

Attachment H

From: [Steve Dreiseszun](#)
To: [Sarah Stockham](#)
Subject: CENTRAL CITY VILLAGE PLANNING COMMITTEE 12/14/20 - Agenda Item 6. (Z-26-20-7)
Date: Monday, December 14, 2020 2:06:58 PM

Members of the Central City Village Planning Committee,

I write with respect to Agenda Item 6 (Z-26-20-7) to be heard at your meeting today.

I am strongly opposed to removal of the Historic Preservation Overlay for this property. I have copied the comments submitted by Preserve PHX below as they clearly and completely convey my thoughts on this proposal. I support their comments.

When will our City finally say enough? This proposal, presented under the guise of redevelopment and adaptive reuse, is neither. We can do better.

Respectfully,
Steve Dreiseszun
1125 W. Culver St,
Phoenix, AZ 85007

Preserve PHX wrote:

Members of the Committee,

Preserve Phoenix is strongly opposed to the proposed rezoning of the historic Arizona Hardware building at 39 Jackson Street. The proposed rezoning has been put forth solely to allow for the improper treatment and alteration of one of the finest historic warehouses in Phoenix's Warehouse Historic District. The property is properly included in the City of Phoenix's Historic Preservation Zoning Overlay (HP) because it is a significant historic property, and that principal, overriding fact is undisputed. There is no valid reason based in either law or in the established planning documents of the City of Phoenix to grant this application, and granting it would contravene the very purpose of the Historic Preservation Zoning Overlay.

Preserve Phoenix is very supportive of the mission of the Arizona Opportunities Industrialization Center and we appreciate all that they accomplish. Unfortunately, the Planning Commission is not permitted by law to evaluate rezoning requests based on the financial status of current owners nor the desirability of hypothetical projects. The sole question before the Planning Committee is whether or not the Committee believes that the historic Arizona Hardware Building, a building that is listed on the National Register of Historic Places, the Arizona Register of Historic Places, and the City of Phoenix Historic Property Register, is properly included in the City's Historic Property Zoning Overlay. Preserve Phoenix argues that there is simply no legal nor reasonable way for the Committee to conclude otherwise.

The applicant additionally makes several errors and misstatements in their application. Primarily, the applicant's representations as to the sufficiency of the preservation

actions they propose are inaccurate and misleading. On pg. 2 of the applicant's letter submitted along with their application they describe their envisioned treatment of the Arizona Hardware Building as an "adaptive reuse". What they proposed however is far from an adaptive reuse, as the historic building would neither be adapted nor re-used but rather subsumed into a larger structure with only the veneer of two facades remaining. The applicant further inaccurately contends on their Project Information Form under General Plan Conformity that merely preserving two facades would result in "preserving and restoring the integrity of the existing structure from a pedestrian's perspective". This contention ignores that the applicant proposes to envelop the building's massing and form, forever destroying the building's historic integrity from a pedestrian's perspective. It is possible for substantial new construction to exist on this parcel in harmony with the existing historic building, but what the applicant proposes does not attempt to achieve that success.

Preserve Phoenix would again like to reiterate our support for the Arizona Opportunities Industrialization Center, and we would like to suggest to them an alternative course of action. We believe that this property is an excellent candidate for a true adaptive reuse project conducted in accordance with preservation standards and eligible for public assistance like the federal Historic Rehabilitation Tax Credit. Such a project could certainly involve significant new construction, and would undoubtedly result in a substantial economic windfall for the Arizona Opportunities Industrialization Center. This is a very reasonable solution and middle ground that would accomplish the stated goals of the applicant while also preserving this important historic building. In conclusion, Preserve Phoenix reiterates that the Planning Committee has not been presented with any argument that would provide a legal or reasonable basis to remove the Historic Preservation Overlay designation from this property. We urge the applicant to accept the inarguable fact that 39 Jackson Street, correctly identified by the City of Phoenix as a historic property, is properly included in the Historic Preservation Zoning Overlay. We hope that the applicant will instead pursue alternative redevelopment schemes for this property that include the preservation of the historic Arizona Hardware Building. Our organization would be happy to assist them with those efforts.

