Tempe Historic Preservation Commission

AGENDA

Date:           THURSDAY, September 13, 2012

Location:      Hatton Hall, 34 E 7th Street, Tempe (parking in City Hall Garage)

6:00 PM Call to Order, sign in, introductions, (please mute cell phones)

1. Call to Audience: Persons wishing to address the commission on any matter may do so at the discretion of the Chair, however, Arizona Open Meeting Law limits commission discussion to matters listed on the posted agenda. Other topics may be placed on a future agenda for discussion.

2. Approval of HPC Minutes
   08/09/2012 Tempe HPC Monthly meeting

3. Discuss & Consider Tempe Bakery Hackett House Alterations
   Tempe Sister Cities presentation on proposed new dining facility

4. Hayden Flour Mill + Silos Activities
   Kris Baxter update on Hayden Flour Mill Fundraiser on Friday, October 5 at 5:30 pm
   Staff update on completion of pending Hayden Flour Mill + Silos Historic Designation & Listing in the Tempe Historic Property Register – discuss sending HPC letter in support to Mayor & Council

5. Discuss & Consider Commission/Council Liaison Assignments
   October schedule - review presentations and topics - gift of historic image

6. Discuss & Consider Historic Eligible Classification
   Staff preview of properties proposed for HE classification on October 11, 2012

7. Discuss & Consider General Plan 2040 Update
   Brad/Nathan) Update survey & inventory of Cultural Resource Areas
   Brad/Alyssa) Update survey & inventory of Multi-family Development
   Anne/Billy) Discuss and consider revising 2000 HP Plan for inclusion in GP-2040

8. Discuss and Consider Graduate Student Intern Program Projects
   Korri/Alyssa) Moeur Park WPA Structures National Register Nomination
   Charlie/Nathan) Kirkland-McKinney Ditch National Register Nomination
   Ira/Billy) Tempe Double Butte Cemetery National Register Nomination
   Anne/Alyssa) Tempe Municipal Building National Register Nomination
   Andrea/Joe) Historic Preservation Graduate Student Intern Program update

9. Presentation – Cultural Resource Area
   What is the Cultural Resource Area denotation and what are its effects?

10. Discuss and Consider Chair / Staff Updates:
    Tempe HPO Social Media Project n=2438  http://www.facebook.com/TempeHPO
    Tempe HPF Social Media Project n=1230  http://www.facebook.com/TempeHPF

11. Current Events / Announcements / Future Agenda Items
    ▪ Member Announcements
    ▪ Staff Announcements
    Next HPC Activity Hayden Flour Mill Celebration October 5 at 5:30 pm
    Next HPC Meeting Date: Thursday 10/11/2012 6:00 p.m. at Hatton Hall, 34 E 7th Street
    November HPC Meeting Date: Thursday 11/01/2012 6:00 p.m. at Hatton Hall, 34 E 7th Street

Adjourn

To date in 2012 commission members report donating 497 volunteer hours to the City of Tempe

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. Within 48 hours notice, special assistance can be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8007 (voice) or 350-8400 (TDD) to request accommodation.
Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tempe Historic Preservation Commission and to the general public that the Tempe Historic Preservation Commission will hold a meeting open to the public on Thursday, August 9, 2012, from 6:00 p.m. to 8:00 p.m., at Hatton Hall, located on the Governor B. B. Moeur Campus at 34 East 7th Street, Tempe, Arizona.

A copy of the agenda for the meeting will be available at Tempe City Hall, 31 East 5th Street, Garden Level East, Community Development Department, Historic Preservation Office at least twenty-four hours in advance of the meeting.

Dated this 6 day of September, 2012

Tempe Historic Preservation Commission

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Tempe City Clerk, 480-350-8007 (voice), or 480-350-8400 (TDD). Requests should be made as early as possible to arrange the accommodation.
RULES OF PROCEDURE

AS ADOPTED BY THE

TEMPE HISTORIC PRESERVATION COMMISSION

April 8, 2010

WHEREAS, the Commission recognizes the underlying principal of these rules to be decision-making by majority, and
WHEREAS, application of these rules provide every member of the voting body of this Commission with equal rights, and
WHEREAS, these rules afford Commissioners protection of the minority rights to be heard, to protest, to convince their peers, and to fully understand the issues discussed or voted, and
WHEREAS, the use of the rules offers a simple and direct procedure for conducting Commission business;

NOW THEREFORE, the Tempe Historic Preservation Commission does adopt for use and implement the rules of order as procedure for conducting the Commission’s business as set forth herein and as follows:

MOTIONS, shall follow correct order … considering only one question at a time, as such:

A Commission member addresses the Chair,
The Chair acknowledges that member,
Another member seconds the motion,
The Chair repeats the motion,
The Chair calls for discussion of the motion,
The Chair puts the motion to a vote,
The Chair announces the results of the vote.

