

ZONING MEMBERS PRESENT:

Jim Mazzocco, Zoning Examiner  
John Beall, Planning & Development Services  
Bambi Flores, City Recording Clerk

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1           ZONING EXAMINER: It's 6:00 P.M., so I'm gonna start on  
2 time, so we can all get home at a reasonable hour. My name is  
3 Jim Mazzocco, and I'm the Zoning Examiner for the City of Tucson.  
4 I conduct rezoning hearings on behalf of the Mayor and Council,  
5 and make findings of fact which I put into a report, along with  
6 my recommendation which I then send on to Mayor and Council.

7           My report will be based on the evidence submitted to me  
8 as part of the rezoning application, as well as on testimony  
9 taken tonight. I also like to include in the record all  
10 documents submitted to my office up to this hearing.

11           A tape recording of, of this hearing is being made  
12 tonight of the testimony, by the City Clerk's Office, and if  
13 necessary, a transcript will be prepared. They are taping it  
14 behind this wall here.

15           I will prepare a preliminary report and a final report  
16 after I close the hearing. I'll prepare a preliminary report  
17 within five working days. I will prepare a final report two  
18 weeks after the close of this public hearing.

19           For those of you who wish to receive a copy of my  
20 preliminary report, and you are not already a principal listed on  
21 the case, please fill out one of the orange cards on the podium.

1 So those aren't speaker cards, those are for receiving reports  
2 later on.

3 A copy of the final report will be available from the  
4 Planning & Development Services Department, and I'll send that  
5 report along to the Mayor and Council. They may consider my  
6 recommendation, along with other factors, and they will base  
7 their vote on that.

8 At the start of the hearing, I will have John Beall  
9 from the Planning & Development Services Department, who's seated  
10 here to my right, give a presentation on the case. After that, I  
11 will ask for your testimony from the public.

12 Since I cannot have any communication with parties  
13 involved in the case, now is the time to speak. If you wish to  
14 speak tonight, wait for me to call you up to the podium, and then  
15 please make sure to print your name and address very clearly on  
16 the sign-in sheet. So to save time, I've asked you already to  
17 sign in and lot of you have already done that.

18 In the cases that you haven't, make your - announce who  
19 you are and address and then after your speech, move aside and  
20 fill it in at that time, so we don't have to wait, and we can be  
21 efficient here. So I'll ask you to announce your name and  
22 address, and I already said that for the record.

23 At this time, I'd like to swear in those wishing to  
24 speak this evening. Will you please now stand for the oath and

1 raise your right hand. All those who plan on speaking or think  
2 they might speak, this is the time to do it, okay?

3 MALE SPEAKER: That includes Staff?

4 ZONING EXAMINER: That includes Staff. Includes  
5 everybody who plans to speak, or is thinking they might speak.  
6 Okay. Do you swear or affirm to tell the truth, the whole truth,  
7 and nothing but the truth?

8 (Affirmative.)

9 ZONING EXAMINER: Okay. Thank you. You can be seated.  
10 Okay. We'll start with - we have a continued case, C9-16-05  
11 Voorhees-Pattison House - Via Golondrina. And first, I'm gonna  
12 ask John to give an update, and then I'm gonna call up the  
13 hearing (sic) - Historic Preservation Officer to give a brief  
14 presentation.

15 MR. BEALL: So as of today's date, 06/16/2016, a new  
16 approval-protest, there are 22 approvals, 11 protests. Three  
17 protests are within the 150 feet, and the protest by percentage  
18 is still to the north 57.7%, to the south 22.3%, to the east zero  
19 percent, and to the west 92.5%, which means that when it goes to  
20 Mayor and Council, it'll be a three-quarters majority vote.

21 ZONING EXAMINER: Okay. Thank you, John. Okay. At  
22 this point, I'm gonna ask Jonathan Mayberry to come forward and  
23 there were several questions that were asked at the hearing on  
24 June 9th. One of the questions was what's the difference with

1 this case if it just remains in the National Register and there  
2 is no historic landmark rezoning? How, how is it treated  
3 differently in both of those situations?

4 MR. MAYBERRY: Thank you. I'm sorry, I wasn't able to  
5 be here at the hearing last week, I was out of town at a  
6 conference.

7 But to address the question, the property is currently  
8 listed in the National Register of Historic Places as a  
9 contributing property to the historic district. And that type of  
10 designation has no - provides no protections from demolition or  
11 alterations or additions that do not meeting historic  
12 preservation standards.

