



CITY OF TUCSON  
HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT  
ADMINISTRATION DIVISION

Quarterly Monitoring Report  
Memorandum of Agreement  
Downtown Motor Apartments  
For the period 01/01/2017 – 03/31/2017

Stipulations – Status

I. Rehabilitation of Historic Sign and Portion of Hotel

A. Downtown Motor Lodge LLC (Developer) will save and restore the existing project sign. Developer will work with the City Historic Preservation Office to attempt to obtain “Historic Landmark Sign Designation” and will pay for the application. In addition the developer will execute a Conservation Easement on the sign in favor of the City of Tucson. The form of Conservation Easement shall be as agreed to by the City of Tucson’s Historic Preservation Officer, City Attorney, and developer.

7/15/15-9/30/15 status update: Conservation easement has been drafted and is pending execution.

10/1/15-12/31/15 status update: Conservation easement executed and recorded. Copy is attached.

10/1/16-12/31/16 status update: Historic Landmark Sign Designation was approved (decision letter is attached) and work on the sign has begun.

1/1/17-3/31/17 status update: Sign restoration, designation, and easement are complete. Please see attached photograph. **Stipulation I(A) is complete.**

B. Developer will retain approximately 47’ of the westernmost portion of the north building on the property and approximately 36’ of the westernmost portion of the south building on the property as depicted in the drawing attached as Exhibit C. These spaces will be used as offices and community space.

7/15/15-9/30/15 status update: No action during this period.

10/1/15-12/31/15 status update: Underway. Demolition of other areas of the building is complete; these two sections remain.



1/1/16-3/31/16 status update: Underway. On 1/22/16 the City of Tucson received a dispute related to MOA Stipulation 1.B; dispute correspondence can be found at [https://www.tucsonaz.gov/files/hcd/1-22-2016\\_Email\\_from\\_Demion\\_Clinco\\_combined.pdf](https://www.tucsonaz.gov/files/hcd/1-22-2016_Email_from_Demion_Clinco_combined.pdf) and City of Tucson response dated 2/19/16 can be found at [https://www.tucsonaz.gov/files/hcd/2-19-2016\\_Sallys\\_email\\_response.pdf](https://www.tucsonaz.gov/files/hcd/2-19-2016_Sallys_email_response.pdf).

4/1/16-6/30/16 status update: Construction continues.

7/1/16-9/30/16 status update: Construction continues.

10/1/16-12/31/16 status update: Construction continues; temporary Certificate of Occupancy was received 12/30/16 to meet the ADOH deadline. Project inspection and evaluation will be conducted once final Certificate of Occupancy is issued.

1/1/17-3/31/17 status update: Construction is complete. Certificate of Occupancy was issued. Inspection of the property reveals that approximately 47' of the westernmost portion of the north building and 36' of the westernmost portion of the south building was retained and those parts of the building are now established as office and community space. **Stipulation I(B) is complete.**

C. Any historic preservation of these portions of the property will meet the Secretary of the Interior's Standards for Archaeology and Historic Preservation (SOI's Standards; [http://www.nps.gov/history/local-law/arch\\_stnds\\_9.htm](http://www.nps.gov/history/local-law/arch_stnds_9.htm)), and will be carried out by or under the direct supervision of qualified professionals who meet the Secretary of Interior's Professional Qualifications Standards.

7/15/15-9/30/15 status update: No action during this period.

10/1/15-12/31/15 status update: Developer has hired an architect approved by the Tucson Historic Preservation Office to oversee work related to the 47' of the westernmost portion of the north building and 36' of the westernmost portion of the south building as depicted in Exhibit C.

1/1/16-3/31/16 status update: Underway. On 1/22/16 the City of Tucson received a dispute related to MOA Stipulation 1.C; dispute correspondence can be found at [https://www.tucsonaz.gov/files/hcd/1-22-2016\\_Email\\_from\\_Demion\\_Clinco\\_combined.pdf](https://www.tucsonaz.gov/files/hcd/1-22-2016_Email_from_Demion_Clinco_combined.pdf) and City of Tucson response dated 2/19/16 can be found at [https://www.tucsonaz.gov/files/hcd/2-19-2016\\_Sallys\\_email\\_response.pdf](https://www.tucsonaz.gov/files/hcd/2-19-2016_Sallys_email_response.pdf).