https://www.phoenix.gov/cityclerksite/PublicMeetings/201214001.pdf?fbclid=IwAR06z3gGxAngXmfazsj_YPs24HDE4b-X66cMSPAYt-_wVfsxo_VuMTRKU4

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From: [Steve Weiss](#)
To: [Sarah Stockham](#)
Subject: To Chair and Central City Planning Commission-No to removal of historic designation OIC
Date: Monday, December 14, 2020 2:46:06 PM

To the Chair and Committee,

The efforts of historic preservation partners in enabling the historic designation of the OIC/AZ Hardware Supply Company should not be rejected with a loss of historic designation.

The loss of the AZ Hardware Supply Company/OIC Building, built in 1920, with the 2nd story added in 1922, would be a blow to visual continuity and historic context of Phoenix's warehouse district.

Removing historic designation of an existing designated building sets a horrible precedent. The developers are short-circuiting the process and seeking immediate demolition in order to avoid a one-year delay that would ordinarily give the community crucial time to look for solutions that work for both the owner and the community.

The property owners received two separate grants of historic bond funds to renovate the building and in return agreed to an exterior easement to protect the building from modification or demolition. NOW the developer wants to revoke that easement which will compromise the historic bond program if historic easements can be revoked at the whim of a property owner.

Please deny approval and thank you.

Steve Weiss
2938 North 15th Drive
Phoenix AZ 85015
+++++
Steve Weiss
weissguy@candidlandscapes.com
candidlandscapes.carbonmade.com
IG @singleframefun

From: [Jason Klepfisz](#)
Subject: ARIZONA HARDWARE SUPPLY COMPANY – OIC BUILDING
Date: Wednesday, December 16, 2020 10:52:00 AM

The Arizona Hardware Supply Company warehouse is a centerpiece of Phoenix's historic warehouse district. Located at 1st Street and Jackson, it is a key gateway/entry into the warehouse district, and a major anchor of Jackson Street. Constructed in 1920 with the second story added in 1922, this building was the major facility for distribution of hardware during the height of construction of downtown Phoenix and the central core of the city in the 1920s. It is surrounded by a half-dozen designated and historic buildings, several just recently renovated.

For the last 50 years, the building has housed the Opportunities Investment Corporation (OIC), a non-profit job-training center that has helped thousands of Phoenixians realize their dreams. The building's role as the headquarters of OIC is notable on its own and is in fact a justification for the historic designation and ongoing preservation of the building to respect that more recent heritage

Removing HP designation of an existing designated building sets a horrible precedent:

The City Historic Preservation Office, to date, has never removed historic overlay zoning from a historic building while it is still standing, or accepted having an existing building removed from the National Register of Historic Places. On a national level, the "de-listing" of a building only occurs when there is substantial damage or after a demolition, but not to facilitate renovation. Removing a building from the Phoenix Historic Property Register is counter to the spirit and intent of the Register, and of the Phoenix Historic Preservation Office.

This strikes to the very core of why the HP ordinance was passed and undercuts the recognized success of historic designation as a development tool in other areas of Phoenix. The mere request to ask the Central City Village Planning Committee, the Historic Preservation Commission or ultimately the City Council to remove the overlay zoning is offensive at best, and certainly antithetical to responsible planning and administration of an ordinance adopted to reflect the public interest in 1986. It goes far beyond the meaning of being a "bad precedent," it is a flagrant foul.

Warmest regards,
Jason Klepfisz
Downtown Stakeholder

From: [Michelle Dodds](#)
To: [Racelle Escolar](#); [Sarah Stockham](#)
Subject: FW: Item # 7
Date: Friday, December 18, 2020 3:29:05 PM

Item 7 contains all three OIC items.

