based on that new development; however, there are many other benefits that aren't covered.
- Comment that we definitely need something and this is a great guide and absolutely going in the right direction. The list provided is on the right track.
- Comment that this benefits the community and also supplies a predictable result to the developers. They know upfront what to expect and it is very fair.

- Comment in general favor of the approach. It is important to provide some certainty to developers, so they will know what to expect.
- Comment that this doesn't seem to take into account that there may be restrictions placed on the use of the property as part of the zone change, such as in the recent case along 89A, which lessened the increase in value of the property, and therefore, the community benefits expected should have been lower. We just need some kind of note to say that if there are restrictions that will run with the land, then we aren't going to require the same level of community benefits.
- Comment that one shoe doesn't fit all, so there should be some flexibility. Audree explained that the restriction was one of the community benefits, and if we have a rezoning to PD, they are site specific to that use.
- Comment expressing concern that the way the zone changes are being classified tends to discriminate against Commercial or Light Industrial uses, in favor of the Residential uses. It treats a change from Commercial or Light Industrial to Residential more favorably than vice versa. For example, changing a 3-acre Commercial property to Residential would be in Tier 3 and need 40 points, but if the same property went from Residential to Commercial, it would be in Tier 4 and need 60 points, so it encourages changes from Commercial to Residential. On page 92 of the Community Plan, it says, "Preserve the city's Commercial and Light Industrial land inventory by placing limits on rezoning to Residential", which is pointing in the opposite direction.
- Comment that this is a draft and that is a very good point. Staff can ensure before the document is finalized that the Community Plan elements are properly reflected.
- Comment regarding the limitation of 20 points per category in that we should think about whether or not that is a good idea, because once 20 points is reached, they are cut off; even if they are providing more benefits to the City, they get no credit for them. If you don't want people to get all 60 points in one category, maybe it could be scaled back, so after 20 points, they only get half credit, etc.; otherwise, there is a disincentive to provide more benefits.
- Comment that we should look at how this treats tourism versus non-tourism; this is clearly slanted toward non-tourism based businesses, while in the Community Plan, one of the goals is to preserve and enhance Sedona's tourist-based economic sector. Mike Raber indicated that was discussed in the last meeting.
- Question as to whether or not the City of Sedona has adopted any of the standards referenced in the green building design in the Land Development Code or Building Codes. Cari explained that the LEED standards are a separate certification and people can choose to voluntarily build to those standards. If the City adopted green building standards, they may not get points for that anymore, because it would become a requirement. Currently if they do it voluntarily, that is a benefit.
- Question as to if rentable community facilities could count for benefit points under community gathering spaces.
- Comment that we should have the Housing Policy, because that is a guide that has been used effectively with developers to encourage affordable units to be integrated in their projects, but it almost becomes moot if in a rezoning situation, these become part of a point structure, which would be a dramatic shift for the current Council to embrace.
- Comment that not everybody has agreed that housing is a priority over the years, so it is in the Community Plan, but there may be other . . .
- Comment that this makes it enforceable whereas the guide does not.
- Question regarding contributions to the Art in Public Places Fund as to how that works. Cari explained that the base amount is currently 48 cents per square foot in payment or a different contribution. If they want to get additional points, they could pay above and beyond what is required.
- Comment that "locally-based businesses" should have a regional reach and not Sedona only.
- Question as to if this will go out for agency review, because perhaps the Chamber and Sedona Main Street Program might want to comment about non-tourism based businesses.
- Comment that this is taken from the Community Plan, but it could be part of the process, although the Committee hasn't talked about that. We heard from the community and it is in the Community Plan.

- Comment that we also talk about encouraging a diverse economy.
- Comment that in the description of benefits, we see “such as”. These aren’t written in stone; they are examples and the Committee’s feeling is to be more general.

Mayor Adams pointed out that there is going to be another Community Plan and that may change, and if this got really specific, this would have to be changed too.

