



BOARD OF ADJUSTMENT DECISIONS

**BOARD OF ADJUSTMENT
PUBLIC HEARING
THURSDAY, DECEMBER 16, 2010
9:00 AM**

**COUNCIL CHAMBERS
201 S. CORTEZ STREET
PRESCOTT, ARIZONA
(928) 777-1207**

The following decisions were made by the **BOARD OF ADJUSTMENT** at its **PUBLIC HEARING** to held at **9:00 AM** on **December 16, 2010**, in COUNCIL CHAMBERS, CITY HALL, 201 S. CORTEZ STREET, PRESCOTT, ARIZONA. Notice of this meeting was given pursuant to Arizona Revised Statutes, Section 38-431.02.

I. CALL TO ORDER

After reciting the Pledge of Allegiance and a moment of silence for our troops, Chairman Fuchs called the public hearing to order at 9:00 AM.

II. ATTENDANCE

MEMBERS PRESENT

Cal Fuchs, Chairman
Duane Famas, Vice Chairman
Johnnie Forquer
Tom Kayn
Mike Klein
Dick Rosa
George Wiant

COUNCIL PRESENT

Marlin Kuykendall, Mayor
Steve Blair, Council Liaison
Jim Lamerson, Councilman

OTHERS PRESENT

Tom Guice, Community Development Director
George Worley, Planning Manager
Matt Podracky, Senior Assistant City Attorney
Richard Mastin, Development Services Manager
Mike Bacon, Community Planner
Ian Mattingly, Traffic Engineer
Kathy Dudek, Administrative Assistant and
Recording/Transcribing Secretary
Ruth Hennings, Community Development Intern

III. REGULAR AGENDA

- 1. Approve the minutes** of the November 18, 2010 public hearing.

Mr. Kayn, **MOTION: to approve the minutes** of the November 18, 2010 public hearing. Ms. Forquer, 2nd. **Vote: 7-0.**

2. **CUP10-004, 307, 309 N. Willow St. & 645 Sheldon St., (Prescott College).** APNs: 113-10-013, -014, and -015 and totaling ± 0.80 acre. Zoning is Multi-Family (High Density) [MF-H]. Request conditional use permit for three dormitory buildings comprising a total of 14 dwelling units. Owner is Prescott College, Inc. Applicant/agent is Weddle Gilmore Architects/Philip Weddle. Planning Manager, George Worley (928) 777-1287.

Mr. Klein, MOTION: to approve CUP10-004, 307, 309 N. Willow Street and 645 Sheldon Street, Prescott College subject to the terms and specifications listed in the Updated Staff Report dated December 16, 2010 and subject to the following nine conditions:

1. Site development must be in substantial compliance with the site plan dated 10/20/2010. (*See exhibit "A"*)
2. The college will not house more than 104 students in this student housing facility.
3. Prior to occupancy, the college will develop and provide a minimum 320 code compliant campus-wide parking spaces which is in excess of the EPS Group Parking Study requirement of 309 spaces, exclusive of any parking spaces to be utilized by college fleet vehicles, and without prejudice to the College for use of the additional spaces to meet future LDC requirements. (*See exhibit "B"*)
4. The college will provide designated/reserved parking spaces equal to or greater than the number of students living in the combined facility who possess cars. This shall be determined each semester.
5. The college will complete the campus pedestrian improvements as indicated on the pedestrian plan prior to occupancy. (*See exhibit "C"*)
6. The college will not undertake construction on this project over weekends until buildings are fully enclosed with roof, walls, doors and windows installed.
7. The college will combine college-owned parcels within the campus, where practicable.
8. The college will install enhanced landscape plantings around the perimeter of the student housing to assist in providing screening for neighboring residents. (*Per LDC Section 6.13.4.C.2.a.1 or a.2*)
9. The condensing units for Building A (as shown in the site plan) are to be located at the southeast corner of Building A.

3. **CUP10-006, 621 E. Gurley Street.** APN: 110-01-082 and totaling ± 0.19 acre. Zoning is Business General (BG). LDC Sections 2.3 and 9.3. Request conditional use permit for a tattoo studio. Owner is Jose Raul Alvarez. Applicant/agent is Christopher Gear/Porthole to Soul Tattoo. Community Planner, Mike Bacon (928) 777-1360.

Mr. Wiant, MOTION: to approve CUP10-006, 621 E. Gurley Street, Porthole to Soul Tattoo subject to the terms and specifications listed within the Staff Report dated 12/16/10. Mr. Rosa, 2nd. Vote: 7-0.

IV. REVIEW ITEMS

None.

V. SUMMARY OF CURRENT OR RECENT EVENTS

Mr. Worley noted that the Unified Development Code Committee is meeting to discuss Prop. 203, Medical Marijuana. There is a 120-day deadline and the decision will be based on the Department of Health Services rules. The DHS will release their findings on December 17. The next meeting of the UDC will be on January 5, 2011 at 10:00 am in the Downstairs Conference Room at City Hall. There is a probability of requiring a CUP for the dispensary and cultivation/infusion centers. Prescott is in the process of coordinating with other municipalities in the quad-city area and Yavapai County. The entities are urging the State of Arizona to consider uniform requirements throughout the state rather than having each municipality set up individual requirements. After the UDC makes recommendations, Planning and Zoning Commission and then City Council will review the recommendations.

Chairman Fuchs noted that two Boy Scouts, Paul and Will Riley, spearheaded the placement of a statue at Miller Valley School marking the 100th Anniversary of the Boy Scouts of America. The statue was unveiled yesterday and it is quite impressive.

VI. ADJOURNMENT

Chairman Fuchs adjourned the public hearing at 12:04 PM.

Kathy Dudek, Administrative Assistant
Recording and transcribing secretary
to the Board of Adjustment