

# AGENDA

## City of Sedona Planning and Zoning Commission Meeting

4:30 PM

Tuesday, July 15, 2025

### NOTICE:

Pursuant to A.R.S. 38-431.02 notice is hereby given to the members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission will hold a meeting open to the public on Tuesday, July 15, 2025, at 4:30 pm in the City Hall Council Chambers.

### NOTES:

- Meeting room is wheelchair accessible. American Disabilities Act (ADA) accommodations are available upon request. Please phone 928-282-3113 at least 24 hours in advance.
- Planning & Zoning Commission Meeting Agenda Packets are available on the City's website at: [www.SedonaAZ.gov](http://www.SedonaAZ.gov)

### GUIDELINES FOR PUBLIC COMMENT

#### PURPOSE:

- To allow the public to provide input to the Planning and Zoning Commission on a particular subject scheduled on the agenda.
- Please note that this is not a question/answer session.

#### PROCEDURES:

- It is strongly encouraged that public input on the agenda items be submitted by sending an e-mail to [planning@SedonaAZ.gov](mailto:planning@SedonaAZ.gov) in advance of the 4:30 Call to Order.
- Fill out a "Comment Card" and deliver it to the Recording Secretary.
- When recognized, use the podium/microphone.
- State your Name and City of Residence
- Limit comments to 3 MINUTES.
- Submit written comments to the Recording Secretary.

1. CALL TO ORDER, PLEDGE OF ALLEGIENCE, ROLL CALL
2. ANNOUNCEMENTS & SUMMARY OF CURRENT EVENTS BY COMMISSIONERS & STAFF
3. APPROVAL OF THE FOLLOWING MINUTES:
  - a. May 20, 2025 (SV)
  - b. May 20, 2025 (R)
4. PUBLIC FORUM: *(This is the time for the public to comment on matters not listed on the agenda. The Commission may not discuss items that are not specifically identified on the agenda. Pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to criticism, or scheduling the matter for further consideration and decision at a later date.)*
5. CONSIDERATION OF THE FOLLOWING ITEM(S) THROUGH PUBLIC HEARING PROCEDURES:
  - a. Public Hearing/discussion/possible action regarding a request for approval of a Zone Change (ZC) from RS-18 (Single Family Residential) to CO (Commercial) to allow for development of additional parking for the Hillside Shopping Center. The subject properties are located at 62 & 86 Royal Glen Lane, east of the Hillside Shopping Center and northeast of the intersection of State Route 179 and Sombart Lane. APN: 401-19-012 & -013A.  
  
**Case Number:** PZ25-00003 (ZC)  
**Property Owner:** MCA Hillside, LLC (Tyler Mattox)  
**Applicant:** MCA Realty, Inc (Tom Hanrahan)
6. FUTURE MEETING DATES AND AGENDA ITEMS
  - a. Tuesday, August 5, 2025
  - b. Tuesday, August 19, 2025
7. EXECUTIVE SESSION  
  
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.
8. ADJOURNMENT

Physical Posting: July 10, 2025 By: DJ

Planning & Zoning Commission Meeting Agenda Packets are available on the City's website at: [www.SedonaAZ.gov](http://www.SedonaAZ.gov) or in the Community Development Office, 102 Roadrunner Drive approximately one week in advance of the meeting.

Note that members of the City Council and other City Commissions and Committees may attend the Planning and Zoning Commission meeting. While this is not an official City Council meeting, because of the potential that four or more Council members may be present at one time, public notice is therefore given for this meeting and/or event.

Staff Report  
PZ25-00003 (ZC)  
Hillside Parking  
Summary Sheet



City of Sedona  
Community Development Department  
102 Roadrunner Drive Sedona, AZ 86336  
(928) 282-1154 • [www.sedonaaz.gov/cd](http://www.sedonaaz.gov/cd)

**Meeting Date:** July 15, 2025

**Hearing Body:** Planning and Zoning Commission

**Project Summary:** Zone Change (ZC) from RS-18 (Single-Family Residential) to CO (Commercial) to allow for development of additional parking for the Hillside Shopping Center.

**Staff Recommendation:** Recommendation of Approval, with conditions of approval

**Location:** 62 & 86 Royal Glen Lane (Behind Hillside Sedona Shopping Center, 671 SR179)

**Parcel Numbers:** 401-19-012 & 401-19-013A

**Applicant:** Tom Hanrahan (MCA Realty, Inc.)

**Property Owner:** MCA Hillside, LLC (Tyler Mattox)

**Site Size:** ± 1.6 acres

**Sedona Community Plan Designation:** Mixed Use (MU)

**Existing Zoning:** RS-18 (Single-Family Residential)

**Proposed Zoning:** CO (Commercial)

**Current Land Use:** Vacant/non-permitted overflow parking for Hillside Sedona Shopping Center

**Surrounding Properties:**

|              | <u>Area Zoning</u> | <u>Area Land Uses</u>                            |
|--------------|--------------------|--------------------------------------------------|
| <b>North</b> | CO, P              | Commercial, Parking                              |
| <b>South</b> | P, RS-18, RM-1     | Parking, Single-Family & Multifamily Residential |
| <b>East</b>  | RS-18              | Single-Family Residential                        |
| <b>West</b>  | CO                 | Commercial (Hillside Shopping Center)            |

**Report Prepared By:** Megan Yates, Assistant Planner

**Attachments:**

|                                                                                                |    |
|------------------------------------------------------------------------------------------------|----|
| 1. Vicinity/Aerial Map .....                                                                   | 17 |
| 2. Project Application Materials                                                               |    |
| a. Application, Letter of Intent, Citizen Participation Report, Deed Restriction (Draft) ..... | 21 |
| b. ALTA survey, Legal Description, Parking Use Restriction (Draft) .....                       | 31 |
| c. Site Plan and Outdoor Lighting.....                                                         | 46 |
| 3. Public Comments .....                                                                       | 60 |



## PROJECT DESCRIPTION

This is a request for approval of a Zone Change (ZC) from RS-18 (Single-Family Residential) to CO (Commercial) to allow the subject properties to be developed as a legal parking lot. The properties are currently operating a non-permitted parking lot used by Hillside Sedona Shopping Center (Hillside).

Development of this site is permitted in accordance with the Land Development Code (LDC) requirements, including [Article 2 \(Zoning Districts\)](#), [Article 3 \(Use Regulations\)](#), and [Article 5 \(Development Standards\)](#). The properties are zoned RS-18, which does not permit commercial parking facilities. The CO zone allows parking facilities as a permitted use in accordance with Land Development Code (LDC) requirements, specifically [Article 3 \(Use Regulations\)](#).

The properties were originally used as a temporary wastewater facility and are currently being used as a non-permitted parking facility that was established between 1997 and 2003. Since the zoning does not permit parking facilities, the spaces cannot be counted toward the total parking for the Hillside Sedona Shopping Center, and a permit for the improvement of the property cannot be issued.

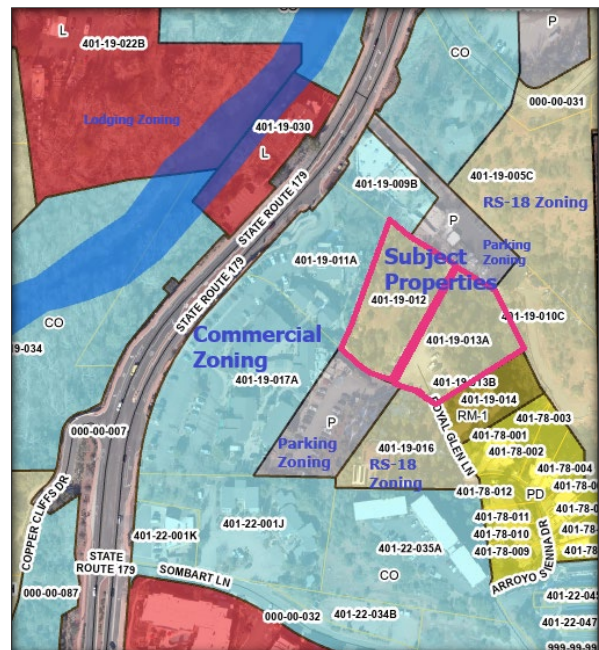
## BACKGROUND AND PROPERTY INFORMATION

### *Site Characteristics*

- The properties are located northeast of the intersection of State Route 179 and Sombart Lane, behind Hillside, in Coconino County (See [Attachment 1](#)).
- The properties are accessed through the existing parking lot of Hillside.
- The properties slope down to the north where there is a City of Sedona Floodplain (Floodway, 100 year floodplain and 500 year floodplain).
  - The current parking area is not located in any floodplain and expansion of the parking area is not proposed at this time.
- The area where the current gravel lot is located has been previously graded. The rest of the site remains in its natural condition.
- The properties are not part of a recorded subdivision.
- The properties are functioning as a gravel overflow parking lot for Hillside but have never been approved for that purpose.
- Development plans from 1997 show the property approved for use as a temporary wastewater treatment facility
- Based on historic aerial photos, the area began to be used as a parking lot between 1997 and 2003.

### *Community Plan and Zoning Designations*

The properties are designated Mixed Use in the Community Plan and zoned Single-Family Residential (RS-18). Surrounding zoning includes Parking, Commercial, and Residential – see image to the right.



There is no adopted Community Focus Area (CFA) plan for this area, but the properties are within the Proposed Uptown CFA, Ranger Road Area, which has been identified in the Community Plan as an area for which a CFA Plan could be adopted in the future (See Community Plan, pages 48-49). While most of the opportunities for this area are relevant for properties by the creek and along Ranger Road, the Community Plan states that properties throughout the CFA should be including strategies to address public parking and transit access improvements.

In addition to being within the Uptown CFA Area, these properties are designated Mixed Use (MU) in the Community Plan (see Community Plan page 41). This designation is intended to support developments with a variety of uses and can serve as transitional between more intense commercial uses and residential uses.

The proposed zoning is Commercial (CO). The purpose of the CO zone is:

*...intended to accommodate general retail and other commercial and service uses, and incidental or accessory uses, where access requires good vehicular circulation. Land uses are characterized by frequent visits of customers and clients. The CO district is intended to provide attractive commercial development with adequate access to arterial streets and with efficient internal circulation and parking and that is compatible with surrounding residential areas. [LDC Section 2.14A](#)*

## PUBLIC INPUT

- The applicant completed a Citizen Participation Plan. A copy of the Citizen Participation Report is included in the application packet ([Attachment 2](#))
- Project documents submitted by the applicant were placed on the [Projects and Proposals](#) page of the Community Development Department website.
- Property owners within 300 feet of the subject properties were notified of the Public Hearing.
- The property was posted with a Notice of Public Hearing, and a notice was published in the Red Rock News on June 27, 2025.
- All notices contain contact information and a way to submit comments. Written comments received by Staff are included as [Attachment 3](#).

## REVIEW AGENCY COMMENTS AND CONCERNS

The application materials were routed to all internal and external reviewing agencies for comments. Comments were received from the following agencies:

- City of Sedona Community Development Department, Planning
- City of Sedona Public Works Department
- City of Sedona Community Development Department, Housing

## DEVELOPMENT PROPOSAL

The applicant is applying for a Zone Change from RS-18 (Single-Family Residential) to CO (Commercial) to allow for development of the property as an employee parking lot for Hillside.

A detailed description of the proposal, including a site plan, is included in [Attachment 2](#).

### Phasing

The project is to be developed in a single phase.

## Sedona Land Development Code (LDC)

### LDC Article 2: Zoning Districts

- The proposal is in compliance with applicable standards for the zoning district. If the rezoning is approved, any future construction will be required to comply with CO requirements.

### LDC 5.3: Grading and Drainage

- The City's Engineering Staff has reviewed the conceptual plans and will review the final plans for grading and drainage requirements.
- No floodplains impact the area for the parking lot.

### LDC 5.4: Access, Connectivity, and Circulation

- Access will be from State Route 179 through the existing Hillside parking lot.
- A fire lane and the existing access road are to be maintained.
- A pedestrian path from the parking lot to Hillside will be installed.

### LDC 5.5: Off-Street Parking and Loading

- Hillside currently has 145 legal parking spaces. The submitted plans show an additional 26 spaces on this property, for a total of 171 spaces.
  - The existing parking is sufficient for the existing uses at the center.
  - Any change of use that requires additional parking (such as a restaurant) will not be able to be approved unless additional parking is provided. Additional spaces in this lot would allow for change of uses in the center.
- The parking layout includes tandem parking. To ensure customers are not blocked in, the property owner has proposed this as an employee lot.
- Parking lot is designed to meet minimum parking lot dimensional requirements.
- Hillside does not currently have any bicycle parking spaces. The property owner will be adding 20 bicycle parking spaces.

### LDC 5.6: Landscaping, Buffering, and Screening

- The parking lot will be landscaped in accordance with LDC Standards.
- Buffering to adjacent residential uses will be provided.

### LDC 5.7: Site and Building Design

- Other than the parking lot, no new construction is proposed.

### LDC 5.8: Outdoor Lighting

- An outdoor lighting plan has been submitted.
- The fixtures submitted meet LDC requirements for shielding.
- The bulbs currently have a Correlated Color Temperature (CCT) of 5,000K and will be replaced with 2,700K bulbs.
- The site does not exceed the maximum permissible lumens.

### LDC 5.9: Public Art

- No public art is required for this project.

### LDC Article 6: Signs

- As the parking lot is being designated for employees, signs will be required to indicate this restriction. Signs will be required to meet all LDC requirements.
- No other signs are proposed at this time.

## REVIEW GUIDELINES, COMMENTARY, AND ANALYSIS

The following is requested from the Planning and Zoning Commission at this time:

- **ZONE CHANGE (ZC):** Review of Proposal, Recommendation to City Council

In making a recommendation regarding a ZC, the Planning and Zoning Commission should determine whether the proposal is in the interest of the public and is consistent with the community's vision, and overall consistency with the Sedona Community Plan.

## DISCUSSION (ZONE CHANGE)

### *Community Plan Compliance*

Zone change applications are evaluated for general consistency with city-wide policies of the Community Plan. Zone changes are not expected to implement every policy but should show consistency with the direction of the Community Plan. The following is Staff's evaluation of how the application does (or does not) address these policies.

### *Guiding Principles*

Guiding Principles were included in the 2023 Community Plan and are intended to set the standard for our community interactions with each other, our surroundings, and with those who are guests of our community.

One of the guiding principles is to support regional economic diversity, local businesses and responsible tourism (Community Plan, page 21). This outcome statement is intended to reflect the following future condition:

*We participate in a regional economy and we support our local businesses that practice respect for the environment and enhance our community's quality of life.*

This zone change is being proposed to allow for a greater diversity of businesses in an existing shopping center and supports local business and economic development. While Hillside has existed for over 30 years, they are currently experiencing problems with filling their tenant spaces and are experiencing a high vacancy rate. While there are businesses interested in renting space at Hillside, the lack of parking has prevented the City from being able to approve higher parking generating uses, such as restaurants, for the existing spaces.

### *Economy & Tourism (page 95-102)*

Chapter 8 of the Community Plan is the Economy and Tourism Chapter. Policies from this chapter that relate to this application include the following:

- Policy 8.6: Support programs that assist local businesses, entrepreneurs, telecommuters, and home based workers.
  - *The Community Plan encourages support of programs and policies that support local businesses. Allowing for additional parking will support Hillside as a whole as well as the individual businesses within the center.*
- Policy 8.10: Strive to find a balance between community quality of life and a healthy tourism economy, engaging both concerned residents and business owners in future decision making.
  - *The additional parking will enable Hillside to have a broader business diversity within the shopping center.*
  - *Maintaining and improving the existing access easement for the neighboring residences as well as ensuring the additional parking is employee-only will be better not only for the*

*business but for the neighboring residences with reduced traffic and/or congestion in the parking lot.*

#### **Overall Consistency with the Sedona Community Plan**

Staff has also evaluated this proposal for overall consistency with the Sedona Community Plan. The following goals and policies are addressed by the application.

#### **Land Use (Chapter 4)**

- The property is designated as Mixed-Use on the Future Land Use Map
  - This designation is intended to serve as a transition between more intense commercial uses and residential.
  - *The parking lot is a low-impact transitional use that improves existing commercial operations and does not introduce new commercial uses closer to the neighborhood.*
- Policy 4.8 (page 50): Promote efficient use of space and minimize asphalt coverage.
  - *The site has been previously graded and is not in its natural state. While the previously graded area will be paved, the rest of the site will be left in its natural/existing condition.*

#### **Circulation (Chapter 5)**

- Policy 6.18 (page 75): Develop an integrated area plan that addresses parking in the Uptown Community Fous Area (CFA). Though there is not a specific plan in place at this time, there is potential for one in the future.
  - *The properties are located within the Uptown CFA, which has identified the need to address resident, employee, and tourist parking. The new parking area will be designated for employee use.*

#### **Environment and Sustainability (Chapter 7)**

- Policy 7.2 (page 81): Encourage development projects to preserve natural areas.
  - *The properties have been previously graded and have been used as an informal parking lot. Allowing this use to continue legally makes use of a previously disturbed area and minimizes the impact on natural areas.*
- Policy 7.6 (page 83): Protect the water quality of the Oak Creek Watershed
  - *The properties have been previously graded and have been used as an informal parking lot. Allowing this use to continue legally allows the City to review and issue a permit for the parking lot development and ensure all needed stormwater pollution prevention measures are taken to ensure runoff from the site does not degrade Oak Creek.*

#### **Adopted Plans**

Staff evaluated the zone change relative to other adopted plans, including the GO! Sedona Pathways Plan, the Transportation Master Plan, and the Climate Action Plan. The proposal was found to be in compliance with these plans as summarized below. The proposal does not contradict any adopted plan.

#### **GO! Sedona Pathways Plan**

The goals for the GO! Sedona Pathways Plan is to connect community destinations with safe and convenient routes so residents can walk or ride from home to shopping centers and commercial areas. The improvements provide clear and efficient paths for vehicles and non-motorized users, supporting safer and more convenient travel for employees and residents.

#### **Transportation Master Plan (TMP)**

This project designates an off-street parking facility for employee use, reducing pressure on public parking areas, supporting broader goals for balanced and accessible parking solutions in Uptown.

### *Climate Action Plan (CAP)*

This project uses a previously disturbed area for employee parking, supporting the existing businesses and making better and more efficient use of an existing shopping center, in line with the CAP's goals to reduce the impacts of new development.

## **APPROVAL CRITERIA APPLICABLE TO ALL APPLICATIONS**

In addition, all development applications are reviewed under [LDC Article 8 \(Administration and Procedures\)](#). [LDC Section 8.3](#) contains procedures and rules applicable to all development applications while the following sections contain procedures and rules that apply to specific development applications. [LDC Section 8.3.E\(5\)](#) contains the approval criteria applicable to all development, subdivision, and rezoning applications.

### **A. Generally**

1. Unless otherwise specified in this Code, City review and decision-making bodies shall review all development applications submitted pursuant to this article for compliance with the general review criteria stated below.
2. The application may also be subject to additional review criteria specific to the type of application, as set forth in section 8.4 through 8.8.
3. If there is a conflict between the general review criteria in this section and the specific review criteria in section 8.4 through 8.8, the applicable review criteria in sections 8.4 through 8.8 control.

**Staff Evaluation:** *The project has been reviewed for compliance with all applicable criteria. Therefore, staff believes this criterion is met.*

### **B. Prior Approvals**

The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities.

**Staff Evaluation:** *There are no previous approvals that the current proposal would need to be consistent with, the application is in compliance with this criterion.*

### **C. Consistency with Sedona Community Plan and Other Applicable Plans**

Except for proposed subdivisions, the proposed development shall be consistent with and conform to the Sedona Community Plan, Community Focus Area plans, and any other applicable plans. The decision-making authority:

1. Shall weigh competing plan goals, policies, and strategies; and
2. May approve an application that provides a public benefit even if the development is contrary to some of the goals, policies, or strategies in the Sedona Community Plan or other applicable plans.

**Staff Evaluation:** *As outlined in the evaluation of the zone change, this proposal is consistent with and conforms to the Sedona Community Plan, the GO! Sedona Pathways Plan, the Transportation Master Plan, and the Climate Action Plan. The proposal does not contradict any of the policies within the Community Plan or other adopted plan. Therefore, staff believes this criterion is met.*

#### D. Compliance with This Code and Other Applicable Regulations

The proposed development shall be consistent with the purpose statements of this Code and comply with all applicable standards in this Code and all other applicable regulations, requirements and plans, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.

**Staff Evaluation:** *The CO district allows for a parking facility as a permitted use. The parking lot was found to be in compliance with LDC requirements. No separate Development Review application is required for the proposed improvements; City Staff will review the final plans and ensure all applicable code sections are met. Therefore, staff believes this criterion is met.*

#### E. Minimizes Impacts on Adjoining Property Owners

The proposed development shall not cause significant adverse impacts on surrounding properties. The applicant shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the Citizen Participation Plan for the specific development project, if such a plan is required.

**Staff Evaluation:** *The applicant completed a Citizen Participation Plan, letters to surrounding properties were sent on March 26, 2025, and no responses were received. This report was provided by the applicant on page 3 of the Letter of Intent. ([Attachment 2](#)).*

*The application has been posted on the City's website since submittal and Staff completed all required public noticing, including a published notice in the Red Rock News, mailings to property owners within 300 feet of the subject parcels, and posted signs on the property.*

*Four written comments were received by Staff:*

- *Two comments object to the proposed zone change, expressing concern about rezoning residential land to allow for increased parking.*
  - *Staff Response: The parcels have been used as an informal parking lot since at least 2003. The proposal would formalize the parking area, allowing the spaces to be counted if a future use at Hillside requires additional parking. While no housing is planned at this stage, the property owner has agreed to a deed restriction to ensure that any future housing would be restricted from becoming a short-term rental.*
- *Two comments cite concerns regarding noise, traffic, vehicle congestion, and aesthetics. This commenter also stated they did not receive notice, allegedly due to an incorrect mailing address.*
  - *Staff Response: The lot has been used as an informal parking lot. No changes in impact to the surrounding properties are anticipated due to the formalization of this lot. All existing easements for access to neighboring properties will remain in place.*

*The notice was sent to the property owner addresses on file with Coconino County. [LDC Sections 8.3.F\(4\)\(b\)](#) states:*

- *As provided in A.R.S. [§9-462.04\(A\)\(7\)](#), or any successor statute, the failure of any person or entity to receive notice as set forth in the statute or this subsection shall not constitute grounds for any court to invalidate the actions of the City.*

*Despite not receiving written notice, this neighbor saw the posting on the property and submitted written comments, which are included in [Attachment 3](#). In addition, the project will be considered by City Council, which will require new notice and provide additional opportunity for public comment.*

*Staff concludes that all required noticing procedures were followed and that the proposed zone change will not have an adverse impact on adjoining properties. Therefore, staff believes this criterion is met.*

#### **F. Consistent with Intergovernmental Agreements**

The proposed development shall be consistent with any adopted intergovernmental agreements and comply with the terms and conditions of any intergovernmental agreements incorporated by reference into this Code.

**Staff Evaluation:** *There are no intergovernmental agreements that impact this project. This criterion does not apply to this request.*

#### **G. Minimizes Adverse Environmental Impacts**

The proposed development shall be designed to minimize negative environmental impacts and shall not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, wildlife habitat, soils, and native vegetation.

