

# City of Prescott

## Planning & Zoning Commission



November 14, 2024 | 9:00 AM  
201 N. Montezuma Street  
Council Chambers, 3rd Floor  
Prescott, AZ 86301

### AGENDA

The following Agenda will be considered by the **Planning & Zoning Commission** at their meeting to be held **November 14, 2024**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION & ACTION ITEMS**
  - A. Approval of the October 10, 2024 Planning & Zoning Commission Meeting Minutes.  
**Recommended Action: MOVE to approve the minutes as presented**
  - B. **SUP24-001**: A Request for a Special Use Permit to Allow for Construction of a Building Exceeding 10,000 Square Feet in the Downtown Business District at 201 S Cortez Street as a Replacement of the Old City Hall Building.  
**Recommended Action: MOVE to recommend approval of SUP24-001**
4. **STAFF UPDATES**
5. **ADJOURNMENT**

Upon a public majority vote of a quorum of the Board, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian

reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));

(7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

### **CERTIFICATION OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 11/7/24 at 11:00 a.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

*Sarah M. Siep*

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Sarah M. Siep, City Clerk



TO: MAYOR AND CITY COUNCIL  
AGENDA: November 14 Planning and Zoning Commission  
DATE: November 14, 2024  
DEPT: Community Development  
ITEM #: 3.A  
SUBJECT: Approval of the October 10, 2024 Planning & Zoning Commission Meeting Minutes.

## ITEM SUMMARY

This item is for approval of the October 10, 2024 Planning & Zoning Commission meeting minutes. Staff recommends approval of the minutes as presented.

## BACKGROUND

None

## FINANCIAL IMPACT

There is no fiscal impact at this time.

## RECOMMENDED ACTION

MOVE to approve the minutes as presented

## ATTACHMENTS

1. October 10, 2024 Planning & Zoning Minutes

201 N Montezuma Street  
Council Chambers, 3rd Floor  
Prescott, AZ 86301

## MINUTES

### 1. CALL TO ORDER

Chairman Michelman called the meeting to order at 9:00 a.m.

### 2. ROLL CALL

Don Michelman, Chair  
Thomas Reilly, Vice Chair  
Thomas Davis, Member (Excused)  
Susan Graham, Member  
Thomas Hutchison, Member  
James Kleczewski, Member (Excused)  
James Whiting, Member (Absent)

### 3. DISCUSSION & ACTION ITEMS

A. Approval of the September 12, 2024 Planning and Zoning Commission Meeting Minutes.

**MOTION BY COMMISSIONER REILLY TO APPROVE THE SEPTEMBER 12, 2024 MEETING MINUTES; SECONDED BY COMMISSIONER HUTCHISON; COMMISSIONER GRAHAM ABSTAINED: PASSED (4-0)**

B. **LDC24-001:** Proposed Amendment to the Land Development Code Affecting Accessory Dwelling Units.

Community Planner Kaylee Nunez provided a presentation on LDC24-001 to insert the term ADU (Accessory Dwelling Unit) in the LDC (Land Development Code) Section 2.5.6 related to guest quarters. She provided a sample site plan showing the requirements for ADU's and setback requirements.

Planning Manager George Worley provided additional information saying that the state does not allow cities to prohibit short-term rental uses on any property zoned Single Family (SF). He stated that short-term rentals have a more adverse impact on neighborhoods than long-term rentals, due to a constant change of residents. He said that this proposal would be to remove barriers to allow for long-term use of guest quarters/ADU's and that currently, it is not allowed to have separate utilities for electricity and water and this proposal would include the allowance of submeters for electricity and water. This will allow property owners to monitor how much water is being used by the ADU, separately from the primary residence.

Commissioner Hutchison stated that it sounds like this proposal goes beyond the new state law and allows for long term rental when the state law precludes it.

Ms. Nunez clarified that state law precludes the city from prohibiting short-term rentals and does not preclude long-term rentals.

Commissioner Hutchison stated that this seems to be a zoning change making Single-Family homes into Multifamily.

Ms. Nunez stated that the zoning code already allows for short-term rentals in Single-Family zoning and only one ADU will be allowed.

Mr. Worley provided additional information stating that ADU's are considered accessory dwellings that are limited by a maximum size allowance. These ADU's for short-term rentals are already allowed for short-term rentals and have already compromised the Single-Family zoning. He stated that Multifamily zoning does not allow ADU's and they would have to be permitted as a second residence.

Commissioner Hutchison stated that this would be a takeaway from the Single-Family zoning.

Mr. Worley stated that currently an ADU could be built and rented out short-term without neighbors having a say in the matter. He does not believe that this change will generate an increase in new ADU's but will provide a legal alternative to allow these to be rented out long-term.

Chair Michelman asked if an HOA (Homeowners Association) prohibits having ADU's for short term, that would overrule the city code allowing ADU's.

Mr. Worley stated it does and a property owner is subject to both zoning codes and HOA bylaws.

Commissioner Hutchison asked if there are legal implications that may surface in allowing this code change.

Deputy City Attorney Matt Podracky stated that the city has to be careful but does not believe there are legal implications related to the general concept. He referenced the Land Development Code section 11.1D and said there is no definition of ADU's and it will need to be amended. He has no overall concern with allowing long-term rentals being added to the LDC if Council approves.

Ms. Nunez stated that this is not a solution to the current housing crisis, but it is progress.

Commissioner Reilly stated that this is not a solution but is a step in the right direction. He asked about the issue of parking spaces associated with the proposed ADU's and asked if the parking spaces can be tandem with the existing driveway.

Ms. Nunez responded that this can be tandem to the existing driveway.

Mr. Podracky asked if staff has done research on what other communities are doing with these types of structures.

Mr. Worley stated this is happening a lot in the northwestern portion of the country and has examples from the Portland/Seattle area. These areas have created funding encouragements; however, the city is looking at this as a reduction in regulation encouragement and not for funding.

Ms. Nunez stated that this is something the city should be proactive about so that protections can be built into city code.

Member of the public, Howard Mechanic stated that good submeters for gas, water, and electric can be found for under \$100. He hopes that the city will encourage citizens to look into submeters. He expressed that conservation is important for this area and these submeters will save the tenant and landlord money. He referenced the work force housing situation being critical and many police or fire fighters are leaving because they cannot afford to live in Prescott. He believes this will encourage lower priced rentals, which are needed. He stated that a study is to be completed to determine the need for workforce housing and believes that Prescott needs approximately 1,000 units.

Chair Michelman asked if the city pursues submeters, how would it be handled.

Mr. Worley stated that the city could add language to the LDC that submetering is encouraged for conservation purposes.

Commissioner Hutchison asked if there has been consideration to suggest that new residential construction include an ADU.

Ms. Nunez responded that there has not, this is simply the first step to allowing these ADU's long-term.

Mr. Worley stated additionally, the city is not trying to create conflict with subdivisions with HOA's. He said this is to remove restrictions and provide encouragement.

Councilman Gambogi asked the commission to think about the government element of work force housing and the marketplace. He stated that there is a deficit of 7 million affordable homes. He said that there are currently over 500 short-term rentals in Prescott and the ones near him are rarely occupied. If these units were available for housing, it would help the housing issue a lot. He stated that the marketplace answer is to pay fire fighters, police, teachers, and healthcare workers market wages and the rest will settle out.