IMPARTIALITY, shall provide for and protect the rights of individual members, of minority opinions, of majority opinion, and of any member absent from a meeting, as such:

Members may communicate to the Commission when recognized by the Chair,
The Chair maintains highest priority to direct the course of the meeting,
The maker of a motion will take precedence over others,New speakers will take precedence over those who already spoke to a motion,
The Chair should typically request speakers for an opposing view.

ORDER OF BUSINESS, shall proceed in consideration of interested public, invited guests, staff, and any having business with the commission, as such:

A consent agenda may be presented by the Chair at the beginning of a meeting.
Call to order and approval of minutes shall be the Commission’s first business,
Members of the public and guests of the Commission shall next be invited to speak,
Public Hearing presentations or discussion shall be the Commission’s next business,
Public Meeting presentations or discussion shall be the Commission’s next business,
Presentations by City Staff shall be the Commission’s next business,
Presentations by Consultants shall be the Commission’s next business,
Presentations by Standing Committees of this Commission shall occur next,
Presentations by Special Committees of this Commission shall occur next,
General discussion and Commissioner’s Business shall then occur.

* A consent agenda may be presented by the Chair at the beginning of a meeting. Items may be removed from the consent agenda on the request of any one member. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the consent agenda, be placed later on the agenda, or continued to another meeting at the discretion of the assembly.
The Tempe Historic Preservation Commission meets at 6:00 p.m. on the second Thursday of each month at Hatton Hall, 34 East 7th Street. The Tempe Historic Preservation Office prepares an agenda with supporting material for Historic Preservation Commission meetings. State law requires that commission agendas be publicly posted at least 24 hours prior to a meeting; however, Historic Preservation Commission agendas are usually available the Monday before the Thursday meeting. You can find Historic Preservation Commission agendas in the following locations: the City Clerk’s Office on the 2nd floor of City Hall, the Tempe Historic Preservation Office on the 2nd floor of the Orchid House, the bulletin board on the Garden Level outside of the City Council Chambers, and on the internet at http://www.tempe.gov/historicpres.

Historic Preservation Commission monthly meetings are always open to the public and are greatly enriched by community participation. The Commission welcomes the community perspective and schedules a “Call to the Audience” at the beginning of the meeting for the convenience of attendees who would like to have input but can not stay for the entire meeting. The Commission was created to advise Tempe City Council on matters concerning historic preservation and therefore providing citizens with opportunities to communicate comments and concerns is fundamental to the mission of the organization.

There are many ways to reach the Historic Preservation Commission during public meetings and at other times as well. Members of the public may come forward and talk with the Commission during the “Call to the Audience” at the beginning of each monthly meeting, however, Arizona Open Meeting Law limits commission discussion to matters listed on the posted agenda. Of course you can always request that an item be placed on the agenda for discussion at an upcoming Commission meeting.

If you know in advance that you want to address the Commission on a specific issue you can have the issue placed on the agenda for discussion and consideration as a Scheduled Public Appearance. Please contact the Historic Preservation Office no later than the Friday morning before the Thursday meeting.

Citizens can also contact the Historic Preservation Office to communicate with Commission members. The Tempe Preservation website is the Commission’s primary public outreach facility. From the site at http://www.tempe.gov/historicpres/ you will find up to date information on Tempe Preservation including: announcements of meetings and events, agendas and minutes, and additional contact information. Please feel free to contact the Tempe Historic Preservation Office at 480.350.8870 or by email sent to joe_nucci@tempe.gov, or find us on Facebook at http://www.facebook.com/TempeHPO.
Tempe Historic Preservation Commission [Tempe HPC]

MEETING MINUTES

Date: THURSDAY, August 9, 2012

Location: Hatton Hall  34 East Seventh Street

Commissioners Present: Brad Graham Korri Turner
Andrea Gregory Charlie Lee
Scott Solliday

Staff Present: Alyssa Gerszewski Joe Nucci
Nathan Hallam Jared Smith
Billy Kiser Mark Vinson
Alyssa Matter Durrant Williams