4/1/16-6/30/16 status update: Construction continues.

7/1/16-9/30/16 status update: Construction continues.

10/1/16-12/31/16 status update: Construction continues; temporary Certificate of Occupancy was received 12/30/16 to meet the ADOH deadline. Project inspection and evaluation will be conducted once final Certificate of Occupancy is issued.



1/1/17-3/31/17 status update: Construction is complete. The City of Tucson Historic Preservation Officer, Jonathan Mabry, PHD reviewed the completed project and deemed that the project complied with this stipulation. Please see attached letter from Dr. Mabry. **Stipulation I(C) is complete.**

D. Contingent upon lender approval, developer will execute a Conservation Easement in favor of the City of Tucson. The form of Conservation Easement shall be as agreed to by the City of Tucson's Historic Preservation Officer, City Attorney, and developer.

7/15/15-9/30/15 status update: Conservation easement has been drafted and is pending execution.

10/1/15-12/1/15 status update: Conservation easement is executed and recorded. Copy is attached. **Stipulation I(D) is complete.**

E. Developer will confer with the Armory Park Neighborhood Association, the Armory Park Historic Zone Advisory Board, and the Plans Review Subcommittee of the Tucson-Pima County Historic Preservation Commission on building colors with an emphasis on masses or strong shades and horizontal colorization.

7/15/15-9/30/15 status update: No action during this period.

10/1/15-12/31/15 status update: No action during this period.

1/1/16-3/31/16 status update: Developer has begun discussion with the Armory Park Neighborhood Association.

4/1/16-6/30/16 status update: No further action during this period.

7/1/16-9/30/16 status update: Developer continued discussion with John Burr of the Armory Park Neighborhood Association who has been conferring with the Armory Park Historic Zone Advisory Commission. No decision has yet been made concerning the building colors. Once a decision is made it will be presented to the Plans Review Subcommittee of the Tucson-Pima County Historic Preservation Commission.

10/1/16-12/31/16 status update: Developer conferred with the Armory Park Neighborhood Association President John Burr who conferred with the Armory Park Historic Zone Advisory Board President Jack McClain. Developer hired an architectural colorist, Mary Alexander who had access to all of the colors that were painted on boards in the consultation with John Burr, Armory Park, Bob Lanning, Architect, Bethel Development and Compass Affordable Housing. Using the wide range of colors (mute pink, very pink, stark white, blue green, dark green, orange, brown, etc.), the Developer selected the base colors. The cream color is similar to the following buildings in the area/neighborhood - the Casa Vincente wall that is next to the Downtown Motor Apartments, the three story Woman Craft building across the street and the San Carlos Apartments and Carrillo's Mortuary. This color is very prevalent in the area and can



be seen in many buildings. The greens were selected from a palette of greens that John Burr presented. The greens try to match buildings in the area – the largest ones being Club Congress and the building across from Club Congress that turn the corner on to 5<sup>th</sup> street. The orange is a color selected originally by John Burr. Consultation is not complete. However, with regard to the emphasis on masses or strong shades and horizontal colorization Ms. Alexander took the location of paint colors into consideration. Developer also added pop-outs and borders along the front, sides and back of the property on the recommendation of John Burr. Next steps are to meet with John Burr and Mary Alexander to select additional colors within the current palette and the placement of those colors in order to further enhance the horizontal massing of the building. Once complete the developer will present the final recommendations to the Plans Review Subcommittee of the Tucson-Pima County Historic Preservation Commission for their feedback.

**1/1/17-3/31/17 status update:** On 1/27/17 developer accompanied by John Burr of the Armory Park Neighborhood Association met with the Plans Review Subcommittee of the Tucson Pima County Historic Preservation Commission concerning the proposed exterior paint colors. The sub-committee voted unanimously to approve the proposed exterior color scheme as presented. See attached Legal Action Report from the 1/27/17 Plans Review Subcommittee meeting. **Stipulation I(E) is complete.**

## II. Salvage

A. Developer will allow owners of historic properties in Armory Park and contractors that specialize in rehabilitation of historic properties the right to salvage building materials, ornamentation, and architectural remains from the Property prior to demolition and only from the buildings scheduled to be demolished. Liability waivers will be required. To this end, the Developer will advertise and host an open house where Armory Park historic property owners and contractors can tour the building to identify specific removable materials to attempt recovery prior to demolition. Developer will engage in reasonable efforts to provide for salvage of the bricks to be set aside for a limited period of time. All materials requested will be made available first to owners of historic properties in Armory Park and then any remaining materials will be made available to contractors that specialize in rehabilitation of historic properties. The on-site Open House will not exceed the first 40 people. Developer will not permit materials contaminated with hazardous materials such as lead or asbestos to be salvaged.

