

BARRIO HISTORICO HISTORIC ZONE ADVISORY BOARD

MEMBERS PRESENT:

JODY GIBBS, Chair
KEN BACHER
KAREN COSTELLO
MARY LOU HEUETT
PAUL HORBATT
ARMANDO MONTANO

ALSO PRESENT:

Michael Rankin, City Attorney

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1 CHAIR: The next project, Troy Williams is the designer.
2 This is at - it's HPZ 18-92. It's at 526 South 9th. Troy, please make
3 your presentation.

4 MR. WILLIAMS: Okay. From the last time that we came to
5 this meeting on this particular project, he wasn't listening, he
6 wasn't hearing. He was just hearing what he wanted to hear, so, we
7 sat back and we went over this. We don't have much to go on, okay?

8 We have maybe, 'cause there's a question mark on there.
9 The property is next - and the two next door - and actually, this is
10 on 18th Street.

11 MALE SPEAKER: Right.

12 MR. WILLIAMS: So, what we've tried - what we decided to do
13 was meet the conditions of the historic, but also blend a teeny a bit
14 of the neighborhood which we are in. So, we came up - you asked for
15 me a site, a site plan, okay? (Inaudible)

16 CHAIR: 'Cause in this property, as I recall, you go way up
17 quite steeply (inaudible) not flat.

1 MR. WILLIAMS: Up here is all - this is all flat. This is
2 where, from his, from his property line here, it drops. This is the
3 only, this grade right here is here. The next one is over here at
4 Convent, okay? The next one is over here, the next ten-foot change is
5 over here on Camino - I mean, God, I just got that proofed.

6 CHAIR: Main.

7 MR. WILLIAMS: No, not - it's beyond Main. It's -

8 CHAIR: Oh. We don't really, we don't really care about
9 ten-foot contours.

10 MS. COSTELLO: Yeah, but -

11 CHAIR: We're trying to see the contours on the site to
12 show us, are you going up five feet? And the historic building beside
13 you, you do go up five feet and it's a very significant part of your
14 site. It's not flat, I mean -

15 MR. WILLIAMS: There's no topo (sic) for it.

16 (Multiple speakers.)

17 MR. WILLIAMS: I mean I could, I could say it rises four
18 feet, but there's - I can't generate a topo (sic) that isn't
19 somewhere -

20 CHAIR: Right.

21 MR. WILLIAMS: - 'cause that's me generating a topo.

22 CHAIR: I think, I think the criteria is an indication of a
23 topo or change of grade -

24 MR. WILLIAMS: Uh-huh.

1 CHAIR: - that a reasonable person could understand. In
2 other words, another way to do it is do a section through your
3 building down to the street. You draw the building up here, you draw
4 the street, and then it goes down, people can see it. So, we're not
5 telling you you have to go out and pay for money get a topo
6 (inaudible)

7 MR. WILLIAMS: Okay. (Inaudible)

8 CHAIR: We're saying it is -

9 MR. WILLIAMS: I did tell him he may have to survey this.

10 CHAIR: Well, -

11 MR. WILLIAMS: He did not want to survey (inaudible)

12 CHAIR: - I think, I think, I think all we're saying is
13 that to really understand, for a reasonable person to understand what
14 we're looking at, the change in grade is kind of important. If you'll
15 notice, the earlier gentleman that was here, -

16 MR. WILLIAMS: Uh-huh.

17 CHAIR: - I told him, "Wow. That's a really steep grade.
18 That's a 45- -, "

19 MR. WILLIAMS: I know, I was, -

20 CHAIR: You got it?

21 MR. WILLIAMS: - trust me, I was listening to that part.

22 CHAIR: (Inaudible) Exactly.

23 MR. WILLIAMS: And radically.

24 CHAIR: Exactly.

25 (Multiple speakers.)

1 CHAIR: - indicate that on the drawing so people won't
2 think this is a flat site. And if he has a development zone view of
3 the site, people can see that. But why don't you go ahead with your
4 presentation?

5 MR. WILLIAMS: All right. So, but there is a change from
6 the street to the top of the property.

7 CHAIR: Show it to the people, if you would, Troy. Mary
8 Lou, again, you want to change seats with me?

9 MR. WILLIAMS: See, from this topo which is the topo on, on
10 line, there is a four-foot change from here to up to the top of his
11 property, okay? So, it's about three to four feet, okay? It may not
12 be four feet, but it's at least, it's between three and four feet on
13 the rise here from - here's the street, here's the topo line. From in
14 here to up here to his property line, there's a three to four-foot -

15 MS. HEUETT: Yeah.

16 MR. WILLIAMS: - change in it. So, -

17 CHAIR: Does it increase or decrease?

18 MR. WILLIAMS: It's an increase. But from his property
19 line all the way to, to the back of his property line, is flat.

