

**PRESCOTT PRESERVATION COMMISSION
REGULAR MEETING / PUBLIC HEARING
JULY 10, 2009
PRESCOTT, ARIZONA**

MINUTES of the **PRESCOTT PRESERVATION COMMISSION** held on **July 10, 2009** in **COUNCIL CHAMBERS, CITY HALL, 201 S. CORTEZ STREET, PRESCOTT, ARIZONA.**

I. CALL TO ORDER

Chairman *pro tempore* DeGrazia called the meeting to order at 8:00 AM.

II. ATTENDANCE

MEMBERS PRESENT	OTHERS PRESENT
Frank DeGrazia, Chairman <i>pro tem</i>	George Worley, Asst. Community Development Director
John Langellier	Matt Podracky, Senior Assistant City Attorney
Elisabeth Ruffner	Nancy Burgess, Historic Preservation Specialist
Mike Todd	Cat Moody, Applications Mgr., GIS Coordinator
Marv Wright	Kathy Dudek, Recording Secretary
MEMBERS ABSENT	COUNCIL PRESENT
Doug Stroh, Chairman	Jack Wilson, Mayor
Russ Buchanan	

III. REGULAR AGENDA

- 1 **Consider approval** of the minutes of the June 12, 2009 meeting.

Mr. Wright, **MOTION: to approve the minutes** of the June 12, 2009 meeting. Ms. Ruffner, 2nd. **Vote: 4-0-1** (abstention by newly-seated Commissioner Langellier).

2. **HP09-017, 110 E. Gurley Street, Suite 200**, Historic Preservation District # 1, Courthouse Plaza. APN: 113-16-065. Request to paint new message/text over an existing non-conforming painted wall sign. Applicant is Morgan Sign Company. Nancy Burgess, Historic Preservation Specialist/George Worley, Assistant Director.

Ms. Burgess reviewed the staff report and indicated:

- the property was formerly the Prescott National Bank Building, which from 1923 to 1957, was the home of Valley National Bank;
- a photo of the building from the 1940s had a painted sign for Valley Bank similar to what is being proposed;
- during the 1980s there was a Territorial Courthouse advertising sign, an off-site sign, that was painted on the building, without a permit;

- between 1997 and 1998, the sign was painted over with a Murphy's/Gurley Street Grill sign, and there was no permit for that sign;
- about the same time a complaint was received by the City of Prescott for the Murphy's/Gurley Street Grill sign which was an off-site advertising sign for businesses not contained within the building;
- in 1998 the building had changed hands and was owned by M3, represented by Jeff Davis, who is here, and who still has offices in the building;
- Mr. Davis applied for a variance for the Murphy's/Gurley Street Grill particular painted sign;
- when Mr. Davis purchased the building, according to his letter, it was his understanding that the sign painted on the building was an approved sign and he wasn't aware that he needed to do anything;
- the variance for 320 square feet of wall painted sign was approved with two conditions:
 - 1) that any future change to the texture or design of the sign must be reviewed and approved through the normal sign permit procedures, and because this particular building is within the Prescott Courthouse Overlay District, it would include coming through the Prescott Preservation Commission (which is open to interpretation), and
 - 2) upon termination of the lease that it not be renewed unless otherwise allowed (this is open to interpretation);
- in 1999, M3 applied for a wall-mounted clock sign which was installed and calculated at 40 square feet (SF) with 40 SF of signage remaining for M3;
- in 2002, the American Ranch wall painted sign went up, which is considered an on-site sign because M3 was the developer of American Ranch;
- the permit was issued and the planning manager, Julie Pindzola, waived the requirement that it go to the Preservation Commission;
- recently a candidate running for office requested a political sign in this location;
- the sign was never installed because political signs are limited to 24 SF;
- in June 2009, the application came in for the sign requested;
- the requested sign does not count as part of M3's 80 SF because it is not an advertisement for M3—it is for a tenant in the building;
- the sign is an advertisement for the Salt River Project (SRP), with the "little" SRP logo placed in the lower left-hand corner;
- this 320 SF sign is allowed in this location on this building pursuant to the variance that was granted in 1998, but the sign has to be for a business contained within the building—it cannot be an off-site sign for a business down the street, around the block, or around the corner;
- SRP does have an office in the building;
- the size is still permissible under the variance that is in place, but the dilemma with this request at the current time, which staff discussed at length, is that the sign appears to advertise an off-site location, the Verde River, as well as an on-site business, SRP;
- off-site advertising is not permitted within the Downtown Business District (DTB);
- a painted sign is allowed and approvable under the guidelines of the Courthouse Plaza Historic Preservation Overlay District (CPHPOD);
- the Prescott Historic Preservation Master Plan recommends using historically consistent signage that is: flat against the building, no flashing, revolving or roof-mounted signs are permissible;