**7/15/15-9/30/15 status update:** No action during this period.

**10/1/15-12/31/15 status update:** Salvage events occurred 10/18/15 and 11/13/15. Notification of salvage events were posted on the HCD Downtown Motor Apartments Project webpage and sent to the Armory Park Neighborhood Association and Armory Park Historic Preservation Zone Advisory Board. **Stipulation II(A) is complete.**

## III. Interpretive Exhibit/Signage

A. Developer will provide \$1,000.00 to create an exhibit/display that will interpret the historic building on the property or to create a plaque/memorial to Josias Joesler, Architect, at a



location to be determined by those parties and the Developer. The interpretive exhibit/signage will need to approval by the City's Preservation Officer in consultation with the Tucson Pima County Historic Plans Review Subcommittee.

7/15/15-9/30/15 status update: No action during this period

10/1/15-12/31/15 status update: No action during this period

1/1/16-3/31/16 status update: Developer is working with R. Brooks Jeffrey, the Director of the Drachman Institute at the University of Arizona's College of Architecture Planning and Landscape Architecture (CAPLA). Mr. Jeffery will work with a graduate student from the Drachman Institute and the Heritage Conservation Program during the Summer of 2016 to create the interpretive exhibit.

4/1/16-6/30/16 status update: Copy of executed proposal with time line is attached.

7/1/16-9/30/16 status update: Copy of the interpretive display is attached and was approved by the City's Historic Preservation Officer. **Stipulation II(A) is complete.**

#### IV. Neighborhood Outreach

- A. Compass Affordable Housing and the City of Tucson Housing and Community Development Department will meet annually for three years with the Armory Park and Barrio Viejo Neighborhood Associations and instruct on how to apply for the City's Homeowner Rehab Program and other available City funding opportunities for their historic properties.

7/15/15-9/30/15 status update: No action during this period

10/1/15-12/31/15 status update: No action during this period

1/16/16-3/31/16 status update: No action during this period

4/1/16-6/30/16 status update: No action during this period. The City's waiting list for the Homeowner Rehab program remains closed.

7/1/16-9/30/16 status update: No action during this period. The City's waiting list for the Homeowner Rehab program remains closed.

10/1/16-12/31/16 status update: No action during this period. The City's waiting list for the Homeowner Rehab program remains closed.

1/1/17-3/31/17 status update: No action during this period. The City's waiting list for the Homeowner Rehab program remains closed.



V. Mitigation Funds

A. Developer will commit \$8,500.00 toward a Historic Preservation Fund, to aid in the repair and maintenance of historic features of historic properties in Armory Park and Barrio Viejo. The Armory Park Neighborhood Association, by separate agreement, will be the sole fiscal and discretionary agent for the fund.

7/15/15-9/30/15 status update: No action during this period.

10/1/15-12/31/15 status update: No action during this period.

1/1/16-3/31/16 status update: Developer has begun discussion with the Armory Park Neighborhood Association.

4/1/16-6/30/16 status update: No further action during this period.

7/1/16-9/30/16 status update: Armory Park Neighborhood Association approved to submit the invoice for the \$8,500 for the Historic Preservation Fund. It is expected that this stipulation will be completed in the next quarter.

10/1/16-12/31/16 status update: \$8,500 check was remitted to the Armory Park Neighborhood Association. A copy of the check is attached. **Stipulation V(A) is complete**

B. Developer will commit \$3,500.00 toward a fund for the repair of historic sidewalks in the Armory Park Historic District. The Armory Park Neighborhood Association will be the sole fiscal and discretionary agent for this fund.

7/15/15-9/30/15 status update: No action during this period.

