

# MINUTES

## HISTORIC PRESERVATION COMMISSION

### MARCH 13, 2024

Minutes of the regular hearing of the Historic Preservation commission, of the City of Tempe, which was held in hybrid format in person at City Council Chambers, 31 East 5th Street, Tempe, AZ, and virtually through WebEx.

#### Regular Meeting 6:00 PM

**Present:**

**Staff:**

Kyle Woodson	Jeff Tamulevich, Comm Development Director
Dave Fackler	Ambika Adhikari, Principal Planner, Comm Dev
Erin Davis	Zachary Lechner, Historic Preservation Officer
Jean Robinson	Jennifer Daniels, Admirative Assistant II, Comm Dev
Reylynne Williams	
Kiyomi Kurooka	

**Native Land Acknowledgement Statement:** We wish to acknowledge that Tempe is the homeland of the Native people who have inhabited this landscape since time immemorial. These ancestral lands of the O’odham (known as the Pima), Piipaash (known as the Maricopa), and their ancestors extend far beyond our city. This land continues to be spiritually connected to the O’odham of the Salt River Pima-Maricopa Indian Community and Gila River Indian Community. We accept the responsibility of stewarding those places and solemnly pledge to consider this commitment in every action.

- 1) **Call to Audience:** Persons wishing to address the Commission on any matter may do so at the discretion of the Chair. However, Arizona Open Meeting Law Limits Commission discussion to matters listed on the posted agenda. Other topics may be placed on a future agenda for discussion.

- 2) **Voting of the Meeting Minutes for February 21, 2024**

Commissioner Davis stated that on page 5, 6<sup>th</sup> line, the sentence states, “Chair Fackler.” Instead, it should read “Vice Chair Fackler.”

**Motion** by Vice Chair Fackler to approve Meeting Minutes for February 21, 2024, with corrections; second by Commissioner Robinson. Motion passed on **6-0** vote.

**Ayes:** Chair Woodson, Vice Chair Fackler, Commissioners Davis, Robinson, Williams, and Kurooka

**Nays:** None

**Abstain:** None

**Absent:** Commissioners Montero, Engnell, and Larson

- 3) **Approval of Agenda**

Approval of agenda by Chair Woodson.

**4) Request for approval of Certificate of Appropriateness for additions and exterior alterations to the Pineda Residence, located at 115 West Palmcroft Drive, a contributing property in the Tempe Historic Property Register-designated Date Palm Manor Historic District. The applicant and presenter is William Hart.**

Mr. Mario Pineda, co-owner of 115 West Palmcroft Drive gave a presentation. Mr. Pineda stated that the goals of the renovation/preservation of this home are to optimize the character-defining elements, improve safety, and maximize energy efficiency.

Commissioner Robinson stated that it is a sensitive treatment to the existing home and will be supporting it.

Chair Woodson asked Mr. Pineda to clarify the primary changes in regard to the areas that were already discussed with the Planning Department about potential effects on its historic integrity. Mr. Pineda stated that the principal concern that was identified was the change in windows. After hearing the concerns with the windows, the proposed new windows were moved from the front elevation to the east and west elevations. The second concern was the addition of fenestrations. Ribbon windows are consistent with the architectural style presented, Mr. Pineda said. The addition of the fenestration on the front of the master bedroom, which faces the front elevation, does double duty. It would provide an emergency egress, which is required by code, and allow increased light into that room. A proposed second patio in the front would limit the visibility of that new fenestration to the right of way on the street. Additionally, there were Historic Preservation Office concerns raised about increasing the size of the front facia. Mr. Pineda said this change would increase the amount of insulation in the home while still maintaining the integrity of the interior with its exposed beams and high ceilings. All of these concerns have been addressed satisfactorily, he stated.

Commissioner Robinson said she noticed the carport was enlarged and enclosed. Are there any other examples on the street of enclosed garages, she asked? Mr. Pineda stated that he assumes many of the homes had carports. Mr. Pineda has been unable to determine which of the garages in the neighborhood were present earlier. There are many homes at this point that have enclosed garages. Commissioner Robinson stated that her comment was more that the carport is typical of the mid-century homes. Commissioner Robinson stated she is not opposed to the enclosed garage and asked if the applicant wished to do so for security purposes. Mr. Pineda stated that he and his spouse drive two Teslas. A mechanism to power the cars requires an infrastructure that is more significant than could be secured in a carport. That is the driving factor in changing from a single-vehicle carport to a two-car garage.