- the sign meets all those criteria;
- the design guidelines address appearance, color, size, location, position, method of attachment, materials used and that the sign be complementary to, and in keeping with, the character of the building;
- that the sign be visually compatible with the historic character of the district;
- guidelines also address the sign band, which does not apply in this case, and guidelines address colors of neutral tones compatible with the building design and the entire district;
- it is within the purview of the Commission to request compatible colors or deny the application if the Commission determines that the proposed sign does not meet Historic Preservation District guidelines for signage;
- a list of recommendations for this particular project, along with conditions, should you wish to approve, include:
 - 1) that the area of the sign message not exceed the current dimensions of the existing painted sign
 - 2) that pursuant to Variance 9808, the sign cannot exceed 320 SF
 - 3) that the colors of the sign be in conformance with any requirements as to colors set forth by the Commission at the time of the meeting
 - 4) that the sign primarily advertises the on-site business (staff has concerns that the vast majority of the sign advertises the Verde River rather than an on-site service or business).

Commissioners queried and remarked on:

- the color issue is somewhat "fluorescent" looking and doesn't fit the character of the Plaza and the context of the building;
- to fit the character of the Plaza, a muted pastel, sepia or black-and-white color would be more appropriate;
- this is Prescott, not the Verde Valley, Phoenix or Tucson, and support should come from a depiction of local nature—the Granite Dells, Granite Creek, Thumb Butte or the Bradshaw Mountains—which would be more appropriate for our community than a feature outside the area;
- does the creation of a mural on a wall of a building in this community require a sign permit, or could this be designated as a sign or a mural [Mr. Worley: a mural is treated as public art. There is no permit; however, there is a review process to determine location, size and appropriateness. It is handled administratively through the Community Development Director. This is not proposed as a mural, and it is not artwork as we understand through conversations with the applicant. It is intended for commercial signage; and, the applicant does have a variance which grants him non-conforming status to that sign. If he were to change the type of sign from commercial to a mural, he may well lose the grandfathering for the sign];
- the sign, because of the small "SRP" should be considered a mural;
- the bright colors detract when coming into town—and support would never be given to put up historic pictures of Downtown Prescott on the Verde River;
- the sign appears to be a billboard which is not right for the heart of the historic district;
- how long will SRP be a tenant there because the signs stay up forever [Mr. Jeff Davis, 110 E. Gurley, M3 Company: they have a two-year lease with options behind that];
- will SRP have a customer service type office or executive office [Mr. Davis: executive offices have been set up];

- it is not clear that SRP is serving any customers here.

Mr. Davis indicated:

- keep in mind a precedent has been set;
- he has an historic building, a tremendous investment, and has restored five historic buildings, including a block in Wickenburg;
- the entire wall on the back of the building has been painted numerous times, it cannot be restored, so something will be painted there;
- he has tried to mute the colors but is somewhat contained, and can't create an old historic sign for the Palace, Summit Bank, etc., [he,] can't do that;
- the present sign is outdated and did not promote historic Prescott, the Granite Dells or Thumb Butte—it promoted a brand new subdivision not in the City of Prescott, it did not have M3's name on there—it supported American Ranch;
- this promotes the Verde River, it is not inside the City limits, it is outside of our historic area, and is similar or identical to the American Ranch, which needs to be kept in mind;
- the sign is being put up by a tenant inside the building, who has the name there, be it not big enough, but it depicts that they are inside the building;
- it could be argued that you [Commission] could take a position that this isn't giving the right message or doing the right thing;
- the Code does allow it, and precedence has been set with American Ranch through those approvals;
- the problem, [Mr. Davis thinks], is with the colors—it is not our intent for this to be a mural, it is our intent for this to be a wall sign to continue to have the grandfathered right—and when this sign no longer is required or being utilized by SRP, and possibly for Armadillo Candleworks in the lobby, or there is possibly another development in town, the sign would carry on that way.

