



**Armory Park Historic Zone Advisory Board  
LEGAL ACTION REPORT/Meeting Minutes  
Tuesday, June 21, 2022  
Virtual Meeting**

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

Meeting was called to order at 6:33 pm when a quorum was established with five members present: Mr. John Burr, Ms. Martha McClements, Mr. Glenn Furnier, Mr. Maurice Roberts and Mr. Robijn van Giesen. Mr. Pat O'Brien joined the meeting at 6:40pm.

Members absent: Ms. Sara Bachman-Williams, Mr. Tom Beal, and Ms. Helen Erickson.

COT staff: Mr. Michael Taku, and Ms. Maria Gayosso, PDSO.

Guests: Mr. Larry Kappler, property owner; Mr. David Shambach, architect; and Mr. Nick Heddings, developer/owner for Ugly But Honest Pizzeria (4a); Mr. Ken Taylor, IT; Mr. Fernando Chiquette, Ms. Esther-Marie Hillman, and Ms. Jan Mulder, residents.

**2. Approval of Minutes— May 17, 2022**

The LAR/ Minutes were made available prior to the meeting. Mr. van Giesen made a motion to approve the LAR/ Minutes as presented, seconded by Mr. Roberts. The motion was approved by roll-call vote: 5 in favor, 0 opposed, (Mr. O'Brien not yet present).

**3. Call to the Audience**

None.

**4. Reviews**

**a. HPZ 22-059, 733 S Stone**

Construction of an outdoor dining area with a shade structure, outdoor bar, new windows, modification of window openings, relocation of the Ugly but Honest sign, fencing and trellis.

Full Review/Contributing Resource

Mr. Shambach, the architect, presented for the development team. The current design plan was presented at an IID Neighborhood Meeting (May 20,2022). Before continuing, he invited Mr. Heddings to provide a brief overview of his concept for the restaurant. Mr. Heddings moved to Tucson in 1988 and worked for Upper Crust Pizza (purchasing it in 2012) and creating Arizona Pizza Co (since 1996). He has been looking to develop an outdoor eatery in the downtown for some time. He plans to continue a "by the slice" operation with a seasonal

menu, new beer garden (local beers only) while retaining the look and feel of an historic service station.

Mr. Shambach presented slides from the neighborhood meeting outlining the history of the building. Some repairs have been made to the structure because it has been largely vacant for many years. The intention is to largely return it to the look of a previous iteration of the building, with changes that reflect an earlier period. The images shown were neighborhood design precedents and other repurposed service stations in Tucson. He showed the board proposed changes to the floor plan and elevations (including enclosure of the side bays, changes to existing window/ door openings) and design details that were inspired by the original structure—metal sash windows, new metal paneled pony walls matching existing, new centered metal sash doors to complement the window patterns, etc. The interior will have kitchen and dining areas, new bathrooms and a walk-up order window area. The signage would have new copy but have a “retro” aesthetic. The color scheme would be similar to some of those in the past—white with blue/red signage and detailing.

The site plan has had some revisions. PDSO requested a new ADA street parking space on Stone Ave. to the west. The Design Professional, reviewing for IID compatibility standards requested a clearly defined entrance (the new trellis/gate) on Sixth Avenue. There will be a “Rain Garden” area, water harvesting and new planters and some street-trees, along with a 4’ high open iron-work perimeter fence. A new, simple, rusted tubular steel shade structure on the southern portion of the lot will have corrugated “opal polycarbonate” panels to diffuse the sunlight with a seasonally used, opaque olive-green tensile fabric canopy below for additional shade in warmer months.

Some off-street parking (13 spaces) will be available by lease at a redesigned and restriped parking area at 735 and 747 S 6th Ave. A new enclosed yard with corrugated steel panel fencing to the west of the building will allow for ground based mechanical equipment and storage for the trash receptacle rollways.