Chair Woodson asked Mr. Pineda why he feels the need to add another front door to the house. Mr. Pineda stated that it's not another front door; it is a front elevation-facing door. The principal door will be clearly differentiated because of the fence in front of the patio area. Chair Woodson asked how many square feet the house is. Mr. Pineda stated 1900 square feet. Chair Woodson stated that the house has two other patios and now possibly a third on the front elevation. Can you explain why that enhances the ability to connect with the neighborhood as opposed to the other 2 patios, he asked? Mr. Pineda stated that this home has a split floor plan, and the main bedroom is separated from the other bedrooms. While you are in the main bedroom, access to the neighborhood is improved significantly by having the patio access. It would enable you to connect with the neighborhood while you are in different parts of the house and to open the doors and feel nature.

Commissioner Kurooka stated that if this were not in a historic district, it would be a great design. Is it possible to move the proposed patio to the east elevation? Mr. Pineda stated a front patio is present on about six or seven homes in the neighborhood. The masonry walls are very specific to the Date Palm Manor Historic District. Mr. Pineda stated he is unsure of when the other houses' walls were put in, but they've been there at least since 2001. Mr. Pineda stated that he considered the west side of the house for the patio, but to improve lighting it was better in the front of the house, given the shading on the west elevation. Neighboring houses tend to block the light. Commissioner Kurooka stated that she does not know what HPC has approved for previous Date Palm Manor projects in terms of changes to the front facades of homes. Chair Woodson stated that the pictures of the homes with front patios that Mr. Pineda is showing

depict work that happened before the neighborhood became a historic district, and so it did not require approval from the HPC. Dr. Lechner stated he cannot speak to every Certificate of Appropriateness request for the Date Palm Manor because many predated his time in the Historic Preservation Officer position. He said, typically, there has been more concern from the Commission on changes to the front façade of contributing properties than changes to the rear of the homes.

Mr. Pineda asked where in the Secretary of the Interior's Standards does it say you cannot modify the façades. He said he'd read that as long as the modification was clearly delineated as distinct from the original but consistent with the style of architecture, it wouldn't be precluded. Dr. Lechner stated that there is a section in the Secretary of Interior's Standards that is essentially has a do's and don'ts sections. One of them cautions against cutting new opening into front facades. These are guidelines, though, and it is up to the Commission to make the decision in each case. The new fence being proposed in the front of the property is not a permanent feature of the property, Dr. Lechner said. If the fence is removed in the future, then you would be left with a visible new door that significantly changes the appearance of the home. That is what the Secretary of Interior's Standards are advising against. Dr. Lechner stated he has other feedback he can provide if the Commission would like to hear it.

