



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA (928) 634-7943

REGULAR MEETING OF THE DESIGN REVIEW BOARD

Monday, August 31, 2020, 6:00 pm

(Rescheduled from September 7, 2020 due to Labor Day Holiday)

MINUTES

6:00 (0:00) Item 1: Call to order

Chair Tyler Christensen called the meeting to order at 6:00 p.m.

Rosa Cays, deputy clerk, called the roll. Present were Chair Christensen, Vice Chair Brice Wood, and board members John McDonald, Danny Smith, and Carol Wittner. Zoning Administrator John Knight, Mayor Alex Barber, Councilmember Jane Moore, and P&Z Commission Chair Jessamyn Ludwig were also present.

6:00 (0:35) Item 2: Petitions from the public – There were no petitions from the public.

6:01 (1:07) Item 3: Approval of Minutes: Minutes of the regular meeting of August 10, 2020

Discussion/Possible Action

Motion to Approve the Minutes of the Regular Meeting of August 10, 2020

BOARD MEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
CHRISTENSEN	X		X			
MCDONALD			X			
SMITH			X			
WITTNER						X
WOOD		X	X			

Continued Items/Old Business:

(2:23) Chair Christensen moved to address Item 5 ahead of Item 4 (transcribed here in agenda order).

Motion to address Item 5 ahead of Item 4

BOARD MEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
CHRISTENSEN	X		X			
MCDONALD		X	X			
SMITH			X			
WITTNER			X			
WOOD			X			

6:06 (6:16) Item 4: Study session with the State Historic Preservation Office (SHPO)

Chair Christensen explained how he wanted the session to proceed. Mr. Knight shared a few introductory remarks for those new to the discussion. He referred to the draft of the Williams design guidelines that the State Historic Preservation Office (SHPO) had provided as a possible project for Jerome. Mr. Knight thought it would be a good idea to participate in a work session with the SHPO staff to learn more.

6:08 (7:57) Chris Cody of SHPO introduced himself and thanked the volunteers of Jerome for helping to preserve a very historically important place in Arizona. He also introduced his colleagues: Eric Vondy, certified local government (CLG) coordinator and Jerome's primary contact, and Dr. Patricia Dahlen, staff architect. Mr. Cody then answered the list of questions from the agenda packet. He said that if a project in Jerome is using federal or state resources, the National Historic Preservation Act and the State Historic Preservation Act require that whoever is using those resources must consult SHPO to make sure historic property is not being adversely affected, steps are being taken to mitigate any harm, and that the project is in compliance. This is SHPO's primary role in Jerome. For example, infrastructure projects that could affect historic properties or state-owned properties, like Jerome State Historic Park, would need consultation from SHPO. SHPO also helps administrate federally certified, local government programs, and provides the primary certification of a community having an effective, historic preservation ordinance and being engaged in historic preservation. This makes Jerome eligible for federal grant money. This is the gold standard. Few communities can engage in historic preservation legally without meeting the criteria of a CLG program; right now there are 30 communities in Arizona in the CLG program, and Clarkdale will be no. 31. SHPO checks in with them and keeps tabs on how preservation is going. Dr. Dahlen goes through the towns' ordinances to make sure they're legal, and preservation law has evolved significantly, so ordinances need to evolve as well.

Mr. Cody said Jerome's zoning ordinance definitely has room for improvement. He said it needs to be more detailed and easily read by someone coming to town who wants to build, especially under historic preservation guidelines; that the ordinance needs to spell out the architectural essence of what Jerome is. Mr. Cody said another concern is livability. The real keepers of historic preservation are Jerome's residents and business owners. Having a vibrant residential scene, a place to live and work need to continue to exist. He then deferred to Eric Vondy.

(6:18) Mr. Vondy said that the CLG program is federally funded and that most of the money comes from offshore oil leases in the Gulf. Grants through the CLG programs are worth up to \$20K and can be used for everything but brick and mortar, like help with design guidelines. He confirmed that the grant cycle is open right now and closes September 15.

Mr. Cody encouraged Mr. Knight and the boards to reach out and apply for a grant, and that SHPO would help with the process. Mr. Vondy said the grant application is not very difficult and is only a few pages.

Mr. Knight said it was probably too quick for this grant cycle as he would need to present this to the Council.