- Comment that the idea could be taken back to the Committee for consideration.
- Comment that as this works its way to Council, those groups will be involved.
- Comment that overall it is an excellent approach and the implementation is great.
- Question as to if any past projects have been reviewed with these points in mind. Cari indicated that no projects have come through, but if we went to the Sky Ranch project, by providing three affordable rental units, they would have received full points under housing; by providing a trail connection, they would have received points under that, and by providing the meeting facility at reduced rates, they could have received points under that as well, and for a Lodging zone, three categories would have been required, so they would have been in compliance. We also looked at some old samples of how zone changes were evaluated to see if it made sense.
- Comment that while this is in draft form, we can kind of use this internally as projects come in.
- Question as to how long this will be in draft. Audree explained that it will depend on how many more meetings the working group needs and if it will go out to other groups for comments. Then, it will come to the Commission for a recommendation to go to the City Council, so it could be several months.
- Comment that it would be good to test the wheels on past projects.
- Question as to if this will be codified or is it just a policy. Cari Meyer indicated it is a policy.
- Question regarding whether or not having it as a policy leaves more flexibility or less. Mike Raber stated that for a zone change there would be flexibility, because this is a test kind of conformity with the Community Plan, but that is only one aspect of the zoning decision; it is not a given that if they meet all of these things, they automatically get the approval. Audree added that as a policy; it is more of a guideline, so you do still have flexibility.
- Question as to why you wouldn’t codify it. Mike Raber explained that we don’t have statutory authority.
- Comment that in some areas, if you put the project in, that is the benefit and nothing else is requested.
- Comment that it is a great start.
- Comment that the idea of testing the wheels is great.
- Comment that when things are drafted for a final review, be careful about undefined terms; for example, what does “locally-owned” mean
- Comment regarding a concern about how you bring this whole thing in to satisfy a plan for the community. It sounds like we treat each project unto itself and not as a segment of the community and that is the problem with everything we do here. We don’t look at it in terms of what we are going to do and the Focused Activity Centers, etc. Who is looking at the big picture and what we really want? Mike Raber explained that this is the big picture, because it represents the Community Plan. It describes all of the vision components in the Plan and the outcomes, so it is how the particular project meets all of those different components. The idea is to create a wider menu of points that talk about the community as a whole, and if we have a CFA, that will also have precedence with its own recommendations for that area.
- Comment that this was reviewed by a couple of developers and the questions were what if they get 60 points or 20 points, so what? What do they get for it – increased density, etc.? What is the outcome and what do the points mean to the project?
- Comment that it doesn’t guarantee a zone change.
- Comment that it should guarantee something. You can’t tell the developer that if you do these, you are going to get a zone change, but you should be able to tell them that if they jump through these hoops, they are not going to get anymore hassle about community benefits.

- Question about the rationale of not including someone from the development community in the Committee? Audree explained that staff and the City Manager selected a broad base; there are developers in the other group, but she believes the idea is to have a focus group with developers; however, that was being left up to the group.

Mike Raber pointed out that if you satisfy the points, then you have largely satisfied conformance with the Community Plan and that is the general test here. Chair Losoff then noted that it seems the Committee is on the right track.

7. Discussion/update on the Design Review Work Group currently meeting through the City's Citizen Engagement Program (20 minutes; 6:00 pm–6:20 pm)

John Wesnitzer introduced himself to the Commission as he joined the table for the discussion and Chair Losoff explained that this Committee was formed to get an idea of how we are doing and how we can make things better. The Chair also complimented Cari Meyer for the work she has done for the Committee.

Staff's Presentation – Cari Meyer:

Cari indicated that the group consists of two P&Z Commissioners, John Wesnitzer, an architect, another developer, plus herself. The City currently uses a one-size-fits-all approach to development and that doesn't work. It creates too many meetings for some projects, when it is determined that there are no issues. The group felt it was important to look at the code requirements versus the current process to see where we can trim it down.

Cari explained that actually the code requires very little compared to what we actually do, and the group wanted to put the responsibility on the developer to present a good project. If the work is done correctly, then why are we putting them through so many meetings? The developer should have the ability to say they don't need a Conceptual Review, because they are meeting all of the requirements. It really puts some of that responsibility on the developer to do their work and allow the Commission to just review it rather than design it, which sometimes occurs when there are six meetings. Chair Losoff noted that for example, the CUP today was done in just one meeting.