-----Original Message-----

From: Nicolas Abramowicz <abramowicz@cox.net>
Sent: Friday, December 18, 2020 2:40 PM
To: Michelle Dodds <michelle.dodds@phoenix.gov>
Subject: Item # 7

Hi Ms. Dodds,

As a resident of Willow for nearly 25 years, I oppose this 26 story building project that would reroute air traffic to above our neighborhood.

Urban development for the sake of financial profit shall not rhyme with the dwindling of our quality of life which is decreasing by the year now with irresponsible planning and pure greed and disregard for human agency.

Please consider my opposition to item #7.

Very sincerely,

Nicolas Abramowicz

From: [Michelle Dodds](#)
To: [Racelle Escolar](#); [Sarah Stockham](#); [Kevin Weight](#)
Subject: FW: Item #7
Date: Friday, December 18, 2020 5:24:25 PM

Another OIC email...

From: Patty Gough <psgaz18@gmail.com>
Sent: Friday, December 18, 2020 4:01 PM
To: Michelle Dodds <michelle.dodds@phoenix.gov>
Subject: Item #7

Dear Ms. Dodds,

We have been residents of Willo for over 21 years, and oppose this 26 story building project that would reroute air traffic to above our neighborhood. Urban development for the sake of financial profit is impacting our quality of life which is decreasing by the year now with irresponsible planning and and disregard for taxpayers. Please contact me with any questions.

Sincerely,

Patty Gough

December 18, 2020

**City of Phoenix
Historic Preservation Commission
Hearing: December 21, 2020 at 4:30pm**

**Agenda Item #7 concerning Actions: A- B - C
Pertaining to: Arizona Hardware Supply Company Warehouse
Located at: 15-39 E. Jackson Street**

Historic Preservation Commission Officers and Others to Whom It May Concern:

I am writing as an interested member of the FQ Story Historic District, Steering Committee Member Story Preservation Association and Lead of SPA Historic Preservation Sub-Committee.

When “Old” meets “New” in the Phoenix Warehouse District “Objectives” can clash.....what can remain and what should change? This area, constructed along the railroad track in the early 1900’s, became the epicenter of the commercial and economic core of Old Phoenix.

Action B. Public Hearing for Application Z-26-20-7; Request to remove the Historic Preservation (HP) Overlay Zoning

This flies in the face of the tenets of an Historic Overlay.

- A) It’s associated with events that have made significant contribution to our history*
- B) It’s associated with the lives of entities significant in our past*
- C) It distinctly represents a type, period or method of construction*
- D) It yields information important in the understanding of our history*

Action A. TA-5-20-7 (to amend Section 1202.C. (Regulating Maps, Height Map) of the Phoenix Zoning Ordinance to replace the Downtown Code Height Map to amend height provisions from a maximum height of 80 to 140 feet to a maximum **height of 285 feet.**

This would threaten the current flight path to and from Sky Harbor Airport.

The Phoenix Downtown Historic Districts in conjunction with the City of Phoenix challenged the FAA in Federal Court to return the aviation routes to their original course when they were rerouted over downtown Phoenix. After 3 ½ years of “Time and Treasure”, a settlement was reached in Federal Court that returned the flight paths to their original designated routes.

Action C. Request to release the city’s interest from the “**conservation easement**” to eventually allow the demolition of the warehouse.

The purpose of a Conservation Easement is to protect land “in perpetuity”. Not often it can be amended or terminated but **for what reason in this case.....future Demolition?**

I oppose all three Actions being requested at this Hearing for the above listed arguments.

Ginger Mattox
1606 W. Lynwood Street
Phoenix, Arizona 85007

602-340-0381 land line
602-708-9970 cell
gmattox@cox.net

From: [Terry Goddard](#)
To: [Michelle Dodds](#)
Subject: Statement in opposition to removing the historic overlay from the OIC building
Date: Sunday, December 20, 2020 8:05:28 PM

Chair of the Historic Preservation Commission, I write to object to removing the historic overlay from the OIC building. As Mayor of Phoenix in 1986, I helped to draft and pass the Historic Preservation ordinance which established the City's Historic Register and in 1989, I campaigned for the historic bond fund which was approved by Phoenix voters to prevent the loss of historic structures which might be saved by timely financial assistance. With these significant achievements, Phoenix received national recognition for its commitment to protecting the physical reminders of its past. I know you share my pride in how many historic buildings have been saved from demolition because of the foresight of our City.

