

# MINUTES

## HISTORIC PRESERVATION COMMISSION

### August 9, 2023

Minutes of the regular hearing of the Historic Preservation commission, of the City of Tempe, which was held in hybrid format in person at City Council Chambers, 31 East 5th Street, Tempe, AZ, and virtually through WebEx.

#### Regular Meeting 6:00 PM

##### **Present:**

##### **Staff:**

Kyle Woodson	Jeff Tamulevich, Community Development Director
Dave Fackler	Ryan Levesque, Comm Development Deputy Director
Erin Davis	Zachary Lechner, Historic Preservation Officer
Reylynne Williams	Ambika Adhikari, Principal Planner, Com Dev
Anders Engnell	Jennifer Daniels, Admirative Assistant II, Com Dev
Greg Larson	
Kiyomi Kurooka	
Laurene Montero	

- 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) **Voting of the Meeting Minutes**

Commissioner Davis stated that on page 6, 2<sup>nd</sup> full paragraph, last sentence, it should state “does not harm the historic structure.” The word “not” needs to be added. Commissioner Williams stated that on page 2, 1<sup>st</sup> paragraph, 8<sup>th</sup> line, it should read, “places,” not “place.” Commissioner Williams stated that on page 2, 3<sup>rd</sup> paragraph, 9<sup>th</sup> line, it says “that jibes”. Commissioner Williams stated she does not know what that word is and does not recall it being said. Dr. Lechner indicated this was not an error, unless he made a typo. Commissioner Williams said she would withdraw the correction request if the word was correct.

**Motion** \*No motion was made to approve. This item will be continued on the September 13, 2023, HPC agenda.

**Ayes:** Chair Woodson, Vice Chair Fackler, Commissioners Davis, Engnell, Montero, Williams, Larson, and Kurooka

**Nays:** None

**Abstain:** None

**Absent:** Commissioner Robinson

- 3) **Approval of Agenda**

Approval of agenda by Chair Woodson.

- 4) Update on plans for the historic rehabilitation of the **HAYDEN FLOUR MILL AND SILOS**, located at 119 South Mill Avenue. The presenters are representatives of Venue Projects and Sunbelt Holdings and Maria Laughner, City of Tempe Deputy Director of Economic Development.

Ms. Maria Laughner, City of Tempe Deputy Director of Economic Development, gave a presentation on the Hayden Flour Mill and Silos. She said her department is ready to go to City Council next month with the development agreement. The project is still on track with the previous proposal. The City and the developer are currently collaborating with the Salt River Pima-Maricopa Indian Community (SRPMIC). The "Spirit of Communication" document, included in the packet was created with SRPMIC. In Phase I, in addition to the site clean-up, the project will be looking to establish a public park and begin the rehabilitation of the trailhead at the foot of Tempe Butte. Through its partnership with Rio Reimagined, the City was able to connect with the Conservation Fund, which is interested in a sponsorship for the rehabilitation of the trailhead. Also, Ms. Laughner stated, the City has made further progress on the environmental studies. A Phase II Environmental Survey Assessment (ESA) scope of work is currently being put together. Dr. Lechner has taken the lead on both the environmental and related archaeological scope of work. SCS, which performed the environmental Phase I work, will also be doing the environmental Phase II work. Ms. Heidi Kimball of Sunbelt Holdings stated that great progress has been made. After discussion with Mr. Peter Buseck, the Tribes, and City Parks Department, it has been decided to adjust the order of how things are redeveloped on the site. The first focus will now be on the trailhead connection and a potential pavilion. Ms. Kimball stated that that Sunbelt and project partner Venue Projects have retained the services of a consultant, who is helping with the submittal of an application for national historic tax credits.

Commissioner Engnell asked to hear more about the timing and sequencing of opening the trailhead. Ms. Laughner stated that they will be back with the trailhead design once it is completed. Ms. Laughner stated that the first step is going to be the clean-up of the site. Phase I will primarily consist of site clean-up and the designation of the public park. Once the design is completed for the trailhead, work will then begin on the trailhead. This process will activate the site, while the historic preservation component takes longer to complete. Mr. Lorenzo Perez of Venue Projects explained the timeline for the process. Mr. Perez stated that they have hired a project manager, Mr. Lucas Lindsey, who will help oversee the historic preservation process. A couple of time-sensitive goals have been set, including getting in front of the Architectural Review Committee in March 2024. If that timeline is not met, the presentation will be shifted to July 2024. The most important thing now is getting the Phase II ESA going. There are a lot of environmental and archaeological items to evaluate.