Vice Chair Fackler asked which plants were on the front-facing wall of the master bedroom? Mr. Pineda stated that it was ivy that was dying when he purchased the home, which was removed because it was an eyesore. Vice Chair Fackler stated that he agrees with the fence addition not being historic. Why did you stop at 5 feet [in height], he asked? Mr. Pineda stated that they had to preserve the nearby date palm. Vice Chair Fackler asked, why not built the fence higher? Mr. Pineda said it's because the proposed fences would serve a dual purpose for light entry. It would significantly improve the amount of light that hits that room. Vice Chair Fackler asked if there is any shade from the date palm. Mr. Pineda stated that the palm tree does not provide a significant amount of shade due to the tree's height. Mr. Pineda said he would not be opposed to recommendations made by the Commission. Vice Chair Fackler asked Mr. Pineda to describe the existing front door. Mr. Pineda stated that the door is not serviceable. It is splintering and you must force it open and closed. Mr. Pineda is unable to speak to when the door was installed. Vice Chair Fackler stated that in the plans he noticed another door on the house that is a typical 3-foot-wide entry door that had a series of vertical windows. Mr. Pineda referred to his architect. Mr. James Pinnella of Pinnella-Kahng Architecture Studio. Mr. Pinnella stated that the existing door is a plywood door. What you see on Google Earth is a black metal screen in front of the door. The door itself is beyond repair. Mr. Pineda sent Mr. Pinnella images of an appropriate mid-century door between the time the historic plans and building permits were submitted. Vice Chair Fackler asked, focusing on the word "typical," if there are any doors like that in the Date Palm Manor neighborhood. Mr. Pinnella stated he could not answer that question. As far as the style and year of the home, he believes it is appropriate. The single-window door was in the "historic" submittal. We wanted the door to be more period correct, so it got changed to a door with five horizontal windows, Mr. Pinnella said. Vice Chair Fackler stated that what the Commission is looking at and being asked to approve is not what is being currently proposed for the front door. Commissioner Robinson stated that the new door is shown on page 32 of the application submittal. Mr. Pinnella gave pictures of the updated door to the Commission. Vice Chair Fackler stated that from his standpoint he would much rather see an appropriate mid-century door than a door with a single window. Vice Chair Fackler also stated he wished the fence was two feet higher. Mr. Pinnella stated that the proposed patio is designed to give the homeowners more usable space. Mr. Pinnella said that the purpose of the fence stopping at its proposed height is so that when you're sitting down, you can have privacy, but if you stand up you can see over the wall. Mr. Pinnella stated that the current eastern part of the front façade is an eyesore with no fenestration and dead ivy growing on it. It needed a window or door to give it something. The fence will give the homeowners a useful outdoor space. Vice Chair Fackler stated that if he could see the door, it would bother him as a Commissioner. He said that if you put a contemporary fence in front of the door, and the fence was seven feet high, but you could see through the slats of the fence, then you'd be able to see a neighbor walking by. You'd still have a gate eight feet away to go out and greet the neighbor. Vice Chair Fackler stated that he does not want to see the door. This is the only part of the design he has a problem with. If you can't remove it, cover it up with something that clearly indicates it's not historic. Mr. Pinnella asked if a fence that is the height of the door would be better. Vice Chair Fackler said that would be perfect. Mr. Pinnella said that as far as scale and proportion, that might look odd with that high of a fence. Vice Chair Fackler said he

thought about that as well and it definitely would look odd. Mr. Pinnella stated that you will only see 15% of the door and is not an eyesore from his perspective.

Chair Woodson stated that with all of the modifications being proposed, this is where the Commission is trying to compromise with the applicant, since the door does not match. Chair Woodson stated whether or not the door is covered, he has an issue with the four-foot pivot door style, since it has nothing to do with the period of the home. Mr. Pinnella said they can scale the door down to a typical three-foot door. Chair Woodson stated that the other modifications were good and that it is a nice design, overall. You can't have a 4-foot door that has nothing to do with the period and see the upper 3<sup>rd</sup> of the door, though. Chair Woodson asked if they considered putting in a set of windows instead of the door on the front elevation? Mr. Pinnella stated that it is an outdoor extension of the master bedroom. The room is not large, and he and his clients did not want to add on to the front of the house. He said they thought a good compromise would be to keep the house footprint and add some livable private outdoor space with a fence. That was the reason for the larger door—to make more of a connection to the master bedroom. Chair Woodson stated that there is another patio space 5 feet away. Mr. Pinnella stated that the front entry patio is a very public space. This new patio would be more of a private space. Mr. Pineda asked if the Commission would support the overall design if he installed a more appropriate door in this location.