The Historic Preservation bond fund gives important financial benefits to property owners and, in exchange, an easement is established which runs with the land. The easement survives changes in ownership because of the Phoenix commitment to keeping historic structures intact for future generations. The idea that once the property increases in value that the public investment can be paid off and the easement extinguished defeats the purpose of the bond fund.

No one can dispute that Mr. Blue and OIC have made significant contributions to the history of Phoenix. As tribute to that legacy alone, the OIC building should be preserved. However, the public has also made major investments in this building. First to facilitate the relocation of artist tenants from the area of the future Arena and later

through two iterations of Historic Bond funding with associated easements.

Easements are legal obligations that are not intended to be “bought-off”. In signing them, OIC committed to protect the building for the term of the easements. To allow anyone, however worthy of our respect otherwise to back out of their obligations freely entered would clearly violate the public trust and the intent of the conservation easement program.

Revoking the conservation easement and turning the bond funding program into an interest-free loan that could be repaid any time a property owner wanted to demolish a historic structure strikes at the reason voters of Phoenix set up the fund in the first place. Why would Phoenix voters have supported a municipal bond program if the funds didn’t actually protect historic buildings?

As you know, the City Historic Preservation Office has never removed historic overlay zoning from a historic building while it is still standing, or accepted having an existing building removed from the National Register of Historic Places. On a national level, the “de-listing” of a building only occurs when there is substantial damage or after a demolition. Removing this or any building from the Phoenix Historic Property Register is counter to the spirit and intent of the Register, and of this Historic Preservation Commission.

There is time under established procedures to work with the developer to find a better solution, one that respects the OIC building and the

legal rights of the people of Phoenix. This is not the time to short-circuit the process by delisting, particularly when that action so flagrantly violates preservation standards and practices both of Phoenix and across our Nation.

I urge you to deny the Applicant's request.

Terry Goddard

From: [Steve Dreiseszun](#)
To: [Michelle Dodds](#)
Cc: [Jeanine Baber](#); [A Abkarian](#); [Bob Cannon](#); [Brent Kleinman](#); [Opal Wagner](#)
Subject: OPPOSITION to Item 7 on Dec. 21, 2020 HP Commission Agenda (Z-TA-5-20-7; Z-26-20-7; release of conservation easement)
Date: Sunday, December 20, 2020 9:38:37 PM

Michelle,

Please find below joint remarks from the FQ Story, Roosevelt, Willo and Encanto-Palmcroft neighborhoods for submission to the Historic Preservation Commission for its Monday, December 21, 2020 meeting.

Please convey accordingly.

Thanks,
Opal Wagner
Steve Dreiseszun

—

Steve Dreiseszun / Viewpoint Photographers
PO Box 2404 • Phoenix, AZ 85002
[Mailing address]

v: 602.371.0088 • c: 602.510.6552

www.viewpointphoto.com [viewpointphoto.com]

LinkedIn: [Steve Dreiseszun](#) [linkedin.com]

To: City of Phoenix Historic Preservation Commission
From: Petitioner Historic Neighborhoods
Date: Dec. 20, 2020
Re: OPPOSITION to Item 7 on Dec. 21, 2020 HP Commission Agenda (Z-TA-5-20-7; Z-26-20-7; release of conservation easement)

The Petitioner Historic Neighborhoods that, along with the City of Phoenix and Sky Harbor Airport, prevailed in the 3.5-year legal battle against the FAA over the 2014 flight path changes OPPOSE Item No. 7 (Z-TA-5-20-7 to amend the height provisions of Section 1202.C to 285 feet; Z-26-20-7 to remove the HP Zoning Overlay and the release of the conservation easement at 15-39 E. Jackson St. to pave the way for demolition of the historic Arizona Hardware Supply Company Warehouse). The historic neighborhoods SUPPORT the positions of the City of Phoenix Historic Preservation Office and Phoenix Sky Harbor International Airport on this issue.

