

ATTACHMENT C

PHOENIX HISTORIC PRESERVATION COMMISSION Final Meeting Minutes

Date: February 12, 2024
 Time: 4:30 p.m.
 Location: Hybrid Meeting: In-person at City Council Chambers & Virtual via Webex

Commission Members Present	Staff Present
Dan Garcia, Chair	Helana Ruter
Dan Klocke	Kevin Weight
Brenda Thomson	Desiree Aranda
Tricia Amato, Vice Chair (virtual)	Cletus Montoya
Christina Noble (virtual)	Emma Collins
Greta Rayle (virtual)	Bridget Collins
Keely Varvel Hartsell (virtual)	Paul Li
	Jodey Elsner (virtual)
	Crystal Carrancho (virtual)
	Maura Jackson (virtual)
Commission Members Absent	Staff Absent
Taz Khatri	

1.	<p>Call meeting to order</p> <p>Chair Garcia verified that a quorum was established and called the meeting to order at 4:32 p.m.</p>	Dan Garcia, HP Commission Chair
2.	<p>Introduction of Commission Members and Staff</p> <p>The Commission members and HP staff made their introductions.</p>	HP Commission & Staff
3.	<p>Review of meeting minutes from the monthly meeting held on January 8, 2024.</p> <p>Action Requested: Approval of minutes</p> <p>Chair Garcia asked the Commission for questions or comments about the draft minutes from the January 8th meeting. None were posed.</p> <p>Chair Garcia then asked the Commission for a motion on the draft minutes from the January 8th monthly meeting.</p> <p>Commissioner Thomson made a motion to approve the minutes as submitted for the January 8, 2024, HP Commission monthly meeting.</p> <p>Commissioner Klocke seconded the motion.</p> <p>The Commission voted, as follows:</p>	HP Commission

	<p>as well as prioritization of projects, cost estimates, and possible grant funding opportunity.</p> <p>Vice Chair Amato thanked Mr. Weight. She said that she was the real estate agent for the previous property owners and that they had ideas for various community uses of the site. However, due to the pandemic and other issues, the previous owners needed to sell the property. She mentioned that this property was special to her and that she was very happy that Mr. Fabian has plans to rehabilitate the property and restore it to a much more usable state.</p> <p>Ms. Ruter mentioned that the property owner, Mr. Fabian, was attending the meeting via phone and he was available for questions from the Commission.</p> <p>Chair Garcia asked the Commission for any questions for Mr. Fabian. None were posed.</p> <p>Chair Garcia verified there were no further discussions or comments, and he asked the Commission for a motion.</p> <p>Vice Chair Amato made a motion to approve staff's recommendation for HP overlay zoning (Application Number Z-116-23-8) for Yaun Ah Gim Groceries at 1002 South 4th Avenue.</p> <p>Commissioner Thomson seconded the motion.</p> <p>The Commission voted, as follows: Chair Garcia – Yes Vice Chair Amato – Yes Commissioner Klocke – Yes Commissioner Noble – Yes Commissioner Rayle – Yes Commissioner Thomson – Yes Commissioner Varvel Hartsell – Yes</p> <p>Approved 7 – 0.</p>	
6.	<p>Public Hearing for Application No. Z-117-23-7, Phoenix Laundry & Dry Cleaning (Milum Textile Services) at 333-337 North 7th Avenue, a.k.a. 332-334 North 6th Avenue.</p> <p>Action Requested: Recommendation on Historic Preservation (HP) Overlay Zoning</p> <p>Chair Garcia introduced this agenda item and said that this property has come before the HP Commission at the two previous meetings. He said that this would be the third case for this property to be presented to the HP Commission. He then invited Kevin Weight to give a summary of the reason for this case today.</p>	Kevin Weight, HP Staff

Mr. Weight said that Case Z-117-23-7 was a request to establish Historic Preservation (HP) overlay zoning for the property located at 333-337 North 7th Avenue (a.k.a. 332-334 North 6th Avenue, known historically as Phoenix Laundry & Dry Cleaning (a.k.a. Milum Textile Services). He said that staff was recommending that rezoning request Z-117-23-7 be approved but notes the property owners are opposed to the request. He then briefly reviewed the following background information, which was also shared at the previous Commission meetings:

- Location: 333-337 North 7th Avenue (a.k.a. 332-334 North 6th Avenue)
- Property Owner: Milum Textile Services
- Zoning: DTC-Van Buren (Downtown Code - Van Buren Character Area) with HP overlay pending
- Recommended eligible in 1984 in *Historic Phoenix Commercial Properties Survey*
- In October 2023, owners submitted request to demolish property
- 30-day hold began on October 31, 2023
- HP Commission formally initiated HP zoning on November 20, 2023
- Z-117-23-7 filed by HP staff on December 29, 2023