10/1/15-12/31/15 status update: No action during this period.

1/1/16-3/31/16 status update: Developer has begun discussion with the Armory Park Neighborhood Association who has applied to the City of Tucson to leverage the funds to repair more sidewalks.

4/1/16-6/30/16 status update: Funds were paid 6/15/16. Funds helped to leverage an additional grant award of \$12,500 from the ParkWise Commission's Neighborhood Reinvestment Committee. Copies of award letter and payment are attached. **Stipulation V(B) is complete.**

VI. City Training

A. The City's Certifying Officer and Environmental Officer in the Housing and Community Development Department and the City's Historic Preservation Officer will attend the Advisory



Council on Historic Preservation's *Section 106 Essentials* and *Advanced Section 106 Seminars* within the first year of the MOA.

7/15/15-9/30/15 status update: The City's Certifying Officer in the Housing and Community Development Department and the City's Historic Preservation Officer attended the Advisory Council on Historic Preservation's *Section 106 Essentials* and *Advanced Section 106 Seminars* September 9-11, 2015. Copies of their completion certificates are attached.

10/1/15-12/31/15 status update: The City's Environmental Officer has registered for the Advisory Council on Historic Preservation's *Section 106 Essentials* and *Advanced Section 106* seminars scheduled for 2/23/16-2/24/16 in Washington DC.

1/1/16-3/31/16 status update: The City's Environmental Officer has completed the Advisory Council on Historic Preservation's *Section 106 Essentials* and *Advanced Section 106* seminars. Completion certificates are attached. **Stipulation VI(A) is complete.**

Scheduling changes proposed:

07/15/15-9/30/15 status update: None  
10/1/15-12/31/15 status update: None  
1/1/16-3/31/16 status update: None  
4/1/16-6/30/16 status update: None  
7/1/16-9/30/16 status update: None  
10/1/16-12/31/16 status update: None  
1/1/17-3/31/17 status update: None

Problems encountered:

07/15/15-9/30/15 status update: None  
10/1/15-12/31/15 status update: None  
1/1/16-3/31/16 status update: None  
4/1/16-6/30/16 status update: None  
7/1/16-9/30/16 status update: None  
10/1/16-12/31/16 status update: None  
1/1/17-3/31/17 status update: None

Disputes and Objections received regarding the implementation of the MOA in the City's efforts to carry out the terms of the MOA:

7/15/15-9/30/15 status update: None

10/1/15-12/31/15 status update: Received one concern 10/26/15 submitted by Demion Clinco of the Tucson Historic Preservation Foundation which was responded to on 10/27/15; copy attached.



April 17, 2017

1/1/16-3/31/16 status update: Received one dispute 1/22/16 submitted by Demion Clinco of the Tucson Historic Preservation Foundation which was responded to on 1/22/16; links indicated above.

4/1/16-6/30/16 status update: None received during this period.

7/1/16-9/30/16 status update: None received during this period.

10/1/16-12/31/16 status update: None received during this period.

1/1/17-3/31/17 status update: None received during this period.





**Downtown  
MotorHotel**

AIR CONDITIONED



LEASING OFFICE  
383 S. STONE



BE CAREFUL  
OF PEDESTRIANS

OFFICE





**CITY OF TUCSON HISTORIC PRESERVATION PROGRAM**  
PLANNING AND DEVELOPMENT SERVICES

April 12, 2017

Sally Stang, Director  
Housing & Community Development Department  
City Of Tucson

**RE: Compliance with MOA Stipulation I.C for the Downtown Motor Apartments,  
383 S. Stone Ave., Tucson, AZ**

Director Stang:

This letter provides confirmation that this project has complied with the following stipulation of the Memorandum of Agreement:

I.C. Any historic preservation of these portions of the property will meet the Secretary of the Interior's Standards for Archaeology and Historic Preservation (SOI's Standards; [http://www.nps.gov/history/local-law/arch\\_stnds\\_9.htm](http://www.nps.gov/history/local-law/arch_stnds_9.htm)), and will be carried out by or under the direct supervision of qualified professionals who meet the Secretary of Interior's Professional Qualifications Standards.