Vice Chair Fackler asked: How much of a disturbance will Phase II be to the site? Mr. Perez stated that it is primarily concentrated on the north side of the Mill. It will require some borings to do soil sampling. All information has been handed to the engineering firm to help speed up the process. There is access into the Mill, but the development team is working on securing access to the Silos.

Commissioner Engnell asked Mr. Perez to speak about new building design subordination, scale, massing, detail, and asked how the new buildings will integrate with the Silos, archaeologically speaking. Mr. Perez stated that they are not sure yet. He said his team has been pumping the brakes on design lately. What they do know, he said, is that the buildings will need to be durable and adaptable.

Chair Woodson asked if the development agreement was going to City Council fairly soon. Ms. Laughner stated that they are shooting for September. This would be an ordinance, so it does require two Council hearings, ideally September 7 and September 28; however, the timing does depend on the City's and developer's attorneys. Chair Woodson asked if after the Council hearing if Phase I would begin. Ms. Laughner stated that yes, Phase II of the environmental survey and Phase I of the project, which is when the clean-up and trailhead would be initiated. Chair Woodson asked if Ms. Laughner will be coming back to the Commission to give updates. Ms. Laughner stated, yes. Dr. Lechner. Lechner stated that the Commission will have the opportunity to review the National Register nomination for the property. The site is currently designated in the Tempe Historic Property Register.

- 5) Update on historic preservation-related efforts at the **GONZALES-MARTINEZ HOUSE** site, located near the corner of 1<sup>st</sup> Street and Farmer Avenue. The presenter is Zachary J. Lechner, City of Tempe Historic Preservation Officer.

Dr. Lechner provides updates pertaining to the Gonzales-Martinez House. Recent efforts include an Environmental Site Assessment (ESA) Phase I (completed) and Phase II (pending by Engineering and Environmental Consultants, Inc.) The Phase I assessment was completed on June 30. As a result of the findings, it was decided to move forward with Phase II of the ESA. The goal is to test for Recognized Environmental Conditions (RECs). This is because the site was primarily used a junkyard and has a septic tank on it. As part of Phase II, there will be some archeological work. An asbestos test was done on house recently and a small amount of asbestos was found in the tile of the bathroom floor. This is a very small issue, and it was remediated. The 3<sup>rd</sup> item pertains to the updated building condition assessment by Robert ("Bob") Graham of Motley Design Group. This assessment was included in the updated staff report to the Commission. The east adobe wall has deteriorated more at the base. Room 3 was originally thought to be part of a 1918 addition made of railroad ties; it turns out it is made of adobe. It was not part of the original home and was part of a post-1880 addition. Room 4 is composed of railroad ties up to about 4 feet high; above that it was screened and then later filled with beadboard. In the report, Mr. Graham stated that the next step would be to remove the non-historic addition and outbuildings from the site. Then contractors would need to be solicited and a specific rehabilitation and adobe stabilization plan would have to be devised.

Commissioner Kurooka asked why the City of Phoenix is listed on the cover page of the environmental survey. Dr. Lechner stated that the City of Phoenix takes the lead in helping to facilitate Brownfield Grants for certain communities in the Salt River Valley (*HPO note: Specifically, the cities are Tempe and Avondale.*) This is a collaborative project with Phoenix and City of Tempe. Commissioner Kurooka asked for an update on the development agreement. Dr. Lechner stated that the development agreement was finalized a week ago Monday. It focuses on historic elements. Dr. Lechner reviewed each of the historic preservation-related edits and made suggestions. Commissioner Kurooka asked if the façade conservation easement guarantees the property will be preserved. Dr. Lechner stated that there are other facade conservation easements on various properties in the City. The requirement is that any type of work on the building has to maintain the building's appearance so that it looks the same as when the easement was applied. That is a legally binding agreement. Dr. Lechner stated that every conversation he has had with the developer indicates they understand how important it is to the City and the Commission to retain and preserve this structure moving forward. Commissioner Kurooka asked how many years does the conservation easement last? Dr. Lechner stated that he has not seen the details on this specific item. Commissioner Kurooka asked if the City has considered retaining ownership of the property and leasing it to a developer. Dr. Lechner stated that the developer would take ownership of the Gonzales-Martinez House. That is the reason the façade conservation easement is so important—to ensure the home will be preserved in the future. The developers also agreed to go through the process of requesting the home's designation in the Tempe Historic Property Register.