Commissioners further queried and remarked on:

- clarification between “on-site”/“off-site” context

Mr. Worley: the City defines on-site and off-site advertising specifically. In the case of American Ranch, the issue of “on-site”/“off-site” is whether or not the service provided on site and the sign were linked together. The sign directed people to the M3 offices in the building in association with American Ranch. The person could walk in the door, go to M3 offices and discuss and/or purchase property in American Ranch. There was a service provided directly related to the signage. Staff is a little conflicted on the Verde River because we are not sure that there is a service provided on site associated with the off-site area. It is something that SRP has an interest in; and, SRP having an office in the building gives them some presence when it comes to on-site signage. We would allow on-site signage for SRP; however, the question of the scale and size arises. Is it really an advertisement for the SRP office or is it an off-site advertisement for the Verde River? It has both elements, so it is not a clear “yes-no” question. (Refer to *Land Development Code* definition of on-site signage and off-site signage).

The sign does say SRP, and SRP has an office at the location. There is an element of on-site signage. As you can see from their proposal, a less than significant element is given to SRP; and, SRP is insignificant in relation to the rest of the sign.

- is the company selling the water in the Verde River, or is it selling the Verde River to the people who see the sign;
- the distinction is when you have the American Ranch Sign, you are selling a commercial product in that building—but this is a depiction of a natural resource in Arizona—not one of our community in the Prescott area which is what should be depicted;
- since the space can't be restored, it is what it is, and with the variance, is Mr. Davis allowed to put a mural there [Mr. Worley: it would be the Community Development Director's decision]; and,
- SRP makes it a commercial sign, and a mural is more general in nature.

Mr. Davis further remarked that he is looking for some direction because he has a tenant in the building that has leased the space, has provided the design, and SRP on the sign does indicate that they are in the building and they have hours of business. If the color is not appropriate, then we can work with that. I don't think we can say put a resource that is one of ours [on the sign]. This is not a commercial operation with the Verde River. He would like to do the right thing for the downtown area. He believes that he is in compliance and following precedent. The issues here are: 1) is it too neon looking; 2) is it too bright; 3) is SRP not big enough; 4) should we resize. Mr. Davis stated he is open to suggestions.

Further questions directed to Mr. Davis included:

- after looking at the building, have you considered painting on the building "110 Executive Suites" so that is more in line with what the building is and what it is representing, i.e., a more business-type lettering [Mr. Davis: the reason the building is changing is with the economic times and the business world. . . it is where space has become available—it is not what I want to do necessarily, but this is what I have. My position is that I am in conformance, and I need to work with you so that it is something we all can be proud of].
- if this is not restorable, faux painting can bring the side back to a "brick looking" siding [Mr. Davis: I don't care to go there].

Mr. Jack Wilson, Mayor, 1514 Eagle Ridge Road, proffered:

- this is perhaps in the most important historical district in town;
- the lease provisions discussed under a conditional use permit should be looked at closely, and, if a tenant/owner leaves, is there still a CUP;
- just because Julie Pindzola, former planning manager, administratively approved something, the errors of the past shouldn't be perpetuated into the future;
- we have an opportunity to look at things every time a project comes before us;
- we should do the right thing now;
- does SRP have any business in this area—it is based outside of this county;
- the colors clash and are not historic;
- what is the purpose or motivation for the sign—why would SRP rent from Mr. Davis when they have no business here, and SRP is suing the City of Prescott;
- this is an affront to the citizens of Prescott, and they [SRP] are saying they basically want us to stop pumping from the Big Chino water ranch;
- he is solidly against approval as it is part of a public relations campaign and has nothing to do with a tenant occupying the building.

Mr. Davis asks that he not get caught in the middle of the battle between the City and SRP. They have lease space, and they are on site. Mr. Davis respects the mayor's comments.

Commissioners Ruffner and Todd made motions that died because there was a lack of a 2nd after both motions.

Mr. Wright indicated that whatever goes up [the sign] must come back before Commission for approval.

Chairman DeGrazia indicated that there was a conflict with context and color. Commission needs to come to agreement on some level. He believes that the request is for an advertisement. The color as well as another "Arizona gem" should be depicted. There is, perhaps, a subliminal message trying to be pushed onto people; and, again, it may not be our job as commissioners to delve into that. Is it possible to have another "Arizona gem" put on the building that would be more relevant to the City?

Mr. Stephan Markov, Morgan Sign Company, 704 Moeller Street, was commissioned by SRP to design the sign. One of the options would be to convert this to a sepia tone for a more historic look.

Chairman DeGrazia asked about using something "more local". [Mr. Markov: that was not discussed. But I am sure they would be open to that suggestion. I won't say with certainty, but there are other options especially with the text below. Six or seven other slogans were considered.

