

# Staff Summary Report

Development Review Commission Date: **06/12/07**

Agenda Item Number:   3  

**SUBJECT:** Hold a public hearing for a Historic Overlay District for PARK TRACT located south of 10<sup>th</sup> Street to 13<sup>th</sup> Street and west of Mill Avenue to the Southern Pacific Railroad.

**DOCUMENT NAME:** DRCr\_ParkTract\_061207

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Request for **PARK TRACT (PL060472)** (multiple property owners; Bob Gray / Karyn Gitlis / Jenny Lucier / Dan O'Neill, applicants) for the designation of an Historic Overlay District, located in the area south of 10<sup>th</sup> Street to 13<sup>th</sup> Street and west of Mill Avenue to the Southern Pacific Railroad, including the following:

**HPO06002 – (Ordinance No. 2006.73)** Historic Overlay District for Park Tract Subdivision consisting of 92 parcels.

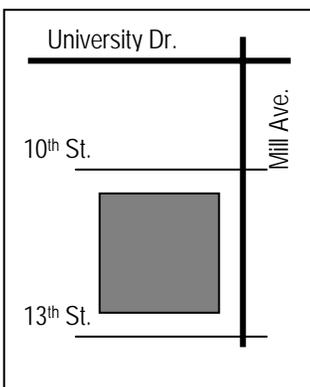
**PREPARED BY:** Ryan Levesque, Senior Planner (480-858-2393)  
Decima Sever, Planning Outreach Coordinator (480-350-8920)

**REVIEWED BY:** Lisa Collins, Planning Director (480-350-8989) 

**LEGAL REVIEW BY:** N/A

**RECOMMENDATION:** **Staff – Continuance to December 11, 2007**  
**Historic Preservation Commission – Approval**

<b>ADDITIONAL INFO:</b>	Net site area	approximately 24.4 acres
	Total Lots	92
	Contributing Properties	83
	Non-Contributing Prop.	7
	Existing Zoning	R-2, R-3R, and CC Districts
	General Plan:	
	Projected Land Use	Residential / Mixed-Use
	Projected Density	Cultural Resource Area



This is a request for a Historic Overlay District consisting of the Park Tract Subdivision. This request excludes outer lying properties that are non-contributing to the historical significance of the area. A neighborhood meeting was held on August 16, 2006 with more than 60 residents in attendance. On October 12, 2006 the Historic Preservation Commission recommended approval of the proposed request. **On December 12, 2006 the Development Review Commission continued the request to June 12, 2007. Staff is recommending an additional six month continuance to complete the ongoing analysis of the neighborhood.**

**ATTACHMENTS:**

1. List of Attachments
2. Summary Update
3. History & Facts / Zoning & Development Code Reference
  
- A. December 12, 2006 DRC Hearing Staff Summary Report
- B. Ordinance No. 2006.73
- C. Location Map
- D. Aerial Photo

(ADDITIONAL ATTACHMENTS PROVIDED IN GAGE ADDITION REPORT CASE# HPO06001)

- E. Letter of Explanation
- F. Subdivision Plats
- G. Contributing / Non-Contributing Property Maps
- H. Parcels by Support / Opposition

**ATTACHMENTS PREVIOUSLY PROVIDED:**

- I. FAQ from Applicant
- J. Neighborhood Meeting Summary from Applicant (8/16/06)
- K. HPC Staff Summary Report (10/12/06)
- L. Preliminary Determination of Eligibility Staff Report (10/12/06)
- M. Effects of Designation Staff Report (10/12/06)
- N. Historic Preservation Commission 10/12/06 Meeting Summary
- O. Letters of Support/Opposition

**SUMMARY UPDATE:**

The request for a Historic Overlay District for the Park Tract Subdivision, located between 10<sup>th</sup> St. and 13<sup>th</sup> St., the Southern Pacific Railroad Tracks to Mill Avenue, was first heard by the DRC on December 12, 2006. In response to the divisiveness within the neighborhood, staff recommended a 180-day continuance to allow for exploration of Form Based Code as a potential tool for the neighborhood and for increasing consensus among the stakeholders. The DRC approved the continuance, requesting staff to return on June 12, 2007 to present a progress report.