Mr. Weight reviewed the concurrent timelines of the Demolition Hearing and the HP Zoning Hearing, as follows:

- Demolition hearing timeline:
 - 10/31/2023: 30-day demolition hold began
 - 11/20/2023: HP zoning initiated by HP Commission
 - 11/21/2023: Demolition reviewed by HP Officer under Section 806 (Decision: Denied)
 - 11/21/2023: Demolition hearing scheduled per 806.E.3
 - 12/08/2023: HP Hearing Officer hearing (Decision: Denied)
 - 01/08/2024: HP Commission hearing
- HP Zoning hearing timeline:
 - 10/31/2023: 30-day demolition hold began
 - 11/20/2023: HP zoning initiated by HP Commission
 - 02/12/2024: HP Commission hearing
 - 03/11/2024: HP Central City VPC meeting
 - 04/04/2024: Planning Commission meeting
 - 05/01/2024: City Council hearing

Mr. Weight once again displayed photos and reiterated the property description and its history. Then he restated the HP overlay zoning criteria, as follows:

1. Age (at least 50 years old or exceptionally significant)
2. Integrity (location, setting, design, materials, workmanship, feeling, association)
3. Significance:
 - A. Associated with events or patterns of events significant in Phoenix history
 - B. Associated with persons significant in Phoenix history

