



**TOWN OF PRESCOTT VALLEY
BOARD OF ADJUSTMENT**

Meeting Minutes
Monday, July 27, 2020
Prescott Valley Library Auditorium

I. Call to Order

Chairperson Shimmin called the meeting of the Board of Adjustment to order at 5:30 p.m. and outlined the public hearing rules and procedures for the Board of Adjustment.

II. Roll Call

Members present: Chairperson Shimmin, Vice-Chairperson Johnson, Member Griffis, and Member Van Boening. Staff present: Fernando Gonzalez, Code Enforcement Supervisor, Kelly Campbell, Administrative Support II, and Kristi Jones, Administrative Support II.

Chairperson Shimmin stated that as a full Board was not present, pursuant to Article 13-29-060, applicants have a right to request that their items be placed on an upcoming agenda for review by a full Board.

As the applicant was not present, Chairperson Shimmin asked Mr. Gonzalez for guidance on whether to proceed. Mr. Gonzalez stated that he had not heard from the applicant; therefore, the Board should proceed.

III. Approval of Minutes – June 22, 2020

Chairperson Shimmin asked if there were any changes to the minutes from the June 22, 2020 meeting. No revisions were submitted; therefore, Chairperson Shimmin called for a motion to approve the minutes. Vice-Chairperson Johnson made the MOTION, seconded by Member Griffis, to approve the minutes as submitted from the June 22, 2020 Board of Adjustment meeting.

MOTION carried unanimously by roll call vote as follows: Chairperson Shimmin YES, Vice-Chairperson Johnson YES, Member Van Boening YES, and Member Griffis YES.

MOTION carried with 4 ayes and 0 nays.

IV. Announcements

🚦 There were no announcements.

V. Action Items

- 1. UP20-001.** Upon the application of Carson Clouston, Agent, a request for a Use Permit per Section 13-14-020.C.13 of the Town of Prescott Valley Zoning Ordinance in order to operate a craft distillery business. The

subject property is located at 2970 N. Park Ave, Prescott Valley Entertainment District, Plaza 3, APN# 103-02-760D.

Fernando Gonzalez, Code Enforcement Supervisor, stated the subject property is located within a C2 (COMMERCIAL; GENERAL SALES AND SERVICES) zoning district. The applicant currently operates Colt BBQ & Spirits restaurant which is allowed by matter of right in the C2 zoning district; however, the applicant would like to expand his business to include a modest craft distillery.

Mr. Gonzalez reported that Town Code Section 13-14-020.C.13 does allow a craft distillery to operate in a C2 zoning district with the benefit of a Use Permit.

Mr. Gonzalez stated that Staff recommends the Board approve UP20-001 with the following conditions:

1. That the necessary building permits required for any changes or alterations to the property be secured prior to construction (including, but not limited to signage and fencing);
2. That all use shall be contained within a completely enclosed building;
3. Any exterior storage must be screened from public view with a one hundred percent (100%) obscured screen wall or fence with a minimum of six (6) feet in height;
4. The Use Permit shall be valid until such time as the business ceases to exist or changes ownership;
5. Retail as a principal use (less than 50% of the annual gallonage produced shall be sold to retail licensees or licensed wholesalers).

Chairperson Shimmin opened the item to public comment. There was no public comment; therefore, Chairperson Shimmin opened the item to questions or comments from the Board.

Vice-Chairperson Johnson expressed his support of the applicant's business thriving as it is good for the community.

Member Griffis inquired as to the meaning of the term "modest distillery."

Mr. Gonzalez explained that the distillery is not the primary use of the building, and that the portion of the building being used for the distillery will be approximately twenty-five percent (25%) of the building.

Member Griffis asked for clarification on Condition #2 "that all use shall be contained within a completely enclosed building", specifically whether "use" refers to the consumption, or just the making of the distillery spirits.

Mr. Gonzalez confirmed it was regarding the making of distillery spirits.

There were no further questions or comments from the Board for Staff.

Action UP20-001:

Member Van Boening moved to approve UP20-001 as submitted with the following conditions:

1. That the necessary building permits required for any changes or alterations to the property be secured prior to construction (including, but not limited to signage and fencing);
2. That all use shall be contained within a completely enclosed building;
3. Any exterior storage must be screened from public view with a one hundred percent (100%) obscured screen wall or fence with a minimum of six (6) feet in height;
4. The Use Permit shall be valid until such time as the business ceases to exist or changes ownership;
5. Retail as a principal use (less than 50% of the annual gallonage produced shall be sold to retail licensees or licensed wholesalers).

Chairperson Shimmin seconded the motion.

MOTION carried unanimously by roll call vote as follows: Chairperson Shimmin YES, Vice-Chairperson Johnson YES, Member Van Boening YES, and Member Griffis YES.

MOTION carried with 4 ayes and 0 nays.

VI. Call to Public

Chairperson Shimmin called for public comment. There was none.

VII. Adjournment

There was no further public comment related to any item presented during this meeting; therefore, Chairperson Shimmin asked if there was any further business for the Board. There was none; therefore, Chairperson Shimmin called for a motion for adjournment.

Vice-Chairperson Johnson made the MOTION, seconded by Member Van Boening to adjourn by roll call vote. Board members voted as follows: Chairperson Shimmin YES, Vice-Chairperson Johnson YES, Member Van Boening YES, and Member Griffis YES.

MOTION carried with 4 ayes and 0 nays.

The July 27, 2020, Board of Adjustment meeting adjourned at 5:37 p.m.

Linda Shimmin, Chairperson