

CITY COUNCIL REPORT



MEETING DATE: May 4, 2004

ITEM NO. 14

GOAL: Preserve the character and environment of Scottsdale

SUBJECT

Pink Pony Restaurant Historic Property Overlay

REQUEST

Consider a request to rezone from Central Business District Downtown Overlay (C-2 DO) to Central Business District, Downtown Overlay, Historic Property (C-2 DO HP) for the Pink Pony Restaurant (.2 +/- acre parcel) at 3831 N Scottsdale Road and to place the property on the Scottsdale Historic Register, and consider adopting Ordinance No. 3562 affirming the rezoning.
19-ZN-2003/5-HP-2003

Key Items for Consideration:

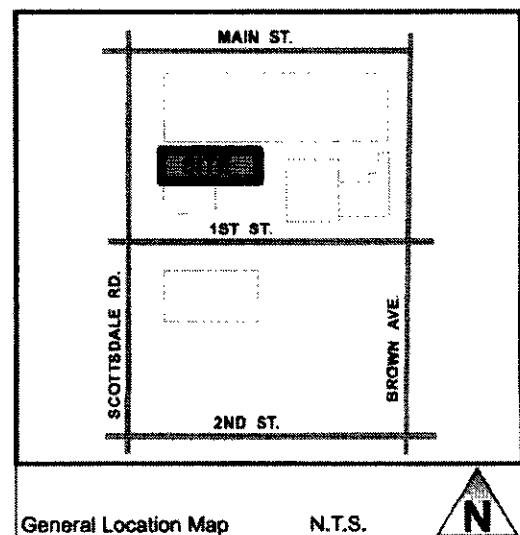
- The Historic Preservation Commission initiated this HP zoning case on November 13, 2003, and approved a recommendation 6-1 on February 12, 2004. The HPC reheard the case April 8, 2004, due to the Downtown Overlay (DO) existing zoning not being included in hearing notices, and again approved a recommendation 6-1.
- The Pink Pony Historic Significance and Integrity Assessment Report by the Historic Preservation Officer (Attachment 1.) concluded that the building is historically significant in more than one criterion and should be listed on the Scottsdale Historic Register.
- The property is associated with the historic context of Scottsdale's Development as an Arts Colony and Tourist Destination.
- No development or change in use or the underlying zoning is proposed in this City initiated HP overlay zoning case.
- The Planning Commission voted for the rezoning 6-0 on April 14, 2004.
- The owner supports this HP designation. Public comments at meetings and open houses have all been positive.

Related Policies, References:

The Historic Preservation Commission can initiate HP overlay zoning cases by ordinance. The Historic Preservation Commission is required by ordinance to make a recommendation to the Planning Commission and City Council on all HP overlay zoning cases.

OWNER

Gwen Briley
C/o Pink Pony Restaurant
480-945-6697



APPLICANT CONTACT Historic Preservation Commission
City of Scottsdale
480-312-2523

LOCATION 3831 N Scottsdale Rd
Parcel #130-23-124

BACKGROUND **Zoning.**
The approximately .2 acre property is zoned C-2 DO Central Business District Downtown Overlay and contains an existing restaurant building, the Pink Pony.

Related Historic Preservation Program Activities.
Scottsdale's current historic preservation program began in 1996 when Council-appointed the Historic Resources Preservation Task Force. Council appointed the HPC in June 1997. The first priority of the HPC was to prepare local ordinances to identify and protect Scottsdale's significant resources. In July 1999 Council approved two ordinances on preservation; Ordinance No. 3242. Historic Property Zoning Overlay, and Ordinance No. 3243. Protection of Archaeological Resources.

The Historic Preservation Commission (HPC) was charged by City Council with identifying significant historic resources in the city and with establishing and maintaining the Scottsdale Historic Register as part of a comprehensive Historic Preservation Program. The proposed HP overlay zoning for Pink Pony would be the fourteenth designation.

The HPC and staff conducted an intensive survey of about one thousand non-residential buildings within a 1-square mile area of downtown during the past two years to identify significant historic resources. Through this survey effort the HPC identified the Pink Pony and approximately fourteen other individual properties and two collections of buildings to be considered for possible designation and placement on the Scottsdale Historic Register.

Other properties currently on the official Scottsdale Historic Register related to the Arts and Tourist Destination historic context include the Hotel Valley Ho, Craftsman Court, Adobe Apartments, and the Cattle Track Complex.

General Plan.
The proposed HP zoning for Pink Pony is consistent with the Scottsdale General Plan. A Scottsdale Value in the Character and Design Element is the "Protection of significant historic buildings and settings." The proposed zoning is also consistent with Goal 3. in the Character and Design Element to "Identify Scottsdale's historic, archaeological and cultural resources, promote an awareness of them for future generations, and support their preservation and conservation." The General Plan Land Use Element designates the property as retail specialty, type 1.

Historic Significance.
The Pink Pony is both historically and architecturally significant. Historically it is important for its association with Scottsdale's development as a premier tourist and major baseball training destination. It is also important for its

association with Charlie Briley who played an important role in bringing the Cactus League to Scottsdale and establishing a business that became nationally known. Architecturally the building is significant for its ability to illustrate the transition of the downtown design theme from the Old West to the more Modern Southwest style. Although the building was substantially changed from its original construction as western-themed drug store, it represents an important pattern of conscious alteration and reuse of the downtown buildings to accommodate new uses, and the increasing sophistication of visitors and residents during the decades following World War II.

See also Attachment 1. Pink Pony Historic Significance and Integrity Assessment Report, prepared by the Historic Preservation Officer (HPO), and Attachment 5. Pink Pony Photos.

Context.

This property is located on the east side of Scottsdale Road within the Old Town Downtown Special District. An alley is located on the north side of the property. The parcels to the south and east, Bandera Restaurant, are zoned D/RS-1 Downtown/Retail Specialty – Type 1. Property to the north is zoned C-2 DO Central Business District Downtown Overlay. Property on the west side of Scottsdale Road is zoned D/OC-2 DO, Downtown/Office Commercial – Type 2, Downtown Overlay. The closest property to the Pink Pony with HP overlay zoning is the Farmers State Bank of Scottsdale on E. Main Street, now the Rusty Spur.

**APPLICANT'S
PROPOSAL****Goal/Purpose of Request.**

The request, initiated by the Historic Preservation Commission on November 13, 2003, is to rezone the property at 3831 N. Scottsdale Road from C-2 DO to C-2 DO HP to place the Historic Property (HP) overlay zoning district on the property and to list the property on the Scottsdale Historic Register for its historic significance. The Charles W. Briley Trust (Gwen Briley) owns the property.

The proposed HP overlay zoning district will not change the uses permitted with the existing underlying C-2 DO Central Business District Downtown Overlay zoning. No changes in the existing buildings or use are proposed, and no development project/activity is associated with this request.

IMPACT ANALYSIS

No changes are proposed in the existing building, land use, or transportation on this .2-acre property at 3831 N. Scottsdale Road.

Community involvement.

Two public open houses were held in January 2004 on current HP zoning cases including the Pink Pony. About fifty people total attended the two open houses. The public response to the proposed HP zoning and placing the Pink Pony on the register has been very positive. No objections to the rezoning were received. The historic context for the proposed rezoning has been available for a couple of years and is called "Historic Context for Scottsdale's Development as an Arts Colony and Tourist Destination."

The HPC is the lead citizen's commission for developing an effective local historic preservation program. The HPC worked with staff for about two years on a survey of the downtown to identify potentially significant historic resources. About 750 non-residential properties were included in the intensive survey of downtown Scottsdale. The HPC also held two open houses in January 2002 at Loloma School to provide information on the survey of the downtown that identified properties, including the Pink Pony, eligible for designation on the local register. Other citizens groups, including the Scottsdale Historical Society and Scottsdale Downtown Partnership, have expressed interest in preserving Scottsdale's past. Staff has provided progress reports to interested groups.

The Scottsdale Library Advisory Board sponsored a series of three lectures titled "Post World War II American Architecture". Speakers included Alan Hess, nationally prominent architectural writer, Joan Fudala, local author of Scottsdale history and Debbie Abele, Historic Preservation Officer. The lectures were a great introduction to architecture from the recent past and why it is important to identify and preserve significant buildings from the postwar era in Scottsdale.

Debbie Abele, HPO met with the owner, Gwen Briley, in November 2003 and she supports the property being placed on the register, and appreciates her husband, Charles Briley, being recognized by the rezoning. See also Attachment 7. Citizen Review Report.

Community Impact.

Recognizing significant downtown resources is consistent with the values and goals in the Character and Design Element of the General Plan. The work of the Historic Preservation Commission and Council to identify and protect significant local historic resources is ongoing and has been gaining recognition in the community as more properties are placed on the Scottsdale Historic Register.

Placing the Pink Pony on the Scottsdale Historic Register as a significant postwar business related to the arts and tourism theme is a way to recognize past accomplishments of people like Charles Briley and to honor the past. Historic resources provide an opportunity for residents and visitors alike to see and appreciate significant examples of past efforts to build a special community.

If the HP overlay zoning is adopted, City staff is required by ordinance to prepare a Historic Preservation Plan specifically for this property, and the plan will contain design guidelines that will be used to review future applications to alter the exterior of the building.

**HISTORIC
PRESERVATION
COMMISSION
RECOMMENDATION**

The Historic Preservation Commission held a public hearing on this case on February 12, 2004. The Historic Preservation Commission voted 6-1 to apply HP zoning to the Pink Pony and to list the property on the Scottsdale Historic Register. The case was reheard by the Commission on April 8, 2004 due to the existing Downtown Overlay (DO) zoning not being included in the legal notices for the hearing.

The Historic Preservation Commission voted 6-1 on April 8, 2004, to approve a recommendation to the Planning Commission and City Council to apply HP zoning to the Pink Pony and to list the property on the Scottsdale Historic Register (19-ZN-2003/5-HP-2003). The Commissioner voting against the motion stated the reason for his vote was because this property was not the original location of the Pink Pony restaurant.

**PLANNING
COMMISSION
RECOMMENDATION**

The Planning Commission heard this case on April 14, 2004. The Commission supported the designation but had questions about the process and why it is a City-initiated case. They were advised that the Historic Preservation Commission (HPC) is charged by City Council with identifying and protecting significant historic resources, and bringing properties to City Council for recognition of their historic significance, for protection under the HP overlay standards and to become eligible for potential City incentives that are available to owners of historic properties. The HPC has researched downtown properties for the last three years, is confident that this property merits being placed on the Scottsdale Historic Register, and the owner supports the designation.

The Planning Commission recommended approval of this HP overlay zoning 6-0, as proposed.

**HPO/STAFF
RECOMMENDATION**

Recommended Approach:

The Historic Preservation Officer and Staff recommend approval.