Mr. Cody said that Jerome is important to the staff at SHPO, who would help develop design guidelines and are always available to answer questions. He then asked Ms. Dahlen to opine on what is acceptable new or in-fill construction adjacent to historical buildings.

Dr. Dahlen said the Secretary of the Interior's [Standards for] Rehabilitation are the key to the creation of the town's design guidelines, especially the ninth of ten guidelines: that new construction should be distinct but compatible. She said this basically means new construction should fit in character but not mimic or emulate historic features. Dr. Dahlen said the guidelines can be general or specific about this. She suggested looking at the other 30 CLG communities' guidelines and said Williams or Prescott could be good models. Community guidelines in other states could also help.

Mr. Cody told the story of Charleston and how because of their unconstitutional guidelines, were threatened with a lawsuit by a developer whose project had been denied. They approved the project to avoid the lawsuit and now have an eyesore of a building in their historic district. Charleston had to redo their guidelines.

Mr. Brice Wood said he thought Charleston was one of the first towns to have historic guidelines; could it be their ordinances were out of date? Mr. Cody confirmed this, and that Charleston's guidelines had been updated in the 1970s and '80s (from the 1930s) but not with a well-developed standard, like Williams's guidelines. He mentioned reading "visually compatible" in Jerome's ordinance and that it could be considered arbitrary (and capricious), which is the issue in Charleston. He said when a clear template is presented to builders of projects, they're most likely going to follow the template. But when people don't know what to do, that's when trouble happens. If a clear roadmap is provided, then money loss and lawsuits can be avoided.

Mr. Cody answered the next question about the benefits of acquiring a historic designation, which he said was a state property tax program for residential buildings, which Mr. Vondy oversees, and a federal historic rehabilitation tax credit for commercial structures, which Dr. Dahlen administers.

Mr. Vondy said Jerome has several residences in the program receiving a property tax break as long as they maintain certain elements of their home to keep it as a "contributor to the Jerome historic district." He said about 8,000 Arizona residences across the state take advantage of the program.

Mr. Knight said he has spoken with several Jerome homeowners who are fearful of pursuing a historical designation because they would be prohibited from changing out windows, building an addition, etc., by SHPO ("the government").

Mr. Vondy said Jerome's guidelines would likely be harsher than anything SHPO would do, and that homeowners would simply have to add SHPO as reviewers of their project. He said he did not recall a Jerome project ever being denied, and that it would likely happen at the local rather than the state level. Mr. Cody added that the worst that could happen is the homeowner would be dropped from the tax program.

Mr. Knight verified that a new homeowner of an historically designated property could opt out of the program, and with good guidelines and a good design review board, the applicant would not encounter much trouble with SHPO. Mr. Vondy agreed.

Mr. Cody said SHPO is permissive and wants to give residents the tax break whenever possible.

Chair Christensen asked if this applied to a demolished historic house, and if it would affect the town's historic designation.

Mr. Cody said for Jerome to lose historic status, it would have to be a catastrophic event of great destruction. He said there are levels of historic status and that Jerome currently enjoys one of the absolute highest as a National Historic Landmark (NHL). He said below that is the National Register Historic District and historic "integrity," which is determined by the percentage of historic buildings in that district. Mr. Cody said SHPO would want to do everything possible to help Jerome keep its NHL status and would work with the National Trust and the President's Advisory Council for Historic Preservation and would try to intervene with Jerome's leadership. The fight is for Jerome's historic integrity, not historic designation.

Mr. Vondy said in Arizona only Roosevelt Dam has lost its historic status, and that Tombstone did have a threatened status 12–15 years ago, but a planning strategy and intervention saved them.

(34:30) Jerome resident Margie Hardie said part of the town's historic overlay district includes property and structures not within municipal boundaries, e.g., the Little Daisy and the state park. She asked what influence they have on Jerome's historic character and vice versa.

Mr. Cody said Jerome would have two courses of action: annexation, which would be preferred (and to which Margie remarked, "Been there, tried that") or wield influence through the county. He said Pima County is a CLG, and that if Jerome wanted to pursue protections, SHPO would help. Discussion ensued.