**MOTION BY COMMISSIONER REILLY TO RECOMMEND COUNCIL APPROVAL OF LDC24-001; SECONDED BY COMMISSION GRAHAM: PASSED (4-0)**

- C. **LDC24-002:** Proposed Amendment to the Land Development Code Modifying the Definition of "Floor Area, Gross".

Ms. Nunez gave a presentation and provided the definition of Floor Area Gross from LDC 11.2 table 11.2.5. She stated that garages are excluded from the gross floor area definition creating a loophole to allow large RV garages or hobby garages. She referenced the current code reads that you can have unlimited square footage of an accessory garage, and it is only limited by the maximum lot coverage allowance for each zoning.

Commissioner Reilly asked if this definition differs from the definition of occupiable space from the IRC (International Residential Code) or IBC (International Building Code).

Mr. Worley stated that this does differ from the IRC/IBC definition. He provided that the reason for this difference is due to building code being written for life safety concerns. He stated that garage space would be excluded from the floor area of the house, but under the building code it would not.

Commissioner Reilly asked if the garage area would be included in the gross floor area under this proposal.

Mr. Worley stated yes it would be included.

Commissioner Reilly believes that would be a problem due to unoccupiable spaces being included. He stated that this would result in increasing the size of an accessory dwelling unit that can be located on a lot.

Ms. Nunez asked if he was contemplating an additional revision to the gross floor area definition.

Commissioner Reilly stated it's either a revision or to leave it the way it was. He asked what problems are being caused and what problems are being fixed.

Mr. Worley stated that the problem being fixed is the primary use of the definition as it relates to principal buildings versus accessory buildings. He said excluding the parking area from the principal and the accessory buildings would allow a much larger accessory building and no longer limit the accessory building to 50% of the principal building.

Commissioner Reilly stated that there are already limitations to the amount of building that can be placed on a lot and asked why we are attempting to change that.

Mr. Worley explained that the code already limits the amount of buildings that can be on a lot and the purpose of this change is to clarify what counts towards that amount.

Commissioner Reilly asked what the problem is with an accessory structure being larger than the primary structure.

Ms. Nunez responded that allowing larger accessory structures starts to make the residential zoning more industrial.

Commissioner Hutchison asked what is the desired effect of this change.

Mr. Worley stated that it is to ensure that accessory buildings do not exceed the size of the principal building.

Chair Michelman stated that this would change what is counted as area of the principal building and asked if this would increase the size of the accessory building.

Mr. Worley responded that it could increase the calculations but would not necessarily increase the size of the building.

Commissioner Reilly stated that this change allows the possibility of the accessory building to be larger than what is allowed by the code.

Mr. Worley disagreed and spoke about how the calculations are currently enforced.

Ms. Nunez added that the greater threat is being able to have an unlimited garage size that is only constrained by the max lot coverage allowance.

Chair Michelman stated that right now there is a limit based on the occupiable space.

Ms. Nunez stated that you can currently build a 3,000 square foot garage if setbacks and max lot coverage are met.

Commissioner Reilly stated that he believes the issue is to try to avoid large garages being built. He believes that this should be addressed differently with a new proposal.

Chair Michelman asked if this change was adopted, how would it affect the real estate industry.

Ms. Nunez stated that it will not affect the real estate industry. She said that when real estate companies list a home, they list everything, and she does not believe this will have implications on the real estate market.

Chair Michelman asked if this could affect taxes.

Mr. Worley stated that The County Assessor does an evaluation based on the actual use. He said this should not affect taxes or real estate advertising.

Commissioner Reilly asked if there was a way to go back to the LDC definition of size of an accessory building and add that a garage or vehicle storage cannot exceed a certain size.

Mr. Worley stated that he appreciates the Commissioner's input and will reevaluate this proposal. He recommended the Commission to move to recommend further study or not take action and the planning team will come back with a new proposal.

**MOTION BY COMMISSIONER REILLY TO TABLE LDC24-002 TO ALLOW STAFF TO LOOK AT ALTERNATE DEFINITIONS; SECONDED BY COMMISSIONER HUTCHISON: PASSED (4-0)**

**4. UPDATES**

Mr. Worley provided updates about the 2025 General Plan 60-day public comment period. There will be a second open house held at The City of Prescott Library October 24<sup>th</sup>, 2024.

**5. ADJOURNMENT**

There being no further business to discuss, Chairman Michelman adjourned the meeting at 9:58 a.m.

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DON MICHELMAN, Chairman

ATTEST:

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Recording Secretary



TO: MAYOR AND CITY COUNCIL  
AGENDA: November 14 Planning and Zoning Commission  
DATE: November 14, 2024  
DEPT: Community Development  
ITEM #: 3.B  
SUBJECT: **SUP24-001: A Request for a Special Use Permit to Allow for Construction of a Building Exceeding 10,000 Square Feet in the Downtown Business District at 201 S Cortez Street as a Replacement of the Old City Hall Building.**

## ITEM SUMMARY

A Special Use Permit is required by Land Development Code Section 4.9.4.A.1. for any proposed building exceeding 10,000 square feet in the Downtown Business District (DTB). This process would normally involve a courtesy review by the Preservation Commission. However, the proposed location for this building is within a local preservation district and required formal approval by the Preservation Commission, not just a courtesy review. The Preservation Commission conducted several reviews of this proposal and at its September 13th regular meeting the Preservation Commission unanimously approved the design.

## BACKGROUND

The DTB covers a large area of downtown Prescott. Within the DTB there are a number of historic preservation districts. Most of these districts are National Register districts that do not require a formal review and approval by the Historic Preservation Commission. One in particular (the Courthouse Plaza District) does require formal approval by the Historic Preservation Commission prior to any construction or reconstruction. 201 S Cortez, the "old" City Hall lies within that district.

The DTB specifically intends to protect the historic character of downtown Prescott by including a courtesy review requirement by the Historic Preservation Commission for any new structure exceeding 10,000 square feet to assure that such a significant building does not damage the character of downtown. In this case, because of the location of the building site within the Courthouse Plaza Historic district, the Historic Preservation Commission had formal authority to review and approve the design.

The Planning and Zoning Commission's role is to evaluate the proposed building design based upon the recommendations of the Historic Preservation Commission and forward a recommendation to the Council. Because the Historic Preservation Commission has formal authority in this case, the Planning and Zoning Commission review is more of an additional check than is normally the case. Compatibility with the Courthouse Plaza district has already been formally determined and approved by the Historic Preservation Commission.

The staff memorandum to the Historic Preservation Commission and the minutes reflecting the Commission's action are attached for your review, along with submittals from the applicant. Based upon the evaluation and actions already taken by the Historic Preservation Commission, planning staff recommend that the Planning and Zoning Commission move to recommend the approval of SUP24-001 and forward it to Council for final action.

## FINANCIAL IMPACT

None at this time.

## **RECOMMENDED ACTION**

MOVE to recommend approval of SUP24-001

## **ATTACHMENTS**

1. Hotel and Retail Prescott - Project Narrative
2. Special Use Permit - Civil and Architect
3. HP24-007 Final Design- Staff Report Memo
4. 9.13.2024 PPC Meeting Minutes Updated

March 15, 2024

Prescott City  
Historic Preservation Committee  
201 N Montezuma Str  
Prescott, AZ 86301

RE: Design Review Application Narrative  
Hotel and Retail Development  
Southeast corner of Cortez str and Goodwin str  
Prescott, AZ 86301

Ladies and Gentlemen:

On behalf of Whiting Brothers Investment Company (Applicant or “WBI” ), we are submitting this written narrative as part of the Historic Preservation Committee submittal for the development of a new hotel and retail at the Southeast corner of Cortez Street and Goodwin Street.