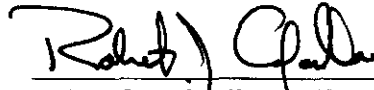
**RESPONSIBLE
DEPT(S)**


Preservation Division

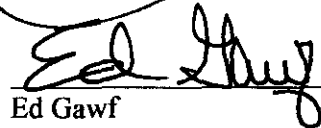
STAFF CONTACT(S)

Don Meserve, AICP
Preservation Planner
480-312-2523
E-mail: dmeserve@ScottsdaleAZ.gov

APPROVED BY

 4-15-04
Robert J. Cafarella, AICP Date
Director, Preservation Division

 4/19/04
Randy Grant Date
Chief Planning Officer

 4/19/04
Ed Gawf Date
Deputy City Manager

ATTACHMENTS

1. Pink Pony Historic Significance and Integrity Assessment Report
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Ordinance No. 3562
Exhibit A. Zoning Map
5. Pink Pony Photos
6. Applicant's Narrative
7. Citizen Review Report
8. February 12, 2004 Historic Preservation Commission Minutes
9. April 8, 2004 Historic Preservation Commission Draft Minutes
10. April 14, 2004 Planning Commission Draft Minutes
11. Letter of support from Scottsdale Historical Society

Scottsdale Historic Preservation Commission
Historic Significance and Integrity Assessment Report

Proposed Listing on the Scottsdale Historic Register

Pink Pony

3831 North Scottsdale Road, Scottsdale, Arizona
Scottsdale Historic Register Application No. SHR -04-14
Zoning application No. 19-ZN-2003

Background

The City Historic Preservation Office staff conducted an intensive survey of downtown Scottsdale with assistance from Arizona State University interns, local historians and architects during the period 2000-2001. The goal of the survey was to identify those properties that might be eligible for listing on the Scottsdale Historic Register. Approximately 750 properties, built for commercial use, were studied with particular emphasis on those properties that related to Scottsdale's historic development as an "Arts Colony and Tourist Destination." The Scottsdale Historic Preservation Commission and the members of the Commission's Historic Register Committee periodically reviewed the research collected and conducted field studies of the survey properties. Their relative significance and integrity were analyzed and compared. As a result of this effort, approximately two dozen properties were identified that merited further consideration for designation to the Scottsdale Historic Register for their association with important historic events and representation of the architectural influences that shaped Scottsdale development during the post World War II era. The building housing the Pink Pony restaurant was among those properties that were identified as having historic significance and a high degree of integrity of location, design, materials, setting and workmanship.

Description

The Pink Pony building is located on a .21 acre parcel on Scottsdale Road in Scottsdale, Arizona and is listed under Maricopa County Assessor PIN #130-23-124. Constructed in 1954 by the variety store Sprouse-Reitz, the building was modified in 1970 for use by the Pink Pony Steak House after the business moved from their original downtown location. The Pink Pony has occupied it ever since. It is located in the heart of Old Town Scottsdale in a bustling area of retail shops, restaurants and offices.

The simple, rectilinear plan is oriented with its short, front façade to Scottsdale Road, the main north-south street in the downtown area of the City. The footprint of the 8,200 square foot building occupies the entire parcel. The main façade is constructed to the sidewalk, facing Scottsdale Road. An alley separates the Pink Pony from another building to the north and an asphalt parking lot is located at the rear, accessible from Main Street. Another business is located to its immediate south. The building is a hybrid of Western, Southwestern and Modern Styles.

The Pink Pony is a single story building constructed with concrete block exterior walls laid in a stretcher bond pattern. The front façade has three bays, two that project forward at both ends and a recessed central bay. The roof is a very low pitch gable sheathed in built up material. The roof form is almost totally hidden by a simple parapet along all four facades. The middle section of the rear façade parapet has five extra courses of block and the entire front parapet rises an

additional seven courses high, providing a false front to the building's main elevation. These parapet walls are features of the building's original Western Style design.

The building's street façade was modified in 1970 in a transition to a more Modern Southwestern Architectural Style. The projecting bays are now sheathed in broken courses of cut flagstone. This material is also used in the construction of two low planter walls that arc from the end bays to each side of the central entry doors. Stucco has been applied to the recessed bay façade, including the parapet wall. A stepped semicircular flat canopy projects over the sidewalk along the front facade. Four simple wood posts support the overhangs. Wood flush-board adorns the ceilings of both canopy levels. Recessed lighting cans also punctuate the ceilings. A southwestern patterned fascia on the main canopy and double entry doors with four Kachina design panels are also defining features of the building's architectural style.

Narrow horizontal windows framed in wood flank the entry above the stone planters. Exterior screens on both windows provide privacy and ensure low natural interior lighting, characteristics of steak house ambiance. Three steel casement windows punctuate the building's rear façade and two service doors provide access from the alley.

Rustic wood lettering with the business name and a pony logo adorn the false front façade. Two additional pink pony logos cut from wood are attached to the porch posts. This is the original Western Style signage for the business and it was reused when the Pink Pony reopened at this location.

History

Sprouse-Reitz opened a new store of their nationally known variety chain in this building on October 14, 1954. Departing from their signature corporate design with a red-tile theme, the Scottsdale store was built instead in a Western Style with "an overhanging porch, shake shingles, and rustic sign in keeping with the town's western atmosphere." This theme was also carried inside with the use of Western wallpaper and natural oak grain fixtures. To further promote this atmosphere, the store's personnel even dressed in "Western garb" for the three day grand opening festivities.

The Chamber of Commerce deliberately cultivated an Old West identity for Scottsdale after proclaiming their community "The West's Most Western Town" in 1947. Almost immediately, downtown merchants began remodeling their buildings to reflect this adopted image and attract tourists who were vacationing at the nearby resorts and dude ranches. Newly constructed businesses also followed suit and in the 1950s the downtown took on a distinctly "Old West" appearance.

Following a prevailing trend in retail store design in the 1950s, Sprouse-Reitz was constructed with an open plan and large display windows on the street façade. The "open front" provided by the large windows ensured that the interior space also functioned as a street view display. The store's interior featured wide aisles and fluorescent lighting to further facilitate display of the almost 50,000 items of merchandise they offered for sale. Sparing no modern convenience, the building was also cooled for year round comfort with an 18 ton refrigeration unit.

Sprouse-Reitz operated from this building for more than 15 years until the Pink Pony Steak House took it over in 1970. The restaurant had been in business since 1947 at the southeast corner of Scottsdale Road and Main Street in the former Whitey's Café, which had been the first downtown business to remodel with Western features and "dress for the winter [tourist] trade." Known then as "Pings," it was originally owned by Ping Bell who later brought Claudia Ogden in as a partner. Ogden bought Bell out in 1949 with money she received from her good friend, developer Del Webb. Wanting to change the name, she consulted with another friend – artist Lew Davis – who thought up The Pink Pony and drew the pony logos still used today. Ogden also asked Charlie Briley to come work for her as the bar manager. Shortly thereafter she sold the restaurant to Briley for \$50,000 on a lease to buy option in 1950.

Briley remained proprietor of the Pink Pony until his death in 2002, leaving the restaurant to his wife Gwen who continues to oversee operations. Along the way, "The Pony" – as it is affectionately known – became a hangout for baseball greats, their fans and longtime locals. The establishment has received widespread acclaim. Baseball writer Roger Angell with *The New Yorker* touted it as "the best baseball restaurant in the land" and in 1986 *Sports Illustrated* declared it "the most popular hangout for baseball people in the civilized world."

Briley's route to ownership of the spring training landmark was fortuitous. As a kid in Kentucky he developed a passion for baseball, playing some as a left handed pitcher and traveling to Nashville on occasion to watch major league exhibition games. After hitchhiking from Kentucky to Arizona in 1936 to visit his sister, he stayed around Phoenix working the soda fountain at Walgreens and then as a meat salesman for Swift and Co. In 1942 he entered the Army and was assigned as a meat inspector. Returning to Phoenix after the war, Briley went to work as a bartender at The Steak House, a top restaurant in the area. There he met Del Webb, one of the restaurant's steadiest customers who had also become part owner of the New York Yankees. Briley and Webb talked baseball "by the hour" and it was through Webb that Briley met Claudia Ogden, the new owner of the Pink Pony who brought Briley over to tend the bar and subsequently sold him The Pink Pony.

At the time Briley acquired The Pink Pony, Phoenix was in its infancy as a spring training destination for major league baseball teams. Charlie Briley would soon have a hand in changing this. In the early 1950s Dizzy Dean, a pitching star Briley had met at a 1931 Nashville exhibition game, moved to town. Briley reintroduced himself and the two became fast friends. Dean became a Pony regular, talking up the restaurant and his buddy, Charlie Briley. Baseball aficionados took notice and began frequenting the establishment while in town. Momentum was building. After the Baltimore Orioles agreed to train in Scottsdale, Briley and nine other local businessmen pooled together \$56,000 to build Scottsdale Stadium in 1955.

Since that time a steady stream of spring training teams have come to Scottsdale and Briley's restaurant became their official "watering hole." The Pony was also a de facto office where trades and contracts were made and signed. Many baseball greats frequented the Pony including Ty Cobb, Ted Williams, Rogers Hornsby, Jimmy Foxx, Joe DiMaggio and Billy Martin. The inside of the restaurant is a virtual shrine to baseball with signed memorabilia, photos and the well-known caricature drawings of various ballplayers, coaches and other spring training regulars gracing much of the north wall. In the 1950s and 1960s Briley commissioned

Disney cartoonist Don Barkley to draw them for \$25 each, half paid in cash and half in trade. Gwen Briley continued the tradition in her own style after she and Charlie married in 1973. Over the years the restaurant also became a draw for the who's who of the social and political scene. Robert Wagner and Natalie Wood came for their wedding night dinner. Clark Gable, Senator Hubert Humphrey, and Senator Joseph McCarthy have eaten here. Cowboy star and California Angels owner Gene Autry had a favorite booth.

In 1970 Briley was forced to move the Pink Pony to its current location after a dispute with his landlord. He had earlier purchased the building in 1966 though Sprouse-Reitz stayed on as a tenant until The Pony took over. The remodeled façade incorporated Modern Southwest elements, borrowed from new buildings constructed in the late 1950s and 1960s as downtown businesses began transitioning from the strictly Western Style of the early postwar years. These changes in downtown building styles helped retailers stay current with an up-to-date image that "appealed to the same marketing impulses that merchants used to woo their customers."

The large display windows that characterized Sprouse-Reitz were partially in-filled to create privacy and block daylight from the interior of the steak house restaurant. Southwestern materials including stucco and cut stones were also applied to the main exterior facade. A flat projecting canopy with a semicircular form replaced the Western Style shake roof porch and sweeping planters were added to emphasize the fresh modern lines. A geometric patterned wood fascia, resembling the Native American influenced concrete panels that decorate the Hotel Valley Ho, was applied to the canopy. The interior was also remodeled to accommodate the building's new use. A kitchen was installed along with a prominent bar, 19 booths and 15 tables.

Significance

The Pink Pony building is historically significant for its association with Scottsdale's Post World War II community planning and development patterns and for its association with the town's social history. It is representative of a period when the town became a major baseball spring training and tourist destination. It helps to illustrate the evolutionary pattern of downtown retail development during this vital era, with a core group of "movers and shakers" who guided the process and ensured its success. It is also important for its association with Charlie Briley, considered "Arizona Sports Royalty" for his role in bringing the Cactus League to Scottsdale and establishing a nationally known draw for the baseball crowd. The architecture of the Pink Pony also is significant for its ability to illustrate the transition of the downtown design theme from Old West to a Modern Southwestern Style.

The physical features of the Pink Pony building continue to express their association with these themes of significance. The building sits in its original location on Scottsdale Road, in a setting within the heart of bustling Old Town. The numerous art galleries, gift shops, restaurants, and entertainment venues that opened downtown during the postwar period made the area a prime destination for vacationing tourists from all over the Valley. Briley's restaurant has a key location only a half-mile walk from Scottsdale's baseball stadium, which he helped fund. Abutting a wide sidewalk and one of the City's major roads, the Pink Pony building continues to prominently address passing pedestrian and automobile traffic, a typical feature of downtown business establishments.