Public Present: Karyn Gitlis Gail Martelli
Vic Linoff

Call to Order: 6:00 P.M., Andrea Gregory, Chair

1. Call to Audience  Karyn Gitlis thanked the commission for their hard work

2. Approval of HPC Minutes 07/12/2012 Tempe HPC meeting and HPC minutes 07/14/2012 (commission retreat)

MOTION [TURNER]: MOVE TO APPROVE TEMPE HPC MEETING MINUTES FROM 07/12/2012 AND TEMPE HPC RETREAT MINUTES FROM 07/14/2012, SECOND [GRAHAM], APPROVED, 5-0

3. Discuss & Consider Historic Neighborhood Reports
   • Gitlis: Discussion of her letter regarding the Maple Ash Neighborhood.
   • Gitlis: Requests any assistance from Tempe HPC in future.
   • Nucci: Discussion of City Council/Commissioner liaisons.
   • Martelli: Discussion of BHDG, the sense of community, and Gracies.
   • Graham: Shows Donovan Rypkema’s The Economics of Historic Preservation: A Community Leader’s Guide. Suggests the book be used for Council/Commissioner liaisons.

4. Discuss & Consider Tempe Historic Preservation Foundation Activities
   • Nucci: Continue this item to September commission meeting.

5. Discuss & Consider Commission Strategic Planning Retreat
   • Gregory and Nucci: Review Council/Commission liaison assignments.
   • Nucci: Requests Scott Solliday confirm assignment to Councilmember Navarro – Solliday confirms.
   • Nucci: Notes Commissioner Shears needs to confirm Councilmember Ellis.
   • Gregory: Suggests HPC to consider image of building or location that conveys historic significance.
• Vinson: Suggests using hand colored sketches.
• Nucci: Tempe HPC to edit/prioritize list of topics for presentations.
• Gregory: Preservation Today as first presentation?
• Nucci: Discussion of HE designation in context of Prop 207 – summarizes previous conversation with City Attorney Ching clears way for HE classification.
• Solliday: Agrees to be contact for this project.
• Gregory: Will create GIS maps of historic properties in Tempe already locally or nationally designated.

CONSSENSUS THAT COMMISSIONER MEMBERS WILL SELECT IMAGES FOR COUNCIL/COMMISSIONER LIAISONS AND CONVEY SELECTION TO NUCCI OR GREGORY AT SEPTEMBER HPC MEETING.

6. Discuss & Consider Borden Homes Historic District Design Guidelines
• Graham: Gives brief summary of BHDG neighborhood meeting on 08/08/12; conveys successful project completion and neighborhood adoption of guidelines.
• Graham: Believes the character defining features of three phases of Ranch Style to be strongest component of BHDG document.
• Nucci: Requests discussion on identification of Historic Eligible Properties at retreat.
• Gregory: Finalizes agenda for retreat and will provide final draft at July HPC meeting.

7. Discuss & Consider General Plan 2040 Update
• Hallam: Presents update on GP2040 and shows GIS of single-family historic subdivisions.
• Hallam: Plat maps, improvement district maps, and aerial photographs to be included.
• Hallam: Single-family GIS will be completed by September meeting.
• Hallam: Presents the GIS created for historic eligible properties and those already listed.
• Hallam: Designation information, Tempe HPO website, and Historic Subdivision property form to be included. Requests suggestions for what to include.
• Kiser: Did fieldwork with Hallam. Explored neighborhoods that are west and south of ASU Tempe campus to determine historic subdivisions that are no longer eligible.
• Kiser: ACS Historic Streetscape is a good resource for this.
• Gerszewski: Presents GIS of multi-family historic subdivisions.
• Gerszewski: Creation of GIS 85% complete. States it will emulate Hallam’s inclusion of primary source information.

9. Discuss & Consider Chair / Staff Updates
• Gregory: Cultural Resource Area Presentation to be presented at September meeting.
• Gregory: Interns to receive comments on National Register nominations at September meeting.

10. Current Events / Announcements / Future Agenda Items
    Next HPC Meeting Date Thursday 09/13/2012 6:00 p.m. at Hatton Hall, 34 E 7th Street

Meeting adjourned at 8:07 PM

Andrea Gregory, Chair
-minutes scheduled for HPC approval on 09/13/2012
FREQUENTLY USED ABBREVIATIONS OR ACRONYMS