The Richardson Design Partnership, LLC. (TRDP) has coordinated and substantially prepared this Historic Preservation submittal package to demonstrate compliance with the Historic Preservation Committee design guidelines.

Project Narrative:

WBI has extensive experience developing best-in-class real estate projects that support and improve the communities in which they operate. The proposed project has a retail and restaurant space on the main level with the upper levels consisting of an upscale select service hotel with approximately 109 guestrooms that caters to short-term guests. The goal is to attract visitors and locals alike.

The building is designed to tie into the rich historic fabric of the Courthouse Plaza Historic District. The façade is predominantly stone and brick referencing the surrounding historic buildings. Lighting is provided to highlight the historic design of the building and welcome people to the retail and restaurant on the main level. Canopies are provided to highlight the entrances to the restaurant, retail, and hotel. The corner of the building hosts a restaurant with an outdoor patio, which will bring activity to the pedestrian-friendly streets. The hotel provides a second-floor deck where guests can relax and enjoy the views of the nearby courthouse park and take in the surrounding city. There is also an amenity deck for hotel guests and parking provided on the main level in the garage and second level on the alleyway. This hotel is a perfect complement to the surrounding historic buildings of the area and will be a benefit to the community.

WBI, in conjunction with The Richardson Design Partnership, looks forward to welcoming guests into a unique hotel that captures a historic look and feel, while adding to the pedestrian experience in the Courthouse Plaza Historic District.

Thank you in advance for your time and careful consideration of this application.

# RESTAURANT, RETAIL AND HOTEL DEVELOPMENT 201 S CORTEZ STR PRESCOTT, ARIZONA



# CIVIL SITE PLAN FOR PRESCOTT HOTEL 201 S CORTEZ ST PRESCOTT, ARIZONA

## PROJECT INFORMATION

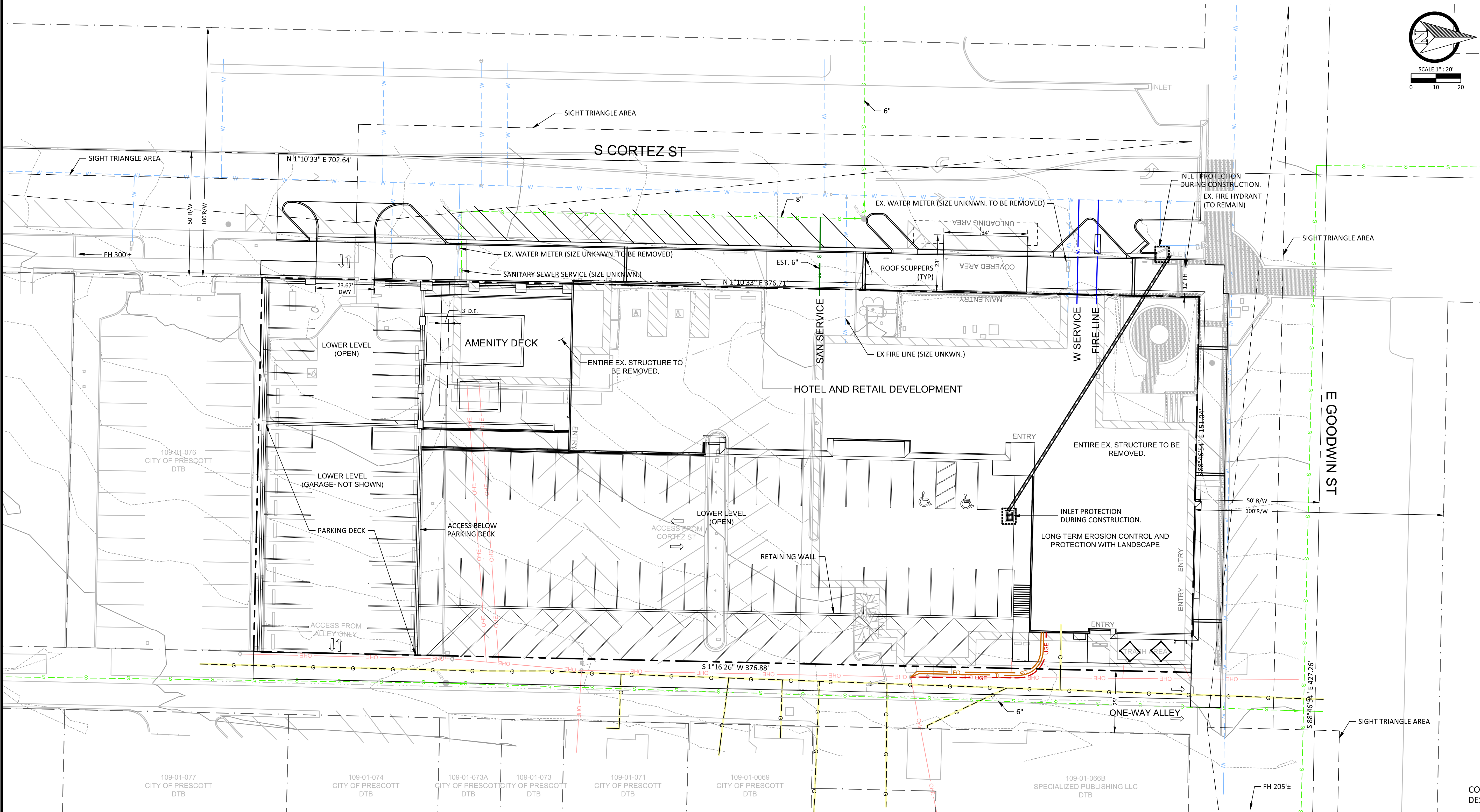
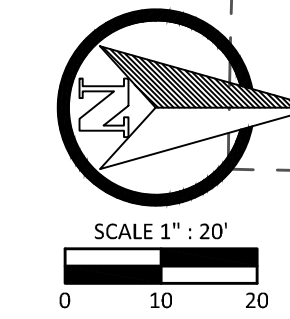
SITE ADDRESS: 201 N MONTEZUMA ST  
PRESCOTT, ARIZONA 86301

APN	ZONING	ACREAGE
109-01-068	DTB	+0.60 AC
109-01-070	DTB	+0.17 AC
109-01-072	DTB	+0.26 AC
109-01-075B	DTB	+0.26 AC

SETBACK 0' ON ALL SIDES

## LEGEND

	ROW		FIRE HYDRANT
	LOT LINE		GATE VALVE
	PROPERTY LINE		SEWER MANHOLE
	SETBACK		STORM DRAIN MANHOLE
	ROAD CENTERLINE		CATCH BASIN
	EX. GAS		EXISTING LIGHT POLE
	OHE		
	W		
	SS		
	SD		
	EX. OVERHEAD ELEC		
	EX. WATER LINE		
	EX. SEWER LINE		
	STORM DRAIN PIPE		



CORTEZ AND GOODWIN ST  
DESIGN SPEED = 30 MPH



PLOTTED: Oct 02, 2024 4:07pm FILE: M:\2023\223374 - PRESCOTT HOTEL\DRAWINGS\EXHIBITS\SITE PLAN\DWG\_JROBINSON

NO.	DATE	BY	REVISION

O: 928.641.0443  
221 N MARINA STREET  
SUITE 102  
PRESCOTT, AZ 86301  
[www.ardurra.com](http://www.ardurra.com)