The blending of Modern, Western and Southwest Style architecture still convey the historic design intentions. These elements include an open plan that made the building readily adaptable to its new use. In addition, an exaggerated false front parapet wall and rustic signage express the Old West Style that local businessmen consciously promoted in the early postwar era of Scottsdale's downtown development. The flat, arcing porch canopy and planters reflect the trend toward use of modern features while the geometric fascia pattern illustrates the shift to Southwestern designs in the later years of the postwar era.

Specific materials also articulate the historic significance of the Pink Pony. The use of concrete block for the building's exterior walls was distinctly modern. Block was the least expensive and most readily available building material in the metropolitan area as a result of the phenomenal postwar success of the locally operated Superlite Builders Supply Company. In addition, wood flush-board canopy ceilings and lettering were used to influence the building's Western Style. The application of stucco and broken courses of cut flagstone to the front façade provided a Southwestern feeling. These materials reflect the innovative manufacturing practices that became possible in the postwar era with the application of new industrial technologies.

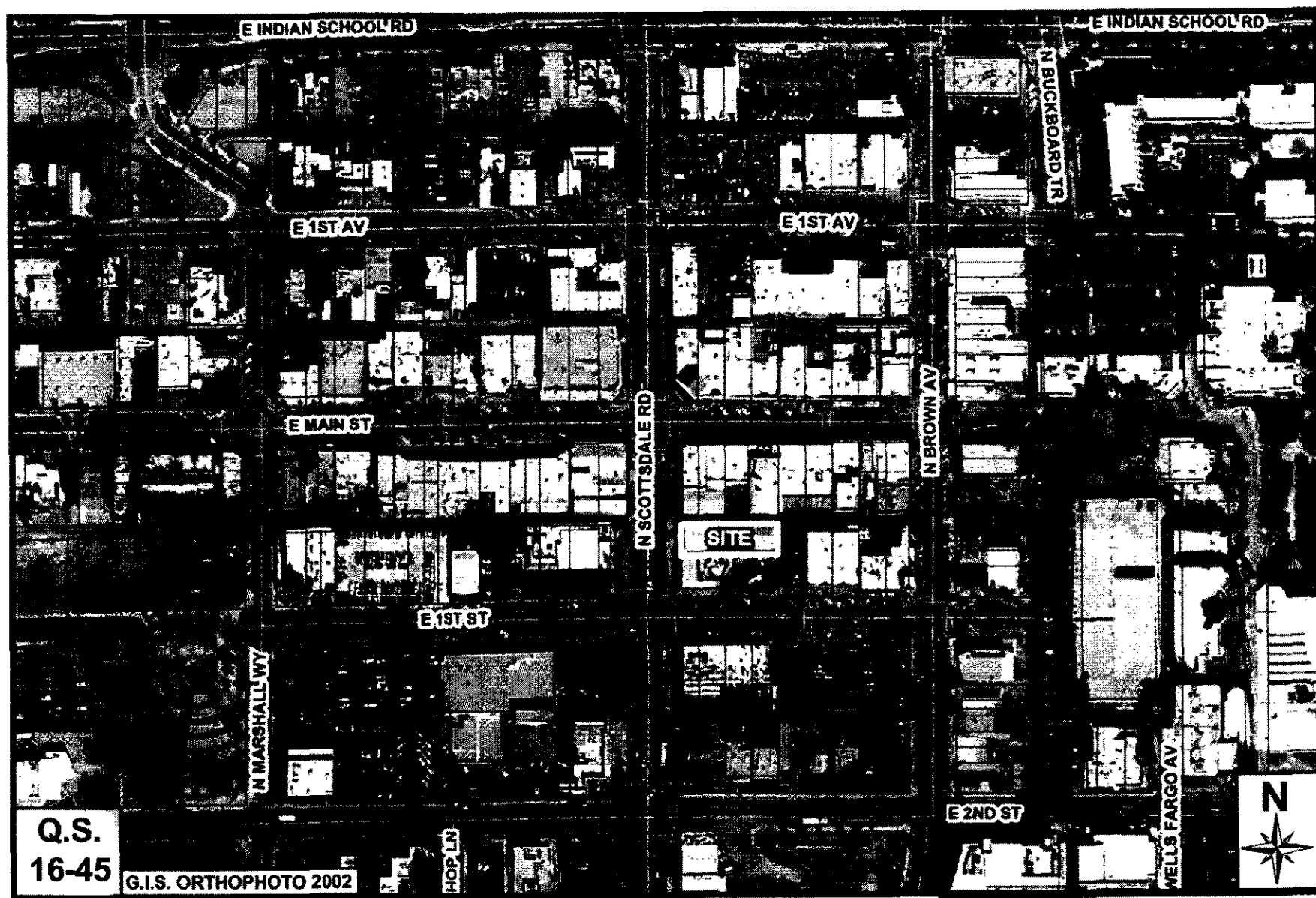
The Pink Pony's physical features continue to convey a sense of the building's historic character and its association with postwar development patterns, social history, and architectural styles in downtown Scottsdale.

Recommendation

Based upon this information, it is recommended that the HP Commission:

Approve a recommendation to the Planning Commission and City Council to apply HP overlay zoning and list the Pink Pony on the Scottsdale Historic Register.

SHRreportPinkPony



3831 N. Scottsdale Road

19-ZN-2003

ATTACHMENT #2

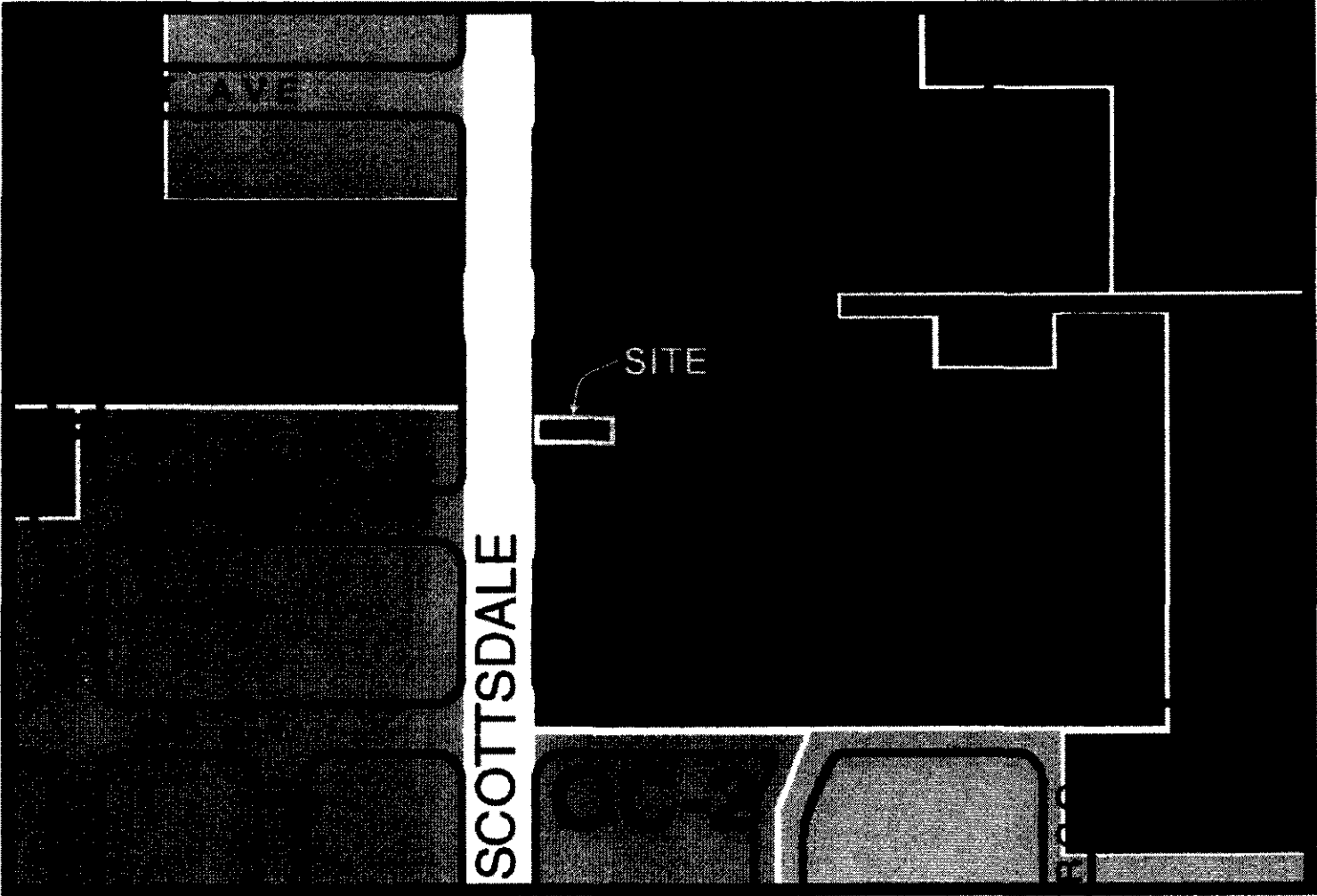










3831 N. Scottsdale Road

19-ZN-2003

ATTACHMENT #2A

Downtown General Plan



- | | |
|--|--|
|  Retail Specialty |  Residential/Hotel |
|  Office Commercial |  Regional Commercial/Office |
|  Civic Center |  Residential High Density |
|  Office Residential |  Medical |



19-ZN-2003
ATTACHMENT #3

ORDINANCE NO. 3562

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 19-ZN-2003, FROM C-2 DO (CENTRAL BUSINESS DISTRICT DOWNTOWN OVERLAY) TO C-2 DO HP (CENTRAL BUSINESS DISTRICT DOWNTOWN OVERLAY HISTORIC PROPERTY) ON .2 +/- ACRE PARCEL LOCATED AT 3831 N SCOTTSDALE ROAD.

WHEREAS, the Historic Preservation Commission, Planning Commission and City Council have held hearings on and considered Zoning Case No. 19-ZN-2003; and

WHEREAS, the City of Scottsdale is committed to historic preservation for the purposes of: 1. Creating a sense of pride in our heritage, 2. Preventing the loss of valuable historic resources, and 3. Creating economic benefits by increasing property values and enhancing tourism; and

WHEREAS, the Historic Preservation Commission (HPC) is charged with overseeing a program to identify and protect significant historic resources, and the Commission has completed their documentation and consideration of property eligible to be recognized as historically significant and zoned HP – Historic Property under the 1999 Historic Preservation Ordinance No. 3242; and

WHEREAS, on April 8, 2004 the HPC solicited public comment and reviewed the proposed HP overlay zoning district for a historic resource that is related to the Arts Colony and Tourist Destination theme, and approved a recommendation to City Council that HP zoning for the "Pink Pony" property, located at 3831 N Scottsdale Road, should be approved and that the "Pink Pony" should be placed on the Scottsdale Historic Register;

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 19-ZN-2003.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a .2 +/- acre parcel located at the 3831 N Scottsdale Road and marked as "Site" (the Property) on the map attached as Exhibit 1, incorporated herein by reference, from C-2 DO (Central Business District Downtown Overlay) to C-2 DO HP (Central Business District Downtown Overlay Historic Property).

