

2020

Tucson-Pima County Historical Commission
Plans Review Subcommittee

LEGAL ACTION REPORT

Thursday, May 28, 2020

Pursuant to safe practices during COVID-19 pandemic, all in-person meetings are cancelled until further notice. The 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 1:03 P.M., and per roll call, a quorum was established.

Commissioners Present: Terry Majewski (Chair), Michael Becherer, Jill Jenkins, Jim Sauer, and Jan Mulder.

Commissioners Absent/Excused: Sharon Chadwick.

Applicants Present: Soledad Ybave, Caelian Norgord, Rick McLean, Jenni Van Brocklin, Martha McClements, and Demion Clinco.

Staff Members Present: Michael Taku, Jodie Brown, Koren Manning, Maria Gayosso (PDSD), and Crystal Dillahunty (Ward 6).

2. Approval of the Revised Legal Action Report (LAR) from Meeting of 5-14-20

It was moved by Commissioner Sauer, duly seconded by Commissioner Jenkins, and carried by a roll call vote of 5-0 (Commissioner Chadwick absent) to approve the Revised Legal Action Report from the meeting of 5-14-20 as submitted.

3. Historic Preservation Zone Review Cases

UDC Section 5.8/TSM 9-02.0.0/Historic District Design Guidelines/Revised Secretary of the Interior's Standards and Guidelines

- 3a. HPZ 20-013, 431 W. Rosales Street
Barrio Historico Historic Preservation Zone (BHHPZ), Non-Contributing Resource, Vacant Lot**
Construct a new single-story, single-family residence.

Staff Taku summarized the history of the project review and read into the record the recommendations from the Barrio Historico Historic Zone Advisory Board (BHHZAB) from the meetings of 2-10-20 and 5-11-20.

Property owner Soledad Ybave presented the project. Presenter discussed the revisions to the plans to meet BHHZAB requests from the meeting of 2-10-20. These changes included but were not limited to the use of block construction rather than proposed frame and stucco; removal of the south elevation French doors; removal of the HVAC from the roof of the carport and placement within the courtyard; and the removal of the adobe veneer.

Discussion was held. Subcommittee revisited the issue of the construction being masonry block rather than frame stucco options. Some concerns were expressed including but were not limited to the lack of sufficient review materials, in particular, a site plan; lack of development zone map and photos; lack of documentation of existing contributing properties within the development zone that are flat-roofed to evaluate architectural style, height, and compatibility; lack of evidence to demonstrate prevailing setbacks, additional information on the north, east, and south elevation drawings with detailed keynotes; and lack of documentation to evaluate proportion, site utilization, building forms, and rhythm of the proposed project within the development zone. Based on this, the consensus was that there were insufficient materials provided to complete the case review. Action was taken.

It was moved by Commissioner Sauer, duly seconded by Commissioner Becherer, and passed unanimously by a roll call vote of 5-0 (Commissioner Chadwick absent) to recommend, with the applicant's approval, that the case be continued to allow the applicant to come back with the additional documentation to address the issues that were raised. In particular:

- (1) a site plan and prevailing setbacks in the development zone;
- (2) heights of similar flat-roofed buildings that are contributing in the development zone; and
- (3) any documentation that can be provided to show site utilization, building form, and rhythm of contributors in the development zone as compared with the proposed project.

Finally, applicant will provide elevation drawings that contain the additional information that appears to have been omitted on the elevations submitted as part of the application.

- 3b. HPZ 20-016, 541 S. Main Avenue
Barrio Historico Historic Preservation Zone (BHHPZ),
Contributing Resource**
Alterations to approved plans.

Staff Taku summarized the project and read into the record the recommendation from the BHHZAB from the meeting of 5-11-20.

Property owner Caelian Norgord presented the project. Presenter discussed the revisions to the previously approved plans. The revisions included but were not limited to the removal of windows and relocation of a French door on the north elevation; the addition of and replacement of double-hung windows; and reduction in size of the two windows on the east elevation; the removal of a window and the additional parapet height on the garage on the south elevation; the garage door material as metal on the west elevation; the change from wood windows to aluminum clad windows; and the addition of the roof-mounted HVAC not shown and/or keyed on any of the submitted and reviewed site plan and elevation drawings.

Discussion was held. Subcommittee reviewed the revisions and expressed similar concerns to those of the BHHZAB, particularly where the revisions do not follow the Barrio Guidelines. Consensus was that the window material should be wood as stated in PDSO Director's approval letter and as shown on Elevation Keynotes #5; that roof-mounted HVAC was not shown on and/or keyed on any of the site plan and elevation drawings submitted for the HPZ review packages; and the mechanical unit must be screened from public view, with an appropriate location to be determined by the applicant). Concerns were raised on inaccuracies on the submitted site plan, in particular, noting property zoning as HR-3 rather than HO-3, and incorrect project site on the location map. Action was taken.

It was moved by Commissioner Sauer, duly seconded by Commissioner Mulder, and passed unanimously by a roll call vote of 5-0 (Commissioner Chadwick absent) to recommend that that the proposal from the applicant be approved with the following exceptions that match the recommendations from the Barrio Historico Historic Preservation Zone Advisory Board. We do not recommend approval of:

- (1) the reduction in size of the two windows on the east elevation;
- (2) the change from wood windows to aluminum-clad windows; and
- (3) the addition of the roof-mounted heating and cooling [HVAC].

