

CITY OF MESA
MINUTES OF THE
HISTORIC PRESERVATION COMMITTEE

DATE: June 13, 2002 **TIME:** 6:00 p.m.

MEMBERS PRESENT

Chair Victor Linoff
David Dean
Vince Anderson
Christi Miller
Tracy Wright Wagner

MEMBERS ABSENT

Lori Osiecki
Pat Mendivil

STAFF PRESENT

Tony Felice
Kathy Guthmiller
Greg Marek
Amy Morales

OTHERS PRESENT

(See attached list)

1. Call to Order

The June 13, 2002 Regular Meeting of the Historic Preservation Committee was called to order at 6:01 p.m.

2. Consider Minutes of May 9, 2002 Regular Meeting

It was moved by Christi Miller, seconded by Tracy Wright Wagner, to RECOMMEND APPROVAL OF THE May 9, 2002 Minutes, as amended.

**Vote: 5 in favor
 0 opposed**

3. Items from Citizens Present (no action to be taken)

No items from citizens present.

4. Discuss and Consider Local Historic Landmark Overlay for Mt. Calvary Baptist Church, 430 N. Lewis, Case No. HL02-001TC.

Mr. Tony Felice presented his report outlining the history of Mt. Calvary Baptist Church and reasons why it should be designated a Local Historic Landmark.

The purpose of the Historic Landmark Overlay District is to recognize and preserve Mesa's cultural, historical and architectural heritage.

According to Section 11-12.1-5 of the City of Mesa's Zoning Ordinance, the proposed historic landmark must display "exceptional historic, visual, or architectural significance," and that at least one of the following conditions exists:

1. It meets the criteria for historic sites adopted by the State of Arizona through the State Historic Preservation Office; or
2. It substantially meets the criteria to qualify for individual listing in the National Register of Historic Places adopted by the United States Secretary of the Interior, copies of which shall be on file with the office of the Historic Preservation Officer and made available there for public inspection; or
3. Any part of it is fifty (50) or more years old and it satisfies one of the following:
 - (a) Exemplifies or reflects special elements of Mesa's cultural, social, economic, political, aesthetic, engineering or architectural past; or
 - (b) Embodies distinguishing characteristics of a style, period, method of construction or development in Mesa or serves as a valuable example of the use of indigenous materials or craftsmanship; or
 - (c) Represents the notable work of a master builder, designer or architect; or
 - (d) Represents a rare building type, style, design or indigenous building form; or
 - (e) Is identifiable with a person or event significant in local, state or national history.

Mount Calvary Baptist Church meets Criteria 3(a) and (e).

From his report, Mr. Felice stated that African Americans began to appear in Mesa shortly after the turn of the 20th Century. The first family was the McPhersons in 1905. Around 1910, others included Dr. James Livingston, Cora Kemp (who was a registered nurse), and a veterinarian. Other families arriving

before 1920 included the Kemps, Moores, Halls, Mckelvys, and the Fergusons. Settling primarily in the Escobedo neighborhood, their group was small in number and their sphere of influence at the time, even smaller. A common and binding part of their community was the spiritual leadership, which at first came in the form of missionaries. The first meeting place was under a tree in the front yard of Clara McPherson-Lewis. In 1918, the Reverend J.B. Bell organized the mission as a church and the Reverend James Robison became the first pastor. A crude rectangular wooden structure was built on East Broadway for worship services, but in 1940 the church moved to 430 N. Lewis, where it remains today.

Despite the fact that the church, which began as an outdoor meeting under a tree, moved several times until it arrived at 430 N. Lewis Street, its importance is nonetheless significant because of its association with the African American community over a span of 92 years. This very important fellowship and requisite feelings of belonging transcend physical space. Even though the church building itself has been in existence for 62 years, the impact of the parish on the community has existed for much longer.