PASSED AND ADOPTED by the Council of the City of Scottsdale this 4th day of May, 2004.

ATTEST:

CITY OF SCOTTSDALE, an Arizona
municipal corporation

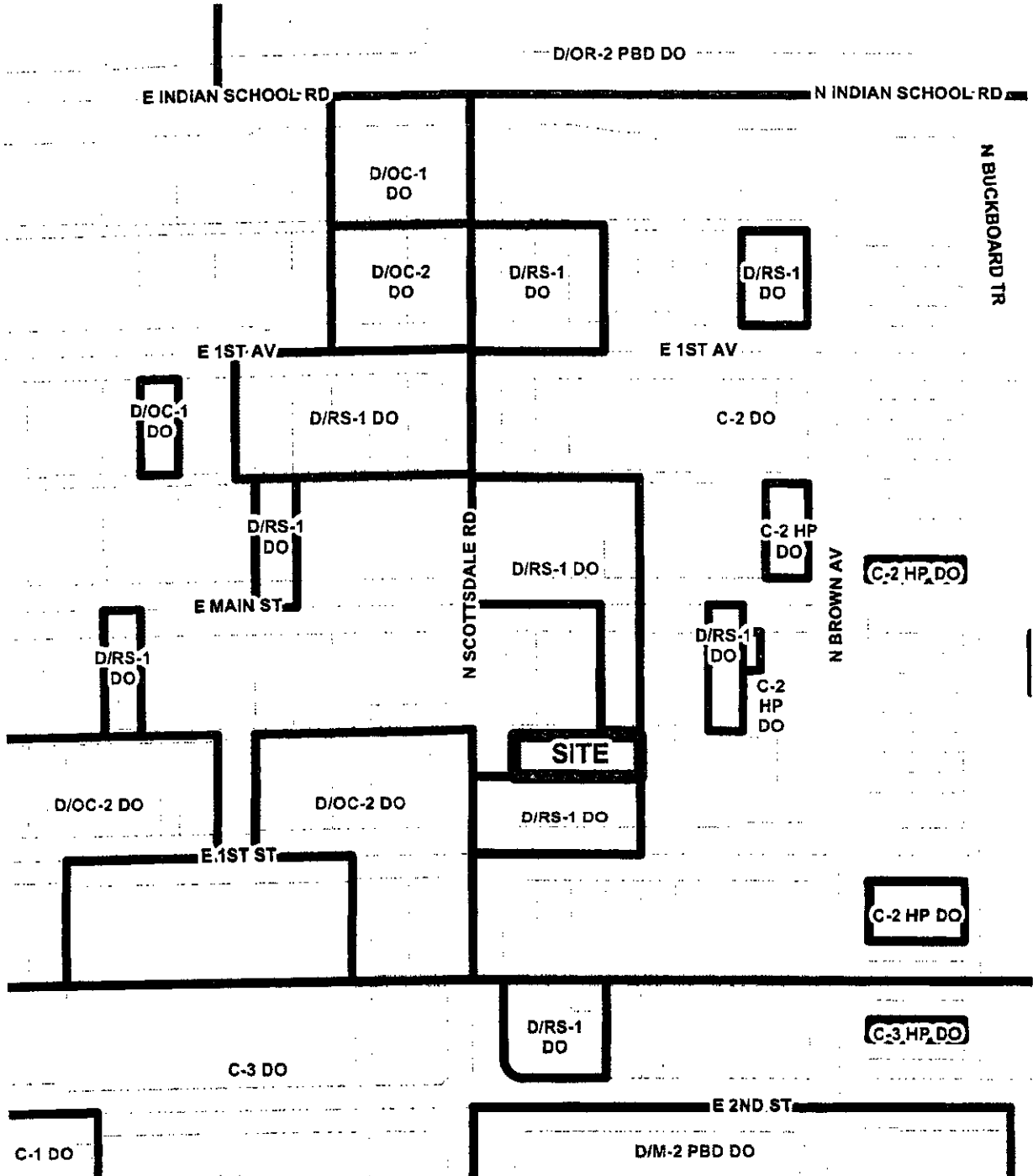
By: Carolyn Jagger
Carolyn Jagger
City Clerk

By: Mary Manross
Mary Manross
Mayor

APPROVED AS TO FORM:

By: Joseph R. Bertoldo
Joseph R. Bertoldo
City Attorney

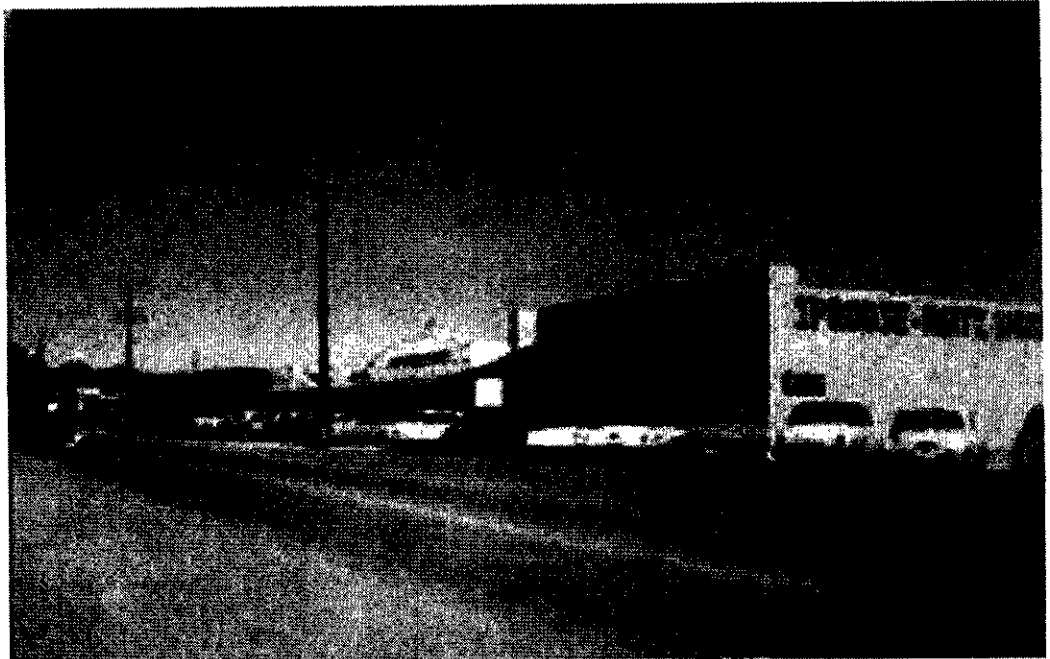
Rezone from Central Business District Downtown Overlay (C-2 DO) to Central Business District, Downtown Overlay, Historic Property (C-2 DO HP) for the Pink Pony Restaurant and to place the property on the Scottsdale Historic Register.



