

# Attachment D

November 13, 2017

TO: Historic Preservation Commission  
FROM: Danny Bockting, owner 837 N. 5<sup>th</sup> Avenue  
  
RE: 837 N. 5<sup>th</sup> Avenue – Certificate of Appropriate Appeal  
Applicant's Response & Supporting Information

Dear Historic Preservation Commission:

My name is Danny Bockting, and I am the owner and applicant for the property at 837 N. 5<sup>th</sup> Avenue. I have been a resident of the Willo Historic Neighborhood for six years, and I am a supporter and activist for our City's downtown. For the past 15 years, I've dedicated my professional career to development across six states and within dozens of jurisdictions. Recently, I've shifted my energy to focus on creating projects that I'm personally passionate about. The type of projects that I want my name tied to and that I'm excited to share with my family and friends. I'm proud of this project; I'm very excited about it; and I know it will be a notable project in our downtown area.

The focus is on urban infill development with a vision of creating unique, highly-functional and inspiring spaces that improve people's quality of life through smart and beautiful design.

For this particular project, we want to elevate Downtown Phoenix by providing downtown dwellers with an alternative urban living experience. One that is different than the high-density apartment complexes that are dominating the marketplace. With urban families in mind, we have designed a lower-density product to provide features such as secure bike and stroller parking, a large and secure front yard to encourage activity and socialization, private rear yard spaces, ample storage, convenient onsite parking, and lots of natural light. For the building design and design elements, we've pulled inspiration from the surrounding historic buildings and layered them with a fresh and modern approach. We are utilizing a mix of premium materials that are both highly-attractive and sustainable.

Here is the property history and project details for some context:

1. The property has been vacant dirt since 1964.
2. We are not seeking any variances or use permits.
3. We are designed, and approved, in conformance with DTC-Roosevelt South ordinances and the historic preservation general design guidelines.
4. The project has the support and approvals from:
  - a. Historic Preservation Office: The HPO recommended support and approval with the stipulation to provide an additional 4'-2" in the front yard.
  - b. Historic Preservation Officer Hearing: The Hearing Officer granted approval on October 4<sup>th</sup> with the stipulation to provide an additional 4'-2" in the front yard.
  - c. Roosevelt Action Association: We presented our project on September 11<sup>th</sup>. The project received a supporting board vote of 5-1.
  - d. Community Support: We have received several Letters of Support from Downtown Phoenix property owners, philanthropists, and contributors.

We have provided a response to the appellant's claims. Please see Exhibit "3" enclosed with this letter.

In summary, we have:

- 1) Received all the necessary support and approvals for the project,
- 2) Shared additional support from the Downtown Phoenix community,
- 3) Demonstrated that our design complies with the ordinances and guidelines, and
- 4) Provided many details, and several examples, supporting that the design is compatible with the character of the Historic Preservation District.

Our design, and our property rights, should not be dictated by one person's opinion just because he owns the properties on either side of us and wishes the building set back further. Rather, it should be governed by the ordinances, design guidelines, and the compatibility with the character of our historic preservation district.

Thank you for your time. We hope that we have provided adequate information to assist you in this process and decision. Please don't hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'DTB' with a stylized flourish extending to the right.

Danny Bockting



## LETTER of SUPPORT

Attention: City of Phoenix HPO, HP Commission, City Council  
200 W. Washington Street  
Phoenix, Arizona 85003

From: Tim O'Neil  
Principal: Ironline Partners & Evergreen Development

re: 837 N. 5th Avenue

Friends:

I am writing to support Danny Bockting, whom I know personally and professionally, with the captioned project.

In short, he is one of the good guys... talented, honest and committed. He has a unique balance of passion for our evolving downtown culture and the broad skills required to deliver excellent projects. His thoughtful approach to people and relationships is evidenced by his success developing properties in dozens of local and regional municipalities and his outreach in connection to 837 North 5<sup>th</sup> Avenue.

I am a fifth generation Arizona native with deep roots, and a current zip code, in Phoenix. I am involved as a principal in office, residential and retail projects (both new and aged) in the immediate submarket of Danny's project. As such, I feel qualified to comment on the merits of his application... and the weakness of his neighbor's appeal.

Danny's design and materials are exceptional, and the size and functionality of his units are highly appealing. This is the very class of project we should continue to fight for, not against. It is no surprise he plans to raise his family at this address.

I appreciate his neighbor's right to an opinion, but the Certificate of Appropriateness Approval granted by the Historic Preservation Office and the Historic Preservation Officer is logical and sound. There is no good, practical reason the building should suffer excessive setback penalties. It should flow intelligently with other similar projects in the neighborhood and on its specific street.