4. **Rio Nuevo Area (RNA)/Infill Incentive District (IID) Review Cases**

UDC Section 5.12.6.E.2; 5.12.7 & 5.12.10

- 4a. **HPZ 20-028/IID 19-08, 311 E. Congress Street
Rio Nuevo Area/Downtown Core Sub-District, Downtown IID**
Construction of entertainment facilities at the rear of the building. The new construction will include a bathroom, a stage with a storage area, and hardscape improvements.

Staff Taku and Gayosso provided an overview of the project. Staff mentioned that the City's Design Professional (DP) comments and surrounding photos were provided to assist in evaluating compatibility with adjacent historic structures and per the Secretary of Interior's Guidelines.

Project architects, Rick McLain and Jenni Van Brocklin, from Repp McLain Design and Construction presented the project.

Subcommittee asked for clarifications on DP recommendations and how the comments were being addressed. Clarifications were provided. Applicants were complimented for a thorough application submittal, especially for its quality, clarity, good visuals, detailed documentation, and illustrative photos of the surrounding properties for compatibility. There was a suggestion on concrete paved parking area with existing brick pavers possibly using similar material and treatment as seen on the existing patio, and discussion about public access and private property. Action was taken.

It was moved by Commissioner Becherer, duly seconded by Commissioner Jenkins, and carried by a voice vote of 5-0 (Commissioner Chadwick absent) to recommend approval of the project as presented. Subcommittee would prefer to see the concrete paved parking area level with the existing brick pavers using a similar material and treatment as seen on the existing patio, but leave it up to the applicant to make the final determination.

5. **Historic Landmark Review Cases**
UDC Section 5.8.5 & 5.8.6/TSM 9-02.0.0

- 5a. **HL-20-02/C9-20-06** –Proposed Historic Landmark (HL) Designation: “Ball-Paylore House” 2306 E. Waverly Street (Tucson Historic Preservation Foundation).

City of Tucson Historic Preservation Officer Jodie Brown reviewed and commented on the application to ensure compliance with eligibility criteria and completeness for the definition of an HL and the Standards for Establishing HLs as provided in the UDC. She introduced the nomination, presented an overview of the proposed house and described the life and works of the owner of the house. She emphasized that HL nomination is generally a review for exterior not interior designation. She did not support the applicant’s request to exclude review for the sliding glass door.

Nomination preparer and CEO of Tucson Preservation Foundation Demion Clinco presented the nomination proposal to the subcommittee. Presenter discussed the three owners of the property with ties to the University of Arizona. He noted that the project was a restoration. Presenter argued for interior features of the house to be included in the nomination. He raised some concerns about the nomination process in the current UDC and opined for an amendment of Code to allow interior reviews for nomination.

Discussion was held. Subcommittee asked for some clarifications, which were provided. Subcommittee complimented the preparer for a thorough application submittal, especially the quality, clarity, and detailed documentation of the nomination proposal. There was a lengthy discussion on the list of “extant key character-defining furniture pieces” in the nomination, and the implications of this for future reviews of this property. With agreement from the applicant, the subcommittee suggested that a smaller list of character-defining features would be appropriate. Staff stated that per UDC, design review for Historic Preservation Zone and Historic Landmark designation was limited to exterior appearance not interior features. While “*any alterations to the interior of a publicly owned Historic Landmark shall be reviewed,*” in this application, the proposal is for a private house not a publicly owned building. Finally, applicant may return for an amendment to include interior review when the Code allows for interior review of privately owned HLs. There was also a discussion on the appropriate review process for possible future replacement of the existing, non-historic sliding glass doors. The applicant offered to remove this sentence from the HL nomination in order to expedite the nomination review process.

It was moved by Commissioner Sauer, duly seconded by Commissioner Becherer, and passed unanimously by a roll call vote of 5-0 (Commissioner Chadwick absent) to recommend that the proposal be approved with the following changes:

(1) on page 11, the underlined sentence that starts "Future replacement and reconstruction..." be struck, and

(2) the listing of interior features be restricted to wall color, built-in furniture, and casework.

6. Current Issues for Information/Discussion

a. Minor Reviews

Staff provided an update on recently conducted and pending reviews. The reviews conducted include: Barrio at 440-446 S. Convent Avenue (Roof/Fencing/Gate); Armory Park at 63 and 69 E. 13th Street (Roofing and Removable Accessible ADA Ramp), 424 E. 16th Street (Mechanical and Electrical Panel), and West University at 941 N. 4th Avenue (Solar Panel). Pending reviews: 340 N. Main Ave, Windows/Doors/Gate/Stairs/HVAC/Electric Panels (ELP); 830 N. Arizona Avenue, Windows (2) on south facades WU); 704 S. 9th Ave, Solar panel BH).

b. Appeals

None at this time.

c. Zoning Violations

Staff provided information on ongoing and pending cases being worked on for compliance and/or in the review process.

d. Review Process Issues/Discussions

Discussions focused on the following: virtual meetings going forward until further notice; city is moving to Teams for meetings, and GoToMeeting platform will be discontinued; staff teleworking will continue; subcommittee expressed concerns on recent incomplete packages for reviews, especially lack of site plans and development zone documentation from which to judge compatibility; motions in LARs should be transcribed from the recording so as to capture, as well as possible, the wording of the motion made at the meeting; full Historical Commission will have its first

virtual meeting on 6/10/20; staff to provide all pending PRS LARs for approval at the meeting.

7. **Summary of Public Comments (Information Only)**

No public comments were provided to staff.

8. **Schedule and Future Items for Upcoming Meetings**

The next scheduled meeting is June 11, 2020; PRS meetings to be conducted virtually until further notice.

9. **Adjournment**

Meeting adjourned at 3:48 P.M.