

**THE PLANNING & ZONING ADVISORY COMMISSION
FOR THE TOWN OF DEWEY-HUMBOLDT
REGULAR MEETING NOTICE
Thursday, January 4, 2018 6:00 P.M.**

**P&Z MEETING
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL
DEWEY-HUMBOLDT, ARIZONA**

AGENDA

The issues that come before the Planning & Zoning Advisory Commission are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Commission believes that the meeting be a safe place for people to speak. With this in mind, the Commission asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Agenda items may be taken out of order. Please turn off all cell phones. The Commission meeting may be broadcast via live streaming video on the internet in both audio and visual formats. A quorum of Council may be present. One or more members of the Commission may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. **Call To Order.**
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.**
3. **Roll Call.** Commissioners Karen Brooks, Lori Crofutt, Michael Gill, Rich Schauwecker, Lon Ullmann, Vice Chair Jeff Siereveld and Chair Victor Hambrick.
4. **Informational Reports.** Individual members of the Commission and public may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the Commission and public of such events, actions or activities. The Commission will take no discussion, consideration, or action on any such item except that an individual member of the Commission may request an item be placed on a future agenda.
5. **Planner's Update on current events and activities.** No discussion, deliberation or legal action can occur.
6. **Consent Agenda.** All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. Any item may be removed from the Consent Agenda for separate consideration at a Commissioner's request. If a citizen desires separate consideration of an item, he or she should approach a Commissioner prior to the meeting and ask that the Commissioner request that the item be removed.
 - 6.1. **Minutes.** Approval of Minutes from the October 5, 2017 Planning & Zoning Regular Meeting.
7. **Discussion Agenda –New Business.** Discussion and Possible Action on matters not previously presented to the Commission.
8. **Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

9. Public Hearing Agenda.

9.1. Request for a Use Permit UP 17-001 for approximately 2.42 acres of real property, Mogollon Vineyards, located at 2430 S. State Route 69, also known as Yavapai County Assessor’s Parcel Number 402-08-029K in the C2-35 (Commercial; General Sales and Services) zoning district to allow the operation of a winery, including the processing of grapes into wine, aging, and bottling of wine on the property.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

10. Comments from the Public. The Commission wishes to hear from Citizens at each meeting. Those wishing to address the Commission need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Commission. Individuals may address the Commission on any issue within its jurisdiction. At the conclusion of Comments from the Public, Commissioners may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Commissioners are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. The total time for Comments from the Public is **20** minutes. A 3-minute time limit may be imposed on individuals within this total. The audience is asked to please be courteous and silent while others are speaking.

11. Adjourn.

For Your Information:

Next Town Council Work Session: Tuesday January 9, 2018 at 2:00 p.m.

Next Town Council Meeting: Tuesday, January 16, 2018 at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, February 8, 2018 at 6:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Julie Gibson, Town Clerk.

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the 27th day of December, 2017, at _____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: _____, Town Clerk’s Office.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

**TOWN OF DEWEY-HUMBOLDT
PLANNING AND ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
OCTOBER 5, 2017**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, OCTOBER 5, 2017 AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA, COMMISSIONER KAREN BROOKS PRESIDED.

1. **Call To Order.** Commissioner Brooks called the meeting to order at 6:25 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Led by Commissioner Crofutt.
 - 2.2. **Swearing in of new Commissioners, Michael Gill and Lon Ullmann, to the Planning & Zoning Commission.**

Town Clerk Gibson swore in new Commissioners Michael Gill and Lon Ullmann.
3. **Roll Call.** Commissioners Karen Brooks, Lori Crofutt, Michael Gill and Lon Ullmann were present. Commissioners Rich Schauwecker, Vice Chair Jeff Siereveld and Chair Victor Hambrick were absent.
4. **Informational Reports.** None.
5. **Planner's Update on current events and activities.**
 - 5.1. **Community Planner's Report.**

Community Planner Steven Brown stated that we are looking forward to getting a full-time Town Manager in place to start the beginning work on the Request for Quote (RFQ) for the consultants to conduct the update of the General Plan. We need to wait until we have someone in place to lead that activity. Commissioner Brooks inquired about the General Plan timeline. Community Planner Brown stated that the position closes on October 13, 2017 and the Council will then set a schedule for interviewing. The Council should have someone selected in 60 days. The General Plan needs to be updated by January 2019. The old plan was adopted in 2009.
6. **Consent Agenda.**
 - 6.1. **Minutes.** Minutes from the September 7, 2017, Planning & Zoning Regular Meeting.