The tone and length of this run in direct disproportion to my confidence in Danny and enthusiasm for his project. We are lucky to have individuals like him in our community. And we will benefit from his thoughtful, quality development proposal.

Thank you for your consideration. Please do not hesitate to contact me directly if I can be helpful in any way.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Tim O'Neil', is written over the typed name 'Tim'.

602.315.8275



Roosevelt Action Association - est. 1981

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Sept 26, 2017

Ms. Jodey Elsner  
Historic Preservation Planner  
City of Phoenix Planning & Development Historic Preservation Office  
*Via email – Jodey.Elsner@phoenix.gov*

**Re: 837 North 5th Ave Proposed project by Yosemite, LLC**

Dear Jodey:

I'm writing regarding a proposed project for the vacant lot at 837 North 5th Ave; specifically the submission dated 8/24/2017 by Yosemite, LLC. The RAA board's understanding is that the project comports with the requirements as outlined in Section 1219 (Roosevelt South Character Area) of DTC and thusly voted to support this project as proposed, understanding that Yosemite is committed to working with the owner of the adjacent properties to identify and implement alternatives to increase the setback to the westernmost plane of the proposed building beyond that shown on the plans.

If you have any questions, please let me know.

Sincerely,

Andie Abkarian  
President, Roosevelt Action Association  
[AndieAbkarian@gmail.com](mailto:AndieAbkarian@gmail.com)

cc: RAA file

**The Teapot**

818 N 5<sup>th</sup> ave

**Letter of Support**

Re: 837 N 5<sup>th</sup> Avenue

To Whom it may concern

The purpose of this letter is to voice my support for the proposed project at 837 N 5<sup>th</sup> Ave.

Vacant lots are a blight on the landscape. This seems to be a well designed project which I believe will bring benefit to the street as a whole.

Sincerely,

Jonathan Pring

Owner

The Teapot

Equus Capital LLC / EQ Properties / Farnam Realty Inc.  
PO BOX 1810 • SCOTTSDALE AZ • 85252

November 9, 2017

City of Phoenix HPO, HP Commission, City Council  
200 W. Washington Street  
Phoenix, Arizona 85003

**RE: 837 N. 5<sup>th</sup> Avenue – Letter of Support**

To Whom It May Concern:

My name is Chuckie Duff, and I am an active Downtown Phoenix developer and business owner. I have developed, rehabbed, and own, many properties, buildings and projects in Downtown Phoenix. A few of the more recognizable projects, all of which are adaptive reuse projects that have protected and enhanced the character of the neighborhoods they are in, include:

1. **The Vig Fillmore** (4<sup>th</sup> Avenue & Fillmore)
2. **PALABRA** (1<sup>st</sup> Street & Roosevelt)
3. **Cobra Arcade Bar / Antique Sugar / Snoh** (2<sup>nd</sup> Street & McKinley)
4. **Sutra Yoga Studio** (1<sup>st</sup> Street & Portland)
5. **Gracie's Tax Bar** (7<sup>th</sup> Avenue & McKinley)
6. **ACME Prints** (7<sup>th</sup> Avenue & McKinley)
7. **The Continental Apartments Remodel** (3<sup>rd</sup> Street & Portland)

Danny Bockting has reviewed with me the design and details of his project at 837 N. 5<sup>th</sup> Avenue, and has explained that the neighboring property owner has appealed the Certificate of Appropriateness Approval granted by the Historic Preservation Office and the Historic Preservation Officer; suggesting that the building should be pushed back further to align with his buildings.

Not only is this a beautifully designed project that will be a great addition and improvement to this neighborhood, the designed setback is clearly consistent with the setback patterns throughout this historic district, and even more specifically along its streetscape. The historic neighborhoods throughout our central city include buildings of all different shapes, sizes, and design styles. This is what makes these neighborhoods special and unique. And in this particular historic district, what makes it even more unique, being in the downtown core, is that there are a mix of property uses, building heights, staggering setbacks, and architectural styles.

**After reviewing this project, and the character and context of this historic district, I am in full support of this project.**

This project is an example of what Downtown Phoenix needs and wants. I fully support this design and project. It's an example of a project that will help our collective efforts to draw people to Downtown Phoenix. I hope that the City and it's elected representatives continue to support projects that are focused on creating desirable and attractive place people want to live and visit.