Mr. Vondy said Jerome became a national landmark before the National Register of Historic Places was created and was later added in the 1970s, but with no paperwork. He said in the early 1990s, someone went through Jerome and determined the "contributors" and "noncontributors" of this status, so from 1992 to 2007 it was the inventory SHPO had to use. In 2006 Jerome received a pass-through grant and turned it over to the Jerome Historical Society to create an updated 2007 inventory.

Mr. Cody said an inventory update could be funded by a CLG grant.

Ms. Hardie said her interest are the "bits" owned by the town that she wants to protect. She asked if partial inventories could be done.

Mr. Vondy said yes, an inventory of retaining walls, steps, etc., could be done. He said Jerome's retaining walls were built by Italian masons, so yes, it would be a valid inventory, and that grants are not solely for buildings.

Ms. Hardie listed facets of preservation: buildings, architecture, landscape, which contribute to historic character. She asked for thoughts on this and how Jerome could achieve historic character.

Mr. Cody said he had read it described as someone walking down street who would feel transported in time and place to the significant period of the town. He talked about a streetscape—a collection of buildings, street width, retaining walls, light fixtures, and how they all contribute to the feeling of the environment. Mr. Cody said each streetscape has its own elements of importance. For the guidelines, a big question would be what in a streetscape makes Jerome feel like Jerome? Mr. Vondy shared the example of the Winterhaven neighborhood in Tucson.

Dr. Dehlan said it would be valuable in the town's design guidelines to determine what are Jerome's character-defining features, like landscaping. Mr. Vondy said you also don't want to create a false sense of history.

Councilmember Moore asked what the best way is to encourage residents to preserve and enhance the valuable qualities of Jerome, the "quirky mountainside mining town architecture." She also asked how new construction can be compatible/complimentary without looking fake or detract from the historical architecture. She mentioned DRB Vice Chair Brice Wood's pamphlet of different neighborhood styles, showing that Company Hill is known for its Victorian houses and the Gulch is made up of miners' shacks, for example. She said it seems Jerome needs to restructure its design guidelines and design review. Ms. Moore also asked if the town can prevent demolition or disrepair of neglected historic houses and if there is a program to help. She mentioned she had found the applications for historic landmark status from 1967 and 1975, and that they had the same concerns and asked the same questions eight years apart. Ms. Moore said the main thing is how can the town encourage people to do the renovations and help people whose places are falling apart?

Mr. Cody said Ms. Moore's questions are the "timeless, greatest hits of historic preservation." He said there are economic incentives and that property values can increase in historic districts; that historic preservation can drive other industries and isn't just for looks. He said "demolition by neglect" is very common in Arizona and that the League of Cities and Towns has tried to pass legislation to empower municipalities to fight blight. He elaborated on this and said these neglected places end up being safety issues and that there are not many public incentive programs to help homeowners; what most towns can do is place a lien on a neglected property, a drastic level of intervention. He said SHPO plans to distribute new scholarship and legal analysis to city attorneys and CLGs in the next year to help with historic preservation. Mr. Cody said a sense of place is what Jerome has going for it.

Chair Christensen mentioned that Mayor Barber had commented that Jerome has this ordinance already. Mr. Knight said Jerome did adopt a property maintenance code, which the mayor said was used with the Flood House on Company Hill and with the Tamale Ladies house on North Drive, and that the zoning administrator at the time was able to reason with the homeowners. Mr. Cody commended the town for having this in place.

Ms. Moore asked again if there was money available to help people in need to fix their places. She said there is willful neglect happening with homes in Jerome. Mr. Vondy said the Great Recession wiped out that funding.

Mr. Cody said there are some tools that can be deployed, e.g., community land trusts that work with neighborhood stabilization grants. He said other states are more aggressive with property tax remittance, but there's a catch-22: a homeowner can get funding to fix a roof, but that raises property taxes that they also cannot afford. He said talking with state legislators is one avenue; that it is more expensive to upkeep historic buildings so the government should assist, and that Arizona should do a better job of helping homeowners.

Mr. Knight mentioned that Ms. Hardie had commented that CDBG grants have been used by Jerome homeowners.

Mr. Cody encouraged Jerome to call on them, that SHPO is here to help, and thanked everyone for their service in protecting Jerome.