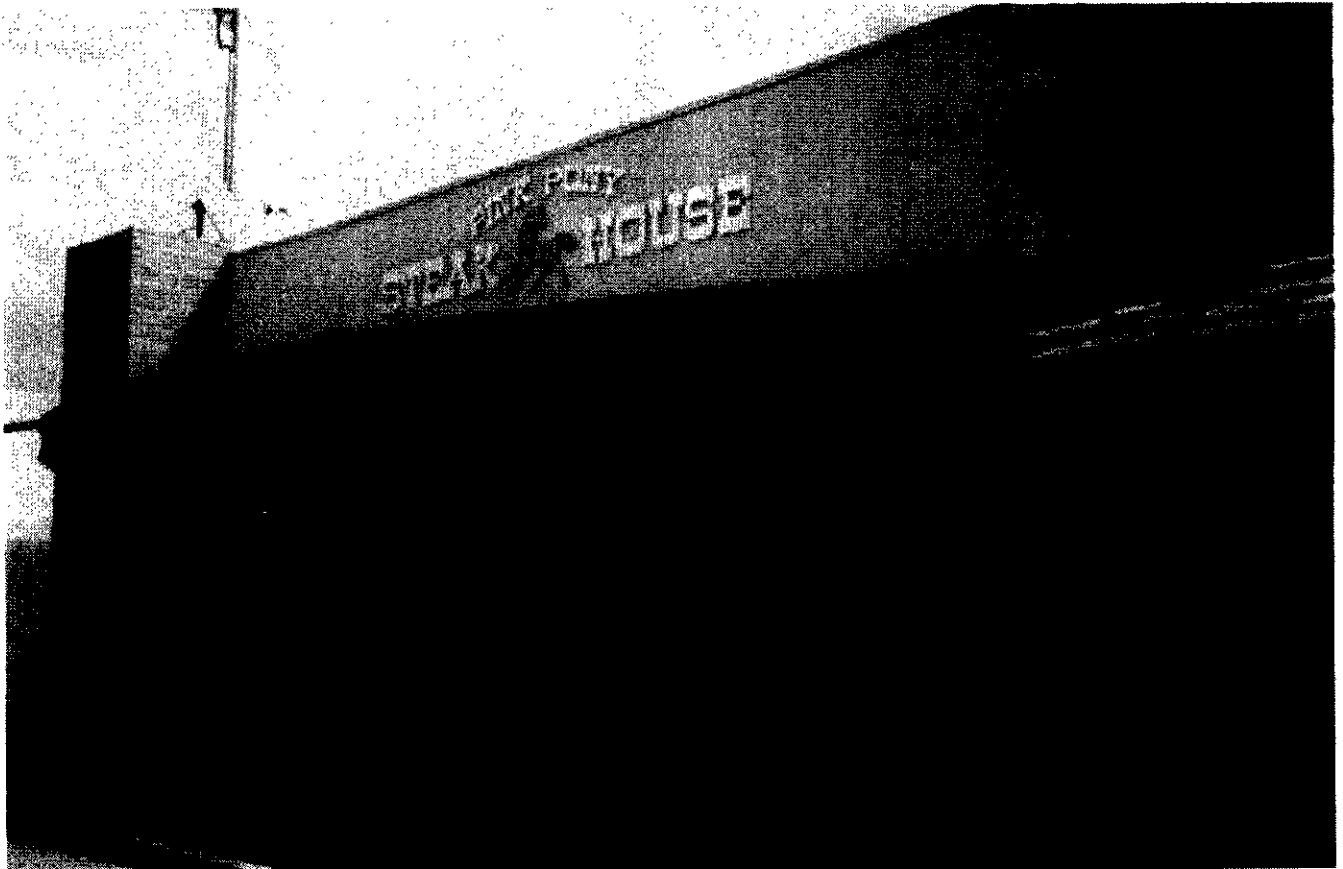
19-ZN-2003

EXHIBIT 1

Pink Pony Photos

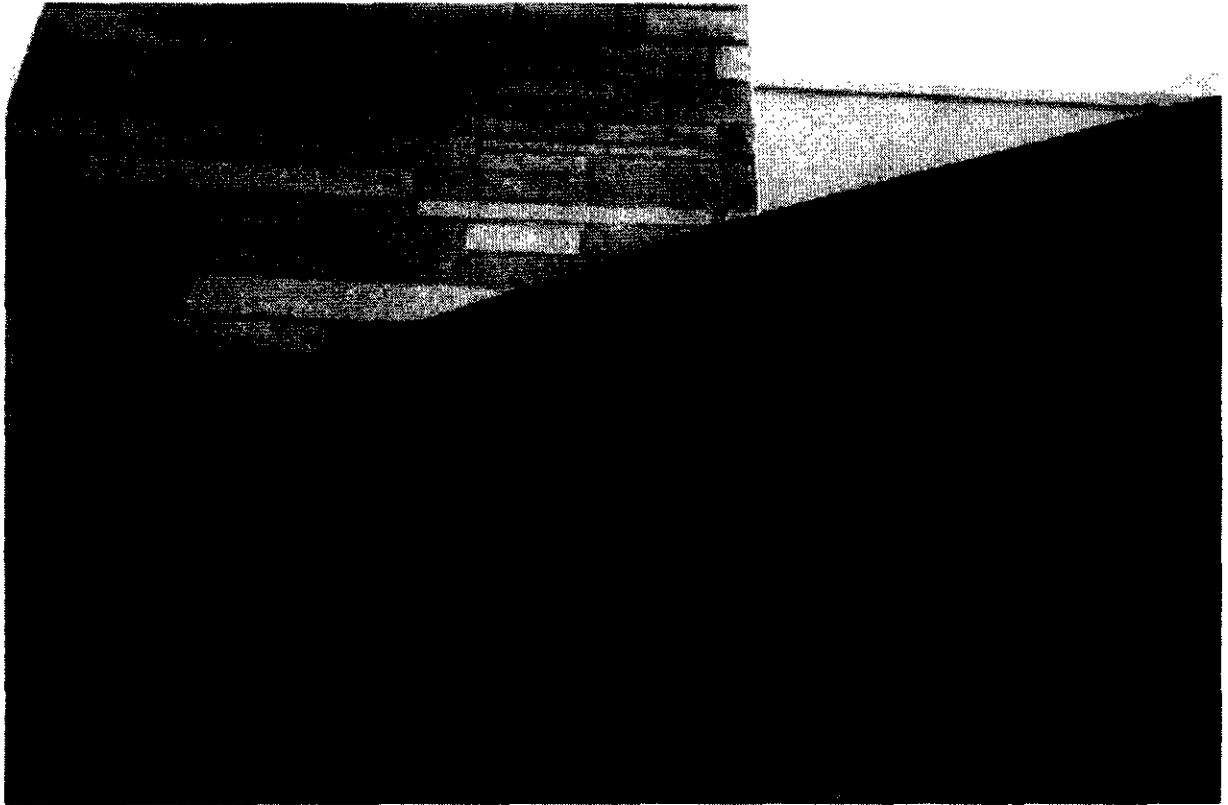


Postcard of Pink Pony property from the 1950s when Sprouse-Reitz store was in the building.

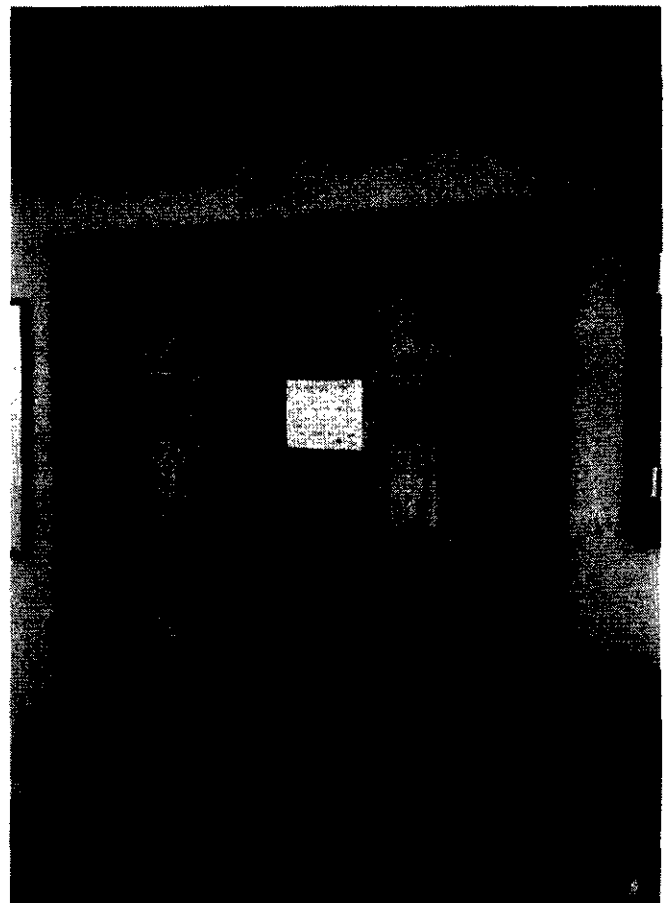


Current view of Pink Pony Restaurant from Scottsdale Road, west elevation.

Pink Pony Photos



Detail of stone columns, wood overhang with decorative wood detail.



Double entry doors with wood relief and metal door pulls.



City of Scottsdale

PROJECT NARRATIVE FOR CITY INITIATED PROJECTS



- ☒ Rezoning ☐ Other
- ☐ Use Permit
- ☐ Development Review
- ☐ Master Sign Programs
- ☐ Text Amendment

Case # 19-ZN-2003/642-PA-2003

Project Name PINK PONY HP OVERLAY

Location 3831 N. SCOTTSDALE RD.

Applicant CITY OF SCOTTSDALE-PRESERVATION

Ordinance Section _____

SITE DETAILS

Proposed Zoning: C-2 HP

Existing Zoning: C-2

Parcel Size: .2 ACRES

Height: APPROX. 18' EXISTING

Parking Required: NA

Parking Provided: NA

Of Buildings: ONE EXISTING

Setbacks: N- _____ S- _____

E- _____ W- _____

In the following space, please describe the project or the request

THIS HP OVERLAY ZONING CASE WAS INITIATED BY THE CITY'S HISTORIC PRESERVATION COMMISSION ON NOVEMBER 13, 2003 FOLLOWING A PUBLIC HEARING. NO DEVELOPMENT OR CHANGE IN USE IS PROPOSED BY THE CITY WITH THIS CITY-INITIATED CASE, SUPPORTED BY THE OWNER. THE REZONING WILL ADD HP-HISTORIC PROPERTY OVERLAY ZONING DISTRICT TO THIS ONE-STORY RESTAURANT BUILDING, ORIGINALLY THE 1954 SPROUSE-REITZ VARIETY STORE. THE PINK PONY OPENED AT 3831 N. SCOTTSDALE ROAD IN 1970 AFTER COMPLETING RENOVATIONS TO THE SPROUSE-REITZ BUILDING. THE PROPERTY IS ONE OF SEVERAL POST WORLD WAR II DOWNTOWN RETAIL BUILDINGS THAT CONTRIBUTE TO SCOTTSDALE'S DEVELOPMENT AS AN ARTS COLONY AND TOURIST DESTINATION. ITS ARCHITECTURAL STYLE, LOCATION ON SCOTTSDALE ROAD IN OLD TOWN, AND ITS ASSOCIATION WITH IMPORTANT PEOPLE LIKE CHARLIE BRILEY ARE IMPORTANT TO SCOTTSDALE'S POSTWAR HISTORY. THE CONTEMPORARY STYLED RESTAURANT WOULD BE AN IMPORTANT ADDITION TO SCOTTSDALE'S HISTORIC REGISTER AS A SIGNIFICANT HISTORIC DOWNTOWN RESOURCE RELATED TO THE ARTS AND TOURISM THEME.

(If an additional page(s) is necessary, please attach.)

P&D2000215 (07/2002)

ATTACHMENT 6.

CITIZEN REVIEW REPORT
Case #19-ZN-2003/5-HP-2003, Historic Property Zoning Map Amendment
for 3831 N. Scottsdale Road (Pink Pony)

Numerous efforts have been undertaken to ensure that citizens and property owners understand the proposed zoning map amendment and have adequate opportunities to comment on the case. This plan describes the citizen involvement efforts planned or undertaken to comply with the requirements for a Citizen Review Plan.

1. INTERESTED/POTENTIALLY IMPACTED PARTIES IDENTIFIED:

- Property owners or owners' representatives – Ms. Gwen Briley
- Scottsdale's HPC-Historic Preservation Commission
- Scottsdale Historical Society (Private) – meetings 1/19 and 2/16
- Old Town Merchants Association, past Downtown Scottsdale Partnership and Downtown Task Force members, architects and other citizens interested in the downtown
- Surrounding property owners and nearby businesses/tenants
- State Historic Preservation Office (SHPO)
- Mayor and City Council
- City Manager, Assistant City Managers, Downtown Coordination Team and Interested/Impacted City Staff in other departments

2. NOTIFICATION METHODS

- Owner Contacts: The owner was called about all HPC meetings, and any hearings, and was sent copies of agendas and/or notices. Debbie Abele, HPO met with Gwen Briley to discuss the packet of materials she received, the impact of HP zoning and to answer questions. Don Meserve met Ms. Briley at the restaurant to discuss the placement of signs.
- HPC Meetings and Hearings: The Commission approved a list of properties for consideration for the register, including the Pink Pony, in October 2001. The HPC held a public hearing on initiating the HP zoning case and approved initiating the HP case on November 13, 2003. Agendas for HPC meetings are posted, sent to interested citizens and posted on the internet. The property was placed on the agenda for a few different HPC meetings and the February 12, 2004 public hearing on the rezoning. Notices were mailed first class to property owners within 750' of the Pink Pony for the public open houses and for the HPC, PC and CC zoning hearing.
- Open Houses: Notices were mailed first class to property owners within 750' of the Pink Pony for the public open houses on January 6, 2004 at One Civic Center and January 26, 2004 at OLPH Mission Church.
- General Meetings/Open Houses on Process: In addition, there was a lecture series at the main library in the fall and the HPC held open houses on January 9th and January 10th 2002 at Loloma School to provide information on studies of the downtown that identified properties, including the Pink Pony, eligible for designation on the local register.
- Scottsdale Historical Society: President of the Scottsdale Historical Society (private) contacted for someone to speak at the Board of Directors meeting about the proposed HP zoning cases. Attend the 2/16 meeting to share information on the rezoning and to request the support of the Historical Society for the HP designations. A letter of support is anticipated in time for the PC hearing.
- Merchants Groups: Debbie Abele made presentations in 2002 to the Downtown Task Force and the Scottsdale Downtown Partnership on the downtown survey to identify historic properties. Participants were supportive of historic preservation activities.

- **Posting Site/Notices:** Posted site with the Early Notification and Zoning Hearing signs as required, and placed legal notices in the newspaper for three public hearings (HPC, PC&CC).
- **School Notification:** Current Planning will mail notification letter to Scottsdale Unified School District of three HP cases prior to the PC hearing.
- **State Organization:** Contacted SHPO about rezoning applications.
- **Current Elected Officials and Candidates for Mayor and Council:** Memos sent to Mayor and City Council describing the three proposed rezoning cases. Posted HPC agendas and minutes on City's internet pages. Preservation Director discussed the overall HP Program with candidates. Mayoral candidate Cynthia Lukas attended the January 26th open house on the HP rezoning cases.

3. INFORMATION ON SUBSTANCE OF HP ZONING CASES

- **Public Information Handouts:** It is clearly stated in the case file, on descriptions of the case and in hearings that no change in use or development project is part of this case – the City-initiated case is for HP overlay zoning only. Several handouts on historic preservation were made available at open houses and hearings. Information packet was provided to the property owner. Photos of the building and a map were placed on a display board for open houses.
- **Case Information:** A page on the case was placed on the City's internet pages for pending zoning cases. The Tribune included a feature article on the Pink Pony on January 24, 2004. The case file is available for the public to inspect/review.