Commissioner Brooks asked if everyone had a chance to review the minutes from the September 7, 2017 meeting. Commissioner Crofutt questioned how the resignation of Luiz Chavez was handled.

Commissioner Brooks stated that the Council has not sent anything back to them regarding the Cherry Creek proposed zoning change. The Council is going to discuss the issue again on October 17, 2017, regarding the areas of the zoning that were impacted by their use.

Commissioner Crofutt made a motion to approve the Minutes from the September 7, 2017 Planning & Zoning Meeting, seconded by Commissioner Brooks. The motion passed unanimously.
7. **Discussion Agenda –New Business.** None.
8. **Discussion Agenda – Unfinished Business.** None.
9. **Public Hearing Agenda.** None.
10. **Comments from the Public.** None.
11. **Adjourn.** The meeting was adjourned at 6:33 p.m.

[Page intentionally left blank]



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8643 ▪ Fax 928-632-7365

Staff Report

Planning and Zoning Advisory Commission Meeting

January 4, 2018

Date: December 27, 2017

To: Planning and Zoning Commission

From: Steven Brown, Community Planner

9.1 Request for a Use Permit UP 17-001 for approximately 2.42 acres of real property located at 2430 S. State Route 69, also known as Yavapai County Assessor's Parcel Number 402-08-029K in the C2-35 (Commercial; General Sales and Services) zoning district to allow the operation of a winery, including the processing of grapes into wine, aging, and bottling of wine on the property.

APPLICANT: Keith Moore for Mogollon Winery

GENERAL PLAN DESIGNATION: General Commercial

ZONING: C2-35 Commercial; General Sales and Services

LOCATION: 2430 S. State Rt. 69 APN # 402-08-029K

EXHIBITS: Location Map, Photos of Site, Application for Use Permit including Operation Plan Narrative (see Exhibit A)

I. BACKGROUND

Mogollon Vineyards is a family owned and operated winery that currently operates a winery in the White Mountains, north of Show Low. They currently possess an Arizona Series 13 Liquor License and a Federal Basic Permit with a Federal Registered Bonded Winery Number.

Anyone wishing to operate a wine premises (bonded winery) must first apply to TTB (Alcohol & Tobacco Tax and Trade Bureau) and receive permission to start operations.

The term "bond" for the wine industry is all about taxes. At the federal level when a winery is established with the TTB (Alcohol & Tobacco Tax and Trade Bureau) part of the process is establishing their bond coverage. This is essentially taking out an insurance policy which will cover their excise tax liability due to the feds.

During the review of the liquor license application by the Town, it was realized that the location being proposed for the winery is zone C2-35, and as such bottling plants are not permitted uses. In order to conduct a winery on that property, a Use Permit would be a preferred approach to accommodating this business at this location...

II. SITE DESCRIPTION

Subject Property is identified as Assessor's Parcel Number (APN) 402-08-029K and was formerly used as a T-shirt screen printing business, until recently.

There are at least four (4) structures on the property, including a single-family home.

The property is fairly flat with no significant topographic features, and is accessed from the east via a drive off a frontage road adjacent to the west side of State Rt. 69

Zoning: The subject property is zoned C2-35 Commercial Sales and Services.

- The property to the north is zoned RCU-12 Residential Rural
- The property to the west is zoned R1L-70 Residential Single-Family Limited
- The property to the south is zoned R1-12 Residential Single-Family and C2-1 Commercial Sales and Services.

Land Use: The subject property is currently being used to warehouse pre-bottled wine.

- The property to the north is currently vacant.
- The property to the west is currently occupied by a Single-Family Residence and out structures. The property to the south is currently vacant.
- To the east is State Route 69