Cari noted that the first page of the material is a summary of what the Committee has done so far, the second page has outlines on the left-side that show what is required by code and the right-hand side shows the current process. Everything in gray area is extra meetings that have been added, and that area is the group's focus.

She created a menu of required meetings, optional meetings, their purpose and the timeframe. Staff would ask the applicants if they want a conceptual meeting; however, staff still may require one conceptual meeting based on the size of the project. Therefore, staff and the applicants would go through the list to determine which meetings will be held and the Commission will receive a copy in the packet, so you understand where the project is in the review process, etc. Chair Losoff noted that it does put more emphasis on the applicant, but on staff as well, when they say they are going for it and don't have things done. Audree Juhlin explained that staff indicates that the applicant can take it forward, but staff will have recommendations not supporting it and we do that now.

John Wesnitzer indicated that there are a lot of projects that could be streamlined. When you have a neighborhood meeting and three hearings, you hear the same things over and over, and most of you don't want to hear the same thing four times. If it is something that really makes a difference, then you could make a decision the first time you've heard it.

Commission's Questions, Comments and Concerns:

- Comment that the packet has a checklist for site plans, elevations, etc., so those would be reviewed when they come in and staff knows best if that should move forward. Cari indicated that the larger the project, the more meetings we have before they actually submit an

application, so hopefully, by the time we receive it, we already have an understanding of the project and a complete application.

- Comment that one size doesn't fit all, because the Sky Ranch and Sedona Rouge projects and the ATV CUP are miles apart in the amount of detail, analysis and recommendations, so staff would be in the best place to judge how to eliminate redundancy, increase efficiency and make it more streamlined.
- Comment that in doing so, the Commission has to acquire more trust with staff, because we can't get into micromanaging. Cari pointed out that by looking at this, the Commission can determine its comments based on the stage of review for the project.
- Comment that anywhere along the line the Commission can ask for further review, but it gives everyone the opportunity for it to speed up a little.
- Comment that it may take a couple of years with a variety of projects to determine if this is working for all types of projects.
- Comment that in trying it with Tlaquepaque, maybe with a work session we could have avoided some of that, so it will take a little while, but most applications are pretty good.

John Wesnitzer indicated that they tell applicants where their problems may lie and what it will take to resolve them, and they may lose their commission, because someone else doesn't tell them, but the problems do come up.

- Comment that it all makes sense.
- Question as to if this comes from when there were more big projects.

John Wesnitzer noted that it did happen a lot. Originally, we were doing what was in the code, but then there were bigger projects with more public opposition, and some Commissions were afraid to approve something, because of the public's perception, and that is why all of the meetings came about.

- Comment that it would slow down the process at the start to ensure that everybody was on board and when it all came together, it was okay. Now we have more reasonable projects and people know in general that there are more reasonable things going on, so we can streamline the process, and the big things will be treated differently. Cari Meyer explained that the people on the Committee who have gone through the process have acknowledged they would want all of the meetings for the larger projects, but for simpler projects, they want to say they don't need those meetings. Donna Puckett added that some projects were coming in for one work session and the public hearing, and the Commission had such major recommended changes, their architects had to go back Thursday night and work until Tuesday night to try to get those changes made, and that was the dawning of some of the conceptual meetings.
- Comment that it is a great thing; it simplifies the process for smaller projects and gives the Commission and staff flexibility.
- Comment that anything to streamline it and get things moving more efficiently is good.
- Comment that there have been far too many meetings on some projects.
- Comment that this is a good approach; it doesn't substantively differ a lot from what staff could have been doing, but we are giving our blessing to exercise more discretion and flexibility. What is important is having a chart for the applicant who is not familiar with the process, and one suggested change in the language would be to note at the top of the chart that the applicant should understand that once the applicant has come to an agreement with staff, it doesn't preclude the Commission from scheduling additional meetings as needed – that is the tradeoff. The applicant may want to go full speed ahead and staff agrees, but then the Commission may need extra meetings, so we don't want them to feel blindsided.