Commissioner Robinson stated that the door does not bother her, because it is not a part of the original construction and there are some other modern elements being added; it all blends together. She said she has more of an issue with the non-operable windows that do not seem to be the same proportion as the historic windows. They don't look original but look like they were made to look original. Mr. Pineda stated that when they originally discussed with Dr. Lechner about adding windows for code and safety egress purposes, there was talk of possibly putting them in the front elevation for the same lighting-related reasons. Chair Woodson stated he thinks the Commission is confused by the two different sets of drawings in the packet. Mr. Pinnella said that since the "historic" drawings were submitted, the plans have changed due to feedback from the Historic Preservation Office. Mr. Pineda said they originally wanted larger windows in the front, but he was encouraged to place the larger windows on the sides of the two bedrooms. We are keeping the original two front windows, he stated, which will be restored to make them more energy efficient. Commissioner Robinson stated that the window she is referring to is next to the proposed new pivot door. Mr. Pineda stated that will be a new ribbon window, which will be allow light into the shower. This window was added to the plans after the "historic" drawings were completed. The bathroom has no natural light. Chair Woodson asked if there is a new window being proposed on the front elevation. Mr. Pinnella stated they are proposing a ribbon window. Commissioner Robinson said that this window bothers her more than the pivot door because it looks so different, and it is not the same proportion as the other windows. Mr. Pinnella stated that window could be moved to the courtyard side so that it's not seen from the front elevation. They just wanted some light in the shower. Mr. Pineda stated that is a reasonable change to make. Commissioner Robinson asked the Commissioners who were opposed to the pivot door if they would be more favorable toward it if it were more proportional to the existing doors. Mr. Pinnella stated if the door were smaller, it would not be a pivot door. Chair Woodson asked, other than this part of the proposal, is the rest of the Commission OK with the other parts of the proposal? Chair Woodson then asked if the Commission could table the request and have the applicants come back with a revision to this part that clears up any confusion caused by the multiple drawings. Dr. Lechner said that a Commissioner would have to make a motion for a continuance. Vice Chair Fackler stated he did not want to do a continuance.

Vice Chair Fackler made a motion that the application be approved with the following conditions: The front entry door be the five-light contemporary door, the ribbon window in the master bath must be moved to the east elevation of the courtyard and be reduced to no larger than the width of the shower, and the master bedroom door access to the private patio must be reduced to a three-foot contemporary door. Vice Chair Fackler said he was going to leave the fence alone. Chair Fackler said he would recommend approval of the application with those three conditions.

Chair Woodson stated he is not ready to ask for a 2<sup>nd</sup> motion yet. Chair Woodson asked if any Commissioners had comments or questions on the proposed conditions or if they wished to modify the conditions. Commissioner Robinson asked for the three points to be clarified. Vice Chair Fackler stated that

the front entry door shall be a five-light contemporary door, which was proposed in the building permit submittal. The ribbon window in the master bedroom shower shall be moved from the north elevation to the east elevation in the courtyard and be no wider than the shower. Something in a 20–30-inch range. The proposed master bedroom patio access shall be reduced to three feet with a contemporary wooden door, not unlike the one you would use in front. Chair Woodson stated he wanted clarification on the doors. Are you suggesting that they be the same kind of door? Vice Chair Fackler said not necessarily; they should both be wooden but not necessarily the exact same design. But it should be a contemporary door with cut-outs for light, not a solid door. Chair Woodson asked if there were any issues with the door violating the Secretary of the Interior's Standards? Dr. Lechner stated that ignoring the guideline against installing a new fenestration in a front façade was the bigger issue. Chair Woodson asked if the Commission were to approve the new door on the right and the fence were raised, would that concern be addressed? Dr. Lechner stated that the problem is that you're proposing putting in a non-historic door, and see it as a problem, so you are trying to correct it with a non-historic fence, which only amplifies the problem from a historic preservation standpoint. But the decision is up to the Commission, Dr. Lechner said. He stated that the change to the fenestration is a permanent change, while the fence could always be taken down, thus exposing the non-historic door on the front facade.

Mr. Pineda stated that he came to the HPC with the purpose of complying with the goals of the Historic District and he's open to the Commission's recommendations. His family's goal has been to make a home in this neighborhood.

Dr. Lechner asked Mr. Pineda about the additions to the rear of the property, including the enclosed garage and small room addition. What is the color and materiality that will be used? Is it the same color and materiality as the historic portion of the home? Mr. Pineda stated that keeping with the Secretary of Interior's recommendations would be to make it distinct so it can be generally recognized that it is a non-historic addition to a historic property. Dr. Lechner asked how that would be demonstrated. What is the proposed color and materiality? Mr. Pineda said the easiest way to proceed would be by installing siding. Dr. Lechner asked what type of siding would be used. Mr. Pineda stated he was open to suggestions. Mr. Pinnella said that the additions are typically masonry. The small office is going where there is currently a covered patio and that should be part of the masonry and be seen as part of the house. The new garage could be made of a different material if it is deemed more appropriate. The garage is only seen from the alleyway.