- CDD – City of Tempe Community Development Department: Established February 15, 2005, by City Manager Will Manley.
- the CDD consists of six divisions: Economic Development, Housing Services, Redevelopment, Neighborhood Enhancement, Rio Salado/Town Lake, and Special Projects, as well as the Community Design Studio / City Architect. The Tempe Historic Preservation Office is an agency of the Special Projects Division.
- CLG – Certified Local Government: In 1980, Congress established a framework for local preservation programs through an amendment to the National Historic Preservation Act empowering Arizona cities and counties to become Certified Local Governments (CLGs). Once certified, these entities are eligible for specialized assistance and funds for developing their own local preservation programs and entitled to comment on NR and other SHPO activities within their boundaries. The City of Tempe became a CLG in 1995.
- DDA – Development & Disposition Agreement: a redevelopment contract between the City and one or more developers or redevelopers specifying terms and conditions for construction or reconstruction.
- DSD – City of Tempe Development Services Department: dealing with Building Safety, Land Use, Planning and Zoning
- GRIC – Gila River Indian Community: is an alliance of two tribes, the Akimel O'odham (Pima) and the Pee Posh (Maricopa). Established by Executive Order in 1859, the Community covers more than 600 square miles and is the largest indigenous community in the Phoenix metropolitan area. GRIC helps make the Tempe Preservation Graduate Student Intern Program possible through a generous grant of State-Shared Revenue funds.
- HPF – (see Tempe HPF) Tempe Historic Preservation Foundation
- HSRC – (Arizona) Historic Sites Review Committee: Arizona's official Arizona and National Register of Historic Places review board. The HSRC meets three times during the year to review National Register nominations and advise the State Historic Preservation Officer on nominations to the State and National Registers.
- IEBC – International Existing Building Code: adopted by Tempe City Council by Ordinance No. 2005.89 on December 1, 2005, as part of the code body promulgated by the International Code Council, provides means for preservation of existing Tempe building inventory through reasonable and feasible code processes.
- IRS – Issue Review Session: informal Mayor and Council public meeting where members of the public may come forward and talk with City Council during the “Call to the Audience” prior to regular Council meetings.
- NPS – National Park Service: the City of Tempe is a Certified Local Government through an inter-governmental agreement with the United States Department of the Interior National Park Service and the Arizona State Historic Preservation Office.
- NRN – National Register Nomination: An application to list a property on the National Register of Historic Places is reviewed by the SHPO and then by the Arizona Historic Sites Review Committee (Sites) before formal application is made to the Keeper of the National Register in Washington DC.
- PAD – Planned Area Development: site plan overlay to define development standards for a specific project.
- SHPO – State Historic Preservation Office: a division of Arizona State Parks, responsible for the identification, evaluation, and protection of Arizona's prehistoric and historic cultural resources; established by the National Historic Preservation Act of 1966.
- SRP-MIC – Salt River Pima-Maricopa Indian Community: created by Executive Order on June 14, 1879 by President Rutherford B. Hayes, the Salt River Pima-Maricopa Indian Community (SRPMIC) is located in Maricopa County, aside the boundaries of Mesa, Tempe, Scottsdale, Fountain Hills and metropolitan Phoenix.
- Tempe HPC – Tempe Historic Preservation Commission: Created by Ordinance 95.35, adopted November 9, 1995. Members serve three year terms with the exception of the initial appointments; charged with administering the Tempe Historic Preservation Ordinance and Plan, as well as advising Mayor / Council on all matters related to historic preservation
- Tempe HPO – Tempe Historic Preservation Office: Responsible for the identification and conservation of Tempe’s prehistoric and historic cultural resources, the Office uses Federal, state, and city funding for the historic preservation program and assists owners of historic properties with grant applications, property maintenance, and preservation activities; provides staff support to the Tempe HPC.
- THM – Tempe Historical Museum: Located at 809 E. Southern Avenue in Tempe, the Tempe Historical Museum is a center where the community comes together to celebrate Tempe's past and ponder the future. Permanent and changing exhibits, educational programs, and research projects generally focus on some aspect of Tempe's history within the context of state and national events.
- TOD – Tempe Transportation Overlay District: placed to encourage appropriate land development and redevelopment consistent with and complementary to the community’s focused investment in transit, bicycle, and pedestrian infrastructure in certain geographic areas of the City; typically in association with the light rail.
- ZDC – Zoning & Development Code: Adopted by Mayor and Council on January 20, 2005, effective February 22, 2005, the ZDC implements Tempe General Plan 2030 by encouraging creative development of the built environment in order to build a community that promotes the livability and uniqueness of Tempe; establishes zoning districts and development standards.
Tempe Historic Preservation Commission (Tempe HPC)
Tempe Historic Preservation Office
Thursday September 13, 2012

Andrea Gregory, Chair
and members of the
Tempe Historic Preservation Commission

On May 3, 2001, HPC classified 15 properties as Historic Eligible (HE). No additional properties have since been classified. On July 08, 2010, HPO proposed to classify an additional 10 properties Historic Eligible; however this process was not concluded due to the objection of one of the property owners.