**Staff Evaluation:** *The site has been previously disturbed and is not in its natural state. The design and landscaping for the parking lot will incorporate native vegetation and appropriate stormwater management facilities and will not disturb areas of the site currently in their natural condition. Therefore, staff believes this criterion is met.*

#### **H. Minimizes Adverse Fiscal Impacts**

The proposed development shall not result in significant adverse fiscal impacts on the City.

**Staff Evaluation:** *The applicant has paid all applicable fees associated with this application and will pay all fees associated with permits required for the proposed work. No adverse fiscal impacts to the City are anticipated because of this application. Therefore, staff believes this criterion is met.*

#### **I. Compliance with Utility, Service, and Improvement Standards**

As applicable, the proposed development shall comply with federal, state, county, service district, City and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.

**Staff Evaluation:** *All applicable agencies have reviewed the proposal. The City's Wastewater Department has noted that there is existing wastewater infrastructure on the site which does not appear to have the correct easements. The property owner has committed to working with the City to ensure all needed wastewater easements for the existing infrastructure are dedicated to the City. No new wastewater facilities are needed due to this application.*

*Apart from the wastewater easement for existing infrastructure, the proposal is consistent with the requirements of each agency. As applicable, a final review will be conducted during the permit review process. Therefore, staff believes this criterion is met.*

**J. Provides Adequate Road Systems**

Adequate road capacity must exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services. The proposed development shall also provide appropriate traffic improvements based on traffic impacts.

**Staff Evaluation:** *The proposal would use existing road systems. No new uses are being introduced that would increase traffic. This application is intended to address parking issues in the area. All existing access easements will remain in place and construction of this parking lot will ensure vehicles do not park in access easements and adequate emergency access to the residential neighborhood is maintained. Therefore, staff believes this criterion is met.*

**K. Provides Adequate Public Services and Facilities**

Adequate public service and facility capacity must exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, potable water, sewer, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.

**Staff Evaluation:** *All applicable agencies have reviewed the proposal and have determined that adequate public services exist for the proposed use. The parking lot will not impact the need for potable water, sewer, schools, public safety, fire, or libraries. Therefore, staff believes this criterion is met.*

**L. Rational Phasing Plan**

If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.

**Staff Evaluation:** *The project is to be developed in a single phase. Therefore, staff believes this criterion is met.*

**Land Development Code Findings: Rezoning (Zoning Map Amendment)**

[LDC Section 8.6.A](#) contains the procedures and rules for rezoning applications. This section does not have any additional approval criteria.

It is Staff's opinion that this request for a ZC meets the required findings. The proposed zoning district is consistent with the Community Plan, the proposed use is consistent with the purpose of the CO zoning district, and no nuisances because of this proposed use are anticipated.

**Staff Recommendation**

Staff is recommending approval of the proposed Zone Change is based on the following:

1. The proposal addresses one of the Community Plan's Guiding Principles, is in compliance with applicable goals and policies, implements Community Plan Circulation Actions, and supports local businesses.
2. The proposal is consistent with the Transportation Master Plan, GO! Sedona Pathways Plan, and Climate Action Plan.

3. The proposal complies with the Community Plan Future Land Use Map.
4. The proposal does not directly contradict any goal or policy in the Community Plan or other adopted plan.
5. The proposal, as conditioned, complies with all applicable review criteria as outlined in the Staff Report.



***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 zoning request as set forth in case number PZ25-00003 (ZC), subject to applicable ordinance requirements and the attached conditions of approval listed at the end of this staff report.

***Sample Motions for Commission Use***

(Please note that the below 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 zoning request as set forth in case number PZ25-00003 (ZC), rezoning APN 401-19-012 & 401-19-013A from RS-18 (Single-Family Residential) to CO (Commercial), based on consistency and conformance with the Community Plan, compliance with all ordinance requirements of LDC Section 8.3 and 8.6, and satisfaction of the Zone Change findings and applicable Land Development Code requirements as outlined in the staff report, which staff report is hereby adopted as the findings of the Planning and Zoning Commission, and subject to all applicable ordinance requirements and the recommended conditions of approval.

***Alternative Motion for Denial***

I move to recommend denial of case number PZ25-00003 (ZC) based on the following findings: (Please specify findings)

## Conditions of Approval

PZ25-00003 (ZC)

Hillside Parking



City of Sedona

Community Development Department

102 Roadrunner Drive Sedona, AZ 86336

(928) 282-1154 • [www.sedonaaz.gov/cd](http://www.sedonaaz.gov/cd)

*As recommended by Staff, July 15, 2025*

1. 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.
2. The zoning for the subject property shall be considered vested when the properties have been combined, the Deed Restriction and wastewater easement is recorded, and construction of the parking lot is complete. If the applicant does not meet this condition within two (2) years of approval, the City may initiate proceedings to revoke approval of the zoning change, subject to the provisions of Sedona Land Development Code Section 8.6.A(3)g.2 and applicable State statutes.
3. The project shall be constructed in a single phase.
4. Prior to the issuance of permits for the parking lot, the applicant shall complete the following:
  - i) The property owner shall submit for a lot combination to combine all properties within the development. The lot combination shall be approved, recorded with Coconino County, and a new parcel number assigned.
  - ii) The property owner shall grant and record an easement for the existing wastewater infrastructure. The easement shall be reviewed and approved by City Staff prior to recordation.
  - iii) The property owner shall record a deed restriction on the property restricting the rentals of any future housing unit to a minimum of 30 days. City Staff shall approve the language of the deed restriction prior to recording.
5. Hours of work shall comply with City Code ([Chapter 8.25.050](#)) requirements for construction. No grading work shall occur on Sunday.
6. The applicant shall obtain Right-of-Way Permits from the City of Sedona and/or the Arizona Department of Transportation for any work in the Right-of-Way.
7. Prior to the issuance of permits, staff shall verify that all plans submitted for permits are in substantial accordance with the plans as submitted, reviewed, and approved by the Planning and Zoning Commission and meet the following conditions, and the applicant shall provide written documentation of such compliance to staff:
  - i) Applicant shall follow the City of Sedona Land Development Code in its entirety.
  - ii) The property owner shall install bike parking at a minimum of 1 bike space per 10 vehicle spaces.
  - iii) Property owner shall install a pedestrian path from the parking lot to the Hillside Sedona Shopping Center
  - iv) Provide Final Grading and Drainage Plans.
  - v) The Site Plan shall meet the grading and drainage requirements of the Sedona Land Development Code and the Design Review, Engineering, and Administrative Manual.
  - vi) Provide Final Drainage Report.

- vii) Show the existing sewer line and manhole at the south property line. Ensure the proposed shotcrete will not interfere with this.
  - viii) Storm water quality measures shall also comply with City of Sedona Code requirements (City Code Chapter 13.5)
  - ix) Accessible sidewalks and parking areas will need to meet the current US Dept. of Justice ADA requirements.
  - x) Accessible parking/signage shall meet the requirements of the City LDC and DREAM documents.
  - xi) 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. (Manual 3.1.H.6.i).
  - xii) For Projects involving grading of more than 5,000 cubic yards, an assurance bond is required per Manual Section 3.1.G.1.
  - xiii) Applicant shall provide a Storm Water Pollution Prevention Plan. SWPPP measures shall be in place prior to the start of construction (DREAM 3.1). Storm water quality measures shall also comply with City of Sedona Code requirements (City Code Chapter 13.5)
  - xiv) 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.
  - xv) The applicant shall submit landscaping plans that comply with all applicable City codes.
  - xvi) The applicant shall submit outdoor lighting plans that comply with all applicable City codes and the approved lighting plan. Parking lot lighting poles shall not exceed 12 feet in height.
  - xvii) All requirements of the Sedona Fire District shall be satisfied.
  - xviii) All concrete within the City ROW shall be colored "Sedona Red" (Davis 160 color).
  - xix) Signs shall require a separate permit and shall be reviewed for compliance with all applicable LDC requirements.
8. Prior to the issuance of a Certificate of Completion and/or final inspections on the parking lot, 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:
- i) All on-site improvements shall substantially conform to the plans on which permits were issued.
  - ii) Installation of all proposed landscaping shall be complete and in accordance with the approved landscape plan. (LDC Section 5.6)
  - iii) 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. (LDC Section 5.8) iv)
  - iv) All new utility lines shall be provided through underground installation.
  - v) 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 rights-of-way.
  - vi) All requirements of the Sedona Fire District shall be satisfied.
  - vii) The applicant shall provide copies of all required testing to the Engineering Department.

- viii) As-built plans shall be provided to the City in digital and hard copy formats acceptable to the City Engineer.
  - ix) Property lies in a floodplain. An Elevation Certificate from an Arizona Registered Land Surveyor is required for each building.
  - x) All areas of cut and fill shall be landscaped or dressed in such a manner as to reduce the potential for erosion.
  - xi) 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.
  - xii) 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.
9. 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.

**Attachment 1:**  
**Aerial View & Vicinity Map**



## Aerial View

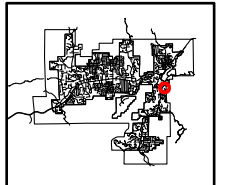
Parcel  
401-19-012 & 13A  
Hillside Parking  
Rezoning

-  Parcel Boundary
-  Street Centerline
-  401-19-012 & 13A Parcels



0 15 30 Feet

City Index

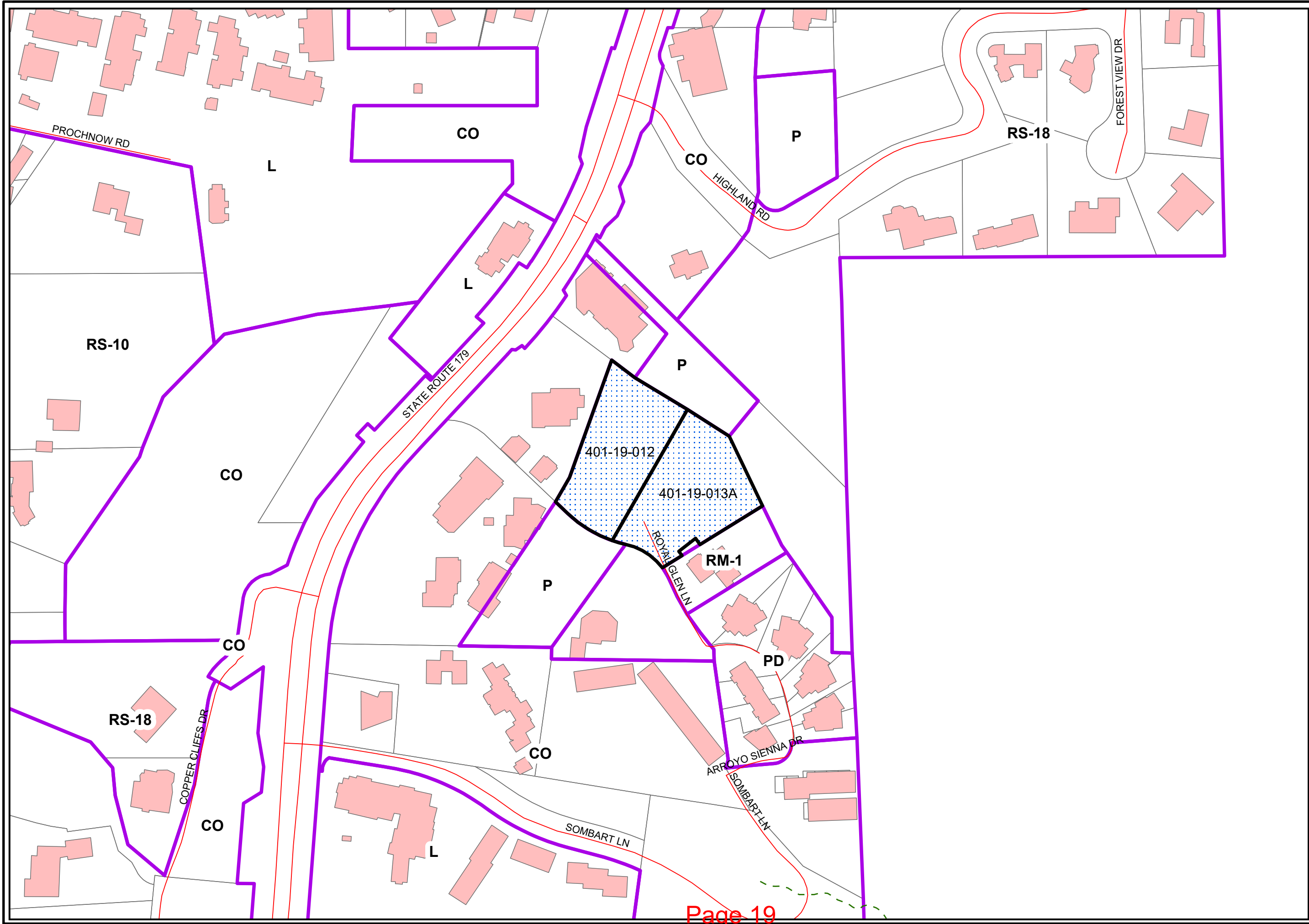


GIS - City of Sedona  
3/10/2025  
G:\Depts\CD\Staff\Frankie  
Almutawa\HillsideParkingRezoning  
401-19-012 & 13A\_aerial.aprx



This map is designed to provide information about Sedona, and has been prepared for general planning and informational purposes only. It is not necessarily accurate to engineering or surveying standards. Every effort has been made to make this map as complete and as accurate as possible; however, no warranty of fitness is implied.

The information is provided on an "as-is" basis. The City of Sedona shall have neither liability nor responsibility to any person or entity with respect to any loss or damages in connection with or arising from the information contained on this map.



### Vicinity Map

Parcel  
401-19-012 & 13A  
Hillside Parking  
Rezone

- Zoning Boundary
- Building Footprint
- Parcel Boundary
- Trail
- Street Centerline
- 401-19-012 & 13A  
Parcels

0 50 100 Feet

City Index

GIS - City of Sedona  
3/10/2025  
G:\Depts\CD\Staff\Frankie  
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## **Attachment 2:**

### **Application Materials**

***Click on each attachment to be taken to document***

***The project page may be reviewed at the following link:***

**<https://www.sedonaaz.gov/your-government/departments-and-programs/community-development/projects-and-proposals/hillside-parking-rezone>**

**2a. Application, Letter of Intent, Citizen Participation Report, Deed Restriction (Draft)**

**2c. ALTA Survey, Legal Description, Parking Use Restriction (Draft)**

**2d. Site Plan, Outdoor Lighting**

## Project Application

fillable PDF available online at:  
[www.sedonaaz.gov/projects](http://www.sedonaaz.gov/projects)



## City Of Sedona

### Community Development Department

102 Roadrunner Drive Sedona, AZ 86336  
(928) 282-1154 • [www.sedonaaz.gov/cd](http://www.sedonaaz.gov/cd)

Application for (check all that apply):

☐ Conceptual Review

☐ Comprehensive Review

☐ Appeal

☐ Time Extension

☐ Community Plan Amendment

☐ Development Review

☐ Subdivision

☐ Minor Modification

☒ Zone Change

☐ Conditional Use Permit

☐ Variance

|                     |                 |                                          |                  |                          |
|---------------------|-----------------|------------------------------------------|------------------|--------------------------|
| Project Information | Project Name    | Hillside Shopping Center - Gravel Lot ZC |                  |                          |
|                     | Project Address | 671 AZ-179                               | Parcel No. (APN) | 401-19-012 & 401-19-013A |
|                     | Primary Contact | Tom Hanrahan                             | Primary Phone    | (949)701-5194            |
|                     | Email           | thanrahan@mca-realty.com                 | Alt. Phone       |                          |
|                     | Address         | 1750 E Deere Ave, 2nd Floor              | City/State/ZIP   | Santa Ana, CA, 92705     |
| Office Use Only     | Application No  |                                          | Date Received    |                          |
|                     | Received by     |                                          | Fee Paid         |                          |

|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Project Description | Application for a zone change for the parcels located at 86 Royal Glen Lane, Sedona, Arizona (APN 401-19-012 & 401-19-013A), from RS-18 (Single Family Residential) to CO (Commercial). Currently, the unmarked gravel lot is being used as an overflow parking lot; however, per the City of Sedona's determination, this use is not legally conforming under the RS-18 zoning classification. We are seeking a zone change to rectify this and bring the property into compliance. |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Additional Contact Information: Please complete the following for all companies/people authorized to discuss the project with the City. Please attach additional sheets if necessary.

|            |              |                        |                |              |
|------------|--------------|------------------------|----------------|--------------|
| Contact #1 | Company      | MCA Realty, Inc.       | Contact Name   | Tyler Mattox |
|            | Project Role | Partner                | Primary Phone  |              |
|            | Email        | tmattox@mca-realty.com | Alt. Phone     |              |
|            | Address      |                        | City/State/ZIP |              |
| Contact #2 | Company      |                        | Contact Name   |              |
|            | Project Role |                        | Primary Phone  |              |
|            | Email        |                        | Alt. Phone     |              |
|            | Address      |                        | City/State/ZIP |              |
| Contact #3 | Company      |                        | Contact Name   |              |
|            | Project Role |                        | Primary Phone  |              |
|            | Email        |                        | Alt. Phone     |              |
|            | Address      |                        | City/State/ZIP |              |



### **Hillside Sedona Shopping Center**

671 AZ-179

Sedona, AZ, 86336

(949) 701-5194

thanrahan@mca-realty.com

2/25/2025

### **City of Sedona**

Community Development Department

102 Roadrunner Drive

Sedona, AZ 86336

**Subject:** Letter of Intent for Zone Change Application (APN 401-19-012 & 401-19-013A)

### **To Whom It May Concern:**

I am submitting this Letter of Intent to support the application for a zone change for the parcels located at 86 Royal Glen Lane, Sedona, Arizona (APN 401-19-012 & 401-19-013A), from RS-18 (Single Family Residential) to CO (Commercial). Currently, the unmarked gravel lot is being used as an overflow parking lot; however, per the City of Sedona's determination, this use is not legally conforming under the RS-18 zoning classification. We are seeking a zone change to rectify this and bring the property into compliance.

### **Background and Purpose of Zone Change**

The subject parcels were historically associated with the adjacent Hillside Shops (APN 401-19-011A & 401-19-017A). The last approved development plan for the adjacent property (Phase III, 1997, Case No. DEV1997-02) designated the parcels for a temporary wastewater treatment facility, not for parking purposes. Although these parcels have been used as an overflow parking lot, this use was not legally established. The requested zone change will allow for the continued use of these parcels as parking, **specifically 26 additional parking stalls**, aligning them with the adjacent commercial development and supporting local businesses.

### **Justification and Community Benefits**

Converting the zoning from RS-18 to CO will meet community needs in the following ways:

- 1. Support for Local Commerce (LDC Section 2.14.A; Community Plan Goal #8):** The Community Plan advocates for supporting regional economic diversity and local businesses. The parcels will provide additional parking to support the adjacent Hillside Sedona Shopping Center and the commercial businesses within the center, enhancing customer access and convenience.
- 2. Strengthening Community Livability and Connections (Community Plan Vision Statement; Policy 7.4):** One of the principles of the Community Plan is to enhance community livability and connections. Providing additional parking supports local businesses, facilitates community engagement, therefore fostering a more vibrant community.
- 3. Improved Traffic Flow and Safety (LDC Section 5.5.E(2)):** By providing designated parking, the zone change will reduce street parking and congestion, contributing to safer traffic conditions along AZ-179 and Royal Glen Lane.

**MCA Realty, Inc.**

1750 E. Deere Ave. 2<sup>nd</sup> Floor,  
Santa Ana, CA 92705

4. **Consistency with Surrounding Land Use (LDC Section 2.24.D):** The proposed CO zoning aligns with the existing commercial use of the adjacent property, creating a cohesive commercial corridor that benefits local economic growth.
5. **Utilization of Previously Disturbed Land (Community Plan Policy 7.2):** The parcels in question have been previously disturbed due to their historical use for a temporary wastewater treatment facility and subsequent informal parking. Redeveloping these areas for formal parking aligns with the city's objective to prioritize development on previously disturbed lands, thereby preserving undisturbed natural areas.
6. **Housing Goals:** To further support community housing goals, we want to clearly state that we have no intention of allowing short-term rentals on the parcels. We would be pleased to comply with a condition preventing short-term rental occupancy in the future and have included a draft deed restriction to this LOI (Exhibit B).
7. **GO! Sedona Pathways Plan:** The proposed parking lot is consistent with the goals of the GO! Sedona Pathways Plan in that it improves multimodal access and circulation for the existing commercial center. While the lot itself is designed for vehicle parking, it enhances pedestrian connectivity by formalizing access points to the Hillside Sedona Shopping Center and minimizing vehicular conflicts through designated drive aisles. The plan area is already developed, and the parking lot will not interfere with any existing or proposed pathway alignments. The proposed improvements maintain existing access from SR-179 and preserve the fire lane that doubles as a pedestrian-friendly zone.
8. **Transportation Master Plan:** The proposed formalization of the gravel parking lot aligns with the Transportation Master Plan objectives by reducing informal roadside parking along Royal Glen Lane and SR-179, thereby improving sightlines and traffic flow. By consolidating parking in a designated area, the project reduces pedestrian/vehicle conflict zones and creates a more predictable traffic pattern supporting commercial operations. No additional traffic generation is anticipated since the lot is accessory to existing uses.
9. **Climate Action Plan:** While not a vertical development, the proposed project aligns with the Climate Action Plan through low-impact site design. We will use permeable paving or low-reflectance asphalt to reduce the heat island effect and incorporate LED lighting for energy efficiency. Additionally, by maximizing use of previously disturbed land adjacent to existing infrastructure, the proposal supports compact, infill development — a key principle of the Plan.
10. **Site Information:** The site is located on 2 parcels that will be combined (401-19-012 & 401-19-013A). The parcels account for approximately 1.6 acres and the improvements consist of 0.23 acres. The proposed parking lot maintains the existing 20' access easement along the existing access road. Access to the site from SR179 will be maintained. The improvements will consist of asphalt pavement, curb, and parking striping.
11. **Setbacks:** The south side of the lot is considered the front side of the lot. A 10' front setback and 20' rear setback are required. There are no side setbacks since there is no adjacent roadway. These setbacks are shown on the Site Plan.
12. **Grading and Drainage:** We acknowledge that an approved grading permit will be required for the existing gravel parking lot, and we will apply for and obtain the necessary grading permit as part of this process. Floodplains do not impact the project but are shown on the Site Plan.
13. **Access, Connectivity, and Circulation:** The parking lot will maintain access from SR179. Parking spaces are 9'x18' with 24' access aisles. The existing fire lane/access road will be maintained. A minimum of 10% of the parking area will be landscaped.
14. **Employee Parking Designation and Tandem Stalls:** To achieve the proposed 26 parking stalls on the limited site area, we will designate the lot as employee-only parking, which allows for the use of tandem

(double-parked) spaces not typically suitable for customer use. This solution is feasible because the two restaurants at the center—The Hudson and Javelina’s Cantina—have overlapping ownership and operate collaboratively. As the primary employers at the center, these two restaurants will be allocated use of the employee parking lot, ensuring efficient stall utilization without disrupting customer parking availability elsewhere on site.