African American westerners pursued centuries-old twin desires for opportunity and freedom. In their pursuit of economic opportunity, these workers became a crucial element in the dramatic rise of the national standard of living of African Americans. In their pursuit of racial justice, they helped launch a much larger expansion of rights for all Westerners, and all Americans, by contributing to the coming of the Civil Rights Movement of the 1960s. Their foundation for this pursuit has historically been associated with the spiritual life of African Americans. The role that churches like Mount Calvary Baptist Church played in major parts of American history cannot be overstated. Mt. Calvary provided a solid foundation for the members of the Escobedo community to network, worship and find inner strength.

Mr. Felice continued, noting that in 1909, around the beginning of the church's creation, the Arizona State Legislature adopted a law segregating blacks from whites. Mesa was much more tolerant than other Arizona communities, not instituting school segregation until 1902 and then only segregating elementary schools but allowing integration in high school. The leader of Mt. Calvary, Rev. Robison, had a son and a daughter who both completed high school in Mesa. His daughter, Mcfraddie Martin, completed her undergraduate work at Arizona State University and received a Master's degree from USC. Rev. Robison's son also graduated from USC and became a dentist.

Veora Johnson, also a Mt. Calvary parishioner, was the first black principal in the Mesa School District, chosen in 1945 to head the Booker T. Washington School. Later, she was named Mesa's "Citizen of the Year" in 1974, and Veora E. Johnson Elementary School was named for her.

Mr. Felice summarized that African Americans have long contributed to the richness of the history of the American West. From Buffalo Soldiers to local farmers and businessmen, their greatest commonality was often their spiritual connection to each other. Mt. Calvary Baptist Church illustrates such importance. Therefore, Criterion 3(e) is satisfied, based upon the cultural aspects of African Americans arriving in the Southwest, and further, how spiritual institutions like Mt. Calvary played an important role in the community.

Mr. Felice informed Committee members that in addition to a petition signed by 54 qualified electors who are also parishioners of Mount Calvary Baptist Church, a notice was mailed to all residents and businesses within 300 feet of the Church describing the historic landmark application and identifying the dates, location and times of the meetings of the Historic Preservation Committee and Downtown Development Committee. To date, staff has received no inquiries about the case.

Mr. Felice stated that the Historic Landmark Zoning Overlay is in compliance with the Downtown Concept Plan, the Historic Preservation Plan and the Redevelopment Plan.

Mr. Felice noted that Staff recommends approval of the proposed Local Historic Landmark Overlay for Mt. Calvary Baptist Church.

Mr. Felice introduced Mrs. Lilly Johnson, whose efforts facilitated the application for a Local Historic Landmark Overlay for Mt. Calvary Baptist Church.

Chair Victor Linoff acknowledged Mrs. Johnson's hard work and dedication. He also acknowledged the 80+ people in attendance.

Ms. Christi Miller stated that she was very impressed by the great turnout for support of designating Mt. Calvary Baptist Church as a Local Historic Landmark, and commended all for their efforts.

Ms. Wright Wagner and Mr. Anderson agreed that it was wonderful to see such interest and support.

Mr. Anderson suggested adding Mr. Felice's Staff report as part of the Arizona Room's collection.

Committee members congratulated Mr. Felice on an excellent report.

Mr. Greg Marek stated that according to the State Historic Preservation Office, it appears that Mt. Calvary Baptist Church may also qualify for listing on the National Register of Historic Places.

Mr. Marek clarified that upon approval by the Historic Preservation Committee, this case would go before the Downtown Development Committee (DDC) on

July 18th, and the DDC would make a recommendation to the City Council, which would be considered probably by late August at a City Council meeting.

It was moved by Vince Anderson, seconded by Tracy Wright Wagner, to RECOMMEND APPROVAL of the proposed Local Historic Landmark Overlay for Mt. Calvary Baptist Church.

**Vote: 4 in favor
0 opposed**

Mr. David Dean arrived at 6:16 p.m.