Sincerely,



Chuckie Duff  
"EQ Properties"  
Equus Capital LLC

Letter of support  
Re: 837 N 5<sup>th</sup> Avenue  
Owner: Danny Bockting

To whom it may concern/ HPO committee,

This letter is to show my support for Danny's project at 837 N 5<sup>th</sup> Ave. I have reviewed the project in great detail and I met with Danny in person to discuss and to hear his accounting of the project. It is of my opinion that Danny is the exact type of person we need Downtown. He has great energy and passion for being a contributor to the overall progress of our core. In the past I have seen developers take a shortcut with opportunities such as this and the design seems to be something lacking. Danny could have easily saved money by designing an inferior project. The design and materials and overall street elevation is very appealing to myself and to literally all of the Downtown Phoenix friends I have spoken to about this project. The fact that this is a four-plex is also something that I consider a huge victory for Downtown. There are so many young professionals wanting to reside in creative and interesting spaces that are affordable and close to the core and this project takes a vacant lot, which is bad for the city, and turns it into a great use of the space that will impact 4-10 residents now being able to call Downtown Phoenix home. New projects are supposed to be distinguishable as new. I have always felt that in order to be more competitive with other notable downtown cities that we would need to bring in quality architecture and fill up our vacant lots. This project meets the mark, and to me, passes my test for a quality project. Great downtowns have great architecture. Great modern design not only compliments, it enhances neighboring Historic properties. I also believe that Danny has attempted to compromise and that the party appealing the project isn't thinking about what is best for our city here, he is thinking about how this project will affect his lots flanking the parcel... -which is not the right attitude in my opinion.

I am a third generation Downtown Phoenix resident and I live very close to Downtown Phoenix in an historic district. I also design, and sometimes develop, infill projects such as these. It is nice seeing other people sharing in the vision. I pledge my full support for this design passing the committee and council.

Sincerely,

Joel Contreras  
Joel Contreras Design  
480-430-5939

November 12, 2017

City of Phoenix HPO, HP Commission, City Council  
200 W. Washington Street  
Phoenix, Arizona 85003

**RE: 837 N. 5<sup>th</sup> Avenue – Letter of Support**

To Whom It May Concern:

My name is Michael Hauer, and I am an Architect and Resident of the Roosevelt Neighborhood. I have lived and worked in Downtown Phoenix for nearly 10 years and have been a supporter of increased residential density and progressive architecture throughout my residence and career. I am also the Project Architect for the project in question. Throughout my career I have assisted in the design and construction of several projects in the downtown corridor including:

1. **Arizona State University Downtown Recreation Center** (Central and Fillmore)
2. **Maricopa County Sheriff's Office Headquarters** (5th Ave and Jackson)
3. **Culver Townhomes (Residential Development)** (3rd Ave and Culver)
4. **837 N. 5th Ave Residences** (Residential Development, 5th Ave and Roosevelt)
5. **Bruckal Residence** (Single Family home currently in Design, 3rd Ave and Culver)
6. **Meyer Rentals** (Multi family development currently in Design, 11th and Portland)

Danny Bockting and I have worked together for the past 5 months to develop 837 N. 5<sup>th</sup> Avenue, and have worked diligently to engage the surrounding neighborhood group, which have provided support for the project across the board.

Danny and I both live in historic residential districts within blocks of the project site. We each have a vested interest in creating a project that not only meets the functional demands of modern day tenants but also fits within the Architectural Context of the Roosevelt Historic district. The materials, building scale, setbacks and overall architectural vocabulary recognize the historical context but are arranged in a way to create a modern dwelling that appeals to a broad range of potential downtown residents.

The project is in full compliance with The Downtown Code Roosevelt South, section 1219 of the City of Phoenix Zoning Ordinance and has an Approved Certificate of Appropriateness from the Historic Preservation Department. The project is not seeking any variances to section 1219 of the Downtown Code.

**Based on the Design, compliance with Chapter 12 of the Zoning Ordinance and approved Certificate of Appropriateness, I am fully supportive of the project.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael J. Hauer', with a long horizontal line extending from the end of the signature.