- 15. Off- Street Parking and Loading** - We understand that due to differing zoning and Community Plan designations, the parcels cannot be legally combined. As such, we have prepared a draft off-site parking agreement (Exhibit C) in compliance with **LDC Section 5.5.E(2)(c)** to formally authorize use of the subject parcels as parking in support of the adjacent Hillside Sedona Shopping Center.
- 16. Exterior Lighting** – The exterior lighting is to be protected in place and assumed to meet all Sedona requirements (Dark Sky, etc). Should certain elements of the lighting not meet updated requirements, they will be replaced during construction.
- 17. Citizen Participation Report** – Notice was sent to all neighbors within 300 feet of the proposed zone change per the list provided by the City on March 26<sup>th</sup>, 2025. To date, we have not received any response. Notice is attached (Exhibit D).
- 18. Future Development Concerns** – All access roads and the proposed parking lot meet Sedona Fire Access requirements. While no vertical development is proposed at this time, we acknowledge that any future development on the subject parcels will be subject to the applicable fire access, utility, and infrastructure standards. We have submitted our application to the Sedona Fire District for comment.

### **Mitigation of Impacts**

We acknowledge the importance of mitigating potential impacts associated with the zone change. To address this, we propose the following:

- **Environmental Considerations:** Implementing sustainable drainage solutions and utilizing permeable asphalt materials to reduce runoff, in line with the Community Plan's emphasis on environmental stewardship.
- **Community Engagement:** Coordination with City Staff and local residents to address any additional concerns raised during the public participation process, ensuring transparency and community involvement.

### **Conclusion**

The proposed zone change from RS-18 to CO for these parcels represents a beneficial and logical adjustment that aligns with community needs and the City’s long-term planning objectives. By formalizing the use of previously disturbed land for parking, we not only resolve existing nonconformity issues but also contribute positively to the local economy and community infrastructure.

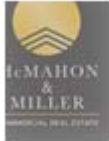
We appreciate your time and consideration of this application. Please feel free to contact me at 949-701-5194 or [thanrahan@mca-realty.com](mailto:thanrahan@mca-realty.com) should you require any additional information.

Sincerely,

Tom Hanrahan  
Director of Asset Management  
MCA Realty, Inc.

**MCA Realty, Inc.**  
1750 E. Deere Ave. 2<sup>nd</sup> Floor,  
Santa Ana, CA 92705

## Exhibit D – Notice to Owners



Nick Sivek  
Commercial Leasing and Management  
928.274.8628  
nick@mmpropsaz.com

McMahon & Miller Commercial Real Estate  
671 SR179, Ste. E-5, Sedona, AZ 86336  
www.mmpropsaz.com

Dear Neighbor,

On behalf of MCA Hillside, LLC, I am writing to inform you of a zone change application recently submitted to the City of Sedona that we believe will benefit the surrounding community as well as accomplish our goals. The application seeks to formally designate two parcels—currently used as an overflow parking lot for Hillside Plaza—as commercial zoning to ensure their continued and compliant use for parking.

These parcels, located at 86 Royal Glen Lane, Sedona, Arizona (APN 401-19-012 & 401-19-013A – as depicted on the attached map), are presently zoned RS-18 (Single Family Residential), and we are requesting a change to CO (Commercial) to align with their long-standing function.

#### How This Benefits the Neighborhood:

- **Reduced Dust & Improved Aesthetics:** With this zoning update, we are committed to maintaining the lot and improving drainage, reducing dust and runoff while maintaining the natural beauty of the area.
- **Better Access & Safety:** Formalizing the parking lot will improve access for residents and visitors. The addition of parking will alleviate street congestion.
- **Support for Local Businesses:** Hillside Plaza is home to locally owned businesses that rely on adequate parking to thrive.
- **No Additional Development on Natural Land:** This proposal does not involve new construction or expansion into undisturbed areas, preserving the existing landscape while making better use of already disturbed land.

We highly value community feedback and want to ensure this process is transparent and beneficial to all. If you have any questions, concerns, or input, please feel free to reach out to Nick Sivek, our local contact and Leasing Agent for MCA Hillside, LLC. We would appreciate receiving any feedback on this application by April 7, 2025.

Thank you,

Nick Sivek  
McMahon & Miller Commercial Real Estate  
928.274.8628  
nick@mmpropsaz.com



**MCA Realty, Inc.**  
1750 E. Deere Ave. 2<sup>nd</sup> Floor,  
Santa Ana, CA 92705

**MCA Realty, Inc.**  
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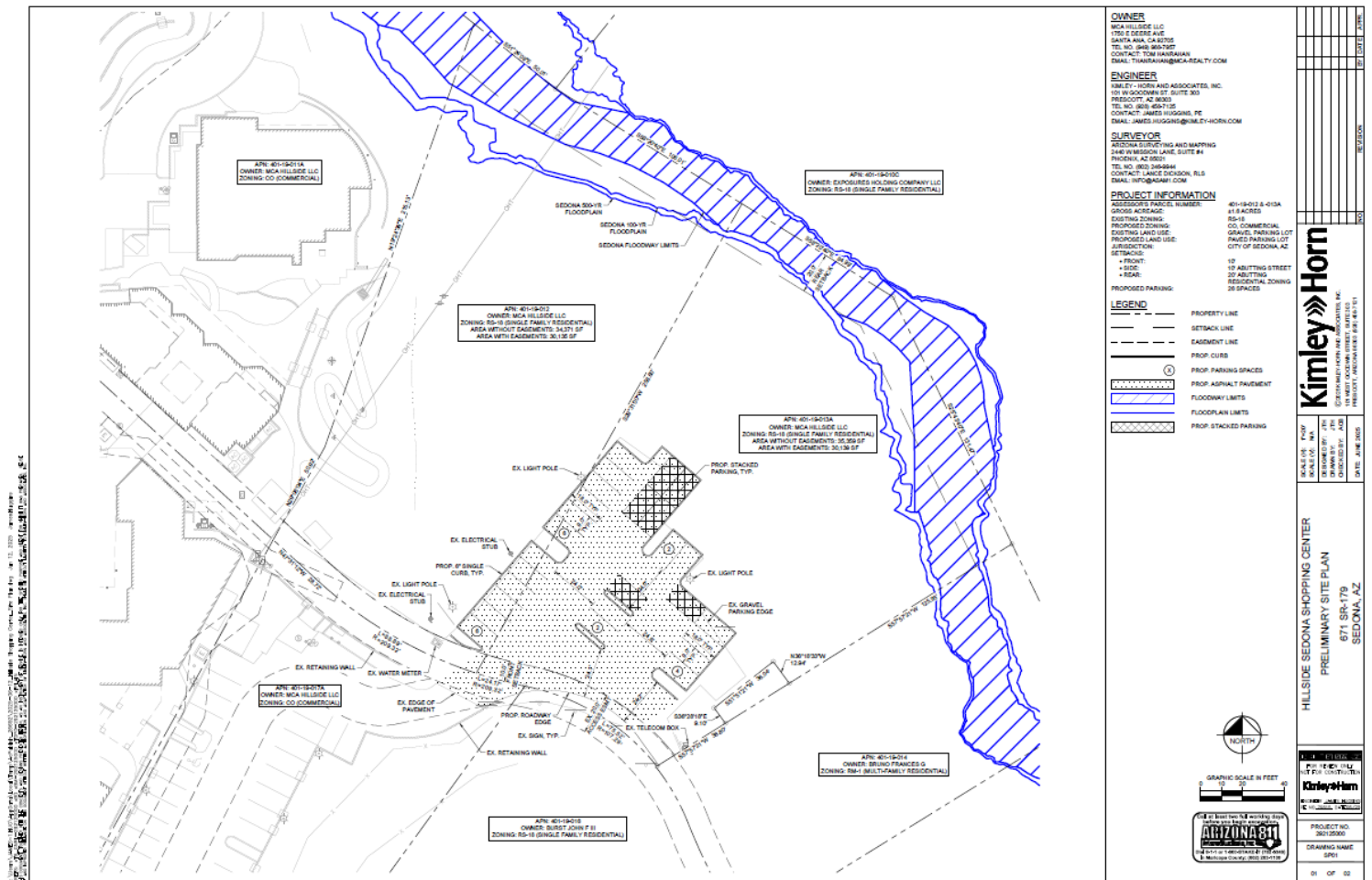


Exhibit B – Deed Restriction

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

MCA Hillside, LLC, c/o MCA Realty, Inc.  
1301 Dove Street, Suite 650  
Newport Beach, CA 92660

---

Space Above this Line Reserved for Use by Recorder

**DECLARATION OF DEED RESTRICTION**  
**Prohibition of Short-Term Rentals**

**THIS DECLARATION OF DEED RESTRICTION** (“Declaration”) is made this 16<sup>th</sup> day of June, 2025, by **MCA HILLSIDE, LLC**, a Delaware limited liability company (“Declarant”).

---

**RECITALS**

A. Declarant is the fee owner of certain real property located in the City of Sedona, County of Coconino, State of Arizona, commonly known as:

**APN 401-19-012 and APN 401-19-013A** (collectively, the “Property”).

B. Declarant intends to improve the Property as a **parking lot** to serve the adjacent Hillside Sedona Shopping Center Parcels, APN 401-19-011A and APN 401-19-017A (collectively “Hillside Sedona Shopping Center Parcels”).

C. Declarant desires to record this restriction to ensure that **short-term rentals** shall be permanently prohibited on the Property, in furtherance of community housing goals and in connection with the pending **zone change application** for the Property.

NOW, THEREFORE, in consideration of the foregoing premises, the grants, reservations, easements and agreements herein made, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant, intending to be legally bound, does hereby agree as follows:

---

**MCA Realty, Inc.**  
1750 E. Deere Ave. 2<sup>nd</sup> Floor,  
Santa Ana, CA 92705

## DECLARATION

1. **Prohibition of Short-Term Rentals.** The Property shall not be used for **short-term rental purposes**. For purposes of this Declaration, "Short-Term Rental" shall mean the rental or occupancy of the Property, or any portion thereof, for lodging or residential purposes for a term of **less than thirty-one (31) consecutive days**. Except for a special event use lasting no longer than one consecutive week, (i.e. an art or gem show or food truck use) no structure, trailer, recreational vehicle, or other facility located on the Property shall be offered or used for Short-Term Rental purposes.
2. **Covenants Running with the Land.** All the terms and provisions hereof are and shall be deemed to run with the property described herein and shall burden and benefit such property as described herein and, with respect to such property, each future owner, the holders or owners of any mortgage, indenture, deed of trust or deed to secure debt encumbering any of such property, any purchaser at a foreclosure sale, any other person or entity acquiring any right, title or interest in such property and their respective heirs, executors, administrators, representatives, successors and assigns.
3. **Enforcement.** This restriction may be enforced by the **City of Sedona**, by Declarant, and by any successor owner of the adjacent Hillside Sedona Shopping Center Parcels, through legal or equitable action, including but not limited to injunctive relief.
4. **Recording.** Declarant shall record this Declaration in the Official Records of Coconino County, Arizona, so that it shall provide constructive notice to all future owners, transferees, and encumbrancers of the Property.
5. **Amendment or Termination.** This Declaration may not be terminated, modified, or amended except by a written instrument executed by the then-current owner(s) of the Property.

---

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first written above.

DECLARANT:

MCA HILLSIDE, LLC, a Delaware limited liability company

By: MCA Realty, Inc., a California corporation  
Its: Manager

Signed: \_\_\_\_\_  
By: Tyler Mattox  
Its: President

Exhibit C – Parking Agreement

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

MCA Hillside, LLC, c/o MCA Realty, Inc.  
1301 Dove Street, Suite 650  
Newport Beach, CA 92660

---

Space Above this Line Reserved for Use by Recorder

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NOW, THEREFORE, in consideration of the foregoing premises, the grants, reservations, easements and agreements herein made, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant, intending to be legally bound, does hereby agree as follows:

---

**MCA Realty, Inc.**  
1750 E. Deere Ave. 2<sup>nd</sup> Floor,  
Santa Ana, CA 92705

## DECLARATION

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7. **Covenants Running with the Land.** All the terms and provisions hereof are and shall be deemed to run with the property described herein and shall burden and benefit such property as described herein and, with respect to such property, each future owner, the holders or owners of any mortgage, indenture, deed of trust or deed to secure debt encumbering any of such property, any purchaser at a foreclosure sale, any other person or entity acquiring any right, title or interest in such property and their respective heirs, executors, administrators, representatives, successors and assigns.
8. **Enforcement.** This restriction may be enforced by the **City of Sedona**, by Declarant, and by any successor owner of the adjacent Hillside Sedona Shopping Center Parcels, through legal or equitable action, including but not limited to injunctive relief.
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DECLARANT:

MCA HILLSIDE, LLC, a Delaware limited liability company

By: MCA Realty, Inc., a California corporation  
Its: Manager

Signed: \_\_\_\_\_  
By: Tyler Mattox  
Its: President

ALTA/NSPS LAND TITLE SURVEY  
A PORTION OF THE NORTHEAST QUARTER OF SECTION 18,  
TOWNSHIP 17 NORTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN,  
COCONINO COUNTY, ARIZONA.

LEGAL DESCRIPTION:

**EXHIBIT A COMMITMENT FOR TITLE INSURANCE**  
THE LAND REFERRED TO HEREIN BELOW IS  
SITUATED IN THE COUNTY OF COCONINO, STATE  
OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

A TRACT OF LAND SITUATED IN THE NORTHEAST  
QUARTER OF SECTION 18, TOWNSHIP 17 NORTH,  
RANGE 6 EAST OF THE GILA AND SALT RIVER  
BASE AND MERIDIAN, COCONINO COUNTY,  
ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF  
SAID SECTION 18, AS MARKED BY A BLM  
BRASS CAPPED PIPE AND FROM WHICH THE  
EAST QUARTER CORNER OF SAID SECTION 18,  
AS MARKED BY A BLM BRASS CAPPED PIPE,  
LIES SOUTH 01° 39'00" EAST (BASIS OF  
BEARINGS PER BLM PLAT), A DISTANCE OF  
2,604.00 FEET;

THENCE SOUTH 01° 39' 00" EAST, A DISTANCE  
OF 1,302.00 FEET TO THE SOUTHEAST CORNER  
OF THE NORTHEAST QUARTER OF THE  
NORTHEAST QUARTER OF SAID SECTION 18;

THENCE SOUTH 01° 43' 03" EAST, A DISTANCE  
OF 28.21 FEET TO A PREVIOUSLY FOUND AXLE;

THENCE NORTH 89° 18' 57" WEST, A DISTANCE  
OF 34.60 FEET TO THE POSITION OF THE "OLD  
ERRONEOUS" SOUTHEAST CORNER OF THE  
NORTHEAST QUARTER OF THE NORTHEAST  
QUARTER OF SAID SECTION 18 AS DETERMINED  
FROM LOCAL SURVEY MONUMENTS AND  
RECORDED DATA;

THENCE NORTH 89° 18' 57" WEST, A DISTANCE  
OF 482.25 FEET TO A ¾" PIPE WITH NO  
IDENTIFICATION FOUND AT THE NORTHEAST  
CORNER OF THE "ALEXANDER TRACT" AS  
DESCRIBED IN DOCKET 655, PAGE 27,  
RECORDS OF COCONINO COUNTY, ARIZONA;

THENCE NORTH 89° 18' 57" WEST (NORTH 87°  
38' 32" WEST PER DOCKET 655, PAGE 27), A  
DISTANCE OF 379.82 FEET (380.61 FEET PER  
DOCKET 655, PAGE 27), ALONG THE NORTH  
LINE OF SAID "ALEXANDER TRACT" TO A SET  
½" REBAR WITH PLASTIC CAP STAMPED LS  
14184 (REFERENCED AS "SET MONUMENT"  
HEREAFTER) SET ON THE EASTERLY  
RIGHT-OF-WAY LINE OF ARIZONA HIGHWAY 179;

THENCE NORTH 04° 33' 30" EAST, A DISTANCE  
OF 0.77 FEET ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE TO A "SET MONUMENT" AT  
A POINT OF CURVATURE;

THENCE NORTHEASTERLY ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE BEING A TANGENT CURVE  
CONCAVE TO THE SOUTHEAST HAVING A RADIUS  
OF 539.96 FEET AND A CENTRAL ANGLE OF 38°  
30' 11", AN ARC DISTANCE OF 362.85 FEET TO  
A "SET MONUMENT" AT A POINT OF TANGENCY;

THENCE NORTH 43° 03' 41" EAST, A DISTANCE  
OF 74.48 FEET, ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE TO THE TRUE POINT OF  
BEGINNING;

THENCE DEPARTING SAID EASTERLY  
RIGHT-OF-WAY LINE OF ARIZONA HIGHWAY 179  
IN AN EASTERLY DIRECTION ALONG A CURVE  
CONCAVE TO THE SOUTH HAVING A RADIUS OF  
100.54 FEET, CHORD BEARING OF SOUTH 68°  
19' 24" EAST AND CENTRAL ANGLE OF 41° 38'  
55", AN ARC DISTANCE OF 73.08 FEET;

THENCE SOUTH 47° 29' 57" EAST, A DISTANCE  
OF 197.88 FEET TO THE BEGINNING OF A  
CURVE;

THENCE SOUTHEASTERLY ALONG A CURVE  
CONCAVE TO THE NORTHEAST HAVING A RADIUS  
OF 209.32 FEET, CHORD BEARING OF SOUTH  
62° 58' 41" EAST AND CENTRAL ANGLE OF 30°  
56' 52", AN ARC DISTANCE OF 113.06 FEET TO  
A PREVIOUSLY "SET MONUMENT" AT THE NORTH  
CORNER OF THE "ASOKA TRACT" AS DESCRIBED  
IN DOCKET 1764, PAGE 307, RECORDS OF  
COCONINO COUNTY, ARIZONA;

THENCE SOUTHEASTERLY ALONG THE  
NORTHEASTERLY BOUNDARY OF SAID "ASOKA  
TRACT" BEING A CURVE CONCAVE TO THE  
SOUTHWEST HAVING A RADIUS OF 107.29 FEET,  
CHORD BEARING OF SOUTH 58° 45' 15" EAST  
AND CENTRAL ANGLE OF 40° 19' 55", AN ARC  
DISTANCE OF 75.52 FEET TO A ½" REBAR WITH  
BRASS TAG STAMPED LS 2473 FOUND AT THE  
MOST WESTERLY CORNER OF THE "GEPHART  
TRACT" AS DESCRIBED IN DOCKET 1331, PAGE  
663, RECORDS OF COCONINO COUNTY, ARIZONA;

LEGAL DESCRIPTION:

THENCE NORTH 57° 57' 21" EAST (NORTH 58°  
15' 24" EAST PER DOCKET 1331, PAGE 663),  
A DISTANCE OF 200.83 FEET (201.57 FEET PER  
DOCKET 1331, PAGE 663), ALONG THE  
NORTHWEST BOUNDARY OF SAID "GEPHART  
TRACT" TO A "SET MONUMENT" ON THE  
SOUTHWESTERLY BOUNDARY OF THE "ALL  
SEASONS TRACT" AS DESCRIBED IN DOCKET  
1655, PAGE 605, RECORDS OF COCONINO  
COUNTY, ARIZONA;

THENCE NORTH 25° 43' 40" WEST (NORTH 25°  
34' WEST PER DOCKET 1655, PAGE 605), A  
DISTANCE OF 131.47 FEET, ALONG SAID  
SOUTHWESTERLY BOUNDARY TO A "SET  
MONUMENT";

THENCE NORTH 58° 20' 40" WEST (NORTH 58°  
11' WEST PER DOCKET 1655, PAGE 605), A  
DISTANCE OF 190.00 FEET, ALONG SAID  
SOUTHWESTERLY BOUNDARY TO A "SET  
MONUMENT";

THENCE NORTH 51° 23' 58" WEST (NORTH 52°  
25' WEST PER DOCKET 1655, PAGE 605), A  
DISTANCE OF 176.28 FEET, ALONG SAID  
SOUTHWESTERLY BOUNDARY OF THE "ALL  
SEASONS TRACT" TO A "SET MONUMENT" ON  
SAID EASTERLY RIGHT-OF-WAY LINE OF  
ARIZONA HIGHWAY 179;

THENCE SOUTHWESTERLY ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE BEING A CURVE CONCAVE  
TO THE NORTHWEST HAVING A RADIUS OF  
1,004.93 FEET, CHORD BEARING OF SOUTH 39°  
36' 53" WEST AND CENTRAL ANGLE OF 05° 22'  
11", AN ARC DISTANCE OF 94.18 FEET TO A  
"SET MONUMENT";

THENCE NORTH 47° 42' 02" WEST, A DISTANCE  
OF 17.00 FEET ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE TO A "SET MONUMENT";

THENCE SOUTHWESTERLY ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE BEING A CURVE CONCAVE  
TO THE NORTHWEST HAVING A RADIUS OF  
987.93 FEET, CHORD BEARING OF SOUTH 42°  
40' 50" WEST AND CENTRAL ANGLE OF 00° 45'  
43", AN ARC DISTANCE OF 13.14 FEET;

THENCE SOUTH 43° 03' 41" WEST, A DISTANCE  
OF 157.03 FEET, ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE OF ARIZONA HIGHWAY 179  
TO THE TRUE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT PORTION  
CONVEYED BY DEED RECORDED IN INSTRUMENT  
NO. 3613468, RECORDS OF COCONINO COUNTY,  
ARIZONA, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED IN THE  
NORTHEAST QUARTER OF SECTION 18, TOWNSHIP  
17 NORTH, RANGE 6 EAST OF THE GILA AND  
SALT RIVER BASE AND MERIDIAN, COCONINO  
COUNTY, ARIZONA, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF  
SAID SECTION 18 AS MARKED BY A BLM BRASS  
CAPPED PIPE AND FROM WHICH THE EAST  
QUARTER CORNER OF SAID SECTION 18, AS  
MARKED BY A BLM BRASS CAPPED PIPE, LIES  
SOUTH 01° 39' 00" EAST (BASIS OF BEARINGS  
PER BLM PLAT), A DISTANCE OF 2,604.00 FEET;

THENCE SOUTH 01° 39' 00" EAST, A DISTANCE  
OF 1,302.00 FEET TO THE SOUTHEAST CORNER  
OF THE NORTHEAST QUARTER OF THE  
NORTHEAST QUARTER OF SAID SECTION 18,  
FROM WHICH THE POSITION OF A PREVIOUSLY  
FOUND AXLE BEARS SOUTH 01° 43' 03" EAST,  
A DISTANCE OF 28.21 FEET;

THENCE FROM SAID SOUTHEAST CORNER OF  
THE NORTHEAST QUARTER OF THE NORTHEAST  
QUARTER OF SECTION 18, SOUTH 50° 31' 52"  
WEST, A DISTANCE OF 43.72 FEET (SOUTH 50°  
23' 24" WEST, 41.58 FEET PER LEGAL  
DESCRIPTION OF "PARCEL NO. 1 OF THE  
BRUNO TRACT" RECORDED IN INSTRUMENT NO.  
3452886, RECORDS OF COCONINO COUNTY,  
ARIZONA), TO THE POSITION OF THE "OLD  
ERRONEOUS" SOUTHEAST CORNER OF THE  
NORTHEAST QUARTER OF THE NORTHEAST  
QUARTER OF SAID SECTION 18, AS DETERMINED  
FROM LOCAL SURVEY MONUMENTS AND  
RECORDED DATA;

THENCE NORTH 00° 09' 40" WEST, A DISTANCE  
OF 60.00 FEET (NORTH, 60.00 FEET PER  
INSTRUMENT NO. 3452886);

LEGAL DESCRIPTION:

THENCE NORTH 36° 27' 40" WEST, A DISTANCE  
OF 135.49 FEET (NORTH 36° 18' WEST, 135.00  
FEET PER INSTRUMENT NO. 3452886) TO THE  
SOUTHEAST CORNER OF SAID "PARCEL NO. 1  
OF THE BRUNO TRACT";

THENCE NORTH 36° 27' 40" WEST, A DISTANCE  
OF 14.51 FEET (NORTH 36° 18' WEST, 15.00  
FEET PER INSTRUMENT NO. 3452886) TO AN  
ANGLE POINT IN THE EASTERLY BOUNDARY OF  
SAID "PARCEL NO. 1 OF THE BRUNO TRACT";

THENCE NORTH 25° 43' 40" WEST, A DISTANCE  
OF 75.43 FEET (NORTH 25° 34' WEST, 75.00  
FEET PER INSTRUMENT NO. 3452886), TO A ½"  
REBAR WITH PLASTIC CAP STAMPED LS 14184  
PREVIOUSLY SET AT THE NORTHEAST CORNER  
OF SAID "PARCEL NO. 1 OF THE BRUNO  
TRACT";

THENCE ALONG THE NORTHERLY BOUNDARY OF  
SAID "PARCEL NO. 1 OF THE BRUNO TRACT",  
SOUTH 57° 57' 22" WEST (SOUTH 58° 15' 24"  
WEST PER INSTRUMENT NO. 3452886), A  
DISTANCE OF 125.93 FEET TO THE TRUE POINT  
OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTHERLY  
BOUNDARY OF "PARCEL NO. 1 OF THE BRUNO  
TRACT", SOUTH 57° 57' 22" WEST (SOUTH 58°  
15' 24" WEST PER INSTRUMENT NO. 3452886),  
A DISTANCE OF 36.10 FEET, TO A POINT FROM  
WHICH A ½" REBAR WITH BRASS TAG STAMPED  
LS 2473, PREVIOUSLY FOUND AT THE  
NORTHWEST CORNER OF SAID "PARCEL NO. 1  
OF THE BRUNO TRACT" LIES SOUTH 57° 57'  
22" WEST, A DISTANCE OF 38.76 FEET;

THENCE DEPARTING SAID NORTHERLY BOUNDARY  
OF "PARCEL NO. 1 OF THE BRUNO TRACT",  
NORTH 36° 28' 18" WEST, A DISTANCE OF 9.10  
FEET;

THENCE NORTH 51° 51' 21" EAST, A DISTANCE  
OF 36.05 FEET;

THENCE SOUTH 36° 18' 33" EAST, A DISTANCE  
OF 12.94 FEET TO THE TRUE POINT OF  
BEGINNING.