Tempe City Code Chapter 14A (the Historic Preservation Ordinance) allows the Commission to act with autonomy in classifying properties Historic Eligible. Any property that appears to meet criteria for historic designation may be classified without the need for ratification of the Commission’s action by either the Development Review Commission or Council. Of course, any Commission action may be appealed to City Council.

Owners of historic eligible properties are encouraged to consider listing in the Tempe Historic Property Register as a result of information discovered during classification. Conversely, classification may provoke some unintended owner response and, as in the past, outreach may even cause demolition.

Classification can be accomplished more quickly than designation, however, it provides commensurately less protection. The procedure for classification is specified at TCC §14A-4(j). Abbreviated notification requirements and a single public hearing at HPC are all that is necessary and classification becomes effective immediately.

The effects of classification are described at §14A-6(f) and §14A-7(j) and are limited to building permit review by HPO and demolition permit approval subject to clearance by the HPO within 30 days of application. Compare this to design review at HPC and the requisite 180 day stay of demolition for properties that have been designated historic.

The level of documentation required for determining if a property meets the criteria for classification as Historic Eligible does not reach the degree of detail provided for designation. Nevertheless, enough information must be available for the Commission to be able to make an informed determination of eligibility. The Arizona Historic Property Inventory Form is the modular format in use for all Tempe Multiple Property Documentation Survey and Inventory activities. The standardized format ensures a consistent level of documentation for all Historic Eligible properties. In addition, this format can be readily adopted for publication on the Tempe Preservation webpage listing all Historic Eligible properties. Staff proposes to use the Arizona Historic Property Inventory Form along with its continuation sheet for informing the Commission discussion and consideration of Historic Eligibility.
Tempe Historic Preservation Commission
Thursday September 13, 2012

City Code authorizes the Commission to adopt procedures for the performance of its duties that are consistent with the overall preservation mission. Staff recommends the Commission implement a process to identify properties which appear to meet the criteria for designation and convene public hearings to discuss and consider classifying Historic Eligible properties as appropriate for their conservation and enhancement. HPO also recommends that the Commission begin by considering Historic Eligible classification of properties that are listed in the National Register of Historic Places but are not listed in the Tempe Historic Property Register and have not been previously classified.

**STAFF SEEKS CONSENSUS FROM THE HISTORIC PRESERVATION COMMISSION TO –**

**IMPLEMENT A PROCESS FOR CLASSIFYING HISTORIC ELIGIBLE (HE) PROPERTIES FOR CONSERVATION AND ENHANCEMENT BEGINNING WITH PROPERTIES LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES AS APPROPRIATE.**

Properties classified Historic Eligible (HE) by Tempe Historic Preservation Commission on May 3, 2001

1. Marlatt’s Garage 1249 E. 8th St. T-477 132 73 038
2. Roberts Auto Repair 1935 E. Apache Blvd. T-494 133 03 010
4. Sidney B. Moer House 903 S. Ash Ave. T-122 132 42 055A
5. Eisendrath House 1400 N. College Ave. T-103 132 02 002D
6. Cross Cut Canal Power Plant SRP Papago Park Campus T-555
7. Cedar/Lowenthal House 1029 S. Maple T-407 132 45 002A
8. Hotel Casa Loma 398 S. Mill Ave. T-192 132 29 090
9. Minson House ancillary church 1034 S. Mill T-195 132 45 014A
10. D. J. Frankenberg House 2222 S. Price Rd. T-554
11. George N. Gage House 115 W. University T-203 132 42 015A
12. Double Butte Cemetery 2201-2205 W. Broadway T-
13. Tempe Municipal Building 31 E. Fifth St. T-251 T- 132 27 030A
15. Watson's Flowers 2425 E. Apache Blvd. T-186 134 35 034A

National Register properties not locally listed for Historic Eligible (HE) classification October 11, 2012

1. Andre Building (1899) 401 S Mill Av. T-241 132 28 012
2. Borden Creamery (1892) 1300 - 1360 E. Eighth St. T-151 132 59 001N
3. Vienna Bakery Bldg (1893) 415 S. Mill Avenue T-238 132 28 020B
4. Walker, Harry House (1903 ) 118 E. 7th Street T-105 132 27 086

National Register properties not locally listed for Historic Eligible (HE) classification subsequently

