



DEPARTMENT OF COMMUNITY DEVELOPMENT
Current Planning Division

104 Road Runner Drive
Sedona, Arizona 86336

Tel: 928-203-5100
Fax: 928-204-7125
TDD: 928-282-3113
ngioello@sedonaaz.gov

SUMMARY SHEET
Thai Spices Restaurant, DEV2010-3
Development Review

Action requested: Development Review

Staff recommendation: Approval with conditions

Parcel number: 408-26-018B and 408-26-018C

Meeting date: September 6, 2011

Applicant: Paul Davis

Project summary: Commercial restaurant, approximately 2,188 square feet, detached walk-in cooler approximately 160 square feet and associated parking

Location: 1425 S.R. 89A

Site Size ± 0.78 acres

Current zoning: C-2 (General Commercial)

Current land use: Partially developed with an existing automotive repair facility in the rear

Current SCP designation: Commercial

	<u>Area zoning</u>	<u>Area land uses</u>
North:	C-2	Old Market Place retail development
South:	RS-12	Saddle Rock subdivision
East:	C-2	Olde Sedona Restaurant
West:	C-2	New Day Spa

Report prepared by: Nicholas R Gioello, Senior Planner

Thai Spices Restaurant Summary Page

The applicant is requesting a Development Review to construct a new restaurant:

- Main building, approximately 2,188 sq. ft.
- Detached walk-in cooler building, approximately 160 sq. ft.
- 24 parking spaces
- Outdoor dining patio
- Construction of a highway deceleration lane
- Culverting of existing drainage channel

Strengths:

- Meets all Land Development Code requirements, no waivers of code are requested.
- New deceleration lane will improve safe access from S. R. 89A to the site.
- Use of sustainability practices: orientation of building for passive solar collection, roof-mounted solar panels, and recycling.
- Removal of high water-use, invasive volunteer elm trees.
- ADA pathway from S.R. 89A sidewalk to the building.

Weaknesses:

- None noted

Attachments:

- Letter of Intent
- Vicinity map (11" x 17")
- Aerial view (8½" x 11")
- Site plan, landscape plans, elevations, grading and drainage plan, floor plan and architectural perspective drawing (11" x 17")



Current Planning Division

STAFF REPORT

To: Planning and Zoning Commission

Through: John O'Brien, Director
Department of Community Development

From: Nicholas Gioello, Senior Planner
Department of Community Development

Meeting date: September 6, 2011

Applicant: Paul Davis

Case number: DEV2010-3

BACKGROUND

The applicant met with staff several times during 2010 to discuss the potential development of the front two-thirds of the property with a new building to relocate the Thai Spices Restaurant. The proposal has been reviewed by the Planning and Zoning Commission as a Conceptual Review with an introductory work session on December 2, 2010, and public hearing on January 4, 2011. The applicant, responding to input from the Commission, staff and the public, has made several modifications to the proposal. An introductory work session with the Planning and Zoning Commission was held on August 16, 2011.

SITE CHARACTERISTICS

- An open drainage channel runs along the west property line. Runoff from the Old Market Place crosses under the highway and through this channel.
- The site slopes gently from north to south with a six-foot drop from the highway elevation at the driveway to the midpoint of the lot.
- The front two-thirds of the lot is undeveloped; the rear portion has been developed with a 2,100 sq. ft. automotive repair facility and associated parking area.

DEVELOPMENT PROPOSAL

- One single-story commercial building, approximately 2,188 sq. ft. in size, with a detached 160 sq. ft. walk-in cooler.
- Outdoor patio dining area facing the highway.
- Twenty-four delineated parking spaces.
- ADA access pathway from the existing sidewalk along S. R. 89A to the building.
- The existing open drainage channel will be box culverted.

Site Area, Lot Coverage

- Total site area is 0.78 acres (33,976.8 sq. ft.)
- The maximum allowable lot coverage for the C-2 zoning district is 25% (8,492.2 sq. ft.).
- The proposed building and walk-in cooler equals 2,348 sq. ft., and the existing automotive repair building equals 2,100 sq. ft. The combined square footage of all buildings on the site is 4,448, for a total lot coverage of 13%.

Access

- Access to the project is proposed with a new deceleration lane and driveway connection to S. R. 89A.
- The first two parking spaces adjacent to the driveway on the east property line will have removable tire stops and serve as an occasional connection to the parking lot of the Olde Sedona Restaurant for special occasions and events.