The most significant change to the historic site is a proposal made by the COT to move the historic “Ugly But Honest” sign north by 22’. It would now hover above the shade canopy (with appropriate opening) to reduce the “visual clutter” currently seen at the intersection with the new Five Points Arts Project sculpture of Caesar Chavez. This change would also allow for more on-site bicycle parking.

The Board were generally pleased with the plans in respect to the contributing structure. Most of the issues from a previous review (with a different design and architect) have been resolved well. The proposed changes appear to be both compatible with UDC historic guidelines and SOIS. The overall site plan flows better than before, and the materials generally appear compatible. The window and door design reflect original patterns and elements that were present within the exterior walls within the bays.

The proposed shade structure raised a few concerns. Some thought it unnecessary, but others were supportive of the plan. Members noted that the elevations showed a different height relationship with the existing historic canopy

than the perspective drawings suggested (higher vs. lower). The existing canopy is 9'6" to 11'3" high while the proposed canopy structure is 10' high. It was asked if the canopy could be lowered to 9'6" high to not block view shed visibility of the historic canopy and building. Mr. Shambach agreed it could be lowered. Clarifying questions about the "opal poly carbonate panels cross-section pattern (currently proposed with a modern square wave design), installation angles (5-degree angle) and maintenance and longevity concerns (green house grade—anticipated lifespan—possibly about 10 years) were answered. A more historically appropriate S wave pattern poly carbonate panel design could easily be substituted. (Similarly, the square wave corrugated panels in the side yard fence, listed as "belvedere 6"short-ribbed" could easily be replaced with a similar swave patterned corrugated metal panel.) Other questions such as potential roof-top mechanical needs/ screening and a resolution to trash collection as well as any parking concerns or comments (not the Board's purview) were felt best addressed at the IID DRC level review.

The largest concern of the Board was the proposed moving of the historic sign to give visual relief to the new statue. Ms. McClements noted the Board had not recommended its current placement. Details in the design package suggest that there has been ongoing discussion and disagreement over a solution within staff/ department comments over time. Mr. Burr noted that as a 5 Points Committee member from 2006 to 2018, prior environmental reviews, a section 106 process and SHPO's prior recommendation that the sign is not moved resulting in the current design had made him reach out to Ms. Brown for guidance. Her responses were that she has previously not recommended the sign's relocation, but also has not made a formal review; that SHPO had not made a formal review but had suggested that under certain conditions—same site/orientation— it could possibly retain its contributing status. It is unclear what would happen to the sign's contributing status in the HPZ during formal review.

Several members thought that it would look better moved, others felt the statue should be moved. There was no consensus. There was consensus however, that the sign should not lose its contributing status for the HPZ, especially regarding the Baffert rezoning swap.

The Board clarified that it was only one of the advisory review bodies, and did not know what the others may find with somewhat differing criteria. The Board felt it could not knowingly approve a plan that lead to a loss of a contributing historic element. It did thank the team for its thoughtful design plans.

**Action Taken:** Mr. Burr made a motion to recommend approval of the project as presented with the following conditions: 1. the "square-wave" corrugated components shall be replaced with "S-Wave" corrugated components (polycarbonate, metal fence panels) to be compatible with historic existing corrugated elements in the HPZ; 2. the shade structure (height) shall be brought down to 9'6" to increase visibility of the historic structure and canopy; and 3. the sign shall only be moved if the HPO or SHPO determine that moving it 22' (north) on the same site and with the same orientation will not render it as a "loss" as a contributing structure to the neighborhood. The motion was seconded by Mr. Roberts. Motion approved by roll-call vote: 6 in favor, 0 opposed.

## **5. Design Guidelines Project**

### **a. Update on the design guidelines**

No update was made. Mr. Furnier had not yet met with Mr. Beal on possible edits. He had received no other comments on his draft.