New Business:

6:03 (3:42) Item 5: Design Review for signage at Wrenwood and Hawthorn

Applicants: Brett and Erica Jurisin

Address: 367 Main Street

Zone: C-1

Owner of record: Sullivan Apartments, LLC

APN: 401-06-026N

Applicants are seeking preliminary and final design review for a new hanging sign and window signage for a new business (at the former location of Threads on Main)

Discussion/Possible Action – DRB Reso. 2020-25

Chair Christensen introduced the item, and Mr. Knight filled in the details and stated that the application and sign meet all the zoning requirements in terms of size and height above the sidewalk.

(4:49) Business owner and Jerome resident Brett Jurisin introduced himself and spoke briefly about his new retail business, which will sell mostly American, handmade, home accessories.

Motion to Approve Resolution 2020-25

BOARD MEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
CHRISTENSEN			X			
MCDONALD			X			
SMITH	X		X			
WITTNER			X			
WOOD		X	X			

6:59 (59:01) Item 6: Community Garden Design Update

Applicant: Town of Jerome

Address: Middle Park

Zone: C-1

Owner of record: Town of Jerome

APN: 401-06-015

Update on the status of the Community Garden and various design features

Discussion/Possible Action

Mr. Knight updated the board on the garden's progress. He said Public Works needs to put a water line in next and that the raised beds will be placed once they are done. He acknowledged Jerome resident Wendy Irving-Mills for the site plan she created and the shed she designed.

(1:00:58) Ms. Irving-Mills shared details about the shed design. She said it is a 8-by-12-foot floorplan at the moment, to be constructed with wood siding, corrugated metal, and reclaimed materials, in hopes that residents may have a stockpile of materials they would be willing to donate. The design is meant to not be "overpowering."

Chair Christensen praised Ms. Irving-Mills' work and thanked her for her time and skills.

Mr. Knight announced that wood has been donated by Candace and Michael Gallagher from their old sauna, and he is still hoping for tin to be donated. Mr. Smith suggested Phil Tovrea may have tin he would be willing to donate.

Mr. Knight said he hopes the beds are filled by the end of September.

Chair Christensen asked if there is a reservation list for people to sign up for a bed. Mr. Knight said nine people have reserved a bed. Discussion ensued. He said volunteers get first dibs.

Chair Christensen asked where the dirt would be coming from.

Mr. Knight said he would be checking with Bedrock to see what they have; that the soil Mr. Tovrea had offered was too rocky.

Ms. Moore asked if the shed should perhaps go at the upper end of the garden, above and behind Middle Park.

Chair Christensen said he was more concerned that it be placed where it can be used. Mr. Knight said the shed needs to be placed on level ground.

Mr. Smith suggested planting bushes around it.

Mr. Smith asked about making the garden javelina proof. Mr. Knight told him a fence will be erected. Comments were made about how tough javelina are, so fence should be quite sturdy.

Informational Items (Current Event Summaries):

7:12 (1:12:13) Item 7: Updates of Recent and Upcoming Meetings: John Knight, Zoning Administrator

- a) **Council – August 11, 2020:** Updates to the residential parking ordinance and appointment of Carol Wittner to the Design Review Board
- b) **Council – August 20, 2020:** Adopting election results and initiating ordinance amendments for stair setbacks and appeals to Council

Mr. Knight said the parking permit ordinance has been updated and improved; that the Council did appoint Carol Wittner on DRB and accepted the August 20 election results. He mentioned the discussion at the P&Z meeting on setbacks and the appeal process, which was also discussed at the August 20 Council meeting.

7:14 (1:14:02) Item 8: Future DRB Agenda Items: 123 Beale Street fence

Mr. Knight said he believed the fence would still be on the agenda for the October 5 meeting. He also mentioned that P&Z still needs one more member and asked the board members to personally encourage anyone they think might serve, which is how Ms. Wittner joined DRB—Mr. Woods encouraged her.

Chair Christensen suggested asking Bob Bouwman or Susan Gregory, candidates who ran for Town Council.

Item 9: Adjourn

Motion to Adjourn at 7:16 p.m.

BOARD MEMBER	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
CHRISTENSEN	X		X			
MCDONALD			X			
SMITH			X			
WITTNER		X	X			
WOOD			X			

Approved:  Date: 10.6.20
Tyler Christensen, Design Review Board Chair

Attest:  Date: 10/6/2020
Rosa Cays, Deputy Clerk