

2022

Tucson-Pima County Historical Commission
Plans Review Subcommittee

LEGAL ACTION REPORT/Minutes

Thursday, March 24, 2022

Pursuant to safe practices during the COVID-19 pandemic, all in-person meetings are cancelled until further notice. This meeting was held virtually to allow for healthy practices and social distancing. The meeting was accessible at provided link to allow for participating virtually and/or calling in.

1. **Call to Order and Roll Call**

Meeting called to order at 1:00 P.M., and per roll call, a quorum was established.

Commissioners Present: Terry Majewski (Chair), Carol Griffith, Joel Ireland, Savannah McDonald, Jan Mulder, and Rikki Riojas

Commissioners Absent/Excused: None

Applicants/Public Present: Bill Mackey, Maurice Roberts, Thomas McQuillen, Etoile Wichnevetzki, Benjamin M Johnson, Lori Van Buggenum, Marcel Dabdoub, Robin Large, Martha McClements, and John Burr

Staff Present: Michael Taku and Jodie Brown, PDS

2. **Approval of the Legal Action Report (LAR)/[Minutes] from Meeting of March 10, 2022**

Motion: It was moved by Commissioner Ireland to approve the Legal Action Report/Minutes for the meeting of March 10, 2022, as submitted.

Commissioner Riojas seconded the motion.

The motion passed unanimously by a roll call vote of 6-0.

3. **Historic Preservation Zone Review Cases**

3a. **All Saints Project**

Construction of a multi-family building and parking, rezoning of multiple parcels along Stone Avenue, 14th Street, and 6th Avenue
Courtesy Review/Armory Park Historic Preservation Zone (APHPZ)
Contributing Resources/Rehabilitation Standards

Staff Brown provided background to the project. She noted that the Armory Park Historic Zone Advisory Board (APHZAB) had a second courtesy review of this project on March 15, 2022, with considerable discussion [PRS members had been provided with this information prior to today's meeting]. Generally, APHZAB was pleased to see that some of their initial concerns had been addressed, including the reduction in overall height and massing, the perceived lack of adequate parking, concerns regarding the impact of the project on the historic character of the area and how lot utilization might affect that, and questions re materials. Chair Majewski asked that the public comments received by the deadline for this project be read into the record. Either she or Staff Brown read the comments, all from residents of the Armory Park Historic Preservation Zone (APHPZ). Maurice Roberts commented on the project's increased housing density while disregarding traffic and parking issues (caused by an influx of new residents and people attending functions in proposed event space); impacts of the project on the quality of life of current renters and residents that were originally attracted by the quaintness of the community; potential for loss in value of historic homes because of this development; need to follow historic standards for the community; and the potential for disruption (uncivil incidents) in a family neighborhood. Lori Van Buggenum and Benjamin Johnson expressed their concerns about how the proposed project's density will impact the historic neighborhood. They feel that the project is too densely concentrated for this site and has inadequate parking. They note that residents of Armory Park are street parkers (no driveways allowed per HPZ guidelines), so increased demand for street parking will cause problems. The lack of scale transition along 14th street between the neighborhood and the development was a significant concern for them. As neighbors of the proposed project, their historic home, backyard, and enjoyment of their property will be significantly impacted. They urged careful consideration of the Armory Park guidelines when evaluating this project. Etoile Wichnevetzki, another direct neighbor of the proposed project, noted that residents of the historic zone have been required to conform to numerous guidelines, but she is seeing no oversight from historic boards in regard to these specifics when considering approval. Will requirements for this project be as demanding as those of previous, smaller projects in the neighborhood? She also raised issues of density and parking and questioned how comparable the buildings are that are being used to justify aspects such as height, massing, and density. Parking and traffic are also serious concerns for her. Jim Woloshin commented that the proposed development is out of keeping with the historic character of the neighborhood and that the parking spaces, at slightly over half the number of units, are entirely inadequate, and would result in parking overflow into the existing neighborhood, where parking is already at a premium. The proposed bar/restaurant will make the problem worse and add noise late into the night. He expressed concern that property values will impact the quality of life in the neighborhood and decrease property values.

Bill Mackey, Worker, Inc. along with Thomas McQuillen and Marcel Dabdoub presented the project.

PRS members had questions, concerns, and comments regarding the proposed project. Mr. Mackey responded to these during and following the presentation.

Discussion was held. No action was taken.