PRESCOTT HOTEL  
CIVIL SITE PLAN  
FOR SPECIAL USE PERMIT APPLICATION  
YAVAPAI COUNTY  
PRESCOTT, AZ

JOB NO.:	223374
DESIGN BY:	JR
DRAWN BY:	JR
CHECKED:	KR
DATE:	OCTOBER 2024
DWG.:	SP01
SHEET:	1
OF:	1

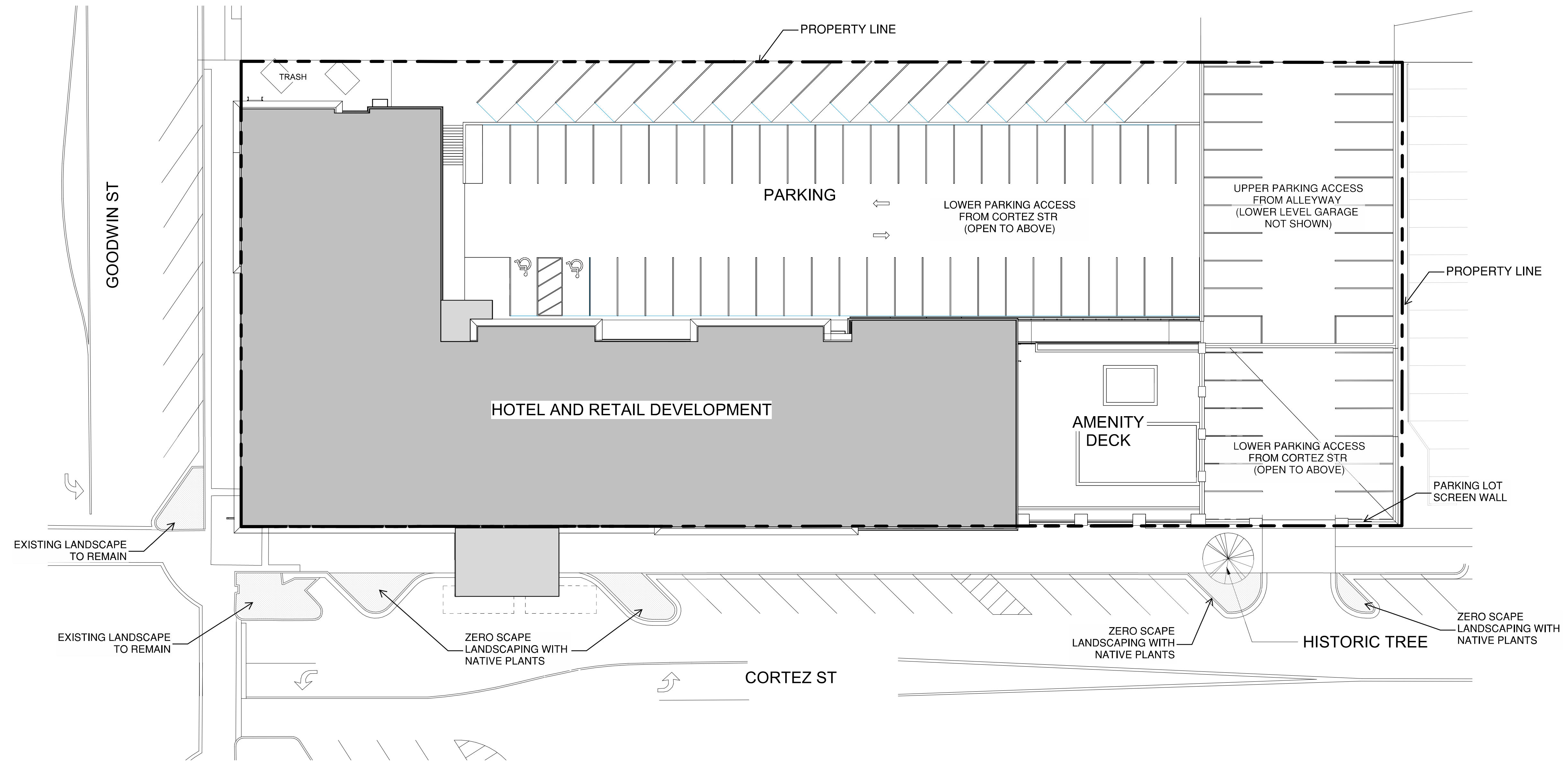
**SITE INFORMATION**

BUILDING SQUARE FOOTAGE - 73,987 SF

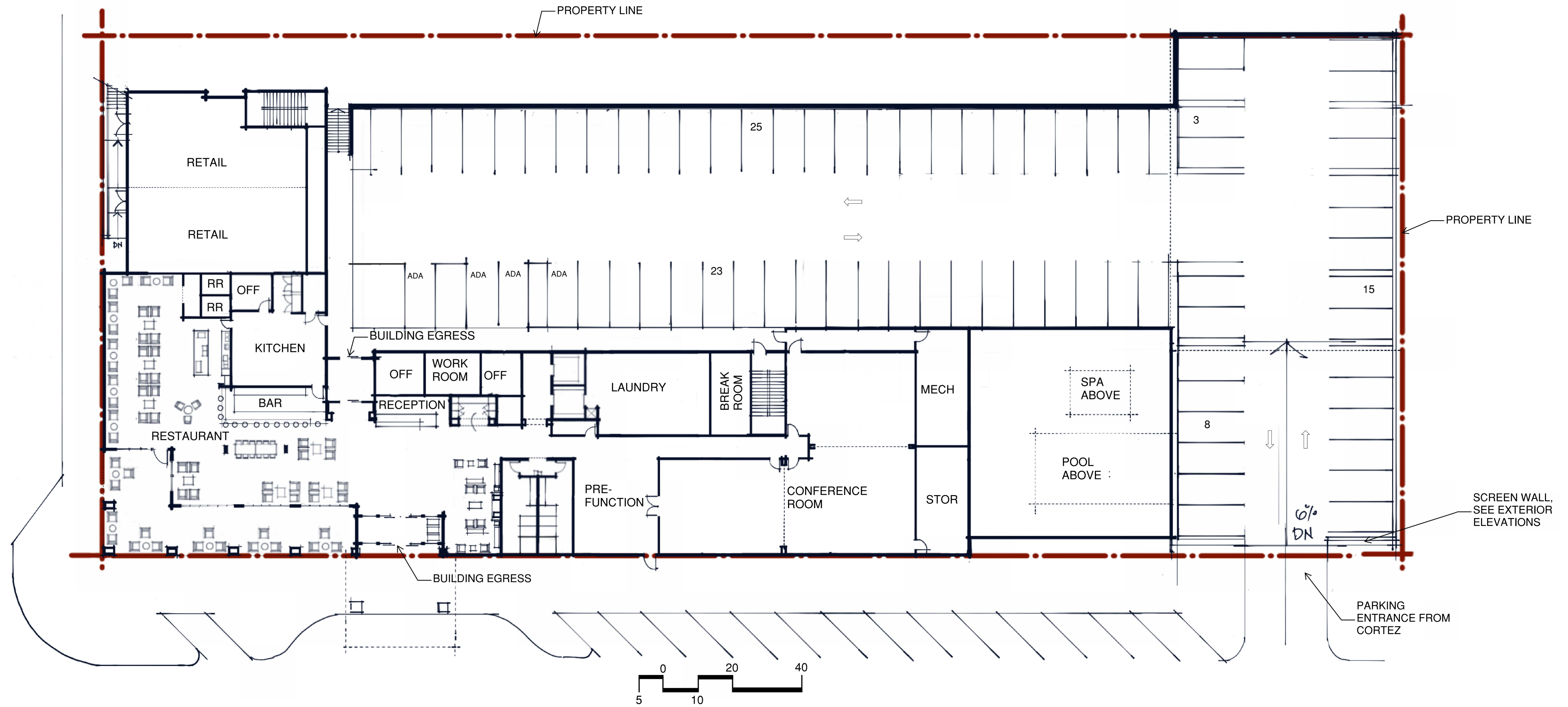
PARKING PROVIDED  
 LOWER PARKING STALLS - 74  
 UPPER PARKING STALLS - 18  
 ALLEY PARKING STALLS - 17  
 TOTAL PARKING - 109