**Motion** by Vice Chair Fackler to approve the Certificate of Appropriateness, with the three conditions by Vice Chair Fackler listed: second by Commissioner Robinson. Motion passed on **5-0** vote.

**Ayes:** Chair Woodson, Vice Chair Fackler, Commissioners Davis, Robinson, and Kurooka

**Nays:** Commissioner Williams

**Abstain:** None

**Absent:** Commissioners Montero, Engnell and Larson

**5) Presentation on the City of Tempe's Character Area 6 planning process. The presenters are Ambika Adhikari and Jacob Payne of the City of Tempe Community Development Department, Planning Division.**

Mr. Ambika Adhikari gave a presentation on Character Area 6: Southwest Tempe.

Commissioner Williams asked if the City solicited feedback on the project from the Pascua Yaqui Community of Guadalupe. Mr. Adhikari stated that typically with Character Area Plans, his team looks at the boundaries; in the General Plan, they contact all the boundary area communities and shares the draft plan and allow 60 days for comments. For the Character Area, they don't always do that. If the Commission has any suggestions on how the City can reach out to members of the Tribal community, his team will do that. If the Commission would like to take the survey or spread the word about it, he would appreciate it.

Chair Woodson stated that there are at least two very significant large prehistoric Hohokam village sites in this Character Area. One is to the east side of Arizona Mills Mall, and the other is by the SPR Kyrene

station. Is that something you might integrate into the plan, he asked? Mr. Adhikari stated, yes, they will, and HPO Dr. Lechner has already begun to draft the initial history of the area. This is how the City starts the process.

Commissioner Robinson thanked Mr. Adhikari for the presentation and for allowing the community to provide input. She asked about a proposed upgrade to the bike path along the canal and the access along Baseline Road. She said she knows there was a meeting recently to discuss pros and cons and to gain community input. Mr. Adhikari stated he works with other departments and also different groups of people. The Planning Division works very closely with the Transportation Division. Commissioner Robinson asked if there is any concern about the walkability of each neighborhood. I assume the 20-Minute City goal is by car, she said. She said she rides her bike to work every day, and it is a challenge in terms of feeling safe. Mr. Adhikari stated that the 20-Minute City concept is not related to travel by car. The object of the 20-Minute City is for anyone from any residence to be able to complete their daily activities, including going to school, shopping, enjoying parks and amenities, and working, within 20 minutes of their residence by a bike, transit, foot, or other non-vehicle method. The City is not there yet, Mr. Adhikari said, but we are working toward it. The General Plan is driven by that concept. We are trying to fit in walkability the best we can. It is a work in progress.

**6) Presentation on the activities of the Tempe Arts & Culture Division and the Tempe Arts & Culture Commission, with an emphasis on the activation of historic sites. The presenters are Tempe Arts & Culture Commission Member Lisa Roach and Tempe History Museum Manager Brenda Abney.**

Ms. Lisa Roach, Tempe Arts & Culture Commission Member and Ms. Brenda Abney, Tempe History Museum Manager, gave a presentation on the activities of the Tempe Arts & Culture Division and the Tempe Arts & Culture Commission. Ms. Roach stated she has been part of the public arts juries to pick out different artists and one of her biggest questions is how the art tells the story of the area. Does it relate to the neighborhood? Date Palm Manor has wonderful public art along Mill Avenue and on Broadway Road. Ms. Abney stated that there is a GIS map online if anyone wants to go online to see where public art is located in Tempe. Ms. Abney said that over the last year the Tempe History Museum was given the responsibility of managing the use and programming for many of the historic properties that the City owns, including Peterson House, Hayden House, Hackett House, Elias-Rodriguez House, B.B. Moeur House, Eisendrath House, and Sandra Day O'Connor House. In addition, once the Gonzales-Martinez House has been rehabilitated, the Museum will likely be managing the use and programming of that house as well. Ms. Roach stated that, in her opinion, as we activate historic houses, we get children involved in historic preservation. We can grow the next generation of people that are interested in history and wish to preserve our history and character areas.