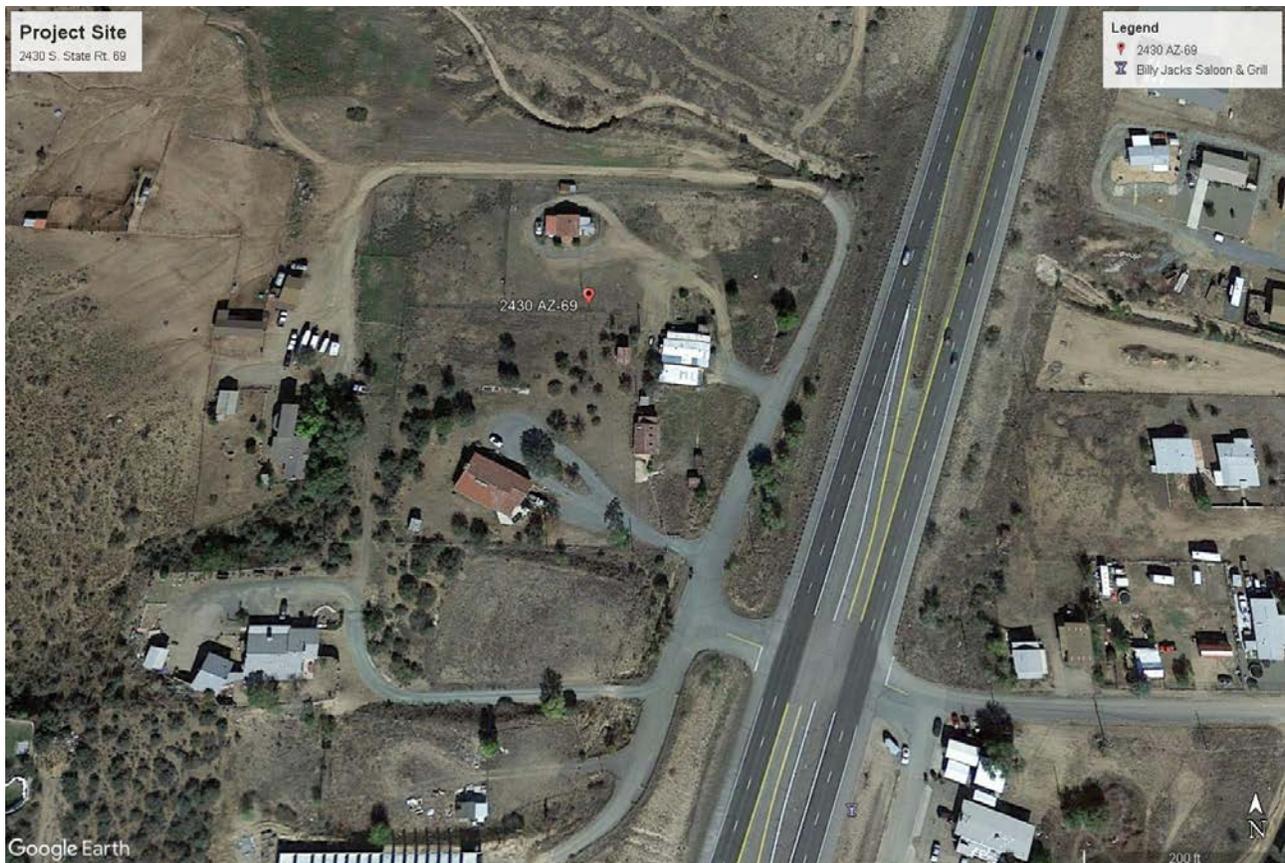


Figure 1, Aerial Photograph of the Subject Site and Surrounding Area (Google Earth)

III. PROJECT DESCRIPTION

The applicants wish to move their winery operation to Dewey-Humboldt "...to be closer to family and to be around more people that appreciate fine wine".

To do this they must apply for a new Arizona Series 13 Liquor License for the new property in Dewey-Humboldt.

The Series 13 license will allow the applicants to process wine grapes into wine and sell directly to the public out of a tasting room, festivals or over the internet.

They process approximately 4 to 6 tons of fruit a year, which equates to about 700 gallons of wine or 3500 bottles.

The applicants propose to process the Grapes into wine, age and put into bottles in an existing 800 sq. ft. building. All other buildings will be retail, vineyard equipment storage or cold storage. The vacant land on the property will be vineyard.

Any use of existing buildings for any part of the winery, retail or vineyard operation will need to be approved by the Town's Building Official.



Figure 2, Proposed Site – Building to House Winery, With Garage Door Attached to Main Structure

General Plan Compliance:

The subject property is designated by the 2009 General Plan as “General Commercial”, and is intended for retail, office, and industrial uses. This proposal is compliant with that designation.

Assessment of Use Permit Approval Criteria:

- The proposed use for fermenting and bottling facility is compatible with “Water distillation and bottling” which is a permitted use in the C2 zoning district.
- The proposed use is compliant with the 2009 General Plan
- Conditions recommended by staff will assure that the use exceeds the conditions and criteria in Section 153.91 Use Permits.

IV. PUBLIC COMMENT

Public notices were sent to property owners within a 300-foot radius of the project site. At the time this report was written, staff had not received any comments from the surrounding property owners. Staff will forward to the Commission any public comments as they are received.

V. STAFF RECOMMENDATION

The Planning Commission should review the attached material, take public testimony, and make suggestions/comments to the applicant and staff regarding the development of the site, and make a recommendation to the Town Council to either approve, approve with conditions or deny the application for Use Permit.