Michael J. Hauer, RA, LEED AP  
Michael Hauer Architecture, LLC

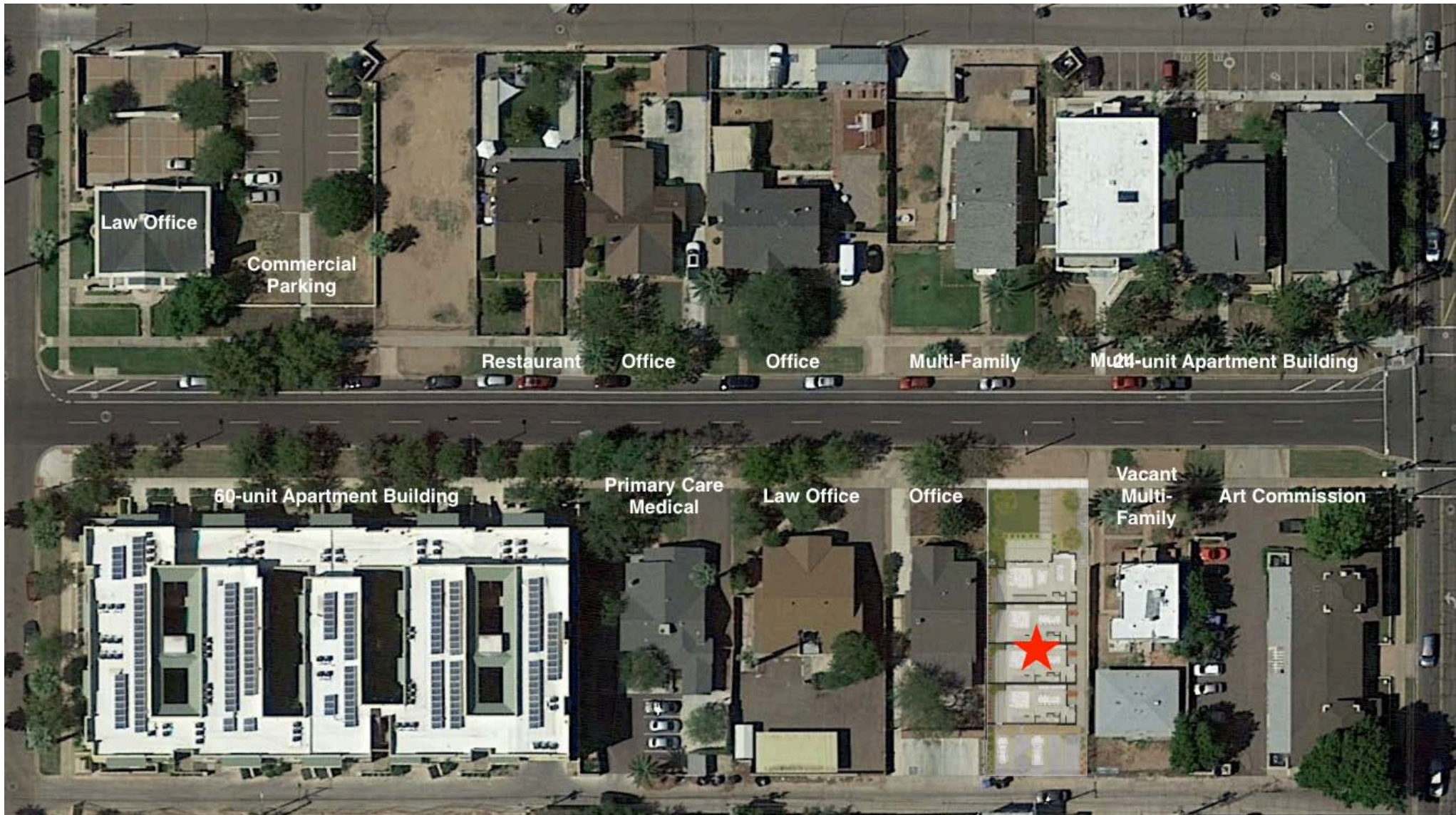


**Exhibit "1"**  
**Building Setback Aerial Overlay**





**Exhibit "2"**  
**Surrounding Uses**



**Exhibit "3"**  
**Applicant's Reponse to Appeal**

In response to the single appeal that was filed, here are our responses to the appellant's claims.

It should first be noted that:

Section 802.B(c), which outlines the purpose of historic preservation states, "to assure new construction and subdivision of lots in a Historic Preservation District **are compatible with the character of this Historic Preservation District.**"

The character of the Roosevelt South Historic District is made-up of 1-story, 2-story, and 3.5-story buildings with varying front yard setbacks ranging from 20' to 38'. The District is also zoned for, and made-up of, a number of different uses including; single-family residential, multi-family residential, professional office, commercial office, and commercial restaurant. The character of this neighborhood has continued to evolve since its conception, and our proposed and approved project **is 100% compatible with the character of this Historic Preservation District.**

**CLAIM 01 - APPELLANT**

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*We believe the City of Phoenix General Design Guidelines for Historic Properties are not being interpreted or applied properly to this project. The guideline on page 13 clearly states that "Within the residential areas, new construction should be similar in height, shape and materials to the historic structures in its vicinity. Where changes must occur, the visual impact of the new construction should be minimized by stepping back the new construction from the historic buildings." The decision by the CHPO office to allow the proposed structure which is more than twice the size of both adjacent historic buildings to be placed in front of the smaller adjacent historic buildings is not appropriate and does not meet the intent of this guideline.*