4. OPPORTUNITIES FOR COMMENT BEFORE HEARINGS

- **Meetings:** Interested citizens could speak and comment at open houses, public meetings and public hearings of the HPC, PC or Council. The HPC also invited owner and public comment at their meeting when initiating the rezoning on November 13, 2003.
- **January 2004 Open Houses:** Two public open houses were held in January 2004, and additional ones may be scheduled in February 2004. About fifty people total attended the two open houses. The public response to the proposed HP zoning and placing the Pink Pony has been very positive. No objections to the rezoning were received.
- **January 2002 Open Houses:** The HPC held open houses on January 9th and January 10th 2002 at Loloma School to provide information on studies of the downtown that identified properties, including the Pink Pony, eligible for designation on the local register. About 750 non-residential properties were included in an intensive survey of downtown Scottsdale to identify potentially significant properties. About fifteen individual properties and two collections on Fifth Avenue and Main Street were identified in the survey. The historic context for the proposed rezoning has been available for a couple of years and is called "Historic Context for Scottsdale's Development as an Arts Colony and Tourist Destination."
- **Fall 2001 Lectures:** The Scottsdale Library Advisory Board sponsored a series of three lectures titled "Post World War II American Architecture". Speakers included Alan Hess, nationally prominent architectural writer, Joan Fudala, local author of Scottsdale history and Debbie Abele, Historic Preservation Officer. The lectures were a great introduction to architecture from the recent past and why it is important to identify and preserve significant buildings from the postwar era in Scottsdale.
- **Inquiries/Staff Contacts:** Staff provided information on the case to the owner and interested citizens in response to phone calls and at meetings. Responded to drop-ins, phone calls, e-mails, etc. from reporters and the public to answer questions about historic preservation and

the case. Some people have called staff to ask about other downtown properties and the process for designating other downtown buildings.

- Merchants Meetings: Staff received some positive feedback from the Downtown Task Force and Scottsdale Downtown Partnership during presentations on the downtown survey.
- City Meetings: Talked about cases in Current Planning and with other staff, as well as one-on-one meetings with some interested staff.

5. ISSUES DISCUSSED AND COMMENTS RECEIVED

- All citizens speaking at the open houses and public meetings have been enthusiastic supporters of recognizing this restaurant property as a significant historic resource in the downtown.
- There have been some inquiries about the impact of HP overlay zoning and what assistance the City can provide owners of historic properties.

SUMMARY OF PUBLIC INVOLVEMENT

The requirements of the January 2003 Citizen Review Checklist have been or will be met before the City Council hearing and action on 19-ZN-2003. All public comments received have been in favor of the proposed rezoning. A variety of people have asked for information and clarification about the impacts of HP zoning.

Additional Information in 19-ZN-2003 file:

Fall lecture series flyer
January 2002 Open Houses postcard
January 2004 Open Houses post card
Handout on downtown survey process
Historic Context text
Photo of display board for open houses
Sign-in sheets from public meetings
City/internet meeting notices
Posting affidavits for Early Notification and Zoning Public Hearings signs
Q and A flyer on HP
January 24, 2004 Tribune article on Pink Pony

20ZNCITIZENREPORT

**MINUTES
HISTORIC PRESERVATION COMMISSION
7447 E. INDIAN SCHOOL ROAD
FIRST FLOOR COMMUNITY DEVELOPMENT CONFERENCE ROOM
FEBRUARY 12, 2004
5:00 P.M.**

CALL TO ORDER

The meeting was called to order at 5:00 P.M.

ATTENDANCE

Present: Ed Wimmer, Chair
B.J. Gonzales, Vice Chair
Nancy Dallett
George Hartz
Kathy Howard
Cathy Johnson
Paul Winslow

Staff: Don Meserve
Debbie Abele, HPO

Visitors: Tom Krawczyk, Carroll Huntress, Kathy Duley, Nick Rayder

ROLL CALL

A formal roll call confirmed all Commission members present as stated above.

MINUTES

Commissioner Johnson requested a correction to the January 8, 2004 minute. On page 2, under Property Designation, second paragraph, the word register should be capitalized.

Commissioner Hartz made a motion to approve the minutes of the January 8, 2004 meeting as amended. The motion was seconded by Commissioner Gonzales and passed unanimously, 7-0.

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OVERVIEW OF DOWNTOWN SURVEY PROCESS AND FINDINGS

Ms. Abele provided an overview on the survey process used for the Downtown Survey. She reviewed the various architectural styles present in the downtown area that were identified by Don Ryden architect.

Ms. Able reviewed the list of properties for possible consideration for the Scottsdale Historic Register as approved unanimously by the Historic Preservation Commission, October 11, 2001. She noted that initially six downtown properties were selected for consideration for HP designation. She summarized what happened with the first six proposed designations.

Ms. Abele stated that after doing research on the Westernaire building at the southwest corner of Brown Avenue and 1st Avenue, staff found that there are two owners for two properties related to the building. Staff has now contacted both owners and they are supportive of the initiation.

Chair Wimmer inquired for the record what buildings the staff is recommending the Commission focus on. Ms. Abele replied the Pink Pony, Sugar Bowl, Westernaire, Woolworths/Scottsdale Savings Bank, and Pima Plaza. Ms. Abele stated that since the composition of the Commission has changed since October 2001 they should take another look at the list.

Ms. Abele reported there was some controversy regarding the Valley Bank building designation at the southeast corner of Scottsdale and Indian School Roads. It was debated in the public hearings whether the Western theme building was significant. The owner decided to oppose the designation after the hearing process started and the Planning Commission voted against the HP overlay when the owner opposed the HP zoning. Ms. Abele would say absolutely that the Valley Bank building meets more than one criteria for being historically significant. She further reported, with regard to the Valley Bank building, they now have reason to not move forward with designation because staff has had meetings with the owners'. They have assured the City there are no plans to do anything with the site and that they have a long-term lessee in the building.

Commissioner Gonzales stated the Commission is not here to pass only things that they thought are going to be winners. They are here by public demand to assess these individual buildings regarding whether they think they have historic significance. He further stated he did not want the Commission to shy away from doing things that are not popular because they are ultimately judged by their actions.

Commissioner Winslow stated that he agreed with Commissioner Gonzales but as a practical matter, he would hate to see unnecessary conflict just because they believe they are right when they could achieve the same goal in a practical way.

Mr. Meserve stated as a footnote, that at a recent presentation to the Planning Commission in January 2004 the Commission reiterated that they felt it was important to have property owner support for HP overlay zoning.

Chair Wimmer suggested the Commission have a future discussion regarding achieving a middle ground whereby they have a property owner that is adverse to the designation but where the Commission goes on record that they believe the building is worthy of recognition on the Register.

REVIEW OF HP ORDINANCE DESIGNATION CRITERIA

Ms. Abele reviewed the HP Ordinance designation criteria and distributed the relevant ordinance text. She requested the maker of a motion to place a property on the Scottsdale Historic Register specify the criteria used in making the decision so that it becomes a part of the record. Two properties were later on the agenda for consideration of such motions.

DRAFT 2004 WORK PROGRAM FROM JANUARY 24, 2004 RETREAT

Ms. Abele requested the Commission review the draft 2004 Work Program and indicate anything that staff omitted or should be amended. Ms. Abele stated the third bullet under Designation should be changed to read: Initiate the survey and study of 1950s Multi-Family housing complexes. Ms. Abele reported the Commissioner has evaluated progress on each year's work program about mid-year.

Commissioner Dallett stated they discussed creating a subcommittee for multi-family housing at the retreat. Chair Wimmer stated the way that discussion was left was that the Historic Register Committee would take the lead in deciding whether they needed additional people to complete their survey activities.

Commissioner Winslow moved to approve the 2004 Work Program as modified. Second by Commissioner Dallett and passed unanimously, 7-0.

PUBLIC COMMENT

Commissioner Gonzales suggested moving to public comment on the agenda since property owners were advised that the public hearing would start around 6:00 P.M.. Chair Wimmer asked for public comment.

Mr. Nick Rayder stated that the City had an architectural consultant complete a Building Assessment Condition Report in 2002 for the OLP Mission Church on Brown Avenue. Mr. Rayder said the report helped propel the parishioners and church office into doing a lot of work and starting very significant activities for the historic church property. He further stated the report by Don Ryden architect is an incredible piece of work that led to them hiring an architect. At the last church meeting the architect presented an overview of what would happen. Mr. Rayden brought a copy of a newspaper article on the old stained glass windows.

Mr. Rayden further reported they have had two open houses and a service in the church, noting they were exciting and very emotional because people were hugging each other and crying, and some of the comments were heart wrenching. He noted that underscores why they are in the business of preserving historic buildings because there is so much spirit they are not just structures there is a lot of soul. He reported they have recovered old pictures of activities that occurred in the Mission Church that are now on the walls of the church. He further reported that during the recent Parada del Sol, church members had a table in front of the historic church and passed out brochures for donations for rehabilitating the building. He thanked the City for the wonderful bench out in front containing a picture of the church. Mr. Meserve commented Preservation could not take responsibility for the bench since their installation was part of the broader City effort to place new benches in the downtown area.

Commissioner Gonzales stated it was his understanding that religious services would be held again in the building. Mr. Rayder replied there would not be regular services but there would be prayer services held. He noted the historic Mission Church would be operated more like a tourist attraction for the downtown.

Commissioner Gonzales asked if they were able to locate any of the original pews. Mr. Rayder reported they have six or eight original pews.

Commissioner Winslow inquired if it would be possible for them to take his quote about how helpful this report was and assign his name. Mr. Rayder replied that would be okay.

Chair Wimmer inquired about the schedule for the planned rehabilitation and addition. Mr. Rayder replied that would be a function of the donations from the capital campaign but he would guess two years.

Commissioner Dallett stated the Arizona Jewish Historical Society is undergoing a similar process with a historic place of worship and there would be a lot of information they could share and learn from one another.

Commissioner Gonzales stated that he felt it was important to have follow-up from people like Mr. Rayden on what is happening to buildings placed on the Register.

PUBLIC HEARING

20-ZN-2003/6-HP-2003, Sugar Bowl Historic Property Overlay Zoning: request by the City of Scottsdale, applicant, Jaclyn H. Krawczyk, Margery H. Morton, Frederick R. Huntress, and Northern Trust Bank, N.A., Trustee, owners to rezone from Central Business District (C-2) to Central Business, Historic Property (C-2 HP)

on .13+ acre parcel located at 3935 and 4005 N. Scottsdale Road. The Commission initiated this case November 13, 2003 so this case is a City-initiated rezoning.

Ms. Abele, Historic Preservation Officer (HPO) presented this case as per the staff report and designation report. The HPO recommends approval to list the property on the Scottsdale Historic Register.

Commissioner Johnson stated she wanted to confirm that what they are calling the Sugar Bowl is the entire building contains two businesses. Ms. Abele replied in the affirmative and they could make that a condition of the motion. Mr. Meserve noted that just the building is proposed for designation and not the adjacent parking lot property to the east.

Chair Wimmer opened public testimony.

Tom Krawczyk remarked they are pleased and excited to be considered for historical designation.

