



City of Prescott Board of Adjustment

March 21, 2024 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

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

2. ROLL CALL

Members:

Jim Lamerson, Chair
Tony Teeters, Vice Chair
Tom Davis, Member
Mary Fredericks, Member
Miriam Haubrich, Member
Mark Hokeness, Member
James Myers, Member (Absent)

3. DISCUSSION & ACTION ITEMS

- A. Approval of the February 15, 2024 Board of Adjustment Meeting Minutes.

**MOTION BY MEMBER DAVIS TO APPROVE THE MINUTES AS PRESENTED;
SECONDED BY MEMBER TEETERS: PASSED (5 - 0) MEMBER FREDERICKSON
ABSTAINING**

- B. **CUP24-001:** Request for a Conditional Use Permit for a Church. Land Development Code (LDC) Sections 3.2 and 9.3. Location: 4920 Willow Creek Road, APN 106-02-005N. Zoning: Residential (RE-2 ACRE). Owner: Yavapai Orthodox Presbyterian Church. Applicant: Distinctive Homes and Architecture.

Tammy DeWitt, Community Planner, stated that the request is for a Conditional Use Permit for a new church located off of Willow Creek Rd next to the Pinon Oaks Subdivision. There is another church to the north of the subject property. She presented an aerial map and stated that the property is zoned Rural Estate 2 Acre (RE-2 Acre). She stated that when the property was annexed into the City, the underlying zoning was probably RCU2A and when a property is annexed, the property is rezoned to a similar zoning. There have been no rezoning requests in that area except for the property to the south.

Ms. DeWitt presented an aerial map of the area and stated that the property is vacant and that the access to the subject property would be through the Pinon Oaks subdivision, similar to the adjacent church to the north.

Ms. DeWitt presented a sight plan and stated that there was a similar request on the subject property in 2021. They asked for a variance to reduce the side setbacks. She stated that the request was denied but a Conditional Use Permit was approved. She stated that because of the time frame and the changes to the site plan staff requested that they reapplied for the Conditional Use Permit.

Ms. DeWitt stated that staff has not heard from any of the people that they sent notices to. She stated that the meeting was posted on the main road and on the property.

Ms. DeWitt presented a photo of the main access to the parcel and to the adjacent church. She stated that it is a side road that dead ends into the two churches. She presented a photo looking down the road at the adjacent church and the subject parcel. She also presented separate photos of the adjacent church and the subject parcel.

Conditional Use Review Criteria

- Effect on Environment – There is no effect on the environment.
- Compatible with surrounding area – Churches are allowed in residential neighborhoods and there is already a church next door.
- External impacts minimized – The applicant is building a wall and landscaping along the residence to the west.
- Infrastructure impacts minimized – There is already infrastructure in the area.
- Consistent with General Plan and Code
- Parcel size – Adequate parcel size for the church.
- Site Plan – Meets all development criteria.

Ms. DeWitt presented a Use Table from the Land Development Code that shows that churches are allowed with a Conditional Use Permit in residential zoning districts. They are also allowed in commercial and industrial areas.

Ms. DeWitt stated that staff sent mailings to the owners of record within 300 feet of the property, posted the property, and published a notice in the local paper and didn't hear anything from any of the residents.

Board Member Mary Frederickson asked if the issue with the setbacks has been resolved from the previous variance request.

Ms. DeWitt stated that the site plan meets all development criteria including the setbacks.

Board Member Frederickson asked if the site plan is different from the one they saw at the previous meeting in 2021.

Ms. DeWitt replied that it is and stated that the previous site plan was presented with the variance but was denied and a Conditional Use Permit was approved. She stated that because of the changes to the site plan and the time frame which

is that the applicant must start construction within 12 months, staff asked them to submit a new site plan.

MOTION BY MEMBER FREDERICKSON TO APPROVE CUP24-001; SECONDED BY CHAIRMAN LAMERSON: PASSED (6 - 0)

- C. **CUP23-006:** Request for a Conditional Use Permit for Quick Trip Fueling Station & Convenience Store. Land Development Code (LDC) Sections 4.8 and 9.3. Location: 2280 E State Route 69 Prescott, AZ 86301, APN 112-05-058b. Zoning: BR (Business Regional). Property Owner: Sarti Properties Limited. Applicant: Kimley Horn and Associates.

This item was discussed first per Chairman Lamerson.

Ms. Nunez, Community Planner, stated that the applicant is asking for a deferral. She stated that Quik Trip is still in negotiations with Prescott Canyon Estates HOA.

Board Member Mark Hokeness asked if the applicant could explain their reason for the deferral.

Daniel Chambers, representative for Quik Trip, stated that they are requesting a deferral as they are working with the HOA and have not reached an agreement. He stated that he would like to defer so that he can bring back the final product.

Karen Monks, President of the Prescott Canyon Estates HOA, stated that the HOA has been working with Quik Trip to try to come to a resolution. She stated that they have not heard from Quik Trip in thirteen days and they are hoping for more cooperation between the parties.

MOTION BY MEMBER HOKENESS TO DEFER CUP23-006 TO THE APRIL 18, 2024 BOARD OF ADJUSMENT MEETING; SECONDED BY MEMBER DAVIS: PASSED (6 - 0)

4. STAFF UPDATES

None.

5. ADJOURNMENT

There being no further business to discuss, Chairman Lamerson adjourned the meeting at 9:14 A.M.


Jim Lamerson, Chairman

ATTEST:


SARAH HILTON, Recording Secretary