PARCEL NO. 2:

A PARCEL OF LAND SITUATED IN THE  
NORTHEAST QUARTER OF SECTION 18, TOWNSHIP  
17 NORTH, RANGE 6 EAST OF THE GILA AND  
SALT RIVER BASE AND MERIDIAN, COCONINO  
COUNTY, ARIZONA, BEING MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF  
SAID SECTION 18 AS MARKED BY A BLM BRASS  
CAPPED PIPE AND FROM WHICH THE EAST  
QUARTER CORNER OF SAID SECTION 18, AS  
MARKED BY A BLM BRASS CAPPED PIPE, LIES  
SOUTH 01° 39' 00" EAST (BASIS OF BEARINGS  
PER BLM PLAT), A DISTANCE OF 2,604.00 FEET;

THENCE SOUTH 01° 39' 00" EAST, A DISTANCE  
OF 1,302.00 FEET TO THE SOUTHEAST CORNER  
OF THE NORTHEAST QUARTER OF THE  
NORTHEAST QUARTER OF SAID SECTION 18;

THENCE SOUTH 01° 43' 03" EAST, A DISTANCE  
OF 28.21 FEET TO A PREVIOUSLY FOUND AXLE;

THENCE NORTH 89° 18' 57" WEST, A DISTANCE  
OF 34.60 FEET TO THE POSITION OF THE "OLD  
ERRONEOUS" SOUTHEAST CORNER OF THE  
NORTHEAST QUARTER OF THE NORTHEAST  
QUARTER OF SAID SECTION 18 AS DETERMINED  
FROM LOCAL SURVEY MONUMENTS AND  
RECORDED DATA;

THENCE NORTH 89° 18' 57" WEST, A DISTANCE  
OF 482.25 FEET TO A ¾" INCH PIPE WITH NO  
IDENTIFICATION FOUND AT THE NORTHEAST  
CORNER OF THE "ALEXANDER TRACT" AS  
DESCRIBED IN DOCKET 655, PAGE 27,  
RECORDS OF COCONINO COUNTY, ARIZONA, SAID  
PIPE BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89° 18' 57" WEST  
(NORTH 87° 38' 32" WEST PER DOCKET 655,  
PAGE 27), A DISTANCE OF 379.82 FEET  
(380.61 FEET PER DOCKET 655, PAGE 27),  
ALONG THE NORTH LINE OF SAID "ALEXANDER  
TRACT" TO A ½" INCH REBAR WITH PLASTIC CAP  
STAMPED LS 14184 (REFERENCED AS "SET  
MONUMENT" HEREAFTER) SET ON THE EASTERLY  
RIGHT-OFWAY LINE OF ARIZONA HIGHWAY 179;

THENCE NORTH 04° 33' 30" EAST, A DISTANCE  
OF 0.77 FEET, ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE TO A "SET MONUMENT" AT  
A POINT OF CURVATURE;

LEGAL DESCRIPTION:

THENCE NORTHEASTERLY ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE BEING A TANGENT CURVE  
CONCAVE TO THE SOUTHEAST, HAVING A RADIUS  
OF 539.96 FEET AND A CENTRAL ANGLE OF 38°  
30' 11", AN ARC DISTANCE OF 362.85 FEET TO  
A "SET MONUMENT" AT A POINT OF TANGENCY;

THENCE NORTH 43° 03' 41" EAST, A DISTANCE  
OF 74.48 FEET ALONG SAID EASTERLY  
RIGHT-OF-WAY LINE;

THENCE DEPARTING SAID EASTERLY  
RIGHT-OF-WAY LINE OF ARIZONA HIGHWAY 179  
IN AN EASTERLY DIRECTION ALONG A CURVE  
CONCAVE TO THE SOUTH HAVING A RADIUS OF  
100.54 FEET, CHORD BEARING OF SOUTH 68°  
19' 24" EAST AND CENTRAL ANGLE OF 41° 38'  
55", AN ARC DISTANCE OF 73.08 FEET;

THENCE SOUTH 47° 29' 57" EAST, A DISTANCE  
OF 197.88 FEET TO THE BEGINNING OF A  
CURVE;

THENCE SOUTHEASTERLY ALONG A CURVE  
CONCAVE TO THE NORTHEAST HAVING A RADIUS  
OF 209.32 FEET, CHORD BEARING OF SOUTH  
62° 58' 41" EAST AND A CENTRAL ANGLE OF  
30° 56' 52", AN ARC DISTANCE OF 113.06  
FEET TO A PREVIOUSLY "SET MONUMENT" AT  
THE NORTH CORNER OF THE "ASOKA TRACT"  
AS DESCRIBED IN DOCKET 1764, PAGE 307,  
RECORDS OF COCONINO COUNTY, ARIZONA;

THENCE SOUTH 35° 57' 25" WEST (SOUTH 36°  
18' 54" WEST PER DOCKET 1764, PAGE 307),  
A DISTANCE OF 215.75 FEET (205.56 FEET PER  
DOCKET 1764, PAGE 307) TO THE TRUE POINT  
OF BEGINNING.

PARCEL NO. 3:

AN EASEMENT FOR ROADWAY AND UTILITIES, AS  
CREATED BY INSTRUMENTS RECORDED IN  
DOCKET 184, PAGES 175 THROUGH 183, AND  
IN DOCKET 184, PAGE 528, RECORDS OF  
COCONINO COUNTY, ARIZONA, OVER THE  
FOLLOWING PORTION OF THE NORTHEAST  
QUARTER OF THE NORTHEAST QUARTER OF  
SECTION 18, TOWNSHIP 17 NORTH, RANGE 6  
EAST OF THE GILA AND SALT RIVER, BASE AND  
MERIDIAN, COCONINO COUNTY, ARIZONA, SAID  
EASEMENT BEING STRIP OF LAND 200 FEET IN  
WIDTH, 10 FEET ON EACH SIDE OF A  
CENTERLINE DESCRIBED AS FOLLOW:

BEGINNING AT A POINT ON THE SOUTH LINE OF  
THE NORTHEAST QUARTER OF THE NORTHEAST  
QUARTER OF SAID SECTION 18, THAT LIES  
NORTH 89° 00' 00" WEST, A DISTANCE OF  
204.00 FEET FROM THE SOUTHEAST CORNER  
OF SAID NORTHEAST QUARTER OF THE  
NORTHEAST QUARTER;

THENCE NORTH 40° 03' 00" WEST, A DISTANCE  
OF 36.00 FEET TO A POINT OF CURVATURE;

THENCE 98.42 FEET ALONG A CURVE TO THE  
RIGHT WITH A RADIUS OF 302.10 FEET TO A  
POINT OF REVERSE CURVATURE;

THENCE 106.27 FEET ALONG A CURVE TO THE  
LEFT WITH A RADIUS OF 107.29 FEET TO A  
POINT OF REVERSE CURVATURE;

THENCE 113.07 FEET ALONG A CURVE TO THE  
RIGHT WITH A RADIUS OF 209.32 FEET TO A  
POINT OF TANGENCY;

THENCE NORTH 47° 11' 00" WEST, A DISTANCE  
OF 264.03 FEET, MORE OR LESS, TO THE  
EASTERLY 33 FOOT RIGHT-OF-WAY LINE OF  
THE SEDONA-BIG PARK STATE HIGHWAY, AS  
CREATED BY INSTRUMENT RECORDED IN BOOK  
11 OF PROMISCUOUS RECORDS, PAGE 278,  
RECORDS OF COCONINO COUNTY, ARIZONA;

EXCEPTING THEREFROM ANY PORTION LYING  
WITHIN PARCEL NOS. 1 AND 2 DESCRIBED  
HEREINABOVE.

AREAS:

PARCEL 1 – ±115,322 SQUARE FEET OR ±2.65 ACRES  
PARCEL 2 – ±124,790 SQUARE FEET OR ±2.86 ACRES  
TOTALS – ±240,112 SQUARE FEET OR ±5.51 ACRES

RECORD OWNER:

**APN#401-19-017A**  
SUSANI LLC  
**PROPERTY ADDRESS**  
671 STATE ROUTE 179  
SEDONA, AZ 86336

**APN#401-19-011A**  
HOLUA LLC  
**PROPERTY ADDRESS**  
671 STATE ROUTE 179  
SEDONA, AZ 86336

**APN#401-19-012A**  
HOLUA LLC  
**PROPERTY ADDRESS**  
62 ROYAL GLEN LN  
SEDONA, AZ 86336

**APN#401-19-013A**  
HOLUA LLC  
**PROPERTY ADDRESS**  
86 ROYAL GLEN LN  
SEDONA, AZ 86336

FLOODZONE:

CURRENT FLOOD ZONE IS "ZONE X" (AREA OF  
0.2% ANNUAL CHANCE FLOOD; AREAS OF 1%  
ANNUAL CHANCE FLOOD WITH AVERAGE  
DEPTHS OF LESS THAN 1 FOOT OR WIDTH  
DRAINAGE AREAS LESS THAN 1 SQUARE MILE;  
AND AREAS PROTECTED BY LEVEES FROM 1%  
ANNUAL CHANCE FLOOD); PER FIRM MAP NO.  
04005C7657G, DATED SEPTEMBER 3, 2010

BASIS OF BEARING:

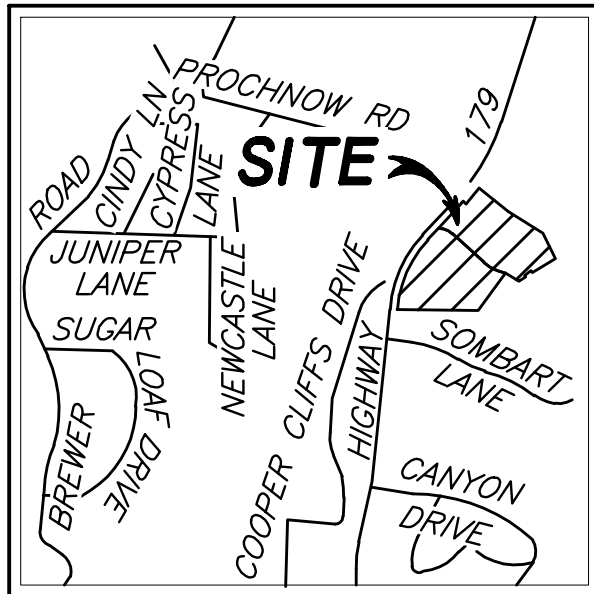
S01°39'00"E ALONG THE MONUMENT LINE OF  
THE EAST LINE OF SECTION 18 AS MEASURED  
BETWEEN MONUMENTS NUMBERED 1 AND 2  
SHOWN HEREON AND DESCRIBED UNDER  
MONUMENT NOTES.

PARKING:

PARKING SPACES – 135  
HANDICAP SPACES – 9  
TOTAL SPACES – 144

ACCESS

PARCELS HAVE DIRECT  
ACCESS TO SR-179 A  
PUBLIC ROAD



VICINITY MAP

NOT TO SCALE

SURVEYOR'S NOTES:

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL  
INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS, AND OTHER  
DOCUMENTS WHICH MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN  
HEREON WAS GAINED FROM A COMMITMENT FOR TITLE INSURANCE ISSUED BY  
PIONEER TITLE AGENCY, INC AN ISSUING AGENT FOR FIRST AMERICAN TITLE  
INSURANCE COMPANY ORDER NUMBER 90301878-903-K05, DATED JUNE 29,  
2022 AT 7:30 A.M.

2. THE WORD "CERTIFY" OR "CERTIFICATE" IS AN EXPRESSION OF PROFESSIONAL  
OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A  
GUARANTEE, EXPRESS OR IMPLIED.

3. THIS ALTA/NSPS LAND TITLE SURVEY WAS PREPARED SPECIFICALLY FOR THE  
USE OF THE PARTIES NAMED IN THE CERTIFICATION AND THEIR  
REPRESENTATIVES. USE OF THIS SURVEY IS NOT PERMITTED UNLESS EXPRESSLY  
PERMITTED IN WRITING IN ADVANCE BY ARIZONA SURVEYING AND MAPPING. THIS  
SURVEY IS NOT TO BE USED FOR DESIGN PURPOSES. ARIZONA SURVEYING AND  
MAPPING SHALL HAVE NO LIABILITY FOR ANY UNAUTHORIZED USE OF THIS  
INFORMATION WITHOUT THEIR PRIOR WRITTEN CONSENT.

4. THE LOCATION OF UNDERGROUND UTILITIES AS DEPICTED HEREON IS BASED  
ON RECOVERABLE FIELD LOCATED SURFACE FEATURES OF THOSE UTILITIES AND  
SHOULD BE CONSIDERED APPROXIMATE AND POSSIBLY INCOMPLETE.  
NO EXCAVATIONS WERE MADE TO LOCATE BURIED UTILITIES DURING THE  
PROGRESS OF OR FOR THE PURPOSE OF THIS SURVEY.

5. OWNERSHIP INFORMATION SHOWN HEREON WAS OBTAINED FROM THE  
COCONINO COUNTY ASSESSOR'S WEBSITE AND MAY BE INACCURATE OR  
OUT-OF-DATE.

6. RELATIVE TO OPTIONAL TABLE "A" ITEM NO. 9, DESIGNATED PARKING SPACES,  
PARKING AREAS OR STRUCTURES ARE SHOWN AT THE TIME OF SURVEY.

7. RELATIVE TO OPTIONAL TABLE "A" ITEM NO. 16, THE SURVEYOR DID NOT  
NOTICE EARTH MOVING WORK, BUILDING CONSTRUCTION OR ADDITIONS DURING  
THIS SURVEY.

8. RELATIVE TO OPTIONAL TABLE "A" ITEM NO. 17, THE SURVEYOR HAS NO  
KNOWLEDGE OF RIGHT OF WAY CHANGES.

9. DURING THE PROCESS OF THIS SURVEY THE SURVEYOR DID NOT OBSERVE  
ANY MARKERS, EVIDENCE OR WAS PROVIDED ANY INFORMATION THAT THIS SITE  
WAS USED AS A CEMETERY OR BURIAL GROUND.

10. RELATIVE TO OPTIONAL TABLE "A" NO. 2, ADDRESS OF SURVEYED  
PROPERTY ARE SHOWN

11. RELATIVE TO OPTIONAL TABLE "A" NO. 7. THERE ARE EXISTING BUILDINGS  
ON THIS SURVEY.

12. RELATIVE TO OPTIONAL TABLE "A" NO. 14 FROM THE SOUTHWEST CORNER  
OF SUBJECT PARCEL THE DISTANCE OF ±950 FEET TO THE NEAREST  
INTERSECTING STREET WHICH IS CANYON ROAD TO THE SOUTH AND SR-179

13. ALL PARCELS SURROUNDING SUBJECT PARCELS ARE CONTIGUOUS TO EACH  
OTHER AND THERE ARE NO APPARENT GAPS OR GORES.

14. ALL VISIBLE ENCROACHMENTS OBSERVED AT THE TIME OF FIELD WORK ARE  
SHOWN ON THE SURVEY.

15. RELATIVE TO OPTIONAL TABLE "A" ITEM NO. 19. THERE ARE NO PLOTTABLE  
OFFSITE EASEMENTS OR SERVITUDES DISCLOSED IN DOCUMENTS PROVIDED TO  
OR OBTAINED BY THE SURVEYOR AS A PART OF THE SURVEY OTHER THAN  
PARCEL NO. 3 AS SHOWN.

CERTIFICATION:

TO: FIRST AMERICAN TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT  
IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL  
REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED  
AND ADOPTED BY ALTA AND NSPS IN 2021, AND INCLUDES ITEMS 1, 2, 3, 4,  
6(b), 7(a)(b)(c), 8, 9, 10, 13, 14, 16, 17 AND 18 OF TABLE A THEREOF.  
PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS  
AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER  
CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR  
REGISTERED IN THE STATE OF ARIZONA, THE RELATIVE POSITIONAL ACCURACY  
OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.



FIELD COMPLETED AUGUST 2ND

LANCE C. DICKSON RLS #46643

DATE

| REVISIONS |  |
|-----------|--|
|           |  |
|           |  |
|           |  |
|           |  |

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP  
17 NORTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND  
MERIDIAN,  
COCONINO COUNTY, ARIZONA.

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2440 W. Mission Lane, Suite #4

PHOENIX, ARIZONA 85021

TEL (602) 246-9919 FAX (602) 246-9944 info@asami.com



|                |          |
|----------------|----------|
| FIELDWORK BY : | LCD      |
| DRAWN BY :     | LCD      |
| CHECKED BY :   | LCD      |
| JOB #          | P22-269  |
| DATE :         | 08/03/22 |

SHEET NO.

/

1 OF 4

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 18,  
TOWNSHIP 17 NORTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN,  
COCONINO COUNTY, ARIZONA.

SCHEDULE "B" ITEMS:

- 1

ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I-REQUIREMENTS ARE MET. (NOT RESPONSIBILITY OF SURVEYOR)
- 2

A) TAXES OR ASSESSMENTS THAT ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS; (B) PROCEEDINGS BY A PUBLIC AGENCY THAT MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS. (NOT RESPONSIBILITY OF SURVEYOR)
- 3

ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS THAT ARE NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION THEREOF. (NOT RESPONSIBILITY OF SURVEYOR)
- 4

EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS. (NOT RESPONSIBILITY OF SURVEYOR)
- 5

DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS. (NOT RESPONSIBILITY OF SURVEYOR)
- 6

(A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B), OR (C) ARE SHOWN BY THE PUBLIC RECORDS. (NOT RESPONSIBILITY OF SURVEYOR)
- 7

ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR OR MATERIAL NOT SHOWN BY THE PUBLIC RECORDS. (NOT RESPONSIBILITY OF SURVEYOR)
- 8

TAXES AND ASSESSMENTS COLLECTIBLE BY THE COUNTY TREASURER, A LIEN NOT YET DUE AND PAYABLE FOR THE FOLLOWING YEAR: 2022 (NOT RESPONSIBILITY OF SURVEYOR)
- 9

WATER RIGHTS, CLAIMS OR TITLE TO WATER, AND AGREEMENTS, COVENANTS, CONDITIONS OR RIGHTS INCIDENT THERETO, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.  
  