John Wesnitzer explained that most developers are all about timing and getting it done by a certain date, so if the thing drags out they miss their timing with the banks, etc.

- Question about having a similar chart for the subdivision process, because that is different. Cari explained that there was a question about state requirements versus city requirements for the number of lots. We are in line with the state's requirements, but for a subdivision, the state has a different minimum number of lots for counties, which is five lots or more, but in municipal jurisdictions, it is three lots or more. Our current subdivision requirements could require a conceptual plat for any subdivision greater than 10 units and that isn't in the state requirements, so we will discuss that with the work group.
- Comment clarifying that the question was if the same worksheet could be used. Cari indicated it might need to be tweaked, and Audree Juhlin added that she spoke with the City Manager about the subdivision process and we will be evaluating that based on how other communities are doing it, and we may streamline it even further through the Land Development Code. Cari added that the group has been working within the code, because the requirements are minimal compared to what we actually do.
- Comment that the group will probably discuss the subdivision process more in the next meeting, and we are hearing comments that it is an inquisition to come before the Commission, we're micromanaging and taking too much time, so out of that came the subject of community benefits and this process.
- Comment indicating that the Commission is doing a pretty good job and in six or seven years we have voted down one project maybe. Some of the projects took more time, because the applicant caused some concerns or didn't follow-through, or delays were caused by staff in general, so this makes a lot of sense.

Audree Juhlin requested that any additional comments be given to Cari, and John Wesnitzer indicated that the City has great staff, so you should force them to make good decisions.

9. FUTURE MEETING DATES AND AGENDA ITEMS (10 minutes; 6:40 pm–6:50 pm)

- a. **Thursday, May 15, 2014 3:30 pm (Work Session)**
- b. **Tuesday, May 20, 2014 5:30 pm (Public Hearing)**
- c. **Thursday, May 29, 2014 3:30 pm (Work Session)**
- d. **Tuesday, June 3, 2014 5:30 pm (Public Hearing)**

Staff summarized that on Thursday, May 15th, there is a work session on some Land Development Code changes related to the public art section to reflect the Citizens Engagement process, since there is no longer an Arts & Culture Commission, and it is scheduled for action on the 20th. On the 20th, there will also a work session on the Sky Ridge Subdivision.

The Chair questioned the need for two meetings on the Land Development Code public art section and Audree indicated that staff will check the public notice. We are bound by state law in how we review the Land Development Code. Commissioner Taylor noted that for a work session, it is better in the Vultee Conference Room and Cari indicated she would check for room availability.

Cari indicated that on May 29th, there will be a Conceptual Review for the proposed 120-room Marriott Courtyard Hotel on the parcel between the high school and Park Place, and that information is online on the Current Projects page. They also are willing to do a site visit around 2:00 p.m. before the work session and have the building marked. Audree added that from the plans online, even though it is conceptual, there is a clear understanding of what is being proposed.

Cari added that currently there is nothing on the agenda for June 3rd and there could be an update on the projects on May 20th. The Chairman suggested hearing an overview from the Forest Service about things happening on the Forest Service lands and Audree indicated that staff will work on that as a future agenda item.

Chair Losoff noted that he will not be available on May 15th and 20th, so Vice Chair Hadley will be chairing those meetings.

10. EXECUTIVE SESSION

If an Executive Session is necessary, it will be held in the Vultee Conference Room at 106 Roadrunner Drive. Upon a public majority vote of the members constituting a quorum, the Planning and Zoning Commission may hold an Executive Session that is not open to the public for the following purposes:

- a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).
- b. Return to open session. Discussion/possible action on executive session items.

No Executive Session was held.

11. ADJOURNMENT

Chair Losoff called for adjournment at 7:23 p.m., without objection.

I certify that the above is a true and correct summary of the meeting of the Planning & Zoning Commission held on May 6, 2014.

Donna A. S. Puckett, *Administrative Assistant*

Date