Since the December hearing, Development Services has hired a Planning Outreach Coordinator to take the lead in working with the neighborhood in moving towards a Form Based Code (FBC). Staff has been studying FBC, a relatively new concept, in both formal trainings and informal discussions with other municipalities utilizing a FBC. Staff has additionally been conducting individual and small-group discussions with neighborhood stakeholders including the applicant group, vocal opposition, and Historic Preservation Commissioners to provide an overview of FBC and the process for developing one as well as to identify stakeholder priorities and concerns for the neighborhood.

In accord with successful models, staff has developed a 3-stage action plan for working with the neighborhood:

Documentation of Place: Staff will complete a thorough inventory and analysis of existing conditions within the neighborhood. The study includes an evaluation at the block level as well as of lots, buildings, and public areas (including streets and alleys).

Visioning: Intense public input is the primary focus of the visioning process. Staff will utilize a variety of opportunities from interviews to charrettes to engage stakeholders towards identifying common interests and goals for the neighborhood. The process focus on what members want to see for the neighborhood rather than what specific tools should be used to accomplish the vision.

Development of the Written Document: Following the visioning process and the analysis of the public input, staff will develop a written recommendation for implementing the community's goals for the neighborhood. The draft document will be shared with stakeholders for additional feedback.

**Proposed Timeline:**

	June 07	July 07	Aug 07	Sept 07	Oct 07	Nov 07	Dec 07
Documentation of Place:							
Inventory process & tools developed	X						
Field work conducted	X						
Analysis and summary completed		X					
Visioning:							
Public input strategy developed			X				
Visioning with the public				X	X		
Analysis and summary completed						X	
Development of Written Document:							
Draft document completed							X
Public Feedback requested							X

**Conclusion**

Staff continues to receive input both in support and opposition of the historic designation for Park Tract. Staff is actively engaged with the neighborhood using the Form Based Code model to identify current conditions and stakeholder priorities and would like to continue with the process in an effort to define common interests and increase consensus toward a shared vision. Based on the above timeline, staff is recommending a 180-day continuance to allow for completion of the neighborhood analysis, public visioning, and development of specific guidelines or regulations to secure the desired character for the neighborhood.

**HISTORY & FACTS:**

- August 16, 2006      The applicants held a Neighborhood Meeting at the Tempe Woman’s Club, 1290 South Mill Avenue at 6 p.m. regarding a proposed request for Historic designation of the properties comprised the Maple-Ash Neighborhood.
- September 14, 2006      Historic Preservation Commission continued the request for Historic Overlay Districts for the Gage Addition, Park Tract and College View Subdivisions to October 12, 2006.
- October 12, 2006      Historic Preservation Commission recommended approval the request for Historic Overlay Districts for the Gage Addition and Park Tract Subdivisions while excluding some outer-lying properties, and excluded the College View Subdivision from further consideration.
- December 12, 2006      Development Review Commission continued the request for Historic Overlay Districts for the Gage Addition and Park Tract Subdivisions to June 12, 2007.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-304, Zoning Map Amendments (including Overlay Districts)

**CITY CODE REFERENCE:**

Chapter 14A, Historic Preservation

# Staff Summary Report

Development Review Commission Date: 12/12/06

Agenda Item Number: 6

**SUBJECT:** Hold a public hearing for a Historic Overlay District for PARK TRACT located south of 10<sup>th</sup> Street to 13<sup>th</sup> Street and west of Mill Avenue to the Southern Pacific Railroad.