THIS EXCEPTION IS NOT LIMITED BY REASON OF THE DISCLOSURE OF ANY MATTER RELATING TO WATER RIGHTS AS MAY BE SET FORTH ELSEWHERE IN SCHEDULE B. (NOT RESPONSIBILITY OF SURVEYOR)
- 10

OBLIGATIONS IMPOSED UPON SAID LAND BY ITS INCLUSION WITHIN ANY DISTRICT FORMED PURSUANT TO TITLE 48, ARIZONA REVISED STATUTES, EXCLUDING HOWEVER MUNICIPAL OR COUNTY IMPROVEMENT DISTRICTS. (NOT RESPONSIBILITY OF SURVEYOR)
- 11

RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF. (NOT RESPONSIBILITY OF SURVEYOR)

SCHEDULE "B" ITEMS:

- 12

RESERVATIONS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA:  
  
RECORDED IN BOOK : 9 OF DEEDS  
PAGE : 319  
READING AS FOLLOWS:  
  
SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURAL, MANUFACTURING, OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL CUSTOMS, LAWS AND DECISIONS OF COURTS, AND ALSO SUBJECT TO THE RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AS PROVIDED BY LAW, AND THERE IS RESERVED FROM THE LANDS HEREBY GRANTED, A RIGHT OF WAY THEREON FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES OF AMERICA. (BLANKET)
- 13

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN BOOK : 7 OF PROMISCUOUS RECORDS  
PAGE : 146  
PURPOSE : ELECTRIC POWER TRANSMISSION LINES (BLANKET)
- 14

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN BOOK : 11 OF PROMISCUOUS RECORDS  
PAGE : 378  
PURPOSE : PUBLIC HIGHWAY (BLANKET)
- 15

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
RECORDED IN BOOK : 9 OF OFFICIAL RECORDS  
PAGE : 463  
PURPOSE : WELL, PIPELINES, PUMPS, OR OTHER DIVERSION WORKS TO TAKE WATER (AFFECTS PARCEL NO. 2) (UNABLE TO READ COPY)
- 16

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
RECORDED IN BOOK : 35 OF OFFICIAL RECORDS  
PAGE : 44  
PURPOSE : DOMESTIC WATER DISTRIBUTION SYSTEM (BLANKET)
- 17

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
RECORDED IN BOOK : 47 OF OFFICIAL RECORDS  
PAGE : 525  
PURPOSE : TELEPHONE AND TELEGRAPH LINES AND POLES (BLANKET)
- 18

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
RECORDED IN DOCKET : 119  
PAGE : 590  
PURPOSE : ACCESS ROAD (AFFECTS PARCEL NO. 1) (DOES NOT AFFECT)

SCHEDULE "B" ITEMS:

- 19

RESTRICTIONS, CONDITIONS, COVENANTS, RESERVATIONS, LIABILITIES AND OBLIGATIONS, INCLUDING BUT NOT LIMITED TO ANY RECITALS CREATING EASEMENTS OR PARTY WALLS, OMITTING, IF ANY, FROM THE ABOVE, ANY RESTRICTIONS BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN CONTAINED IN INSTRUMENT:  
  
RECORDED IN DOCKET : 184  
PAGE : 175 (SHOWN)
- 20

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN DOCKET : 184  
PAGE : 175  
PURPOSE : ROADWAY AND UTILITIES (SHOWN)
- 21

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN DOCKET : 184  
PAGE : 178  
PURPOSE : ROADWAY AND UTILITIES (SHOWN)
- 22

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN DOCKET : 1334  
PAGE : 679  
PURPOSE : ELECTRIC LINES AND APPURTENANT FACILITIES (SHOWN)
- 23

EASEMENTS AND OTHER MATTERS WHICH MAY BE DISCLOSED BY COMBINATION REQUEST FORM:  
  
RECORDED IN DOCKET : 1338  
PAGE : 20  
(AFFECTS PARCEL NO. 2) (BLANKET)
- 24

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN DOCKET : 2033  
PAGE : 40  
PURPOSE : WATER PIPELINE SYSTEM (SHOWN)
- 25

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN DOCKET : 2057  
PAGE : 43  
PURPOSE : INGRESS AND EGRESS (AFFECTS PARCEL NO. 2) (SHOWN)
- 26

THE FOLLOWING MATTERS DISCLOSED BY FOLLOWING INSTRUMENT RECORDED IN:  
  
DOCKET : 2057  
PAGE : 49  
INSTRUMENT : QUIT CLAIM DEED  
MATTER : ENCROACHMENT OF NEIGHBORING FENCE (AFFECTS PARCEL NO. 2) (SHOWN SURVEYOR ASSUMES AREA EAST OF CHAIN LINK FENCE, HOWEVER OWNERSHIP HAS CHANGED)
- 27

AGREEMENT ACCORDING TO THE TERMS AND CONDITIONS CONTAINED THEREIN:  
  
PURPOSE : EASEMENT AGREEMENT FOR INGRESS AND EGRESS  
PARTIES : SUSANJ, LLC, AN ARIZONA LIMITED LIABILITY COMPANY/RICK J. MORRIS, SINGLE MAN, AND PAMELA A. HARRISON, A SINGLE WOMAN  
RECORDED : NOVEMBER 19, 1999  
DOCUMENT NO. : 3030295 (AFFECTS PARCEL NO. 2) (SHOWN)

SCHEDULE "B" ITEMS:

- 28

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN DOCUMENT NO. : 3133011  
PURPOSE : INGRESS, EGRESS AND PARKING (BLANKET)
- 29

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN DOCUMENT NO. : 3133012  
PURPOSE : INGRESS, EGRESS AND PARKING (SHOWN)
- 30

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN DOCUMENT NO. : 3444170 AND RIGHT OF WAY CONTRACT:  
RECORDED IN DOCUMENT NO. : 3444171  
PURPOSE : SIDEWALK AND APPURTENANT FACILITIES (AFFECTS PARCEL NO. 2) (SHOWN)
- 31

RECORDED IN DOCUMENT NO. : 3444172 AND RIGHT OF WAY CONTRACT:  
RECORDED IN DOCUMENT NO. : 3444173  
PURPOSE : SIDEWALK AND APPURTENANT FACILITIES (AFFECTS PARCEL NO. 1) (SHOWN)
- 32

EASEMENT AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT:  
  
RECORDED IN DOCUMENT NO. : 3451505  
PURPOSE : SIDEWALK AND APPURTENANT FACILITIES (AFFECTS PARCEL NO. 1) (SHOWN)
- 33

LEASEHOLD, UNDER THE TERMS AND CONDITIONS OF AN UNRECORDED LEASE MADE BY,  
  
LESSOR : HOLUA, LLC  
DATED : AUGUST 15, 2018  
AS DISCLOSED BY : SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT  
RECORDED : AUGUST 16, 2021  
DOCUMENT NO. : 3925285 (AFFECTS PARCEL NO. 1) (BLANKET)
- 34

LEASEHOLD, UNDER THE TERMS AND CONDITIONS OF AN UNRECORDED LEASE MADE BY,  
  
LESSOR : HOLUA, LLC  
LESSEE : BUENOS AIRES EATS, LLC DBA DELLEPIANE  
DATED : NOVEMBER 04, 2016  
AS DISCLOSED BY : SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT  
RECORDED : AUGUST 16, 2021  
DOCUMENT NO. : 3925286 (AFFECTS PARCEL NO. 1) (BLANKET)

SCHEDULE "B" ITEMS:

- 35

LEASEHOLD, UNDER THE TERMS AND CONDITIONS OF AN UNRECORDED LEASE MADE BY,  
  
LESSOR : HOLUA, LLC  
LESSEE : HALE AINA MEKIKO, LLC DBA JAVELINA CANTINA  
DATED : APRIL 28, 1998  
AS DISCLOSED BY : SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT  
RECORDED : AUGUST 16, 2021  
DOCUMENT NO. : 3925287 (AFFECTS PARCEL NO. 1) (BLANKET)
- 36

LEASEHOLD, UNDER THE TERMS AND CONDITIONS OF AN UNRECORDED LEASE MADE BY,  
  
LESSOR : HOLUA, LLC  
LESSEE : MATT HELM (DBA HELM ADVISORS)  
DATED : NOVEMBER 05, 2020  
AS DISCLOSED BY : SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT  
RECORDED : AUGUST 16, 2021  
DOCUMENT NO. : 3925288 (AFFECTS PARCEL NO. 1) (BLANKET)
- 37

ANY ACTION BY THE COUNTY ASSESSOR AND/OR TREASURER, ALTERING THE CURRENT OR PRIOR TAX ASSESSMENT, SUBSEQUENT TO THE DATE OF THE POLICY OF TITLE INSURANCE. (NOT RESPONSIBILITY OF SURVEYOR)
- 38

LOCATION OF IMPROVEMENTS, EASEMENTS, DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE.  
  
NOTE: THIS EXCEPTION WILL BE AMENDED OR DELETED UPON THE SUBMISSION OF THE CORRESPONDING DOCUMENTS REQUIRED IN SCHEDULE B, PART I. (NOT RESPONSIBILITY OF SURVEYOR)
- 39

RIGHTS OF LESSEES UNDER UNRECORDED LEASES.  
  
NOTE: THIS EXCEPTION WILL BE AMENDED OR DELETED UPON THE SUBMISSION OF THE CORRESPONDING DOCUMENTS REQUIRED IN SCHEDULE B, PART I. (NOT RESPONSIBILITY OF SURVEYOR)

LEGEND:

- BOUNDARY LINE
- MONUMENT LINE
- EASEMENT LINE
- ADJOINING PROPERTY
- BUILDING OVERHANG
- OHU OVERHEAD UTILITY LINE
- FENCE AS NOTED
- BLOCK WALL
- SET 1/2" REBAR RLS #46643 UNLESS OTHERWISE NOTED
- FOUND MONUMENT AS NOTED
- CALCULATED POINT. NOTHING FOUND AND NOTHING SET
- FIRE DEPARTMENT CONNECTION
- FIRE HYDRANT
- WATER VAULT
- WATER METER
- WATER VALVE
- BACKFLOW PREVENTOR
- WATER SERVICE OUTLET
- SEWER MANHOLE
- SEWER CLEANOUT
- ELECTRIC STUB-UP
- ELECTRIC TRANSFORMER
- ELECTRIC METER
- ELECTRIC VAULT
- ELECTRIC JUNCTION BOX
- FLOOD LIGHT
- POWER POLE
- ELECTRIC PULL BOX
- GAS STUB-UP
- GAS METER
- DRYWELL DRAIN
- GRATE
- IRRIGATION CONTROL BOX
- COMMUNICATIONS JUNCTION BOX
- FIBER OPTIC JUNCTION BOX
- TELEPHONE JUNCTION BOX
- BOLLARD
- HANDICAP MARKER
- MAILBOX
- SCULPTURE
- MISCELLANEOUS SIGN
- AIR CONDITIONER
- ROOF HEIGHT SIDE
- MEASURED DATA
- RECORDED DATA
- COCONINO COUNTY RECORDS
- RIGHT-OF-WAY
- ASSESSOR'S PARCEL NUMBER
- FIRE DEPARTMENT RISER ROOM
- ELECTRIC CABINET
- VERTICAL CURB AND GUTTER
- SINGLE CURB
- EXTRUDED CURB
- SCHEDULE B ITEM
- MONUMENT NOTE



REVISIONS

ALTA/NSPS LAND TITLE SURVEY

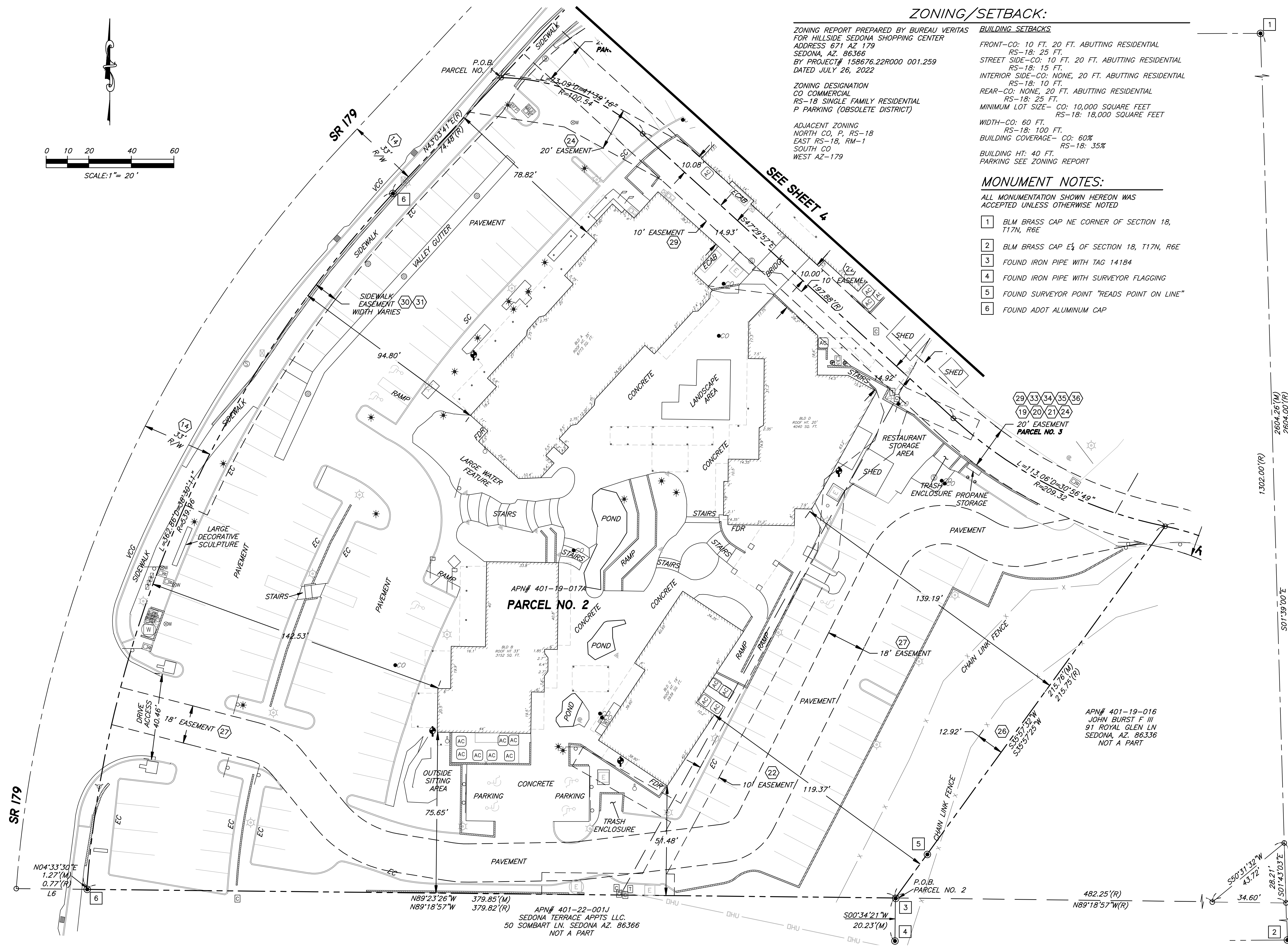
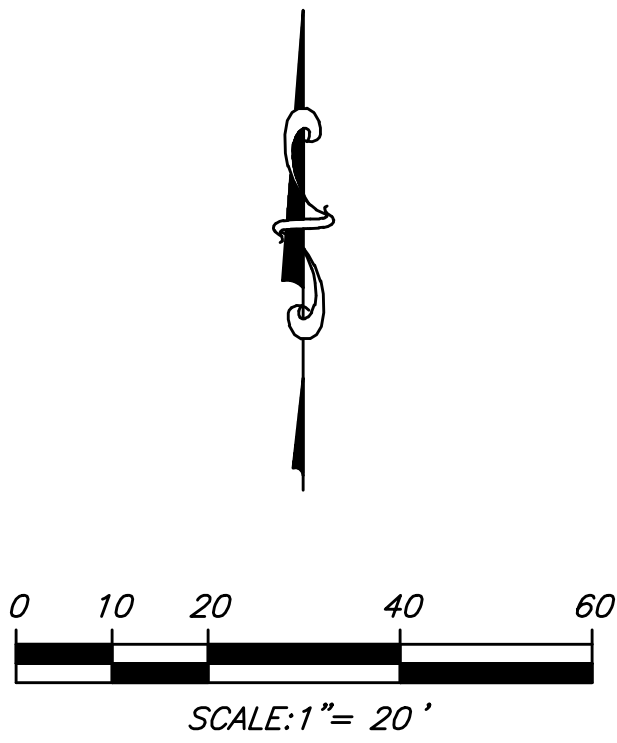
A PORTION OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 17 NORTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA.

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DRAWN BY : LCD  
CHECKED BY : LCD  
JOB # P22-269  
DATE : 08/03/22

SHEET NO.  
2  
2 OF 4



**ZONING/SETBACK:**

ZONING REPORT PREPARED BY BUREAU VERITAS  
FOR HILLSIDE SEDONA SHOPPING CENTER  
ADDRESS 671 AZ 179  
SEDONA, AZ. 86366  
BY PROJECT# 158676.22R000 001.259  
DATED JULY 26, 2022

ZONING DESIGNATION  
CO COMMERCIAL  
RS-18 SINGLE FAMILY RESIDENTIAL  
P PARKING (OBSOLETE DISTRICT)

ADJACENT ZONING  
NORTH CO, P, RS-18  
EAST RS-18, RM-1  
SOUTH CO  
WEST AZ-179

**BUILDING SETBACKS**

FRONT-CO: 10 FT. 20 FT. ABUTTING RESIDENTIAL  
RS-18: 25 FT.  
STREET SIDE-CO: 10 FT. 20 FT. ABUTTING RESIDENTIAL  
RS-18: 15 FT.  
INTERIOR SIDE-CO: NONE, 20 FT. ABUTTING RESIDENTIAL  
RS-18: 10 FT.  
REAR-CO: NONE, 20 FT. ABUTTING RESIDENTIAL  
RS-18: 25 FT.  
MINIMUM LOT SIZE- CO: 10,000 SQUARE FEET  
RS-18: 18,000 SQUARE FEET

WIDTH-CO: 60 FT.  
RS-18: 100 FT.  
BUILDING COVERAGE- CO: 60%  
RS-18: 35%  
BUILDING HT: 40 FT.  
PARKING SEE ZONING REPORT

- MONUMENT NOTES:**
- ALL MONUMENTATION SHOWN HEREON WAS  
ACCEPTED UNLESS OTHERWISE NOTED
- 1 BLM BRASS CAP NE CORNER OF SECTION 18,  
T17N, R6E
  - 2 BLM BRASS CAP E<sub>1</sub> OF SECTION 18, T17N, R6E
  - 3 FOUND IRON PIPE WITH TAG 14184
  - 4 FOUND IRON PIPE WITH SURVEYOR FLAGGING
  - 5 FOUND SURVEYOR POINT "READS POINT ON LINE"
  - 6 FOUND ADOT ALUMINUM CAP

REVISIONS

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP  
17 NORTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND  
MERIDIAN,  
COCONINO COUNTY, ARIZONA.

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JOB # P22-269  
DATE : 08/03/22

SHEET NO.  
3  
3 OF 4

REVISIONS

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 17 NORTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA.

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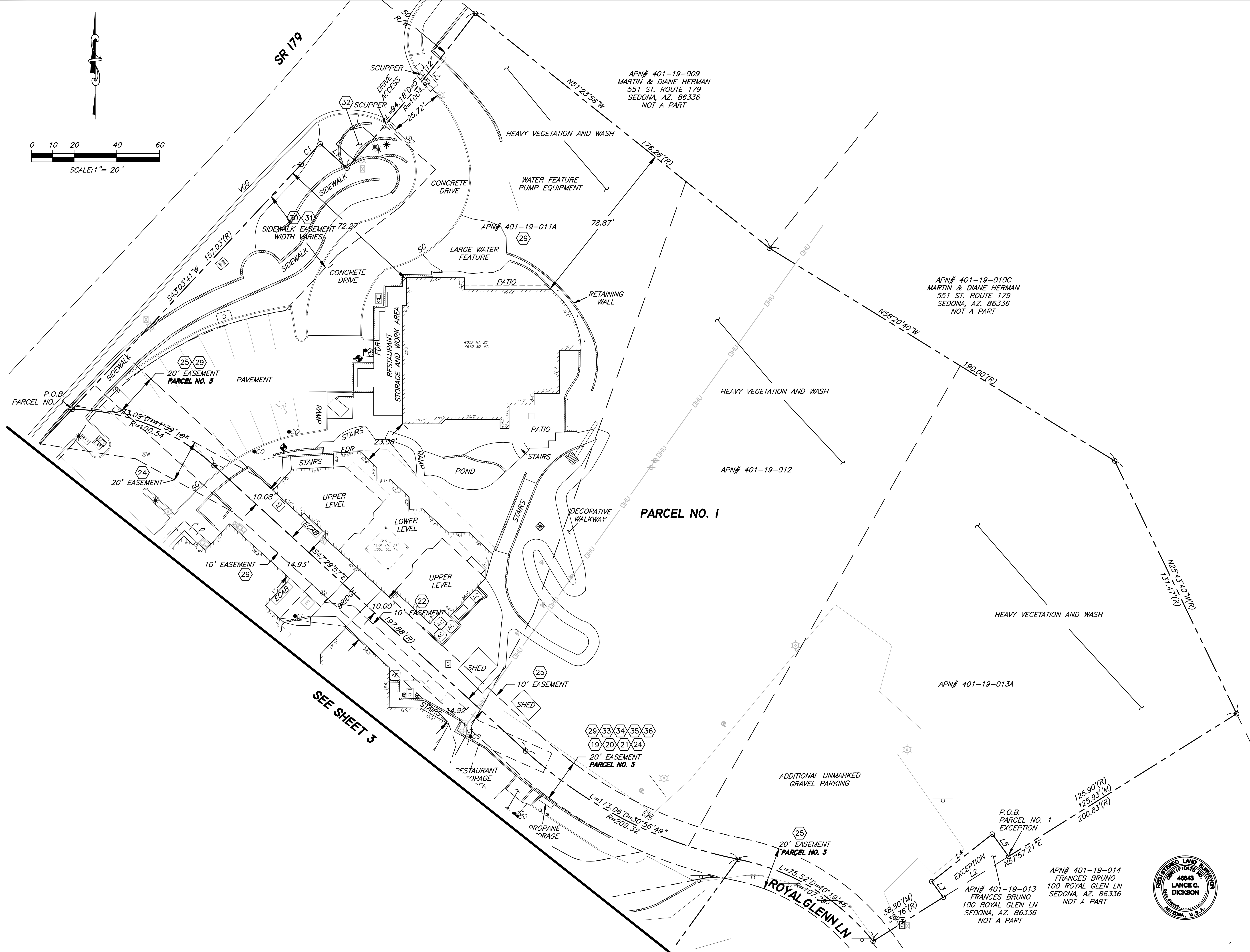


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JOB # P22-269  
DATE : 08/03/22

SHEET NO.

4

4 OF 4



|                                                                                                               |                                                                                                          |
|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|  <b>First American Title™</b> | <b>Owner's Policy of Title Insurance</b>                                                                 |
|                                                                                                               | ISSUED BY<br><b>Pioneer Title Agency, Inc. as agent for:<br/> First American Title Insurance Company</b> |
| <b>Exhibit A</b>                                                                                              | POLICY NUMBER<br><b>5011400-2209034</b>                                                                  |

Order No.: **90301878-903-K05**

### LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF **COCONINO**, STATE OF **ARIZONA**, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

A tract of land situated in the Northeast quarter of Section 18, Township 17 North, Range 6 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona, described as follows:

COMMENCING at the Northeast corner of said Section 18, as marked by a BLM brass capped pipe and from which the East quarter corner of said Section 18, as marked by a BLM brass capped pipe, lies South 01° 39' 00" East (Basis of Bearings per BLM plat), a distance of 2,604.00 feet;

THENCE South 01° 39' 00" East, a distance of 1,302.00 feet to the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 18;

THENCE South 01° 43' 03" East, a distance of 28.21 feet to a previously found axle;

THENCE North 89° 18' 57" West, a distance of 34.60 feet to the position of the "Old Erroneous" Southeast corner of the Northeast quarter of the Northeast quarter of said Section 18 as determined from local survey monuments and recorded data;

THENCE North 89° 18' 57" West, a distance of 482.25 feet to a ¾" pipe with no identification found at the Northeast corner of the "Alexander Tract" as described in Docket 655, Page 27, records of Coconino County, Arizona;

THENCE North 89° 18' 57" West (North 87° 38' 32" West per Docket 655, Page 27), a distance of 379.82 feet (380.61 feet per Docket 655, Page 27), along the North line of said "Alexander Tract" to a set ½" rebar with plastic cap stamped LS 14184 (referenced as "set monument" hereafter) set on the Easterly right-of-way line of Arizona Highway 179;

THENCE North 04° 33' 30" East, a distance of 0.77 feet along said Easterly right-of-way line to a "set monument" at a point of curvature;

THENCE Northeasterly along said Easterly right-of-way line being a tangent curve concave to the Southeast having a radius of 539.96 feet and a central angle of 38° 30' 11", an arc distance of 362.85 feet to a "set monument" at a point of tangency;

THENCE North 43° 03' 41" East, a distance of 74.48 feet, along said Easterly right-of-way line to the TRUE POINT OF BEGINNING;

THENCE departing said Easterly right-of-way line of Arizona Highway 179 in an Easterly direction along a curve concave to the South having a radius of 100.54 feet, chord bearing of South 68° 19' 24" East and central angle of 41° 38' 55", an arc distance of 73.08 feet;

THENCE South 47° 29' 57" East, a distance of 197.88 feet to the beginning of a curve;

|                                                                                                               |                                                                                                         |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
|  <b>First American Title™</b> | <b>Owner's Policy of Title Insurance</b>                                                                |
|                                                                                                               | ISSUED BY<br><b>Pioneer Title Agency, Inc. as agent for:<br/>First American Title Insurance Company</b> |
| <b>Exhibit A</b> (Continued)                                                                                  | POLICY NUMBER<br><b>5011400-2209034</b>                                                                 |

Order No.: **90301878-903-K05**

THENCE Southeasterly along a curve concave to the Northeast having a radius of 209.32 feet, chord bearing of South 62° 58' 41" East and central angle of 30° 56' 52", an arc distance of 113.06 feet to a previously "set monument" at the North corner of the "Asoka Tract" as described in Docket 1764, Page 307, records of Coconino County, Arizona;