The FQ Story, Roosevelt, Willo, Encanto-Palmcroft and Woodland historic districts fought a protracted, expensive legal battle alongside the City of Phoenix and Sky Harbor International Airport and ultimately won reversal of the Grand Ave. flight paths that had created loud,

unrelenting jet noise over our central city neighborhoods, as well as Civic Space Park, Hance Park, Encanto Park and the State Fairgrounds. Placing a 285-foot building at the SW corner of 1st St. and Jackson - in the vicinity of the current flight path, "OEI (one-engine inoperable) critical safety surface" – could cause the FAA to move the flight path again, jeopardizing our settlement agreement with the FAA and risking a return to the untenable 2014 flight path along Grand Avenue, again resulting in unacceptable levels of jet noise in our central Phoenix historic districts.

Mr. Wood has created a false dichotomy, making it seem the only alternative to save or support OIC is to remove the HP zoning overlay and conservation easement and amend the height restriction to 285 feet – more than double the maximum height entitlement currently in place (80-140 feet). Surely, there are many other actions the City could take in support of OIC that would not involve jeopardizing our agreement with the FAA and destroying the historic status of the Arizona Hardware Supply Company Warehouse building.

In addition to our concerns over the potential of the proposed Text Amendment to adversely affect our settlement agreement with the FAA, we oppose the applicant's bid to remove the historic preservation overlay and overturn the conservation easement in effect on this property. We believe granting these requests would set a bad precedent that would severely undermine two of the primary tools the City of Phoenix has to encourage historic preservation. Failure to maintain historic preservation zoning overlays and failure to hold property holders accountable for meeting the terms of conservation easements will have a chilling effect on historic preservation efforts citywide, ultimately putting our neighborhood historic districts in jeopardy.

Respectfully,

Jeanine Baber
President
(FQ) Story Preservation Association

Andie Abkarian
President
Roosevelt Action Association

Robert Cannon
President
Willo Neighborhood Association

Brent Kleinman
President
Encanto-Palmcroft Historic Preservation Association

Racelle Escolar

From: Matt Hamilton <matt.hamilton9090@gmail.com>
Sent: Thursday, December 31, 2020 4:08 PM
To: PDD Planning Commission
Subject: Z-TA-5-20-7 (Companion Case Z-26-20-7)

I want to register my opposition to this zoning case and agree with city staff that this project will destroy the historical nature of the building.

Racelle Escolar

From: Steve Dreiseszun <steve@viewpointphoto.com>
Sent: Tuesday, January 5, 2021 5:47 PM
To: PDD Planning Commission
Subject: OPPOSITION to Items 9 &10 - Z-TA-5-20-7 (Companion Case Z-26-20-7) - on Jan 7, 2021 Planning Commission Agenda

To Whom It May Concern:

Please find below joint remarks from the FQ Story, Roosevelt, Willo and Encanto-Palmcroft neighborhoods for submission to the Planning Commission for its Thurs, January 7, 2021 meeting.

Please confirm receipt and convey accordingly.

Thanks,
Opal Wagner
Steve Dreiseszun

—

Steve Dreiseszun / Viewpoint Photographers
PO Box 2404 • Phoenix, AZ 85002
[Mailing address]

v: 602.371.0088 • c: 602.510.6552

www.viewpointphoto.com [viewpointphoto.com]

LinkedIn: [Steve Dreiseszun \[linkedin.com\]](https://www.linkedin.com/in/stevedreiseszun)

To: City of Phoenix Planning Commission
From: Petitioner Historic Neighborhoods
Date: Jan. 5, 2021
Re: OPPOSITION to Items 9 &10 - Z-TA-5-20-7 (Companion Case Z-26-20-7) - on Jan 7, 2021 Planning Commission Agenda