NUMBER OF GUESTROOMS - 104

BUILDING HEIGHT - 48 FT

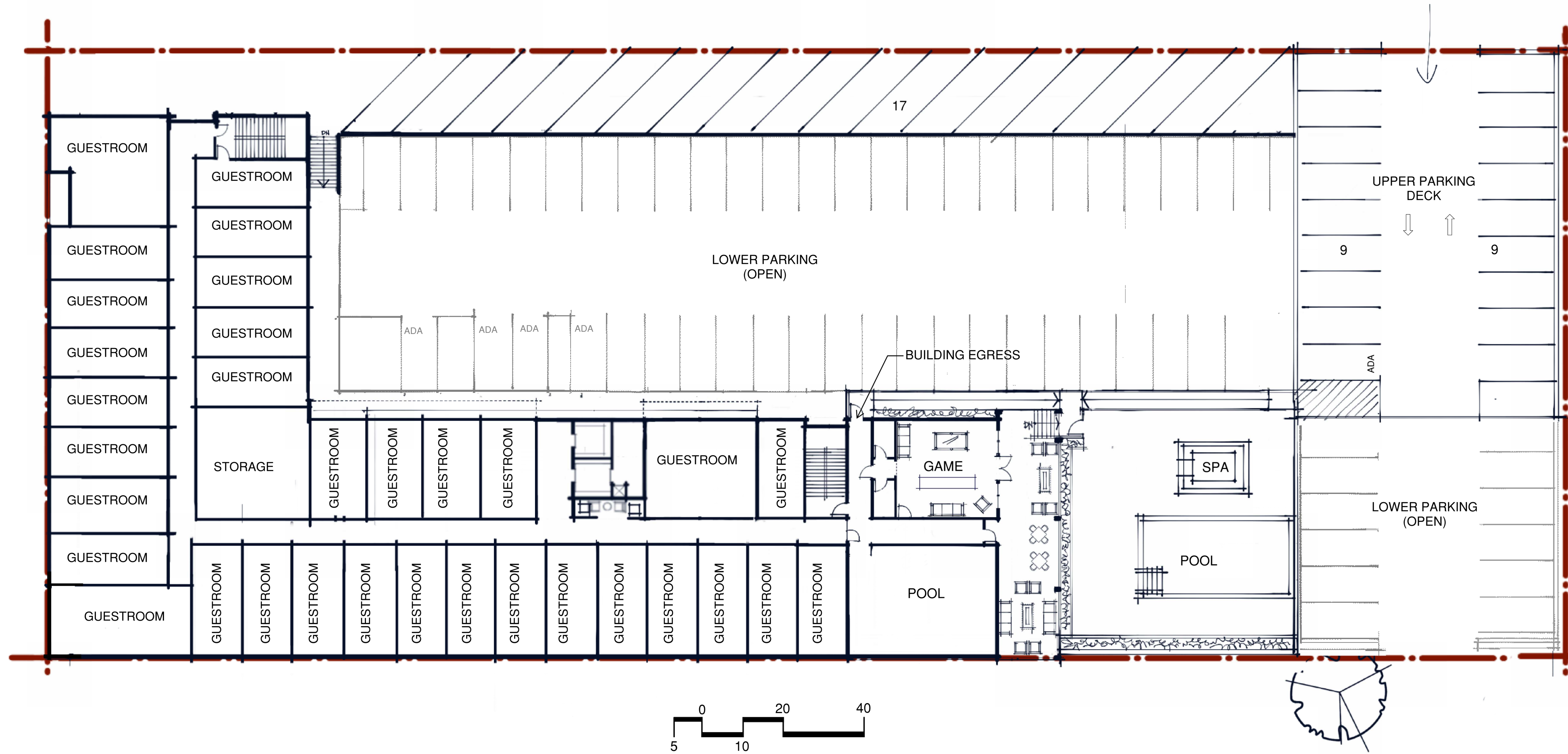


**1 SITE PLAN**  
 SCALE: 1" = 20'-0"



1 MAIN LEVEL FLOOR PLAN

2 RESTAURANT, RETAIL AND HOTEL DEVELOPMENT, PRESCOTT ARIZONA  
 MAIN LEVEL FLOOR PLAN



1 SECOND LEVEL FLOOR PLAN

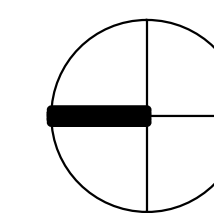




1 THIRD LEVEL FLOOR PLAN

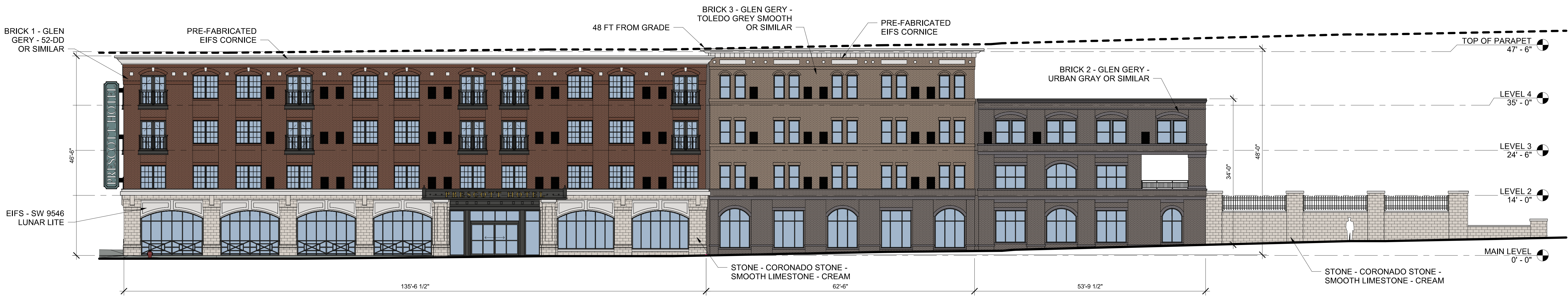


1 **FOURTH LEVEL FLOOR PLAN**





**2 NORTH EXTERIOR ELEVATION (GOODWIN STR)**  
SCALE: 3/32" = 1'-0"



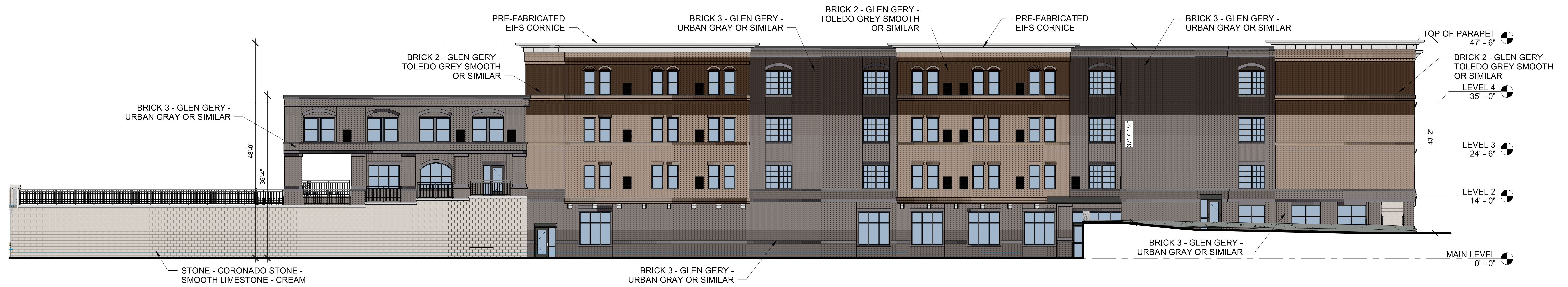
**1 WEST EXTERIOR ELEVATION (CORTEZ STR)**  
SCALE: 3/32" = 1'-0"

**6 RESTAURANT, RETAIL AND HOTEL DEVELOPMENT, PRESCOTT ARIZONA**  
WEST AND NORTH BUILDING ELEVATION





**2 SOUTH EXTERIOR ELEVATION**  
SCALE: 3/32" = 1'-0"



**1 EAST EXTERIOR ELEVATION**  
SCALE: 3/32" = 1'-0"

**7 RESTAURANT, RETAIL AND HOTEL DEVELOPMENT, PRESCOTT ARIZONA**  
SOUTH AND EAST BUILDING ELEVATION





**PRESCOTT PRESERVATION COMMISSION  
COMMUNITY DEVELOPMENT DEPARTMENT  
Staff Report  
August 30<sup>th</sup>, 2024**

**AGENDA ITEM: HP24-007 Request approval for demolition of existing building and construction of a four-story mixed-use hotel, restaurant and retail building**

**Planning Manager: George Worley  
Director: Chelsea Walton**

**Historic Preservation Specialist: Kaylee Nunez**

**Report Date: August 30<sup>th</sup>, 2024**

**Historic Preservation District:** Courthouse Plaza Local & National Districts, South Prescott National District

**APN:** 109-01-068, -070, 072 & -075B

**Zoning:** DTB (Downtown Business)

**Location:** 201 & 221 S Cortez St

**Owner/Applicant:** Shane Shumway- Whiting Brothers Investment Company, 201 S Cortez St Prescott, AZ 86303

**Architect:** The Richardson Design Group, 510 South 600 East Salt Lake City, UT 84102

**Existing Conditions**

National Register Status: The existing building is not on the National Register of Historic Places (NRHP). It was designed by notable, mid-century Arizona architects George Allan & Hugo Olsson. The building was constructed in 1962 and is a one-story mid-century modern slump block building with a basement. It is eligible for NRHP nomination at this point due to its age, however, the building’s structural integrity is compromised due to widespread leaking of the roof and flooding issues in the basement.

The current building has historical significance in that it has housed Prescott’s City Hall operations for over six decades. As such, it is imperative that certain elements be retrieved and preserved prior to demolition, including: the mural in Council chambers, the bronze Rodeo statue located near the front entrance, the time capsule located in the northwest corner of the building and other, significant exterior fixtures the community may express interest in preserving. City Management and Historic Preservation staff are undertaking these tasks and no action by the Commission is required.

**Context & Review Considerations**

The exact location and context of a proposed project’s site play a vital role in the evaluation of its conformance with the guidelines and its potential effects on surrounding properties within the district. Under City Code 1-22-3, Prescott’s Preservation Commission is tasked with reviewing plans to construct new buildings within [local] historic districts. Section 1-22-3 (B) specifically states “The design criteria of the district shall be used as a guideline for decisions.” Commissioners are expected to use their relevant experience and judgement in making decisions.

The Secretary of the Interior Standards (SOIS), which are national preservation guidelines, provide the foundation for the guidelines adopted into Prescott's Historic Preservation Master Plan. The SOIS have a number of standards applicable to new construction in historic districts. The City's Historic Preservation Specialist, Kaylee Nunez, requested a courtesy evaluation of the project application by the State Historic Preservation Office (SHPO). See the attached response from SHPO's Architect, Susan Lawson, regarding her evaluation of the compatibility of the proposed design with the selected, relevant SOIS.