THENCE Southeasterly along the Northeasterly boundary of said "Asoka Tract" being a curve concave to the Southwest having a radius of 107.29 feet, chord bearing of South 58° 45' 15" East and central angle of 40° 19' 55", an arc distance of 75.52 feet to a ½" rebar with brass tag stamped LS 2473 found at the most Westerly corner of the "Gephart Tract" as described in Docket 1331, Page 663, records of Coconino County, Arizona;

THENCE North 57° 57' 21" East (North 58° 15' 24" East per Docket 1331, Page 663), a distance of 200.83 feet (201.57 feet per Docket 1331, Page 663), along the Northwest boundary of said "Gephart Tract" to a "set monument" on the Southwesterly boundary of the "All Seasons Tract" as described in Docket 1655, Page 605, records of Coconino County, Arizona;

THENCE North 25° 43' 40" West (North 25° 34' West per Docket 1655, Page 605), a distance of 131.47 feet, along said Southwesterly boundary to a "set monument";

THENCE North 58° 20' 40" West (North 58° 11' West per Docket 1655, Page 605), a distance of 190.00 feet, along said Southwesterly boundary to a "set monument";

THENCE North 51° 23' 58" West (North 52° 25' West per Docket 1655, Page 605), a distance of 176.28 feet, along said Southwesterly boundary of the "All Seasons Tract" to a "set monument" on said Easterly right-of-way line of Arizona Highway 179;

THENCE Southwesterly along said Easterly right-of-way line being a curve concave to the Northwest having a radius of 1,004.93 feet, chord bearing of South 39° 36' 53" West and central angle of 05° 22' 11", an arc distance of 94.18 feet to a "set monument";

THENCE North 47° 42' 02" West, a distance of 17.00 feet along said Easterly right-of-way line to a "set monument";

THENCE Southwesterly along said Easterly right-of-way line being a curve concave to the Northwest having a radius of 987.93 feet, chord bearing of South 42° 40' 50" West and central angle of 00° 45' 43", an arc distance of 13.14 feet;

THENCE South 43° 03' 41" West, a distance of 157.03 feet, along said Easterly right-of-way line of Arizona Highway 179 to the TRUE POINT OF BEGINNING;

EXCEPTING THEREFROM that portion conveyed by Deed recorded in Instrument No. 3613468, records of Coconino County, Arizona, described as follows:

A parcel of land situated in the Northeast quarter of Section 18, Township 17 North, Range 6 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 18 as marked by a BLM brass capped pipe and from which the East quarter corner of said Section 18, as marked by a BLM brass capped pipe, lies South 01° 39' 00" East (Basis of Bearings per BLM plat), a distance of 2,604.00 feet;

THENCE South 01° 39' 00" East, a distance of 1,302.00 feet to the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 18, from which the position of a previously found axle bears South 01° 43' 03" East, a distance of 28.21 feet;

|                                                                                                               |                                                                                                          |
|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|  <b>First American Title™</b> | <b>Owner's Policy of Title Insurance</b>                                                                 |
|                                                                                                               | ISSUED BY<br><b>Pioneer Title Agency, Inc. as agent for:<br/> First American Title Insurance Company</b> |
| <b>Exhibit A</b> (Continued)                                                                                  | POLICY NUMBER<br><b>5011400-2209034</b>                                                                  |

Order No.: **90301878-903-K05**

THENCE from said Southeast corner of the Northeast quarter of the Northeast quarter of Section 18, South 50° 31' 52" West, a distance of 43.72 feet (South 50° 23' 24" West, 41.58 feet per legal description of "Parcel No. 1 of the Bruno Tract" recorded in Instrument No. 3452886, records of Coconino County, Arizona), to the position of the "Old Erroneous" Southeast corner of the Northeast quarter of the Northeast quarter of said Section 18, as determined from local survey monuments and recorded data;

THENCE North 00° 09' 40" West, a distance of 60.00 feet (North, 60.00 feet per Instrument No. 3452886);

THENCE North 36° 27' 40" West, a distance of 135.49 feet (North 36° 18' West, 135.00 feet per Instrument No. 3452886) to the Southeast corner of said "Parcel No. 1 of the Bruno Tract";

THENCE North 36° 27' 40" West, a distance of 14.51 feet (North 36° 18' West, 15.00 feet per Instrument No. 3452886) to an angle point in the Easterly boundary of said "Parcel No. 1 of the Bruno Tract";

THENCE North 25° 43' 40" West, a distance of 75.43 feet (North 25° 34' West, 75.00 feet per Instrument No. 3452886), to a ½" rebar with plastic cap stamped LS 14184 previously set at the Northeast corner of said "Parcel No. 1 of the Bruno Tract";

THENCE along the Northerly boundary of said "Parcel No. 1 of the Bruno Tract", South 57° 57' 22" West (South 58° 15' 24" West per Instrument No. 3452886), a distance of 125.93 feet to the TRUE POINT OF BEGINNING;

THENCE continuing along said Northerly boundary of "Parcel No. 1 of the Bruno Tract", South 57° 57' 22" West (South 58° 15' 24" West per Instrument No. 3452886), a distance of 36.10 feet, to a point from which a ½" rebar with brass tag stamped LS 2473, previously found at the Northwest corner of said "Parcel No. 1 of the Bruno Tract" lies South 57° 57' 22" West, a distance of 38.76 feet;

THENCE departing said Northerly boundary of "Parcel No. 1 of the Bruno Tract", North 36° 28' 18" West, a distance of 9.10 feet;

THENCE North 51° 51' 21" East, a distance of 36.05 feet;

THENCE South 36° 18' 33" East, a distance of 12.94 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

A parcel of land situated in the Northeast quarter of Section 18, Township 17 North, Range 6 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona, being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 18 as marked by a BLM brass capped pipe and from which the East quarter corner of said Section 18, as marked by a BLM brass capped pipe, lies South 01° 39' 00" East (Basis of Bearings per BLM plat), a distance of 2,604.00 feet;

THENCE South 01° 39' 00" East, a distance of 1,302.00 feet to the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 18;

TEHNCE South 01° 43' 03" East, a distance of 28.21 feet to a previously found axle;

|                                                                                                               |                                                                                                          |
|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|  <b>First American Title™</b> | <b>Owner's Policy of Title Insurance</b>                                                                 |
|                                                                                                               | ISSUED BY<br><b>Pioneer Title Agency, Inc. as agent for:<br/> First American Title Insurance Company</b> |
| <b>Exhibit A</b> (Continued)                                                                                  | POLICY NUMBER<br><b>5011400-2209034</b>                                                                  |

Order No.: **90301878-903-K05**

THENCE North 89° 18' 57" West, a distance of 34.60 feet to the position of the "Old Erroneous" Southeast corner of the Northeast quarter of the Northeast quarter of said Section 18 as determined from local survey monuments and recorded data;

THENCE North 89° 18' 57" West, a distance of 482.25 feet to a ¾ inch pipe with no identification found at the Northeast corner of the "Alexander Tract" as described in Docket 655, Page 27, records of Coconino County, Arizona, said pipe being the TRUE POINT OF BEGINNING;

THENCE continuing North 89° 18' 57" West (North 87° 38' 32" West per Docket 655, Page 27), a distance of 379.82 feet (380.61 feet per Docket 655, Page 27), along the North line of said "Alexander Tract" to a ½ inch rebar with plastic cap stamped LS 14184 (referenced as "set monument" hereafter) set on the Easterly right-of-way line of Arizona Highway 179;

THENCE North 04° 33' 30" East, a distance of 0.77 feet, along said Easterly right-of-way line to a "set monument" at a point of curvature;

THENCE Northeasterly along said Easterly right-of-way line being a tangent curve concave to the Southeast, having a radius of 539.96 feet and a central angle of 38° 30' 11", an arc distance of 362.85 feet to a "set monument" at a point of tangency;

THENCE North 43° 03' 41" East, a distance of 74.48 feet along said Easterly right-of-way line;

THENCE departing said Easterly right-of-way line of Arizona Highway 179 in an Easterly direction along a curve concave to the South having a radius of 100.54 feet, chord bearing of South 68° 19' 24" East and central angle of 41° 38' 55", an arc distance of 73.08 feet;

THENCE South 47° 29' 57" East, a distance of 197.88 feet to the beginning of a curve;

TEHNCE Southeasterly along a curve concave to the Northeast having a radius of 209.32 feet, chord bearing of South 62° 58' 41" East and a central angle of 30° 56' 52", an arc distance of 113.06 feet to a previously "set monument" at the North corner of the "Asoka Tract" as described in Docket 1764, Page 307, records of Coconino County, Arizona;

THENCE South 35° 57' 25" West (South 36° 18' 54" West per Docket 1764, Page 307), a distance of 215.75 feet (205.56 feet per Docket 1764, Page 307) to the TRUE POINT OF BEGINNING.

PARCEL NO. 3:

An easement for roadway and utilities, as created by instruments recorded in Docket 184, Pages 175 through 183, and in Docket 184, Page 528, records of Coconino County, Arizona, over the following portion of the Northeast quarter of the Northeast quarter of Section 18, Township 17 North, Range 6 East of the Gila and Salt River, Base and Meridian, Coconino County, Arizona, said easement being strip of land 200 feet in width, 10 feet on each side of a centerline described as follow:

BEGINNING at a point on the South line of the Northeast quarter of the Northeast quarter of said Section 18, that lies North 89° 00' 00" West, a distance of 204.00 feet from the Southeast corner of said Northeast quarter of the Northeast quarter ;

THENCE North 40° 03' 00" West, a distance of 36.00 feet to a point of curvature;

|                                                                                                               |                                                                                                          |
|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|  <b>First American Title™</b> | <b>Owner's Policy of Title Insurance</b>                                                                 |
|                                                                                                               | ISSUED BY<br><b>Pioneer Title Agency, Inc. as agent for:<br/> First American Title Insurance Company</b> |
| <b>Exhibit A</b> (Continued)                                                                                  | POLICY NUMBER<br><b>5011400-2209034</b>                                                                  |

Order No.: **90301878-903-K05**

THENCE 98.42 feet along a curve to the right with a radius of 302.10 feet to a point of reverse curvature;

THENCE 106.27 feet along a curve to the left with a radius of 107.29 feet to a point of reverse curvature;

THENCE 113.07 feet along a curve to the right with a radius of 209.32 feet to a point of tangency;

THENCE North 47° 11' 00" West, a distance of 264.03 feet, more or less, to the Easterly 33 foot right-of-way line of the Sedona-Big Park State Highway, as created by instrument recorded in Book 11 of Promiscuous Records, Page 278, records of Coconino County, Arizona;

EXCEPTING THEREFROM any portion lying within Parcel Nos. 1 and 2 described hereinabove.

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

MCA Hillside, LLC, c/o MCA Realty, Inc.  
1301 Dove Street, Suite 650  
Newport Beach, CA 92660

---

Space Above this Line Reserved for Use by Recorder

## DECLARATION OF DEED RESTRICTION

### Prohibition of Short-Term Rentals

**THIS DECLARATION OF DEED RESTRICTION** (“Declaration”) is made this 16<sup>th</sup> day of June, 2025, by **MCA HILLSIDE, LLC**, a Delaware limited liability company (“Declarant”).

---

### RECITALS

A. Declarant is the fee owner of certain real property located in the City of Sedona, County of Coconino, State of Arizona, commonly known as:

**APN 401-19-012 and APN 401-19-013A** (collectively, the “Property”).

B. Declarant intends to improve the Property as a parking lot to serve the adjacent Hillside Sedona Shopping Center Parcels, APN 401-19-011A and APN 401-19-017A (collectively “Hillside Sedona Shopping Center Parcels”).

C. Declarant desires to record this restriction to ensure that short-term rentals shall be permanently prohibited on the Property, in furtherance of community housing goals and in connection with the pending zone change application for the Property.

NOW, THEREFORE, in consideration of the foregoing premises, the grants, reservations, easements and agreements herein made, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant, intending to be legally bound, does hereby agree as follows:

---

### DECLARATION

1. Prohibition of Short-Term Rentals. The Property shall not be used for short-term rental purposes. For purposes of this Declaration, “Short-Term Rental” shall mean the rental or occupancy of the Property, or any portion thereof, for lodging or residential purposes for a term of less than thirty-one (31) consecutive days. Except for a special event use lasting no longer than

one consecutive week, (i.e. an art or gem show or food truck use) no structure, trailer, recreational vehicle, or other facility located on the Property shall be offered or used for Short-Term Rental purposes.

2. Covenants Running with the Land. All the terms and provisions hereof are and shall be deemed to run with the property described herein and shall burden and benefit such property as described herein and, with respect to such property, each future owner, the holders or owners of any mortgage, indenture, deed of trust or deed to secure debt encumbering any of such property, any purchaser at a foreclosure sale, any other person or entity acquiring any right, title or interest in such property and their respective heirs, executors, administrators, representatives, successors and assigns.

3. Enforcement. This restriction may be enforced by the City of Sedona, by Declarant, and by any successor owner of the adjacent Hillside Sedona Shopping Center Parcels, through legal or equitable action, including but not limited to injunctive relief.

4. Recording. Declarant shall record this Declaration in the Official Records of Coconino County, Arizona, so that it shall provide constructive notice to all future owners, transferees, and encumbrancers of the Property.

5. Amendment or Termination. This Declaration may not be terminated, modified, or amended except by a written instrument executed by the then-current owner(s) of the Property.

---

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first written above.

**DECLARANT:**

MCA HILLSIDE, LLC, a Delaware limited liability company

By: MCA Realty, Inc., a California corporation  
Its: Manager

Signed: \_\_\_\_\_  
By: Tyler Mattox  
Its: President

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

MCA Hillside, LLC, c/o MCA Realty, Inc.  
1301 Dove Street, Suite 650  
Newport Beach, CA 92660

---

Space Above this Line Reserved for Use by Recorder

## **DECLARATION OF PARKING USE RESTRICTION AND RECIPROCAL EASEMENT**

---

**THIS DECLARATION OF PARKING USE RESTRICTION AND RECIPROCAL EASEMENT** (“Declaration”) is made and entered into this 16<sup>th</sup> day of June, 2025, by **MCA HILLSIDE, LLC**, a Delaware limited liability company (“Declarant”).

### **RECITALS**

A. Declarant is the fee owner of the following parcels of land located in the City of Sedona, County of Coconino, State of Arizona:

1. **Shopping Center Parcels:**  
APN 401-19-011A and APN 401-19-017A  
(collectively, the “Shopping Center Parcels”)
2. **Parking Parcel:**  
APN 401-19-012 and APN 401-19-013A  
(collectively, the “Parking Parcel”)

B. Declarant intends to develop and use the Parking Parcel as a formal parking lot in support of the Shopping Center Parcels.

C. Declarant desires to establish permanent restrictions and easements to ensure that the Parking Parcel is used exclusively to provide parking for the Shopping Center Parcels, and to benefit current and future owners of the Shopping Center Parcels.

NOW, THEREFORE, in consideration of the foregoing premises, the grants, reservations, easements and agreements herein made, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant, intending to be legally bound, does hereby agree as follows:

---

## DECLARATION

1. Grant of Parking Easement. Declarant hereby declares and grants to the Shopping Center Parcels and their owners, tenants, invitees, customers, employees, licensees, and successors a perpetual, non-exclusive and unobstructed access, ingress and egress easement over, across, upon and through the Parking Parcel for vehicular parking, ingress, egress, and circulation. Notwithstanding anything to the contrary contained herein, this Declaration shall remain subordinate to any previously recorded instrument to this Declaration.
2. Exclusive Use Restriction. The Parking Parcel shall be used exclusively to provide parking for the Shopping Center Parcels. The Declarant is specifically granting this easement with the understanding that the Parking Parcel shall be used for no other purpose other than parking. The Parking Parcel shall not be used for the following scenarios, including but not limited to:
  - a) Parking unrelated to the Shopping Center (e.g., residential or public parking);
  - b) Short-Term Rental parking;
  - c) Paid parking or third-party events;
  - d) Commercial uses other than parking supporting the Shopping Center: and
  - e) Other uses as the Declarant reasonably determines
3. Covenants Running with the Land. All the terms and provisions hereof are and shall be deemed to run with the property described herein and shall burden and benefit such property as described herein and, with respect to such property, each future owner, the holders or owners of any mortgage, indenture, deed of trust or deed to secure debt encumbering any of such property, any purchaser at a foreclosure sale, any other person or entity acquiring any right, title or interest in such property and their respective heirs, executors, administrators, representatives, successors and assigns.
4. Maintenance. Declarant, or future owner of the Parking Parcel, shall maintain the Parking Parcel in accordance with applicable City of Sedona standards.
5. Amendment or Termination. This Declaration may not be amended or terminated except by a written instrument executed by the owner(s) of both the Shopping Center Parcels and the Parking Parcel.
6. Recording. Declarant shall record this Declaration in the Official Records of Coconino County, Arizona. This Declaration shall constitute notice to all future owners and encumbrancers of the Parking Parcel and Shopping Center Parcels.
7. Enforcement. The owner(s) of the Shopping Center Parcels shall have the right to enforce this Declaration by legal or equitable action, including injunctive relief.
8. Reciprocal Indemnity. Any future owners of either the Shopping Center Parcels or the Parking Parcel shall agree to indemnify and hold each other harmless from any loss, cost, damage or expense (including, without limitation, court costs and attorneys' fees) arising from, out of or in any manner connected with the acts or omissions of the indemnifying party in exercising the rights and obligations granted and set forth herein.
9. Time of the Essence. Time is of the essence of this Declaration.

10. Waiver. Each and every covenant and agreement contained herein shall be for any and all purposes hereof construed as separate and independent and the breach of any covenant by any party shall not release or discharge them from their obligations hereunder. No delay or omission by any party to exercise its rights accruing upon any noncompliance or failure of performance by any party shall impair any such right or be construed to be a waiver thereof. A waiver by any party hereto of any of the covenants, conditions or agreements to be performed by any other party shall not be construed to be a waiver of any succeeding breach or of any covenants, conditions or agreements contained herein.

11. Severability. All rights, powers and remedies provided herein may be exercised only to the extent that the exercise thereof does not violate any then applicable law and shall be limited to the extent of necessary to render the real covenants herein valid and enforceable. If any term, provision, covenant or agreement contained herein or the application thereof to any person, entity or circumstance shall be held to be invalid, illegal or unenforceable, the validity of the remaining terms, provisions, covenants or agreements or the application of such term provision, covenant or agreement to person, entities or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby.

12. Binding Effect; Dedication; Appurtenance. This Declaration shall be binding upon and inure to the benefit of both parcels and the successors and assigns of the owners of the parcels. Notwithstanding the foregoing, each future owner shall be responsible only for the obligations, indemnities, duties, liabilities and responsibilities set forth in this Declaration that accrue during the period of time during which such owner holds fee simple title to a parcel or portion thereof. Upon conveyance of a parcel or a portion thereof, the owner making such conveyance shall be relieved from the obligations, duties, indemnities and responsibilities hereunder arising from and after the date of such conveyance as to such parcel, or portion thereof conveyed, and the successor owner shall become obligated hereunder for all matters arising from and after the date of conveyance. Upon the conveyance or dedication of any of the easements created hereunder, the facilities located therein, and the real property burdened thereby, to the appropriate governmental authority, such governmental authority shall take title to any property so conveyed or dedicated free and clear of any obligations, duties, indemnities, liabilities and responsibilities created by this Declaration. The rights, privileges and easements granted and conveyed hereunder shall exist for the benefit of, and be a burden upon the parcels and shall run with title to, and be appurtenant to, such parcels.

13. Notices. All notices required under this Declaration shall be deemed to be properly served if reduced to writing and sent by (i) certified or registered mail; (ii) Federal Express or similar overnight courier; (iii) facsimile transmission; or (iv) personal delivery and the date of such notice will be deemed to have been the date on which such notice is delivered or attempted to be delivered as shown by the certified mail return receipt or a commercial delivery service record or in the case of facsimile on the date of receipt of the transmission as shown on a successful transmission confirmation receipt. All notices shall be addressed as follows, unless otherwise specified in writing:

MCA Hillside, LLC, c/o MCA Realty, Inc.  
1301 Dove Street, Suite 650  
Newport Beach, CA 92660

14. Remedies. In the event any future owner fails to perform the maintenance, repair or other work required by this Declaration or fails to perform the work in accordance with the requirements of this Declaration or otherwise breaches the terms of this Declaration, the non-defaulting owner(s) may notify the defaulting owner and shall specify the deficiencies in the work or the breach. If such deficiencies are not corrected, or the breach not cured, within thirty (30) days after receipt of such notice, then the non-defaulting owner(s) shall have the right to correct such deficiencies or perform the work (even if such work must be undertaken on the defaulting owner's parcel) or cure the breach, and recover all costs and expenses related thereto from the defaulting owner. Any amounts due and payable to an owner pursuant to this Declaration shall be paid within thirty (30) days from the date the other owner is notified of the amounts due. Any amounts not paid when due shall bear interest at a rate equal to the lesser of (i) ten percent (10%) per annum, or (ii) the maximum rate of interest permitted by the laws of the State of Arizona for such obligations. The failure to pay any amounts due pursuant to this Declaration shall not entitle any owner to file a lien or claim of lien against the parcel owned by the delinquent owner.

15. Reservation of Rights. The future owners of the parcels shall each reserve the right to use the area of the easements created hereby in any manner which is consistent with the easement rights set forth in this Declaration.

---

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first written above.