5. Discuss and Consider the Request for Proposals for the Pomeroy House Located at 217 N. Morris and the Mitten House Located at 238 W. 2nd Street.

Chair Linoff congratulated everyone that had a part in the successful move of the Mitten and Pomeroy Houses, noting that the Mitten House is down on its foundation and the Pomeroy House is close to that point also.

Mr. Marek informed Committee members that the utilities have been brought up to the homes as part of the site preparation. In addition, the necessary paperwork has been completed to transfer the National Register designation of the Mitten House from the 1st Avenue location to the 2nd Street location.

Mr. Marek discussed the draft Request for Proposals (RFP) for each of the houses, noting the differences related to the site description and potential uses.

Mr. Marek noted that preference should be given to owner-occupied uses, and that more concern should be placed on what is proposed to improve the sites and the homes than on how much money is received for the properties.

Once the Request for Proposals has been issued, the submittals will be ranked according to the selection criteria, and evaluated by an internal team. Staff plans to take the RFP before the City Council in July in order to obtain authorization to issue the RFP for each of the properties, which would probably be out for a 60-day period.

The possibility of deed restrictions on the properties will need to be explored to ensure that the architectural integrity of the homes are maintained in order to keep their historic status. Mr. Marek stated that staff would like to avoid having someone purchase the homes for speculation purposes, thus the preference for owner-occupied.

Chair Linoff asked if it could be a stipulation to have the properties be owner-occupied as opposed to just a preference.

Mr. Marek said that having a preference for an owner-occupant isn't as restricting as a stipulation, and will allow flexibility for special circumstances.

Historic Preservation Committee members discussed ideas about the content of the RFPs.

Mr. Vince Anderson noted a difference in wording between the two RFPs regarding the deed restriction. A supplemental provision in the Pomeroy House RFP should be worded as follows to be consistent with the Mitten House RFP: "Deed restrictions **WILL** be placed on the property requiring that the historical integrity of the house is maintained." (Bold and all caps indicate changed word.)

Mr. David Dean questioned how the City would enforce the properties to be owner-occupied.

Mr. Marek stated that the City Attorney's Office would need to verify that an owner-occupant requirement could be included as a contractual obligation.

Chair Linoff suggested specifying a set period of time in a contract, such as 5 years, during which the properties must be owner occupied. Having that length of time would deter most people from acquiring a speculative property.

Mr. Marek added that the most critical point is at the beginning when the owner-occupant makes improvements to the property and dictates the use of the property. By having owner-occupants in both the Mitten and Pomeroy Houses, it should also help spur development in the Robson Historic District to get more owner-occupants as opposed to absentee property owners.

Chair Linoff stressed that receiving the total appraised value for the properties is not the main objective; there are more important long-term goals that need to be taken into consideration, such as the revitalization of the neighborhood and preservation of historic properties.

Other Committee members also emphasized that the proposals need to be examined on a basis other than immediate financial gain.

Ms. Christi Miller asked if the possibility of a deed restriction should be clarified in the Request for Proposals in order to give a better idea to respondents.

Mr. Marek noted that the RFP states "deed restrictions will be placed requiring that the historical integrity of the house be maintained." The exact wording will be negotiated after a respondent is selected.

Mr. Anderson stated that in a Homeowners Association, for example, deed restrictions are already on the property before it is purchased; they are not something that the buyer is able to negotiate. Mr. Anderson said that the deed

restriction should only include the one stipulation of maintaining historical integrity of the property. The Planning and Zoning Division and Code Enforcement would handle other restrictions and enforcements related to the property.

Mr. Marek said that once a respondent is selected, it doesn't mean the sale of the home is finalized; a contractual agreement will need to be entered into, during which time the deed restriction can be negotiated.

Mr. Marek added that if the houses were not to be used as residential properties, they would have to go through the design review process. The Historic Preservation Committee would be involved in this review.

Mr. Anderson suggested involving the City Attorney's office to determine appropriate wording of the deed restriction.