*The new construction which in the findings is described as dwarfing the adjacent historic buildings clearly steps forward rather than back from the historic buildings as shown on Attachment "A". Along with the stated written guideline is an illustration that also clearly shows that new construction of similar size should not be placed in front of the average setback alignment of the historic properties. This line is delineated to the body wall or primary building wall which defines the buildings mass not the smaller projecting porches. The decision granted at the hearing is to allow the new structure's main body wall which is approximately 40 feet wide x 22 feet high at the eaves and 29 feet high at the ridge be aligned with the face of the 841 porch which is 9'-6" wide x 12'-6" high (not the main body wall) and 3 feet in front of the 833 porch which is 16'-0" wide x 13'-6" feet high.*

*It is hard to discern how this decision/siting minimizes the visual impact of the new construction relative to the much smaller adjacent historic buildings. The main body walls of the much smaller historic houses will be set back from the new structures two-story main body wall 8'-3" at the 841 house and 11'-3" at the 833 house. This siting contrary to the guideline visually interrupts the historic streetscape and highlights the new construction rather than minimizing it as shown on Attachment "B".*

## CLAIM 01 – APPLICANT’S RESPONSE

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This guideline the appellant references stating “*that new construction should be stepped back*” is specific to **residential areas**. The first sentence of this guideline clearly states “**within the residential areas**.”

These properties are not in a residential area. These properties are located in DTC-Roosevelt South, which is a commercially zoned area allowing residential, professional office, commercial office, commercial restaurant, any many other uses. Exhibit “2” illustrates the uses of the surrounding properties. On the subject property’s block alone, there is a commercial restaurant (Tea Pot), a 3.5-story 60-unit apartment building (The Lofts at McKinley), (3) 2-story multi-unit apartment buildings (affordable housing), an architect’s office, a primary care physician’s office, (2) law offices, the Arts Commission office, Arizona Hemophilia Association’s office, and a multi-family residence.

**This neighborhood is not zoned as a residential area, nor do the existing property uses suggest that it is.** Therefore, the guideline to “step back new construction of greater scale in **residential areas**” is not supported.

Further, the guidelines clearly state that “new construction should be similar in height, shape and materials to the historic structures **in its vicinity**.” As designed, the building is similar to other buildings within its **vicinity**. Our vicinity and our HP District, is made up of 1-story, 2-story, and 3.5-story buildings (we are literally surrounded by multi-story buildings to the north, south, east, and west) constructed with a wide range of materials and shapes. This guideline, nor do any of the guidelines, state that new construction must be similar in height, shape, and materials to its immediately adjacent neighboring properties. To further support our design and case, if the appellant’s interpretation was accurate, every property and building would be identical. This is clearly not the case, and is not supported.

The appellant also claims, “*Along with the stated written guideline is an illustration that also clearly shows that new construction of similar size should not be placed in front of the average setback alignment of the historic properties.*”

When siting new construction, the guidelines are very specific and clear in its wording and illustration. The wording is the “**Average Setback Alignment**” while providing an illustration of a row of properties. To further clarify this, “**Alignment**” is a defined term on the Page 1 of the General Design Guidelines defined as, “The linear or parallel placement of structure and/or primary facades **within a row of adjacent properties, or along a streetscape**.” This guideline is very clear that the alignment is determined by a row of adjacent properties, or along a streetscape; it does not say, or suggest, that it is determined by only the immediately adjacent neighboring properties. The existing building setbacks along our row of adjacent properties, and along our streetscape, range from 20’ to 38’. The Average Setback Alignment for this row of properties/streetscape, if we were to actually calculate it, is 26’-7”. We are designed and approved at 29’-2”. See Exhibit “1” for reference.

To provide more supporting information related to front yard setbacks, Section 1219.E is the Streetscape Standards for Roosevelt South. It identifies the street section of 5<sup>th</sup> Avenue, between Roosevelt Street and Fillmore Street, to have a minimum building setback of 20’ and a maximum setback of 25’.



Again, this guideline, nor do any of the guidelines, state that new construction must be aligned with its immediately adjacent neighboring properties. Contrary to this, the guidelines are very specific that it is an “**Average Setback Alignment**” further defining the term “**Alignment**” providing a very black and white guideline.

If the appellant’s interpretation of this guideline was accurate, every building/structure, in every historic district, would be perfectly aligned. This is clearly not the case, and is not supported.