Approval of this Use Permit would make it possible for an existing business to expand and enhance the range of goods and services offered.

A denial would likely result in the existing business seeking to locate where the full range of their business components can be carried out.

Staff recommends that if the Planning Commission votes to recommend to Council, approval of this application, that the following conditions be made a part of the approval.

1. The Use Permit is approved for a term of five (5) years, to be reviewed at the end of that period to determine if renewal for an additional period is appropriate. Application for Renewal shall be made by the owners of the property following the same process as for a new Use Permit.
2. Prior to occupancy of any structures by the winery or for any other purpose, a special inspection is conducted by the Town Building Official, and the applicants shall make any improvements required as a result of that inspection prior to occupancy.
3. Applicants will maintain TTB (Alcohol & Tobacco Tax and Trade Bureau) basic permit and bonding as long as they are operating under this Use Permit.

For questions or comments about this proposal, please contact: Steven Brown, Community Planner at 928-632-7362 or stevenbrown@dhaz.gov.

EXHIBIT 'A'

USE PERMIT APPLICATION

MOGOLLON WINERY

F-17-170221

TOWN OF DEWEY-HUMBOLDT DEVELOPMENT APPLICATION

PROJECT DESCRIPTION:

To operate a Arizona Winery on a C-2 property in Dewey Az.

- | | | |
|--|---|--|
| <input type="checkbox"/> General Plan Amendment - Major | <input type="checkbox"/> General Plan Amendment - Minor | <input type="checkbox"/> Pre-Application |
| <input type="checkbox"/> Community Master Plan | <input type="checkbox"/> Major Use / Site Plan | <input type="checkbox"/> Preliminary plat |
| <input type="checkbox"/> Commercial Design Review | <input type="checkbox"/> Annexation | <input type="checkbox"/> Zoning Clearance |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Abandonment | <input type="checkbox"/> Rezone |
| <input type="checkbox"/> Land split (3 parcels max) | <input type="checkbox"/> Lot Combine | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Area Plan / Amendment | <input type="checkbox"/> Final Plat / Amendment | <input type="checkbox"/> Land Use District |
| <input type="checkbox"/> Other _____ | | |

LEGAL DESCRIPTION:

Property Address: 2430 S. St. Rt. 69 Dewey Az 86327

Number of Lots / Units Proposed: 1

Assessor's Parcel Number: 402-09-029K Parcel Size (Acres): 2.41 Acres

Existing Land Use District: C-2 Proposed Land Use District: _____

Plat Name: _____ Block: _____ Lot: _____ Tract: _____

DESCRIBE UTILITIES AVAILABLE TO PROPERTY:

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Water <u>well</u> | <input checked="" type="checkbox"/> Gas _____ | <input checked="" type="checkbox"/> Sewer <u>Septic</u> |
| <input checked="" type="checkbox"/> Phone _____ | <input checked="" type="checkbox"/> Electric <u>APS</u> | <input type="checkbox"/> Cable _____ |

Describe Public Access to Property:

Kloss Road exit off of St. Rt. 69

FEES

Base Fees: 1,000.00 Other Fees: \$10/acre for 2⁴¹ acres Subtotal: _____ Total: \$1,020.00

11/30/17 R501406

APPLICANT / CONTACT INFORMATION:	OWNER INFORMATION:
Name: <u>Keith Moore</u>	Name: _____
Address: <u>6715 W. Camino De Oro</u>	Address: _____
Phone: <u>Peoria, AZ 85383</u>	Phone: _____
Phone: <u>602-300-9867</u>	Phone: _____
Email: <u>magollanvineyards.com</u>	Email: <u>Keithmoore@tcac.com</u>

[Signature]
Signature of owner or representative

PSZ [Signature] 11/30/17
 PCU [Signature] 11/30/2017
 B/S [Signature] 12/7/17

*If application is being submitted by someone other than the owner of the property under consideration, a letter of authorization or other corresponding information must be provided.

To the Town Of Dewey-Humboldt

November 30, 2017

Mogollon Vineyards operation plan for the property at 2430 S. St. Rt. 69, Dewey AZ.

Mogollon Vineyards is a family owned and operated winery that currently operates a winery in the White Mountains, north of Show Low. The liquor license we possess is a Arizona Series 13 Liquor License and a Federal Basic Permit with a Federal Registered Bonded Winery Number.

I am a winemaker who was trained in the Yavapai College Enology program in Clarksdale AZ.

