



# TOWN OF JEROME

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

## Regular Meeting of the **Planning and Zoning Commission** Wednesday, April 21, 2021, 6:00 pm MINUTES

### 6:02 (0:11) Item 1: Call to order

Chair Lance Schall called the meeting to order at 6:02 p.m. Present were Vice Chair Chuck Romberger, Jeanie Ready, and Lori Riley. Commissioner Mike Harvey resigned earlier in the day.

### 6:03 (1:07) Item 2: Petitions from the public – There were no petitions from the public.

### 6:03 (1:15) Item 3: Approval of Minutes – Regular meeting of March 17, 2021

#### Motion to Approve the Regular Meeting Minutes of March 17, 2021

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ready	X		X			
Riley			X			
Romberger		X	X			
Schall			X			

### 6:04 (1:58) Item 4: Resuming in-person meetings Discussion/Possible Direction to Staff

Mr. Knight announced that DRB members have all received a COVID vaccination and are ready to begin in-person meetings in May. Precautions will still be taken—plexiglass shields will be installed at the dais, and masks and social distancing will be encouraged.

Chair Schall said he has been vaccinated and has no problem resuming in-person meeting. Ms. Riley stated the same.

Commissioner Ready said she too has been fully vaccinated and is ready for in-person meetings, but that she will be traveling in June and will join that meeting by phone.

Vice Chair Romberger said he is also ready to meet in person; that he has been inoculated and had COVID in December.

P&Z unanimously agreed to in-person meetings starting in May.

### Public Hearings:

### 6:08 (5:21) Item 5: Proposed text amendments related to administrative approval for small projects and updates to the appeals process for certain types of projects

Applicant: Town of Jerome

Amendments may include, but may not be limited to, Sections 106, 302–306, 502, 503, and 508 of the Town of Jerome Zoning Ordinance.

#### **Discussion/Possible Action (recommendation to Council) – P&Z Reso. 2021-04**

Mr. Knight reported that he has worked with councilmembers on the amendments, including Councilmember Sage Harvey who has suggested new definitions for deck and patio, and added a definition for shed. Because the changes were given to the commission members rather late, Mr. Knight offered that the item could be tabled if they needed more time to review. He reminded everyone that this was a public hearing.

Chair Schall said he had not had time to review the addendum and asked Mr. Knight to go over the changes. Chair Schall then confirmed that the last-minute changes were from Council and said the changes seemed reasonable.

Ms. Ready asked for clarification on the current changes to the definitions of deck or patio. Mr. Knight explained that if either a deck or patio has a roof, then it is considered to be part of the main structure.

Mr. Knight clarified the need for emergency personnel to be able to get through and why railings are restricted.

Mr. Schall asked for comments or questions from the public.

Mr. Knight said this would be a recommendation to Council with a first reading in May.

#### Motion to Approve Resolution 2021-04 with added changes from the addendum

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ready			X			
Riley		X	X			
Romberger			X			
Schall	X		X			

**Old (continued) Business: none**

**New Business:**

**6:16 (14:01) Item 6: Preliminary and Final Site Plan Review for a shed**

Applicants: Don and Paula Nord

Address: 128 First Street

Zone: C-1

Owner of record: Don and Paul Nord

APN: 401-10-006

Applicants are seeking a preliminary and final site plan review to construct a 120-square-foot shed.

**Discussion/Possible Action – P&Z Reso. 2021-05**

Mr. Knight said the applicant has an unusually shaped lot and asked the commissioners to look at the plans in the agenda packet and determine the front versus the side yards. He said the applicants want the west side of the site to be considered a side yard, but Mr. Knight sees it as a front yard and that the shed would need to meet a 10-foot setback on the School Street side. Mr. Knight also mentioned that the property was a duplex and required a conditional use permit (CUP), so the applicants must provide and maintain three parking spaces and demonstrate they can do this once they install the shed. He spelled out the commission's options: determine the west side a side yard or determine this is a front yard and require the applicants to revise their plan.

Chair Schall said he was inclined to consider it a side yard because the houses along lower School Street with two frontages (the other to 89A) have their backyards facing it; where the Nord property is, it makes more sense to call it a side yard instead of it suddenly being a front yard in a row of backyards. He said he had no issue with the applicants putting a shed on their property; it will not block the view and it is not a safety hazard.

Commissioner Riley agreed with Chair Schall.

Ms. Ready brought up the unsurety of the property line, regardless of the yard type. Chair Schall said this was a good point. Ms. Ready then asked how close the shed would be to the retaining wall. She agreed it is a side yard but is concerned with the shed placement.

Chair Schall suggested amending the resolution and determine it is a side yard and that the shed needs to be 5 feet from the property line or retaining wall.

Vice Mayor Romberger commented that what the commission was discussing was de facto reality vs legal reality; that the retaining wall is the de facto property line that they want "de facto plus legal," whichever is the worst case is the one they need to comply with.