The Courthouse Plaza District guidelines build upon SOIS standards to address the protection of existing historic buildings and assets within the District. The guidelines for the District are not intended to require new buildings to precisely match the wide variation of building designs, styles, and eras of the existing buildings in the district but to have their design be compatible. It is not the intent of the SOIS or the Courthouse Plaza District to require new buildings to replicate historic ones. The aim, rather, is to make new construction "compatible yet differentiated" in relation to existing [historic] buildings. Each new building should create its own timestamp in the history of downtown and each new building may become historically significant in its own right in the future.

The field of [architectural] Historic Preservation has evolved in recent decades to accept, rather than resist, change. The ultimate goal is to manage change in a manner that respects and preserves the important, historical features of a community while also striving to adapt to its future needs. As professionals and Commissioners, we are tasked with measuring and interpreting project proposals against this framework.

### **Current Request**

The applicant proposes to:

- Demolish the existing building located at 201 S Cortez St. (as well as the annex building at 221 S Cortez St.) to allow for construction of a new, 73,987 sq ft mixed-use building.

The proposed, mixed-use building's features can be described as:

- Four-story, 46 ½'-48' high building with parking, retail, restaurant, conference and hotel reception uses on the first floor; parking, amenities and guest rooms on the second floor and guest rooms on the third and fourth floors. The building will be a total of 73,987 sq ft.
- Minor articulation of walls on Cortez and Goodwin facing elevations to create the appearance of separate buildings (as well as exterior finish materiaor & slight parapet height variations to lend to this effect).
- Covered, on-site parking accessible via Cortez St. on the first floor and open air, on-site parking accessible via the alley at the second floor.

- The proposed building extends beyond the Courthouse Plaza [Historic] District to the into the South Prescott District. Approximately 2/3 of the building lies within Courthouse Plaza District, however.
- Metal porte-cochere on west elevation with hotel signage on fascia and limestone veneer columns.
- Open air pool deck/patio extending 60 ft beyond the southern portion of the building (will be enclosed by stone fencing with decorative metal fencing atop).

The finishes proposed for the exterior are:

- Decorative metal railings enclosing inset seating area at sidewalk level, northwest corner.
- On the first floor (sidewalk level); off-white smooth faced limestone veneer, glass fiber reinforced cement wainscoting & details composed of EIFs (synthetic stucco). Tan & grey brick veneer on southern 1/3 of building.
- On second, third and fourth floors; brick veneer varying in red, tan and grey colors (to create illusion of three, separate buildings).
- Details (molding & panels) on fourth floor to be a combination of EIFs & glass fiber cement.
- Juliet (faux) balconies on third & fourth floors feature vertical, metal railings. Inset balconies at northeast corner featuring faux stone balustrades.
- Metal window frames & mullions in dark bronze, matte finish. Mullions thickened in certain locations to replicate historic, double hung window style.
- Large, metal blade sign mounted on northeast corner of building displaying hotel name (will be required to be scaled down to meet zoning code requirements).
- Illuminated, wall mounted signage on northeast corner above two retail spaces.