**DOCUMENT NAME:** 20061212dsrl06

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Request for **PARK TRACT (PL060472)** (multiple property owners; Bob Gray / Karyn Gitlis / Jenny Lucier / Dan O'Neill, applicants) for the designation of an Historic Overlay District, located in the area south of 10<sup>th</sup> Street to 13<sup>th</sup> Street and west of Mill Avenue to the Southern Pacific Railroad, including the following:

**HPO06002 – (Ordinance No. 2006.73)** Historic Overlay District for Park Tract Subdivision consisting of 92 parcels.

**PREPARED BY:** Ryan Levesque, Planner II (480-858-2393)

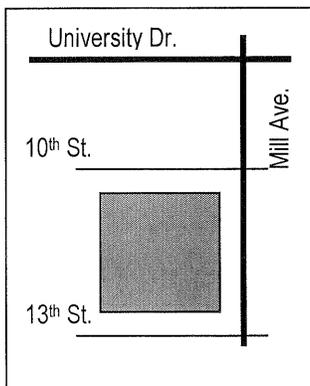
**REVIEWED BY:** Lisa Collins, Planning Director (480-350-8989) 

**FINAL REVIEW BY:** Chris Anaradian, Development Services Manager (480-858-2204) 

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Continuance to June 12, 2007  
Historic Preservation Commission – Approval

**ADDITIONAL INFO:**



Net site area	approximately 24.4 acres
Total Lots	92
Contributing Properties	83
Non-Contributing Prop.	7
Existing Zoning	R-2, R-3R, and CC Districts
General Plan:	
Projected Land Use	Residential / Mixed-Use
Projected Density	Cultural Resource Area

A neighborhood meeting was held on August 16, 2006 with more than 60 residents in attendance.

This is a request for a Historic Overlay District consisting of the Park Tract Subdivision. This request excludes outer lying properties that are non-contributing to the historical significance of the area. On October 12, 2006 the Historic Preservation Commission recommended approval of the proposed request. Staff is recommending a continuance for 180 days, until the next available Commission hearing scheduled for June 12, 2007.

**ATTACHMENTS:**

1. List of Attachments
  - 2-4. Comments / Approval Criteria
  4. History & Facts / Zoning & Development Code Reference
- 
- A. Ordinance No. 2006.73
  - B. Location Map

(ADDITIONAL ATTACHMENTS LOCATED IN GAGE ADDITION REPORT CASE# HPO06001)

- C. Aerial Photo
- D. Letter of Explanation
- E. Subdivision Plats
- F. Contributing / Non-Contributing Property Maps
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- H. FAQ from Applicant
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- L. Effects of Designation Staff Report (10/12/06)
- M. Historic Preservation Commission 10/12/06 Meeting Summary
- N. Letters of Support/Opposition

**COMMENTS:**

This is a request for a Historic Districts consisting of the Gage Addition Subdivision and the Park Tract Subdivision as separate requests. The original historic designation submittal by the applicants included all of Gage Addition, Park Tract and College View Subdivisions. This area includes properties south of University Drive to Hudson Lane (south of 13<sup>th</sup> Street) and from Mill Avenue west to the Union Pacific Railroad. The proposal for designation of historic district(s) within this area was discussed at a neighborhood meeting (see Public Input below). After extensive input from the public and testimony at the Historic Preservation Commission public hearing on this request, the Commission with concurrence from the applicants, removed the College View Subdivision from further consideration. The Commission also recommended excluding outer-lying properties from the Gage Addition and Park Tract Subdivisions that are considered to be “non-contributing properties”. The recommendation of approval for Gage Addition and Park Tract by the Historic Preservation Commission allowed the applicant to proceed with the next hearing process as two separate requests. For simplicity, staff has incorporated all related attachments onto one report for both requests.