## **CLAIM 02 - APPELLANT**

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*In the Findings the author states that there are three two-story historic multifamily buildings located across the street as justification to allow the much larger new construction on the east side of 5th Avenue. However, what is not mentioned is that these historic two-story structures exist at the corner of the street and are sited and designed in a manner that reinforces the historic streetscape rather than detracting from it. The historic two-story multifamily building's body wall is aligned with the adjacent historic single-story house's body wall. The two-story multifamily building also has a single-story porch/balcony which is proportional to and aligns with the adjacent single-story house's porch. The transition from the larger multifamily building to the smaller home is seamless and hardly noticeable. Contrarily, the proposed new construction (which is located between two historic single-story houses) has a two-story high body wall that is placed more than 10 feet in front of the adjacent single-story houses' body walls. There is no attempt to reduce the building scale with a single-story porch or similar feature compatible in height and/or size of the smaller adjacent historic houses. The proposed siting and building design disrupts the common historic alignment patterns and visual relationships between buildings of differing size and character. The sympathetic siting and/or alignment of the historic multifamily building across the street from the subject lot highlights the problems with the recommendation in the findings. Placing a two-story building of much greater size and scale in front of the smaller adjacent historic homes does not lessen the impact it increases it.*

*The applicant continues to refer to the reduced setback and increase height allowed at the recently constructed three story apartment complex project which sit s on a 250-foot wide lot at the end of the street. However, buildings located at street corners are typically placed closer to the street and exceed the height of adjacent buildings especially when there is a prevailing pattern within the historic district. The impact this specific apartment complex has on the adjacent smaller historic house is minimized by a 30-foot wide-open side yard which is three times the distance proposed between the much larger new construction and the 833 house. The historic street scape pattern on 5th Ave is not formed by the large apartment complex located at the end of the street but by the continuous row of historic single-story houses which are closely aligned on both sides of the street.*

*The historic preservation design guidelines where adopted to protect the visual characteristics and alignment patterns within the historic overlay districts. These guidelines should not become subjective recommendations that can be easily manipulated for financial gain. The usual insistence that is common among developers is that if these guidelines are adhered to the project will no longer be financially viable. This argument typically is not verifiable and should not be justification for changing the intent of the guidelines. It is incumbent on the buyer to perform due diligence before purchasing the property. As a buyer of the properties adjacent to the subject vacant lot I did research the guidelines and believed they would protect my historic properties from exactly this situation. It is undeniable that*

*the intent of the subject guideline is to minimize the visual effect of new construction that is of much greater size and scale than the adjacent historic houses by stepping it back not forward. The decision to approve a certificate of appropriateness on this case has created the opposite effect intended by the guidelines and a hardship to the owner of the adjacent historic properties who relied on them.*

## **CLAIM 02 – APPLICANT’S RESPONSE**

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I do make reference to the setback and height of the newly constructed 3.5-story, 40’ high, with 20’ front yard setbacks as it is 100% relevant to this discussion, and cannot be dismissed. This is a newly constructed project, that exists in our HP district, is on our block, forms our streetscape, and is big contributor to the “Average Setback Alignment.” It also cannot be dismissed that this project was recently reviewed and approved under the same general design guidelines that all properties in historic districts are subject to; and it further makes up the character of our historic district. In fact, this project makes up 40% of the streetscape/frontage of the 5th Avenue between Roosevelt and McKinley. The appellant attempts to make the case that there is a 30’ separation between the new building and the historic building, which helps justify its siting, but what he fails to point out is that this is a 3.5-story, 40’ building next to a single-story historic building. The front yard setbacks do not align (18’ difference), the scale and height is drastically different, and the design and the materials and architectural style are completely different. This argument is not supported and has no merit.

The General Design Guidelines provide support for all historic neighborhoods and properties, and do not provide design preference, or different guidelines/standards, for corner properties vs. mid-block properties. Making the argument that setbacks for corner properties should be treated differently than other properties with the same zoning designation, is 100% opinion based, is not supported, and has no merit.

I also make reference to many other properties. Here are just a few examples, in the HP district I live in, and in the HP district of the subject property, that support our design and case:

1. 809 N. 5<sup>TH</sup> AVENUE: This is in the Roosevelt South HP District, is a 3.5-story 60-unit apartment building, is on our block, makes up 40% of our streetscape frontage, and is sited 18’ in front of the immediately adjacent single-story historic building. This is a recently approved and constructed project that was reviewed and approved under the same general design guidelines. This is in our district, and makes up the character of the Roosevelt South HP District.
2. 842 N. 6<sup>TH</sup> AVENUE: This is in the Roosevelt South HP District, is a two-story apartment building, and is sited in front of the immediately adjacent neighboring single-story historic buildings. This is in our district, and makes up the character of the Roosevelt South HP District.
3. 850 N. 4<sup>TH</sup> AVENUE: This is in the Roosevelt South HP District, is a two-story apartment building, and is sited in front of the immediately adjacent neighboring historic building. This is in our district, and makes up the character of the Roosevelt South HP District.
4. 306 W. CULVER: This is in the Roosevelt North HP District, is a two-story townhome development, and is sited in front of the immediately adjacent historic building. This is a recently approved and constructed project that was reviewed and approved under the same general design guidelines.