Ms. Tracy Wright Wagner asked for clarification on how the deed restriction would be enforced if the property owner violated it.

Mr. Marek noted that any reports of alterations would be immediately investigated, and if the property owner was found to be in violation of the deed restriction, he/she would first receive a "cease and desist" order, then the City Attorney's Office would take the property owner to court to enforce the deed restriction.

Mr. Marek also noted that the selected respondent's proposal would become an addendum to the agreement, so he/she would be contractually obligated to follow through with what was proposed.

Ms. Wright Wagner asked if the City would be obligated to make a selection if there were no qualified respondents to the RFP.

Mr. Marek referred to the RFP, which has the following supplemental provision:

- The City retains the right to reject any and all offers and/or to withdraw this offer to sell or lease at any time prior to acceptance of a proposal for negotiation by the City Council. It may also modify this RFP and provide the modifications to all interested parties in writing, and to extend the date of submittal should a modification or change likely affect the type and quality of potential proposals.

Committee members also discussed the Rehabilitation Code and the possible impact of installing sprinkler systems into the houses (if utilized for commercial purposes).

Mrs. Barbara Atkinson, who owns properties around the Pomeroy House, expressed her hope that a time restriction would not be placed on the potential purchasers of the properties. She noted that unexpected circumstances

sometimes arise which could force the sale of a property. Referring to Mr. Anderson's example of a Homeowner's Association, Mrs. Atkinson also suggested the possibility of CC&R's being attached to the properties to protect their historic significance.

Chair Linoff noted that if there were a 5-year contract, for instance, the contract could be renegotiated if there were extenuating circumstances.

Mr. Marek added that anyone taking over the property would still be bound by the deed restriction to protect the historical integrity of the property.

Ms. Virginia Berg, former owner of the Mitten House, addressed the Committee and Staff, thanking them for their interest, concern, and time taken to preserve these homes. She also congratulated the company that moved the houses for a successful job.

It was moved by David Dean, seconded by Vince Anderson, to RECOMMEND APPROVAL of both RFPs (for the Mitten House and the Pomeroy House), basing the emphasis of selection on the Respondent's willingness and financial capacity to preserve the historic integrity of, and facilitate improvements to, these important historic homes; not focusing on, or giving preference to, the sale price of the properties.

**Vote: 5 in favor
0 opposed**

6. Director's Report

Mr. Marek briefed Committee members on two conferences related to historic preservation, noting that due to budget constraints, the Historic Preservation Office would only be able to pay the registration fees if a Committee member wishes to attend; he/she would have to incur the additional expenses.

Mr. Marek updated members on the status of the Light Rail project. Staff is currently reviewing a document that studied the potential impact to historic and cultural resources.

Mr. Marek noted that the draft of the Rehabilitation Code has not been completed, but it is expected very soon.

Mr. Marek informed Committee members that after the 60-day comment period for the General Plan (ended mid-June), it will go before City Council for approval. Under the administration section of the General Plan, it specifically refers to the Historic Preservation Plan by Resolution number.

Mr. Marek said that a hangar at Falcon Field is eligible for listing on the National Register, but due to staff's workload, it may be a while before the application is compiled.

Mr. Dean noted that he would have a group of students next summer from Grand Canyon University who would be working on a public history project and could possibly undertake this application as part of their project.

7. Committee Member Comments and Questions and Future Agenda Items

Mr. Anderson noted that he has seen workers excavating the Mesa Grande site regularly.

Ms. Miller stated that she attended the annual meeting for NEDCO, and briefed Committee members on the results.

Ms. Miller also said she has been researching grants and potential sources for funding.

Mr. Anderson said he obtained a 1957 map of Mesa and has been researching potential historic neighborhoods.

8. Adjournment

7:54 p.m.

Respectfully submitted,

Gregory J. Marek, Historic Preservation Officer
Minutes prepared by Kathy Guthmiller