**Public Input**

The Zoning and Development Code requires projects that propose an Overlay District must organize a neighborhood meeting regarding a proposal in order to facilitate dialogue with the adjacent community prior to public hearings. On August 16, 2006 the applicants held a neighborhood meeting at the Tempe Woman’s Club, at 6 p.m. More than 60 residents were in attendance at the meeting, including city staff Mark Vinson and Bob Gasser, Chair of Historic Preservation Commission to answer any general questions. The meeting was conducted by Mike Pyatok, a 3<sup>rd</sup> party facilitator from Arizona State University who established the ground rules and the topics that were going to be covered. Jenny Lucier, one of the applicants, provided a powerpoint presentation stating why this application was submitted and the significance of the neighborhood. An overview was provided of benefits for historic designation, what the district would allow, and that future development may require review by the Historic Preservation Commission. Mr. Pyatok then opened the discussion for public comments and questions while providing time limitations to each speaker.

Some of the general questions and comments included either support for or opposition to the request, including the following input: Visitors are always surprised to find this area in Tempe and to lose it would be a significant loss; Letters of opposition were sent on the designation of College View, which owners feel their properties have no historical value; Some feel this request is not appropriate because the area is zoned multi-family and not single family; Addressed concerns regarding impacts to properties outside of a proposed district; Questions on how many people really want the designation; Requests to exclude the College View Subdivision from consideration; Questioned whether or not an existing home that has been renovated several times is still contributing; Residents enjoy currently living in the neighborhood; How many owner-occupied homes exist. Meeting presentation and dialogue ended at 8:05 p.m. Additional side conversations ensued with opponents asking people to mark their property in opposition of the request, including exchange in contact information. The majority of the discussion appeared to be in opposition of the overlay district, but was not apparent that all were either property owners, representatives or just nearby residents attending the meeting.

See Attachment N, for compiled list of support and opposition e-mail messages and letters received by staff regarding the proposal at this time.

**Conclusion**

Staff has received both opposition and support on the recommendation for historic designation of the Park Tract and Gage Addition Subdivisions. There has been discussion about the level of property owner support for this overlay and whether a minimum of 51% has been established to indicate a significant level of owner interest in creating this overlay. At present, there has not been documentation presented that would indicate significant property owner interest in creating a Historic Overlay District for these neighborhoods.

Staff is recommending continuance for the two requests to determine the appropriateness of a Historic Overlay. If a Historic Overlay is recommended by staff to the Development Review Commission, we will consider the best approach to achieving preservation of historic features along with incorporation of

redevelopment that would meet the objectives of a historic district. This could be achieved by developing tools through the "Form-based Codes" concept, which would implement criteria specific to each portion of the neighborhood. This analysis would potentially involve surveying the existing neighborhood, compiling all neighborhood input, data research, and developing specific recommendations in order to adopt appropriate guidelines and regulations. Staff is recommending a continuance for 180 days until the next available Commission hearing scheduled for June 12, 2007 to further address this topic.

If a historic overlay district were approved for the Park Tract and the Gage Addition subdivisions, the staff strongly recommends that the following specific issues be addressed:

- 1- Creation of a Form Based Code to replace or supplement the Zoning and Development Code to develop specific guidelines and regulations to secure a desired character for the district.
- 2- A re-zoning of the properties in the district to an R-1 single-family district to be consistent and appropriate for the existing type of single family neighborhood that the historic overlay is intended to preserve. If individual lots participate in this zoning process, a historic overlay district could form over time and be processed at a later date.
- 3- Requirement for any property that participates in flood irrigation to subscribe to an access and maintenance agreement through the City of Tempe Water Department.

#### **APPROVAL CRITERIA:**

The criterion below has been established for determining the appropriateness for historic designation of properties as a Historic Overlay District.

