

## Janet Mason

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**From:** Dave Zellner  
**Sent:** Wednesday, May 03, 2017 5:41 PM  
**To:** Rudy Esquivias; Janet Mason; John Suniga (john.suniga@sfmd.az.gov)  
**Cc:** Larry Kirch; Kathy Connelly  
**Subject:** RE: Cobbs liquor license application

Jan, I am still processing photos from an inspection today of Cobbs and can state that none of the issues noted by me to SFMD and then from SFMD to Mr. Duane Carvel for the first license change have been addressed. I am working on a report with photos to provide to the council at this time, but may not complete it until tomorrow. My apologies for the delay.

I can say that the Building Division is greatly concerned that the current condition of the building will become much more hazardous with the addition of a distilling operation and would recommend denial or delay so issues can be properly addressed.

Dave Zellner

**From:** Rudy Esquivias  
**Sent:** Wednesday, May 03, 2017 5:15 PM  
**To:** Janet Mason; Dave Zellner; John Suniga (john.suniga@sfmd.az.gov)  
**Cc:** Larry Kirch; Kathy Connelly  
**Subject:** RE: Cobbs liquor license application

Jan:

Under the city's previous zoning ordinance, the subject property and another +/-5 acres to the north and east of it were rezoned to C-3/PD (General Commercial District by Planned Development) for the purpose of redeveloping those properties with a commercial and retail subdivision. A new building for the Cobb's Restaurant was also planned as part of the project. Unfortunately those plans have not come to fruition, but the PD zoning still remains on the property, even though it is now called B-2/PD (Old West Commercial by Planned Development).

Planning Staff does not generally object to a small batch distillery, in compliance with the zoning ordinance (see attached), being operated as an ancillary or incidental use to the restaurant. However, such a use must also comply with all Building and Fire Code provisions for safety, separation and occupancy type. A detailed floor plan has not been provided with this request showing where the distillery area will be, any details about how it will be operated or how much it will produce.

We note that when the liquor license transfer for the new restaurant owner was approved back in January of this year, both the Building Official and the Fire Marshall expressed several concerns about existing code issues in the restaurant. It appears that the new owner has not taken any steps or applied for any permits to correct those issues. Therefore, Planning Staff recommends denial or continuance of this request until all Building and Fire code violations have been resolved through proper permits; and we also request that a detailed floor plan be provided for staff's review.

*Rudy Esquivias*

Senior Planner/Zoning Administrator  
City of Apache Junction  
300 E. Superstition Blvd.  
Apache Junction, AZ 85119