**Motion to Approve P&Z Resolution 2021-05, declaring the site a side yard with a required 5-ft. setback**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ready		X	X			
Riley			X			
Romberger			X			
Schall	X		X			

**6:28 (25:46) Item 7: Preliminary Site Plan Review for a house**

Applicants: Bethany Halbreich and Cameron Sinclair

Address: 300 Queen Street

Zone: C-1/AR

Owner of record: Half Kingdom Holdings LLC

APN: 401-06-128G

Applicants are seeking preliminary site plan review to construct an 850-square-foot house.

**Discussion/Possible Action**

Mr. Knight said a project was proposed by past owners on this property who wanted the house straddled over the pool. This did not go forward and was opposed by the State Historic Preservation Office (SHPO). The new owners are working closely with SHPO and the current proposal is a preliminary site plan review, but only on the back of the property (the portion of the lot zoned AR). Mr. Knight said the setbacks seem to be met and that due to the complexity of the project, albeit small, they are collecting comments and ideas at this preliminary site plan review. The applicants know they will need to deal with structural engineering, are doing a cultural study, and are working with the Jerome Fire Dept. (JFD) and Public Works on an extension of a waterline and improvements on Diaz Street.

Chair Schall said he was happy to do a preliminary review and that that applicants are obviously not ready for "turning dirt." He clarified that he wanted to keep the discussion to Phase I: the 850-square-foot building. He said the commission can share ideas but that the action is likely to be to table the item.

(30:13) Cameron Sinclair introduced himself and Ms. Halbreich and shared that he had 20 years' experience in design/planning/construction and historic preservation. He moved on to their presentation. Mr. Sinclair said regarding the construction of the pump house by the previous owner, SHPO was concerned about its renovation because it was made to look like the original pump house, which is not condoned in historic preservation. He continued with details of their preliminary site plan and mentioned that they will have three parking spaces and that the pool will be fenced for safety during construction. He said they have also had a boundary survey done and are working with SHPO on an understanding about the history of the pool. Mr. Sinclair highlighted their plans for the property and said the height is equal to what is already in place. He said the renovated pumphouse was not built well, so they may need to take down parts of it. He talked about the layout of the house and said they would be installing a sprinkler system so they can "adapt" as they enter phases two and three of the project.

Chair Schall asked if they would be doing a geological survey before they start building. Mr. Sinclair said absolutely, and that they were working on "long-form geo tech" with international engineering company Arup on the retaining wall and local engineers on the other aspects of the project.

Chair Schall asked if the retaining wall was involved in the first phase of project, which it is not, per Mr. Sinclair. Chair Schall said that this area of town is adjacent to land with a history of subsidence, so it poses a liability concern. He did point out that the pool is still there, to which Mr. Sinclair replied that mud is heavier than water, and the pool has been filled with mud for years.

Chair Schall said the only other concern was the language Mr. Sinclair was using to describe the house plans; he said it looked like it was split in two, and that if it was to be an accessory building, other concerns come in to play. Discussion ensued and Mr. Knight confirmed that it was not an accessory building. He explained that it looks like two separate units, but it will operate as one house.

Mr. Sinclair said they have looked at ways of bridging the two parts of the house and that aesthetically it would "bookend" the pool. He said because of setbacks they are limited in the size they can build.

Ms. Ready said she was concerned about access to the house for construction down Diaz Street, the impact on that route, and how it will be addressed.

Mr. Sinclair said he was working with Mr. Knight and Fire Chief Rusty Blair on what upgrades they can do along Diaz Street. He mentioned that the Guth family had constructed a driveway on UVX property when they were building, and that the lease for the lot will be signed over to him and Ms. Halbreich, so they will look at making that a driveway to the property. Mr. Sinclair said he cannot use giant construction machinery—it would ruin his career because it is opposite of what he has done professionally. He said they hope to blueprint the project so others can use it as a guide for building small homes.

(48:01) DRB Vice Chair Brice Wood brought up the ADOT report that identifies the lot as a landslide area. He asked if there is somewhere on earth that people build on landslides.

Mr. Sinclair mentioned Sausalito, California, which is where he lived in an A-frame house on bedrock. He said the key is to do the engineering and geotech, and to build light, not in concrete.

Mr. Knight said he spoke with civil engineer Jon Lateer of ADOT, and that the ADOT report Mr. Wood was referring to was not done specifically for any of the properties in the area, and that it was a collection of other surveys. Mr. Lateer said property owners need to do their own study to get accurate information and not go by that report; he also mentioned that subsidence is supposedly lessening, according to ADOT surveys.

Mr. Schall said he was inclined to table this item for now.

Jerome resident Carol Yacht asked about the AR-C1 combined zone and the commission's thoughts on it.