The Petitioner Historic Neighborhoods that, along with the City of Phoenix and Sky Harbor Airport, prevailed in the 3.5-year legal battle against the FAA over the 2014 flight path changes OPPOSE Item No. 9 (Z-TA-5-20-7) to amend the height provisions of Section 1202.C to 285 feet; Item 10 (Z-26-20-7) to remove the HP Zoning Overlay at 15-39 E. Jackson St. to pave the way for demolition of the historic Arizona Hardware Supply Company Warehouse. The historic neighborhoods SUPPORT the positions of the City of Phoenix Historic Preservation Office and Phoenix Sky Harbor International Airport on this issue.

The FQ Story, Roosevelt, Willo, Encanto-Palmcroft and Woodland historic districts fought a protracted, expensive legal battle alongside the City of Phoenix and Sky Harbor International Airport and ultimately won reversal of the Grand Ave. flight paths that had created loud, unrelenting jet noise over our central city neighborhoods, as well as Civic Space Park, Hance Park, Encanto Park and the State Fairgrounds. Placing a 285-foot building at the SW corner of 1st St. and Jackson - in the vicinity of the current flight path, "OEI (one-engine inoperable) critical safety surface" – could cause the FAA to move the flight path again, jeopardizing

our settlement agreement with the FAA and risking a return to the untenable 2014 flight path along Grand Avenue, again resulting in unacceptable levels of jet noise in our central Phoenix historic districts.

Mr. Wood has created a false dichotomy, making it seem the only alternative to save or support OIC is to remove the HP zoning overlay and amend the height restriction to 285 feet – more than double the maximum height entitlement currently in place (80-140 feet). Surely, there are many other actions the City could take in support of OIC that would not involve jeopardizing our agreement with the FAA and destroying the historic status of the Arizona Hardware Supply Company Warehouse building.

In addition to our concerns over the potential of the proposed Text Amendment to adversely affect our settlement agreement with the FAA, we oppose the applicant's bid to remove the historic preservation overlay in effect on this property. We believe granting these requests would set a bad precedent that would severely undermine one of the primary tools the City of Phoenix has to encourage historic preservation. Failure to maintain historic preservation zoning overlays will have a chilling effect on historic preservation efforts citywide, ultimately putting our neighborhood historic districts in jeopardy.

Respectfully,

Jeanine Baber
President
(FQ) Story Preservation Association

Andie Abkarian
President
Roosevelt Action Association

Robert Cannon
President
Willo Neighborhood Association

Brent Kleinman
President
Encanto-Palmcroft Historic Preservation Association

2021 January 05

Planning Commission
City of Phoenix Planning & Development Dept
200 W. Washington St.
Phoenix, AZ 85003



Opposition to Z-TA-5-20-7,

Dear Commissioners:

The Urban Phoenix Project represents those within the light rail corridor who strive for a Central Phoenix in which walking, biking, and public transit are just as comfortable and convenient as driving. Achieving this requires a commitment to the best practices in urban design from both developers and City Hall.

Since its announcement, we have watched the Thunderbird (OIC) project at the SWC of Jackson and 1st St with great interest. We firmly believe the Warehouse District deserves high-density projects, walkable streets, and residents as an accessory to Downtown. We are not inclined to support the proposed Text Amendment as a valid means-to-an end to achieve these goals. As with Garfield House and Astra, UPP has taken a staunch position against Text Amendments because, rather than address the shortcomings of the Downtown Zoning Code, the process circumvents the code entirely and renders it ineffective. While we acknowledge the Downtown Zoning Code requires an updated framework to complement the current and future trends of the community, we hold to its valuable guidelines that underline urban design.

We are thrilled to see the minds of the Warehouse District tap into the energy that is shaping downtown, but we implore the correct channels be taken. The Downtown Zoning Code upholds many values that align with the City and we hope in moving forward, clear leadership can decide the best possible outcome.

Respectfully,

The Urban Phoenix Project