Parking

- Based on Section 912.04 of the Land Development Code, restaurant use requires one parking space per 100 sq. ft. of floor area. The total square footage of the main building and the detached walk-in cooler equals approximately 2,348 sq. ft., therefore 24 parking spaces will be required and are provided.
- The existing automotive repair facility requires 11 parking spaces. The applicant is providing space for 24 vehicles, which exceeds the minimum parking space requirements.
- The proposal exceeds the minimum parking standards for the entire property.

Traffic Impacts

- Traffic impacts and right turn-in vehicular movements will be improved with the addition of the deceleration lane. The deceleration lane will also extend east to the adjacent driveway for the Olde Sedona Restaurant.

Grading/Drainage

- The applicant is proposing to culvert the open drainage channel along the west property line. The box culvert will improve the flows that enter and pass through the property.
- A portion of the building will span across the box culvert.

Wastewater disposal

- The development will be connected to the City's wastewater system.

Design Review Manual Compatibility

Architectural Character and Style

- The architecture of buildings in the surrounding area varies with exterior materials ranging from stucco and minimal amounts of native stone, to wood siding, thick wood beams and rusted metal roofs. The styles range from contemporary Southwest (Old Market Place and Chase Bank building), contemporary modern

(New Day Spa), traditional (Olde Sedona Restaurant) and a rustic commercial building with historic features on the corner of Saddle Rock Circle and S.R. 89A.

- The applicant is proposing a mixture of styles. A Southwest style with the use of stucco walls and native stone clad columns. A modern contemporary feel with a combination standing seam metal roof and gently curving roof articulation along the front portion of the building, along with a flat roof with parapets in the rear. Roof overhangs will provide articulation and shadow relief on building walls and windows. Large panes of glass on the northeast elevation will enhance the building's entry and define the front of the building, while providing a sense of visual openness to the outdoor views for guest dining inside the restaurant.
- In response to concerns expressed by some commissioners, the building orientation has been modified to sit at approximately 30 degrees askew of true north, instead of 45 degrees as originally proposed. According to the applicant, the building orientation will maximize solar gain through the upper clerestory windows along the southeast face of the building. The proposed orientation will also provide maximum exposure for the photovoltaic roof panels.

Proportion and Scale of Project

- The use of varying vertical and horizontal planes and single-story building will reduce the visual impact and scale of the building from the highway right of way, enhancing the building's human scale and small town character. The building will be raised several feet above existing grade, so that the finish floor will be 1.5-feet below the highway elevation at the driveway entrance. This will significantly reduce the appearance of the building as being "down in a hole" or below the highway elevation, a concern expressed by several commissioners in the past when dealing with similar properties adjacent to and below the highway.

Building Heights and Application of Alternate Standards

- The building is proposed as single-story, with a maximum height of 14.5-feet.
- The use of Alternate Standards or height waivers is not proposed.

Building Massing

- Given the relative small scale of the building and its configuration, the proposed massing appears well broken up with two definable masses in plan view and three roof masses in elevation view, and meets the code requirements for massing.

Building Materials and Textures

- Stucco
- Standing seam metal roof
- Native rock cladding on columns
- Pavers (front patio)

Building Colors

- Three different exterior colors will be incorporated, with Light Reflectance Values of 20% or less, well under the maximum LRV color standards.

Citizen Participation Report

- During the Conceptual review, the applicant held an open house and met the Citizen Participation requirement.
- For the current Development Review, the applicant mailed information letters out to all property owners within 500 feet. No responses or inquiries were received by the applicant.

Vegetation/Landscaping

- The landscape plan indicates that six trees will be removed and four trees will be saved in place. Trees to be removed are: one juniper, one cottonwood, one mulberry and three volunteer elms.
- Twenty-one trees are proposed to be planted as follows:
 - 6 Desert Willow, 15-gallons
 - 7 Arizona Cypress, 15-gallons
 - 1 Crepe Myrtle, 24-inch box
 - 7 Photinia, 24-inch box
- 89 various shrubs are proposed throughout the site all identified as desirable in the Sedona Area Sensitive Landscape list. Significant landscaping is proposed along the front of the property, adjacent to the highway and in parking lot islands and around the perimeters of the buildings.