Mr. Knight explained that the house was to be built on the "view" side of the lot, which is AR. Mr. Sinclair said that the area has been zoned this way for many years. Chair Schall said this first phase is all in the AR zone and the property owners are complying with the AR standards. He explained that the zone split Ms. Yacht was seeing was across the pool, not the plans for the new house.

Mr. Knight said that this has happened on other streets in town (Rich Street, Juarez), and that applicants comply with whatever zone they are building in. He then told the commission what options were before them.

**Motion to table a decision on the site plan review until the next P&Z meeting**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ready			X			
Riley		X	X			
Romberger			X			
Schall	X		X			

**7:01 (58:37) Item 8: Extension request (Cuban Queen)**

Applicants: Windy Jones and Josh Lindner

Address: 324 Queen Street

Owner of record: Cuban Queen Bordello LLC

Applicants are seeking a six-month extension of a previous approval.

Zone: C-1

APN: 401-06-127

**Discussion/Possible Action – P&Z Reso. 2021-07**

Mr. Knight explained the applicants' need for an extension is due to the pandemic and the availability of contractors. He mentioned that DRB did approve the extension.

**Motion to approve P&Z Resolution 2021-07**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ready	X		X			
Riley			X			
Romberger		X	X			
Schall			X			

**7:03 (1:01:09) Item 9: Work session on commercial signs**

Applicants: Town of Jerome

Work session regarding commercial signs and possible amendments to the sign ordinance.

**Discussion/Possible Direction**

Mr. Knight said temporary signs in the residential district have been talked about but not in the commercial district, and that this was up for discussion at the May DRB meeting. He said if any change is made to the ordinance, it would need P&Z approval. Mr. Knight took a few minutes to bring up images of signs from the agenda packet. He then asked the commissioners to consider OPEN signs, temporary signs off premise; size limitations, etc.

Chair Schall asked if DRB was considering off-premise signs. Mr. Knight said they were, but the issue was that they cannot enforce content. Chair Schall said the town does not like off-premise signs, but temporary signs that point visitors to the "corners" of town that are less traveled. He said the town needs to figure out how to word this in the ordinance to regulate this.

Ms. Riley asked if uniform signs grouped together could be installed. Discussion ensued about the district signs that were recently taken down. Discussion then turned to the temporary sign on Hull Avenue. Mr. Knight said he has received many complaints about it, but the owner justifies it because she does business in town without brick and mortar, so to her it is good enough to have a temporary sign. Mr. Knight said Jerome may want a permitting process for temporary signs like Sedona has. Mr. Knight then continued going through the rest of the images, including the ones of the skeletons at the UVX Apartments.

Ms. Riley said the problem with the skeletons tied to the railings along the steps is that they are a hazard. Discussion continued.

Mr. Knight said that before enforcing the ordinance, he wants the code to be clear and coherent. He thinks a provision should be included on directional signs.

Discussion turned to the signs attached to the post adjacent to the stop sign on Hill and Clark Streets.

Ms. Riley said her concern was hazardous signs, like ones on the sidewalk.

Mr. Knight asked if amendments or enforcement was needed.

Chair Schall said minor amendments may be necessary to allow certain kinds of signs.

Ms. Ready said signs on the UVX are now lit at night and that some strobe like disco lights; she is not sure if they are affecting drivers.

Ms. Riley said the main thing is signs cannot be in the way.

Ms. Ready said she would take video of the lit signs for Mr. Knight.

**Informational Items (Current Event Summaries):**

**7:31 (1:28:28) Item 10: Updates of recent and upcoming meetings – John Knight, Zoning Administrator**

- a. **April 5, 2021 DRB meeting** – Ghost Town Girl sign; backup generator for Merkin; Raku Gallery sign; extension request for Cuban Queen; upgraded stairs and walkway for fire station
- b. **April 13, 2021 Council meeting** – First reading of sign ordinance amendments; ordinance amendments regarding administrative approval of small projects and appeals; bee study; district signs; Rich Street survey, Verde Exploration presentation regarding the high school

Mr. Knight summarized activity from recent meetings, with a brief discussion about the generator for Merkin Trust on Dundee. He said at the Council meeting on April 13, they had the first reading of the sign ordinance, although they pulled murals from allowable signs.

**7:38 (1:35:22) Item 11: Potential items for Wednesday, May 19, 2021: New home at Fourth Street and Verde. Discussion/Possible Direction to Staff**

Mr. Knight said there may be an item about new construction on Fourth and Verde, and he also added the Mexican pool property and temporary signs in the commercial district.

**Item 12: Adjourn**

**Motion to adjourn at 7:39 p.m.**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ready			X			
Riley		X	X			
Romberger	X		X			
Schall			X			

Approved:   
 Lance Schall, Planning & Zoning Commission Chair

Date: 5/19/2021

Attest:   
 Rosa Cays, Deputy Clerk

Date: 5/19/21