

PRESCOTT PRESERVATION COMMISSION

April 10, 2009

Prescott, Arizona

MINUTES OF THE **PRESCOTT PRESERVATION COMMISSION** held on **April 10, 2009** in the **CITY COUNCIL CHAMBERS** located at **201 S. CORTEZ ST.**, Prescott, Arizona.

I. CALL TO ORDER

Chairman Doug Stroh called the meeting to order at 8:00 AM.

II. ATTENDANCE

MEMBERS PRESENT

Doug Stroh, Chairman
Frank DeGrazia, Vice Chairman
Russ Buchanan
Mike Todd
Elisabeth Ruffner
Marv Wright

OTHERS IN ATTENDANCE

George Worley, Asst. Community Development Director
Nancy Burgess, Historic Preservation Specialist
Mic Fenech, Director Administrative Services
Mike Bacon, Community Planner
Kelly Sammeli, Recording Secretary

COUNCIL MEMBERS PRESENT

Lora Lopas, Council Liaison

III. REGULAR AGENDA

- 1. Consider approval** of the minutes of the March 13, 2009 meeting.

Ms. Ruffner, **MOTION: to approve** the minutes of the March 13, 2009 meeting.
Chairman Stroh, 2nd. **VOTE: 6-0.**

- 2. HP09-008, 117 E. Gurley Street, Ste 113.** Historic Preservation District # 2, Elks Building and Theater. APN: 109-01-011C. Request for a sign permit to replace a face panel in an existing sign box. Owner is Prescott Elks Building LLC. Applicant is Ben Filer for Sharp Homes Realty, Inc. Historic Preservation Specialist, Nancy Burgess.

Ms. Burgess reported that the application was for a face replacement on the standard sign box located on the Elks Opera House for the four different store fronts located there. Ms. Burgess noted that the face change is for Sharp Homes Realty, Inc., which will occupy the first storefront to the west, the background color is blue, the lettering is white and the size of the sign is 1.5 feet by 13 feet totaling 18.2 square feet. Staff is recommending approval of the application.

Chairman Stroh called for comments or questions from the Commissioners. Hearing none, called for a motion.

Mr. Wright, **MOTION: to approve HP09-008 signage** for 117 East Gurley Street, Suite 113.

Ms. Ruffner, 2nd. **VOTE: 6-0.**

3. **HP09-010. 325 E. Gurley Street.** Historic Preservation District #13, Southeast Prescott. APN: 109-01-056A. Request is to remove old stucco, eliminate flashing, and add popouts around the windows. Install stucco over reverse board and batten, wrap stucco over top of parapet and popouts, Repaint, same colors. Owner/ Applicant is Loren Q. Rowling. Community Planner, Mike Bacon.

Mr. Bacon reported that the application is for the business, The Cleaning Machine, who would like to do some exterior upgrades to the property which includes repair and/or replace existing stucco, stucco over existing reverse board and batten, eliminate flashing, wrap stucco over the top of the parapet, construct pop-outs around the existing windows and repaint the building the same color. Mr. Bacon noted that the owner and his designer were present to provide a brief overview of the project.

Mr. Mark Peugh, designer for the project noted that the owner wishes to get rid of the high maintenance areas on his building and by re-stuccoing and adding the pop-outs on the building, it will enhance the building. Mr. Peugh added that the color scheme will remain the same and it this will clean up the building and make it more presentable.

Ms. Ruffner inquired if there was a licensed contractor.

Mr. Bacon indicated that a licensed contractor will be addressed during the application for the building permit.

Chairman Stroh called for comments or questions from the Commissioners.

Mr. Wright, **MOTION: to approve HP09-010, 325 East Gurley Street, the work exhibited.**

Chairman Stroh, **2nd. VOTE: 6-0.**

4. **HP09-011, 319 S. Mt. Vernon Street.** Historic Preservation District # 13, Southeast Prescott. APN: 110-03-034. Consider request for support for variance to reduce corner side setback along Oak Street from 15 feet to 7 feet, and request for approval of proposed building permit to install garage to be moved from another location as shown in photos, with minor code adjustments. Owner is Warren C. Kuhles. Applicant is Robert Burford. Mike Bacon, Community Planner.

