

## DRAFT MINUTES HISTORIC PRESERVATION COMMISSION MARCH 9, 2022

Minutes of the regular hearing of the Historic Preservation commission, of the City of Tempe, which was held at the Hatton Hall, 34 East Seventh Street, Tempe, Arizona.

### Regular Meeting 6:07 PM

<b>Present:</b>	<b>Staff:</b>
Chuck Buss, Chair	Steve Abrahamson, Principal Planner
Jim Garrison	Robbie Aaron, Interim Historic Preservation Officer
Elizabeth Gilbert	Brittainy Nelson, Administrative Assistant
Gregory Larson	Ambika Adhikari, Principal Planner
Laurene Montero	Shelly Seyler, Interim Com Dev Director
Joe Nucci	Ryan Levesque, Deputy Director, Com Dev
Reylynne Williams	Zachary Lechner, Historic Preservation Officer
Kyle Woodson	

- 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**

**Motion** by Commissioner Montero to approve the Meeting Minutes of February 09, 2022; second by Commissioner Williams. Motion passed on **7-0** vote.

**Ayes:** Chuck Buss, Jim Garrison, Elizabeth Gilbert, Laurene Montero, Joe Nucci, Reylynne Williams, Kyle Woodson

**Nays:** None

**Abstain:** Gregory Larson

**Absent:** Chris Garraty

- 3) Update on BUTLER (GRAY) HOUSE.

Presentation by Staff, Robbie Aaron, Interim Historic Preservation Officer

Mr. Aaron informed the commissioners that the Planning Department went to the City of Tempe Council for direction on the matter and had a meeting on site with the applicant. Mr. Aaron yielded the floor to Mr. Levesque for more information.

Mr. Levesque stated that when the City of Tempe Planning staff met with the property owner last time it was pretty evident that the property owner and City of Tempe were far apart regarding what could be offered in terms of monetary value. City staff has come up with the option of splitting the lot. City staff was able to provide the property

owner with a draft offer letter of intent that is subject to his review. This would allow for a city lot split of the property, dividing the lot approximately in half. This will allow for the backfill of the vacant property, likely with a two-story home that is accessible off the alley, which is very similar to all to the other homes in the Maple Ash community. The only difference is that the property will be split, and a portion of the Historic property designation will be moved off the vacant portion of the property. This will free up any historic review of the property. The corresponding obligation would be that the current property owner withdraws his demolition permit application and that he provides the City of Tempe with the assurance of a five-year façade conservation easement on the Butler Gray House. This will preserve the property in its current state for a five-year term. This will also allow the property owner to move on. The property owner is no longer living onsite he intends to sell it. It will grant the insurance so that any future owner that buys the property is aware that there is an intent to preserve the property does not develop it. Right now, the draft letter of intent is in review by the property owner. City staff has not heard anything back from the property owner yet. The process does still require that there is some hearing process for the plat with the City Council to authorize a lot split. There would be a requirement for a neighborhood meeting. There also be a meeting with the City Council and Development Review Commission to remove the Historic Overlay on the property but retain the Historic Overlay on the Butler Gray house.

### **Commission Discussion**

Chair Buss stated that he believes that it is a good direction to go in since it does not require a lot of outlay by the city to save the house that is there.

Commissioner Garrison stated that he thought it was a good negotiation.

Commissioner Montero agrees with Commissioner Garrison, saying nice work on this property. They hope that the new owner will agree to extend the façade easement conservation at the end of the five years.

Mr. Levesque stated that at the conclusion of the five years, there will not be a façade easement conservation but what the city will have is a new owners and possibilities of new commitments. Just like all the other Historic properties there is a risk or potential that there is a greater insurance time rate. Where this property owner is frustrated with the City of Tempe, a new owner will move in and hopefully want to maintain the new property that is there.

Chair Buss asked if there was an indication that if the current property owner agrees with the terms that he will put the house up for sale immediately.