13 So, I mean it's possible without this landmark  
14 designation that a buyer, that the new owner of this property  
15 could demolish the historic house, and build to whatever the  
16 zoning allows. So the National Register designation it currently  
17 has also does not require any design review of proposed  
18 alterations or additions to the historic house.

19 The landmark designation would provide protections in  
20 the form of Mayor and Council would have to approve the  
21 demolition. The Land Review Subcommittee of the Historical  
22 Commission would have to do design reviews of any proposed  
23 significant alterations or additions on the exterior.

24 Another important difference is I talked about how the

1 National Register designation does not preclude an owner getting  
2 a demolition permit. The only requirement in that situation would  
3 be the owner would have to provide architectural documentation of  
4 the building before the City would issue a demolition permit.  
5 But legally, the City would not be able to deny demolition  
6 permit.

7 ZONING EXAMINER: Okay. Thank you very much. Another  
8 thing that came up, and I don't know if you can answer this  
9 question, and it was the timing on the historic landmark  
10 rezoning.

11 What, what - we heard last week from neighbors who live  
12 in the neighborhood of Colonia Solana are concerned that this  
13 property has been something of an eyesore, hasn't been kept, you  
14 know, let's say maintenance has been deferred and it's in a  
15 fragile state.

16 They're concerned that if this rezoning is approved,  
17 that it will make it cost-prohibitive for anybody to restore it,  
18 and in fact, that this rezoning would in a sense condemn that  
19 property from never being restored 'cause it now has become too  
20 expensive. Do you have any thoughts on that, or can you give me  
21 your kind of neutral view of that concern?

22 MR. MAYBERRY: Well, based on experience, the landmark  
23 designation is similar to the historic preservation zone overlays  
24 that we have in five different areas of the city. But it's, it's

1 similar to those in terms of the protections and the design  
2 review requirements, but it's on top of a single property instead  
3 of a neighborhood.

4 And in those five historic preservation zone overlay  
5 areas, on a regular basis, property owners are able to make  
6 repairs, including major repairs to their historic homes. So I  
7 don't, I don't think that the landmark designation is going to  
8 preclude repairs that are needed in any way. We see those types  
9 of repairs done all the time in the historic preservation zones.

10 ZONING EXAMINER: So there's probably properties  
11 currently in HPZ's right now that are in a fragile state, and  
12 they're not deteriorating just because they're in HPZ and they  
13 can't be renovated.

14 MR. MAYBERRY: Yes, I, I agree with that.

15 ZONING EXAMINER: And I assume there is a market of  
16 buyers out there who enjoy living in historic homes and look at  
17 it as a worthy challenge to renovate them.

18 MR. MAYBERRY: Yes. The, the landmark designation  
19 would increase recognition of the historic value of the property,  
20 and there are investors, there are citizens in Tucson and, and  
21 around the country who are interested in properties like this.

22 And we've seen a number of very significant restoration  
23 projects that, that cost quite a bit in Tucson in the recent  
24 past. So, yes, I believe that there is a pool of investors out

1 there that would have increased interest in a property like this  
2 because of the landmark designation.

3 ZONING EXAMINER: Okay. Thank you. Is there anything  
4 else you'd like to say, Jonathan, or is that -

5 MR. MAYBERRY: Well, I, I, I talked about it a little  
6 bit already, but without this designation, there's nothing to  
7 prevent a buyer coming in and getting a demolition permit and  
8 building a new home that may be very incompatible with the  
9 historic district.

10 ZONING EXAMINER: Okay. Thank you. I'd like to call  
11 up Mr. Clinco, the Applicant. If you have anything - updates  
12 that you want to give to us.

13 MR. CLINCO: Zoning Examiner Mazzocco, Staff, thank you  
14 for the opportunity to present again. There are a few things.  
15 One, I provided Staff with a sort of checklist that provides a  
16 real easy comparison between what the National Register does,  
17 that the specific language related to the preservation zone does,  
18 and what the historic landmark does. And that language is  
19 directly from the National Park Service website, and from the  
20 City of Tucson Unified Development Code.