Mr. Bacon noted that the applicant was before the Preservation Commission last month to seek support for an increase of lot coverage to allow for placement of a garage that would be re-located to the applicant's address. Mr. Bacon reported that the Commission did approve the request for support to the Board of Adjustments for the corner setback reduction and upon further discussion of the project it was suggested that a possible side setback reduction could be helpful in the placement of the garage. Mr. Bacon further reported that because the request for the corner setback reduction was not on the agenda at that time, (March 13, 2009) the applicant has returned before the Commission to seek support for a reduction in the corner setback requirement of 15' down to 7'. Mr. Bacon noted that the applicant did obtain a variance a few years ago to cover an open deck on the same side as requested for the garage placement. Mr. Bacon further noted that if the Commission approves the request the applicant will place the garage on the exterior corner, it will line up with the porch and the entrance to the garage will be off of the alley. Mr. Bacon placed photographs of the garage on the overhead projector for everyone to view. Mr. Bacon reported that when he went to the

property to post for the Board of Adjustment hearing, it was noted that the corner yard was covered in decomposed granite and being utilized for parking. Mr. Bacon reported further that within a historic district the grass areas should not be replaced with decomposed granite, and staff is recommending that as part of the motion, there should be conditions added. Mr. Bacon noted that the project should be built within substantial conformance of the site plan; a landscaping plan for the right-of-way to be submitted and approved by Staff prior to the issuance of the Building Permit for the garage; the landscaping with plantings to be installed prior to the final Inspection of the garage; and if the variance request is granted by the Board of Adjustment, the applicant will not have to return before the Preservation Commission prior to obtaining the building permit if the garage architecture is not changed.

Ms. Ruffner inquired if the right-of way is owned by the City, is the property owner responsible for maintaining it?

Mr. Bacon indicated "yes" and although the City is promoting water-wise plantings, it would be out of character for the historic district. Mr. Bacon added that the majority of the historic areas along Mount Vernon have grass and not desert-type landscaping.

Mr. Wright inquired if the neighbors would be notified that the garage has a deck.

Mr. Bacon indicated the neighborhood area will be notified again when this project goes before the Board of Adjustment in May.

Mr. Wright inquired if the deck would be mentioned (in the notice).

Mr. Bacon indicated "no" and informed the Commission that an accessory building by code can be as tall as 20 feet; and the notice would only include what the request is for and the intended use.

Mr. Wright commented that he is having trouble with the neighbors not knowing that there is a deck on top of the garage.

Mr. Bacon indicated that the description on the notice could be noted as a garage with a roof deck.

Mr. Wright noted that would be better because it could affect a neighbors' property value.

Chairman Stroh invited the applicant to speak.

Mr. Warren Kuhles, 319 S. Mount Vernon noted that he has spoken with his closest neighbor and did intend to speak to a couple other neighbors in the area regarding the project. Mr. Kuhles indicated that he had concerns with the landscaping plan because, when he purchased the home, the area was already being used for parking and they have since created planter boxes to add appeal to the area. Mr. Kuhles noted that he did not want to plant grass in the area.

Chairman Stroh inquired if the Commission should be discussing the landscaping.

Mr. Bacon noted that it was added as a condition to include plantings in the area as decomposed granite is not considered landscaping. Mr. Bacon noted that the condition was

added to the staff report because, if the area was left as it is' it could serve as a precedent to the right of way areas for other projects in the future.

Ms. Ruffner indicated that she has noted that there are pavers as well as plantings in the right-of-way area on South Mount Vernon.

Mr. Bacon asked Ms. Burgess to comment on the topic.

Ms. Burgess, Historic Preservation Specialist reported that the landscaping in an important part of the historic districts and in the National Register nominations that landscaping is noted as part of the district, especially the parkways and the street scapes. Ms. Burgess indicated that since the area is a side street, it could have landscaping strips with low growing type plants conducive with the area.

Mr. Kuhles indicated that there currently are planter boxes separating the parking spots and around the trees, and they are in the process of doing the spring plantings. Mr. Kuhles stressed again that he did not want the added expense of providing a landscaping plan as they already have it in.

Ms. Ruffner noted that there was a photograph in the packet showing the front elevation of the property and reflects plantings close to the house and the right-of-way area close to the street with something green. Ms. Ruffner indicated that it appeared to be in compliance with the National Register and the historic district landscape appearance and did not reflect a problem.