We would like to move our operation to Dewey-Humboldt to be closer to family and to be around more people that appreciate fine wine. Yavapai County is turning into a up and coming wine region and we want to be a part of it. To do this we must apply for a new Arizona Series 13 Liquor license for the new property in Dewey. Once this is obtained our existing Series 13 license will be canceled.

The Series 13 license allows us to process wine grapes into wine and sell directly to the public out of a tasting room, festivals or over the internet.

In this process we take Arizona grown wine grapes, crush them into juice, ferment in tanks or bins, filter, fine and age the wine in barrels. After the wine is aged we dispense the wine into bottles and install the corks and put on our approved labels. From this point the wine is ready to sell to the public.

We process around 4 to 6 tons a fruit a year, which equates to about 700 gallons of wine or 3500 bottles.

The building on the property we want to use to process the Grapes into wine, age and put into bottles is a 800 sq. ft. existing building that is on site now. It is shown on our plot plan. All other buildings proposed or existing will be retail, vineyard equipment storage or cold storage. The vacant land on the property will be a vineyard.

We are not a large production winery nor do we want to become one. We keep it small and fun and look forward to bring our operation to Dewey-Humboldt.

Thank you

Keith Moore

Mogollon Vineyards
Cel Phone number 602-300-9867



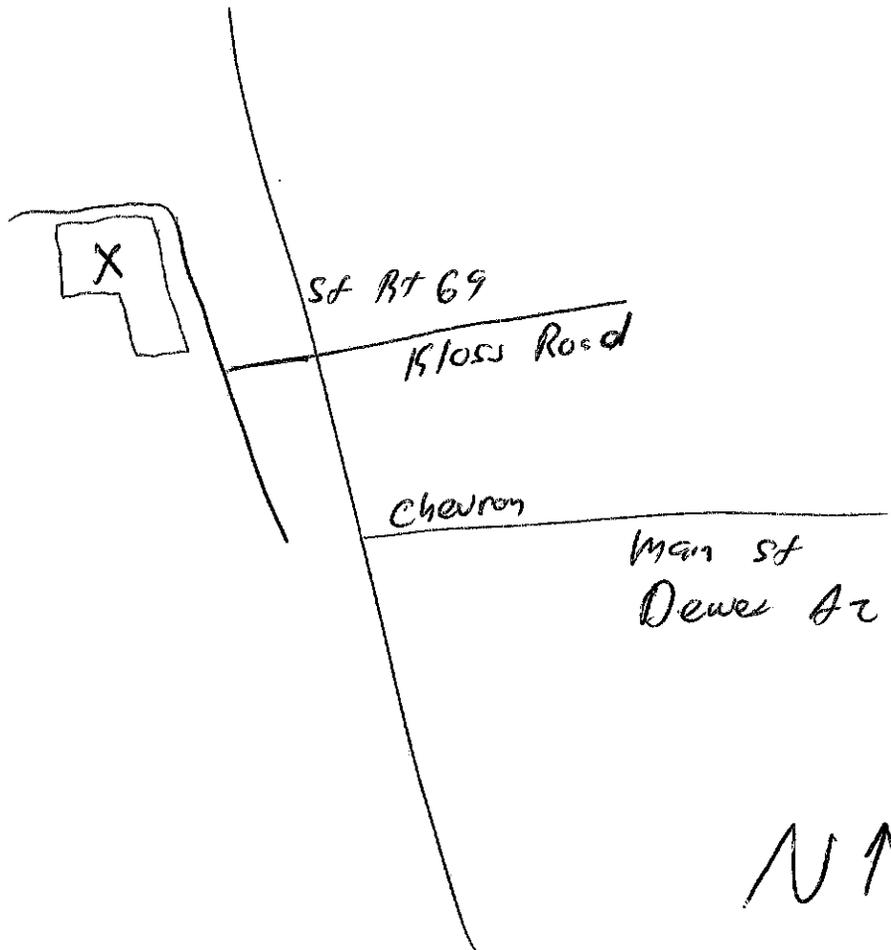
Town of Dewey-Humboldt

Directions to Site

Instructions: An actual detailed line map is needed, not written instructions, adding any significant buildings, land marks, main highway, street names, and north arrows. If the map is not adequate it could cause a delay in issuing your permit.

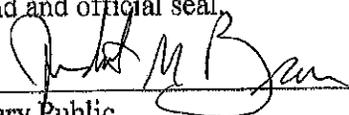
Assessor's Parcel Number _____ Address _____

402-08-029K 2430 S. St. Rt. 69
Dewey Ar



instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public

My Commission Expires: 1-24-2021