1. Laird, Hugh House (1908) 821 S. Farmer Avenue T-222 124 69 006
2. Morrow-Hudson House (1904) 1203 E. Alameda Drive T-102 133 32 511
3. Redden, Byron House (1918) 948 S. Ash Avenue T-123 132 42 081A
4. Redden, Lowell, House (1920) 333 E. Carver Street T-126 301 52 002G
5. Scudder, B. H. Rental (1918) 919 S. Maple Avenue T-231 132 42 041
6. Frankenberg House (1910) 129 E. University Dr (moved) T-
7. Gonzales-Martinez (1880) 320 W. 1st St. T-142 124 24 003
8. Harrington-Birchett (1931) 202 E. 7th Street T-111 132 27 096
9. Long, Samuel C. House (1910) 27 E. 6th Street (moved) T-
10. Mullen, C. P., House (1924) 918 S. Mill Avenue T-194 132 42 051

Properties not currently listed but proposed for future consideration Classified Historic Eligible (HE)

1. CC Commercial House (1930) 944 S. Mill Avenue T-420 132 42 047
2. CC Commercial House (1925) 930 S. Mill Avenue T-419 132 42 048
3. Gilliland House (1920) 928 S. Mill Avenue T-121 132 42 049
HE - *Historic eligible* means a property which appears to meet the criteria for designation.

**Sec. 14A-4. Designation of landmarks, historic properties and historic districts**

(j) The procedure and effects of classification of a property as historic eligible shall be as follows:

(1) The HPO shall prepare a list of proposed properties, with applicable supporting information, for consideration by the commission and schedule a public hearing; notification of such hearing is established as follows:

   a. The community development department shall deposit in the U.S. mail, not less than fifteen (15) calendar days prior to the date of the public hearing of the commission, a notice of the date, time and place of the hearing, and a summary of the proposed action, to each affected property owner, per currently available ownership information. Final delivery of such notices shall not be the responsibility of the city; and

   b. The community development department shall submit the notice for publication in the official newspaper at least once, no fewer than fifteen (15) calendar days prior to the public hearing of the commission;

(2) At a public hearing, the commission shall review the proposed properties and assess their potential to meet the applicable criteria for designation, as described in subsection (a) of this section; and

(3) Upon approval by the commission, any properties classified as historic eligible shall be identified as such in the records of the community development department and subject to the requirements described in § 14A-6(f) and § 14A-7(j) of this chapter.

**Sec. 14A-5. Historic property register**

(b) Supplemental to the historic property register shall be the lists of properties classified as historic eligible and archeologically sensitive. These lists, as may be amended from time to time, shall be maintained by the HPO and available for public reference at the community development department and the city clerk.

(Ord. No. 95.35, 11-9-95; Ord. No. 97.20, 4-10-97; Ord. No. 2000.25, 6-15-00; Ord. No. 2005.18, 4-7-05)

**Sec. 14A-6. Guidelines, standards and process for review of alteration or new construction**

(f) When a permit or other approval is sought from the city to alter, remodel, build or otherwise develop or landscape property classified as historic eligible, issuance of the permit or approval shall be subject to clearance by the HPO. Such clearance shall be issued within thirty (30) calendar days from the date of application, during which time the HPO will assess potential adverse impact, suggest alternatives, and may consult with the commission and city council. If, by the end of the thirty (30) day period, no clearance has been issued or no alternative, agreeable to the applicant, has been suggested, the original request shall be granted, provided all other applicable requirements have been met.

**Sec. 14A-7. Demolition and removal**

(j) When a permit or other approval is sought from the city to demolish or remove a property classified as historic eligible, issuance of the permit or approval shall be subject to clearance by the HPO. Such clearance shall be issued within thirty (30) calendar days from the date of application, during which time the HPO will assess adverse impact, suggest alternatives, and may consult with the commission and city council. If, by the end of the thirty (30) day period, no clearance has been issued or no alternative, agreeable to the applicant, has been suggested, the original request shall be granted, provided all other applicable requirements have been met.