Sincerely,

Jonathan B. Mabry, Ph.D.  
Historic Preservation Officer  
City of Tucson  
520-837-6968  
[jonathan.mabry@tucsonaz.gov](mailto:jonathan.mabry@tucsonaz.gov)



2017

**Tucson-Pima County Historical Commission**  
Plans Review Subcommittee

**LEGAL ACTION REPORT AND SUMMARY OF MINUTES**

**Thursday, January 26, 2017**  
**4<sup>th</sup> Floor Conference Room, Joel D. Valdez Main Library,**  
**101 N. Stone, Tucson, AZ 85701**

1. **Call to Order / Roll Call**

Meeting called to order at 12:02 P.M.

Commissioners Present: Terry Majewski (Chair), Patsy Waterfall, Helen Erickson, Michael Becherer

Commissioners Absent: Sharon Chadwick, Jim Sauer, Arthur Stables

Staff: Michael Taku, Jonathan Mabry, (PDSD), Glenn Fournie, (HCD), Alison Miller (Ward 6)

2. **Approval of Legal Action Report and Summary of Minutes for 1-12-17**

Motion by Commissioner Waterfall to approve the Legal Action Report and Summary of Minutes of 1-12-17. Motion seconded by Commissioner Erickson.

Motion passed unanimously. Voice Vote 4-0

3. **Courtesy Review Cases**

- a. The Baffert Five Points Mixed Use Project-Historic Preservation Boundary Amendment -747 South 6<sup>th</sup> Avenue - (Contributor, Armory Park National Register of Historic Places). An Informational Presentation and Feedback. No Action Required.

Presentation by Larry Kappler, 5 Points Project on the proposed property swap on the historic boundary amendment in the Armory Park Historic District. At issue is the removal of a property from an HPZ and replacement with a property not in an HPZ. The net result will be a zero change in the HPZ. The amendment is motivated by a height compliance for a proposed mixed use project on a vacant lot. PRS will review for compatibility with adjacent historic buildings. Questions were posed and clarifications provided. No Action taken.

- b. Compass Affordable Housing / Downtown Motor Apartments LLC – Downtown Motor Apartments - 383 S. Stone Ave. – (Armory Park – Outside HPZ Boundary). Review of proposed paint colors.

As clarification, staff Mabry explained that conferring with the Plans Review Subcommittee about how to use paint colors to visually reduce the massing of the design is a condition of the Memorandum of Agreement for this proposed low income housing project using Federal funding (Section 106 review process).

Project owner Maryann Beerling from Compass Affordable Housing with John Burr and Mary Alexander discussed the proposed exterior paint colors schemes. The proposed colors are: prairie clay; butterscotch syrup; natural bridge; summer hue; military green, and nomadic taupe. Discussion held and action taken.

It was moved by Commissioner Waterfall, duly seconded by Commissioner Erickson to recommend approval of proposed exterior color scheme as presented, and noting the following: (1) natural bridge and summer hue may appear somewhat different than as presented; and (2) separate required review by Sign Code Division for any proposed paint on the approved Historic Landmark Sign (HLS).

Motion passed unanimously. Voice Vote 4-0.

#### 4. **Historic Preservation Zone Review Cases**

*UDC Section 5.8/TSM 9-02.0.0/Historic District Design Guidelines*

- a. **HPZ-16-84** Shepherd-New Single-Family Residence/Project-671 South Main Avenue- (Barrio Historico Historic Preservation Zone)

It was moved by Commissioner Erickson, duly seconded by Commissioner Waterfall to recommend approval of the existing fence to remain as built and it improves the view to the historic property.

Motion passed unanimously. Voice Vote 4-0.

- c. **HPZ-16-98** – Multi-Family/Group Dwelling to Single-Family Residence– Ramp/Windows– 700 N. 7<sup>th</sup> Avenue (West University Historic Preservation Zone)

Staff Taku summarized the project and read into the record the recommendation from West University Historic Zone Advisory Board (APHZAB) from the meeting of 1/17/17.

The applicant, architect Bill Ford, was not present. No discussion. No action taken. Case will be on future agenda.

- d. **HPZ-17-03** – Rhoads-Carr Residence: Detached Garage/Porches/Fence/ Walls/Window Glass-721 N. 2<sup>nd</sup> Avenue- ( West University Historic Preservation Zone)

Staff Taku summarized the project and read into the record the recommendation from West University Historic Zone Advisory Board (WUHZAB) from the meeting of 1/17/17.