	<p>C. Represents a type, period, or method of construction; represents the work of a master; or has high artistic values</p> <p>D. Has yielded or has the potential to yield information about Phoenix history or prehistory</p> <p>Mr. Weight restated the findings from the evaluation of the property, as follows:</p> <ul style="list-style-type: none"> Phoenix Dry Cleaning & Laundry property qualifies for historic designation under Criteria A and C. It is significant for its association with commercial development in early Phoenix and for its architectural style and method of construction Excellent representation of the property type "New Deal Era Industrial Architecture, 1933-1942" set forth in the historic context report <i>Commerce in Phoenix, 1870-1942</i>, prepared by Janus Associates, Inc. for the Arizona State Historic Preservation Office. <ul style="list-style-type: none"> This report lists eight examples of this property type, including the subject property. However, only two of the eight examples remain intact today Phoenix Dry Cleaning & Laundry building is also significant for its use of two separate lamella roofs <ul style="list-style-type: none"> Constructed in 1935, the lamella roofs at the Phoenix Laundry & Dry Cleaning building were among the earliest in Arizona. They predate the Cattle Barns (1936) and Agricultural Building (1938) at the Arizona State Fairgrounds, and the gymnasium at Chandler High School (1939), which also utilize lamella roofs and are the only such structures remaining in Maricopa County. According to the Arizona State Historic Preservation Office, only one other similar building is known to exist in Arizona (in Kingman), making these structures significant at the state level The property retains a relatively high degree of historic integrity, still resembling its 1930s appearance. It remains sufficiently intact to convey both its historical and architectural significance <p>Mr. Weight restated that the proposed boundary encompasses 1.31 acres. As mentioned previously, only the northern portion with the rebuilt 1935 building has been included in the proposed boundary, with the southern portion excluded to allow redevelopment on that part of the site. The proposed boundary contains the documented historic building and follows parcel lines and street monument lines as much as possible. It also includes the adjacent portion of the right of way, as is customary in rezoning cases.</p> <p>Mr. Weight said that the property owners have not signed an Ownership Authorization Form or Waiver of Claims under Proposition 207 for this rezoning case and have started their opposition to the proposed HP zoning, as it would delay their demolition of the property by an additional</p>	
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	<p>year. They have further stated that they plan to file a claim for loss of value under Proposition 207 if the HP zoning is approved.</p> <p>In conclusion, Mr. Weight stated that staff was recommending approval of the rezoning request Z-117-23-7 to establish HP overlay zoning for the subject property, per the following reasons:</p> <ol style="list-style-type: none"> 1. The property meets the significance, age, and integrity requirements for HP overlay zoning set forth in Section 807.D of the Zoning Ordinance; and 2. The proposed boundaries meet the eligibility criteria outlined in Section 807.E. <p>However, the owners' opposition to the case and their stated intention to file a Proposition 207 claim if it is approved may have financial impact to the City.</p> <p>Chair Garcia thanked Mr. Weight. Next, he verified that the property owners were in attendance. He invited Mr. and Mrs. Milum to present their comments to the Commission.</p> <p>Mrs. Milum presented photos as examples of damage to the roof. She said that they think that mold has gotten into the wood of the roof. However, there has not been any investigation of the roof structure for the presence of mold, lead, or asbestos. She expressed her concerns regarding possible collapse of roof due to damage and possible public safety concerns. Therefore, she does not see a viable future for the roofs. She said that she has sent reports to Ms. Ruter in the HP Office as well as to City Council.</p> <p>Chair Garcia thanked Mrs. Milum for sharing the photos and comments. He said that there would be more time for their rebuttal after the Commission discussion and public comments.</p> <p>Next, Chair Garcia asked the Commission for any questions for staff or property owners. None were posed.</p> <p>Chair Garcia mentioned that the HP Commission had received several letters of support for the HP overlay zoning. He read the following excerpt from one of the letters that was submitted by Erika Ross Lindsay, of the Phoenix Art Deco Society:</p> <p>"It seems common for individuals to drive by buildings and landmarks without questioning their origins. And this is in part because the increasing number of historic properties demolitions. Saving these properties saves the connection to our past and cultivates a sense of pride, understanding, and community in the city, something that Phoenix should value. Without this connection to our past and what defines our culture as Phoenicians, a city cannot really flourish. Once these buildings are demolished, they will be gone forever and with it some of our history."</p>	
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	<p>Chair Garcia said that he shared the above excerpt as a counterpoint to demolition.</p> <p>Next, Chair Garcia said that one request was submitted by Julia Taggart for public comment on this item. He invited Ms. Taggart to the podium for comment.</p> <p>Ms. Taggart said that she is a Board Member of the Sunnyslope Historical Society as well as a member of the Phoenix Art Deco Society. She agreed with the comments in the excerpt of the letter that Chair Garcia had shared. She feels that an HP overlay needs to be placed on the subject property, especially since the city has already lost a lot of art deco buildings, such as the Fox Theater. She said that it is important to save the Art Deco building on the subject property. She also believes it is as important as it is plausible to rehabilitate and save the roof structures and these buildings. She urged the Commission to approve the HP overlay zoning to save this part of Phoenix history for present and future generations.</p> <p>Chair Garcia verified that there was another request from Roger Brevoort for public comment on this item. He then invited Mr. Brevoort to the podium to share his comments.</p> <p>Mr. Brevoort said he contributed to the 1983 survey of the subject property. He mentioned that at that time, there was a discrepancy on whether the building was commercial or industrial and how to define those two types of structures. He said that if the survey was expanded, at that time, the property would have been nominated. He agrees that the property still meets the eligibility criteria. He mentioned that the lamella roofs are only components, they are not the sum total of the property. He thinks that there could be viable options for adaptive reuse for the north portion of the property, especially applying private sector funding and Federal Reinvestment Tax Credits.</p> <p>Chair Garcia verified that there were no further public comments on this item. He then invited Mr. and Mrs. Milum for their rebuttal.</p> <p>Mrs. Milum said that this property has been vacant since 2019. She also said that nine out of ten developers have declined purchasing the property due to Historic Preservation requirements. She said that they have spent years trying to sell the property and it continues to be a burden on them to pay for maintenance and taxes on the property. She said that this property was an industrial laundry that exposed the structure to hard chemicals for many years. She reiterated that they have done their due diligence and they just want to move on with their lives. She said that they would be open to selling the property to the city of Phoenix. Otherwise, they want the property to be demolished.</p> <p>Chair Garcia asked the Commission for any further discussion or questions for staff or property owners.</p>	