Mr. Levesque stated that the property owner's intent is to put the home up for sale by May. The property owner would be able to sell the lot that has the home already built on it and the vacant lot with the option of someone building a home on the property. If there is a desire to purchase the permit for a new home, the owner will more than likely want to wait until the property is out of the Historic Overlay.

Chair Buss stated that the property owner and the City timeline seem to be similar.

Commissioner Larson asked if there were another similar five-year façade easement in the City of Tempe that the Butler house would be framed similarly to.

Mr. Levesque stated that there are several properties that have a historic property façade easement on them. A lot of them were offered up in good will and faith. Some of them had to do with the relocation of properties that were provided by the City of Tempe. In the case of the Farmer Goodwin site, it was at the threat of redevelopment and there was a development agreement on the south end of the property that allowed the townhome units while allowing the Historic conservation façade easement. There was some money that was exchanged. There is not anything equal to this type of request where City staff is trying to minimize someone asking for or demanding higher than reasonable cost for preserving the property.

Commissioner Larson stated that executing such an easement would that be a matter for the City Council.

Mr. Levesque stated that City staff may still need permission to move forward, but now the documents are being vetted by the City Attorney's Office. To create a historic façade conservation easement, it just needs to come from the property owner. City staff will draft an easement, with the City Attorney's Office's participation, where it is something that the property owner is granting to the City to preserve. One thing that still needs to be cleared with the property owner is that the owner still has a mortgage on the property. The historic preservation easement needs to be in first standing so that it does not get removed or put to the wayside in result of a bankruptcy.

Commissioner Larson asked if it was possible to have the Historic Preservation Commission review and comment on the proposed form of the easement.

Mr. Levesque stated that he is willing to share the document with the Commission to review at the next meeting, maybe May.

- 4) Request for Certificate of Appropriateness for two-story addition to a contributing property in the Date Palm Manor Historic District located at 137 W Palmcroft Dr.

Presentation by Jeremiah Domenech

Mr. Domenech informed the commissioners that he would like to allow the property owners a chance to state the intent of the two-story addition.

Ms. Davis-Strong stated that they love the home and the historic nature of the home. There is no desire to do anything that is incompatible with the home. The pictures that were sent in with the application showed that there is not any change to the front of the home. There are two-story additions in the neighborhood and surrounding the property, but the front of the home will not look any different. There is a need for space for the family. The family is currently a sandwich generation that has aging parents that have health issues and young adult children that, with the current housing circumstances, are not able to buy a house anytime soon. They would like to add the addition in the back where it will not change the look.

Mr. Domenech stated the commissioners should have received a packet of information that outlines where the two story will lay on the site. If this request is approved, there are more approvals that will need to be obtained. From a street view perspective, there is currently in the background of the home a two-story structure from neighbors. There will be nothing that changes the skyline of West Palmcroft Dr. In the design aspect, the goal is create something that is distinct yet compatible. Distinct in the fact that they are looking to have a smooth stucco white finish, with slope roof shingles that will reflect the same structural feature of the existing house. The owners would like to maintain the same dark shingle pattern as well. There is a house that is around the corner of the home that is a second-story addition. Within the Palm Manor district, it is achievable to have a two-story. The architecture style that the homeowners are looking for would be simple yet significant. Not taking away from the historic preservation of the community, it will enrich the current subdivision there.

Commission Discussion

Chair Buss stated the computer-generated image looks as if there is a huge mass that seems to dwarf the house that is already there.

Ms. Davis-Strongtrong stated that directly behind the house there is an industrial plaza. Behind the trees of the home there is a two-story building.

Mr. Carlson stated that if the commissioners look at the elevations on the plans it does look massive and miss leading however it is just the way the angles are.

Commissioner Montero stated that in the presentation there is a photograph of the house, and it doesn't look the same as in the packet as far as the industrial building behind it; the image does not look any different.

Mr. Aaron clarified by pointing out the industrial building and the other two-story home for the commissioners.