Signage

- All proposed signs shall meet the requirements of the Land Development Code and sign permits shall be required.

Outside lighting

- All proposed lighting shall meet the requirements of the Land Development Code.

Mechanical Equipment

- Mechanical equipment will be roof mounted solar panels, air conditioning units and swamp coolers behind the rear parapets that will provide adequate screening. Units will be painted to match the surrounding roof color.

COMMENTS AND CONCERNS

Community Development - Long Range Planning Division

Community Plan Recommendation:

- Commercial.
- The proposal is consistent with the community plan land use map designation.

Community Development - Current Planning Division

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- Staff generated a comprehensive list of comments and concerns that were provided to the applicant as a result of staff's initial review of this project. The applicant has addressed staff's comments with a revised site plan and revised letter of intent, which are provided at the end of this staff report.
- Staff is supportive of the applicant's revised site plan with a building orientation approximately 30 degrees askew of true north in relation to S.R. 89A, instead of 45 degrees as originally proposed. The proposed building orientation will maximize solar gain through the upper windows and provide maximum exposure for the roof-mounted photovoltaic panels.
- Staff is supportive of the proposed use of stone clad columns on the building. The applicant's submitted materials board shows a rustic rock as the choice.
- Staff is supportive of the potential parking lot connection to the Olde Sedona Restaurant. The applicant, at the urging of staff, approached the owner of Olde Sedona Restaurant to discuss establishing a permanent connection so that traffic could circulate between the two properties. The owner of Olde Sedona Restaurant declined a permanent connection but did agree to a temporary connection during special events. If ownership of the Olde Sedona Restaurant changes in the future, the applicant would be encouraged to discuss this option of a permanent connection.
- The landscape plan appears adequate to provide screening of parking areas and to soften the appearance of building. The landscape pallet is consistent with the City of Sedona Low Water Plant List. All new tree and shrub requirements for parking areas, street frontage and building square footage meet or exceed minimum standards. The mix of evergreen to non-evergreen varieties also meets or exceeds the minimum percentage standards.

City of Sedona Building Safety Division

- All exterior accessible routes shall conform to the latest amendments of ADA.
- Sprinkler system approval and inspection shall be per the Sedona Fire Marshal.
- The size of the grease interceptor shall be per the requirements of the City's Wastewater Division.
- Additional comments shall be provided at the time of building permit review.

City of Sedona Engineering Department

In the Final Drainage Report dated August 12, 2011, the applicant's engineer concludes the following:

- Storm water flows that overtop SR 89A are directed around the building by curbing adjacent to the ADA access sidewalk. From the curbing, flows will travel east and west around the building and then follow traditional flow patterns to the south and southwest, and back into the wash.
- Storm water detention will not be required.
- The proposed box culvert will have equal or greater capacity than the existing ADOT culvert crossing SR 89A.
- The proposed box culvert will have greater capacity than the existing open channel that runs along the west property line.

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- The development will not adversely impact the historic water flows. The applicant may need to address modifications to the proposed box culvert outlet to reduce velocities to historical velocities at that location.
- As of August 22, 2011, the City has not received any comments from ADOT regarding the applicant's proposal to connect their box culvert directly to the existing ADOT box culvert. The City has not received any comments from ADOT regarding the approximately 80-feet of the proposed ADA access within the ADOT right-of-way.
- As of August 22, 2011, the applicant had not responded to the City regarding what he deems an appropriate drainage easement width based on construction industry recommendations.

City of Sedona Police Department

- No comments provided.

Sedona Fire District

- Automatic fire sprinklers will be required for this project.
- Other project specific requirements have been provided to the applicant.

ADOT

- No comments provided. ADOT had previously agreed to the proposed deceleration design.

Oak Creek Water Company

- Full building plans with utilities will be required to review water and fire service connections and cost.

Yavapai County Health Services

- Plan submittal and review will be required for all new construction. Required plans shall include food menu, facility site plan, floor plan, plumbing schedule, equipment list, finish schedule and ventilation/mechanical detail. Grease interceptors shall be placed outside of the building.

Yavapai County Flood Control

- The property is inundated by the City of Sedona Floodplain and Floodway. The proposed building is located over both floodway and floodplain portions of the site. If the drainage way is in the FEMA Floodplain, the District will require elevation of the building to the Regulatory Flood Elevation as well as engineering to show no-rise in the floodway. Since this site is in the Sedona Floodway, the District recommends that the engineering for this site comply with the City of Sedona drainage requirements.