20 CHAIR: Sure. No problem.

21 MS. HEUETT: Right.

22 MR. WILLIAMS: Okay. So, there, there is a change in
23 height coming up -

24 MS. COSTELLO: Yeah. It's basically flat from where the
25 little old house is, right? Or (inaudible)

1 MR. WILLIAMS: Right. All the way to the property -

2 MS. COSTELLO: Yeah.

3 MR. WILLIAMS: - line, then it drops down -

4 MS. COSTELLO: Yeah.

5 MS. HEUETT: Yeah.

6 MR. WILLIAMS: - to the street.

7 MS. COSTELLO: But I heard that there are stairs going up
8 to the little old property.

9 MR. WILLIAMS: Yeah. There is a - when you come up to the
10 property and then -

11 MS. COSTELLO: Yeah.

12 MR. WILLIAMS: - there's a, there's - 'cause he has a -
13 that old stoop -

14 MS. COSTELLO: Yeah.

15 MR. WILLIAMS: - type of -

16 MS. COSTELLO: Yeah.

17 MR. WILLIAMS: - stepping up onto it and stuff like that.

18 So, so, but what we turned around and decided to do was we
19 incorporated the building.

20 MS. COSTELLO: Yeah, I noticed that. That's really good.

21 MR. WILLIAMS: Okay. So, now we was (sic) having issues
22 with the front, okay? I was explaining to him, you really have to
23 concede something, you know? I mean they're concerned with what's in
24 the front, so, we're not blocking the existing building.

25 MS. COSTELLO: Yeah.

1 MR. WILLIAMS: And then we tried to take what we had to add
2 to it, we made sure there was the egress. Remember, we was (sic)
3 having a zero on, on some of these sides. So, we made sure that
4 there's egress with the -

5 MS. HEUETT: Right. To meet fire code.

6 MR. WILLIAMS: I, I, - he didn't want to listen to that.
7 He goes, "Well, they could go - firemen ain't going through your
8 house. If he does, you don't want him to come back."

9 CHAIR: What are your setbacks, Troy, on the north?

10 MR. WILLIAMS: On the north, we match virtually what was
11 existing. We gave a little bit more, which is two foot, one inches.

12 CHAIR: What do you mean existing - it's a brand-new
13 building.

14 MS. COSTELLO: The little, the little old house.

15 MR. WILLIAMS: No, this is - no, this is an existing
16 building here.

17 CHAIR: Oh, that's the -

18 MS. COSTELLO: Yeah.

19 CHAIR: - old house.

20 MR. WILLIAMS: Right.

21 MS. COSTELLO Yeah, that's an old house.

22 MR. WILLIAMS: So, we incorporate (inaudible)

23 CHAIR: You're now leaving the old adobe house with the
24 pitched roof, and building onto it, is that what you're doing?

25 MR. WILLIAMS: This is the second -

1 MS. COSTELLO: Yeah, because remember last time, they just
2 wanted to (inaudible)

3 CHAIR: This is a different proposal.

4 MR. WILLIAMS: We completely - I, I, I - so, this is what
5 we're going to see now from the street. Here's the existing building,
6 okay? And then we incorporate this piece of the building in here. He
7 wants this across the street - I know it isn't a historic - but it was
8 one of the things on the street. This is not a garage door, it is a
9 gate because there is a yard - if you look here (inaudible)

10 MS. COSTELLO: I think that was my - we wanted to see the
11 topo because I noticed that you said the walls, the fences were seven
12 foot. But if you're making those level with the - you actually told
13 him about 11 foot. Are you gonna drop those walls all the way down?

14 MR. WILLIAMS: Well, the lot - we can - we can't disturb
15 off the property lines. I mean once we're off the property, we cannot
16 disturb.

17 MS. COSTELLO: Oh.

18 MR. WILLIAMS: We do not - he doesn't own this land.

19 MS. COSTELLO: No, no, no, I understand that. I'm talking
20 about that front fence.

21 MR. WILLIAMS: The front - everything is inside the
22 property line. It's set back. Here's the property line right here, -

23 MS. COSTELLO: Oh.

24 MR. WILLIAMS: - and we're back ten foot, eight off of the
25 property line.

1 MS. COSTELLO: I'm, I'm, I'm talking about here where
2 you've got the front yard, and the garage.

3 MR. WILLIAMS: Yeah. See, but if you look, here's the
4 property line, right?

5 MS. COSTELLO: Uh-huh.

6 MR. WILLIAMS: Here's the garage, all right?

7 MS. COSTELLO: But I know that's not level with, with that.

8 MR. WILLIAMS: This is all from this point to this point,
9 it's all level.

10 MS. COSTELLO: Okay.

11 MR. WILLIAMS: This is where it drops is in this zone right
12 here.

13 MS. COSTELLO: Okay.

14 MR. WILLIAMS: So, everything inside of this box is level.

15 MS. COSTELLO: All right.

16 (Inaudible background conversation.)

17 MR. WILLIAMS: Okay. So, we just pull the house back -

18 MS. COSTELLO: So, that's where you'll put the seven-foot
19 fence.

20 MR. WILLIAMS: Yes. And the wall in the front made it look
21 like a part of the house, -

22 MS. COSTELLO: Right.

23 MR. WILLIAMS: - so, you cannot tell that it's a part of
24 the house. We made sure that we hid the parking inside the garage
25 because the garage was an issue before.