Mr. Kuhles indicated that was the area along Mount Vernon.

Mr. Todd asked Mr. Bacon to put the site plan on the property back up on the overhead.

Mr. Bacon noted the area on the site plan, and indicated that the area surrounding the trees is covered with decomposed granite and along S. Mount Vernon there is greenery. Mr. Bacon inquired if the Commission wanted to set a precedent allowing the area to be free of plantings.

Mr. Kuhles noted the site plan and located all the grass areas, the raised planter boxes/ flower beds and indicated that it is not all decomposed granite.

Mr. DeGrazia inquired if staff was suggesting a change to something that currently exists.

Mr. Bacon noted that the area had been changed sometime from grass to decomposed granite and was noted during the posting. Mr. Bacon inquired if it should be allowed as landscaping within the historical districts.

Mr. DeGrazia indicated that he understood the continuity that staff was trying to keep, he did not think that the Commission could make it a condition of the project since the decomposed granite was already in place.

Chairman Stroh noted that the location was not on Mount Vernon but, on the side street, Oak Street.

Mr. Bacon noted that all the area is still located within the historic district.

Chairman Stroh indicated that he did not see where the board would be giving support or denial in regards to the decomposed granite with the conditions that staff has suggested.

Mr. Bacon indicated that the Commission would be giving denial with the support of plantings.

Mr. DeGrazia inquired if there is a compromise between the owner not wanting to do anything and the City requiring the change.

Mr. Bacon noted that it would be up to the Commission to determine what they foresee as the historic context of the neighborhood.

Chairman Stroh indicated that he could not make a decision without a plan.

Ms. Ruffner noted that it would be up to staff to make the decision after the Commission makes the recommendation. Ms. Ruffner added that the condition could state the landscaping be installed with green planting prior to the final inspection of the garage.

Mr. Bacon stated that the Commission could review the landscaping plan, however, staff is trying to save a step for the applicant and is not being specific on the plants, only that they need to be green.

Mr. Wright commented that he and his wife spent some time trying to get approval for plants in the right-of-way and did not get approval until they went before the City Council.

Mr. Kuhles stressed that he is not comfortable with the condition at all. Mr. Kuhles added that the condition was too open ended and that his water bill reflects that he is keeping the area green and the location is within the nature of the historic district.

Mr. DeGrazia noted that the owner has stated that he strongly opposes the condition and asked staff what option the owner has if the condition is attached to the motion.

Mr. Bacon reported that the applicant could make his case before the Board of Adjustment. Mr. Bacon indicated that the Board will be looking for the Commission's recommendation on this specifically, because, anywhere else in the City, decomposed granite would be acceptable, and if the Commission supports the request for the maximum lot coverage and the reduced corner lot setback, the Board will be looking for guidance on the landscaping issue as well.

Mr. Todd indicated that when he went to look at the property he did not look at the long side yard that is being discussed and he only looked at the area where the garage would be located and how it affects the area. Mr. Todd added that there might need to be a compromise based on what the applicant has already provided.

Chairman Stroh noted that there might be a need for a separate landscaping code for the historic properties.

Ms. Ruffner noted that the term "natural" is missing and that she would hate to see green painted DG.

Chairman Stroh called for other comments or questions from the Commissioners.

Mr. DeGrazia noted that it is the owners' right to control his property and that it is the Commission's role to make the recommendations. Mr. DeGrazia added that the item might need to be placed on hold and brought back at the next meeting.

Mr. Todd indicated that he was not comfortable going one way or the other because the applicant is stating the landscaping in there and it is not reflected on the plan provided.

Ms. Ruffner inquired if it is typical for the Commission to offer staff some words about complying with the historic preservation designation under City Ordinance for the details of landscaping?

Ms. Burgess reported that it was not uncommon however, it is not something that the Commission deals with often. Ms. Burgess indicated that during the variance process of the application and the permit for the garage, Mr. Bacon noted the lack of landscaping and presented the landscaping as part of the request to save the applicant time. Ms. Burgess noted that the applicant did not address the landscaping in the application or on the site plan as it was not one of the requests. Ms. Burgess commented that the Commission could suggest working out the landscaping between the applicant and staff or decline to address the landscaping or have the applicant return with the landscaping plan. Ms. Burgess indicated that the Commission should keep in mind that if the Board of Adjustment does not approve the Variance there may be another approach to the project.