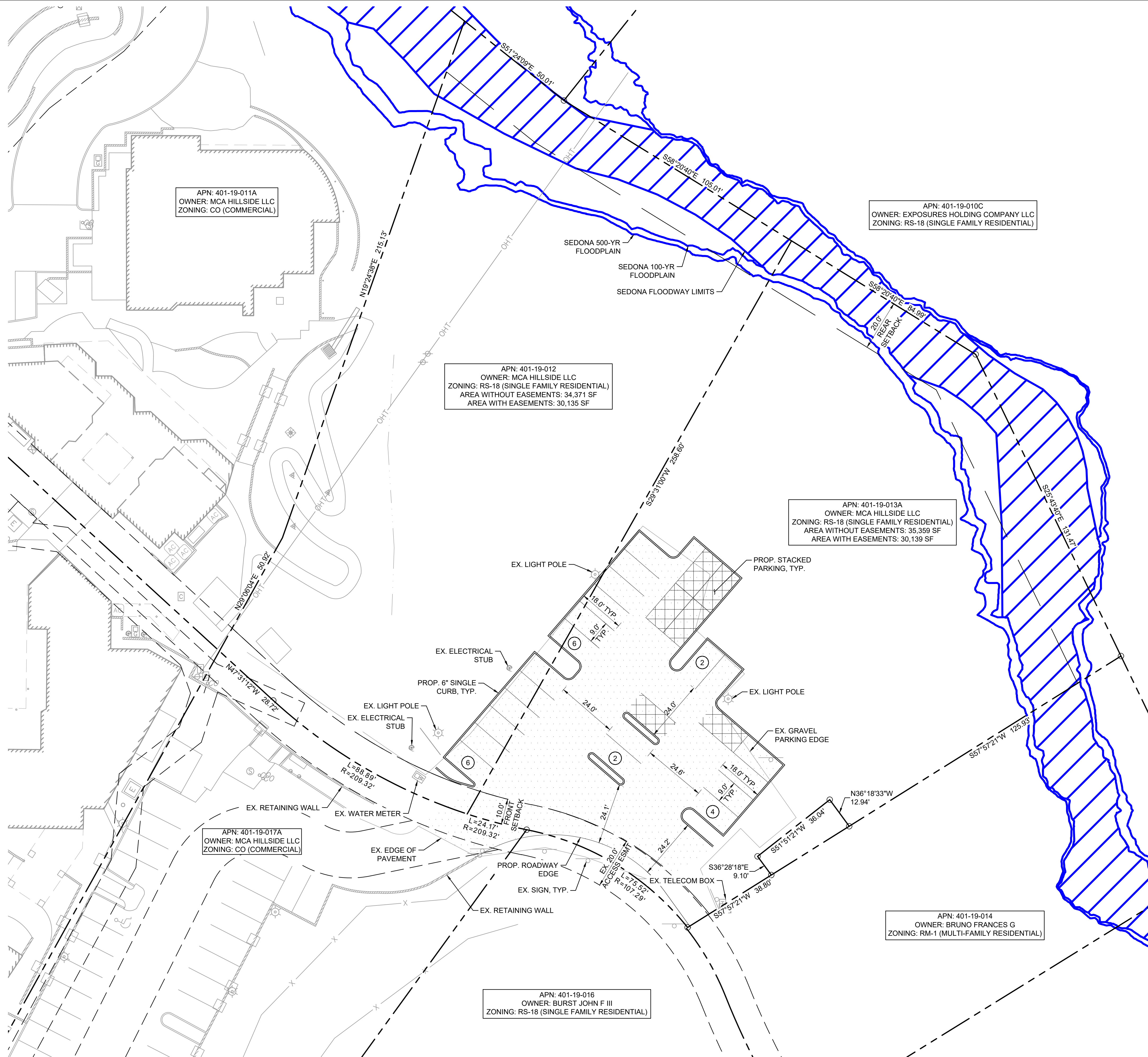
**DECLARANT:**

MCA HILLSIDE, LLC, a Delaware limited liability company

By: MCA Realty, Inc., a California corporation  
Its: Manager

Signed: \_\_\_\_\_  
By: Tyler Mattox  
Its: President

James.Huggins



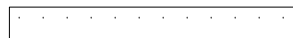
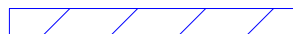
**OWNER**  
MCA HILLSIDE LLC  
1750 E DEERE AVE  
SANTA ANA, CA 92705  
TEL NO. (949) 988-7957  
CONTACT: TOM HANRAHAN  
EMAIL: [THANRAHAN@MCA-REALTY.COM](mailto:THANRAHAN@MCA-REALTY.COM)

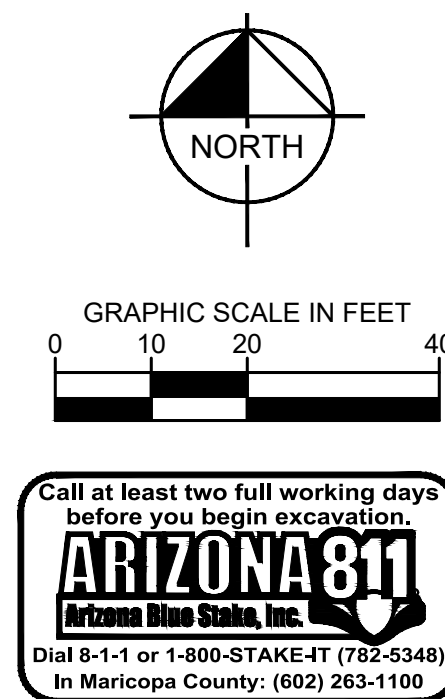
**ENGINEER**  
KIMLEY - HORN AND ASSOCIATES, INC.  
101 W GOODWIN ST. SUITE 303  
PRESCOTT, AZ 86303  
TEL NO. (928) 458-7125  
CONTACT: JAMES HUGGINS, PE  
EMAIL: JAMES.HUGGINS@KIMLEY-HORN.COM

**SURVEYOR**  
ARIZONA SURVEYING AND MAPPING  
2440 W MISSION LANE, SUITE #4  
PHOENIX, AZ 85021  
TEL NO. (602) 246-9944  
CONTACT: LANCE DICKSON, RLS  
EMAIL: INFO@ASAM1.COM

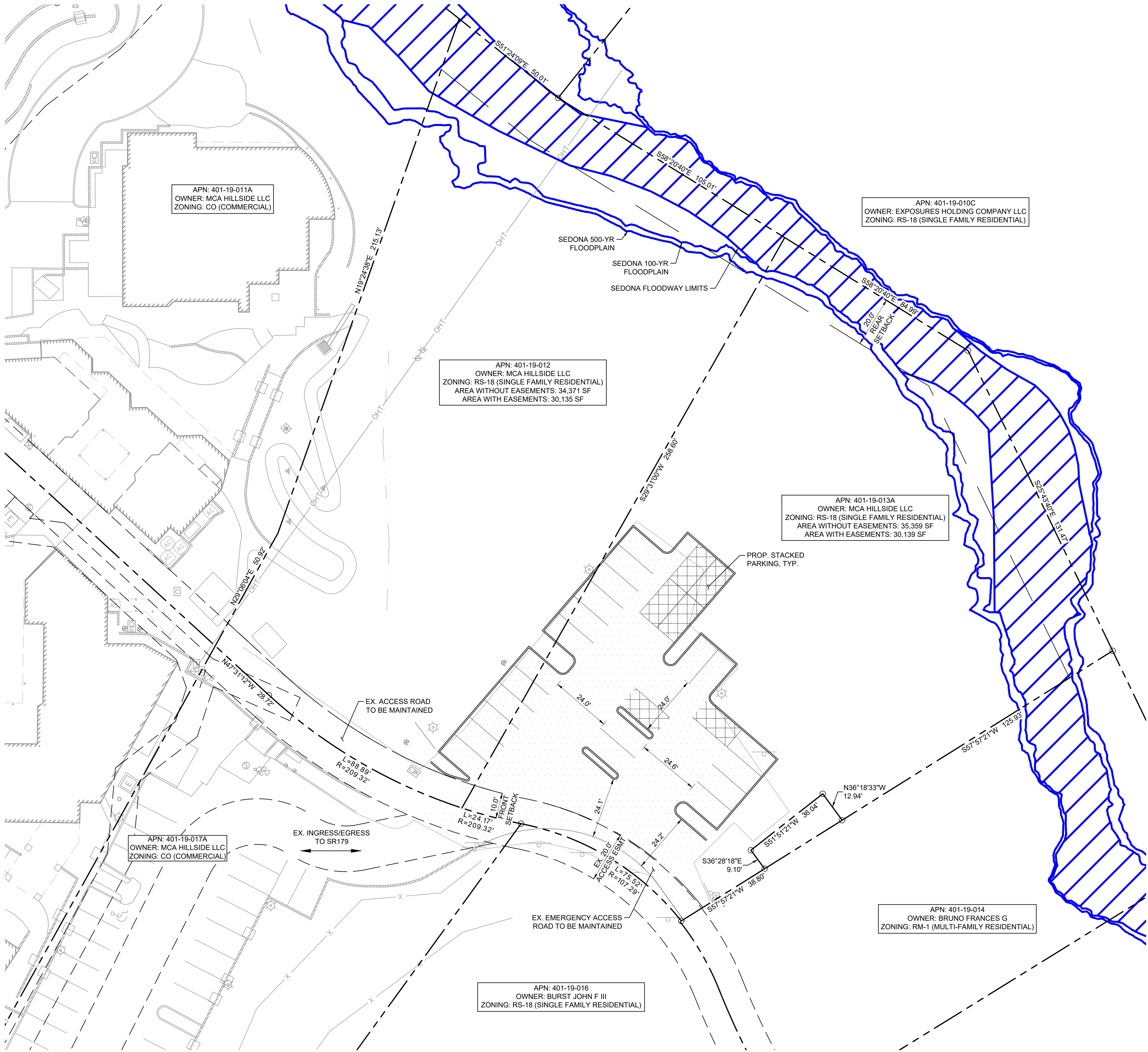
| <u>PROJECT INFORMATION</u> |                     |
|----------------------------|---------------------|
| ASSESSOR'S PARCEL NUMBER:  | 401-19-012 & -013A  |
| GROSS ACREAGE:             | ±1.6 ACRES          |
| EXISTING ZONING:           | RS-18               |
| PROPOSED ZONING:           | CO, COMMERCIAL      |
| EXISTING LAND USE:         | GRAVEL PARKING LOT  |
| PROPOSED LAND USE:         | PAVED PARKING LOT   |
| JURISDICTION:              | CITY OF SEDONA, AZ  |
| SETBACKS:                  |                     |
| • FRONT:                   | 10'                 |
| • SIDE:                    | 10' ABUTTING STREET |
| • REAR:                    | 20' ABUTTING        |
| PROPOSED PARKING:          | RESIDENTIAL ZONING  |
|                            | 26 SPACES           |

PROPOSED PARKING:

|                                                                                     |                        |
|-------------------------------------------------------------------------------------|------------------------|
| <b>LEGEND</b>                                                                       |                        |
|  | PROPERTY LINE          |
|  | SETBACK LINE           |
|  | EASEMENT LINE          |
|  | PROP. CURB             |
|  | PROP. PARKING SPACES   |
|  | PROP. ASPHALT PAVEMENT |
|  | FLOODWAY LIMITS        |
|  | FLOODPLAIN LIMITS      |
|  | PROP. STACKED PARKING  |

[illegible]

C:\Users\JAMES-1\OneDrive\Local\Temp\26693\2025-06-12\_Hillside Shopping Center\_Site Plan.dwg Jun 12, 2025 James.Huggins  
XREFS: XTB: GARI-292125000.dwg XBA: XBA-292125000.dwg XTC: XTC-292125000.dwg XFL: XFL-292125000.dwg  
THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, IS AN INSTRUMENT OF SERVICE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE  
OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



**OWNER**  
MCA HILLSIDE LLC  
1750 E DEERE AVE  
SANTA ANA, CA 92705  
TEL NO. (949) 988-7957  
CONTACT: TOM HANRAHAN  
EMAIL: THANRAHAN@MCA-REALTY.COM

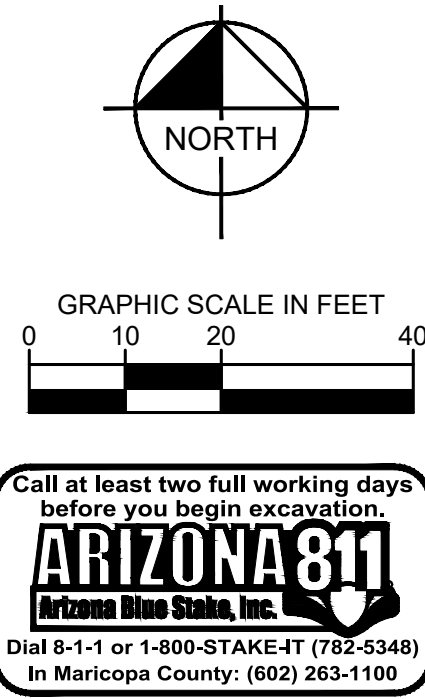
**ENGINEER**  
KIMLEY - HORN AND ASSOCIATES, INC.  
101 W GOODWIN ST. SUITE 303  
PRESCOTT, AZ 86303  
TEL NO. (928) 458-7125  
CONTACT: JAMES HUGGINS, PE  
EMAIL: JAMES.HUGGINS@KIMLEY-HORN.COM

**SURVEYOR**  
ARIZONA SURVEYING AND MAPPING  
2440 W MISSION LANE, SUITE #4  
PHOENIX, AZ 85021  
TEL NO. (602) 246-9944  
CONTACT: LANCE DICKSON, RLS  
EMAIL: INFO@ASAM1.COM

**PROJECT INFORMATION**  
ASSESSOR'S PARCEL NUMBER: 401-19-012 & -013A  
GROSS ACREAGE: +1.6 ACRES  
EXISTING ZONING: RS-18  
PROPOSED ZONING: CO, COMMERCIAL  
EXISTING LAND USE: GRAVEL PARKING LOT  
PROPOSED LAND USE: PAVED PARKING LOT  
JURISDICTION: CITY OF SEDONA, AZ  
SETBACKS:  
• FRONT: 10'  
• SIDE: 10' ABUTTING STREET  
• REAR: 20' ABUTTING  
RESIDENTIAL ZONING  
26 SPACES

PROPOSED PARKING:

| LEGEND |                        |
|--------|------------------------|
| ---    | PROPERTY LINE          |
| ---    | SETBACK LINE           |
| ---    | EASEMENT LINE          |
| ---    | PROP. CURB             |
| ---    | PROP. ASPHALT PAVEMENT |
| ---    | FLOODWAY LIMITS        |
| ---    | FLOODPLAIN LIMITS      |
| ---    | PROP. STACKED PARKING  |

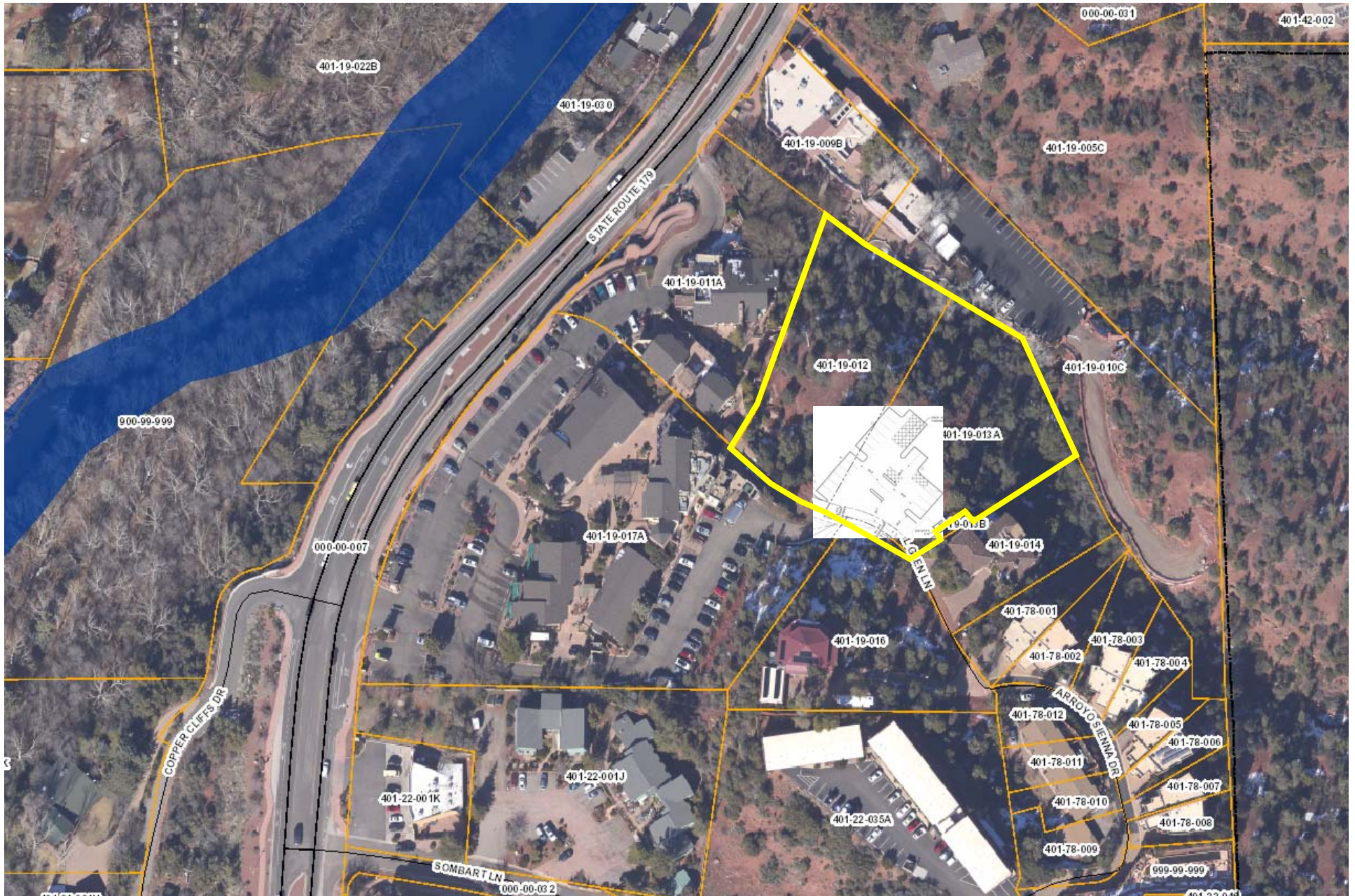


|                                                                                                                            |                |                  |               |                 |                 |
|----------------------------------------------------------------------------------------------------------------------------|----------------|------------------|---------------|-----------------|-----------------|
| SCALE (H): 1"=20'                                                                                                          | SCALE (V): N/A | DESIGNED BY: JTH | DRAWN BY: JTH | CHECKED BY: ACB | DATE: JUNE 2025 |
| HILLSIDE SEDONA SHOPPING CENTER<br>PRELIMINARY SITE CIRCULATION PLAN<br>671 SR-179<br>SEDONA, AZ                           |                |                  |               |                 |                 |
| PRELIMINARY<br>FOR REVIEW ONLY<br>NOT FOR CONSTRUCTION<br>Kimley»Horn<br>ENGINEER JAMES HUGGINS<br>PE NO. 23615 DATE 06/25 |                |                  |               |                 |                 |
| PROJECT NO.<br>292125000                                                                                                   |                |                  |               |                 |                 |
| DRAWING NAME<br>SC01                                                                                                       |                |                  |               |                 |                 |
| 02 OF 02                                                                                                                   |                |                  |               |                 |                 |

**Kimley»Horn**  
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
101 WEST GOODWIN STREET, SUITE 303  
PRESCOTT, ARIZONA 86303 (928) 458-7121

# CONTEXT PLAN

## Hillside Shopping Center – Gravel Lot ZC





March 3<sup>rd</sup>, 2025

**MCA Hillside, LLC**  
1750 E Deere Ave, 2<sup>nd</sup> Floor  
Santa Ana, CA, 92705  
949-300-0495  
tmatttox@mca-realty.com

**City of Sedona**  
Community Development Department  
102 Roadrunner Drive  
Sedona, AZ 86336

**Subject:** Written Narrative for Context Map for Zone Change Application (APN 401-19-012 & 401-19-013A)

# Written Narrative for Context Map

**Subject Property:** 86 Royal Glenn, Sedona, AZ

## Introduction

This narrative is submitted in support of a zone change application for the subject property. In conjunction with the zone change approval, MCA is committed to the paving of an existing gravel lot, improving accessibility, safety, and environmental management. This upgrade aligns with Sedona's commitment to maintaining functional and aesthetically cohesive infrastructure while minimizing dust, erosion, and maintenance concerns.

## Existing Conditions

- The area in question is currently a gravel lot that serves as an informal parking and access area.
- The unpaved surface results in dust generation, erosion, and inconsistent grading, which can create accessibility and maintenance challenges.
- The lot is surrounded by natural desert vegetation, rock formations, and nearby developed infrastructure, all of which will be carefully considered during the upgrade process.

## Proposed Asphalt Improvements

- **New Asphalt Paving:** The project involves paving approximately 15,000 square feet of the existing gravel lot, establishing a smooth, durable surface suitable for long-term use.
- **Surface Preparation:** Minor grading will ensure a stable base before paving, using compacted subgrade materials to support the asphalt.

**MCA Realty, Inc.**  
1750 E. Deere Ave. 2<sup>nd</sup> Floor,  
Santa Ana, CA 92705

- **Pavement Construction:** The lot will be paved with C3/4" asphalt reinforced with Forta Fi Fibers, providing a strong, weather-resistant surface.
- **Dust & Erosion Control:** By replacing the gravel surface with asphalt, the project will significantly reduce dust dispersion and minimize runoff-related erosion.
- **Updated Site Striping:** Once paved, the lot will be striped for organized parking and traffic flow, ensuring clear delineation of spaces and pathways.

## **Environmental & Aesthetic Considerations**

- **Preserving Natural Character:** The project will maintain existing vegetation and significant natural features, ensuring the lot blends with the surrounding landscape.
- **Viewshed Protection:** The paving process will have a minimal visual impact and will improve the overall site aesthetics by eliminating loose gravel and dust.
- **Sustainable Water Management:** Proper grading and paving will reduce sediment runoff, helping to protect nearby natural areas from erosion and debris accumulation.

## **Circulation & Accessibility Enhancements**

- **Improved Vehicle Access:** The paved surface will provide better traction, smoother navigation, and reduced wear on vehicles.
- **Enhanced Pedestrian Safety:** A stable surface will eliminate loose gravel hazards, reducing the risk of slips and falls.
- **Defined Parking Layout:** The addition of striping and designated spaces will create a more organized, user-friendly parking area.

## **Conclusion**

The proposed project represents a necessary infrastructure upgrade, transforming a gravel lot into a safe, durable, and environmentally responsible paved area. These improvements will enhance site functionality, reduce maintenance costs, and align with Sedona's commitment to sustainability and accessibility.