1 MS. COSTELLO: Uh-huh.

2 MR. WILLIAMS: So, we hid the garage behind the wall, -

3 MS. COSTELLO: Uh-huh.

4 MR. WILLIAMS: - come through a gate, and then here's the
5 garage. So, once the gate is closed, it gives you that whole front -
6 he's got it there. This gives you the whole front as if - 'cause
7 there's a door and two windows there, so - with the gate. So, you
8 think that would be part of the house, even though you're going to
9 drive inside of the, inside the wall, and then inside the garage.

10 MS. COSTELLO: Okay. Oh, you - I understand now.

11 Thank you.

12 CHAIR: Is there anything else you want to show us?

13 MS. HEUETT: I -

14 CHAIR: Could you show us - Mary Lou.

15 MS. HEUETT: I've got a question. Okay. We have the new
16 structure right up against the old structure. How is that gonna
17 drain? How is it - how are you going to protect - you know, you've
18 got pervious and - impervious and pervious.

19 MS. COSTELLO: This is across (inaudible)

20 MR. WILLIAMS: Yes. But it is a simple -

21 MS. HEUETT: How's drainage?

22 MR. WILLIAMS: - piece. It is - see, in this space right
23 here? The only thing we have to do is cricket (sic) the roof so that
24 the water flows. You can't - and, and it's going to even be a
25 noticeable thing. Only thing we have to do is have a slight rise in

1 the center, okay? And the distance of that house is 30 - if I, if I
2 recall, it is - this is 30 feet.

3 So, I'm gonna have a 15-foot drop (inaudible) even if it's
4 half an inch, you're not going to be able to look up there and see
5 that change. It is going to be - 'cause for one, the roof is going to
6 hide it.

7 So, but we're going to be able to drain water off here and
8 here because a simple cricket on, on that structure will take the
9 water that flows in that direction off both sides. So, (inaudible)

10 CHAIR: How many, how many bedrooms are you gonna have?

11 MR. WILLIAMS: Oh. There's four.

12 CHAIR: Four bedrooms. And how much parking you're
13 providing on-site?

14 MR. WILLIAMS: We have the parking in the garage. And if
15 you wanted - no, this is not enough space.

16 CHAIR: So, what is this line right here? What is that
17 line?

18 MR. WILLIAMS: This is the wall in the front.

19 CHAIR: But the wall's not there if the parking comes
20 through it, right? That wall really wouldn't -

21 MR. WILLIAMS: No, no, no. There's a gate.

22 CHAIR: The car's not gonna drive through the gate, is it?

23 MR. WILLIAMS: Yeah.

24 (Multiple speakers.)

25 MS. HEUETT: You know what, Jody?

1 MS. COSTELLO: You have to have an 18-foot setback, don't
2 you?

3 MS. HEUETT: Okay. What you can't see in this drawing is
4 there's, there's depth between -

5 MR. WILLIAMS: Right.

6 MS. HEUETT: - the gate, the gate wall and the wall of the
7 new structure.

8 MR. WILLIAMS: Right. So, this is the wall. That's right.

9 CHAIR: This gate moves in some manner so they can drive
10 in?

11 MR. WILLIAMS: Yes. Yes.

12 CHAIR: How does it move?

13 MR. WILLIAMS: It moves this way.

14 CHAIR: How big is the existing historic adobe? And how
15 big is the addition part you're adding?

16 MR. WILLIAMS: The existing adobe is nine hundred and fif-
17 -- wait. Let me make sure. It's 891, and we're adding 2712.

18 CHAIR: Twenty-seven -

19 MR. WILLIAMS: Twelve.

20 CHAIR: 2,712 square feet -

21 MR. WILLIAMS: Right.

22 CHAIR: - addition.

23 MR. WILLIAMS: Yeah.

24 CHAIR: Okay, so, Troy, let me ask you one more question,
25 if other people do, and then we need to discuss it and try to make

1 motion. If we have questions, we'll ask you, but you need to give us
2 a little time to figure out what we think and make a motion.

3 So, what we're doing here is we're adding a 2,700 foot
4 square addition onto a historic building?

5 MR. WILLIAMS: Yes.

6 CHAIR: It's actually - that's what we're adding. So,
7 we're taking this little house and adding a very large addition?