21 The principal differences between the historic landmark  
22 and the historic preservation zone is that the historic  
23 preservation zone, when it changes and alterations are being  
24 made, it has the benefit of having a development zone, which is

1 the houses around it to be compared to, and that are taken into  
2 consideration when coming up with preservation strategies, while  
3 the historic landmark is really compared to itself. So that's  
4 really the principal difference, but design review isn't required  
5 in both cases.

6 I think what's really important to, to note is that  
7 Tucson, and Arizona, unlike other states, is hindered in the  
8 ability to create these types of regulatory overlays. And  
9 California and New York, and places like Chicago, the  
10 municipality itself will, will identify through survey  
11 significant historic buildings.

12 They have a Commission similar to the Pima County  
13 Historical Commission. That Commission makes recommendations,  
14 and whether the property owner likes it or not, they make these  
15 properties into historic landmarks.

16 In 2008, the State of Arizona, through, through a voter  
17 initiative, passed Proposition 207 which limits the ability of  
18 municipalities to change underlying zoning in a way that would  
19 diminish the value which has really inhibited the ability of, of  
20 communities to put strong preservation regulations like these in  
21 place today.

22 You really need a sympathetic property owner who is  
23 willing - I just want to re-stress that. You need a property  
24 owner who is willing to, to take on these types of restrictions,

1 and who's willing to sign up for them because it really is a  
2 diminishment of land use.

3 It is an overlay that is more restrictive. It's, it's,  
4 it is a down-zoning, you want to consider that, that is  
5 protecting the property. So they are giving up something because  
6 they see the value to the community. And again, in other states,  
7 it doesn't require the, it doesn't require the, the approval of  
8 the property owner.

9 So we have a property owner who is willing to do that.  
10 There's seems to be misunderstanding about what this type of  
11 landmark does and doesn't do. The representative of the owner's  
12 trust is here tonight, and actually has some additional documents  
13 for you on, on potential buyers. There's also been some work  
14 done with the infrastructural (sic), structural work that you can  
15 share.

16 But I think it's, it is, it is very frustrating to be  
17 standing here for a second, you know, a second evening debating  
18 the condition of the house, and what the future will hold, when  
19 really what we're tasked with doing is determining whether this  
20 property is historically significant, and whether it is - meets  
21 the criteria for designation as a historic landmark.

22 It certainly does. The Historic Commission voted  
23 unanimously. The Mayor and Council provided direction, and it  
24 is, it is, it is frustrating because I think these types of sort

1 of producing all of these additional documents, and having to  
2 jump through all these hoops really dissuades other property  
3 owners from pursuing the same type of protective zoning.

4 It really is one of the few ways, few tools we have in  
5 our city to preserve our unique and shared past. So, with that -

6 ZONING EXAMINER: Okay. Could I ask you a question?  
7 You heard the Historic Preservation Officer. Is there anything  
8 he said that you would comment on, or do you agree with his  
9 conclusions?

10 MR. CLINCO: I mean I think that they are consistent  
11 with what we said last week. Spec- -- I mean, and again I can  
12 reiterate them. This, this historic landmark is almost identical  
13 in terms of the regulatory requirements to West University, El  
14 Presidio, Barrio Viejo, Fort Lowell, and Armory Park.

15 That these, that these zones have actually caused these  
16 neighborhoods to flourish and, and blossom over the last 30  
17 years. And we have seen millions and millions of dollars of  
18 reinvestment into these historic preservation zones because of  
19 the restrictions and because they provide a guarantee.

20 And they, they're neighborhoods and places that people  
21 want to live. It would be almost impossible to create a  
22 preservation zone today. And so this is one of the few options  
23 when there are property owners willing to sign up for these types  
24 of regulations that we have.

1           You know, again, I think Ann Pattison will share  
2 information from potential buyers. I think that it will do  
3 nothing to dissuade or, or stop potential buyers. It really just  
4 elevates awareness in our community, and then puts in place the  
5 protection to insure that this property is not de-listed like  
6 other properties that have been either torn down or that are  
7 having significant work done, or changes that could compromise  
8 their historic integrity influence (inaudible)

9           ZONING EXAMINER: Okay. Well, thank you very much, -

10          MR. CLINCO: Thank you.

11          ZONING EXAMINER: - Mr. Clinco. So at this point, I'm  
12 going to hear, again, those who are in support of the rezoning.  
13 Could I see a show of hands who want to speak? Okay. Could I  
14 see a show of hands who want to speak in protest of the rezoning?  
15 Okay. Okay. So we have two and two. Ms. Pattison, you want to  
16 come forward?