Mr. Carlson stated that in the pictures that they submitted to the commissioner as you move away from the home you see the other structures more clearly. Where they are placing the new structure, it will be behind the tree and the tree will stay in the front yard.

Chair Buss asked if the industrial building in the background is taller than 25 feet.

Mr. Carlson stated is correct.

Chair Buss stated that the new structure will not be taller than that. As for the neighborhood, he asked if the homes are considered contributing properties.

Mr. Aaron stated that is correct; the other two-story buildings are contributing properties. There are a total of four noncontributing properties.

Chair Buss asked if staff knew when the other two-story building were built.

No one could say for sure.

Chair Buss indicated that he was asking to find out if the homes got their second story before or after it was considered a historic district.

Mr. Levesque stated that it would have been before it was declared a contributing property because no use permits were issued for the home in the past 20 years that he has been working with the City.

Dr. Lechner stated that the 32 W Palmcroft was built, according to Zillow, in 1958.

Chair Buss stated that he should clarify he was trying to figure out when the two-story was completed. Was it part of the original or added onto the home?

Mr. Carlson stated that it was part of the original, but the homeowners have done improvements to the home.

Commissioner Larson asked how many square feet the home is currently and how many square will be added.

Mr. Domenech stated the existing house is 1900 square feet. The footprint would be 2000 square feet.

Commissioner Nucci stated that Mr. Aaron is asking for conditional approval and has done a wonderful job with the wording of conditions of the approval. He was the historic preservation officer on the Date Palm Manor when it was the first historic designation in Arizona after Prop 207 in 2006 changed how historic preservation is viewed. There were two split levels originally. Looking at how the applicant is purposing to make the changes; he agrees with Mr. Aaron. Right behind the property is also the Burlington Northern Santa Railroad. With that type of nuisance, having the addition will help with the acoustics. Commissioner Nucci wanted to remind the commission of what Don Ryden, who specializes in preservation projects, once explained to Tempe City Council: that the intent to preservation is not to freeze the properties. But preservation is successful when it restores the ongoing usefulness to the owner as well as a greater satisfaction to the community.

**Motion** by Commissioner Nucci to approve a certificate of appropriateness for a two-story addition to the property located at 137 West Palmcroft Drive, a contributing property within the Date Palm Manor Historic District. Subject to conditions specified by staff; second by Commissioner Garrison. Motion passed on **8-0** vote.

**Ayes:** Chuck Buss, Jim Garrison, Elizabeth Gilbert, Laurene Montero, Joe Nucci, Reylynne Williams, Kyle Woodson, Gregory Larson

**Nays:** None

**Abstain:**

**Absent:** Chris Garraty

5) Chair/ Staff Updates

Chair Buss stated he will miss working on the Commission and is grateful that Commissioner Nucci gave him the opportunity to work with the Historic Preservation Commission when Commissioner Nucci was the Historic Preservation Officer.

Mr. Aaron stated that he would like to thank Chair Buss and Commissioner Nucci for the work they have done with the Commission.

Dr. Lechner stated that he is grateful for the work experience and the knowledge that he will gain with being a part of the Historic Preservation Commission.

Mr. Aaron stated that there are two new appointments that will come into the Historic Preservation Commission in April which are Kiyomi Kurooka, an architect, and David Fackler, who was director of Community Development.

Commissioner Montero stated that Saturday, March 12, 2022, is ancient technology day at Pueblo Grande Museum.

Mr. Adhikari gave his thanks to Chair Buss and Commissioner Nucci.

Commissioner Woodson gave his thanks and appreciation for Chair Buss and Commissioner Nucci on helping on the Commission.

Mr. Smith stated that the Museum staff is grateful for the opportunity to work with Chair Buss and Commissioner Nucci. Looking forward to working with Dr. Lechner. On Friday, March 11, 2022, there will be Loud 11. The annual concert will be at the museum from 7-9 pm.

Hearing adjourned at 7:03 pm

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Prepared by: Brittainy Nelson, Administrative Assistant  
Reviewed by: Zachary Lechner, Historic Preservation Officer

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