Carroll Huntress stated he is the owner of the Sugar Bowl restaurant and they are in favor of the building being designated for historic preservation.

Chair Wimmer closed public testimony.

Commissioner Gonzales moved to forward a recommendation to the Planning Commission and City council to apply HP overlay zoning (C-2HP) to the Sugar Bowl and to list the property on the Scottsdale Historic Register (20-ZN-2003/6-HP-2003). Seconded by Commissioner Howard.

Commissioner Dallett proposed an amendment to the motion to include the following reasons for designation:

- 1) The building is associated with an important pattern of development, which conveys the reuse of the Western Motor Service and the Cancellation Shoe Center.
- 2) The Sugar Bowl is associated with Jack Huntress, a significant person from Scottsdale's past.
- 3) The building is a community institution with a high degree of integrity.

The maker of the motion and second agreed to Commissioner Dallett's amendment. The motion passed unanimously, 7-0.

19-ZN-2003/5-HP-2003, Pink Pony Restaurant Historic Property Overlay Zoning: request by City of Scottsdale, applicant, Charles W. Briley Revocable Trust (Gwen Briley), owner, to rezone from Central Business District (C-2) to Central Business, Historic Property (C-2 HP) on an .2+ acre parcel located at 3831 N. Scottsdale Road. The Commission initiated this case November 13, 2003 so this case is a City-initiated rezoning.

Ms. Abele, Historic Preservation Officer (HPO) presented this case as per the staff report and designation report. The HPO recommends approval to list the property on the Scottsdale Historic Register.

Chair Wimmer inquired if the doors and entire façade were included. Ms. Abele replied in the affirmative.

Commissioner Johnson stated she walked around the building today and it would appear the new building across Scottsdale Road seems to play off of the Pink Pony as far as architectural design.

Commissioner Gonzales stated the façade is not the original façade. Ms. Abele replied the alteration is significant in its own right in terms of why it was done.

Chair Wimmer opened public testimony, and noted for the record that no public comment was received.

Commissioner Hartz moved to forward a recommendation to the Planning Commission and City Council to apply HP overlay zoning (C-2HP) to the Pink Pony and to list the property on the Scottsdale Historic Register (19-ZN-2003/5-HP-2003) recognizing the following:

- 1) The building is historically significant for its association with Scottsdale' Post World War II community planning and development patterns for its association with the town's social history; and
- 2) Its association with Charlie Briley, a very important figure in the history of Scottsdale for his role in bringing the Cactus League to Scottsdale, which is a vital part of Scottsdale's image over the past 50 years; and
- 3) It should be noted that the remodeling is considered historically significant.

Second by Commissioner Johnson and passed by a vote of six (6) to one (1) with Commissioner Gonzales dissenting.

Initiation of HP-Historic Property Zoning for the Weirich-Westernaire Shops: Consider the Historic Preservation Commission initiating an HP overlay zoning case for the Westernaire Shops at 7239 E. 1st Avenue, owned by Mabel Weirich, and to place the property on the Scottsdale Historic Register.

Ms. Abele reported when they originally considered to plan initiation for this building, staff was not aware there were two property owners and were surprised to find out the building was on two separate lots. They would like to expand the boundaries for the case to include both lots. She reported the building was first called the Weirich Building and then there was a contest held to name the building and the name Westernaire Shops was the winning name. Ms. Abele has met with Ms. Weirich and she supports the proposed designation.

Commissioner Winslow stated that he had some problems with this building being brought forward individually. He further stated that he would be more comfortable if the designation was part of a district because he did not find the building to have unique architectural character. The building was significant because it was the first multi-tenant building and it is an institution within the community. He suggested they include the other adjacent buildings on 1st Avenue. Ms. Abele replied there were not enough buildings to meet the district criteria but it could be designated a significant streetscape that reflects the buildings of that period.

Chair Wimmer inquired if there was anything significant regarding the way the parking is setup if the streetscape had historical significance. Ms. Abele noted they would draw the boundaries to include the two one-way streets on this block called Pima Plaza in the 1950s.

Commissioner Hartz expressed his concern regarding the fact that tying the Westernaire Shops with Pima Plaza could delay it indefinitely.

The Commission directed staff to revise the boundaries for the historic property overlay zoning, and bring back another HP boundary map for their consideration. There were no public comments on this case.

COMMITTEE REPORTS

Historic Register Committee

Chair Wimmer stated the Historic Register Committee is continuing to do work on the neighborhoods. Ms. Abele replied staff is preparing some analysis on the initial tour on Saturday, February 24, 2004.

Education Outreach Committee

Commissioner Hartz reported the Education Outreach Committee met on January 21st, and reviewed the work that has been accomplished in 2003 and set Committee priorities for 2004. He further reported that he and Don Prior met on the February 10th, and discussed their priorities.

HPO STAFF REPORT AND ANNOUNCEMENTS

Ms. Abele stated she was thrilled to learn the OLPB Building Condition Assessment Report was helpful. Chair Wimmer suggested the Education Committee link up with the gentleman from OLPB because there is some good copy there.

Ms. Abele updated the Commission on her meeting with the building committee for the First Baptist Church. The City received a letter stating that the committee was not interested in pursuing an HP overlay zoning or having the building listed on the Register at this time.

Mr. Meserve stated the Commission would be receiving future reports regarding archeological resources and the Desert Mountain master planned development. The archaeology report submitted for one of the last and most northern phases of the Desert Mountain development recorded several sites that could be impacted by future development. A Mitigation Plan and data recovery for the recorded sites is anticipated.

FUTURE MEETINGS AND AGENDA ITEMS

Ms. Abele stated she had the benefit of a student last semester who did an independent study on the post war school buildings in Scottsdale. She inquired if the Commission would like a presentation on that study. The Commission would like a future presentation on the study findings.

COMMISSION ITEMS

Chair Wimmer reminded the Commission that a meeting of the East Valley Coalition would be held on February 24th, at Monti's in Tempe. He stated that he spoke with the Chair of the East Valley Coalition and advised him that the consensus of the Commission at the retreat was they were interested in being part of the coalition to gain information but did not feel it would be appropriate to get involved in political efforts. He also shared that they were not interested in expanding the coalition and having it become Valleywide.

Commissioner Dallett inquired if it was important for the commissioners' to attend the March 10, 2004 Planning Commission public hearing. Ms. Abele replied it was not necessary because they would be providing them with a packet full of information including the recommendations from this Commission.

Meeting adjourned at 7:10 p.m.

Submitted by:

**MINUTES
HISTORIC PRESERVATION COMMISSION
7447 E. INDIAN SCHOOL ROAD
FIRST FLOOR COMMUNITY DEVELOPMENT CONFERENCE ROOM
APRIL 8, 2004
5:00 P.M.**

CALL TO ORDER

The meeting was called to order at 5:00 P.M.

ATTENDANCE

Present: Ed Wimmer, Chair
B.J. Gonzales, Vice Chair
Nancy Dallett, Commissioner
George Hartz, Commissioner
Kathy Howard, Commissioner
Cathy Johnson, Commissioner
Paul Winslow, Commissioner

Staff: Don Meserve
Debbie Abele, HPO

Visitors: Janie Ellis, Joanna Hopkins, Brad Carr, and Claudio Munoz W.

ROLL CALL

A formal roll call confirmed members and staff present as stated above.

MINUTES

Commissioner Johnson requested corrections to the March 11, 2004 minute. On page 3, last paragraph, the word tours should be changed to tour. On page 3, under the motion for collection on Main Street. Commission Winslow should be changed to Commissioner Winslow. On Page 4, that reads: "Commissioner Hartz stated the Committee gave some consideration if it was practical to..." should be changed to: Commissioner Hartz stated the Committee gave some consideration to see if it was practical to..." On page 5, sentence that reads: "Chair Wimmer reported that he attended the East Valley Coalition meeting on February 24th, at Monti's in Tempe." She stated that Commissioner Hartz also attended the meeting so that should be added.

Commissioner Winslow made a motion to approve the minutes of the March 11, 2004 meeting as amended. The motion was seconded by Commissioner Hartz and passed unanimously by a vote of seven (7) to zero (0).

Chair Wimmer reported the Work Session item for the Hotel Valley Ho Historic Property has been pulled from the agenda at the owner's request.

PUBLIC HEARING/ACTION ITEMS

1-HP-2004 Cattle Track Complex Certification of Appropriateness (Cattle Track Complex Historic Property) – request by Janie Ellis, owner/applicant to approve relocating two residential structures, totaling 2,530 square feet area, to two pad sites identified on the approved site plan for historic property located at 6105 N. Cattle Track Road, zoned Special Campus, Historic Property (SR HP). The Commission will use the design guidelines from the approved Historic Preservation Plan and the site approved by City Council in case 35-ZN-1995#4 for this property to determine whether the requested Certification of Appropriateness should be approved.

Ms. Abele presented this case as per the staff report. Staff recommends approval of the request for a Certificate of Appropriateness for the proposed plans and design to relocate two residential structures to pad locations identified on the approved site because the application is consistent with the design guidelines in the Cattle Track Complex Historic Preservation Plan.

Janie Ellis, 6105 N. Cattle Track Road, stated the Ellis Family would like to try and move an adobe house and redwood guesthouse at the southwest corner of Cattle Track and Lincoln Drive. The houses were designed and built by George Ellis in the 1940's. She commented that the house was lived in by one of the sculptures of Mt. Rushmore. The lot has been approved for a rezoning and the owners are requiring her to move the structures by the end of May 2004 or they will be demolished. She further stated that they want to move the structures to 105 Cattle Track, which is zoned Special Campus Historic Property (SC HP).

She reported this will be a delicate endeavor and the moving company is not sure all pieces will survive the move intact. They think the move will be in four sections. She plans to restore the buildings and make them an integral part of the property.

Commissioner Howard reported that she was out on the property today and noticed trenches in that area and inquired if they are planned for footings. Ms. Ellis replied the trenches are for phone lines and they need to be moved.

Commissioner Winslow commented that these are older buildings that are coming into a setting that is an established historic setting. He inquired if there was going to be a designation to the fact that these are being added. Ms. Abele provided a brief overview of the process. Several structures on the property are currently listed in the designation report as contributing to the historic character. She noted that once the building is sited it would come back to the Commission to determine if it is a contributing element to the historic property designation.

Commissioner Gonzales stated for the record he lives across from the subject property and a section of his fence would be taken down to accommodate the move but there would be no remuneration.

Commissioner Dallett inquired how they would be able to minimize the impact of the placement of this structure through screening and landscaping. Ms. Ellis stated they would continue to plant more trees noting that the placement would be difficult to see from the road. Commissioner Dallett inquired how the scale would fit in with the horizontal and low line of the existing. Ms. Ellis replied it would be the same. Mr. Meserve noted the site plan the City Council approved says 18 feet between the street so they are under 18 feet.

Commissioner Gonzales stated that he was very familiar with the subject property and felt it would fit in with the recurrent themes already established on the property.

Commissioner Hartz stated that he did not understand the second to last sentence from Ms. Ellis' letter that reads: "When the move is complete and we know the exact square footage it should be deducted from the total square footage allow on our site". He inquired what that statement refers to. Ms. Ellis stated they did not say the exact square footage because they don't know how much of the building they would be able to move because portions may fall apart. She further stated that they are allowed 85,000 square feet of building in the designated area.