17          MS. PATTISON: My name is Ann Pattison, and I live at  
18 333 South Eastbourne Avenue just west of Colonia Solana. I'm  
19 also the Personal Representative of the Frances Pattison Estate,  
20 and I approve the rezoning.

21           And I'd like to address some of the neighbors'  
22 concerns. And first I have a question for Mr. Mayberry. I'd  
23 like to ask him, can somebody come in with the historic and do  
24 upgrading to all the interior, electric, plumbing, and maybe even

1 add a lot of ductwork in the attic, would they need any extra  
2 permits that they don't need today?

3 MR. MAYBERRY: No, there's no design reviews, no  
4 regulations on interior renovations. So all of those things  
5 would be possible without any extra reviews or special permits.

6 MS. PATTISON: All right. Thank you. And I, I  
7 basically have said what I wanted to say last week, but I'm  
8 offering here - well, from the time my mother died, I was getting  
9 what I call real estate goals, offers to buy the house in cash.  
10 And this list of people does not include those guys.

11 These are people who have contacted me, looked me up  
12 somehow and contacted me and expressed their interest in the  
13 house. And it's been two years, and they've expressed ongoing  
14 interest. And therefore, people here, these are people who have  
15 e-mailed me. I can't, you know, there are several more who have  
16 been in verbal contact, but I have no e-mails to copy, so I can't  
17 give you those. Is there some -

18 ZONING EXAMINER: Okay. You can just put them on the  
19 side there and John will go down and get them later. Okay.

20 MS. PATTISON: Okay. Great. Thanks.

21 ZONING EXAMINER: Okay. In support? One more speaker  
22 in support?

23 MS. PATTISON: Mr. Clinco reminded me. My brother got  
24 a structural engineer to look at the house last week, and I was

1 under the impression he had sent in a letter, but I didn't see it  
2 in the -

3 ZONING EXAMINER: Yes, I have that material -

4 MS. PATTISON: Okay.

5 ZONING EXAMINER: - and I've read it. Thank you.

6 MS. PATTISON: Okay. Great. Thanks.

7 MR. SCOVILLE: Hello. My name is Ken Scoville. I  
8 spoke last about this. I think just sitting here, I'd like to  
9 add one other perspect- -- or actually reinforce one from last  
10 week in maybe a little bit different perspective.

11 Within these historic districts where you just have the  
12 National Register designation, having this landmark designation  
13 also for certain properties, sort of think of them as sort of  
14 anchors. The people can see these buildings and see the  
15 recognition of this and, and hopefully convince people to think a  
16 little bit more towards preservation.

17 And then also the fact, just like the process we're  
18 going through right now. The more properties we have with this  
19 landmark, people will go out and see, talk to them, and say, "No,  
20 this didn't cause any issues or problems at all, and we're glad  
21 that we did this landmark designation." So I think the ongoing  
22 process of this will be sort of self-perpetuating, that more  
23 people will want to do this. Thanks very much.

24 ZONING EXAMINER: Thank you. Okay. Now speakers in

1 protest of the rezoning. However you want, however you two want  
2 to decide. Okay. There you go.

3 MR. BEHR: Thanks for your time. I'm Steve Behr, spoke  
4 last week for the Colonia Solana. I just want to, I can't get it  
5 off my mind. Mr. Mayberry, it's my understanding that as a  
6 registered property in National Historic Registry, if you receive  
7 the property tax reduction, you have to take black and white  
8 pictures of your house, send them to (Inaudible) State Historic  
9 Preservation Office regularly to maintain your qualified status.

10 If you want to make any changes that will significantly  
11 affect the appearance from the street, of the appearance that got  
12 you qualified in the first place, you do have to undergo design  
13 review. My neighbors have had to do that. They want to put  
14 solar panels on, they can't face the front. So I just want to  
15 clarify if that's true. That's just my understanding.

16 MR. MAYBERRY: So he's, he's talking about the State  
17 Historical Residential Property Tax Reclassification Program,  
18 pretty long name. But owners of historic residential properties,  
19 and what I mean is listed in the National Register of Historic  
20 Places either individually as part of a district are eligible to  
21 apply for this tax break from the State.