Ms. Ruffner noted for the Commission that the location is within a local Historic Preservation District as well as a National Register and the landscaping is called out in the Ordinance.

Ms. Burgess reported that the landscaping is not addressed in the historic preservation overlay district ordinance, it is only addressed in the National Register nomination.

Ms. Ruffner indicated that the Secretaries' Standards refer the Preservation Commission to make decisions to provide for a closer appearance to the original design than to take it farther away. Ms. Ruffner added that she was unsure of who would make the decision on the landscaping.

Mr. DeGrazia inquired if the planting would be in conformity with the rest of Mount Vernon or of the low-water species.

Mr. Bacon noted that except for grass, there is not much conformity on Mount Vernon and that staff is only proposing something green that is low-maintenance and low-water.

Mr. DeGrazia indicated that could be contrary to the rest of Mount Vernon.

Mr. Kuhles indicated that they were talking about Oak Street and not Mount Vernon, further adding that Mount Vernon is grass, which he has. Mr. Kuhles noted that he has installed a drip line for the raised beds and has improved the area by at least 200 percent.

Ms. Ruffner noted that the applicant has drip irrigation that is located within City right-of-way.

Chairman Stroh inquired if the City can direct the applicant to landscape the right-of-way.

Mr. Bacon reported that the owner has to maintain the right-of-way and that the city finds it maintenance free.

Mr. Todd indicated that since the applicant made a submittal based on a variance, and the Commission is not familiar with the landscaping issue, that the Commission should vote only on the variance and the landscaping issue can be resolved at a later date. Mr. Todd noted that he did not feel comfortable voting on the landscaping because he does not know what is there. He needs to look at the area and was not aware that the landscaping was going to be addressed on this particular portion of the property.

Mr. Bacon noted that the landscaping would not be brought up at the Board of Adjustment meeting; that the request for the maximum lot coverage and the reduced corner setback will only be addressed and staff cannot add on any conditions for the corner setback area. It can only be a recommendation from the Commission.

Mr. Todd indicated that if staff and the applicant were in agreement it would be easier, however, because staff and the applicant are on opposite ends, the Commission is being asked to make a decision on something that does not have the supporting information for the Board to base it's decision on.

Chairman Stroh indicated that the landscaping was very confusing and that the City needs to come up with new regulation on landscaping for Historic Districts. Chairman Stroh added that a motion needs to be created to eliminate the landscaping element.

Mr. Wright concurred and noted that it is existing landscaping that is located on Oak Street and not Mount Vernon. Mr. Wright added that the City sends out mixed messages because an owner can get reimbursed to install low-water use plants.

Ms. Ruffner, **MOTION: to recommend** approval of HP09-011 to decrease the corner yard to 7' in order to move an existing garage from another property to this site, with the following conditions: 1) Substantial conformance with the site plan dated March 18, 2009; 2) A Building Permit may be granted if a Variance is granted by the Board of Adjustment without any review of the garage by the Preservation Commission if the garage architecture is not changed.

Mr. Wright inquired if the MOTION could include **that the observation deck could be included with the garage on the notices that are sent out for the Board of Adjustment hearing.**

Ms Ruffner accepted the amendment to be included with the MOTION.

Mr. Wright, 2nd. **VOTE: 5-1. (Mr. DeGrazia)**

5. **HP09-009, 117 East Gurley Street.** Historic Preservation District # 2, Elks Opera House/Theater. APN: 109-01-011B, 109-01-011C. Consider request to restore the interior of the Elks Theater to original design. Request includes new seats; new sprinkler system; restore marquee to the original 1920's design; remove schist stone veneer at the front foyer. Owner is City of Prescott. Applicant is Otwell Associates Architects. Nancy Burgess, Historic Preservation Specialist. This item will include a tour of the Elks Opera House.

Commissioner DeGrazia recused himself from this item due to a potential conflict of interest and left the dais.