Mr. Meserve inquired if Ms. Ellis has had any feedback from neighbors and the public after this site was posted. Ms. Ellis reported that everyone has been enthusiastic and hopes that it works.

Chair Wimmer noted for the record that there was not public comment on this request.

Commissioner Dallett moved approval of the request for a Certificate of Appropriateness for the proposed plans and design to relocate two residential structures to pad locations identified on the approved site because the application is consist with the design guidelines in the Cattle Track Complex Historic Preservation Plan. The relevant design guidelines seem to be well in hand and according to the ability to match the visual appearance, the height, building materials, the visual appearance of new construction from the public rights of way will be minimized through a variety of techniques such as landscape and placement. Approval is subject to the following added provision:

The entire building must be moved to the site and the applicant return to the Commission if the move creates a situation where they cannot move the entire building.

Commissioner Johnson stated they way the motion was stated approval is contingent upon moving the entire building. Ms. Abele stated the Commission is only being asked for the relocation and once it is moved there would need to be analysis of what work need to be done. There may be some non-contributing elements.

Commissioner Dallett amended her motion to strike the added provision that the entire building must be moved to the site and the applicant return to the Commission if the move creates a situation where they cannot move the entire building. Second by Commissioner Hartz.

Commissioner Johnson stated that she felt the property does meet the design guidelines and the building was designed and built by George Ellis and does fit in with the compound where it is being moved and does have the materials and the elements match.

Commissioner Gonzales stated that he would like to commend the applicant on their efforts to save this historic property.

Chairman Wimmer called for the vote. The motion passed by a vote of seven (7) to zero (0).

20-ZN-2003/6HP-2003, Sugar Bowl Historic Property Overlay: request by the City of Scottsdale, applicant, Jaclyn H. Krawczyk, Margery H. Morton, Frederick R. Huntress, and Northern Trust Bank, N.A., Trustee, owners to rezone from Central Business District Downtown Overlay (C-2 DO) to Central Business, Downtown Overlay Historic Property (C-2 DO HP) on .13± acre parcel located at 3935 and 4005 N. Scottsdale Road.

Chairman Wimmer noted that there was an error in the legal posting so the Commission is required to hear cases 20-ZN-2003/6-HP-3003 and 19-ZN-2003/5-HP-2003 again.

Ms. Abele passed out a copy of the presentation that will be given to the Planning Commission.

Mr. Meserve stated that, when these two cases were heard at the February 12, 2004 Historic Preservation Commission meeting, the Downtown Overlay (DO) designation was not included on the posting. Mr. Meserve reported that the DO designation was in the recent legal notice in the newspaper and on the red public hearing signs on each property under consideration.

Chair Wimmer reported for the record there was no public comment.

Commissioner Winslow moved to forward a recommendation to the Planning Commission and City Council of approval for 20-ZN-2003/6HP-2003, Sugar Bowl Historic Property Overlay: request by the City of Scottsdale, applicant, Jaclyn H. Krawczyk, Margery H. Morton, Frederick R. Huntress, and Northern Trust Bank, N.A., Trustee, owners to rezone from Central Business District Downtown Overlay (C-2 DO) to Central Business, Downtown Overlay Historic Property (C-2 DO HP) on .13± acre parcel located at 3935 and 4005 N. Scottsdale Road. Second by Commissioner Johnson.

The motion passed by a vote of seven (7) to zero (0).

19-ZN-2003/5HP-2003, Pink Pony Restaurant Historic Preservation Property Overlay Zoning: request by City of Scottsdale, applicant, Charles W. Briley Revocable Trust (Gwen Briley), owner, to rezone from Central Business District Downtown Overlay (C-2 DO) to Central Business, Historic Property Downtown Overlay (C-2 DO HP) on an .2± acre parcel located at 3831 N. Scottsdale Road.

Chair Wimmer reported for the record there was no public comment.

Commissioner Hartz moved to forward a recommendation to the Planning Commission and City Council of approval for 19-ZN-2003/5-HP-2003, Pink Pony Restaurant Historic Preservation Property Overlay Zoning: request by City of Scottsdale, applicant, Charles W. Briley Revocable Trust (Gwen Briley), owner, to rezone from Central Business District Downtown Overlay (C-2 DO) to Central Business, Historic Property Downtown Overlay (C-2 DO HP) on an .2± acre parcel located at 3831 N. Scottsdale Road. Second by Commissioner Dallett.

The motion passed by a vote of six (6) to one (1) with Commissioner Gonzales dissenting.

Commissioner Gonzales stated the reason for his dissenting vote is because this is not the original location of the Pink Pony and he felt there have been too many changes. In his opinion, it does not conform to the HP guidelines.

REGULAR AGENDA ITEMS

Potential Downtown Collections/Districts on Main Street and 5th Avenue

Ms. Abele requested comments on 3/25 Special Meeting scheduled for a tour of the historic districts and discussion of integrity considerations and boundaries.

Chair Wimmer commented that, to some extent, this would seem like a task of the Historic Register Committee. Ms. Abele explained that the Historic Register Committee has reviewed the potential downtown districts and given the Commission their recommendations.

The Commission reviewed the South Side of Main Street Collection of post war downtown development. It was noted that the logical way to set boundaries is by complete block frontages. It was decided previously that the north side of the street had too many alterations. The Commission discussed all of the south side of Main Street, from Marshall Way to Scottsdale Road.

Mr. Meserve noted that City Council has just approved a fee waiver program for façade improvements in the downtown and to waive fees for residential improvements in the southern neighborhoods. Downtown owners could change covered walkways or make other improvements to downtown storefronts as a result of the fee waivers.

The Commission commented on the improvements that have already been made to the storefronts. The Commission noted that some of the alterations could be looked at as part of the evolutionary process and they could develop criteria that says, if the alterations were consistent with the evolution, that could help that small stretch or area on the west end of the block for fear that if they left that area out it could be modified in a way that would not go with the rest of the street. Ms. Abele reported they could carefully write the design guidelines.

Commissioner Gonzales stated he had a strong belief that when information gets out about the historic designation people would chose to be part of the designation because he felt the retail community has a sense of unity.

Commissioner Dallett commented that she felt that it might be shortsighted at this point not to look at the entire street. The consensus of the Commission was for the boundaries to include the properties on the south side of the block as presented in the collage of photos by staff.

Ms. Abele reported staff can do research on the dates of building alterations once the Commission has determined the boundary.

The Commission reviewed the Fifth Avenue Collection of post war downtown development. The Commission discussed the characteristics of the buildings. It was noted that the 5th Avenue collection is possibly the best intact 1950's downtown in Arizona because most are gone and have been redeveloped. The Commission also discussed where they felt the boundaries should be along 5th Avenue between Goldwater Boulevard and Scottsdale Road. The Commission discussed not including the clock tower within the 5th Ave. district but look at it for individual recognition.

The consensus of the Commission was for the boundaries would go from 7079 East 5th Avenue to the southeast corner of Marshal Way to 5th Avenue with the clarification that staff would clarify the exact addresses to be included in the study boundary if needed.

Ms. Abele reported that earlier today they received approval to increase Liz Wilson's hours spent on Scottsdale research for the next couple of months till the end of the fiscal year. Ms. Abele reported that staff has already received direction from the Commission on the third collection, the Pima Plaza Collection and are moving forward.

COMMITTEE REPORTS

Historic Register Committee

Commissioner Howard stated the Historic Register Committee has scheduled a meeting for Monday April 12, 2004 to review the survey findings for the 1950's multi-family complexes.

Education Outreach Committee

Commissioner Hartz reported the next Education Outreach Committee meeting is scheduled for April 20, 2004. The committee will discuss; 1) an information flier for residential historic districts, 2) a series of brochures focusing on the properties that have been designated, 3) continued discussion on community forums, and 4) trying to find ways to make their website more user friendly.

COMMISSION ITEMS

Commissioner Johnson stated the Noriega buildings are gone and the parking garage is being built. She inquired about the status of the kiosk to recognize Harvey Noriega. Mr. Meserve stated that city staff is working on a commemorative monument but he did not have details. Commissioner Johnson requested an update at a future meeting.

Commissioner Gonzales requested an update on the street improvements being planned on the easement on Cattle Track that is designated HP. Mr. Meserve stated that there are capital project improvements being planned along McDonald Drive but the plans have been revised because people in this area don't want the improvements because it is their desire to keep the rural character. Staff will provide updated information to the Commission at the next meeting.

Commissioner Johnson stated there was a newspaper article regarding a group cleaning up the Taliesin property and removing structures built by students. Mr. Meserve stated staff would provide an update at the next meeting.

FUTURE MEETINGS AND AGENDA ITEMS

Ms. Abele stated the Commission had planned on meeting April 29th at 6:00 p.m., for a tour of the Reata Pass area, but they need to schedule a work session/public hearing for the Hotel Valley Ho instead. It was determined that because the Commission already prepared to meet at 6:00 they keep that hour and date open. It was decided the Reata Pass tour would be rescheduled for May 27th.

Meeting adjourned at 6:50 p.m.

Submitted by:

For the Record Court Reporters

CHAIRMAN GULINO stated that he would agree with Commissioner Barnett regarding staffs advising the property owners to receive outside legal advice. Ms. Abele reiterated that staff would ensure that occurs.

COMMISSIONER STEINKE MOVED TO FORWARD CASE 20-ZN-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. SECOND BY COMMISSIONER HEITEL.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

19-ZN-2003 (Pink Pony Restaurant Historic Property Overlay) request by City of Scottsdale, applicant, Gwen Briley, owner, to rezone from Central Business District Downtown Overlay (C-2 DO) to Central Business District, Downtown Overlay, Historic Property (C-2 DO HP) for the Pink Pony Restaurant (.2 +/- acre parcel) at 3831 N Scottsdale Road and to place the property on the Scottsdale Historic Register.

MS. ABELE presented this case as per the project coordination packet. The Historic Preservation Officer and Staff recommend approval. She reported that the property owner supports the designation.

COMMISSIONER BARNETT stated he would reiterate his comments regarding advising the property owner to seek external legal counsel. He noted in the report it indicates that there have been citizen comments regarding what assistance the city would provide owners with historic designation. He further noted it seems to be an inherent conflict of interest where the city is saying they will give them the HP zoning with the implicit understanding from the owner that they would be given assistance by the city in exchange for allowing the designation. He added he felt the process does not work very well. Ms. Abele explained the HP Ordinance specifically states that the city provides incentives and assistance to the owners of historic properties.

COMMISSIONER HEITEL MOVED TO FORWARD CASE 19-ZN-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. SECOND BY VICE CHAIRMAN STEINBERG.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

Scottsdale Historical Society



Honorable Mayor & City Council
Planning Commission
City of Scottsdale
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

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Re: Zoning Cases 19-ZN-2003 Pink Pony) & 20-ZN-2003
(Sugar Bowl)

On behalf of the Scottsdale Historical Society I am writing this letter in support of the two zoning cases that would apply the Historic Property overlay to the Pink Pony and Sugar Bowl buildings in Old Town Scottsdale. Both of these buildings have become icons of downtown Scottsdale and have been a gathering place for generations of residents and guests.

Given their historic presence representing Scottsdale as an emerging community of the 1950s, these buildings and the uses they have housed are significant and worthy of this designation. Their exposure to the community at-large by being on Scottsdale Road also is an important factor supporting the importance of this action.

Sincerely,

Donald Hadder, Sr.
President, Scottsdale Historical Society