**Exterior Lighting Application**  
Commercial and Multi-Family  
See LDC Section 5.8: Exterior Lighting



**City Of Sedona**  
**Community Development Department**  
102 Roadrunner Drive Sedona, AZ 86336  
(928) 282-1154 • [www.sedonaaz.gov/cd](http://www.sedonaaz.gov/cd)

**Applicant and Permit Information**

|                        |                                                                   |             |  |
|------------------------|-------------------------------------------------------------------|-------------|--|
| Applicant Name:        | MCA Hillside, LLC                                                 | Permit #:   |  |
| Phone:                 | 949-701-5194                                                      | Date Rec'd: |  |
| Email Address:         | thanrahan@mca-realty.com                                          | Initials:   |  |
| Action/Staff Initials: | <input type="checkbox"/> Approved <input type="checkbox"/> Denied | Date:       |  |

**Site Identification**

|                                |                                     |
|--------------------------------|-------------------------------------|
| Property Address/Location:     | 86 Royal Glen Ln, Sedona, AZ, 86336 |
| Parcel Number                  | 401-19-013A & 401-19-012            |
| Business Name (If applicable): | Hillside Shopping Center            |

**Lumen Information**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |         |                                            |         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|--------------------------------------------|---------|
| Gross acres of entire site:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 1.6 AC  | Acres for Public Right-of-Way:             | .05     |
| Net Acreage of Site:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 1.55 AC | x 70,000 = Total initial lumens permitted* | 108,500 |
| <i>*Total outdoor light output shall not exceed 70,000 initial lumens per net acre for all development except single-family residential uses. This cap is not intended to be achieved in all cases or as a design goal. Design goals should be the lowest level of lumens necessary to meet the lighting requirements of the site. Partially shielded light fixtures are limited to a maximum of 3,850 initial lumens per net acre and are counted towards the 70,000 initial lumens per net acre cap.</i> |         |                                            |         |

**Type of Shielding and Lumens Proposed** (See Lumen Calculation Table – page 2)

|                                      |        |
|--------------------------------------|--------|
| Lumens: Fully Shielded Fixtures:     | 3      |
| Lumens: Partially Shielded Fixtures: |        |
| Total Lumens Proposed:               | 15,000 |

**Applicant Signature**

|            |              |       |         |
|------------|--------------|-------|---------|
| Signature: | Tom Hanrahan | Date: | 6/18/25 |
|------------|--------------|-------|---------|

## Exterior Lighting Application

### Commercial and Multi-Family

See LDC Section 5.8: Exterior Lighting

#### Lighting Inventory and Lumen Calculation Table

- Include a Site Plan identifying all lighting fixtures, keyed to the inventory table.
- Include all new/proposed lighting and all existing lighting.
- Include any lighting proposed for external illumination of signs.
- Attach cut sheets or manufacturer's product description for all lights. If not available for existing fixtures, include photographs of the fixtures and any additional information to demonstrate compliance with code requirements.
- Attach additional sheets if necessary

*Lighting Classes (See LDC Section 5.8.D(1) for a complete explanation):*

- Class 1: High Activity Areas
- Class 2: Security and Public Safety
- Class 3: Decorative and Accent

*Correlated Color Temperature(CCT)/Kelvin Rating:* A maximum of 4,000K is permitted for all lighting; Class 2 Lighting is limited to a maximum of 2,700K

*Shielding:*

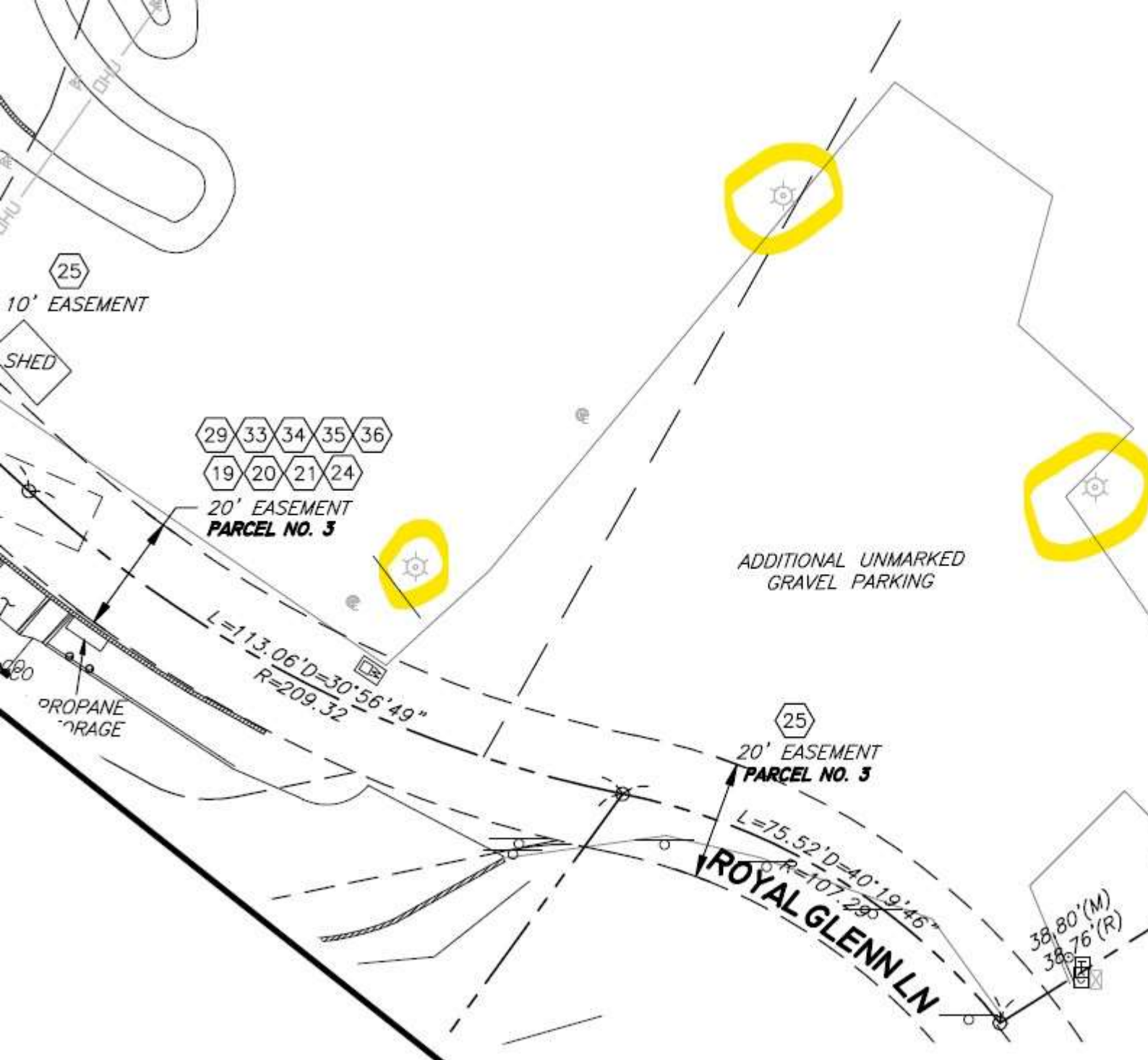
- F: Fully Shielded: Required for most lighting
- P: Partially Shielded: Limited to 3,850 lumens per acre
- U: Unshielded: Only permitted for existing, legal nonconforming lighting

**Site Plan:** ☒ Attached ☐ Provided with plans (Sheet \_\_\_\_\_)

| Plan Key (ID)*         | New or Existing (N or E) | Lighting Class (1, 2, or 3) | CCT/Kelvin Rating | Shielding (F, P, or U) | Initial Lumens | No. of Units | Total Lumens |
|------------------------|--------------------------|-----------------------------|-------------------|------------------------|----------------|--------------|--------------|
| 1                      | E                        | 2                           | 5000K             | F                      | 7000           | 3            | 21,000       |
|                        |                          |                             |                   |                        |                |              |              |
| 1                      | N                        | 2                           | 2700              | F                      | 5000           | 3            | 15,000       |
|                        |                          |                             |                   |                        |                |              |              |
|                        |                          |                             |                   |                        |                |              |              |
|                        |                          |                             |                   |                        |                |              |              |
|                        |                          |                             |                   |                        |                |              |              |
|                        |                          |                             |                   |                        |                |              |              |
| Total Lumens Proposed: |                          |                             |                   |                        |                |              | 15,000       |

\*Plan key identification in first column must correspond to labeling on site plan

Replacing 3 lightbulbs in our existing 15 foot lightposts. Current lightbulbs are non-compliant. See attached pictures. The lightposts will be cut and re-welded at the base to a height of 12 feet.



Existing lightpost locations circled in yellow. Proposing to replace the three bulbs with compliant Kelvin/Lumen bulbs

# PROPOSED BULB REPLACEMENT



| Features & Specs                |                                              | ^ |
|---------------------------------|----------------------------------------------|---|
| Light Type                      | LED                                          |   |
| Additional Features             | High Light Efficiency, 360 Degree Beam Angle |   |
| Wattage                         | 50 watts                                     |   |
| Bulb Shape Size                 | G30                                          |   |
| Bulb Base                       | E26                                          |   |
| Incandescent Equivalent Wattage | 50 Watts                                     |   |
| Specific Uses For Product       | Home Lighting Solution                       |   |
| Light Color                     | Warm White                                   |   |
| Voltage                         | 110 Volts                                    |   |
| Color Temperature               | 2700 Kelvin                                  |   |
| Brightness                      | 5000 Lumen                                   |   |
| Connectivity Technology         | Normal bulb                                  |   |
| Controller Type                 | Push Button                                  |   |
| Power Source                    | Corded Electric                              |   |
| Color Rendering Index           | 85                                           |   |
| Light Source Type               | LED                                          |   |
| Light Source Wattage            | 50 Watts                                     |   |
| Accepted Voltage Frequency      | 100 to 240 Volts and 50 Hertz to 60 Hertz    |   |
| Control Method                  | App                                          |   |
| Light Source Operating Life     | 2.5E+4 Hours                                 |   |
| White Brightness                | 5000 Lumens                                  |   |
| Efficiency                      | High Efficiency                              |   |

A tall, black, rectangular light pole stands in a desert landscape. The pole is positioned in the center-left of the frame. In the background, there are prominent red rock mountains under a clear blue sky. To the left of the pole, there are green trees and shrubs. In the foreground, a white car is partially visible on the left side, and a concrete curb is on the right. The ground is covered in gravel.

**POSTS WILL BE CUT  
AND WELDED TO  
THE BASE AT A  
COMPLIANT HEIGHT  
OF 12 FEET.**



256-21-12  
65W / 5000K / 7000lm  
120-277VAC 60Hz 650mA  
E330072



**ATTENTION**  
Doit enlever ou contourner le  
ballast avant l'installation si  
le ballast HID est présent

# Hillside Site Plan

Overview |

Proposed ZC from  
RS-18 to CO





March 3<sup>rd</sup>, 2025

**MCA Hillside, LLC**  
1750 E Deere Ave, 2<sup>nd</sup> Floor  
Santa Ana, CA, 92705  
949-300-0495  
tmattox@mca-realty.com

**City of Sedona**  
Community Development Department  
102 Roadrunner Drive  
Sedona, AZ 86336

**Subject:** Authorization Letter for Zone Change Application (APN 401-19-012 & 401-19-013A)

To Whom It May Concern,

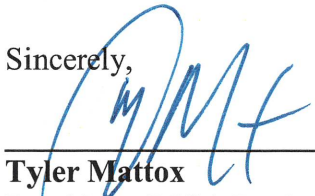
I, **Tyler Mattox**, the legal owner of the property located at **86 Royal Glen Lane, Sedona, AZ (APN: 401-19-012 & 401-19-013A)**, hereby authorize **Tom Hanrahan** and/or **Nick Sivek** to submit a **zone change application** on my behalf. This request is to rezone the property from **RS-18 (Single Family Residential)** to **CO (Commercial)** to allow for the use of the land as a parking facility in alignment with the adjacent commercial development.

This authorization grants **Tom Hanrahan** and/or **Nick Sivek** the right to act as my agent in all matters related to the application, including:

- Submission of required documents
- Communication with the City of Sedona's Community Development Department.
- Representation at public hearings and meetings.
- Addressing any comments or concerns raised during the review process.

I understand that I remain responsible for all applicable fees and compliance with city requirements.

Sincerely,



---

**Tyler Mattox**  
President, MCA Realty, LLC

**Manager, MCA Hillside, LLC**

# **Attachment 3:**

## **Public Comments**

## Megan Yates

---

**From:** donotreply@sedonaaz.gov  
**Sent:** Monday, June 16, 2025 7:55 AM  
**To:** Cari Meyer; Megan Yates; Alex Ortega; Frances Almutawa  
**Subject:** Comment on Development Proposal

**Caution:** This is an external email and should be considered suspicious. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department.

A new entry to a form/survey has been submitted.

**Form Name:** Comments on Development Proposals  
**Date & Time:** 06/16/2025 7:55 a.m.  
**Response #:** 680  
**Submitter ID:** 7581  
**IP address:** 71.36.179.62  
**Time to complete:** 11 min. , 16 sec.

---

### Survey Details

#### Page 1

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**We want to hear what you think. Please share your thoughts below. If you have questions about the project, please enter your contact information so that we can respond. Please note that all information submitted (including name, addresses, and email) will become part of the public record and will be available for public inspection.**

**1. Project Name:**

Hillside Parking extension

**2. What are your comments, concerns, ideas, and suggestions about this project?**

This pocket of land zoned residential and now under consideration for a zone change to allow additional parking for Hillside restaurant. This extra parking has not been needed for decades and now suddenly is. Since the City says we have a housing crisis then this piece of land should stay for residential. Instead of always looking for huge projects for housing City should take advantage of smaller pockets like this around the City.

Larger projects are fine but, a pocket here and there would be very advantageous. So many parking lots in Sedona had contributed greatly to our town being a "Heat Island". Even small parking lots all add up.

Our humidity in Sedona has greatly increased since years ago. The nights are often so hot air conditioning is needed. One night recently

it was 45 degrees and other nights high, I have been checking. Years ago we never needed air conditioning at night. I have lived in Uptown for 45 years and am keenly aware of the changes.

**3. Your contact information (If you do not feel comfortable sharing or do not want this information to become a public record, a partial answer or "not applicable" is acceptable.)**

**Name:** Joan Shannon  
**Address (or Street Name):** 315 Smith Rd  
**City of Residence** Sedona  
**E-mail:** faithfuljoan@earthlink.net

**4. Would you like to receive notices about this project, such as public meeting dates?**

(o) Yes

Thank you,  
**City of Sedona**

---

This is an automated message generated by Granicus. Please do not reply directly to this email.



## Megan Yates

---

**From:** donotreply@sedonaaz.gov  
**Sent:** Monday, June 16, 2025 3:32 PM  
**To:** Cari Meyer; Megan Yates; Alex Ortega; Gary Leikness  
**Subject:** Comment on Development Proposal

**Caution:** This is an external email and should be considered suspicious. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department.

A new entry to a form/survey has been submitted.

**Form Name:** Comments on Development Proposals  
**Date & Time:** 06/16/2025 3:32 p.m.  
**Response #:** 681  
**Submitter ID:** 7583  
**IP address:** 47.215.225.237  
**Time to complete:** 7 min. , 5 sec.

---

### Survey Details

#### Page 1

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We want to hear what you think. Please share your thoughts below. If you have questions about the project, please enter your contact information so that we can respond. Please note that all information submitted (including name, addresses, and email) will become part of the public record and will be available for public inspection.

**1. Project Name:**

Hillside Rezoning

**2. What are your comments, concerns, ideas, and suggestions about this project?**

Hillside was approved with the proper amount of parking. Approving this only takes away from well needed housing units. The two parcels could easily be two lots of a fourplex or a small two-story apartment complex where the residents could LIVE SHOP WORK EAT within walking. A win-win for all. This model is how most cities are improving the quality for both residents and businesses. Please do NOT approve.

**3. Your contact information (If you do not feel comfortable sharing or do not want this information to become a public record, a partial answer or "not applicable" is acceptable.)**

**Name:** Donna Varney  
**Address (or Street Name):** Page Parkway  
**City of Residence** Sedona 86336  
**E-mail:** donna@donnajoys.com

**4. Would you like to receive notices about this project, such as public meeting dates?**

---

## Comment on Development Proposal

---

From donotreply@sedonaaz.gov <donotreply@sedonaaz.gov>

Date Thu 7/3/2025 11:52 AM

To Cari Meyer <CMeyer@sedonaaz.gov>; Megan Yates <MYates@sedonaaz.gov>; Alex Ortega <AOrtega@sedonaaz.gov>; Gary Leikness <GLEikness@sedonaaz.gov>

**Caution:** This is an external email and should be considered suspicious. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department.

A new entry to a form/survey has been submitted.

**Form Name:** Comments on Development Proposals  
**Date & Time:** 07/03/2025 11:52 a.m.  
**Response #:** 682  
**Submitter ID:** 7606  
**IP address:** 47.215.232.151  
**Time to complete:** 28 min. , 2 sec.

---

### Survey Details

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#### Page 1

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**We want to hear what you think. Please share your thoughts below. If you have questions about the project, please enter your contact information so that we can respond. Please note that all information submitted (including name, addresses, and email) will become part of the public record and will be available for public inspection.**

**1. Project Name:**

Hillside Parking Rezone

**2.**

**What are your comments, concerns, ideas, and suggestions about this project?**

To: Planning and Zoning Commission,

I requested that the hearing scheduled for July 15th be postponed for a week (or two) since I will be out of town that week and was not given adequate and timely notice. Notification letters were sent to a wrong address and only learned of the zoning change hearing on Friday, June 27th from signs posted on my property. However the postponement was denied by the Megan Yates the assistant planner. I am the primary property owner that is most adversely effected by the zoning change and expansion of the parking lot My property at 91 Royal Glen Lane has about 400 feet of frontage next to the Hillside Sedona shopping center and parking lot. Among my concerns are vehicle congestion, aesthetically displeasing, ingress/egress issues, noise, and traffic, as well as the adverse effect on my property value.

I am requesting from the planning and zoning commission to schedule a second hearing so I may express in person my concerns in detail and have them addressed. Please take into consideration my request. Thank you very much in advance for your cooperation.

Yours Truly, John Burst  
Phone # 928-264-3183

Address: 91 Royal Glen Lane  
Sedona, AZ 86336  
Mailing Address: 190 W. State Route 89A #677  
Sedona, AZ 86339

3. **Your contact information (If you do not feel comfortable sharing or do not want this information to become a public record, a partial answer or "not applicable" is acceptable.)**

**Name:** John F. Burst  
**Address (or Street Name):** 91 Royal Glen Lane  
**City of Residence** Sedona,  
**E-mail:** value@email.com

4. **Would you like to receive notices about this project, such as public meeting dates?**

(o) Yes

Thank you,  
**City of Sedona**

---

**This is an automated message generated by Granicus. Please do not reply directly to this email.**



**PROVIDENT LAW**

16100 N. 71st Street, Suite 350  
Scottsdale, Arizona 85254  
480.388.3343

[www.providentlawyers.com](http://www.providentlawyers.com)

**Aaron M. Lumpkin, Esq.**

Partner

Direct: 480.264.7249

[aaron.lumpkin@providentlawyers.com](mailto:aaron.lumpkin@providentlawyers.com)

July 8, 2025

**Via Email Only to:**

Sedona Community and Development Department

Planning and Zoning Commission

Megan Yates

Cari Meyer

[cmeyer@sedonaaz.gov](mailto:cmeyer@sedonaaz.gov)

[myates@sedonaaz.gov](mailto:myates@sedonaaz.gov)

Re: Case No: PZ25-00003 (ZC) – 62 & 86 Royal Glen Ln., Sedona, AZ  
86336

Our File No. 004028.1A

To: Planning and Zoning Commission,

The Firm represent Mr. John Burst, the owner and resident of 91 Royal Glen Lane in Sedona, Arizona. I write in regard to Case No: PZ25-00003 (ZC). The proposed zone change for 62 & 86 Royal Glen Ln., Sedona, AZ. My client requested that the hearing scheduled for July 15th be postponed for a week (or two) since he will be out of town during that week and was not given adequate advanced notice to make alternative plans to be present. That request was denied and Mr. Burst has asked that I represent his position and comments to the commission. Mr. Burst's property at 91 Royal Glen Lane has approximately 400 feet of frontage next to the Hillside Sedona shopping center and parking lot and his opposition to the zone change and justifications deserves to be heard. I ask that this letter be included with the materials to be presented to the Planning and Zoning Commission for the July 15, 2025 hearing.

Mr. Burst takes issue with the proposed zone change and believes that it should be rejected for failing to meet the criteria under the Sedona Land Development Code Section 8.3(E)(5). First, despite being an effected property neighboring the subject lots, Mr. Burst did not receive notice of any citizen review process. As Mr. Burst spends his time in Sedona and California, it is unknown if notice was sent to him at all. As such, his voice in this

process has neither been heard nor considered as required by the LCD. Furthermore, subsection 8.3(E)(5)(e) which requires the approved zone change “not cause significant adverse impacts on surrounding properties. The applicant shall make a good faith effort to address concerns of the surrounding property owners in the immediate neighborhood as defined in the Citizen Participation Plan...” Not only does the proposed rezoning negatively impact Mr. Burst’s enjoyment of his property and its value, the plan itself has moved forward without his input.

### **I. Mr. Burst’s Position**

As you all are aware the properties requesting the zoning change to commercial are 62 and 86 Royal Glen Lane which are currently zoned single family residential. These two lots are zoned single family residential for good reason because the properties behind Hillside Sedona are residential properties. The two lots are incompatible for any commercial use such as a parking lot due to the vehicle congestion, noise, and traffic it creates to the neighboring residential properties. A fact that Mr. Burst would attest to if he were present at the hearing. The current parking lot on 86 Royal Glen Lane is nonconforming and already causes vehicle congestion, is aesthetically displeasing, impedes ingress/egress (easement blocked), creates noise, and should be removed with no additional commercial use allowed. The proposed asphalt paving amplify noise, which will be detrimental to the property. The current nonconforming parking lot has caused enough grief for Mr. Burst and his neighbors over the years due to the above mentioned reasons as well as drunks & curiosity seekers driving up the private drive and causing property damage.

When 91 Royal Glen Lane was built in 1982, Royal Glen Lane was a roadway connecting directly to Highway 179. That is evidenced on the applicants own site map. When Hillside Sedona was constructed, some small structures (walkways, small wall, etc.) were placed on Royal Glen Lane, blocking 91 Royal Glen’s ingress/egress. According to the recent survey conducted four years ago by Woodson Engineering, 91 Royal Glen still has exclusive ingress/egress easement rights on Royal Glen Lane (blocked portion) directly to Highway 179, as well as exclusive ingress/egress easement rights for the serpentine ingress/egress that runs in front of The Hudson Restaurant. There is a congested bottleneck in front of Hudson Restaurant and in particular just past The Hudson Restaurant entering into the current nonconforming parking lot.

Hillside Sedona has already been in violation of Mr. Burst’s exclusive easement numerous times by blocking his ingress/egress (for days at a time) and leaving him no legal or reliable ingress/egress to his property. The only other possible ingress/egress is on the

gated private road of Arroyo Sienna Road, a private road through which he has no legal right of access.

Mr. Burst is concerned that the proposed zoning change will adversely affect his property in the following ways: additional traffic, congestion, additional noise, additional loss of quiet enjoyment, less safety, additional egress/ingress issues, more restaurant and bar patrons driving the private driveway causing damage, and diminished aesthetics. Hillside Sedona shopping center should be more concerned with the crumbling and eroding hillside in front of the Hudson Restaurant which poses a safety hazard.

If the Commission is inclined to recommend the zone change, Mr. Burst asks for the following conditions imposed: reduced traffic count, reduced the noise (noise abatement), improved safety, and make the area more aesthetically pleasing in the natural way of Sedona. First, he proposes replacement of ugly gray gravel on existing parking lot with a reddish gravel (such as 1/2 inch Jesse Red). Second, he proposes construction of a retaining wall on the eroding hillside that faces The Hudson Restaurant. Third, reduce additional noise to the residential properties by building a four-foot high red rock wall along the frontage with the residential properties (replacing existing wire fencing). Fourth, for safety reasons to prevent the numerous Hillside Sedona Patrons from coming up the driveway, build a four-foot high (six foot with variance) double swinging gate at the beginning of Royal Glen Lane where residential properties have driveway access. Finally, so that Mr. Burst can start receiving mail from the post office, build a secure mail box protected from the patrons and employees so as not to be run over or vandalized.

In conclusion Hillside Sedona has adversely effected and harmed Mr. Burst's property value in the following ways: 1) Illegally blocking off his exclusive easement on the entire Royal Glen Lane to access Highway 179 directly; 2) constructing the current nonconforming parking lot; 3) granting an access easement to 100 Royal Glen Lane which overlaps Mr. Burst exclusive easement; 4) violating the exclusive ingress/egress easement agreement by blocking the easement for days at a time without informing Mr. Burst in advance and without providing a legal or viable alternative ingress/egress to his property. If the two lots are rezoned to commercial this would only benefit Hillside Sedona and would be harmful to Mr. Burst's property and to the overall Sedona residential community. Please let the current single family residential zoning for the two lots remain in place and deny the applicant's zoning change to commercial.

/       /       /

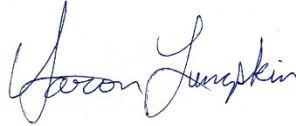
/       /       /

/       /       /

## II. Closing

I ask that you take Mr. Burst's above concerns into consideration when deliberating your decision. Beyond his concerns it does not appear that proper procedure was followed by the applicant which would have allowed Mr. Burst's concerns to be addressed and taken into account. As such, Mr. Burst may challenge the legality of any ultimate decision granting the applicant's zone change.

Regards,  
**Provident Law®**

A handwritten signature in blue ink, appearing to read "Aaron Lumpkin", is written over the printed name.

Aaron M. Lumpkin  
Partner

AML:na