Commissioner Larson asked if the adobe on the east side of the house is deteriorating near the ground level. Dr. Lechner stated, yes. Commissioner Larson asked if this is where the ABS pipe is? Dr. Lechner stated he is unsure. Dr. Lechner showed the Commission pictures from the report where the adobe is crumbling. Commissioner Larson asked what the floor is like inside the historic walls? Dr. Lechner stated there are a variety of different types of flooring, maybe two or three. During the rehabilitation, the flooring would be restored back to its original material.

Vice Chair Fackler stated the City's property was originally platted to include the railroad right-of-way (ROW). The original documents showed a 33-foot-wide easement to the railroad. In 2002, the railroad quit-claimed the remainder of the City's property, just to ensure they did not have a claim on the house or the rest of the property. Vice Chair Fackler stated that it is his understanding that the railroad now owns the eastern 35 feet of the property, which is two more feet than the original easement. Vice Chair Fackler asked Dr. Lechner if he has seen the documents. Dr. Lechner stated, no. Vice Chair Fackler stated that his concern is that in the revised staff report's supporting documents, the potholes that were done for environmental purposes are right along the border. His concern is with the railroad property being tested and showing up positive. Vice Chair Fackler stated that he is concerned with who owns what in that area. Dr. Lechner stated that the developer

had a concern about the same issue. The parcel was resurveyed. There was originally a plan to do some boring in the railroad ROW, but based on the revised map that Dr. Lechner provided to the environmental consultant, they decided to move out of the ROW and bore only on the City-owned property. Vice Chair Fackler stated that he is concerned that over the last five to seven months that it has taken to negotiate the development agreement, the house is significantly deteriorating. Dr. Lechner stated he agreed. We want to try and move forward as soon as possible, he said. Vice Chair Fackler asked if the developer will be acquiring all the City's property, including the land to the north that includes the City of Phoenix water line easement. Dr. Lechner stated he was unsure. Dr. Lechner will look for an answer to that question. Vice Chair Fackler stated that his major concern is that the house has been exposed to the elements over the last few months. Vice Chair Fackler stated that if during the process of moving to the stabilization phase, if Dr. Lechner feels it is necessary to come to the Commission, rather than making the decision alone, the Commission is not opposed to holding a special meeting. Dr. Lechner stated that he does not think this will be an issue. The house is not on the Tempe Historic Property Register. It is not a requirement to bring the Commission a proposal. Dr. Lechner stated that he can make decisions regarding the rehabilitation. Dr. Lechner does not foresee a need to call a special meeting. Vice Chair Fackler asked that now that the development agreement has been approved and executed, in the next meeting, can Dr. Lechner do an outline of the development disposition agreement with the deal points? Dr. Lechner stated that he can provide information on Historic Preservation-related items.

Chair Woodson asked Dr. Lechner to give a general idea of what the schedule is looking like moving forward. Dr. Lechner stated that he asked the developer that same question this morning. They were unable to give a firm answer. It will depend on the rehabilitation plan and contractors, though the developer did say they anticipate that a stabilization and rehabilitation plan will be available by the 4<sup>th</sup> quarter of this year.

Vice Chair Fackler asked if the rehabilitation moves forward in the 4<sup>th</sup> quarter, will this involve the City's money or the developer's money? Dr. Lechner stated that it has not been decided yet. Vice Chair Fackler asked where we are with the grants and is there a deadline? Dr. Lechner stated that he has been in touch with the State Historic Preservation Office regarding the Heritage Fund Historic Preservation Grant for the Gonzales-Martinez House. Within 18 months of the execution of the grant, the project must be in the construction phase. There is a deadline to complete the work by 2025. SHPO did state that the time can be extended if needed. Dr. Lechner stated that we are in good shape.

Commissioner Engnell asked if Dr. Lechner could share more on the plan for the partial demolition. It would be helpful to know if the developer has confirmed that what they plan to demolish does not include any historic elements. It would also be helpful to know how the historic elements were verified. Dr. Lechner stated that our understanding of those historic elements is based on the building condition assessment report that Bob Graham completed in 2017. Referring to the floor layout on a PowerPoint slide, Dr. Lechner said that any room labeled with a number is part of the historic structure. Rooms 1 and 2 are part of the original adobe home. Room 3, which we used to think was a 1918 railroad tie addition, is actually an adobe addition. Room 4, which is composed of railroad ties, is a World War I-era addition. Anything to the north of that is non-historic and will be demolished. Bob Graham would be on site to consult during the demolition. Commissioner Engnell stated that much of the structure seems to be exposed. Is there a plan in place to seal the structure and prevent further damage? Dr. Lechner stated that Mr. Graham mentioned putting tarps over the adobe sections. Dr. Lechner said that a more developed plan for the exposed areas will be completed once the non-historic half of the house is demolished.