8 MR. WILLIAMS: We shrunk what we wanted. We shrunk, we
9 shrunk, -

10 CHAIR: I think I understand, I think I understand -

11 MR. WILLIAMS: - we shrunk radically what -

12 CHAIR: Yeah.

13 MR. WILLIAMS: - was there.

14 CHAIR: That, that your client is asking you to do this.

15 Okay. So, if people don't have other questions (inaudible)

16 MS. COSTELLO: I, I just -

17 CHAIR: - we should let him be still and -

18 MS. HEUETT: I got, I got questions about -

19 CHAIR: - we should talk among ourselves (inaudible)

20 MS. HEUETT: - doors and windows.

21 MR. WILLIAMS: All the doors -

22 CHAIR: You can show the elevation she's talking about.

23 MR. WILLIAMS: All our doors and windows -

24 MS. HEUETT: Are they double-hung?

25 MR. WILLIAMS: They're all double-hung.

1 MS. HEUETT: What about this, what about this elevation
2 right here?

3 MR. WILLIAMS: This one?

4 MS. HEUETT: Yeah.

5 MR. WILLIAMS: Okay. This is an existing building.

6 MS. HEUETT: Right. I realize that.

7 MR. WILLIAMS: (Inaudible) gonna change that.

8 MS. HEUETT: That has an existing -

9 MR. WILLIAMS: Window opening.

10 MS. HEUETT: - window that is -

11 MR. WILLIAMS: There.

12 MS. HEUETT: - historic.

13 MR. WILLIAMS: Right.

14 MS. COSTELLO: No.

15 MR. WILLIAMS: It's there.

16 MS. HEUETT: And you need to keep that existing -

17 MR. WILLIAMS: We - this door - this whole system here is
18 (inaudible)

19 MS. COSTELLO: I, I don't think that is historic. That was
20 a bad modification.

21 MS. HEUETT: (Inaudible)

22 MS. COSTELLO: If you look at the original photos, you will
23 see what was historic. And then somebody came in and did some
24 modifications. I don't know if they modified that, but they put in -

25 MS. HEUETT: This -

1 MS. COSTELLO: - another window.

2 MS. HEUETT: Okay. This, this is the intrusive here.

3 MS. COSTELLO: Yes.

4 MR. WILLIAMS: Yeah. This is just a (inaudible)

5 MS. HEUETT: And it shouldn't show, and it, and it

6 shouldn't show on your plans because it's a violation. And it's been,

7 it, it has been a violation for a long time. This is a, a long, tall

8 window. It's not a one-over-one (inaudible)

9 MS. COSTELLO: It's not like how you've drawn it.

10 MR. WILLIAMS: No, it's not.

11 CHAIR: (Inaudible) measure it.

12 MS. COSTELLO: Yeah. I mean this is the thing. This, this

13 is not really reflecting what is there, and you're asking us to

14 approve something that doesn't reflect what is - what you're going to

15 keep.

16 CHAIR: Okay. So, let's - any other questions and let's

17 Troy sit down -

18 MS. COSTELLO: The, the other -

19 CHAIR: - and let's discuss this.

20 MS. COSTELLO: The other question I have is the height of

21 the parapet wall which seems awfully big in relationship, awfully tall

22 in relationship to the old house, and also to the setback. I, I don't

23 even know that it would meet City of Tucson code requirements which

24 is, is just -

25 MR. WILLIAMS: Twenty-feet.

1 MS. COSTELLO: No, no. The side, I believe that if your
2 roof, not the top of your wall, but your roof is 12 feet, say for
3 instance, that side, City of Tucson code - so, you'd have to have an
4 eight-foot setback.

5 MR. WILLIAMS: Yeah, but -

6 MS. COSTELLO: (Inaudible) differentiate that because you
7 haven't told us of any developments (inaudible) that you, that's
8 saying this is the reason why you should (inaudible) the setback
9 requirement. Does that make sense to everyone?

10 CHAIR: So, you're, you're questioning the setback in the
11 front?

12 MS. COSTELLO: No. The setback on the side, which is five
13 foot, and according to the plans, I'm saying that -

14 MR. WILLIAMS: We just approved a project on Osborn that
15 had a three- -- a four-foot setback on both sides that I just got
16 approved there was no setback issue. I've heard a few things that -

17 MS. COSTELLO: (Inaudible) used all the buildings in the
18 development zone as reference.

19 CHAIR: What she's trying to tell you is this is a
20 different development zone than your other project.

21 MR. WILLIAMS: Yeah, but (inaudible)

22 CHAIR: So, when we look at setbacks - do you have your
23 development zone in front of you?

24 MR. WILLIAMS: Yeah, I just had them.

25 CHAIR: She's suggesting that the setbacks -

1 MR. WILLIAMS: This is, this is what I'm - this is what,
2 this is all we can select from.

3 MS. COSTELLO: Yeah.

4 MR. WILLIAMS: And one of them is ours.

5 MS. COSTELLO: Yeah. And -

6 MR. WILLIAMS: Okay? So, we got one, two and - and this -
7 we only have two.

8 MS. COSTELLO: Yes.

9 MR. WILLIAMS: This is the only two that we have zero.
10 That's about five feet.

11 MS. COSTELLO: This is a row house -

12 MR. WILLIAMS: That's (inaudible)

13 MS. COSTELLO: - and this is more of the type of house like
14 this.

15 MR. WILLIAMS: This is next door, so, I see this -

16 MS. COSTELLO: Yeah.

17 MR. WILLIAMS: - house every time I go there.

18 MS. COSTELLO: And it's got about a ten-foot setback from
19 your property.

20 MR. WILLIAMS: Yeah, but all of this - look at, look at all
21 these houses that are all I can pick from. All I can pick is two. I,
22 I, I don't have options (inaudible)

23 CHAIR: What, what do you mean by (inaudible) for setbacks?

24 MR. WILLIAMS: I mean, for anything. For any of -
25 everything that we want to do on, on this particular street, there's

1 only two houses that you say is contributing, okay? What do we do
2 (inaudible)

3 MS. HEUETT: It's, it's not, not us. It's the -

4 MS. COSTELLO: (Inaudible)

5 MR. WILLIAMS: I know, but what do we, what, what do I go
6 from?

7 (Multiple speakers.)