5. 314 W. CULVER: This is in the Roosevelt North HP District, is a two-story townhome development, and is sited in front of the immediately adjacent historic building.
6. 71 W. ENCANTO: This is in the Willo HP District, is of larger scale, and is sited much further in front of the immediately adjacent neighboring historic buildings. This is a recently approved and constructed project that was reviewed and approved under the same general design guidelines.
7. 101 W. CYPRESS: This is in the Willo District, is of larger scale, and is sited further in front of the immediately adjacent neighboring historic building. This is a recently approved and constructed project that was reviewed and approved under the same general design guidelines.

## **CONCLUSION**

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We understand and recognize that there is a general uniformity of the front yards found throughout the historic districts that can be observed by taking a stroll through our neighborhoods. Buildings tend to have a similar alignment; whether it's the front of the building or a projecting front patio. It's also evident that primary walls and patio projections are not perfectly aligned; they vary. Our design not only more than complies with the ordinances and guidelines, but it further takes into account this general uniformity.

As you can see on the provided aerial overlay (see Exhibit "1"), our front building wall aligns with the porches of the immediately adjacent neighboring properties, is sited 4' further back than the property two lots south, is in line with the property three lots south, and is sited 9' further back than the recently approved and constructed 3.5-story, 60-unit apartment building four lots south of us.

We have designed, and provided, a larger front yard setback than what is required, and suggested, by the City ordinances and guidelines.

## SETBACKS

### :: Per Section 1219.E (Roosevelt South Zoning Ordinance)

<i>Streetscape Standards Matrix</i>						
<i>Street Section</i>	<i>Minimum Building Setback</i>	<i>Maximum Building Setback</i>	<i>Building Frontage</i>	<i>Allowed Frontage Types</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Width</i>
Roosevelt Street Alley west of 6th Ave. to 3rd Ave.	10'	15'	Minimum 75%	AFY, SD, DY, S	5'	6'
McKinley Street Alley west of 6th Ave. to 3rd Ave.	10'	15'	Minimum 50%	ALL	5'	10'
Fillmore Street Alley west of 6th Ave. to 3rd Ave.	10'	15'	Minimum 50%	ALL	5'	7'5"
6th Avenue Roosevelt St. to Fillmore St.	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	6'
5th Avenue Roosevelt St. to Fillmore St.	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	14'
4th Avenue Roosevelt St. to Fillmore St.	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	15'
3rd Avenue Roosevelt St. to Fillmore St.	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	15'

### :: Per Section 802 (Historic Preservation Zoning Ordinance)

B. It is further declared that the purposes of this ordinance are:

1. With respect to an historic property and the properties in Historic Preservation Districts:

a. To retain and enhance those properties which contribute to the character of the Historic Preservation District and to encourage their adaptation for current use.

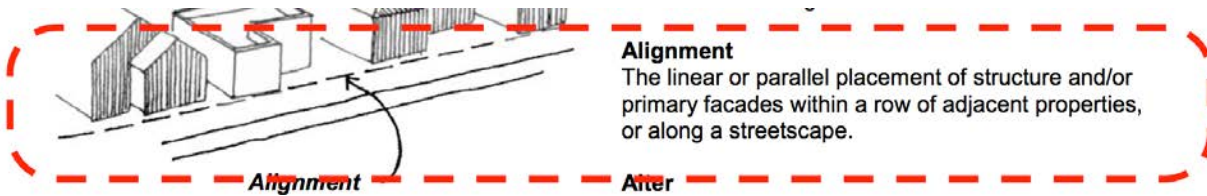
b. To assure that alterations of existing structures are compatible with the character of the Historic Preservation District.

c. To assure new construction and subdivision of lots in an Historic Preservation District are compatible with the character of this Historic Preservation District.