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	<p>Commissioner Thomson referenced the report mentioned by Mrs. Milum and asked staff what the report was and has staff reviewed it.</p> <p>Ms. Ruter said that it was a thesis-style document on the study of lamella roof structures, which was submitted by Mrs. Milum to the HP Office. It was not included in the rezoning case. However, portions of the report would be included in the economic hardship case going before City Council.</p> <p>Commissioner Thomson then asked staff for clarification on the earlier comments that no one had examined the roof structures for integrity or possibility of collapse.</p> <p>Ms. Ruter responded that she was not aware of the property owners contracting any structural engineers to assess the property. She also stated that the city had not contracted any structural engineers.</p> <p>Chair Garcia verified there were no further questions. He then closed the floor to public comments.</p> <p>Chair Garcia commented on the challenge set before the HP Commission, where there are claims against the structural integrity versus the historical integrity of the property. He stated that the HP Commission previously voted to initiate the HP overlay on the subject property, and an approval today would complete that process. He also referenced the possibility of a Proposition 207 claim and the implications upon the city if the HP overlay zoning would be approved today. He then asked the commission for any further discussions.</p> <p>Commissioner Thomson felt that a critical piece of information was still missing since there was no structural assessment provided as part of the overall consideration of the integrity and value of the property.</p> <p>Chair Garcia said that there have been previous cases where there have been compelling claims of integrity. He said that without having documentation demonstrating structural deficiencies, it was challenging for the HP Commission to decide based only on the available information.</p> <p>Vice Chair Amato said that if the property owners had an assessment done on the property and provided that report to the HP Commission, then the Commission would have had an opportunity to review the report prior to deciding. However, she suggested that the Commission look to the previous agenda item, pertaining to the request for HP overlay zoning on the Yaun Ah Gim Grocery Store, which is in much worse condition than the Phoenix Laundry & Dry Cleaning buildings. She stressed that the condition of a building does not lessen the historic significance of a property. She said that it was important for the Commission to consider the significance of a property and see its value to the community regardless of its condition.</p>	
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	<p>Commissioner Noble agreed with Vice Chair Amato's comments. She also referenced the report on the previous agenda item that the burden of proof is on the property owners. She understands that the subject property owners have expressed the financial burdens on them, and that they have opted out of providing the proof. She said that since that information is not available, then the focus of the HP Commission should be on whether the subject property has historic significance and value. She also mentioned that this case would move on to other commissions to consider other factors.</p> <p>Commissioner Klocke addressed Mr. and Mrs. Milum and said that he recognized that this situation is painful for them as property owners. He said that he previously had gone through a similar situation, and he understands how difficult this is to go through. He also said that the HP Commission has been very conservative in terms of pushing these kinds of cases forward. In fact, there have been cases that were not pushed forward when the public wanted those outcomes. He stated that since Proposition 207 was established nearly 20 years ago, there has only been one claim filed against the city. He said that this Commission does not take this situation lightly. He believes that the Phoenix Laundry & Dry Cleaning buildings are very special because of their history in the community. He said that they are very valuable and worthy of saving and said that he would be voting in support of the HP overlay zoning.</p> <p>Chair Garcia said he appreciated Commissioner Klocke's comments. He also mentioned that this situation exposes pain points in historic preservation where there is a strong desire by the city and citizens in the community to preserve buildings that are significant without having to pay to preserve the buildings. He said that it is important to support preservation of significant buildings and opportunities for funding preservation efforts.</p> <p>Next, Chair Garcia asked the Commission for a motion on this item.</p> <p>Prior to making a motion, Vice Chair Amato expressed her appreciation to Commissioner Klocke and Chair Garcia for their comments. She agreed that it was a difficult situation.</p> <p>Vice Chair Amato made a motion that the HP Commission approve HP overlay zoning on Application No. Z-117-23-7 for Phoenix Laundry & Dry Cleaning (Milum Textile Services) at 333-337 North 7th Avenue, a.k.a. 332-334 North 6th Avenue.</p> <p>Commissioner Klocke seconded the motion.</p> <p>The Commission voted, as follows: Chair Garcia – Yes Vice Chair Amato – Yes Commissioner Klocke – Yes Commissioner Noble – Yes Commissioner Rayle – Yes</p>	
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	<p>Commissioner Thomson – Yes Commissioner Varvel Hartsell – Yes</p> <p>Approved 7 – 0.</p>	
7.	<p>CLG Review of the National Register Nomination for Dr. Bertram Snyder Residence (8122 North 10th Avenue).</p> <p>Action Requested: Recommendation to the Historic Sites Review Committee</p> <p>Chair Garcia invited Crystal Carrancho to present this item.</p> <p>Ms. Carrancho briefly reviewed the staff report on the CLG Review of the National Register Nomination for the Dr. Bertram Snyder Residence, located at 8122 North 10th Street, as follows:</p> <ul style="list-style-type: none"> • MAR 2023: Subject property was listed on the Phoenix Historic Property Register • JAN 2024: Phoenix HP Office received National Register of Historic Places (NRHP) draft nomination from SHPO <ul style="list-style-type: none"> ◦ Courtney Widmer, current owner, requested NRHP nomination for subject property; Nomination was prepared by Vincent Murray • FEB 12, 2024: HP Commission scheduled to review subject draft nomination pursuant to Phoenix CLG Agreement and forward its recommendation to HSRC for review at next meeting • MAR 8, 2024: HSRC scheduled to review subject draft nomination <p>Ms. Carrancho said that staff had reviewed the draft nomination and found that the documentation is generally accurate and complete. She mentioned that staff had noted minor edits on the draft nomination form.</p> <p>In conclusion, Ms. Carrancho stated that staff was requesting the HP Commission to recommend that the draft NRHP Nomination be forwarded to the HSRC for approval subject to the noted edits on the nomination form.</p> <p>Chair Garcia thanked Ms. Carrancho for the report. He then asked the Commission for questions or comments on this item. None were posed.</p> <p>Chair Garcia verified that there were no requests for public comment.</p> <p>Then Chair Garcia verified that the Commission had no further discussions or comments, and he asked the Commission for a motion.</p> <p>Commissioner Klocke made a motion that the HP Commission recommend to the Historic Sites Review Committee, the CLG review of</p>	<p>Crystal Carrancho, HP Staff</p>