22 Participation in this program is purely voluntary.  
23 He's correct that if you want to do any major alterations or  
24 additions on the exterior, that there has to be consultation with

1 the State Historic Preservation Office which administers the  
2 program, and they would approve or not the alterations or  
3 additions as whether it would adversely affect the National  
4 Register designation or not.

5 But that review, there's no review by the State  
6 Historic Preservation Office for interior renovations. And  
7 again, somebody who wants to make an addition or alteration that  
8 does not - that would cause loss of historic designation could,  
9 could do that. They just would lose the eligibility for the tax  
10 break.

11 ZONING EXAMINER: Mr. Mayberry, I have one question for  
12 you. Regarding renovations that are controlled by the historic  
13 landmark overlay, those apply to exterior renovations, is that  
14 correct, or do they apply to both exterior and interior?

15 MR. MAYBERRY: They only apply to exterior alterations  
16 and additions.

17 ZONING EXAMINER: So I could completely gut the inside  
18 and make it completely modern as I wish, but the exterior has to  
19 look like a historic building?

20 MR. MAYBERRY: Correct.

21 ZONING EXAMINER: Okay. Thank you. Proceed.

22 MR. BEHR: So Colonia Solana, Colonia Solana was  
23 established in 1928, the first planned subdivision in Tucson. It  
24 was designated in the historic district in the National Historic

1 Registry of Places in 1988. At that time 3488 Via Golondrina was  
2 listed as a contributing property.

3 That house was built in 1929 as one of four spec.  
4 homes, the first four homes in the neighborhood. Those four  
5 homes still stand. The other three homes all enjoy (inaudible)  
6 the federal historic registry, the property tax discount, blah,  
7 blah, blah.

8 Of the seven historic landmarks in Tucson, two are  
9 residential homes. The Cannon-Douglas house and the Smith house  
10 next to each other on Speedway, built in 1906. They were  
11 occupied by U of A professors with national reputations  
12 (inaudible) research achievements.

13 When the survey was put together to apply to the  
14 National Historic Registry of Places for our neighborhood in  
15 1988, there was a section that lists and describes associations  
16 with significant individuals who lived in Colonia Solana. It's  
17 four or five pages long, but nothing is listed for anyone of  
18 significance, of national relevance so to speak, that lived in  
19 this house.

20 The - of the other four spec. homes, one was the first  
21 home built in the neighborhood. The other is Linda Ronstadt's  
22 house that recently sold. And Colonia Solana already has a  
23 historic landmark in the neighborhood. It's the water tower.  
24 It's about 400 yards away from this property, and it was designed

1 by the same architect, Roy Place, as their house.

2 One of the other seven historic landmarks in the city  
3 is Broadway Village which is just at Country Club and Broadway.  
4 The idea that the house would, as a historic landmark, anchor  
5 interest or spur any kind of rejuvenation doesn't seem to apply.  
6 Everybody, not only do we have two historic landmarks within a  
7 half a mile, of the seven in the city, two are within half a mile  
8 of this.

9 Everyone in the neighborhood that has this property tax  
10 reduction does so with the full enthusiasm of maintaining it.  
11 They all wanted to move into a historic neighborhood in the  
12 middle of the city.

13 We have a very unique character with the lack of  
14 sidewalks, lack of street lights, a ton of desert vegetation, and  
15 they take great effort to maintain their status because they want  
16 to keep that property tax reduction. That's absolutely a  
17 motivation. Ask anyone in the neighborhood with it.

18 So it's absolutely technically true. Nothing stops  
19 anybody from (inaudible) bulldozer and getting rid of their  
20 house. But they are supremely motivated not to do so, again,  
21 because they want to live in this neighborhood. They want to  
22 maintain that property tax reduction. And the idea that we need  
23 this historic landmark of a house in the neighborhood, again, to  
24 flourish, to blossom, the neighborhood's already historic.

1           We're recognized by the Audubon Society for having 78  
2 species of birds you can go view in our Arroyo Chico. We  
3 maintain that. We can't get a dime from the City, given the  
4 budget crisis, to help us with that. We spend our own money to  
5 do that. There are five island (inaudible) that are City-owned  
6 along my street, Avenida de Palmas between Broadway and Camino  
7 Campestre that's City property.

8           Just a month ago, we have a neighborhood meeting and we  
9 said, " Those are overgrown, they're a hindrance to traffic  
10 safety." We spent our money to get trim them up and get them  
11 safe.