Unisource Energy Services (Natural Gas)

- No comments provided.

APS

- Electric service shall be run underground from an existing power pole.

NPG Cable

- No comments provided.

REVIEW, COMMENTARY and ANALYSIS

DEV2010-3-- DEVELOPMENT REVIEW:

Staff's review focused on:

Compliance with ordinance and reviewing agency requirements

Ordinance requirements and reviewing agency concerns have either been satisfied or will be through application of conditions of approval.

Consistency with the Sedona Community Plan and other Specific Area Plans

As noted above, the development proposal is consistent with the Sedona Community Plan.

Consistency with the Development Review Ordinance (DEV)

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:

- *The degree to which all of the applicable provisions of this Code and all other ordinances have been complied with.*
- *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.*
- *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.*
- *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.*
- *That the proposed use is in general conformance with applicable goals, objectives and recommendations described in the Community Plan and adopted specific plans.*
- *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.*

- *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.*
- *The degree to which the proposed development addresses concerns cited by participating reviewing agencies with jurisdiction in the areas of public health and safety.*

In reviewing Section 401.06, staff finds the proposal consistent with the Development Review Ordinance and the Design Review Manual in the following ways:

- The proposal meets the Sedona Land Development Code requirements, is consistent with applicable goals and objectives of the Community Plan, and as conditioned, will satisfy reviewing agency requirements.
- The vehicular and pedestrian proposals relating to site ingress, egress, and internal and external traffic circulation, and off-street parking facilities have been planned or will be conditioned according to code requirements.
- The proposed architectural style is respectful of and compatible with Sedona's character and unique environmental setting.
- The building is broken up with varying wall planes and surfaces. Appropriate exterior colors and textures are proposed on the building. The proposed building complies with the City's massing and overall building height requirements.
- Building materials and the exterior colors are cited as desirable in the Design Review Manual. Light Reflectance Values of 20 percent or less are proposed for the main wall and roof colors. The choice of building materials such as stone clad columns, stucco, standing seam metal roof, and patio pavers, are listed as acceptable materials in the Design Review Manual.
- Low-key fully shielded exterior lighting consistent with the Land Development Code goals of preserving Sedona's night sky is proposed.
- The proposed landscaping is consistent with the list of low water use native and adaptive plants incorporated into the Design Review Manual. The chosen landscape pallet will provide colors and textures to complement the proposed buildings. It is staff's opinion that the landscape plan meets the intent of the Land Development Code and exceeds the minimum requirements.
- The Design Review Manual includes a section called Sedona Area Sensitive Design Principles. These Design Principles are the essence and foundation of the Design Review Manual, and they have as their core value the "belief that new development should respect and enhance the unique red rock landforms, climate, topography, vegetation and historical context of Sedona's natural forest and creek environments". In staff's opinion, the proposed Thai Spices project meets these Design Principles. The project incorporates desirable character and design features as defined in the Design Review Manual and certain neighboring buildings, by utilizing similar building materials and landscaping, which complements existing developments within the vicinity. Appropriate building materials and colors consistent with the Design Review Manual

and the Land Development Code have been chosen. The building has been designed with an architectural style compatible with surrounding developments. The building's relative low height and placement enhances the project's small town character and human scale.

RECOMMENDATION

Based on compliance with ordinance requirements as conditioned, general consistency with and conformity to the Sedona Community Plan, conformance with the requirements of the Development Review Section of the Land Development Code, consistency with the Design Review Manual and compatibility with surrounding land uses and the character of the surrounding area, staff recommends approval of case number DEV2010-3, subject to applicable ordinance requirements and the conditions of approval listed at the end of this staff report.

Recommended Motion for Approval

I move for approval of case number DEV2010-3, based on compliance with Land Development Code requirements, Development Review criteria, and consistency and conformance with the Community Plan and Design Review Manual, subject to all applicable ordinance requirements and the conditions as outlined in the staff report.

Alternative Motion for Denial

I move for denial of case number DEV2010-3, based on the following findings (Please specify findings).