8 CHAIR: Then if we have a question, we'll ask you, but I
9 think -

10 MR. WILLIAMS: Okay.

11 CHAIR: - the Board needs to discuss the project. Comments
12 on the project and then let's see if we - let's have some comments on
13 the project. The previous comments have been made that the window
14 shown on historic house is not accurate.

15 Karen has been - is questioning the setbacks. I'm
16 questioning the enormous size of this addition. If you look at the
17 development zone, I don't think we have any building that is covering
18 as much lot (inaudible)

19 MS. COSTELLO: 'Cause this is an 8,000-square-foot lot.

20 CHAIR: Yeah. If, if you look at this drawing here, that's
21 the historic house and this thing's wrapped all the way around it.
22 And I think that the owner is asking Troy to make as big a house as
23 possible. But the code says try (inaudible) possible to be compatible
24 with the size of the existing historic building. So, I'm questioning
25 size. And the second thing I'm questioning is just the -

1 MS. COSTELLO: And I -

2 CHAIR: - compatibility with the historic building that
3 it's attached to. The code says to try to make it compatible in the,
4 the roof and what we have is a roof on the old house that's like this.

5 MS. HEUETT: It's a pitched roof.

6 CHAIR: And on the new one is just pushed up against it.
7 So, I'm questioning the roof form and I'm questioning the
8 compatibility with the historic house that's beside it. But those are
9 only my concerns. Other concerns people on the Board (inaudible)

10 MS. COSTELLO: Because even if you reference the row house
11 that's in one of your contributing buildings, that roof is actually
12 very low. And so what - that's the question what I'm saying is that
13 the parapet roof, not only is it overwhelming this original building,
14 but it sort of is -

15 CHAIR: Which parapet are you talking about?

16 MS. COSTELLO: This, the new build.

17 CHAIR: The new parapet.

18 MS. COSTELLO: This is a flat with a parapet build, parapet
19 roof. So, it's almost -

20 CHAIR: What's that horizontal line right there where -

21 MS. COSTELLO: That's the, that's the top of the wall. So,
22 I'm presuming that there's going to be a truss system. I'm presuming
23 that the rooftop will be 12 feet because it has to go from here to
24 there with a slope down.

25 CHAIR: The roof is slanting towards us, correct?

1 MS. COSTELLO: It could slant to the side.

2 CHAIR: No, no.

3 MS. COSTELLO: I don't know where it drains.

4 CHAIR: What is he proposing? He's proposing (inaudible)

5 MR. WILLIAMS: The roof is going to slope to the south.

6 It's going to be a parapet roof.

7 MS. COSTELLO: Yes.

8 MR. WILLIAMS: (Inaudible) The parapet is flat, the

9 roofline is sloped.

10 MS. COSTELLO: Yeah. But how high is the roof?

11 CHAIR: Let, let, let us discuss it for a minute, okay?

12 If you don't mind.

13 MS. COSTELLO: So, the roof would be what the City of

14 Tucson would take that -

15 CHAIR: I see.

16 MS. COSTELLO: - setback from.

17 CHAIR: My comment is that this high parapet, very large

18 2,700-square-foot building is crushed up against the tiny little

19 historic building that's got a small roof. And, Troy, it's not only

20 to address it to you, but to the Board, I believe the code is saying

21 that that historic house is his primary guide, because you're no

22 longer doing a new house. You're doing an addition to a historic

23 building. So, maybe this is new thinking for Troy and for the owner,

24 but he's changed it. Before, he had two houses. Now he's got -

1 MS. COSTELLO: Well, he wrapped the house around the old
2 house.

3 CHAIR: - a huge addition around the old house and is
4 looking at the development zone. But really, the primary guide is no
5 longer the development zone, it's the historic house.

6 MS. COSTELLO: Yeah.

7 CHAIR: Do you understand the difference? Previously, you
8 were doing a brand-new house. When you do a brand-new house, the
9 criteria is to be compatible with historic buildings. When you put an
10 addition onto an existing historic building, criteria changes.

11 Now it's not, it's considered an addition, not a new house.
12 And the criteria is not compatibility, the criteria is that the new
13 house be done in the style of the historic building. The style of the
14 historic building is not a parapet roof, it's a pitched roof.

15 Now I understand how you got here. It's - let me try that
16 again. When you are proposing a completely new building, the code
17 says that the criteria for the new building is to be compatible with
18 the historic buildings in the zone. And there's a lot of flexibility.

19 When you actually put an addition onto an existing historic
20 house, you have less flexibility. It says that the design must match
21 the style of the historic building. I would say that means a pitched
22 roof, that means a wall probably not very - if it's an addition, the
23 roof has to be compatible with the historic building. It cannot be a
24 brand-new parapet pushed up against it.

1 I'm sure this is new to you, but if you look at the code
2 carefully, you'll say, "Is it a new house, or is it an addition to an
3 old house?" And if you look under roof form, heights, setbacks,
4 windows, all of that, the criteria just changed on you. And I, I
5 think I understand how you got here.