#### **Tempe City Code Sec. 14A-4. Designation of landmarks, historic properties and historic districts.**

- (a) The following criteria are established for designation of an individual property, building, structure or archeological site:
  - (1) It meets the criteria for listing on the Arizona or national register of historic places;
  - (2) It is found to be of exceptional significance and expresses a distinctive character, resulting from:
    - a. A significant portion of it is at least fifty (50) years old; is reflective of the city's cultural, social, political or economic past; and is associated with a person or event significant in local, state or national history; or
    - b. It represents an established and familiar visual feature of an area of the city, due to a prominent location or singular physical feature; or
  - (3) If it has achieved significance within the past fifty (50) years, it shall be considered eligible for designation as a landmark if it is an integral and critical part of an historic district or demonstrates exceptional individual importance by otherwise meeting or exceeding the criteria specified in paragraphs (1) or (2) of this subsection above. At such time as a landmark becomes fifty (50) years old, it will automatically be reclassified as an historic property.
- (b) The following criteria are established for designation of an historic district:
  - (1) The district consists of an area in which are located a substantial concentration of properties, buildings or structures which individually meet the criteria in subsection (a) of

this section above, as well as others which contribute generally to the overall distinctive character of the area, and are united historically or visually by plan or physical development; district boundaries coincide with documented historic boundaries such as early roadways, canals, subdivision plats or property lines; other district boundaries coincide with logical physical or man-made features and reflect recognized neighborhood or area boundaries; and other noncontributing properties or vacant parcels are included where necessary to create appropriate boundaries; or

- (2) A district may also include or be composed of one or more archeological sites.

### **Zoning and Development Code Sec. 6-304(C)(1) Zoning Map Amendments**

1. The applicable decision-making body shall review the request and make a recommendation to City Council in a public hearing. The recommendation of approval of any amendment by the recommending body shall be based on a finding of consistency and conformance with the General Plan and may include conditions of approval.

#### **HISTORY & FACTS:**

- |                    |  |
|--------------------|--|
| August 16, 2006    | The applicants held a Neighborhood Meeting at the Tempe Woman's Club, 1290 South Mill Avenue at 6 p.m. regarding a proposed request for Historic designation of the properties comprised the Maple-Ash Neighborhood. |
| September 14, 2006 | Historic Preservation Commission continued the request for Historic Overlay Districts for the Gage Addition, Park Tract and College View Subdivisions to October 12, 2006.   |
| October 12, 2006   | Historic Preservation Commission recommended approval the request for Historic Overlay Districts for the Gage Addition and Park Tract Subdivisions excluding and College View Subdivisions to October 12, 2006.      |

#### **ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-304, Zoning Map Amendments (including Overlay Districts)

#### **CITY CODE REFERENCE:**

Chapter 14A, Historic Preservation

ORDINANCE NO. 2006.73

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE CITY OF TEMPE ZONING MAP, PURSUANT TO THE PROVISIONS OF THE ZONING AND DEVELOPMENT CODE PART 2, CHAPTER 1, SECTIONS 2-106 AND 2-107, RELATING TO THE LOCATION AND BOUNDARIES OF DISTRICTS, AND A CODE TEXT AMENDMENT PURSUANT TO THE PROVISIONS OF THE ZONING AND DEVELOPMENT CODE PART 6, CHAPTER 3, SECTION 6-304, BY AMENDING PART 5, CHAPTER 5, TO INCLUDE PARK TRACT AS AN HISTORIC OVERLAY DISTRICT.

\*\*\*\*\*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

**Section 1.** That the City of Tempe Zoning Map is hereby amended, pursuant to the provisions of Zoning and Development Code, Part 2, Chapter 1, Sections 2-106 and 2-107, by designating the below described properties as the Park Tract Historic Overlay District on \_\_\_ net acres.

**Section 2.** That Part 5, Chapter 5, is hereby amended to read as follows:

**Section 3.** Further, those conditions of approval imposed by the City Council, **Case# HPO06002** are hereby expressly incorporated in ordinance by this reference.