1. Architect Bill Mackey provided an overview of the project, referring to the issues raised in various previous meetings and in the public comments shared today. He is aware that parking is a problem. They will be preparing an Individual Parking Plan (IPP) for the project where issues are addressed. That have numbers for parking spaces per unit for this development that meet national and state standards. He hopes that we are also provided the positive letters received as public comments for the March 15, 2020, APHZAB meeting. At the March 15 meeting, he discussed the concerns regarding ingress/egress on 14th Street, massing of the building components, and other topics. In response to issues raised, they have:
 - Reduced new construction along Arizona Avenue to two stories
 - Moved 14th Street parking to 275 S. Stone
 - Added underground parking at 375 S. Stone
 - Added residential units to existing All Saints School and reduced the size of the restaurant (now more of a café)
 - Reconfigured new construction at 437 S. 6th Avenue
 - Made changes to 415–435 S. Stone.

They now have 186 housing units, 1 restaurant, and 1 event space. They are at 0.73 parking spaces per unit, which is pretty good for a downtown area (Tempe is at 0.5).

Looking from Arizona Avenue, balconies were a noise and privacy issue for neighboring home owners. Mr. Mackey noted that they are “Juliette” balconies – only there for an aesthetic purpose – more for plants. They are not “habitable.”

The 14th Street elevation really didn’t change. He doesn’t see the 14th street units (studios) as an issue with setback (as does Helen Erickson from APHZAB). They are there to cover up parking.

They are going by the development zone, which is an atypical for Armory Park. In the subject development zone buildings, the buildings are large and built for religious functions. Chair Majewski asked about the boundaries of the development zone, and Mr. Mackey reiterated them. Mr. Mackey noted that the proposed project is entirely in the HPZ, and they are using historic district guidelines. The only other thing they are doing is the IPP.

2. Commissioner Mulder asked if the development zone is for the entire project taken together. Mr. Mackey said yes. It had previously been one property before Peach Properties (the current owner) bought it and subdivided it. Now they are joining the parcels again. Commissioner Mulder also asked how many parking spaces per each building under the redesign. Mr. Mackey responded that 37 at 415, 8 at 435, and 92 at 375.

3. Mr. Mackey reiterated that not all comments about the project have been negative. The most serious concern discussed at the March 15 APHZAB meeting was Helen Erickson's concern re breaking up the studios along 14th and putting some spaces in between. Otherwise, no other architectural modifications discussed. Chair Majewski asked him to go back to the image showing the placement of the studios. He did, and noted that moving the studios would cover windows on adjacent units. Commissioner Riojas said she thinks studios look fine as designed. Chair Majewski asked Commissioner Riojas if she had other questions at this time, and she did not.
4. Commissioner Mulder brought up one of the neighborhood resident's comments that there is no precedent for a parking garage in the AHPZ. She's wondering about this. Armory Park doesn't have off-street parking. She appreciates that they are doing an IPP. Having most of the parking at 375 S. Stone makes sense from a design standpoint. They are looking at this as whole project but permitting development on separate lots. Mr. Mackey responded that parking would be centrally managed. Commissioner Mulder said what if full buildout doesn't occur? Mr. Mackey said it would be built out, as it is a HUD loan. Then property owner Mr. Marcel Dabdoub spoke on the matter. Commissioner Mulder then asked for confirmation that in effect, the project won't be piecemeal. Commissioner Riojas asked re the split down on the HUD loan; Mr. Mackey said the whole loan is HUD, and it's not an affordable housing project. Commissioner Ireland asked re the public comment that mentioned several overlays might be in play here. Mr. Mackey said that 415 and 435 are only HPZ, 408 is IID and HPZ, and 375 is IAD only. Commissioner Ireland is also concerned about parking. In his neighborhood (West University); it's important that cars have a place to go. Mr. Mackey said that most of this will be part of the IPP, and a residential parking permit program may be a part of the IPP. The ratio between parking spaces and units is pretty good for this project compared to other counts in downtown. Obviously, event spaces will have some impact, but with downtown living this is to be expected. Mr. Mackey noted that parking is not a historical issue, but Commissioner Ireland disagreed and said parking impacts the historic context of a neighborhood. Commissioner Ireland also asked about the public comment that mentioned that parking garages are not allowed in the HPZ and asked for an explanation. Staff Brown said that Armory Park does not like to introduce a driveway from the front of a house; for ones that have rear access you could propose to have a garage and park in the rear. Commissioner Mulder said the concern was about parking garages not residential garages,
5. Commissioner Griffith noted that she thinks that the proposed placement of the three studios on 14th Street is fine, as the area has various setbacks. She also lives in a neighborhood where parking is an issue, so she understands the reality of living downtown. Mr. Mackey says that other downtown apartment projects are under parked. Commissioner Griffith said she appreciated how he addressed other concerns, especially the reduction in height on Arizona Avenue. Commissioner McDonald agreed that the latter was a good change, but she still feels that it's a little tight in this area, even with the height reduced. She is okay now with the studios as they are

proposed on 14th and is confident that the parking issues will be worked out through the IPP. She then asked if there are two-bedroom units proposed for the development. Mr. Mackey said that there are only two on the site. Commissioner McDonald then asked about square footage, and Mr. Mackey responded 400–500 sq ft for studios, and 600 sq ft for one-bedroom units. Commissioner McDonald is grateful to see the driveway ingress/egress moved off of 14th Street. She asked if the current diagonal parking on 14th will be maintained, so as to save a few spaces by not putting the ingress there. Mr. Mackey said yes. Peach Properties has multiple properties in the area, so there will likely be some sort of larger-scale parking operation occurring. This needs to be ironed out and included in the IPP. Mr. Mackey then discussed some floor plans for different units.