## **6. Tucson Pima County Historical Commission Separation Update**

Mr. Taku provided a brief update. He noted that a split between Tucson and Pima County commissions will happen, but no other specific conclusions had been determined. To date, all four scheduled stakeholder meetings- the last on June 16, 2022, had happened but that there may need to be others as staff and the consultants were dealing with the “sticky” issues brought forth in those meetings. He reiterated that no final recommendations have been made and that this Board, should continue in the meantime as no timeline is set.

Ms. McClements, as one of the stakeholders present at the meetings, countered that neither staff nor the consultants had altered their initial recommendation to get rid of the Historic Advisory Boards and that Ms. Brown had now explicitly stated that this was indeed the continuing recommendation in the last meeting. Several stakeholders were not surprised with that pre-stated outcome but others were unaware of that direction and alarmed. Many who spoke at the meeting were against the idea.

Mr. Burr, not a stakeholder, had heard a private audio copy of the meeting (the official recording has yet to be shared with the stakeholders) and noted it had been disheartening. He suggested that the current plan appears to be a slightly larger new commission board; a recreation of PRS, but now with one or two members from the HPZ neighborhoods participating in zone specific reviews (coming from new design subcommittees of neighborhood associations rather than trained advisory board members and professionals overseen by staff and Mayor and Council); and also, that neighborhoods and adjacent property owners could have the ability to appeal decisions, since the HPZ boards would be gone. It’s still unclear how this could work.

Mr. Taku reiterated what Ms. Brown had stated at the last meeting— advisory board members with concerns could participate by sending comments to the full Historic Commission meetings, also the Planning Commission and with Mayor and Council after final recommendations are made. (It’s currently not expected that we will be consulted).

## **7. Call to the Board**

- Mr. Burr noted that he and Ms. McClements attended the Mayor and Council Public Hearing on the rezoning request for 375 S. Stone Ave. (on 6-7-2022). Mr. Burr (as Development Chair) represented APNA and Ms. McClements spoke on behalf of the APHZAB: both were specifically “neutral” on the rezoning request. The comments were briefly mentioned in the meeting summary but are available on video. Mayor and Council approved the rezoning request 6-0.
- Mr. Roberts noted that he is considering repurposing the historic residential buildings he has an interest in on Arizona Avenue to become “methadone outpatient

treatment clinics” if the COT approves the large 3-story apartment buildings surrounding them. Mr. Taku responded that a change in “use” would depend solely on zoning code requirements and would only come for HPZ review if exterior changes were needed.

- Ms. McClements noted that no minor reviews were currently scheduled. Mr. Taku concurred.

Noting that most guests had stayed on for the whole meeting, Ms. McClements asked if anyone had any comments.

- Mr. Kappler thanked the Board for their “gracious” review of the Five Points project. He noted that the request to move the historic sign had come specifically from the City Manager’s office. He would prefer not to move it but merely “freshen it up”, but may have to, under the circumstances. He, too, wishes to keep the sign as a contributing historic element. His preference would be to relocate the Caesar Chavez sculpture to the Caesar Chavez Park across the street where it could be respectfully admired. He noted a separate group is working towards that end.
- Mr. Chiquette provided his opinions on the Five Points project and noted that the shade structure, with fencing, may contribute to the visual “clutter” at the intersection and may appear “like a cage”.

## **8. Future Agenda Items—Information Only**

Mr. Taku said several projects are in process, but none are yet ready for review:

- 519 S Russell Ave, which had been on the May agenda, still needs some revisions to come forward. Mr. Burr requested that information on the site’s contributing structure (rather than modern additions), including height, be included as information for the review. He noted that a different design from the previous owner had been reviewed in the past under a different address (521 S Russell Ave) with that information available to staff.
- 822 S 3rd Ave will be coming back for a new review with a different design than the prior approved plans.
- 528 S Herbert Ave will be coming in for a carport review. It’s hoped that these will be coming in July or August.

## **9. Adjournment**

The meeting was adjourned at 7:49 pm. with the shared salutation, “Happy Solstice”. The next regularly scheduled meeting will be July 19, 2022.