Commissioner Kurooka asked if there are any multi-residential developments contributing public art initiative yet? Ms. Abney stated not yet. There is hope but no current plans. Ms. Roach stated that there are some murals that have been done, but they were not required.

**7) Chair/Staff Updates and Announcements**

Chair Woodson updated the Commission on the status of the Watson's Flower Building. Vice Chair Fackler and Chair Woodson met last week with Dr. Lechner, Community Development Department Director Jeff Tamulevich, and City Manager Rosa Inchausti to answer Vice Chair Fackler's and Chair Woodson's questions. At this time, the Tempe Community Action Agency (TCAA) board plans to demolish the building. Chair Woodson said he's still hopeful that there might be some solutions that could be offered to the board to help in preserving the building. TCAA does not yet own the parcel. It is still owned by the Tempe Coalition for Affordable Housing. TCAA has had plans to purchase this parcel to make this their main campus, featuring their offices and outreach services as well as some residential units. Originally, it was intended to have some City office space—as much as 12,000 square feet. The City is now getting no usable office space. There are still questions about why TCAA has scaled down their plans. We are hopeful about getting more information, Chair Woodson said. TCAA volunteered to have a meeting tomorrow morning and invited members of the Commission, members of the Tempe Historic Preservation Foundation, and City staff. Chair

Woodson said he wonders if there is some other kind of leverage the City can wield to assist TCAA in preserving the building. It is just the historic part of the building that is being proposed for preservation? Presuming that the bond measure passes in November, which will have funding for historic preservation, is there a chance that it could be used to help with this, Chair Woodson asked? The TCAA board has said it has some internal issues and deadlines with their own grants. There are some potential Section 106 archaeological requirements [HPO note: These were subsequently determined by the HPO to be State Historic Preservation Act requirements] that might come into play. There are still many moving parts with this situation.

Vice Chair Fackler stated that they found out during the meeting that due to the changes in the state tax laws, the City of Tempe is short \$20 million in their current fiscal year budget, which is why there is a loss of the City space originally planned in the future TCAA complex. The only asset that the City has available to possibly support this project—and most important, the potential preservation of the Bob Graham-identified historic portion of the building—is the acre-plus land that the City owns to the east of the Watson's Flowers building. That property could be used for leveraging, but the City is in a very difficult spot trying to make headway with losing \$20 million out of an already approved budget. It is a very complex issue. Chair Fackler said he had a discussion with TCAA's contracted architects, and he has seen their plans. Those plans have been available since October. The plans, as they exist right now, show the Bob Graham portion of the building to be saved as a 3 story "L" configuration around the south and west side of the structure. The entire complex is surrounded by a loop of parking. Parking is probably 50% of the use on the site. That makes it difficult to spread things out and accommodate alternative designs. His discussion with the architects demonstrated that the project is significantly underfunded, Chair Fackler said, especially at its three-story configuration. The architects are currently working with TCAA to look at a two-story configuration. They have reduced the number of available housing units from 15 to 10. There are significant structural changes that need to be made in order for TCAA's proposed uses to be accommodated on the site. Vice Chair Fackler asked an architect that if the City-owned property, or a portion of the property, was made available and the structure on site was simplified, would that help with their budget issues? The architect stated that although he had not studied it, that would significantly improve the flexibility.

Dr. Lechner discussed the historic preservation projects presented at the last HPC meeting that staff is proposing for the November bond election. Nothing has changed since then. Staff is recommending \$12.3 million for historic preservation-related projects. At the March 21<sup>st</sup> City Council meeting, council will be asked to consider the Mayor's recommendations for three new Historic Preservation Commissioners: Kriste Melcher, who previously served on the HPC; Mariah Justice at Logan Simpson, and Kathleen Lamp of Arizona State University. Dr. Lechner said there will be an April HPC meeting.

Mr. Adhikari gave an update on General Plan 2050. The results of last night's municipal election are still not official, but the General Plan was approved by 61.5% of the votes. On March 21, City Council will canvass and certify the votes.

Meeting Adjourned by Chair Woodson.

Hearing adjourned at 8:04PM

Prepared by: Jennifer Daniels, Administrative Assistant  
Reviewed by: Zachary Lechner, Historic Preservation Officer

jd:zl