6 MS. COSTELLO: Yes.

7 CHAIR: Other comments, people? We need to move on.

8 MS. COSTELLO: I (inaudible)

9 CHAIR: We need to make a motion to give him some
10 direction, I think, to come back or something.

11 MS. COSTELLO: I would just say, Troy, I think the way that
12 you've integrated the two buildings is really good. And I, I know it
13 might sound disappointing to you about the parapet, but I think that
14 Jody's give you some clues as to how to make this work. And I think
15 you'll end up with a better house because it'll be more in keeping and
16 even will look good. So, I wouldn't get disillusioned. I think
17 it's -

18 MR. WILLIAMS: (Inaudible)

19 MS. COSTELLO: You're on the right track.

20 CHAIR: Other comments?

21 MS. COSTELLO: You're on the right track.

22 CHAIR: Other comments? And then let's make a motion.

23 Mary Lou?

24 MS. HEUETT: Okay. Doors, doors, windows, especially the
25 windows need to look like, are gonna be double-hung, four over four,

1 one over one, but they don't need to look like - they shouldn't, they
2 shouldn't be drawn just as like plate-glass windows.

3 CHAIR: Okay. So, I'll make a motion -

4 MR. WILLIAMS: See this? See these two windows you're
5 talking about? This isn't a wall. There's no need to have an
6 operable window that you're going to walk past this, then it's gonna
7 be behind you and the house is in front of you. (Inaudible)

8 CHAIR: If I can borrow this for just a minute.

9 MR. WILLIAMS: You cannot see, you can't see in the front
10 here, you can't see the windows that are behind it because of the fact
11 they're behind the wall.

12 MS. HEUETT: Yes, but that's not the point.

13 CHAIR: So, what happened now, this is an addition to that.

14 MR. WILLIAMS: Right.

15 CHAIR: And when I look at this, the addition is
16 overpowering this (inaudible) house.

17 MR. WILLIAMS: Yeah.

18 CHAIR: When I look at the old building, it's got a roof
19 form like this. When I look at the addition, it is not matching the
20 style of the old house. (Inaudible)

21 MR. WILLIAMS: That, I understand. I can live with that.
22 (Inaudible)

23 CHAIR: I can tell you, you'll find putting a 2,700-square-
24 foot on - addition onto an existing house and matching it

1 harmoniously, maybe you'll find - you come back to see us, you will
2 have done some work. It's very hard to do.

3 MR. WILLIAMS: Well, I just figure we (inaudible)

4 CHAIR: We'll look at it when you come back. I think we
5 need to make a motion. I'll make a motion that we ask him to come
6 back based on the comments that have been made regarding the size of
7 the house, the setbacks, the roof form, the windows and doors.

8 But essentially that it's a new game now. He needs to look
9 at the code requirements. (Inaudible) I want to mention size, that
10 the addition is larger than anything anywhere that we - it's very hard
11 to find - but in any case, that's a motion that we ask him to come
12 back. Is there a second to that motion?

13 MS. HEUETT: Second.

14 CHAIR: Is there any more discussion?

15 MS. HEUETT: He needs to remember the violating window
16 because it's really not part of your plans. That's a violation of
17 (inaudible)

18 CHAIR: I think you mentioned it. I think you mentioned
19 it.

20 MR. WILLIAMS: (Inaudible) violation.

21 CHAIR: We need to vote - excuse me. We need to vote. We
22 need to vote. All in favor of the motion, please raise your hand.

23 (Affirmative.)

24 CHAIR: Motion is 6-0. And, Troy, you're getting a lot of
25 education. I know it's awkward. There's three kinds of buildings,

1 and we need to get on to the next project. One is a historic,
2 (inaudible) what they call it. It's on the register. There's very
3 few buildings like that in the barrio. It means they're really
4 hotshot important buildings. And to do that one, it's like working
5 on, you know, the White House or something. Very fussy.

6 The second one is when you're working on an addition to an
7 existing historic building. The style must match the style of the
8 existing historic building.

9 MS. HEUETT: (Inaudible)

10 CHAIR: Pitched roof. Is it territorial? Is it transform
11 Sonoran? This building, I think, is probably transform Sonoran, but I
12 don't know. I'd have to look at it. And the criteria for that one is
13 the historic building that you're adding onto it, not the development
14 zone. It's your historic building.

15 And the third kind of building is a brand-new house. When
16 you do a brand-new house, it can be even in a modern style, so-called,
17 but they make you make it compatible. So, the motion is 6-0 to ask
18 you to come back and thank you for your presentation.

19 MR. WILLIAMS: I, I just have one question. I, I don't -
20 something I don't understand, so, it's gonna be very, very hard to fix
21 something that you don't understand.

22 She's making a statement about a violation in the window
23 and I'm just trying to (inaudible)

24 MS. HEUETT: The window? Okay.

25 MR. WILLIAMS: These windows here?

1 MS. HEUETT: No. No.

2 CHAIR: In the old building.

3 MS. HEUETT: The old building.

4 MR. WILLIAMS: Well, we can make (inaudible)

5 CHAIR: In the old building in front.

6 (Multiple speakers.)