Ms. Burgess reported that the Elks Opera House Foundation had received a one million dollar endowment from the James Family Trust for the renovation and restoration of the Elks Opera House and there has been discussion between the City of Prescott, the Elks Opera House Foundation and Otwell and Associates with regard to a contract for a comprehensive restoration of the Elks Opera House. Ms. Burgess added that the request would entail restoring the interior of the Elks Theater to original design, installing new seats downstairs, a new sprinkler system, restore the marquee to the original 1920's configuration with new signage and lighting, removing the schist stone veneer at the front foyer to expose the grey brick pilasters and granite bases, remove the dropped ceiling in the foyer on the outer part before entering the lobby, restore the pressed metal ceiling in the foyer and other miscellaneous work. Ms. Burgess indicated that most of the funding would come from the Elks Opera House Foundation with a small portion of the funding provided by the City of Prescott. Ms. Burgess noted that Bill Otwell and Wayne Sanford were present with design boards to show the overview of the work. Ms. Burgess placed a photograph of the Elks Building on the overhead and noted that there would be changes in all four elevations, the location of the schist rock removal, and the location of the marquee. Ms. Burgess noted that there would be a new stairway installed at the east elevation, and the remaining elevations would have safety concerns addressed. Ms. Burgess reported that Otwell and Associates hired an expert to do a complete investigation on what is underneath the many layers of the last one hundred years and indicated that the Commission would take a break to go to the Elks and see what the proposals are. Ms. Burgess noted that the firm hired by Otwell has prepared a detailed report of their findings and it will become part of the Historic Preservation Plan that is being prepared by Otwell and Associates. Ms. Burgess noted that the Mr. Otwell will provide a brief overview on the project, then the Commission will go to the Elks location, return back to the Council Chambers for further discussion and vote on the item. Ms. Burgess added that after the vote on the Elks project the Commission will have the opportunity to say good bye to Mr. Don Rantz and also meet Ms. Cat Moody who will be taking over the Preservation Specialist position.

Mr. Bill Otwell, 121 East Goodwin inquired if the Commission would like to hear the presentation prior to the trip to the Elks or after.

Mr. Wright indicated that he preferred to hear it now so he could ask questions on the tour.

Chairman Stroh indicated that would be good.

Ms. Ruffner noted to the Commission that they have been presented an updated chronology of significant actions in the theater and noted that the Elks Opera House Foundation intends to produce a history of work on the theater that is up to date based on the work that the architects have provided.

Mr. Otwell reported that the approach for the theater would be restorative in nature and the guide that will be used is the Prescott Historic Preservation Master Plan. Mr. Otwell indicated that they have been working for the Elks Opera House Foundation and the first thing that was asked of him was to create a Historic Building Preservation Plan for the entire building as it is the goal of the Elks Opera House Foundation to acquire the entire building. Mr. Otwell noted that the area of the marquee and the columns are located in an area that is not owned by the City, but by a group of investors who own the Elks building itself, and they have been very

accommodating to the needs of his staff. Mr. Otwell indicated that they are seeking the approval of the Preservation Commission to remove the schist stone that wraps the columns and to restore the 1920's canopy (marquee). Mr. Otwell noted that something had been done to the Elks building every decade since it was built and most of what has occurred to the building was added, and with the restoration there will be subtraction. Mr. Otwell placed a photograph of the original interior on the overhead and indicated that the request is to restore the interior of the opera house back to the original design. Mr. Otwell noted that the project will also include replacing the seats, installing a code-required fire sprinkler system, installing new stage lighting, a covering over the stage floor, install a new chair lift to the stage area, reconstruct the box seats and reinstall the pressed metal ceiling. In closing Mr. Otwell indicated that when the Commissioners go to the Elks building they will see that the schist stone has been removed and they will be able to see the original column underneath.

Ms. Ruffner commented that the Elks Opera House Foundation is asking people to spend \$500.00 for a seat which will provide funds to help restore the 1927 seats in the balcony. Ms. Ruffner further indicated that they would not be putting the name of the purchaser on the seats but have come up with a draft policy that seats can be sold in celebrity names. Ms. Ruffner added that she believes the policy will be adopted and as such the Foundation will accept a donation for two seats, to be named (for instance) in honor of Tom Mix and Tony the Wonder Horse. Ms. Ruffner indicated that after the meeting with the seating company, the Foundation was assured that it is common practice to place a small plaque in the right arm rest, and the seats will be purchased with the blank plates in the arm rest which can be popped out and engraved as the seats are sold. Ms. Ruffner further noted that she would like to introduce Mr. Dan Wilson, who is a member of the firm that owns the Elks Building, LLC, who was present at the meeting.