12           So the idea again that the neighborhood is lacking any  
13 kind of anchor, impetus need for something to make it relevant is  
14 just, it's just not true. We take a lot of pride in this. When  
15 Broadway Village was on the - up for historic landmark status,  
16 Bill DuPont took a lot of his time to make sure that got done  
17 correctly. We are very motivated to make sure things stay  
18 historic. At the end of the day, it's just, it's just not  
19 needed.

20           A historic landmark within a historic neighborhood  
21 that's one of the first neighborhoods in Tucson, among the oldest  
22 neighborhoods in Tucson that already is very motivated, and shown  
23 with our actions and our wallets and our time to maintain that.  
24 We have it. It's not one home in Colonia Solana, it's every home

1 that makes it historic. Everybody works to that end.

2 At the end of the day, again, the house is already a  
3 contributing property to the National Historic Registry.

4 Certainly, anybody that wants to come in and buy it and do  
5 anything to it is motivated to get about a half of the property  
6 tax cut. And it's just so important to preserve this in a sale,  
7 what's wrong with a deed restriction?

8 Why can't they just have a deed restriction filed, the  
9 sale goes forward. Anybody that buys it knows they can't change  
10 it because of the terms of the deed restriction. I mean, I'm no  
11 real estate agent, but that seems very logical to me if that's  
12 important.

13 And it's time to do something with the house,  
14 absolutely. It's an eyesore and I feel sorry for the people that  
15 live around it. And since Ms. Pattison's passed away, it's, it's  
16 worsened a little bit. So I think every body wants to see a  
17 change. But at this point, it's - why do we need historic  
18 landmark status to make that change? We're very historic, and  
19 very motivated to maintain that.

20 ZONING EXAMINER: Okay. Are you finished, or do you  
21 want to -

22 MR. BEHR: I believe so. I tried to print it out, and  
23 my printer broke, so -

24 ZONING EXAMINER: I think I get your point.

1 MR. BEHR: Okay.

2 ZONING EXAMINER: You made a point clear. Thank you.

3 MR. BEHR: Thanks for your help.

4 ZONING EXAMINER: Okay. Next speaker.

5 MR. DuPONT: Bill DuPont, Colonia Solana. Again, I  
6 want to stress Colonia Solana has no issue with historic status.  
7 We have fought long and hard with the City to preserve our area.  
8 When they have come to try to bulldoze the arroyo, we have  
9 stopped it. We have spent an exceptionally amount of money on  
10 this.

11 As far as Broadway Village, Jonathan, did I not call  
12 you to be at a meeting with Bob Vint, with Brooks Jeffries, John  
13 O'Dowd to start saving that because a certain neighborhood said,  
14 "You can do whatever you want to with Broadway Village."? So we  
15 are concerned about historic preservation.

16 The problem is, is that for almost 30 years, this house  
17 has sat there. As the President of that neighborhood  
18 association, I have not called any City organization on that  
19 house to do repairs for code violations. I understood the  
20 grounds and concerns and the needs of Ms. Pattison.

21 I asked if I could write a letter on her behalf from  
22 the Neighborhood Association to see if she could get some grant  
23 money. She did not want that. The only time I've called on that  
24 house are two issues. One - one of the brothers was raising

1 Africanized bees. It took us two years to resolve that issue.  
2 The City, it was the Parks Department, it was the Health  
3 Department two years. Several residents experienced between \$700  
4 to \$12,000 worth of damage in their homes due to this issue.  
5 So, yes, I had to take action on it. Otherwise, I have not  
6 called code violations, and there are ton of code violations at  
7 this house.

8 Recently there was an issue with a rooster. I did not  
9 call the City, I did not call the police department. I called  
10 the owners, and said, "Please remove this." It wasn't a neighbor  
11 that called, there are people walking on the path.

12 So we have done our best to work with this owner, and  
13 now with the estate. And we are asking that they move forward  
14 and sell the house. They have said that they have at least four  
15 buyers interested in purchasing this house. Then let them move  
16 forward.

17 When you become a historic house, the name on that  
18 house is always the first owner only. It always is. And when  
19 asked, "Why are we putting (sic) the Pattison house," I was told  
20 because that's the only way we could get them to, to move forward  
21 on this. That isn't historic.

22 Am I upset about being here? Yes, Demion, I am upset  
23 about being here, because for 30 years we've tried to do our  
24 best. Investment in my neighborhood - millions. Millions.