7 CHAIR: Yeah.

8 MS. HEUETT: No, no, no, no, no.

9 CHAIR: Yeah, they're asking.

10 MS. HEUETT: The window above that.

11 MR. WILLIAMS: This is not a window. That is a piece

12 (inaudible)

13 MS. COSTELLO: But it's -

14 MR. WILLIAMS: If you out there and look, that is -

15 MS. COSTELLO: But it -

16 MR. WILLIAMS: - a piece of concrete.

17 MS. COSTELLO: But take it out, Troy. It's a violation.

18 CHAIR: Troy, (inaudible) when you come back, you can

19 discuss that. I don't think it's a major issue.

20 MR. WILLIAMS: (Inaudible) that's not a window. I just

21 want you to know.

22 MS. COSTELLO: Yeah. I understand that.

23 MR. WILLIAMS: That is not a window. If you go and look,

24 you will see that that's a piece of concrete, or something that pops

25 out that's up there. That's not a window up there.

1 MS. COSTELLO: You know what, Troy? Go and Google Earth -

2 MR. WILLIAMS: I will take a picture (inaudible)

3 MS. COSTELLO: - and look at what the building should look
4 like. On Google Earth (inaudible)

5 MR. WILLIAMS: Go where?

6 MS. COSTELLO: Go and Google Earth and take (inaudible)
7 Look at your building, and that's how the building should look like.
8 And then a neighbor went into those additions without getting
9 permission and those are violations. And then the building sold
10 before anyone would catch it.

11 MR. WILLIAMS: We can go - I can go outside of this zone
12 then. This is (inaudible)

13 CHAIR: No.

14 MS. COSTELLO: No, no, no.

15 CHAIR: No. Your - the criteria -

16 MR. WILLIAMS: Well, I (inaudible)

17 CHAIR: - for your addition is the existing historic
18 building that you're adding onto.

19 MR. WILLIAMS: Okay.

20 CHAIR: You're not doing a second house. You're doing a
21 very large addition to an existing historic house. If you read the
22 code, the criteria that we look for, roof form, building form,
23 setback, windows, doors, proportions, is the existing historic house.
24 And it needs - it also will tell you how those additions need to be.
25 Take a look and I think you'll see it, okay?

1 Now if you have questions, I would urge you to go to Jody
2 Brown and Michael Taku and say the Board is saying I have to - it's
3 now an addition to a historic building.

4 MS. COSTELLO: They'll help you.

5 CHAIR: This is now - it's almost 5 o'clock.

6 MS. COSTELLO: Yeah.

7 CHAIR: The, the agenda posted is that we go into an
8 executive session. If, if, Mr. Rankin, if you could answer a couple
9 of questions, the Board - I've heard Board Members expressing,
10 expressing reluctance to go into a closed meeting because of the - in
11 this neighborhood, this doesn't look like in this audience, but in the
12 neighborhood, the people are distrustful of everybody. I'm sure you
13 understand that. And they really are distrustful of regulations,
14 whatever, and going into, and going into closed meetings.

15 Reading the agenda item, if you can explain to me, why is
16 it worded in a manner that we have no idea whether this is about the
17 building on Kennedy? Is this about the building on Simpson? How
18 would a normal person read the agenda and have any idea what this is
19 about?

20 This is very important to us that we have at least, try to
21 make the effort that agendas - and we didn't draw up this agenda. I'm
22 sure there were reasons this came from the, I believe the City Clerk's
23 Office. And I'm sure there are reasons that you can explain.

24 But we have people come up to us saying, "What in the world
25 was that about? We couldn't tell even what it was about, what HPZ

1 number." One of the issues was a project with an HPZ number and the
2 other one was a project, did not have an HPZ number. So, there's two
3 questions.

4 Number one. Is there a way for you to discuss anything
5 publicly or to make the announcement of the meeting of the reason for
6 a executive session a little clearer and is it possible for us to
7 postpone this until you do that? (Inaudible) we can do it in a week.
8 We don't have to wait a month. We can consider meeting in a week.

9 But I also, I would like to tell the Board, I think it
10 works, works this way. Please correct me, we're not the Mayor and
11 Council. The agenda item is going into an executive session. In my
12 opinion, the Board must decide, "Yeah, we want to go into an executive
13 session," because if you - that's what you're here for.

14 MS. COSTELLO: Yes.

15 CHAIR: And you're - you - Mr. Rankin's quite well
16 qualified. He's suggesting that we do. So, -

17 MR. RANKIN: So, I can (inaudible)

18 CHAIR: - please, please speak (inaudible)

19 MR. RANKIN: In fact, you can't go into executive session
20 unless the Board votes to go into an -

21 CHAIR: Thanks.

22 MR. RANKIN: - executive session.

23 CHAIR: Thank you. That's what I'm trying to -

24 MR. RANKIN: The reason it's agendized (sic) the way it is,
25 is because it's not about a particular property. It is legal advice

1 relating to a complaint filed with the Arizona Office of - Office of
2 the Arizona Attorney General.

3 And under Arizona Open Meeting Law, executive sessions can
4 only be used for very specific purposes. And one of those things is
5 legal advice, including discussion of things that can be- -- become
6 litigation, okay?

