

Janet Mason

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
Attachments: Zoning Ord description of ancillary manufacturing.pdf

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

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SERVICE OVER AND ABOVE THE REST

(Development Services Department office hours: Monday through Thursday from 7:00am to 6:00pm, closed Fridays and Holidays.)

From: Janet Mason
Sent: Thursday, April 27, 2017 5:40 PM
To: Dave Zellner; Rudy Esquivias; John Suniga (john.suniga@sfmd.az.gov)
Cc: Larry Kirch; Kathy Connelly
Subject: Cobbs liquor license application

I have received a liquor license application from Cobbs for an In-state craft distillery. Please have your department recommendation to me no later than noon on Wednesday, May 3, in order for this to be on the May 16 agenda. Thanks.

"YES" = Permitted Use by Right. A "Yes" indicates that the listed use is permitted by-right within the respective zoning district.

"CUP" = Conditional Use Permit. A "CUP" indicates that the listed use is permitted within the respective zoning district only after review and approval of a Conditional Use Permit, in accordance with the review and approval procedures of § 1-16-12 (D).

"AUP" = Administrative Use Permit. An "AUP" indicates that the use and/or structure is permitted within the respective zoning district following review and approval of an administrative permit by the Development Services Director or designee in accordance with § 1-16-12 (C).

"NO" = Prohibited Uses. A "NO" indicates that the listed use type is expressly not allowed within the respective zoning district.

Footnotes from Table 5-3:

1. Definitions and/or descriptions of these uses are provided in the North American Industry Classification System ("NAICS"). The City will use the NAICS classification system to assist with defining and interpreting non-residential uses. Where NAICS definitions are not provided or unclear, the Zoning Administrator shall be responsible for interpretation.

2. An ancillary manufacturing use is a subsidiary or secondary use or operation connected to the main use of a building. Ancillary manufacturing uses identified in manufacturing sectors 31-33 of the 2012 North American Industry Classification System ("NAICS") shall be allowed in the B-1, B-2 or B-3 zoning districts if incidental and subordinate to the primary retail, office, public or quasi/public use, provided that not more than 50%, up to a maximum of 1,500 square feet, of the floor area of the business is engaged in these ancillary manufacturing activities. No outside manufacturing, processing, repair or equipment/inventory storage shall be allowed for ancillary uses (see Section 1-6-26).

Ancillary manufacturing uses proposed to be greater than 1,500 square feet and/or 50% of the total floor area may be approved as a conditional use by the Planning and Zoning Commission (see Section 1-6-26).

3. See § 1-6-16 (B) for alternate energy production regulations.
4. Land uses listed in the B-4 and B-5 district that propose outdoor assembly, repair, manufacturing, processing and/or storage shall require conditional use permit approval even if identified in Table 5-3 as a permitted use by right.
5. See § 1-6-15 for adult oriented business regulations.