



City of Prescott

Board of Adjustment

September 21, 2023 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chairman Jim Lamerson called the meeting to order at 9:00 A.M.

2. ROLL CALL

Members:

Jim Lamerson, Chairman
Tony Teeters, Vice Chairman
Thomas Davis
Mary Frederickson
Mark Hokeness, Absent
Miriam Haubrich
James Myers

Staff:

Kaylee Nunez, Community Planner
George Worley, Planning Manager
Matt Podracky, Deputy City Attorney
Sarah Hilton, Recording Secretary

3. DISCUSSION & ACTION ITEMS

- A. Approval of the August 17, 2023 Board of Adjustment Meeting Minutes.

**MOTION BY BOARD MEMBER MYERS TO APPROVE AUGUST 17, 2023 MINUTES;
SECONDED BY BOARD MEMBER DAVIS: (6 - 0)**

- B. **V23-005** - Variance to Article 6, Section 6.12.5.A.1.h. (Permanent On-Site Signs) of the Land Development Code (LDC) to Allow for an Increase From 32 Square Feet of Allowable Menu Board Signage to 38 Square Feet of Menu Board Signage for Wendy's Restaurant on an Approximate 0.90-Acre Parcel. Zoning: Business General (BG). Location: APN 113-07-030A, 650 Miller Valley Road. Owner: 650 Properties LLC. Applicant: Grace Signs Arizona LLC. Community Planner: Kaylee Nunez

Kaylee Nunez, Community Planner began by stating that this request is after the fact as the menu board has already been up and is in use. She then stated that Wendy's Restaurant is requesting a Variance to allow for thirty-eight square feet of menu board signage as The Land Development Code allows for a maximum of thirty-two square feet.

Ms. Nunez stated that she researched similar projects in the area and discovered that a Variance was recently granted to the Culver's drive-thru on Willow Creek Road for 46 square feet of menu board signage. Culver's is in the same Business General zoning district as Wendy's.

Ms. Nunez stated that the area has substantial commercial traffic with Fry's shopping center being to the north and Taco Don's drive-thru restaurant to the south. She stated that there is a manufactured home park to the west, but they built a six-foot wooden fence between the new Wendy's and the park to provide buffering. Ms. Nunez stated that the request is very unlikely to have a negative impact on neighboring properties.

Ms. Nunez presented photos of the signs that were posted to notify the public of the Board of Adjustment meeting. There were also notifications mailed to properties within three-hundred feet of the property. Ms. Nunez stated that there have been no comments from the public.

Ms. Nunez then presented a site plan to show where the sign is located and a zoning map to show the heavy commercial zoning in the area. She also presented photos and a rendering of the menu board sign.

Ms. Nunez then presented the Variance Review Criteria and stated that they met four of the six criteria.

- Extraordinary Conditions: No
- Substantial Detriment: No
- Special Privileges: No
- Self-Induced Hardship: Yes
- General Plan: Yes
- Utilization: Yes

Board Member Thomas Davis spoke about the Culver's variance that they saw come through and how they had discussions about setting precedence. He stated that maybe staff should look at the code and see if it needs to be adjusted to meet current needs as variances for larger signs for restaurants will continue to be applied for.

The applicant, Mike Donada with Signs Plus stated that the menu board in use is the standard sign that Wendy's uses nationally.

MOTION BY BOARD MEMBER FREDERICKSON TO APPROVE V23-005 AS PRESENTED; SECONDED BY BOARD MEMBER TEETERS: (6 - 0)

4. STAFF UPDATES

No Staff Updates.

5. ADJOURNMENT

There being no further business to discuss, Chairman Lamerson adjourned the meeting at 9:11 A.M.


JIM LAMERSON, Chairman

ATTEST:


SARAH HILTON, Recording Secretary