7 And so, as the agenda indicates, there's a complaint filed
8 with the Attorney General's Office under the Open Meeting Law. The
9 Board is the subject of that complaint. And so, this is an
10 opportunity for me to provide legal advice to the Board about how best
11 to respond to that complaint.

12 CHAIR: Okay. And can it be listed in the Minutes that the
13 complaint is about the way an item was listed in a meeting that we
14 discussed it? Can it be - really, I've read the complaints that are
15 also almost impossible for a normal person, I'm not really normal but
16 that's okay - I'm abnormal, but I mean crazy. But I'm saying, I don't
17 see how a normal person could understand what in the world we're
18 doing.

19 Is there any way to enlighten us so that we can put on the
20 record that people know why the Board decided we needed to do this?
21 You've given us the reasons, but the people might say, "Well, what's
22 it about?"

23 MR. RANKIN: So, people who inquire can actually be
24 provided with a copy of the Attorney General complaint and the other

1 objections that's the subject of the executive session so they can see
2 what those are about.

3 CHAIR: Okay. We can put that in the Minutes -

4 MR. RANKIN: But beyond that, -

5 CHAIR: - that people that want can contact the Attorney's
6 Office and they can give them what you just described - a copy of the
7 complaints that were fi- -- that were filed.

8 MR. RANKIN: Correct.

9 CHAIR: Got it. The one, as I understand it, they didn't
10 like the way the Minutes were done. And the other one, I believe, I
11 don't know what it's about really. It was probably the way it was
12 noticed or listed in the agenda item in August or something like that.

13 MR. RANKIN: Right. And I'll be able to go into the
14 specifics of that, if and when we convene into executive session.

15 CHAIR: Okay.

16 MS. COSTELLO: So, (inaudible)

17 CHAIR: So, does anybody else on the Board have questions
18 for him, and then we're going to vote as a Board, do we want to go
19 into an executive session or not? Any comments? Okay. Is there a
20 motion?

21 MS. COSTELLO: I guess I motion to go into the executive
22 session.

23 CHAIR: Karen makes the motion. Is there a second?

24 MR. BACHER: Second.

25 CHAIR: Ken has made the second. Any more discussion?

1 All in favor of going into the executive session now, and I would say
2 under the understanding that anyone in the neighborhood who asks,
3 "What's the executive session about," they can contact the Attorney's
4 Office or the Clerk, I suppose, for a copy of what the complaints were
5 that are filed.

6 MR. RANKIN: Yes.

7 CHAIR: That seems very important to me so people don't say
8 whatever their imaginations say. Okay?

9 MS. COSTELLO: Yeah.

10 CHAIR: Everyone in favor of meeting with Mr. Rankin now,
11 raise your hand.

12 (Affirmative.)

13 CHAIR: Fine. Thank you. We'll go into executive session
14 with you and we're about on schedule.

15 MR. RANKIN: We'll probably be, I don't, but (inaudible)

16 MS. COSTELLO: No, we'll be fine.

17 MR. RANKIN: - you wanted to, now would be a time and then
18 we could have the discussion (inaudible)

19 CHAIR: Thank you all very much for setting up the tables
20 for us. And -

21 MR. RANKIN: And I'm gonna just come up to the table.

22 (Executive session was conducted.)

23 MR. BACHER: Second.

24 CHAIR: Ken seconded.

1 MALE SPEAKER: All right. (Inaudible) second so we gotta
2 get this on (inaudible)

3 CHAIR: Okay. Do you want us to just (inaudible) again?

4 MS. COSTELLO: Yes.

5 CHAIR: Should we repeat this again, -

6 MS. COSTELLO: Yes.

7 CHAIR: - Michael? All right, we will, 'cause they want
8 to, they want to record it.

9 MR. RANKIN: They wanted to, yes.

10 CHAIR: Want to record it.

11 MR. RANKIN: All right. Should be good to go.

12 CHAIR: Okay. So, the first motion is to come out of
13 executive session. Would somebody please make the motion to come out
14 of executive session?

15 MS. HEUETT: I make, I make a motion that we come out of
16 executive session.

17 CHAIR: Is there a second?

18 MR. BACHER: Second.

19 CHAIR: So, the motion is made by Mary Lou Heuett, seconded
20 by Ken Bacher to come out of the executive session. There's no
21 discussion. All in favor of exiting the executive session, raise your
22 hand.

23 (Affirmative.)

1 CHAIR: Six and oh. The second is, there is no future
2 items to discuss. The item is to adjourn the meeting. Is there a
3 motion to adjourn the meeting?

4 MS. HEUETT: I make a motion to adjourn the meeting.

5 CHAIR: Is there a second?

6 MR. BACHER: Second.

7 CHAIR: Mary Lou Heuett makes the motion, Ken Bacher
8 seconds the motion. All in favor, raise, raise your hand.

9 (Affirmative.)

10 CHAIR: It's a unanimous vote, six to nothing. Thank you
11 all again. Very enlightening, very enlightening.

12 (Meeting was adjourned.)

I hereby certify that, to the best of my ability the
foregoing is a true and accurate transcription of the original tape-
recorded conversation in the case reference on page 1 above.

Transcription Completed: 05/15/2019



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