**Sec. 14A-8. Appeal**

(a) The applicant for approval of proposed alteration, new construction, demolition or removal, or designation, or classification as historic eligible, or the owner of any such property, or the community development director, or any member of the city council, may appeal any decision of the historic preservation commission to the city council by filing written notice of appeal and any applicable fee, as may be adopted, with the city clerk within ten (10) working days of the date of the commission's action, in accordance with Rule 6 of Arizona Rules of Civil Procedure of the State of Arizona.
LEGAL ADVERTISEMENT

The City of Tempe will hold a public hearing for Historic Eligible classification of properties in Tempe that are currently listed in the National Register of Historic Places:

1. Andre Building (1899) 401 S Mill Av.
2. Borden Creamery (1892) 1300 - 1360 E. Eighth St.
3. Vienna Bakery Bldg (1893) 423 S. Mill Avenue
4. Walker, Harry House (1903) 118 E. 7th Street

A public hearing will be held by the Tempe Historic Preservation Commission at Hatton Hall, 34 East Seventh Street at 6:00 p.m. on Thursday, October 11, 2012. For more information, contact the Tempe Historic Preservation Office at (480) 350-8028, (TTD: 350-8913), or visit us online at – www.tempe.gov/historicpres
Tempe Historic Preservation Commission (Tempe HPC)
Tempe Historic Preservation Office
September 25, 2012

MAXZACH LLC
401 SOUTH MILL AVENUE
TEMPE, AZ 85281

Congratulations!
Your property located at 401 South Mill Avenue is considered eligible for listing in the Tempe Historic Properties Register.

Why is my property historic?
The Andre Building was built in 1899 by R. G. Andre and C. G. Jones. It housed numerous Tempe businesses and provided meeting space for local fraternal organizations. Its architect, James M. Creighton, ranks among the most celebrated territorial-era Arizona architects; other Creighton buildings include Old Main at the University of Arizona, the Pinal County Courthouse, and the Niels Petersen House in Tempe.

What is going to happen?
The Tempe Historic Preservation Commission will consider classifying your property Historic-Eligible at a public hearing on Thursday, October 11, 2012, at 6:00 p.m. at Hatton Hall, 34 E 7th Street, Tempe, Arizona.

What does Historic-Eligible mean for my property?
Historic-Eligible means your property appears to meet the criteria for historic designation and listing in the Tempe Historic Properties Register. Neither Historic-Eligible designation nor listing on the Tempe Historic Properties Register prevents you, the property owner, from altering or demolishing your property. It means that when you seek a permit from the City of Tempe to alter, remodel, or demolish your property issuance of a permit may be delayed for not more than 30 days to allow the Tempe Historic Preservation Office a chance to review the proposed work and, if necessary, recommend alternatives. After review, your permit will be issued, with or without consent of the Historic Preservation Office, provided all other applicable requirements have been met.
How does listing on the Tempe Historic Property Register add value to my property?
• There is a proven national trend toward higher property values associated with historic properties,
• There is a similar but above the national average trend, for historic properties in Valley area,
• City of Tempe resources may be available to assist you in locating and preparing tax credit and grant applications to help maintain the historic character of your property,
• Technical assistance and referrals by City of Tempe staff and commissions may be available to help maintain your historic property, and
• Often increased pride of ownership and a sense of good stewardship over your piece of Tempe history may be realized.

Historic-Eligible designation is a terrific opportunity for you to consider listing the Andre Building in the Tempe Historic Properties Register. There is still no fee to the owner for listing, and we encourage you to contact the Tempe Historic Preservation Office at (480) 350-8070 or online at www.tempe.gov/historicpres for more information.

We look forward to hearing from you in the near future.

Yours Very Truly,

Joseph G. Nucci, Historic Preservation Officer
www.tempe.gov/historicpres     joe_nucci@tempe.gov

enclosures
1) Legal Advertisement
2) HP Inventory Form
Tempe Historic Preservation Commission Information Series

Understanding Cultural Resource Areas
What is a Cultural Resource Area? What does the term mean?

A Cultural Resource Area is a land use category used in Tempe General Plan 2030 (GP2030) to describe the Projected Land Use or the desired primary use of a land area anticipated to occur within the next 25 years.

GP2030 defines Cultural Resource Area as follows:

“Cultural Resource Area (existing density allowed by zoning) Areas identified on the density map, which are considered culturally significant to the character of Tempe, based on the 2001 Post World War II Subdivision Study. It is desirable to maintain the character of these areas. The underlying zoning should remain the highest appropriate density for these areas. These areas are shown as Cultural Resource Areas, with a projected density to match the zoning at the time this plan is adopted” (12/03/2003).
What does density mean? How does Density factor in?

Tempe General Plan 2030 uses the concept of Density to define the Cultural Resource Area land use category. **GP2030 defines Density as follows:**

*Concepts of density and building intensity...are measured in dwelling units per acre (shown as du/ac.). These characteristics reflect residential use within the next 25 years.*

Density categories may or may not conform to the property’s zoning, because land use reflects how the land is used, while zoning dictates what is allowed within the designated zoning district. Density categories generally reflect how land is used for daily living.
How did the Cultural Resource Area concept originate?