1 But it takes time. Can you count how many meetings I've been to,  
2 Jonathan, on historic preservation? How about Plan Tucson? How  
3 many meetings? Jim, you saw me at those meetings fighting for  
4 the preservation of historic neighborhoods. Fighting for the  
5 continuation of neighborhood plan.

6 It's just time that something moves forward on this  
7 house. We have done our best. We have been cooperative. We  
8 have been cooperative. I have not called the City for code  
9 violations on this house. So we have done our best.

10 The neighbors are requesting that something be done.  
11 If there are four people that want to purchase this house, then  
12 move forward. We are costing the taxpayers money, costing you  
13 time, the City time to move on this.

14 You can drive through our neighborhood. I've had one  
15 major problem with one person. And of course, it was a  
16 developer. And he's still after a lot split. And there's  
17 nothing I can do about that. Just fight him and fight him and  
18 fight him. And that's what we've done.

19 And it was sad to see the Steward Udall house torn  
20 down. But we did. We had to. I worked on the Neighborhood  
21 Preservation ordinances, and many of the things involved in that.  
22 We had no choice. Homeless people living there. And it's  
23 happened at the Pattisons' house. Homeless people. When Ms.  
24 Pattison didn't know who was stealing food from her kitchen.

1 Homeless people in the carriage house.

2 So it's just, it's a sad situation, and I understand.  
3 But we need to move forward. Is it gonna spark revitalization in  
4 my neighborhood? I don't believe so. So I thank you for your  
5 time, and I want you to think about the cost to everyone on this.

6 ZONING EXAMINER: Okay. Thank you, Mr. DuPont.

7 Mr. Clinco, would you like to make some final remarks? I notice  
8 Mr. Scoville wants to speak. I'll ask you do you want Mr.  
9 Scoville to speak?

10 MR. CLINCO: If Mr., if Mr. Scoville would like to  
11 speak. I mean I just have a few comments -

12 ZONING EXAMINER: Okay.

13 MR. CLINCO: - to provide some clarification. I can do  
14 that before or after, whatever is your pleasure.

15 ZONING EXAMINER: Well, why don't - Mr. Scoville, if  
16 you just want to make a couple of points, that's fine with me.  
17 And then Mr. Clinco will wrap up. But, but, you know, I think I  
18 got where things are right now. But go ahead.

19 MR. SCOVILLE: Thank you very much. Part of the reason  
20 I wanted to come back up, it seemed like some of my comments were  
21 directly sort of repudiated with, with a former - previous  
22 speaker.

23 I guess it's sort of interesting to me if we all feel  
24 strongly about historic preservation, why would we be fighting

1 something that was even gonna protect something more? So I, I  
2 just find that sort of an interesting argument.

3 And given that I'm not an elected official, I do not  
4 work for the City or anything else, and normally as I'm  
5 approaching, I'm now 65, normally when things seem totally  
6 illogical about if you're really for preservation, all these  
7 other things, that you wouldn't want to do this so that you  
8 wouldn't have these issues for somebody else who wanted to just  
9 demolish the house, or modify it severely. Why in the world  
10 wouldn't you allow this when the property owner wants this?

11 So my only conclusion from all of this is we step back  
12 for a minute. There's something personal going on beyond the  
13 scope of the discussion that we're doing on today, because all  
14 the reasons they've had, "Oh, we're doing enough preservation,  
15 but we don't want to do too much preservation." It's a totally  
16 illogical argument. Thank you.

17 ZONING EXAMINER: Okay. And unfortunately before you  
18 speak, Mr. Clinco, I, I didn't really want to get into a tit for  
19 tat, but if Mr. DuPont or Mr. Behr want to say something else, I  
20 will give you a right to say something else. But I kind of  
21 understand what's going on. Okay. Okay. Mr. Clinco, go ahead.

22 MR. CLINCO: Thank you, Mr. Mazzocco. So just in  
23 conclusion, I mean I do want to make one or two points. The  
24 Historic National, the National Register for Historic Places,

1 and the residential property tax with classification program that  
2 exists in the State of Arizona which reduces property tax from  
3 between 35, 45% if you are an owner-occupied home. That has a  
4 30-year window of two 15-year commitments. So at the end of 30  
5 years, that, that tax credit simply goes away.