See attached plans and renderings for additional design details & dimensions.

### **Analysis**

Conformance with Prescott's Historic Preservation Master Plan (HPMP). In part, the HPMP chapter for the Courthouse Plaza Historic District (Chapter 8), states:

- The Courthouse Plaza [District] is cohesively linked by the way the structures relate to each other in terms of scale, setback, massing, materials, color and craftsmanship.
- Adhere to key, architectural characteristics of District (see select elements broken out on pages 4-7 for additional analyses).
- Buildings in District generally rectangular in plan and symmetrical in massing. ***Partially meets criteria. Building is L-shaped (asymmetrical). However, the building does appear rectangular from northern & western (primary street view) elevations.***
- Commercial blocks distinguished by brick or a combination of two masonry materials. ***Meets criteria.***
- Each building occupies the entire width of its parcel up to the front property line. ***Meets criteria.***
- Require zero setbacks at the front property line for at least 50 percent of the front facade. ***Meets criteria.***
- Require zero setbacks for side yards for the entire height and length of the building. ***Meets criteria.***
- First floor facing the plaza shall be pedestrian oriented. ***Meets criteria.***
- Encourage continued alley use for service to take the burden off of the front of the property; encourage and coordinate safer alley use by pedestrians. ***Meets criteria.***
- Windows should be single or double hung in design. ***Meets criteria. Thickened mullions on second-fourth floors imitate historic double hung style, prominent in the District. Additionally, gridded panes are present on other, nearby NRHP buildings (including USPS building).***
- Emphasize vertical orientation on windows; encourage locating windows singularly; use up to two vertical windows for a larger opening versus a large horizontal window. ***Meets criteria.***
- Encourage transoms above doors and windows extending to the bottom of the finished ceiling. ***Partially meets criteria. Though framing on some windows creates horizontal separation similar to transoms, the majority of windows do not feature or imitate transoms.***
- Allow and encourage "storefront" openings only at the first floor; storefronts should have opaque panels at the bottom and should have a vertical orientation. ***Meets criteria.***

- Require brick or stone as the major exterior material. **Meets criteria on major, street facing elevations (north & west). Southern and eastern elevations feature EIFs (synthetic stucco).**
- Use only integral and natural colors of a neutral tone, compatible with the building and the district. **Meets criteria.**
- Use wood for doors, windows and storefronts is strongly encouraged...steel may be used on doors & windows if painted a compatible color. **Meets criteria.**
- Encourage detailing in the design; details must be historically consistent with the district. **Meets criteria. Keystone arches, cornices, dentil molding, wainscoting, accentuated lintels and assorted small ornamentations on building compatible with District.**
- All roofs should be flat...no roof material or equipment shall be visible from the front elevation. **Meets criteria.**
- Do not allow demolition in the district unless certain conditions are met (see text quoted further below for additional criteria on demolition). **Meets criteria.**
- Replace demolished building(s) with building of massing and scale to contributing buildings in the district. **Partially meets criteria. Height is appropriate and the illusion of multiple buildings softens massing. However, building is approximately 150% longer than the largest contributing building in District (Yavapai County Courthouse). Scale is appropriate in context of the project site, however.**
- Keep all existing alleys open and usable. **Meets criteria.**
- Signage in the Courthouse Plaza Historic District in all cases should complement, and not detract, from the building... one suspended perpendicular sign per building is permitted... **Meets criteria. Blade sign will need to be reduced in size in order to meet zoning code.**

### Master Plan Text on Building Size (Massing) and Scale

A significant characteristic of the Courthouse Plaza Historic District is the relationship of building width to height to attempt to achieve the balance between elegance and endurance.

- Three-story buildings shall be between 40 and 48 feet in height. **Partially meets criteria. Building does not exceed 48' in height but is four stories.**
- No building shall be greater than 48 feet in height. **Meets criteria.**

- As a general rule, *the wider the building, the taller it should be*. For example, a one-story building on a 25 foot wide parcel should be closer to 16 feet in height, while a one-story building on a 75 foot wide parcel may be closer to the 24 foot height limit. This principal also applies for two and three story buildings. ***Meets criteria. The proposed building is approximately 135' wide (east to west) and 250' long (north to south), the patio with the pool and spa extends another 60' beyond the southernmost wall plane. The proposed maximum height (48') is appropriate for a 150' wide building in accordance with the prescribed aspect ratios.***

### Master Plan Text on Siting:

The building setbacks surrounding the Courthouse Plaza are one of the district's most distinguishing features....all setbacks should be zero for at least 50 percent of the first-floor façade and 100 percent of the second and third floor facades, including the roofline. ***Meets criteria.***

### Master Plan Text on Demolition

Demolition within the Courthouse Plaza Historic District should not be permitted unless one or more of the following conditions are met:

- *The building is a noncontributor to the historic district;* or
- The condition of the building has deteriorated beyond the point where it can be rehabilitated in an economically viable manner. Rehabilitation shall be determined to be "economically viable" when the costs of renovation are 50 percent or less than the cost of new construction of a similar building in size, use and height; or
- The condition of the building is such that it becomes a public nuisance because of safety, aesthetics or condition.

If a building is demolished, with the official consent of the Prescott Preservation Commission, it shall be replaced with a building of similar massing and scale to contributing buildings in the district. The guidelines set forth in this document shall in all cases be followed for new construction to maintain the character of historic downtown Prescott.

***Largely meets criteria. The current building is not a contributor to the NRHP and has deteriorated to the state where the costs of repair are no longer economically feasible as assessed by the prior owner (City of Prescott). Though the proposed building is larger than any other NRHP building in the District, the new design has created the effect of three, smaller buildings on the western elevation and two on the northern elevation. The building size is appropriate for the project site.***

### Other Miscellaneous Elements

Signage should complement, and not detract, from the building. It shall be used for identification only and not advertising. All signage should be placed flat against the façade. ***Meets criteria.***

Applicant made the following design revisions since the June 14<sup>th</sup>, 2024 Preservation Commission meeting, where the Commission voted to defer their decision:

- Removed open air terrace at second floor of northwest corner of building, continuing zero setback from second through fourth floors.
- Removed glass partitions with metal pergola at top level balconies of northeast corner. Replaced with three, vertically stacked balconies with balustrades.
- Replaced all glass panels on balconies with vertical, metal railings.
- Removed northwest corner [pedestrian] entrance as well as secondary entrance to parking garage on Cortez Street.
- Softened articulations of exterior wall planes.
- Incorporated two additional brick veneer shades as well as slightly varying parapet heights to create the illusion of three buildings (from north to south) and two buildings (from west to east).
- Removed all fabric awnings.
- Removed a portion of wall mounted signage over first-floor openings in front of restaurant.

### **Staff Summary**

The proposed project design has made several improvements (as measured by the Courthouse Plaza District Guidelines) from the prior design as well as complying with the three Secretary of Interior Standards for Rehabilitation selected by the State Preservation Office (see attached letter from SHPO for further details). City preservation staff acknowledges these improvements, which have allowed the current design to achieve substantial conformance with the Courthouse Plaza District guidelines.

The objective for the Commission is to evaluate this project proposal through a lens of permitting new construction in a manner that respects and preserves the important, historical features of the Courthouse Plaza District while acknowledging the inevitability of change.