**Section 4.** Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Mayor

ATTEST:

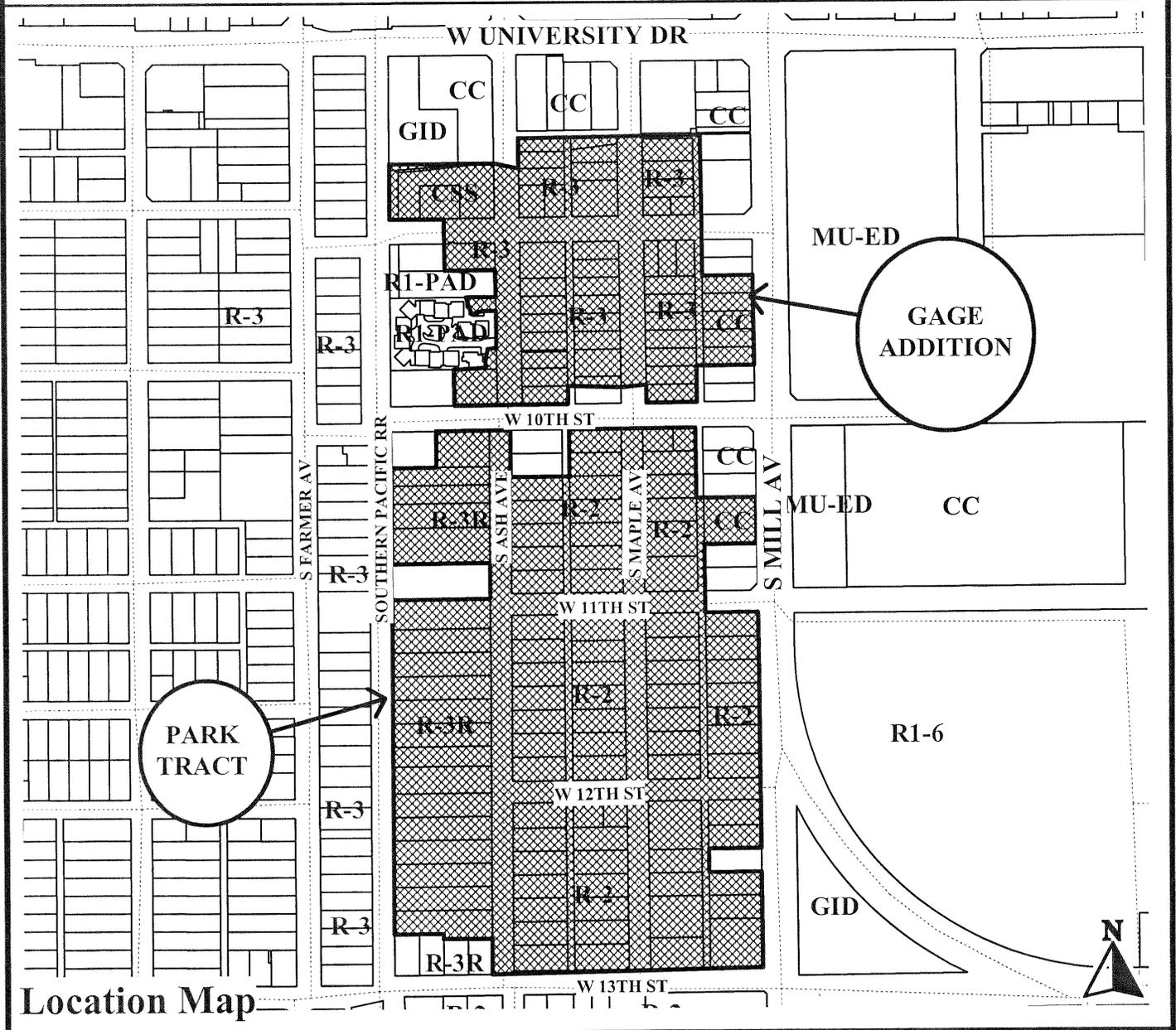
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

# GAGE ADDITION / PARK TRACT HISTORIC DISTRICTS

PL060472



Location Map



PARK TRACT (PL060472)