**6) Request for recommendation of adoption of the General Historic Properties Treatment Plan for the City of Tempe, Maricopa County, Arizona.**

Dr. Lechner gave a presentation on the General Historic Properties Treatment Plan for the City of Tempe. Since the Commission reviewed the document back in April, the City has had consultations with Tribal governments and other consulting parties. The City's contractor on this project, Logan Simpson, incorporated various revision requests from those parties. Dr. Lechner gave a presentation to the Four Southern Tribes Cultural Resource Working Group in July and received positive feedback. He mentioned that Ms. Andrea Gregory from Logan Simpson was online if the Commission had any specific questions

about the plan. The next step for this plan is for it to be routed to City Council for adoption.

Commissioner Engnell asked Dr. Lechner to share some of the feedback on the plan. Ms. Gregory stated some of the comments were from Arizona State Museum clarifying the appropriate process for when a burial discovery agreement is not in place for a project. Logan Simpson amended the content to reflect the correct procedures in those situations. Logan Simpson also received comments from Greg Glassco with Yavapai-Prescott Indian Tribe verifying consideration for identifying and resolving adverse effects to Traditional Cultural Properties.

Commissioner Montero asked Ms. Gregory if there were discussions with the Tribes before the plan was written. Ms. Gregory stated that prior to the formal consultation, Logan Simpson submitted the draft plan to the Gila River Indian Community and Salt River Pima-Maricopa Indian Community for review and to verify that the cultural history material was accurate. Those Tribes provided feedback on that section as well as on the inclusion of research themes and questions related to cultural continuity. Commissioner Montero brought up the word "Protohistoric." She asked: Was there any discussion about using that term in the document? Ms. Gregory stated that there was some discussion about it. There is not a term that everyone likes. Gila River Indian Community stated that "Protohistoric" is preferred over "Post-Classic."

Chair Woodson stated that he is pleased and that this is a very good document for the City.

**Motion** by Commissioner Montero to approve the request for recommendation of adoption of the General Historic Properties Treatment Plan for the City of Tempe; second by Vice Chair Fackler. Motion passed on **8-0** vote.

**Ayes:** Chair Woodson, Vice Chair Fackler, Commissioners Davis, Engnell, Montero, Williams, Larson, and Kurooka

**Nays:** None

**Abstain:** None

**Absent:** Commissioner Robinson

## 7) Chair / Staff Updates

Chair Woodson had no updates.

Dr. Lechner gave an update on the Historic Eligible property at 599 West 5<sup>th</sup> Street that is slated for demolition. Dr. Lechner reached out to the applicant to see if they would allow Dr. Lechner to take photos of the interior of the property. They agreed but said there is a tenant in the home currently, so it will be a few weeks.

Mr. Ambika Adhikari gave an update on General Plan 2050. The document was approved by the DRC. It will now go to City Council on August 10 and 24. If the HPC would like to review the document, it is online.

Commissioner Larson asked if Chair Woodson's and Vice Chair Fackler's letter that the Commission voted on last month ended up going to the Mayor. Dr. Lechner stated that he sent it to the Mayor and Council.

Commissioner Kurooka asked if Dr. Lechner could speak more on a future agenda about the potential for a 2024 bond issue for Historic Preservation. Dr. Lechner stated he has not heard anything official about such a measure but said he will look into the matter further.

## 8) Current Events / Announcements / Future Agenda Items

### Member Announcements

### Staff Announcements

Dr. Lechner stated that there will be a HPC Meeting next month. There will be a presentation on Tempe Downtown Refresh and the City's *Making Space for Parks and Recreation* initiative. Dr. Lechner has also been working with Mr. Ryan Levesque to put together some proposed historic preservation-related text

amendments to City Code, which will be introduced to the HPC at its September meeting.

Meeting Adjourned by Chair Woodson.

Hearing adjourned at 7:20 PM

Prepared by: Jennifer Daniels, Administrative Assistant  
Reviewed by: Zachary Lechner, Historic Preservation Officer

jd:zl