Ms. Burgess indicated that the Commissioners would now go to the Elks building and the Preservation Commission left the Council Chambers at 9:15 AM to go to the Elks Opera House to review the proposal and see the areas noted in the project.

On the field trip the members of the Preservation Commission were shown the area where the original box seats were located, along with the original molding. Mr. Otwell explained how the area has since been used for the HVAC system and that the new box seats will be reconstructed but only the front portion of the box seat area will be usable. Mr. Otwell noted that in the past the theater was cooled with a large box fan that is located in the roof of the building that would be opened to allow the air to circulate. Upon the Commissioners gathering in the balcony area, Mr. Otwell explained that a portion of the original cast plaster rope molding was discovered after a portion of the wall was removed and that a rubber mold was taken of it. This was done so the molding could be manufactured for the replacement of the entire area along the stage. Mr. Otwell also pointed out the original stencil design along the wall area that was discovered after many layers of paint were removed. Mr. Otwell indicated that this was believed to be the original 1906's design and the original color is dark green. After a short viewing of the wall detail everyone Mr. Otwell explained that the seats in the balcony area were the original seats (actually for 1933) and it was the hope to refurbish the seats but that was still undetermined. Many comments were noted regarding the unique design in the bases of the end seats. Mr. Otwell also explained that a lighting expert will be brought in to design the stage lighting and provided a brief review of the balcony design. The Commission members moved to the lobby area where Mr. Otwell explained the plan to incorporate the original design into the second lobby area, so that a person would be able to visually see the differences between the two lobbies and walk back in time. Mr. Otwell then took the Commissioners outside to the entrance of the building where everyone viewed

the area where the schist stone had been removed and they could view the original granite blocks underneath.

The Commissioners returned to the City Council Chambers and the meeting resumed at 9:55 AM.

Chairman Stroh indicated that he was pleased with everything he saw however, he did have concerns about the old seats in the balcony that are very ornate and why the decision had been made to remove them instead of restore them.

Mr. Otwell reported that the original plan was to restore the seats, however the Foundation believes that the seats in the balcony area are the best seats in the house and they wanted them to be comfortable. Mr. Otwell added that they did check into taking pieces out of the old seats and installing them into the new ones but the cost factor was prohibitive. Mr. Otwell indicated that this is just the preliminary plan and nothing has been finalized as of yet.

Chairman Stroh indicated it would be nice to work the cast iron sides into the new seats.

Mr. Otwell indicated that it is possibility.

Ms. Ruffner noted that the Foundation intends to recycle every portion of the metal that is removed from the seats if it is found that it is not useable in the new seating.

Mr. Otwell indicated that they are open to suggestions and that it is their intention to make the theater useable for the 21st century as well as preserving as much of the historical elements as possible.

Mr. Todd noted that he was happy that the seats will be replaced as it was one of the things that kept him from attending the theater.

Ms. Ruffner noted that all the concerns will be taken into account and that the seats will be the most efficient and comfortable they can be.

Mr. Wright, **MOTION: to approve HP09-009**, 117 East Gurley Street restoration of the Elks Building and Theater (interior and exterior) to original design as presented.

Chairman Stroh, 2nd. **VOTE: 5-0.**

6. Farwell to Don Rantz and Welcome to Cat Moody.

Chairman Stroh noted that Mr. Rantz was not present and invited Ms. Moody to the podium to speak.

Ms. Cat Moody introduced herself to the Preservation Commission and indicated that she has worked for the City of Prescott since 2004. Ms. Moody informed the Preservation Commission that she has a Masters in Landscape Architecture, which she obtained at the University of New Mexico under Chris Wilson, the head of the Historic Preservation Graduate certificate program at the University. Ms. Moody indicated that Chris Wilson was her primary mentor in her degree process; she is registered within the state of Arizona as a Landscape Architect and is excited to reconnect with Landscape Architecture and history

as she transitions into the Historic Preservation Specialist that Nancy Burgess will vacate this year.

IV. SUMMARY OF CURRENT OR RECENT EVENTS

None.

V. ADJOURNMENT

Chairman Stroh adjourned the meeting at 10:05 AM.



Doug Stroh, Chairman