

2025

Tucson-Pima County Historical Commission (TPCHC)
Plans Review Subcommittee (PRS)

LEGAL ACTION REPORT/Minutes

Thursday, August 14, 2025

This was a virtual meeting. The meeting was accessible at the link provided to allow for participating in-person, virtually, and/or calling in.

Note: A recording of the entire meeting (audio/video) can be accessed at <https://www.youtube.com/playlist?list=PLUfRGd7RxAUv6rMbRNEurjg1iY8N4ZALR>

1. Call to Order and Roll Call

The meeting was called to order at 1:02 P.M., and per roll call, a quorum was established.

Commissioners Present (all virtual): Teresita Majewski (Chair), Andrew Christopher, Joel Ireland, and Savannah McDonald.

Applicants/Public Present (all virtual): Michael Becherer, Amy Brietzke, Erik Fike, Nicholas Montano, Phil Swaim, and Merle Weisshaupt (SWAIM Associates Architects); Bonnie Schock (Fox Theatre executive director); Brent Davis, Sherry Downer, Nancy March, Andrew McWhirter, Renee Morton, Terri Saint Pierre, Dave Volk (Fox Theatre Board Members); Ian Milliken and Scott O'Mack (Cultural Resources & Historic Preservation office, Conservation Lands & Resources Department, Pima County); Ken Scoville (member of the public).

Staff Present (all virtual): Desiree Aranda, Maria Gayosso, Jason Lilienthal, and Michael Taku (City of Tucson Planning and Development Services Department [PDSD]).

2. Review and approval of 07/22/2025 Legal Action Report (LAR) and Meeting.

Motion: Commissioner McDonald moved to approve the Legal Action Report/Minutes for the meeting of 07/22/2025 as submitted.

The motion was seconded by Commissioner Christopher.

No discussion was held.

The motion passed unanimously by a roll call vote of 4-0.

3. Historic Preservation Review Cases

3a. TC-DMO-0525-00089, 17 N Stone/25 N Stone Ave/27 N Stone Ave Parcel # 117-12-033A Action

The applicant seeks a Commercial Demolition Permit for the full demolition of the existing building on site, addressed 17, 25, and 27 N Stone Avenue, a contributing resource to the Downtown Tucson National Register Historic District, located within the Rio Nuevo Area Overlay Zone (RNA). Per UDC Section 5.8.10, applications to demolish contributing buildings to National Register Historic Districts within the RNA require review by TPCHC, PRS. A reasonable economic use analysis and a replacement plan are included as part of the application, as required by the UDC. Final action is determined by Mayor and Council. This item was continued from the June 26, 2025, PRS meeting.

Full Review/RNA

Contributing Resource/Rehabilitation Standards

Staff Aranda provided background on the case, summarizing the demolition application requirements for the property, which include an analysis of reasonable economic use, as well as a replacement plan. Both items were included in the packet provided to PRS during the first hearing. She noted that Commissioners requested additional information, which was presented to them during this meeting.

Ms. Aranda stated she reached out to the State Historic Preservation Office (SHPO) per PRS' request to understand the potential for the subject building to maintain its contributing status if only the façade were to be retained. She stated that Mr. William Collins from SHPO cited their integrity policy on alterations to contributing properties, which states that a building must retain at least 75% of all exterior walls and a majority of features on the primary façade to maintain contributing status. Under those standards, therefore, keeping only the front façade would likely result in the property becoming a noncontributor.

Ms. Aranda summarized public comment for the item, noting that since the last meeting, only one additional email was received, and that it came from Ken Scoville who had previously commented on his opposition to the proposed demolition.

Michael Becherer presented the four options for treatment of the building proposed for demolition:

1. façade retention
2. adaptive reuse
3. status quo
4. proposed replacement

Mr. Becherer provided detail on the feasibility of the four options, and Fox Theatre Executive Director Bonnie Schock presented supplemental information to

her original economic analysis and justification for the proposed demolition (Option 4) above. She noted that Tucson has a booming performing arts market, and people are building performing arts venues in suburbs, creating competition for the small nonprofit based downtown. Ms. Schock made points related to the need for the Fox Theatre to expand in the downtown area and the physical and geographic constraints of the site.

Project architect Michael Becherer of SWAIM Associates showed the conceptual plan for the proposed Fox Theatre expansion and provided an overview of the proposed project. He stated that per the Unified Development Code (UDC), the applicant would not be issued the demolition permit until the replacement plan is approved, and therefore the applicant would return to PRS at a future date for consideration of the fully developed replacement plan.

Commissioners asked questions and discussion was held:

- Commissioner Ireland stated that he loves the Fox Theatre and goes there often, noting that Option 4 is a no-brainer in his opinion.
- Commissioner McDonald stated that she appreciated the applicant addressing the primary concerns about the façade, noting that it was important for the Commission to understand that the applicant went through the effort of trying to find a solution that allowed retention of the original building and exploring and analyzing available options. She noted it was important to get the reading of the SHPO, and they have demonstrated that they understand the importance of these discussions.
- Commissioner Christopher echoed the other commissioners and thanked the applicant for their very thorough investigation, noting that retaining the façade only would still result in the loss of a contributor given that SHPO's integrity policy requires at least 75% of a building be retained to maintain its contributing status. He stated that the applicant made a strong case for their proposal to demolish the subject building.
- Commissioners discussed public comment received for the case.
- Commissioners discussed how the demolition permit would only be issued once the replacement plan is approved.
- Commissioners discussed potential impact to the Downtown Tucson Historic District should the subject building be demolished, noting it would result in the loss of one contributor out of 48 existing contributors.
- Commissioners discussed whether approval of this demolition request would set a precedent for future proposals to demolish contributing buildings in the Downtown Tucson Historic District. Commissioner Ireland stated that this case is a completely unique circumstance, and the Fox is such an important anchor in downtown, and therefore this case does not

set a precedent for future demolition requests in the Downtown Tucson Historic District.

- Chair Majewski stated that PRS laments the loss of contributors and that these applications are taken on a case-by-case basis. She stated that there are different factors to consider and that everyone wants to see downtown succeed, noting there was a time when it was not succeeding. Chair Majewski also noted the applicant's savvy public outreach for this proposal and expressed that she was torn on this decision.

Following the commissioners' deliberations, action was taken.

Motion: Commissioner Christopher made the following motion: While we regret the demolition of any contributing historic building, I move to recommend approval of the provisional demolition application pending the following conditions:

1. That per the UDC process, a demolition permit shall not be issued prior to the approval of a replacement plan.
2. That this case is a unique situation given the Importance of the Fox Theatre as a historical and cultural anchor of downtown and should not construe precedent for future demolition requests.
3. That any demolition be done in a careful and methodical manner to allow for documentation of historic features not currently visible.

Commissioner Ireland seconded the motion.

The motion passed unanimously by a roll call vote of 4-0.

4. Summary of Public Comments (Information Only)

Public comments were discussed under Item No. 3a, during the staff report.

5. Future Agenda Items for Upcoming Meetings

Next regular meeting is scheduled for August 28, 2025.

6. Adjournment

The meeting was adjourned at 2:41 P.M.