**Site Visit: Required**



# City of Prescott

## Prescott Preservation Commission

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September 13, 2024 | 9:00 AM  
201 N Montezuma Street  
Council Chambers, 3rd Floor  
Prescott, AZ 86301

### MINUTES

#### 1. CALL TO ORDER

Chairman Mirco called the meeting to order at 9:00 a.m.

#### 2. ROLL CALL

Michael Mirco, Chair  
Mike King, Vice Chair  
Rob Johnson, Member (Excused)  
James McCarver, Member  
Richard Sprain, Member  
Mary Ann Suttles, Member  
Diane Travis, Member

#### 3. DISCUSSION & ACTION ITEMS

A. Approval of July 12, 2024, Prescott Preservation Commission Meeting Minutes.

**MOTION BY COMMISSIONER SUTTLES TO APPROVE THE JULY 12, 2024, MINUTES AS PRESENTED; SECONDED BY COMMISSIONER TRAVIS: PASSED (6-0)**

B. HP24-007 - A Request for Approval of Demolition of Existing Building & Construction of a Four-Story Mixed-Use Hotel, Restaurant and Retail Building Located at 201 & 221 S. Cortez St.

Preservation Specialist Kaylee Nunez gave a presentation explaining the proposal. She stated that HP24-007 would demolish the existing building at 201 S. Cortez St to create a 4-story mixed use building approximately 46-48 feet in height. There will be a 104-guest room hotel, one restaurant, and 114 on-site parking spaces.

Ms. Nunez presented renderings of the proposed project from multiple street views. She provided an analysis for the design and stated it was reviewed against six major elements of the Courthouse Plaza guidelines:

- 1) Building Size (Mass and Scale)
- 2) Siting
- 3) Windows and Doors
- 4) Materials and Details
- 5) Demolition
- 6) Other Miscellaneous Elements

Ms. Nunez stated that The State Historic Preservation Office (SHPO) reviewed the project and concluded that this project meets all guidelines in its entirety. Staff recommendation for HP24-007 is to move to approve or approve with conditions (as stipulated by the Commission).

Commissioner Suttles requested the applicant Shane Shumway to present changes talked about in previous meeting on June 14, 2024.

Mr. Shumway provided a summary of the previous 4 meetings that have been held for this proposal. He stated that all Commissioners concerns have been addressed related to height, massing, and setbacks.

Mr. Shumway presented a new design for this project, and the designs relationship to the preservation guidelines. He addressed the height issue of the proposal and shared elevations showing the height being 46.5 feet at the corner of Cortez St. and Goodwin St. The Corner of the Alley way and Goodwin St. the height is just over 43 feet. There is only one point of the proposal that the building reaches 48 feet and is fully compliant with the height guidelines. He referenced the Post Office adjacent to this proposal on the corner of Cortez St. and Goodwin St. which has a height of 49 feet. He stated that the setback guidelines for the first and second level are fully compliant with preservation guidelines. Lastly, he stated that the massing is broken up horizontally and vertically with 3 different heights and materials. This building will be constructed of all brick and stone, which are consistent with State Historic and City Staff guidelines. Additionally, he expressed that anything less than approval would be disappointing.

Commissioner Suttles referenced a page from 11 from the agenda packet and stated that Mr. Shumway has addressed all Commissioner concerns entirely.

Commissioner McCarver asked what is considered the front of this building for setback purposes.

Ms. Nunez responded that the exterior of the building lines up with the columns.

Commissioner McCarver stated that the setback area appears to exceed the open space 50% setback requirements.

Mr. Shumway stated that the open space does not extend all the way through the exterior patio and stops before the Prescott Hotel sign. This design is well under the 50% requirements.

Commissioner McCarver asked how far the setback is for the walk area.

Mr. Shumway responded that the setback is between 8 and 10 feet.

Commissioner McCarver asked what will happen to the horse statue from the Old City Hall building.

Ms. Nunez stated that a new home has been found for the historical items and these items will be preserved.

Commissioner McCarver asked where the main entrance will be located.

Mr. Shumway responded there will be an entrance for the restaurant and retail spaces on the first floor. The main entrance will be located off Cortez St.

Commissioner Sprain asked where the entrance to the parking lot will be located.

Ms. Nunez presented that there will be two entrances to the parking lot, one off Cortez St. and an additional entrance from the alley behind the building.

Commissioner McCarver asked if the entrance to the parking lot was shown on the renderings.

Ms. Nunez replied that it was not on the rendering, but it is shown on the floor plans located south of the renderings.

Member of the public, Dennis Gallagher, he stated that he is pleased with the design and happy to see retail space added to the plaza. Additionally, he believes this proposal will benefit the surrounding area.

Member of the public, Patricia Little, stated that the proposal is beautiful. She expressed her pleasure with the architectural details and believes this will enhance the Downtown Prescott area.

Member of the public, Mel Roop, stated that this project resembles The Hotel St. Michael. He believes the developer has addressed all the concerns and was happy to see that the Post Office adjacent was shown in reference to this proposal.

Member of the public, Sandy Griffis, thanked the Commissioners and City Staff for their hard work. Additionally, she thanked Mr. Shumway and team members for understanding what the preservation committee needs. She stated that the building is extraordinary, beautiful, and will be the heartbeat and soul of this community. She hopes that this project will move forward.

Member of the public, Alice Jurian, believes that this design is beautiful and fits well with the surrounding architecture in the Downtown Prescott area.

Member of the public, Jean Franovich, recommended the Commissioners to vote yes on this project and stated that it is a beautiful design. She stated that Mr. Shumway has done his best to blend with the historical buildings in Prescott.

Member of the public, Karl Rockwell, stated that this proposal will be beneficial to everybody. He believes that the architecture of the proposal is beautiful and encouraged approval of this project.

Member of the public, Mark Trengove, expressed support for the proposal and believes it will help Downtown Prescott in many ways.

Member of the public, Bruce Senkow, stated that the proposal is great. However, he would like to see a balcony or deck in the proposal.

Council Woman Connie Cantelme, stated this is a beginning of a new day for Downtown Prescott. She believes this proposal will set a precedent going forward for the entire community. She expressed the benefit for all surrounding businesses due to this proposal. She thanked Mr. Shumway and the Commission Members.

Commissioner McCarver asked if the sign will be downsized.

Ms. Nunez stated that it may need to be downsized, but the sign will be reviewed at the time of permitting.

Commissioner Travis thanked the designer for working with the Commission to bring this project into conformance with the Historic Master Plan.

Commissioner King requested staff to put the renderings back on the screen. He referenced the requirements that have been met for Historic Preservation guidelines, including the building shape, transom windows, demolition, mass and scale. He stated that parking in this proposal has taken care of all parking concerns. He commended Mr. Shumway for asking for feedback and adhering to the feedback provided.

Commissioner Suttles stated this has been the biggest project the Commission had dealt with. She expressed that Prescott is not an easy city to deal with and believes Mr. Shumway has done well to preserve the Downtown Prescott culture.

**MOTION BY COMMISSIONER TRAVIS TO APPROVE HP24-007 in CONFORMANCE WITH PRESCOTT HISTORIC PRESERVATION MASTER PLAN; SECONDED BY COMMISSIONER KING: PASSED (6-0)**

**4. STAFF UPDATES**

There were no additional updates provided by staff.

**5. ADJOURNMENT**

There being no further business to discuss, Chairman Mirco adjourned the meeting at 10:05 a.m.

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MICHAEL MIRCO, Chairman

ATTEST:

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Recording Secretary

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Date