### :: Per HP General Design Guidelines

## Definitions





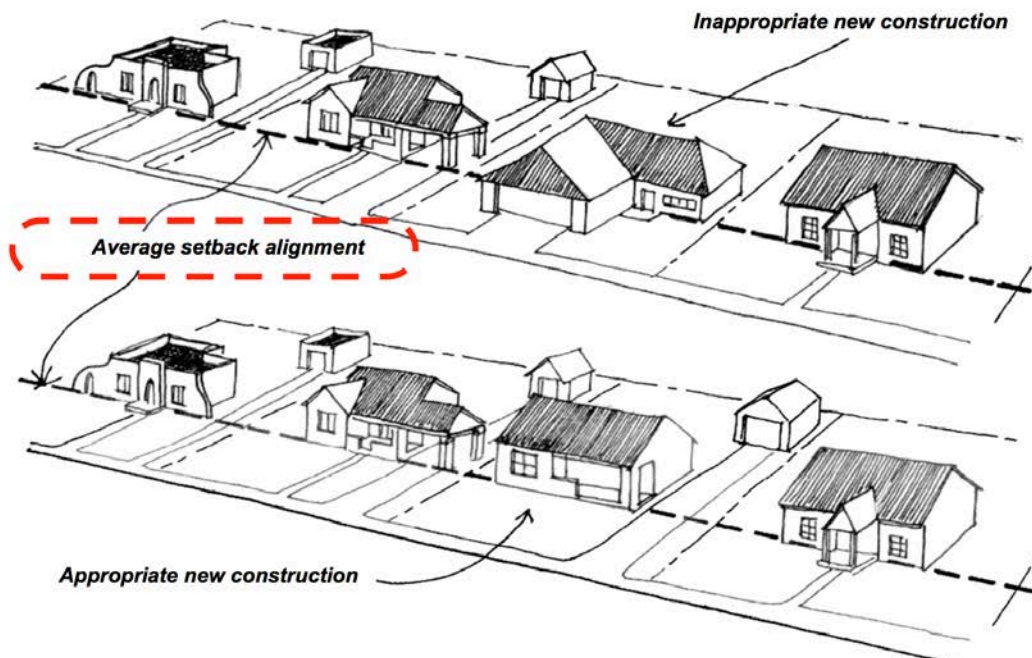
## **NEW CONSTRUCTION**

New construction, located on vacant land within historic districts or adjacent to historic buildings, is encouraged when appropriately sited and designed. New construction should be clearly discernible as "new" and reflect the technology, building materials and design ideas of the present era. However, like additions to existing buildings, the design of new construction should be compatible with and respectful of its historic setting. It is recognized that new construction can occur that is similar in scale to the pattern of historic building or, in selected circumstances, new construction may involve development that is of substantially greater scale. Consequently, two types of guidelines have been prepared to assist in the planning of new construction relative to historic buildings and areas.

### **Similar Scale New Construction**

- Within the historic residential areas, new construction should be similar in height, shape and materials to the historic structures in its vicinity. Where changes in size must occur, the visual impact of the new construction should be minimized by stepping back the new construction from the historic buildings.
- Building features, such as roof lines, window and door openings, porches, entrances, pergolas, porte-cocheres or carports should resemble those related forms found on adjacent or surrounding historic structures.

### **SIMILAR SCALE, FORM & MASSING**





THINK LOCAL. BUY LOCAL. BE LOCAL. 407 E. ROOSEVELT STREET • PHOENIX, AZ • 85004

November 17, 2017

City of Phoenix HPO, HP Commission, City Council  
200 W Washington St  
Phoenix, AZ 85003

**Re: 837 N 5<sup>th</sup> Ave**

Dear Council & Staff:

I am writing to convey Local First Arizona's full support of Danny Bockting and Pint Ventures' proposed infill development in the Roosevelt neighborhood.

Our organization works daily to protect and enhance Arizona's sense of place, representing over 3000 businesses total, and specifically over 30 developers, architects, and builders dedicated to a more sustainable and place-conscious Phoenix in our For(u)m program. Daily, we see and assess infill and reuse projects, and are keenly aware of the caliber of projects being built throughout downtown, an area quickly being overrun by cheaply-built large apartment complexes, with no reference to their surroundings. Representatives from Venue Projects, Wetta Ventures, Ranch Mine, Harder Development, and Sunbelt Holdings on our Advisory Council all immediately expressed excitement and support for projects like this in our city's historic neighborhoods.

Working at a variety of scales, the developers and architects who make up our network each seek to fit into the specific neighborhood contexts in which they build, and work extensively with neighbors to ensure collaboration and support. Looking at the heights and building typologies on Fifth Avenue and adjacent streets, we see this development as fitting perfectly the profile of single-family and small multifamily projects throughout the neighborhood, remaining of comparable height to buildings to its north and south, as well as across the street. Similarly, the design does not seek to emulate the historicity of its surroundings, but draws from the red-brick and roof gables which have made the area iconic, melding those elements into a modern finish.

With Mr. Bockting's track record of successful infill projects, role as a neighbor just north of downtown, and desire to preserve the lot size of his property while promoting incremental densification without imposition, we feel this project represents the best possible outcome for the parcel, welcoming four new families to the downtown to which we are all so devoted.

**This project comes with the full support of Local First Arizona, and we hope that Mr. Bockting can continue to develop his unique project in our downtown.**

Best,

A handwritten signature in black ink, appearing to read 'Kimber Lanning'.

Kimber Lanning  
Executive Director  
Local First Arizona