6. Commissioner Mulder is happy to see the changes that have been made in response to comments. It makes a big difference in scale and context of the neighborhood. She asked if they could do a little more to step back at the corner of 14th and Arizona Avenue, to be more in scale. Mr. Mackey looked at providing two-stories all the way to 14th, but it didn't work in terms of egress and trash and other vertical things that need to occur. Commissioner Mulder asked if provisions could be made so that close-by adobe and brick buildings wouldn't be impacted by such a large construction project. Mr. Mackey said the biggest issue was the property at 422. He thinks it will be okay. He will also be watching 375. Commissioner Mulder asked if a model could be made for the community, to better convey issues of scale. Mr. Mackey said he had done a digital 3D model. It was agreed that a physical model would be nice, but 3D would also work. Mr. Mackey said that the 3D model will be shown as part of later reviews. In regard to later reviews, Commissioner Riojas wanted to confirm if the project is coming back, and Mr. Mackey said it will be. Commissioner Riojas noted that she appreciated the two courtesy reviews so far on this project and asked Staff Brown if we could see the positive comments made during other reviews. Staff Brown will provide all comments made for the APHZAB meeting on March 15, but reminded PRS that comments for each meeting are separate. Commissioner Riojas feels that it's important to have this kind of housing, and she appreciates the changes that have been made.
7. Commissioner Ireland is trying to understand PRS's function for historical review and how to assess the general opposition some have to this project. He asked Mr. Mackey to identify the aesthetic concerns. Mr. Mackey replied that he likes to design buildings that are compatible with neighborhoods. His design for this project pays homage to 1920s Tucson architecture. Simple stucco boxes with punched openings and with more mass than void – this is compatible with All Saints School. The latter has different and larger openings, which fit with the original purpose of the building as a school.
8. Commissioner Griffith had no further comments. She likes the design. Commissioner McDonald is interested in seeing the next iteration with colors and materials. This will really be helpful. Mr. Mackey asked Chair

Majewski if she had anything else. She said no, as she had asked her questions earlier. Mr. Mackey noted that he appreciated the time that PRS has taken with this courtesy review. Chair Majewski said these courtesy reviews have been really helpful.

4. Task Force on Inclusivity Recommendations

4a. Discussion on incorporation of the Task Force on Inclusivity report recommendations.

Commissioner Riojas, Commissioner Griffith, and Chair Majewski were unable to meet since the last PRS meeting to continue finalizing the draft but plan to meet on March 29 to do so.

5. Current Issues for Information/Discussion

5a. Minor Reviews

Recent minor reviews included: 927 N. 2nd Avenue for walls, fence, and gates (West University) (Commissioner Riojas assisted); 502 S. 4th Avenue for roofing, a replacement security door, gutters, fence replacement, and a water tank (Armory Park); and 801 S. 3rd Avenue for roofing, skylights, stucco, and fascia (Armory Park). (Commissioner Mulder assisted with the latter two.) Upcoming minor reviews will be scheduled when they are ready.

5b. Appeals

Staff Taku noted that there are no current appeals.

5c. Zoning Violations

Staff noted that there are ongoing and pending cases being worked on for compliance and/or in the review process, and that staff is working with their zoning violation code enforcement liaison.

5d. Review Process Issues

Chair Majewski and Commissioners Mulder and Riojas spoke about the minor review process and about how it is generally very helpful and promotes good communication with the owners of historic properties.

6. Summary of Public Comments (Information Only)

Four public comments were received by the deadline and are summarized under 3a.

7. Future Agenda Items for Upcoming Meetings

Staff mentioned that it is unclear what cases will be ready for review on April 14. The best practices for naming document will be discussed. Staff Brown mentioned that she will be out of the office starting March 25 and will return April 12. Several PRS members noted that it would be useful to have a discussion at a future meeting about the impacts

on adobe buildings when construction is adjacent, so that any research on this could inform PRS recommendations when appropriate.

The next scheduled meeting is April 14, 2022. PRS meetings to be conducted virtually until further notice.

8. Adjournment

Meeting adjourned at 2:37 P.M.