Mr. Worley doesn't believe there is precedent as to how much of the sign must be for advertising. The applicant is requesting direction or ideas for the sign, i.e., ½ or ¼ would be local advertising, etc. This would give them parameters for coming back to Commission.

Ms. Ruffner indicated that the applicant has the privilege of reading our discussion or watching it.

Mr. Todd is fine with the motion but is reluctant to set a percentage with the applicant. In the future, an applicant may cite a precedent about percentages.

Ms. Ruffner, **MOTION: to deny** the request as presented as not sufficiently meeting the criteria as an advertisement of a business within a building. Mr. Wright, 2nd. **Vote: 4-0-1** (abstention due to a potential conflict of interest: Langellier).

Mr. Davis wants to have clarification and appreciates everyone's time. He hears a clear denial because this is not advertising "SRP" as our local tenant with the lettering being big enough.

Ms. Burgess indicated another direction in regards to the colors. A suggestion to work on the colors should be made.

Mr. Davis stated from an aesthetic aspect, there is an opportunity to do something nice for downtown without getting a bunch of words. He doesn't want to list eight tenants, with web addresses, etc. Mr. Davis likes the idea of the picture and something big with the colors that are done right. I hear clearly that SRP is not big enough and we are not promoting our on-site business.

Ms. Ruffner responded by indicating that no business is being promoted. The sign should say what is in the building. Photographs and designs of lakes and Thumb Butte are not a part of what we are talking about.

3. **HP09-018, 110 E. Gurley Street, Suite 200**, Historic Preservation District # 1, Court- house Plaza. APN: 113-16-065. Request a sign permit for a Business Directory sign to be installed in the alcove, totaling 12 square feet. Applicant is Morgan Sign Company. Nancy Burgess, Historic Preservation Specialist.

Ms. Burgess reviewed the staff report and indicated:

- this request is for the same address, same ownership;
- this is a business directory sign which is 12 SF and is counted toward M3's 80 SF;
- the total SF for M3used will be 52 SF, and 28 SF is still unused;
- the directory will go inside the alcove on the Gurley Street side, mounted on the wall;
- the directory is permitted under the *Land Development Code*;
- it is an unlighted business directory sign that includes a PVC panel, with poly-metal vinyl graphics and in copper over black;
- the sign would allow M3 to list the tenants that are accessible through this entrance in the building, and names could be changed as tenants change;
- the only issue is the installation on the brick;
- one of the requirements that staff is recommending is if the sign is approved, that the lag bolts be installed in the mortar and there be no damage to the bricks.

Commissioners queried and commented on:

- the exemplary sign design;
- the brick joints looking small can the sign be attached to the mortar joints [Mr. Markov: doesn't see a problem].

Mr. Wright, **MOTION: to approve HP09-018**, Business Directory Sign, 110 E. Gurley Street, to comply with staff recommendations. Mr. Langellier, 2nd. **Vote: 5-0.**

IV. UPDATES

(None).

V. SUMMARY OF RECENT OR CURRENT EVENTS

- Ms. Burgess indicated that this is Commissioner Marv Wright's last meeting. He has served on the PPC for six years. A plaque was given to him for his years of service with cake to follow after the meeting.

Mr. Wright remarked that he has enjoyed serving on the commissioners and would still be watching the meetings, not in person but rather on TV.

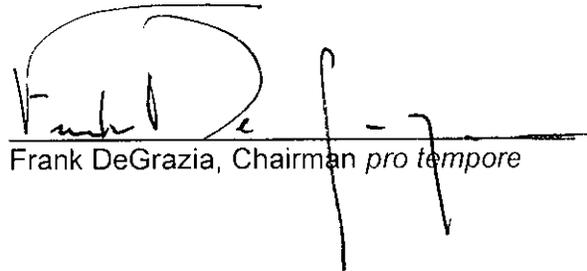
Mr. DeGrazia stated that he appreciates Mr. Wright's conscientiousness and that he brought a lot to Commission.

Mr. Todd proffered that Marv was always prepared and had insightful comments.

- Ms. Burgess noted that 55 of the 1933 balcony seats at the Elks Theater have been marked and will not be auctioned.
- Ms. Ruffner stated that she attended the Statewide Historic Preservation Conference in Phoenix, and that Nancy Burgess gave an exemplary report on cemeteries.

VI. ADJOURNMENT

Chairman DeGrazia adjourned the meeting at 9:07 AM.



Frank DeGrazia, Chairman *pro tempore*