Architect Rusk of Vint & Associates presented the proposal. Discussion was held. Action was taken.

It was moved by Commissioner Erickson, duly seconded by Commissioner Waterfall to recommend approval as presented.

Motion passed unanimously. Voice Vote 4-0.

## 5. Current Issues for Information/Discussion

- a. Minor Reviews

Staff requested a volunteer for a fence review at 633 N Euclid Avenue. Commissioner Waterfall volunteered.

**b. Appeals**

None at this time.

**c. Zoning Violations**

Staff continues to assist owners on abatement of violations in the City Historic Districts and Rio Nuevo Area. Staff updated on projects finalizing the abatement process.

**d. Review Process for Approval of Complex Large-Scale and/or Multi-Phase Projects**

None at this time.

**e. Harold Bell Wright Park-Historic Landscapes Subcommittee Recommendations-Discussion and Action**

City Historic Preservation Officer (CHPO), Dr. Mabry introduced the review. Dr. Mabry noted that the City has an agreement with Harold Bell Wright Park that any alterations to the park has to be reviewed by the CHPO, who requested recommendations from both the Historic Landscape and Plans Review Subcommittees.

Historic Landscape Subcommittee (HLS) Chair Commissioner Erickson described the review process and summarized the recommendations.

It was moved by Commissioner Becherer, duly seconded by Commissioner Waterfall to accept the recommendation of the HLS as discussed and to forward it to the CHPO in compliance with the City/Harold Bell Wright Park agreement.

Motion passed unanimously. Voice Vote 4-0.

**6. Call to the Audience**

John Burr, President Armory Park Neighborhood Association (APNA) spoke about the APNA opposition to the Baffert Historic Preservation Boundary Amendment.

Staff Mabry informed PRS that the Window Text Amendment has been approved by PDS Director and forwarded to the City Manager for final approval.

**7. Future Items**

For the record, staff distributed copies of the recommendations of the Barrio Historico Historic Zone Advisory Board (BHHZAB) from the meeting of 1/9/17 to the subcommittee.

Project designer, Troy Williams, TMW Design, Inc. and property owner, John Shepard, discussed the proposal.

Discussion was held on masonry wall height; door recess; garage location; corrections to be made on elevation drawings and fence height. Action was taken.

It was moved by Commissioner Becherer, duly seconded by Commissioner Waterfall to recommend approval as proposed, and subject to the following: (1) the proposed masonry wall height of 13 feet as measured from design grade is acceptable as conforming with height requirement in the development zone; (2) proposed recess at the main entry door of 4'6" by 4' thickness of the wall is acceptable contingent on PDS staff verification of prevailing recesses on historic contributing properties in the development zone; (3) proposed 16" recess on the garage and galvanized garage door are both acceptable; (4) proposed rafter tails and roof line are acceptable as shown on elevation drawings; (5) Drawing to be corrected to call out fence height of 6' tall; and (6) site plan to be corrected to call out the locations of the sidewalk, utility pole, driveway, and landscape.

Motion passed unanimously. Voice Vote 4-0.

**b. HPZ-16-95 –WomanKraft Art Center –Wrought Iron Decorative Fence-388 South Stone Avenue [Zoning Violation]- (Barrio Historico Historic Preservation Zone)**

Staff summarized the zoning violation, work done on the property without proper historic review and approval, and read into the record the recommendations of the Barrio Historico Historic Zone Advisory Board (BHHZAB) from the meeting of 1/9/17.

Presentation by Grace Rhyne and Zoe Rhyne, WomanKraft Art Center on the existing fence. Applicants expressed lack of knowledge of a required historic review prior to the fence construction. Applicants presented two elevation drawings of the fence: one showing an outline of the fence against the elevation of the building and the other showing the detailed pattern in the fence. At the BHHZAB review, Bob Vint expressed the opinion that the artists who designed the fence were attempting to create their interpretation of a Victorian metal fence with a pattern in the design. Applicants were advised that any exterior work on the historic property is subject to historic design review and approval. Action was taken.

Downtown Clifton Hotel (IID)

8. **Adjournment**

Meeting adjourned at 2:01 PM.