6 And many of our historic neighborhoods throughout the  
7 State, the program is almost 30 years old. So many of our  
8 properties in our, in our community are going to be aging out of  
9 that program, which puts them at incredible risk because the very  
10 incentive to preserve those buildings that are in place is going  
11 to no longer be there.

12 So, so many of the neighborhoods that have been a  
13 beneficiary of this program, and have reaped the rewards in terms  
14 of significant reinvestment are at risk because, because the way  
15 that program is constructed. So that, the very nature of that  
16 program doesn't put permanent long-term preservation incentives  
17 in place. So I just wanted to make that, that point clear.

18 And, and secondarily, I mean again, it's - I think  
19 everybody wants to move forward. I mean I think that is very  
20 clear. Everybody wants to move forward. You know, the  
21 Preservation Foundation approached the Pattisons initially  
22 because we saw a property that was at potential risk.

23 And we said this is a way to help put in place  
24 protections so that when this property moves forward, which it's

1 on the verge of doing, it will be done so in a responsible way  
2 that will insure that the building which gains its significance  
3 from its association from a master architect who designed the  
4 courthouse in downtown Tucson, that it will be protected into the  
5 future.

6 Again, the Historic Commission voted unanimously that  
7 this met the criteria for historic designation and it was, it was  
8 found to be individually eligible for listing on the National  
9 Register by the City of Tucson.

10 ZONING EXAMINER: So Mr. Behr made a point that the  
11 other historic landmarks, one of their characteristics was they  
12 had a famous resident. Is your point that this one, it's not the  
13 resident, it's the famous architect?

14 MR. CLINCO: There are, for the National Register  
15 criteria under which sort of our structure is built in terms of  
16 significant, there are four different areas of significance. It  
17 could be for a development of planning which is Criteria A.  
18 Criteria B is association with a significant person.

19 Criteria C is its significance because of its  
20 distinctive characteristics, or the work of a master, which in  
21 this case it is. And Criteria D which is that it has the  
22 potential to reveal some sort of new information in the future  
23 which is usually applied to archeological sites. So there are  
24 different criteria under which properties gain significance.

1           This gains its significance is being one of the  
2 original four properties of Colonia Solana as well as of being  
3 designed by Roy Place, one of the City's most prominent and  
4 respected architects. It's one of very, very few, if the only  
5 residential property. There's a handful of other residential  
6 properties. I don't think any other have such a high degree of  
7 integrity as this.

8           ZONING EXAMINER: Okay. Thank you very much.

9           MR. CLINCO: Yep.

10          ZONING EXAMINER: One last thing to Jonathan. Do you  
11 agree with everything Mr. Clinco said about the, the process with  
12 the National Register in 30 years, is that correct?

13          MR. MAYBERRY: The State property tax break for  
14 historic residential properties, I, I'm not sure whether that  
15 runs with the property. I know that each new owner has to apply  
16 and enroll in the program. So I don't know if that 30-year term  
17 is for the property owner to get the tax break, or whether it  
18 applies to the property. So I don't know the answer (inaudible)

19          ZONING EXAMINER: Okay. Well, what I'm gonna ask is  
20 I'm going to - after you're done speaking, I'm gonna close the  
21 public hearing. But I'd like you to give me some information  
22 before I write my report -

23          MR. MAYBERRY: Oh, yeah, I can answer that question.

24          ZONING EXAMINER: - on that, on that particular point.

1 MR. MAYBERRY: Yeah, absolutely. I, I can talk to the  
2 State Historic Preservation Office and get clarification.

3 ZONING EXAMINER: Okay.

4 MR. MAYBERRY: Yeah.

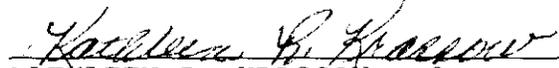
5 ZONING EXAMINER: Well, thank you very much, Mr.  
6 Mayberry. So with that, is there anybody else that wants to make  
7 one last comment? Okay. Great. I'm going to close the public  
8 hearing on this case, and I'm gonna move on to the next case.  
9 Okay. Thank you for coming.

10 (Case: C9-16-05 was closed.)

Case: C9-16-05 Voorhees-Pattison House-Via Golondrina (Ward 6)  
City of Tucson Zoning Examiner Public Hearing 06/16/16

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 referenced on page 1 above.

Transcription Completed: 06/23/16

  
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