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

**CONDITIONS OF APPROVAL
DEV2010-3 Thai Spices**

1. The Development Review approval for Thai Spices project shall be valid for a period of two years and shall expire on September 6, 2013, unless a valid building permit has been issued and the building is under construction and being diligently pursued towards completion.
2. 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 plan, letter of intent, and all supporting documents and architectural sketches, as reviewed, modified, and approved by the Planning and Zoning Commission. Proposed changes to the approved exterior building materials and colors determined to be substantial by the Director of Community Development shall require reconsideration by the Planning and Zoning Commission at a public meeting.
3. 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. The recording of the drainage easement and dedication to the City shall be completed to the satisfaction of the City Engineer.
 - B. A "No-Rise Certification" will be required for the culvert placement in the existing floodway.
 - C. On the Site Plan, provide information showing that the new sidewalk and curb ramps will be ADA compliant (include detailed slope and grading information). In the construction of ADA compliant pedestrian facilities, ADA grade tolerances shall be met, not Maricopa association of Government standards (MAG).
 - D. The applicant shall provide a Final Grading and Drainage plan, including a Final Drainage Report, for review and approval by the Engineering Department.
 - E. The applicant shall provide a Storm Water Pollution Prevention Plan (SWPPP) along with a completed (City of Sedona) NOI application. Storm water pollution prevention measures shall be in place prior to start of construction. Storm water permitting will be per City of Sedona Code, Chapter 14 requirements.
 - F. The applicant shall provide a Dust Control Plan for review and approval. The plan shall include, at a minimum:
 - A watering schedule for dust mitigation (or other methods, i.e. palliatives).
 - All trucks hauling material into or out of the site shall be covered.

- A track out plan defining methods of mud and dust removal from truck tires prior to their exiting the site.
- G. All requirements of ADOT concerning ingress/egress for the site shall have been satisfied. An ADOT Right-of-Way permit shall be acquired for any work proposed within ADOT rights-of-way.
- H. The applicant shall provide a Traffic Control Plan for review and approval for the proposed work within S.R. 89A right-of-way.
- I. The applicant shall provide a Neighbor Contact and Response Plan. The plan shall define site signage, which shall include a hotline number.
- J. The applicant shall provide a Haul Plan for review and approval.
- K. The plans shall delineate oil separators for all paved surfaces prior to its release into the City's storm sewer system. Manufacturer or engineer's specifications and a maintenance schedule shall be provided.
- L. Drainage improvements impacting the adjacent parcel shall be coordinated with the owner of that parcel.
- M. A detailed landscape plan shall be submitted for review and shall have received approval from the Director of Community Development. Said plan shall substantially reflect the intent of the preliminary landscape plan as approved by the Planning and Zoning Commission.
- N. The site plan, grading plan and landscape plans shall be carefully coordinated and any discrepancies resolved.
- O. A detailed lighting plan with lighting cut sheets of all exterior lights shall be submitted by the applicant, and reviewed and approved by the Director of Community Development. The lumen calculation table shall also include all exterior sign lights. A maximum of 78,000 lumens is available for all exterior lights on the entire property, including the existing automotive repair building.
- P. Drawings showing the placement and method of screening or painting of all mechanical equipment shall be submitted and reviewed and approved by the Director of Community Development.
- Q. Provide a copy of the geotechnical report for all building footings. The west corner of the restaurant building shall be fully supported by a footing without load placement on the underlying culvert.

- R. All stored inoperable vehicles not currently under repair shall be removed from the property.
4. 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 and Zoning Commission, 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. An Elevation Certificate by an Arizona licensed surveyor verifying the finished floor elevation of the building being at or above 4414.5 (1929 NGVD) shall be provided.
 - D. Installation of all proposed landscaping shall be complete and in accordance with the approved landscape plan.
 - E. 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.
 - F. All new utility lines shall be provided through underground installation.
 - G. 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.
 - H. All requirements of the Sedona Fire District shall be satisfied.
 - I. The applicant shall provide copies of all required testing to the Engineering Department.
 - J. As-builts shall be provided to the City in digital and hard copy formats acceptable to the City Engineer.
 - K. All areas of cut and fill shall be landscaped or dressed in such a manner as to reduce the potential for erosion.

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- L. Exterior paint samples shall be applied to large wall sections of the building for review and approval by City staff and the Planning and Zoning Commission.
 - M. 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.
 - N. Sewer construction shall comply with Chapter 13 of the City of Sedona City Code.
 - O. 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.
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. 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.