On September 2, 2003, members of the Tempe Historic Preservation Commission attended a meeting of the General Plan Advisory Team and presented information comparing existing developed densities, densities permitted under the then current General Plan 2020, and densities proposed for adoption by General Plan 2030.

Based on this presentation, the Advisory Team decided unanimously to adopt the Cultural Resource Area classification for each of the thirty-one first- and second-tier historic subdivisions identified in the Solliday Survey of Post-World War II subdivisions in Tempe. (Solliday 2001).
Why was the General Plan Advisory Team so concerned?

Tempe Preservation presented information comparing existing developed densities, densities permitted under then current General Plan 2020, and densities proposed for adoption by General Plan 2030. The Advisory Team clearly understood how changing development standards precipitate intensification of land use in historic neighborhoods.

The Advisory Team felt strongly that protection and enhancement of Tempe’s heritage is critical to preserving the unique identity of our community.

Tempe Preservation demonstrated the adverse effects on the historic integrity of neighborhoods that had taken place under GP2020 and how these effects would be increased by the land use planning proposed in GP2030.
What was the intent of the General Plan Advisory Team?

Demonstration of the effect of increasing residential density on the diminution of historic character and loss of historic integrity in neighborhoods resulted in the Advisory Team unanimously adopting the Cultural Resource classification for all thirty-one potentially historic neighborhoods identified in the Solliday study. The Advisory Team considered cultural Resource Areas to be significant for defining and interpreting our community history and stated “It is desirable to maintain the character of these areas.” Regrettably, they not only specified the desired outcome of the Cultural Resource classification, they also stated how it should be implemented, i.e.; “The underlying zoning should remain the highest appropriate density for these areas.” (GP2030)
So is zoning the same as density?

Not exactly, density specified in the land use plan is implemented by development standards provided in the Zoning & Development Code. Along with specifying density, zoning development standards regulate building height, lot coverage, setbacks, landscaping, parking, and other provisions of the code. Taken together, the development standards established for each zoning classification determine the limits of what can be constructed on any given parcel of land.

When GP2030 was initially approved, Tempe was operating under Zoning Ordinance 808. For some time 808 development standards were used to analyze proposed development in Cultural Resource Areas. Used this way, the Cultural Resource Area classification gave city staff an effective tool for diverting out-of-character development away from historically sensitive areas.
What was the intent of the Cultural Resource Area classification?

Tempe’s built environment tells the story of Tempe’s growth through a blend of the past with the present; enriching our residents, visitors, and future generations. The intent of the Cultural Resource Area designation in GP2030 is to balance the rights of property owners with the value to the community derived from the conservation and enhancement of culturally significant properties and to maintain the character of these areas for future generations to enjoy and learn from.

The stated goal of the Cultural Resource Area, to maintain the character of historically significant districts, neighborhoods, and properties, has begun to suffer from the mention of only density and not its regulatory context of related development standards in the language of GP2030. Initially, it was taken for granted that in order to maintain the character or the density of these special parts of the city, development standards must be applied consistently and in totality.
How are Cultural Resource Areas being administered today?

More recently, density has been singled-out as the only development standard specifically cited in GP2030. Considering only the density standard and ignoring its regulatory context of related development standards produces random and often meaningless results. Density, like all development standards, is effected by the size of the land area being considered for development.

Development standards also change over time and current requirements can produce incongruous results in established neighborhoods and historic districts. To offset this unintended effect, the Cultural Resource Area works to lock development to the zoning in place at the time GP2030 was adopted.
How did the Cultural Resource Area classification get enacted?

On December 4, 2003, Tempe adopted General Plan 2030, codifying the Cultural Resource Areas classification thereby theoretically balancing generally increased residential densities across the board with preservation of established neighborhoods and historic districts.
What’s ahead for Cultural Resource Area classification in GP2040?

The Cultural Resource Area land use classification was initiated in GP2030 with the stated purpose of maintaining the character of Tempe’s historic and potentially historic districts, neighborhoods, and properties. For some time, this classification effectively diverted out of character development away from historically significant locations. More recent projects have demonstrated that the Cultural Resource Area concept is ripe for reinterpretation to improve its effectiveness as a conservation tool.

Tempe Preservation hopes to work closely with city staff in the revision of our land use planning and production of GP2040. Updating the concept of the Cultural Resource Area as a mechanism for protecting the historic integrity of the city’s historic and potentially historic districts, neighborhoods, and properties will be a major part of that effort.
Understanding Cultural Resource Areas

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